

## PLANNING PERMIT

<b>Permit No.:</b>	PA2302457
<b>Planning scheme:</b>	Melbourne Planning Scheme
<b>Responsible authority:</b>	Minister for Planning
<b>ADDRESS OF THE LAND:</b>	437 St Kilda Road, Melbourne

### THE PERMIT ALLOWS:

<b>Planning scheme clause No.</b>	<b>Description of what is allowed</b>
34.01-1	Use the land for dwellings
34.01-4	Construct a building or construct or carry out works
43.02-2	Construct a building or construct or carry out works

### THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

#### Amended Plans

1. Prior to the commencement of the development, excluding any demolition or bulk excavation and site preparation works, an electronic set of plans drawn to scale and an updated development summary, must be submitted to the Responsible Authority in consultation with the Melbourne City Council, generally in accordance with the plans prepared by Bates Smart Architects, titled '437 St Kilda Rd', dated 18 August 2023 (Revision A) and 16 January 2024 (Revision B), but amended to show:
  - a) The materials of the facades to the bedrooms of the central north / south apartments that interface with terraces of adjoining dwellings to avoid overlooking.
  - b) Introduction of safety measures to reduce potential for conflict between pedestrians and vehicles at the lobby entrance.
  - c) Maximum roof top plant equipment height to be shown in a sectional diagram.
  - d) The roof top plant screen to be reduced in height to be no higher than the maximum equipment height.
  - e) Notation of the finishes to service cupboards within the St Kilda Road setback.
  - f) Bin wash facilities to be shown on the ground floor plan as per the Waste Management Plan.

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- g) General waste bins in the eastern core waste storage room to be shown as 660 L bins instead of 1100 L.
- h) Annotation on plan that all stormwater drainage from planters must be managed within the boundaries of the subject land.
- i) Annotation on plan that the water tank is connected to toilets and irrigation.
- j) Any changes, technical information or plan notations (or otherwise) required as a consequence of any other condition in this permit.

These amended plans must be to the satisfaction of the Responsible Authority and when approved shall be the endorsed plans of this permit.

### **Layout Not Altered**

- 2. The use and development as shown on the endorsed plans must not be altered or modified unless with the prior written consent of the Responsible Authority.

### **Completion of Development**

- 3. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.

### **Retention of Architect**

- 4. Except with the written consent of the Responsible Authority, Bates Smart Architects must be retained to provide architectural oversight during construction and completion of the detailed design as shown in the endorsed plans and schedule of materials and finishes to the satisfaction of the Responsible Authority.

### **Façade Strategy**

- 5. Concurrent with the endorsement of plans pursuant to Condition 1, a Façade Strategy and Materials and Finishes Schedule must be submitted to and be approved by the Responsible Authority in consultation with the Melbourne City Council. All materials, finishes and colours must be in conformity with the approved Façade Strategy to the satisfaction of the Responsible Authority. The Façade Strategy must be generally in accordance with the development plans and must detail:
  - a) A concise description by the architect(s) of the building design concept and how the façade works to achieve this.
  - b) Elevation details at a scale of 1:50 illustrating ground floor details for the building, including entries and doors design, lobby area, service cupboards, and any special features which are important to the building's presentation.
  - c) Information about how the façade will be accessed and maintained and cleaned, including any planting if proposed.
  - d) Example prototypes and/or precedents that demonstrate the intended design outcome as indicated on plans and perspective images, to produce a high-quality built outcome in accordance with the design concept.
  - e) A schedule of colours, materials and finishes, including the colour, type and quality of materials showing their application and appearance. Materials and finishes must be of a

high quality, contextually appropriate, durable and fit for purpose. This can be demonstrated in coloured elevations or renders from key viewpoints, to show the materials and finishes linking them to a physical sample board with coding.

### Glare

6. Glazing materials used on all external walls must be of a type that does not reflect more than 20% of visible light when measured at an angle of 90 degrees to the glass surface, to the satisfaction of the Responsible Authority.
7. External building materials and finishes must not result in hazardous or uncomfortable glare to pedestrians, public transport operators and commuters, motorists, aircraft, or occupants of surrounding buildings and public spaces, to the satisfaction of the Responsible Authority.

### Land Survey

8. Prior to the commencement of works, excluding demolition, bulk excavation and site preparation works, or as otherwise agreed with the Melbourne City Council, the owner must provide evidence to the Melbourne City Council that Easements E-1 & E-2 which burden the land have been removed.
9. Prior to the commencement of works, including demolition, bulk exaction and site preparation works, all the land for the proposed development must be owned by the one entity and consolidated onto the one certificate of title to the satisfaction of the Melbourne City Council.
10. All service cupboards must be independently accessed and must not rely on access over an abutting car parking space. In instances where access is relied on an abutting car parking space, the abutting car parking space must be removed or altered to provide for adequate access.

### Waste Management

11. Concurrent with the endorsement of plans under Condition 1, an amended Waste Management Plan (WMP) must be approved and endorsed by the Melbourne City Council – Waste and Recycling. The amended WMP must be generally in accordance with the WMP prepared by Traffix Group dated 2 February 2024, but amended to include or show:
  - a) Any changes as required by Condition 1 of this permit.
  - b) Hard waste collection service provided by Council.
  - c) Arrangements on glass collection as part of the commingle recycling stream prior to Melbourne City Council providing a dedicated glass collection service.
  - d) Waste generation calculation to include that generated from the communal kitchen and dining area.
12. No garbage bin or waste materials generated by the development may be deposited or stored outside the site and bins must be returned to the garbage storage area as soon as practical after garbage collection, to the satisfaction of the Melbourne City Council – Waste and Recycling.

13. Once approved, the WMP will be endorsed and will form part of this permit. At all times waste management and collection must be carried out in accordance with the requirements of the approved and endorsed WMP to the satisfaction of the Melbourne City Council – Waste and Recycling.
14. Waste storage and collection arrangements must not be altered without prior consent of the Melbourne City Council – Waste and Recycling.

### **Sustainable Management Plan**

15. Concurrent with the endorsement of plans pursuant to Condition 1, an amended Sustainable Management Plan (SMP) prepared by a suitably qualified person must be submitted to and approved by the Responsible Authority in consultation with the Melbourne City Council. When approved, the amended SMP report will be endorsed and form part of this permit. The amended SMP report must be generally in accordance with the SMP report prepared by IGS Environmental Solutions dated 2 February 2024, but modified to include or show:
  - a) Any changes as required by Condition 1 of this permit.
  - b) Commitment to ensure that the on-site / roof plan will comply with Heat Resilience Credit 19.
  - c) Commitment that the development will achieve the requirements for a minimum 10% reduction in up front carbon emissions.
  - d) Commitment that a Zero Carbon Action Plan will be developed and signed off by the building owner(s) or developer.
  - e) All glazing to habitable rooms including living spaces and bedrooms is to be shown as double glazed.
16. Once approved, the SMP will be endorsed and will form part of this permit. The performance outcomes specified in the SMP must be achieved in the completed development. The SMP must not be altered or amended without the written consent of the Responsible Authority.

### **Implementation of Sustainable Management Plan Report**

17. Prior to the occupation of the building approved under this permit, a report from the author of the endorsed SMP, or similarly qualified persons or companies, must be submitted to the Responsible Authority in consultation with the Melbourne City Council. The report must be to the satisfaction of the Responsible Authority and confirm and provide sufficient evidence that all measures specified in the endorsed SMP have been implemented in accordance with the relevant approved plans. The report must include all final calculations and modelling reports, commissioning and testing reports, building user guides and other supplementary materials etc. that have been produced to demonstrate compliance with the relevant targets included in the endorsed SMP.
18. Within 12 months of occupation of the building, certification must be submitted to the satisfaction of the Responsible Authority, that demonstrates that the building has achieved a minimum 5 Star Green Star Buildings V1 rating (or equivalent).

### **Landscape Architecture**

Date issued: 23 July 2024

Signature for the responsible authority:



19. Concurrent with the endorsement of plans pursuant to Condition 1, an amended landscape plan prepared by a suitably qualified landscape architect must be submitted and approved by the Responsible Authority in consultation with the Melbourne City Council. This plan must be generally in accordance with the Landscape Report and Plans prepared by Barber Landscape Architecture dated January 2024 and must be updated to include:
- Any changes as required by Condition 1 of this permit.
  - Quantity of proposed plant types to be updated in the schedule provided.
20. Except with the prior written consent of the Responsible Authority, the approved landscaping must be implemented prior to the occupation of the development. The landscaped areas must be maintained to the satisfaction of the Responsible Authority.

### Wind Report

21. Concurrent with the endorsement of plans under Condition 1, the Wind Assessment prepared by MEL Consulting dated 31 July 2023 must be amended to reflect the changes as required by Condition 1 and submitted to the satisfaction of and be endorsed by the Responsible Authority. The report must outline the wind tests carried out by a suitably qualified expert on the approved development to ensure compliance with Standard D17 of Clause 58.04-4 of the Melbourne Planning Scheme to the satisfaction of the Responsible Authority. The recommendations of the report must be implemented at no cost to the Responsible Authority and must not include reliance on street trees.
22. Prior to the occupation of the development, the provisions, recommendations and requirements of the endorsed Wind Assessment must be implemented and complied with to the satisfaction of the Responsible Authority. The report must not be altered or amended without the written consent of the Responsible Authority.

### Construction Management Plan

23. Prior to the commencement of the development, excluding demolition, a detailed Construction Management Plan (CMP) must be submitted to and approved by the Melbourne City Council – Construction Management Group. The CMP must be prepared in accordance with the Melbourne City Council – Construction Management Plan Guidelines and is to consider the following:
- Management of public access and linkages around the site during construction.
  - Site access and traffic management (including any disruptions to adjoining vehicular and pedestrian accessways).
  - Any works within the adjoining street network road reserves.
  - Sediment control and site drainage.
  - Discharge of polluted waters.
  - Public safety and site security.
  - Hours of construction.
  - Control of noise, dust and soiling of roadways.
  - Collection and disposal of building and construction waste.

- j) Reasonable measures to ensure that disruption to adjacent public transport services are kept to a minimum.

## Urban Forestry

### *Tree Protection Plan*

24. Prior to the commencement of any works, including demolition, bulk excavation and site preparation works and following clarification of site access requirements for works, a Tree Protection Plan (TPP) must be provided to the satisfaction of the Melbourne City Council (Urban Forestry & Ecology). The TPP must identify all impacts to public trees, be in accordance with AS 4970-2009 – Protection of trees on development sites and include:
- City of Melbourne asset numbers for the subject trees (found at <http://melbourneurbanforestvisual.com.au>).
  - Reference to the any finalised Construction and Traffic Management Plan, including any public protection gantries, loading zones and machinery locations.
  - Site specific details of the temporary tree protection fencing to be used to isolate public trees from the demolition and / or construction activities or details of any other tree protection measures considered necessary and appropriate to the works.
  - Specific details of any special construction methodologies to be used within the Tree Protection Zone of any public trees. These must be provided for any utility connections or civil engineering works.
  - Full specifications of any pruning required to public trees with reference to marked images.
  - Any special arrangements required to allow ongoing maintenance of public trees for the duration of the development.
  - Details of the frequency of the Project Arborist monitoring visits, interim reporting periods and final completion report (necessary for bond release).

### *Additional Public Tree Plots*

25. Prior to the commencement of any works, excluding demolition, bulk exaction and site preparation works, a public tree plot plan must be provided to the satisfaction of the Melbourne City Council that shows new plots on St Kilda Road and Slater Street. The plans must be accompanied by confirmation that any below ground services do not exit, or can be relocated, to enable plot construction.

### *Public Tree Removal / Pruning*

26. No public tree adjacent to the site can be removed or pruned in any way without the written approval of the Melbourne City Council. Should the removal of public trees be approved, the permit holder must submit detailed plans showing the design and location of replacement tree plots to the satisfaction of the Melbourne City Council.
27. Approval for any tree removal is subject to the Tree Policy, Council's Delegations Policy and requirements for public notification, and a briefing paper to councillors. It should be noted that certain tree removals including but not limited to significant or controversial tree removals, may be subject to decision by Council or a Committee of Council.

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28. All costs in connection with the removal and replacement of public trees, including any payment for the amenity and ecological services value of a trees to be removed, must be met by the permit holder / owner / developer of the subject site. Costs will be provided and must be agreed to before Melbourne City Council will remove the subject trees.

*Public Tree Protection*

29. All works (including demolition), within the Tree Protection Zone of public trees must be undertaken in accordance with the endorsed Tree Protection Plan and supervised by a suitably qualified Arborist where identified in the report, except with the further written consent of the Melbourne City Council.
30. Following the approval of a Tree Protection Plan (TPP), a bond equivalent to the combined environmental and amenity values of public trees that may be affected by the development will be held against the TPP for the duration of construction activities. The bond must be lodged by the Principal contractor. The bond value will be calculated by Council. Should any tree be adversely impacted by the works, the Melbourne City Council will be compensated for any loss of amenity, ecological services or amelioration works incurred.

*New / Replacement Tree Plots*

31. All new or replacement tree plots must utilise structural soils to increase soil volume and rooting area.

**Traffic Engineering**

*Car Parking Management Plan*

32. Concurrent with the endorsement of plans pursuant to Condition 1, a detailed Car Parking Management Plan must be prepared to the satisfaction of the Responsible Authority in consultation with the Melbourne City Council; allocating the provided car parking spaces amongst the dwellings and visitors and the management of these.

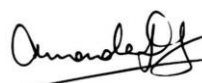
*Road Safety Audit*

33. Prior to the commencement of the development, excluding demolition, bulk excavation and site preparation works, a desktop Road Safety Audit prepared by a suitably qualified professional must be provided to the satisfaction of the Responsible Authority in consultation with the Melbourne City Council. The Road Safety Audit must address the following matters:
- Vehicle / bicycle / pedestrian access arrangements, including porte cochere access arrangements.
  - Loading arrangements.
  - Internal circulation / layout.

When provided to the satisfaction of the Responsible Authority the Road Safety Audit will be endorsed to form part of this permit.

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Signature for the responsible authority:



*Loading Management Plan*

34. Prior to the commencement of works, excluding demolition, bulk excavation and site preparation works, a comprehensive Loading Management Plan (LMP) must be prepared to the satisfaction of the Responsible Authority in consultation with the Melbourne City Council, specifying how the access / egress of loading vehicles is to be managed, so that any potential conflicts are satisfactorily addressed.

*Dock Manager*

35. A Loading Dock Manager, Building Manager, or similar is nominated, to be responsible for controlling the operation of the loading bay and unloading of goods.

**Civil Design**

*Drainage of Landscaped areas*

36. All planters and landscaped areas must be drained to a legal point of discharge in accordance with plans and specifications first approved by the Melbourne City Council Authority – City Infrastructure.

*Drainage connection underground*

37. Prior to the commencement of the development, excluding demolition, bulk excavation and site preparation works, a stormwater drainage system, incorporating integrated water management design principles, must be submitted to and approved by the Melbourne City Council – City Infrastructure. This system must be constructed prior to the occupation of the development and provision made to connect this system to the Melbourne City Council's underground stormwater drainage system.

*Groundwater management*

38. All groundwater and water that seeps from the ground adjoining the building basement (seepage water) and any overflow from a reuse system which collects groundwater or seepage water must not be discharged to the Melbourne City Council's drainage network. All contaminated water must be treated via a suitable treatment system and fully reused on site or discharged into a sewerage network under a relevant trade waste agreement with the Melbourne City Council and / or responsible service authority.

*Demolish and construct access*

39. Prior to the commencement of the use / occupation of the development, all necessary vehicle crossings must be constructed and all unnecessary vehicle crossings must be demolished and the footpath, kerb and channel reconstructed, in accordance with plans and specifications first approved by the Melbourne City Council – City Infrastructure.

*Roads and footpaths*



40. All portions of roads and laneways affected by the building related activities of the subject land must be reconstructed together with associated works including the reconstruction or relocation of services as necessary at the cost of the developer, in accordance with plans and specifications first approved by the Melbourne City Council – City Infrastructure.
41. The footpaths adjoining the site along St Kilda Road and Slater Street must be reconstructed together with associated works including the renewal of 300 mm wide bluestone kerb and 250 mm wide bluestone gutterstone and modification of services as necessary at the cost of the owner or developer, in accordance with plans and specifications first approved by the Melbourne City Council – City Infrastructure.

*Street levels*

42. Existing street levels in roads adjoining the site must not be altered for the purpose of constructing new vehicle crossings or pedestrian entrances without first obtaining approval from the Melbourne City Council – City Infrastructure.

*Street lighting*

43. All street lighting assets temporarily removed or altered to facilitate construction works shall be reinstated once the need for removal or alteration has been ceased. Existing public street lighting must not be altered without first obtaining the written approval of the Melbourne City Council – City Infrastructure.
44. Prior to the commencement of the development, excluding demolition, bulk excavation and site preparation works, or as may otherwise be agreed with the Melbourne City Council, a lighting plan must be prepared to the satisfaction of the Melbourne City Council. The lighting plan should be generally consistent with Melbourne City Council's Lighting Strategy and include the provision of public lighting in the streets adjacent to the subject. The lighting works must be undertaken prior to the commencement of the use / occupation of the development, in accordance with plans and specifications first approved by the Melbourne City Council – City Infrastructure.

*Street furniture*

45. Existing street furniture must not be removed or relocated without first obtaining the written approval of the Melbourne City Council – City Infrastructure.
46. All street furniture such as street litter bins, recycling bins, seats and bicycle rails must be supplied and installed on footpaths outside the proposed building to plans and specifications first approved by the Melbourne City Council – City Infrastructure.

*Building appurtenances and services*

47. No architectural features, plant and equipment or services other than those shown on the endorsed plans are permitted above roof level, unless with the prior written consent of the Responsible Authority or as otherwise exempt under the Melbourne Planning Scheme.

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48. All building plant and equipment on the roofs, balcony areas and common areas are to be concealed to the satisfaction of the Responsible Authority. The construction of any additional plant machinery equipment, including but not limited to air-conditioning equipment, ducts, flues, all exhausts including car parking and communications equipment, shall be to the satisfaction of the Responsible Authority.
49. Any satellite dishes, antennae or similar structures associated with the development must be designed and located at a single point in the development to the satisfaction of the Responsible Authority, unless otherwise approved to the satisfaction of the Responsible Authority.
50. Mailboxes and newspaper receptacles must be provided prior to the occupation of the development, including an additional mailbox for the owners' corporation (or similar management authority) if and when the development is subdivided or privately managed, to the satisfaction of the Responsible Authority.
51. All service pipes, apart from roof down pipes, must be concealed from the view of a person at ground level within common areas, public thoroughfares and adjoining properties.
52. Prior to the occupation of the development, any privacy screening shown on the endorsed plans must be installed and must then be maintained to the satisfaction of the Responsible Authority.
53. Prior to the occupation of the development, all new or extended walls on or facing the boundary of adjoining properties and / or a laneway must be cleaned and finished to a uniform standard to the satisfaction of the Responsible Authority. Unpainted or unrendered masonry walls must have all excess mortar removed from the joints and face and all joints must be tooled or pointed also to the satisfaction of the Responsible Authority. Painted or rendered or bagged walls must be finished to a uniform standard to the satisfaction of the Responsible Authority.

### 3D Digital Model

54. Prior to the commencement of the development, excluding bulk excavation, a 3D digital model of the development must be submitted to and approved by the Responsible Authority.

In the event that substantial modifications are made to the building envelope and design, a revised 3D digital model must be submitted to and be to the satisfaction of the Responsible Authority, before these modifications are approved.

### Use and Development Expiries

55. This permit will expire if one or more of the following circumstances apply:
  - a) The development is not started within three (3) years of the date of this permit.
  - b) The development is not completed within five (5) years of the date of this permit.
  - c) The use is not started within five (5) years of the date of this permit.

Date issued: 23 July 2024

Signature for the responsible authority:



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The Responsible Authority may extend the permit if a request is made in writing before the permit expires, or within six months afterwards. The Responsible Authority may extend the time for completion of the permit if a request is made in writing within 12 months after the permit expires and the development started lawfully before the permit expired.

**THIS PERMIT HAS BEEN AMENDED AS FOLLOWS:**

<i>Date of amendment</i>	<i>Brief description of amendment</i>	<i>Name of responsible authority that approved the amendment</i>
12 November 2024	Section 71 correction to permit condition 1g to reference the bins within the eastern core as general waste bins, given they have been erroneously identified as recycling bins.	Minister for Planning

**USEFUL INFORMATION:**

(the following information does not form part of this permit)

1. The permitted use or development may need to comply with, or obtain the following further approvals:
  - a. A building permit under the *Building Act 1993*.

**Melbourne City Council notes**

***Urban Forestry***

*A tree protection bond can be provided as a bank guarantee or by EFT. A bank guarantee must be:*

1. Issued to City of Melbourne, ABN: 55 370 219 287.
2. From a recognised Australian bank.
3. Unconditional (i.e. no end date).
4. Executed (i.e. signed and dated with the bank stamp).

If the bond is to be lodged as an EFT, Melbourne City Council's bank details will be provided on request.

An acceptable bank guarantee is to be supplied to Council House 2, City of Melbourne, to a representative from Melbourne City Council's Urban Forest and Ecology team. Please email [trees@melbourne.vic.gov.au](mailto:trees@melbourne.vic.gov.au) to arrange a suitable time for the bank guarantee to be received. A receipt will be provided at this time.

Any pruning works identified in the Tree Protection Plan will be undertaken once the Tree Protection Bond is lodged, all permits issued and works are ready to commence.

**Date issued:** 23 July 2024

**Signature for the responsible authority:**



On completion of the works, the bond will only be released when evidence is provided of project arborist supervision throughout the works and a final completion report confirms that the public trees have not been affected by the works.

***Traffic***

The Melbourne City Council will not change on-street parking restrictions to accommodate the servicing, delivery and parking needs of this development, as the restrictions are designed to cater for other competing demands and access requirements. However, new parking restrictions may be introduced in the surrounding streets at the discretion of Melbourne City Council. As per Melbourne City Council's policy, new developments in this area that increase the density of residential development are not entitled to resident parking permits.

***Parking Permits***

The owners and occupiers of the development allowed by this permit will not be eligible for Melbourne City Council resident or visitor parking permits.

***Civil Design***

All necessary approvals and permits are to be first obtained from the Melbourne City Council - City Infrastructure Branch and VicRoads and the works performed to the satisfaction of the responsible road authority.

***Building Approval Required***

This permit does not authorise the commencement of any demolition or construction on the land. Before any demolition or construction may commence, the permit holder must apply for and obtain appropriate building approval from a Registered Building Surveyor.

***Other Approvals May Be Required***

This planning permit does not represent the approval of other departments of Melbourne City Council or other statutory authorities. Such approvals may be required and may be assessed on different criteria from that adopted for the approval of this planning permit.

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**IMPORTANT INFORMATION ABOUT THIS PERMIT**

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**WHAT HAS BEEN DECIDED?**

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The responsible authority has issued a permit.

(Note: This is not a permit granted under Division 5 or 6 of Part 4 of the **Planning and Environment Act 1987**.)

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**CAN THE RESPONSIBLE AUTHORITY AMEND THIS PERMIT?**

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The responsible authority may amend this permit under Division 1A of Part 4 of the **Planning and Environment Act 1987**.

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**WHEN DOES A PERMIT BEGIN?**

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A permit operates:

- from the date specified in the permit; or
- if no date is specified, from—
  - i. the date of the decision of the Victorian Civil and Administrative Tribunal, if the permit was issued at the direction of the Tribunal; or
  - ii. the date on which it was issued, in any other case.

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**WHEN DOES A PERMIT EXPIRE?**

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1. A permit for the development of land expires if—
  - the development or any stage of it does not start within the time specified in the permit; or
  - the development requires the certification of a plan of subdivision or consolidation under the **Subdivision Act 1988** and the plan is not certified within two years of the issue of the permit, unless the permit contains a different provision; or
  - the development or any stage is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation, within five years of the certification of the plan of subdivision or consolidation under the **Subdivision Act 1988**.
2. A permit for the use of land expires if—
  - the use does not start within the time specified in the permit, or if no time is specified, within two years after the issue of the permit; or
  - the use is discontinued for a period of two years.
3. A permit for the development and use of land expires if—
  - the development or any stage of it does not start within the time specified in the permit; or
  - the development or any stage of it is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit; or
  - the use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development; or
  - the use is discontinued for a period of two years.
4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in section 6A(2) of the **Planning and Environment Act 1987**, or to any combination of use, development or any of those circumstances requires the certification of a plan under the **Subdivision Act 1988**, unless the permit contains a different provision—
  - the use or development of any stage is to be taken to have started when the plan is certified; and
  - the permit expires if the plan is not certified within two years of the issue of the permit.
5. The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

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**WHAT ABOUT REVIEWS?**

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- The person who applied for the permit may apply for a review of any condition in the permit unless it was granted at the direction of the Victorian Civil and Administrative Tribunal, in which case no right of review exists.
- An application for review must be lodged within 60 days after the permit was issued, unless a notice of decision to grant a permit has been issued previously, in which case the application for review must be lodged within 60 days after the giving of that notice.
- An application for review is lodged with the Victorian Civil and Administrative Tribunal.
- An application for review must be made on the relevant form which can be obtained from the Victorian Civil and Administrative Tribunal, and be accompanied by the applicable fee.
- An application for review must state the grounds upon which it is based.
- A copy of an application for review must also be served on the responsible authority.
- Details about applications for review and the fees payable can be obtained from the Victorian Civil and Administrative Tribunal.

Date issued: 23 July 2024

Signature for the responsible authority:

