

PLANNING PERMIT

Permit No.:	PA2403037
Planning scheme:	Greater Dandenong Planning Scheme
Responsible authority:	Minister for Planning
ADDRESS OF THE LAND:	7 Princes Highway, Dandenong South (Lot 1 on Title Plan 244072) and 33 Princes Highway, Dandenong South (Lot RES1 on Plan of Subdivision 414290)

THE PERMIT ALLOWS:

Planning scheme clause No.	Description of what is allowed
34.02-4	Construct a building or construct or carry out works
43.01-1	Demolish or remove a building
43.01-1	Remove, destroy or lop a tree
43.01-1	Construct a building or construct or carry out works
43.01-1	Construct or display a sign
52.05-2	Construct or put up for display a sign
52.06-3	Reduce the number of car parking spaces required under Clause 52.06-5
52.17-1	Remove, destroy or lop native vegetation
52.29-2	Alter or create access to a road in a Transport Zone 2

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Approved and endorsed plans – changes required

1. Before the development starts, excluding demolition works, an amended earthworks plan must be approved and endorsed by the responsible authority. The plan must be prepared to the

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satisfaction of the responsible authority, be drawn to scale with dimensions, be generally in accordance with the Earthworks Plan prepared by Cosentino Group dated 11 June 2024 and show the building footprint of buildings to be retained.

2. Before the development starts, excluding demolition, excavation and site preparation works, plans must be approved and endorsed by the responsible authority. The plans must be prepared to the satisfaction of the responsible authority, be drawn to scale with dimensions, be generally in accordance with the plans prepared by Concept Y, titled 'Proposed development – 7 Princes Highway, Dandenong South VIC' Revision R dated 1/11/2024 and Revision F (excluding Estate Plan) dated 30/8/2024, but amended to show the following details:
 - a. Changes in accordance with condition 35 - Functional layout plans of this permit.
 - b. Any changes required under condition 39 of this permit.
 - c. Pedestrian and cyclist connections from the off-road path with the footpath and accessway within the site at the site access points shown on the plan.
 - d. Zincalume roof material changed to a non-reflective material, finish and/or colour for all buildings.
 - e. Plant and services, including heating and cooling, integrated into the building design.
 - f. All aisles in car parking areas with a minimum 6.4 metres width.
 - g. Office 1A end of trip lockers notated and Office 1B shower and changeroom facilities in accordance with the Green Travel Plan prepared by Impact Traffic Engineering dated 17 June 2024.
 - h. The drainage works on 33 Princes Highway, including Trees 1-4 to be removed, in accordance with the Construction Impact Assessment prepared by Arbor Survey, dated 6/2/2024.
 - i. Tree ID numbers and Tree Protection Zones drawn to scale and accurately dimensioned in accordance with the Arboricultural Impact Assessments prepared by Sustainable Tree Management, dated 24/06/2024 and 16/12/2024 on all plans.
 - j. All designated EV car spaces annotated to be equipped with chargers and charging infrastructure in accordance with condition 19 – Sustainability Management Plan.
 - k. Depiction of the quantity, location and extent of heat pumps in accordance with condition 19 – Sustainability Management Plan.
 - l. Proposed carriageway easement notation removed.
 - m. The 8 metre high pylon sign elevation removed.
 - n. Internal fencing removed from the common area around the relocated bike shed, and at least one side of the connecting pedestrian pathway between Warehouse 1B loading area/carpark and Warehouse 2 carpark.

Compliance with documents approved under this permit

3. At all times what the permit allows must be carried out in accordance with the requirements of any document approved under this permit to the satisfaction of the responsible authority.

Commencement

4. This permit will operate from the issued date of this permit.

Environmental Site Assessment (Part 1)

5. Before the development starts (excluding demolition and any works necessary to undertake the assessment), an Environmental Site Assessment (ESA), incorporating a Preliminary Site Investigation (PSI) prepared in accordance with the National Environment Protection

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(Assessment of Site Contamination) Measure 1999, as amended May 2013, the ASC NEPM, of the site must be conducted by a suitably qualified environmental consultant to the satisfaction of the responsible authority, and conclude whether an Environmental Audit is required to be prepared in accordance with Part 8.3, Division 3 of the Environment Protection Act 2017 (Vic).

Environmental Audit (Part 2)

6. If the ESA referred to in condition 5 of this permit requires an Environmental Audit to be undertaken, then prior to the commencement of the development (excluding any works necessary to undertake the audit), an Environmental Audit of the site must be carried out by a suitably qualified environmental auditor appointed pursuant to Part 8.3, Division 3 of the *Environment Protection Act 2017 (Vic)*. On completion of the Environmental Audit, an Environmental Audit Statement (EAS) and accompanying Environmental Audit Report (EAR) must be submitted to the responsible authority in accordance with section 210 of the *Environment Protection Act 2017 (Vic)* responding to the matters contained in Part 8.3, Division 3 of the *Environment Protection Act 2017 (Vic)* to the satisfaction of the responsible authority. The EAS must either:
- a. State the site is suitable for the development allowed by this permit; or
 - b. State the site is suitable for the development allowed by this permit if the recommendations contained within the EAS are complied with.

Environmental Audit Statement (Part 3)

7. Prior to the occupation of the development all recommendations of the EAS must be implemented to the satisfaction of the responsible authority.

All recommendations of the EAS must be complied with for the full duration of any buildings and works on the land associated with the development hereby approved to the satisfaction of the responsible authority.

Written confirmation of compliance must be provided to the responsible authority by a suitably qualified environmental auditor appointed pursuant to Part 8.3, Division 3 of the *Environment Protection Act 2017 (Vic)* in accordance with any requirements in the EAS.

Environmental Audit Statement – Section 173 agreement (Part 4)

8. If any of the recommendations of the EAS require ongoing maintenance or monitoring, prior to the occupation of the development, the owner of the land must enter into an agreement with the responsible authority under section 173 of the *Planning and Environment Act 1987* to the satisfaction of the responsible authority to the effect that all conditions of the EAS issued in respect of the land will be complied with.

Landscape plan and landscape maintenance

9. Concurrent with the endorsement of plans pursuant to Condition 2 of this permit, an amended landscape plan must be approved and endorsed by the responsible authority. The landscape plan must be prepared to the satisfaction of the responsible authority, be drawn to scale with dimensions, be generally in accordance with the landscape plan, titled 'Proposed development – 7 Princes Highway, Dandenong South VIC' Revision G and dated 7/5/2024, and must include the following:
- a. Any changes required under Condition 2 of this permit.
 - b. All existing vegetation (including botanical names) to be retained and/or removed.



- c. Buildings and trees (including botanical names) on neighbouring properties within three metres of the site boundary.
- d. Details of surface finishes of pathways and driveways.
- e. A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
- f. All landscape plantings to consist of 25% indigenous, 60% native and 15% exotic species.
- g. All groundcover stock to be a minimum 140mm, all shrub stock to be a minimum 200mm, and all tree stock to be a minimum 100L and a minimum 1.8 metres in height and self-supporting at the time of planting.
- h. Water sensitive urban design (WSUD) features in accordance with condition 19 - Sustainability Management Plan, including type of irrigation systems to be used and the location of any rainwater tanks to be used for irrigation.
- i. Demarcation of public realm, communal and private spaces, including arrangements for pedestrian, bicycle and vehicular circulation.
- j. The extent of any cut, fill, embankments or retaining walls associated with the landscape treatment of the site.
- k. All screening structures, loading bays and refuse collection locations.
- l. The development's landscaping and planting will not interfere with train driver visibility or interpretation of rail signals upon completion or in the future.
- m. The development's landscaping and planting will not facilitate illegal access to railway land over boundary fence or wall via tree climbing upon completion or in the future.
- n. The development's landscaping and planting will not cause damage to any rail assets or infrastructure, via root or branch ingress, upon completion or in the future.
- o. Proposed carriageway easement notation removed.
- p. A green infrastructure maintenance plan, detailing:
 - i. Plant establishment maintenance schedule and period.
 - ii. Ongoing vegetation maintenance schedule after the 52-week period including monitoring of plants, weeding, re-mulching, pest management, fertilising, re-planting and re-planting timeframes for poorly performing plant stock.
 - iii. Maintenance schedule for green infrastructure structures.
 - iv. Maintenance access requirements and sample agreements.

Completion of landscaping

10. Before the development is occupied, the landscaping shown on the approved landscape plan must be carried out and completed to the satisfaction of the Greater Dandenong City Council.

Landscaping maintenance

11. At all times the landscaping shown on the approved landscape plan must be maintained (including the replacement of any dead, diseased or damaged plants) to the satisfaction of the Greater Dandenong City Council.

Heritage interpretation strategy

12. Before the development is occupied, the recommendations of the approved Heritage Interpretation Strategy prepared by Sue Hodges Productions dated 15 June 2024 must be completed to the satisfaction of the responsible authority.

At all times the development must be kept available for the purposes shown on the approved Heritage Interpretation Strategy to the satisfaction of Greater Dandenong City Council.



13. The approved Heritage Interpretation Strategy must be reviewed, and if necessary, updated every 10 years to the satisfaction of Greater Dandenong City Council.

Structural engineering report

14. Before the development starts, including demolition, excavation/earthworks and site preparation works, a report prepared by a suitably qualified structural engineer, must be approved by the responsible authority. The structural engineering report must be prepared to the satisfaction of the responsible authority, be generally in accordance with the plans prepared by Concept Y, titled 'Proposed development – 7 Princes Highway, Dandenong South VIC' Revision R dated 1/11/2024 and Revision F (excluding Estate Plan) dated 30/8/2024, and must:
- a. demonstrate the means by which the retained portions of the heritage buildings will be supported during demolition and construction works to ensure their retention.

The recommendations contained within this report must be implemented at the cost of the permit holder / owner and be to the satisfaction of the responsible authority.

Signage

15. Concurrent with the endorsement of plans pursuant to Condition 2 of this permit, a signage strategy must be approved and endorsed by the responsible authority. The signage strategy must show signage generally in accordance with the signs shown on the plans prepared by Concept Y, titled 'Proposed development – 7 Princes Highway, Dandenong South VIC' Revision F dated 30/8/2024, to the satisfaction of the responsible authority.
16. The signs must not be animated and no flashing or intermittent lights may be displayed.
17. The intensity of the light on the sign(s) must be limited so as not to cause glare or distraction to motorists or other persons or loss of amenity in the surrounding area, all to the satisfaction of the responsible authority.
18. The signs, including the structure and content, must be constructed and maintained to the satisfaction of the Greater Dandenong City Council.

Environmentally sustainable design

19. Concurrent with the endorsement of plans pursuant to Condition 2 of this permit, an amended sustainability management plan (SMP) must be approved and endorsed by the responsible authority in consultation with Greater Dandenong City Council. The SMP must be prepared to the satisfaction of the responsible authority, be generally in accordance with the Sustainable Management Plan prepared by Sustainable Design Consultants dated June 2024, and must be amended to show the following details:
- a. Submission of preliminary daylight calculations (modelling or equivalent) that demonstrates the effectiveness of the current design and any other façade treatments. The external roof material solar absorptance should be ≤ 0.45 , to help support measures to reduce urban heat. Calculations, assumptions and outputs must be included in the appendix of the SMP.
 - b. Revised BESS assessment that includes a revised energy efficiency section inclusive of completed energy inputs in accordance with the completed energy modelling.



- c. Revised stormwater section that includes a report from an industry accepted performance measurement tool such MUSIC or equivalent, that details the treatment proposed including modelling and calculations, and demonstrates how all relevant standards and objectives set out in the planning scheme relating to stormwater management will be met, including the *Urban Stormwater Best Practice Environmental Management Guidelines, CSIRO 1999*. The report must also set out how the stormwater management system will be managed on an ongoing basis.
- d. Specification of the heat pumps including their supply, energy performance (target COP/EER), quantity and extent.
- e. The recommendations of the approved SMP must be implemented to the satisfaction of the Greater Dandenong City Council.

Implementation of SMP initiatives

20. Within six months of the occupation of the development, a report from the author of the endorsed SMP or a similarly qualified consultant must be submitted to and approved by the responsible authority. The report must:

- a. Outline how the design initiatives implemented within the completed development achieve the performance outcomes specified in the endorsed SMP.
- b. Include submission of energy efficiency (JV3) energy model for all office spaces as per the commitments in the energy section of the SMP. This includes specifications of recommended thermal treatments for the building fabric. The modelling outputs and assumptions must be included in the appendix of the SMP.

to the satisfaction of the Greater Dandenong City Council.

Vegetation management plan – 7 and 33 Princes Highway

21. Before the development starts, including demolition, excavation/earthworks and site preparation works, a vegetation management plan must be approved and endorsed by the responsible authority. The vegetation management plan must be prepared to the satisfaction of the responsible authority, be generally in accordance with the Arboricultural Impact Assessments prepared by Sustainable Tree Management dated 24 June 2024, Construction Impact Assessment prepared by Arbor Survey dated 6 February 2024 and Biodiversity Assessments by Ecology and Heritage Partners dated May 2024 and June 2024. The vegetation management plan must:

- a. be prepared by a suitably qualified person;
- b. include the following:
 - i. Trees accurately located and numbered on a plan that is drawn to scale with dimensions, including:
 - Trees 25 – 62 in accordance with the Arboricultural Impact Assessment prepared by Sustainable Tree Management dated 24 June 2024; and
 - Trees 1 – 4 in accordance with the Construction Impact Assessment prepared by Arbor Survey dated 6 February 2024;
 - ii. A clear image of trees required to be retained;
 - iii. Tree protection zones (TPZ), Structural Root Zones, and tree protection fencing for trees identified for retention on a plan that is drawn to scale with dimensions. Native vegetation protection fencing must be in accordance with condition 50 of this permit.



- iv. Tree protection and impact mitigation measures in accordance with the arboricultural and biodiversity assessments.
- v. Requirements for movement in/out and throughout the site by vehicles, machinery equipment and workers that may affect management of any TPZ;
- vi. The protection of trunks and crowns of any specified tree;
- vii. Specific details of any works proposed within any TPZ and how arboricultural impacts will be mitigated, including specifications for the installation of a gravel cell within TPZs to ensure impacts to retained trees are minimised;
- viii. How tree crowns will be managed, including any pruning requirements;
- ix. Location and size of any roots to be pruned to facilitate the buildings and works with justification of how the tree will remain viable following the specified root pruning;
- x. Excavation within or near a TPZ;
- xi. Specific methodologies and management for installation of services including, but not limited to, gas, electricity, telecommunications, storm water and sewerage;
- xii. Maintenance of TPZs in accordance with *Australian Standard AS4970-2009 - Protection of Trees on Development Sites*, including mulching, watering and prohibited activities;
- xiii. Remedial works as required; and
- xiv. Schedule of Project Arborist inspections.

Vegetation management plan – Princes Highway road reserve

22. Concurrent with the endorsement of plans pursuant to Condition 2 of this permit, a vegetation management plan must be approved and endorsed by the responsible authority in consultation with Greater Dandenong City Council. The vegetation management plan must be prepared to the satisfaction of the responsible authority, be generally in accordance with the Arboricultural Impact Assessments prepared by Sustainable Tree Management dated 16 December 2024. The vegetation management plan must:

- a. be prepared by a suitably qualified person;
- b. includes the off-road path in accordance with condition 35 – Functional layout plans of this permit.
- c. Arboricultural assessment of any additional trees where the off-road path will be constructed within their Tree Protection Zone (TPZ).
- d. include the following:
 - i. Trees accurately located and numbered on a plan that is drawn to scale with dimensions, including:
 - All trees in the Arboricultural Impact Assessment prepared by Sustainable Tree Management dated 16 December 2024, and any additional trees which the off-road path will be constructed within their TPZ;
 - ii. Tree protection zones (TPZ), Structural Root Zones, and tree protection fencing on a plan that is drawn to scale with dimensions.
 - iii. Tree protection and impact mitigation measures in accordance with the arboricultural assessment(s).
 - iv. Requirements for movement in/out and throughout the site by vehicles, machinery equipment and workers that may affect management of any TPZ;
 - v. The protection of trunks and crowns of any specified tree;
 - vi. Specific details of any works proposed within any TPZ and how arboricultural impacts will be mitigated;



- vii. How tree crowns will be managed, including any pruning requirements;
- viii. Location and size of any roots to be pruned to facilitate the buildings and works with justification of how the tree will remain viable following the specified root pruning;
- ix. Excavation within or near a TPZ;
- x. Specific methodologies and management for installation of services including, but not limited to, gas, electricity, telecommunications, storm water and sewerage;
- xi. Maintenance of TPZs in accordance with *Australian Standard AS4970-2009 - Protection of Trees on Development Sites*, including mulching, watering and prohibited activities;
- xii. Remedial works as required; and
- xiii. Schedule of Project Arborist inspections.

Erection of tree protection fencing in accordance with vegetation management plan(s)

23. Before the development starts, tree protection fencing must be erected around any trees identified for retention on the approved and endorsed plans in accordance with the approved vegetation management plans and *Australian Standard AS4970-2009 - Protection of Trees on Development Sites*, to the satisfaction of the Greater Dandenong City Council.

Maintenance of tree protection fencing and exclusion of activities within fencing

24. At all times during the carrying out of the development:

- a. the tree protection fencing must remain in place and be maintained around any trees identified for retention on the approved and endorsed plans, in accordance with the approved vegetation management plans and *Australian Standard AS4970-2009 - Protection of Trees on Development Sites*, to the satisfaction of the Greater Dandenong City Council;
- b. development, excavation, construction works or activities, grade changes, surface treatments, storage and movement of construction materials and vehicles of any kind must not occur on or over and must be excluded from any areas inside the tree protection fencing, unless in accordance with the approved vegetation management plans;

to the satisfaction of the Greater Dandenong City Council.

The responsible authority may consent in writing to the variation of these requirements.

Stormwater management plan

25. Concurrent with the endorsement of plans pursuant to Condition 2 of this permit, a stormwater management plan must be approved and endorsed by the responsible authority in consultation with the Greater Dandenong City Council. The stormwater management plan must be prepared to the satisfaction of the responsible authority, be generally in accordance with the drainage plan prepared by Cosentino Group dated 11 June 2024 and condition 19 - Sustainable Management Plan, prepared by Sustainable Design Consultants dated June 2024 and must:

- a. include any changes to the proposed stormwater system in accordance with condition 19 – Sustainability Management Plan; include details of the stormwater management system, including drainage works and retention, detention and discharges of stormwater to the drainage system; and
- b. set out how the stormwater management system will be managed on an ongoing basis.

Stormwater management system – implementation and management

Date issued: 20 February 2025 Signature for the responsible authority:



26. The stormwater management system approved by the responsible authority and included in the endorsed stormwater management plan must be constructed, managed and maintained to the satisfaction of the Greater Dandenong City Council.

The details of the stormwater management system must not be altered from the details in the endorsed stormwater management plan without the written consent of the responsible authority in consultation with the Greater Dandenong City Council.

Traffic and parking management plan

27. Concurrent with the endorsement of plans pursuant to Condition 2 of this permit, an amended traffic and parking management plan must be approved and endorsed by the responsible authority in consultation with Greater Dandenong City Council and Head, Transport for Victoria. The traffic and parking management plan must be prepared to the satisfaction of the responsible authority, be generally in accordance with the plans prepared by Concept Y, titled 'Proposed development – 7 Princes Highway, Dandenong South VIC' Revision R dated 1/11/2024 and Revision F (excluding Estate Plan) dated 30/8/2024, and include the following details:

- a. the means by which the on-site car parking and bicycle parking spaces will be allocated and managed
- b. the location of all areas on-site and/or off-site to be used for staff and patron parking
- c. the number and location of all on-site and off-site security staff
- d. the means by which the direction of traffic, bicycle and pedestrian flows to and from car parking areas will be controlled both on-site and off-site
- e. measures to prevent site bound commercial vehicles queuing on arrival along Princes Highway (including service lane), such as ensuring access driveways/roadways/aisles providing access to loading areas on site are not gated during operating hours, or provision of control points (boom gates or guardhouse) with suitable queuing space on site.

Vehicle crossing removal

28. Before the development is occupied, all existing disused or redundant vehicle crossings must be removed and the nature strip and kerb and channel reinstated to the satisfaction of the Greater Dandenong City Council at the cost of the owner.

Car park construction

29. Before the development is occupied, the area(s) set aside for the parking of vehicles and bicycles, access lanes and driveways as shown on the endorsed plans must be:

- a. Constructed;
- b. properly formed to such levels that they can be used in accordance with the plans;
- c. surfaced with an all-weather-seal coat;
- d. Drained;
- e. line marked to indicate each car space and all access lanes; and
- f. clearly marked to show the direction of traffic along access lanes and driveways,

to the satisfaction of the Greater Dandenong City Council.

At all times car spaces, access lanes and driveways must be kept available for these purposes.



Once constructed, these areas must be maintained to the satisfaction of Greater Dandenong City Council.

Off-road path construction

30. Before the development is occupied, the off-road path must be constructed in accordance with the condition 36 – detailed engineering plans to the satisfaction of Greater Dandenong City Council.

Loading/unloading

31. The loading and unloading of goods from vehicles must only be carried out on the land within the designated loading bay(s) and must not disrupt the circulation and parking of vehicles on the land, to the satisfaction of Greater Dandenong City Council.

Control of light spill

32. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land or which interferes with the visibility of signals and rail lines by train drivers to the satisfaction of the responsible authority.

General amenity provision

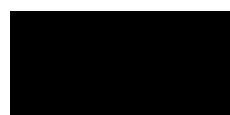
33. The development must be managed so that the amenity of the area is not detrimentally affected, through the:
- a. transport of materials, goods or commodities to or from the land;
 - b. appearance of any building, works or materials;
 - c. emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;
 - d. presence of vermin,

to the satisfaction of the Greater Dandenong City Council.

34. No goods or packaging materials shall be stored or left exposed outside a building so as to be visible to the public from a road or other public place.

Head, Transport for Victoria

35. Unless otherwise agreed in writing by the Head, Transport for Victoria, prior to the commencement of the building and works, excluding demolition, bulk excavation and site preparation works within the subject land, the following must be submitted to and approved by the Head, Transport for Victoria:
- a. Functional layout plans (FLPs) along with the functional Road Safety Audit and Public Lighting Plan for the Princes Highway and site access intersection generally in accordance with the concept plans DWG No: IMP2203006-SKT-04-01, version B, prepared by Impact date stamped 12/12/2024 but modified to show:
 - i. provision of an off- road bike path connecting the site access to the Power Road intersection and also to the bus stop located west side of the proposed site access in consultation with Greater Dandenong City Council.



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36. Subsequent to the approval of the FLPs and prior to commencing any roadworks, the permit holder or owner must submit the detailed engineering design plans to the Head, Transport for Victoria for review and approval.
37. Prior to the occupation of the development, the site access must be constructed in accordance with the approved detailed engineering design plans to the satisfaction of and at no cost to the Head, Transport for Victoria, Greater Dandenong City Council and the responsible authority.
38. Any request for written consent to disrupt bus operations or a temporary bus stop on Princes Highway during the construction of the buildings and works associated as part of this permit must be submitted to and approved by the Head, Transport for Victoria not later than 8 weeks prior to the planned disruption / temporary bus stop relocation and must detail measures that will occur to mitigate the impact of the planned disruption or temporary bus stop.
39. Concurrent with the endorsement of plans pursuant to Condition 2 of this permit, amended plans to the satisfaction of the Head, Transport for Victoria must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions, be generally in accordance with the plans prepared by Concept Y, titled 'Proposed development – 7 Princes Highway, Dandenong South VIC' Revision R dated 1/11/2024 and Revision F (excluding Estate Plan) dated 30/8/2024, but modified to show:
- illegal trespass of people onto railway land is prevented.
 - the development design does not require people to access onto railway land, or breach electrical safety requirements, for the purposes of routine cleaning, replacement, inspection, maintenance and repair of any part of the building or development.
 - the development does not cause reflected sunlight to interfere with train driver visibility or interpretation of rail signals.
 - the development does not reflect or refract artificial light such that it interferes with train driver visibility or interpretation of rail signals.
 - the development exterior avoids use of red, green or yellow colour schemes that may interfere with driver operations.
40. Windows, doors and balconies must not be placed on the title boundary with railway land. Any windows doors and balconies that are set back from, and generally facing the railway land title boundary shall:
- be designed to prevent items from being thrown or falling onto railway land.
 - not require people to access onto railway land for the purposes of cleaning, replacement, inspection and maintenance.
 - not cause reflected sunlight to interfere with train driver visibility or interpretation of rail signals
 - not reflect or refract artificial light such that it interferes with train driver visibility or interpretation of rail signals.
41. Prior to commencement of demolition or construction works, the Rail Operator must be contacted through the email address metrositeaccess@metrotrains.com.au to obtain the Rail Operator's conditions and safety requirements for works on, over or adjacent to railway land.

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42. Before development starts (including demolition, bulk excavation/earthworks and site preparation works within the subject land), all necessary construction control agreements and indemnity agreements must be prepared and entered into with the Head, Transport for Victoria to the satisfaction of, and at no cost to, the Head, Transport for Victoria and the Rail Operator.
43. The permit holder or owner must, at all times, ensure that the common boundary with railway land is fenced to prohibit unauthorised access to the rail corridor. Any fences on the common boundary with railway land must be designed and constructed with the agreement of Head, Transport for Victoria, and be cleaned and finished using a graffiti proof finish or alternative measures used to prevent or reduce the potential of graffiti as approved by the Head, Transport for Victoria.
44. No drainage, effluent, waste soil or other materials must enter or be directed to railway land from the subject land or be stored or deposited on railway land by the permit holder or owner.
45. Access to railway assets by rail staff for the purposes of inspection, cleaning, maintenance and repair shall be maintained at all times. Existing access routes to railway land shall not be closed, diverted or modified without prior agreement with the by the Head, Transport for Victoria and the relevant Rail Transport Operator(s).
46. The developer or landowner shall be responsible to pay any Rail Operator costs associated with providing necessary interface services to support the development as deemed required by the Rail Operator. This includes but not limited to documentation review, negotiation effort to execute project agreements, providing access coordination and approvals, as well as project management support during project stages: development/construction delivery/close out.
47. Entry onto railway land is at the discretion of the Rail Operator and is subject to the Rail Operator's Site Access Procedures and conditions during and post construction.
48. The development should be designed so that any ongoing maintenance requirements can occur from within the development site without access to rail land.

Department of Energy, Environment and Climate Action (DEECA)

49. Before building and works start, the permit holder must advise all persons undertaking the vegetation removal works on site of all permit conditions pertaining to native vegetation protection.
50. Before building and works start, a native vegetation protection fence must be erected around all native vegetation to be retained within 15 metres of the works area. This fence must be erected at:
 - a. a radius of 12 times the diameter of the tree trunk at a height of 1.4 metres to a maximum of 15 metres but no less than 2 metres from the base of the trunk of the tree; and
 - b. around the patch(es) of native vegetation at a minimum distance of 2 metres from retained native vegetation.

The fence must be constructed of star pickets and paraweb or similar, to the satisfaction of the responsible authority and the Department of Energy, Environment and Climate Action (the

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department). The protection fence must remain in place until all works are completed to the satisfaction of the department.

51. Except with the written consent of the department, within the area of native vegetation to be retained and any tree protection zone associated with the permitted use and/or development, the following is prohibited:
- a. vehicular or pedestrian access;
 - b. trenching or soil excavation;
 - c. storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products;
 - d. construction of entry and exit pits for underground services; or
 - e. any other actions or activities that may result in adverse impacts to retained native vegetation.
52. To offset the removal of 0.207 hectares of native vegetation the permit holder must secure a native vegetation offset(s) that meets all the following:
- A general offset of 0.039 general habitat units located within the Melbourne Water Catchment Management Authority boundary or Greater Dandenong municipal district;
 - have a Strategic Biodiversity Value score of at least 0.1004;
 - provide protection for at least 3 large trees; and
 - must be in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation* (DELWP, 2017).
53. Before any native vegetation is removed, evidence that the required offset for the project has been secured must be provided to the satisfaction of the responsible authority. This evidence must be:
- a. an established first party offset site. This must include:
 - a security agreement signed by both parties; and
 - a management plan detailing the 10-year management actions and ongoing management of the site;

to the satisfaction of the department and approved by the responsible authority.

Every year, for ten years, after the responsible authority has approved the offset management plan, the permit holder must provide notification of the management actions undertaken towards implementing the offset management plan, to the department. An offset site condition statement, including photographs must be included in this notification;

and/or

- b. credit extract(s) allocated to meet the requirements of the permit from the Native Vegetation Credit Register.

A copy of the offset evidence must be endorsed by the responsible authority and form part of this permit.

54. Within 30 days of endorsement of the offset evidence by the responsible authority, the permit holder must provide a copy of the endorsed offset evidence to the responsible authority.

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Melbourne Water

55. The warehouses and offices must be constructed with finished floor levels set no lower than 21.10 metres to Australian Height Datum (AHD), which is 600mm above the applicable adjacent flood level of 20.50 metres to AHD.
56. Prior to the commencement of buildings and works a separate application direct to Melbourne Water, must be made and approved of any new or modified storm water connection to Melbourne Water's drains or watercourses.

VicTrack

57. No entry to railway land is permitted without the written consent of VicTrack.
58. At all times the common boundary with the railway land must be fenced in accordance with the endorsed plans and must be repaired and maintained, all at no cost to VicTrack to prohibit unauthorised access to the rail corridor.
59. Any replacement, repair or reconstruction of any fence on the boundary to railway land must be in accordance with VicTrack's requirements.
60. No drainage, effluent, waste, soil or other materials must enter, be stored or be directed to the railway land.
61. No lighting (permanent or temporary) may be erected at any time that spills unreasonable light onto the railway tracks or which interferes with the visibility of signals and rail lines by train drivers.
62. Red, green or yellow colour schemes or shapes capable of being mistaken for train signals must not be used on elevations facing railway land.
63. The development's landscaping and planting must be setback to ensure tree canopy does not extend over railway land.

Demolition management plan

64. Prior to the commencement of any demolition, construction works or native vegetation removal associated with this permit, and prior to the approval of the environmental construction management plan (required under condition 65) a fully detailed demolition management plan must be approved by and endorsed the responsible authority in consultation with Head, Transport for Victoria and Greater Dandenong City Council. The environmental management plan must be prepared to the satisfaction of the responsible authority, be generally in accordance with the plans prepared by Concept Y, titled 'Proposed development – 7 Princes Highway, Dandenong South VIC' Revision R dated 1/11/2024 and Revision F (excluding Estate Plan) dated 30/8/2024, and must:
- be in accordance with the recommendations of the structural engineering report required under condition 14 of this permit
 - demonstrate the means by which the retained portions of the heritage buildings will be supported during demolition and construction works to ensure their retention.



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- c. fully describe and clearly demonstrate that the construction methods to be used on site will ensure that the building fabric required to be retained on the plan approved under condition 2 of the permit will be safeguarded during and after the demolition process has occurred, or finished in accordance with the plans approved under condition 2.
- d. Include a detailed description of the measures to be implemented to protect the native vegetation to be retained during demolition and construction works, and the person/s responsible for implementation and compliance, in accordance with Condition 21 – Vegetation Management Plan of this permit.
- e. Include an amended site plan, drawn to scale with dimensions and georeferenced (such as VicGrid94 co-ordinates), that clearly shows:
 - i. the location and identification of the land affected by this permit, including standard parcel identifiers for freehold land; and
 - ii. the location and area of all native vegetation present, that are permitted to be removed under this permit.
- f. Address the buildings, works and other measures necessary to:
 - i. protect railway land, track, overhead power and associated infrastructure.
 - ii. Prevent or minimise disruption to the operation of the railway.
- g. Address the remediation of any damage to railway land, track, overhead and underground power and communication assets, and associated infrastructure.
- h. Provide details of required access to the railway land during demolition with appropriate durations and schedules.
- i. Include arrangements for:
 - i. any hoarding associated with the demolition at the railway boundary or that encroaches onto or overhangs railway land.
 - ii. demolition occurring on or next to the boundary of the railway land.
 - iii. crane location(s), slew radius and slew locking proposals
 - iv. the deposit or store of waste, fill or other materials associated with the demolition on the railway land.
 - v. air and dust management.
 - vi. operating hours.
 - vii. noise and vibration controls.
 - viii. the management of site drainage, effluent and waste.
 - ix. the security of the railway land and associated infrastructure.
- j. The working hours schedule for demolition noise.
- k. Include a demolition traffic management plan showing:
 - i. access routes for demolition vehicles;
 - ii. swept path analysis demonstrating the ability for trucks to enter and exit the site in a safe manner for the largest anticipated truck associated with the demolition;
 - iii. proposed parking locations for demolition vehicles and demolition workers' vehicles;
 - iv. any impacts upon adjacent roads and pedestrian walkways and provision for adequate movement and circulation of vehicles and pedestrians adjacent to the land during the demolition;
 - v. how public transport operations, traffic, walking and cycling movements will be managed during demolition; and
 - vi. how any traffic impact to the railway land and associated infrastructure assets will be mitigated.



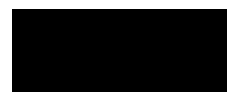
All demolition works must be carried out in accordance with the approved demolition management plan unless with the prior written consent of the responsible authority.

The demolition management plan must be prepared, implemented and monitored at the cost of the permit holder / owner to the satisfaction of the responsible authority.

The responsible authority may consent in writing to vary any details in the demolition management plan.

Environmental construction management plan

65. Before the development, native vegetation removal or any site works (including excavation/earthworks) start, an environmental construction management plan must be approved and endorsed by the responsible authority in consultation with Head, Transport for Victoria and Greater Dandenong City Council. The environmental management plan must be prepared to the satisfaction of the responsible authority, be generally in accordance with the plans prepared by Concept Y, titled 'Proposed development – 7 Princes Highway, Dandenong South VIC' Revision R dated 1/11/2024 and Revision F (excluding Estate Plan) dated 30/8/2024, and must:
- a. be prepared in accordance with the *Civil construction building and demolition guide, Publication 1834* (EPA, 2020); and
 - b. adopt the form of the EMP template included in the EPA guide and must address the following risks:
 - x. noise and vibration
 - xi. erosion, sediment and dust
 - xii. contaminated land and groundwater
 - xiii. chemicals
 - xiv. drainage, effluent and waste.
 - c. Include a detailed description of the measures to be implemented to protect the native vegetation to be retained during demolition and construction works, and the person/s responsible for implementation and compliance, in accordance with Conditions 21 and 22 – Vegetation Management Plans of this permit.
 - d. Include an amended site plan, drawn to scale with dimensions and georeferenced (such as VicGrid94 co-ordinates), that clearly shows:
 - i. the location and identification of the land affected by this permit, including standard parcel identifiers for freehold land; and
 - ii. the location and area of all native vegetation present, that are permitted to be removed under this permit.
 - e. Address the buildings, works and other measures necessary to:
 - iii. protect railway land, track, overhead power and associated infrastructure.
 - iv. Prevent or minimise disruption to the operation of the railway.
 - f. Address the remediation of any damage to railway land, track, overhead and underground power and communication assets, and associated infrastructure.
 - g. Provide details of required access to the railway land during construction of the development with appropriate durations and schedules.
 - h. Include arrangements for:
 - i. any hoarding associated with the demolition and construction of the development at the railway boundary or that encroaches onto or overhangs railway land.



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- ii. piling, excavation, shoring, stabilising, anchoring, filling, earthworks or construction associated with the development occurring on or next to the boundary of the railway land.
- iii. crane location(s), slew radius and slew locking proposals
- iv. the deposit or store of waste, fill or other materials associated with the development, including on railway land.
- v. the security of the railway land and associated infrastructure.
- i. The working hours schedule for construction and building noise.
- j. Include a construction traffic management plan showing:
 - i. access routes for construction vehicles;
 - ii. swept path analysis demonstrating the ability for trucks to enter and exit the site in a safe manner for the largest anticipated truck associated with the construction;
 - iii. proposed parking locations for construction vehicles and demolition and construction workers' vehicles;
 - iv. any impacts upon adjacent roads and pedestrian walkways and provision for adequate movement and circulation of vehicles and pedestrians adjacent to the land during construction phases;
 - v. how public transport operations, traffic, walking and cycling movements will be managed during the construction; and
 - vi. how any traffic impact to the railway land and associated infrastructure assets will be mitigated.

All construction works must be carried out in accordance with the approved environmental construction management plan unless with the prior written consent of the responsible authority.

The environmental construction management plan must be prepared, implemented and monitored at the cost of the permit holder / owner to the satisfaction of the responsible authority.

The responsible authority may consent in writing to vary any details in the environmental construction management plan.

Expiry – Development

66. This permit will expire if one of the following circumstances applies:
- a. The development is not started within two years of the issued date of this permit.
 - b. The development is not completed within four years of the issued date of this permit.
 - c. This permit as it relates to advertising signs expires 15 years from the issue date of this permit. On expiry of the permit, the sign and structures built specifically to support and illuminate it must be removed.

In accordance with Section 69 of the *Planning and Environment Act 1987*, 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 development if a request is made in writing within twelve months after the permit expires and the development started lawfully before the permit expired.

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USEFUL INFORMATION:

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

- The permitted use or development may need to comply with, or obtain the following further approvals:
 - The recommendations of a cultural heritage management plan approved under the *Aboriginal Heritage Act 2006*.
 - A building permit under the *Building Act 1993*.
- This permit does not allow any activities under Clause 53.10 of the Greater Dandenong Planning Scheme.

Department of Energy, Environment and Climate Action

- The total area of native vegetation permitted to be removed is 0.207 hectares, as identified in Native Vegetation Removal Report 326_20240813_TNG, comprised of 0.039 ha of patch vegetation and 0.168ha of scattered trees including 2 large patch trees, 1 large scattered tree and 4 small scattered trees.
- Offset requirements are determined in accordance with DEECA Guidelines for the removal, destruction or lopping of native vegetation (DELWP, 2017). Proposed offset sites must meet eligibility requirements including land use, bushfire risk, quality of vegetation and size of revegetation site. Please visit <https://www.environment.vic.gov.au/native-vegetation/native-vegetation> for further information

Greater Dandenong City Council

- Approval is required from the relevant electricity authority for the removal of the existing electrical transformers.
- The minimum finished floor level of Warehouse 1A, 1B and 2 must be set at least 300mm above the top of the kerb level.
- As an outfall drainage system is to be constructed for the property to discharge into the Eumemmerring Creek, approval will need to be obtained from Melbourne Water for connection into the Eumemmerring Creek.
- A Vehicle Crossing Permit must be obtained for the vehicular crossing prior to construction of the crossing.
- Any works undertaken within the road reservation and easements will require the permit holder or owner to obtain a civil works permit from Council.
- A flood dispensation is to be obtained prior to issue of Building Permit.
- The land is subject to uncontrolled overland flow through the property.
- Prior to the final drainage design being completed, the permit holder or owner should consult with Council's Infrastructure Planning Department in regard to the legal point of discharge for the site.

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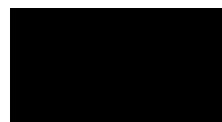
- Prior to buildings and works commencing the permit holder or owner will need to obtain an Asset Protection Permit from Council.

Head, Transport for Victoria

- The proposal requires roadworks within the declared road and the road reserve. A separate approval for this activity is required to be obtained from the Department of Transport under the *Road Management Act*. Please contact the Department of Transport prior to commencing any works.

VicTrack

- No entry to railway land is permitted without the written consent of VicTrack.



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IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

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**.)

CAN THE RESPONSIBLE AUTHORITY AMEND THIS PERMIT?

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

WHEN DOES A PERMIT BEGIN?

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.

WHEN DOES A PERMIT EXPIRE?

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.

WHAT ABOUT REVIEWS?

- 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: 20 February 2025 Signature for the responsible authority:

