

PLANNING PERMIT

Permit No.:	PA2503933
Planning scheme:	Yarra Planning Scheme
Responsible authority:	Minister for Planning
ADDRESS OF THE LAND:	79-83 Balmain Street & 116-122 Chestnut Street, CREMORNE (Formally described as Lot 1 on Title Plan 683700U, Lot 1 on Title Plan 697279V, Lot 1 on Title Plan 605155K, Lot 1 on Title Plan 232854J & Lot 1 on Title Plan 566592Y).

THE PERMIT ALLOWS:

Planning scheme clause	Matter for which the permit has been granted
34.02-1	Use the land for a residential hotel
34.02-4	Construct a building or construct or carry out works for a residential hotel
43.02-2	Construct a building or construct or carry out works

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Compliance with documents approved under this permit

1. 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

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

Approved and endorsed plans – changes required

3. Before the development starts, excluding demolition, bulk 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 generally in accordance with the plans 'Cremorne Tower' prepared by Hachem, Incorporating Revision D and dated 31 October 2025, but amended to show the following details:

- a) Any changes required to be consistent with the Façade Strategy required by this permit.

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- b) Any changes required to be consistent with the Landscape Plan required by this permit.
- c) Any changes required to be consistent with the Public Realm and Functional Layout required by this permit.
- d) Any changes required to be consistent with the Waste Management Plan required by this permit.
- e) Any changes required to be consistent with the Sustainability Management Plan required by this permit.
- f) Any changes required to be consistent with the Acoustic Report required by this permit.
- g) Any changes required to be consistent with the Wind Assessment Report required by this permit.
- h) Any changes required to be consistent with the Public Lighting Plan required by this permit.
- i) Any changes required to be consistent with the Traffic Management Plan required by this permit.

Layout Not Altered

- 4. The use and development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the responsible authority.

Architects To Be Retained

- 5. Except with the written consent of the responsible authority, Hachem must be retained to provide architectural oversight during construction and completion of the detailed design as shown in the endorsed plans and façade strategy.

Façade Strategy

- 6. Concurrent with the endorsement of plans, a façade strategy must be approved and endorsed by the responsible authority. The façade strategy must be prepared to the satisfaction of the responsible authority, be drawn to scale and be generally in accordance with the plans 'Cremorne Tower' prepared by Hachem Incorporating Revision D and dated 31 October 2025, and must include:
 - a) A concise description by the architect of the building design concept and how the façade works to achieve this.
 - b) A schedule of all colours, materials and finishes, including the colour, type and quality of materials showing their application and appearance. This can be demonstrated in coloured elevations or renders from key viewpoints, to show the materials and finishes, and linking them to a physical sample board with clear coding.
 - c) Elevation details generally at a scale of 1:20, or other suitable scale agreed to by the responsible authority, illustrating typical building details, entries and doors, utilities, and any special features which are important to the building's presentation.



- d) Cross sections or other method of demonstrating the façade systems, including fixing details indicating junctions between materials and significant changes in form and/or material.
- e) Information about how the façade will be accessed, maintained and cleaned.
- f) Details of materials and finishes to demonstrate these will be of high quality, robust, and require low maintenance.

Landscape Plan

7. Concurrent with the endorsement of plans, a landscape plan must be approved and endorsed by the responsible authority in consultation with Yarra City Council. The plan must be prepared to the satisfaction of the responsible authority and must be generally in accordance with the Landscape Plan prepared by Florian Wild (Project ID 23-036) dated April 2025, but modified to include:
- a) Any changes required to be consistent with the endorsed architectural plans.
 - b) Planting plans showing the location of proposed planting, plant quantities and species, as well as a legend containing key features, materials and surfaces. For mass planted areas/green walls, minimum plant densities may be provided in lieu of individual plant counts.
 - c) A plant schedule which correlates with the planting plans and notes the plant species (botanical and common name), installation size, width and height at maturity and plant quality.
 - d) Detailed drawings for any ground floor elements such as furniture and planters including dimensions (including soil depth), drainage, lining, materials and growing media. Volumes of growing media are to be adequate for the plant species proposed and cultivation depth.
 - e) Detailed drawings of the vertical gardens and green roofing/planters, including (but not limited to) dimensions, mulch, soil layers and filtration media, water supply method (where applicable) and overflow measures.
 - f) Provision of wind proof mulching for any above ground planted areas.
 - g) A maintenance schedule, including task details and frequency with further information clearly demonstrating how safe maintenance access (such as anchor points for rope access) is to be provided and how this will be integrated into the building design.

Completion of Landscaping

8. Before the development is occupied, the landscaping shown on the approved landscape plans must be carried out and completed to the satisfaction of Yarra City Council.

The responsible authority may consent in writing to vary this requirement.



Landscaping Maintenance

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

Public Realm Functional Layout Plan

10. Concurrent with the endorsement of plans, a public realm plan must be approved and endorsed by the responsible authority in consultation with Yarra City Council. The plan must be prepared to the satisfaction of the responsible authority and must include:
- Any changes required to be consistent with the endorsed architectural plans.
 - Notations confirming that public infrastructure must not be adjusted unless agreed with by Council in writing.
 - All existing service infrastructure (underground and access points), road markings, signage, street trees and plantings.
 - Spot levels and gradients showing DDA compliance and usable walking surfaces.
 - Clear delineation of the public and private realm through a variance in surface materials.
 - All proposed streetscape materials should be designed as per Technical Notes: City of Yarra Public Domain Manual and Yarra Standard Drawings.
 - All footpath paving to be consistent treatment from kerb to building edge to avoid slivers of unit paving between the title and building.
 - A layout for any outstands, pedestrian crossings, on-street garden beds and rationalised on-street parking should be indicated on plans to be further coordinated with Council officers, through the detailed design process.

Yarra City Council may consent in writing to vary any of these requirements.

11. Before the development starts, excluding demolition, bulk excavation and site preparation works, detailed design drawings of works in the endorsed Public Realm Functional Layout Plan must be approved and endorsed by Yarra City Council.
12. Before the building is occupied, all associated works shown on the endorsed detailed design plans for the public realm must be fully constructed and completed to the satisfaction of Yarra City Council and at no cost to the council.

Street Trees

13. Concurrent with the endorsement of plans, a Tree Protection Management Plan (TPMP) must be approved and endorsed by the responsible authority in consultation with Yarra City Council. The TPMP must be prepared to the satisfaction of the responsible authority and must be generally in accordance with the Tree Management Plan prepared by Greenscene dated 18 August 2025 and modified to include:
- The protection and preservation of any existing street trees intended to be retained following the completion of works.



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- b) Include reference to AS 4970-2025: Protection of Trees on Development Sites (superseding AS 4970-2009).
 - c) Explicitly state the site address as 79-83 Balmain Street & 116-122 Chestnut Street, Cremorne.
 - d) An Arboricultural Impact Assessment of Tree 2 stating:
 - i. Encroachment Level: Minor (<10%), Moderate (10-20%), Major (>20%);
 - ii. Percentage of Notional Root Zone impacted;
 - iii. Explanation of why the tree will remain viable despite encroachment;
 - iv. Mitigation measures (e.g. root protection, hand excavation, mulching);
 - e) The provision of any barriers/tree protection zones.
 - f) Any pruning necessary.
 - g) Watering and maintenance regimes during construction.
14. Before the development starts, excluding demolition, bulk excavation and site preparation works, or by such later date as approved in writing by Yarra City Council, the permit holder must make a one-off contribution of \$7,051 (inclusive of GST and subject to annual CPI increase) to Yarra City Council to be used for the planting of street trees and 24 months of establishment maintenance. The tree and plant species are to be determined by Yarra City Council and carried out as follows:
- a) Yarra City Council's tree planting contractor to source trees, carry out planting works and provide establishment maintenance.
 - b) Yarra City Council must be kept updated as the project progresses including but not limited to construction time frames, progress and anticipated completion date to ensure trees are sourced and available for planting at an appropriate time.

Waste Management Plan

15. Concurrent with the endorsement of plans, a Waste Management Plan must be approved and endorsed by the responsible authority in consultation with Yarra City Council. The plan must be prepared to the satisfaction of the responsible authority, be generally in accordance with the Waste Management Plan prepared by Traffix (Ref: G33350R-04C) and dated 8 September 2025, and must include the following:
- a) Any changes required to be consistent with the endorsed architectural plans.
 - b) Confirmation that any temporary propping of bins during collection (prior to return to bin holding room) must be able to be facilitated within the site boundaries.

Environmentally Sustainable Design

16. Concurrent with the endorsement of plans, a Sustainability Management Plan (SMP) must be approved and endorsed by the responsible authority and in consultation with Yarra City Council. The SMP must be prepared to the satisfaction of the responsible authority, be generally in accordance with the SMP prepared by Hip V. Hype, Version 4 and dated 29 August 2025, and must include:
- a) Any changes required to be consistent with the endorsed architectural plans.

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Implementation of ESD Statement Initiatives

17. Within six months of the occupation of the development, a report from the author of the endorsed SMP must be approved and endorsed by the responsible authority. The report must outline how the design initiatives implemented within the completed development achieve the performance outcomes specified in the endorsed report, to the satisfaction of the responsible authority.

Preliminary Site Inspection (Potentially Contaminated Land)

18. Before the development starts (excluding demolition and any works required to complete the assessment in accordance with this condition), an assessment of the land must be approved and endorsed by the responsible authority. The assessment must be prepared to the satisfaction of the responsible authority and must include:
- a) Undertaking of the recommendations referred to in the Contamination PSI Review (prepared by Prensa, dated 29 August 2025).
 - b) A description of the previous land uses and activities on the land.
 - c) An assessment of the level, nature and distribution of identified contamination within, or in close proximity to, the land.
 - d) Details of any provisions, recommendations and requirements (including but not limited to, clean up, construction, ongoing maintenance or monitoring) required to effectively address and manage identified contamination within the land.

Acoustic Report

19. Concurrent with the endorsement of plans, an acoustic report must be approved and endorsed by the responsible authority. The report must be prepared to the satisfaction of the responsible authority and be generally in accordance with the Acoustic advice prepared by Acoustic Logic and dated 8 December 2025, but modified to include:
- a) Any changes required to be consistent with the endorsed architectural plans.
 - b) Any acoustic mitigation measures necessary to ensure the protection of surrounding sensitive land uses (with regard to both dwellings that are as of right within the zone and with existing use rights).
 - c) Any acoustic mitigation measures to ensure the protection of residential hotel rooms from on and off-site noise emissions.

Wind Assessment

20. Concurrent with the endorsement of plans, a wind report must be approved and endorsed by the responsible authority. The report must be prepared to the satisfaction of the responsible authority and be generally in accordance with the Wind Report prepared by Windtech and dated 17 September 2025, but modified to include:
- a) Wind tunnel testing to satisfy the pedestrian wind comfort and wind safety per Clause 58-04-4 as recommend in the Windtech report.



- b) Wind impacts and any modifications and/or mitigation measures required to the development in order to ensure acceptable wind conditions to the surrounding streets and public areas.
- c) Wind impacts and any modifications and/or mitigation measures required to ensure acceptable wind conditions to the onsite hotel forecourt, balconies and communal roof terraces.

Public Lighting Plan

21. Concurrent with the endorsement of plans, a detailed public lighting plan must be approved and endorsed by the responsible authority in consultation with Yarra City Council. The plan must be prepared to the satisfaction of the responsible authority and must:
- a) Address lighting along Balmain Street, Chestnut Street, western laneway and along areas traversed by pedestrians, including at entrances to the building.
 - b) Identify all proposed lighting sources, lux levels and spillage details and address how the lighting will integrate with the existing lighting in the interfacing public spaces.
 - c) Show all public lighting in conformity with AS1158.3.1-2000 Lighting for roads and public spaces Pedestrian area (Category P) lighting – Performance and design requirements and AS/NZS 428:2019.2 Control of the obtrusive effects of outdoor lighting and the Public Lighting Code December 2015 (v2).

Control of Light Spill

22. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of Yarra City Council.

Traffic Management Plan

23. Concurrent with the endorsement of plans, a traffic and parking management plan must be approved and endorsed by the responsible authority in consultation with Yarra City Council. The plan must be prepared to the satisfaction of the responsible authority and must include the following details:
- a) The means by which any on-site guest vehicle drop-off/pick-up facility will be operated and managed.
 - b) The means by which any on-site visitor bicycle parking will be, signed, operated and managed, including allowing for access to bicycle parking in secure areas.
 - c) End of trip facilities in accordance with the requirements of Clause 52.34-5.
 - d) Any measures put in place to in advance, discourage guests from parking private vehicles on the street during their stay and direct them to preferred pick-up/drop-off locations which minimise disruption to the local street network.

Construction Management Plan

24. Before the development starts, including bulk excavation and site preparation works, a Construction Management Plan must be approved and endorsed by Yarra City Council. The plan must be prepared to the satisfaction of Yarra City Council and must provide for:

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- a) A pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure.
- b) Works necessary to protect road and other infrastructure.
- c) Remediation of any damage to road and other infrastructure.
- d) Containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land.
- e) Facilities for vehicle washing, which must be located on the land.
- f) The location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street.
- g) Site security.
- h) Management of any environmental hazards including, but not limited to:
 - (i) Contaminated soil.
 - (ii) Materials and waste.
 - (iii) Dust.
 - (iv) Stormwater contamination from run-off and wash-water.
 - (v) Sediment from the land on roads.
 - (vi) Washing of concrete trucks and other vehicles and machinery.
 - (vii) Spillage from refueling cranes and other vehicles and machinery
 - (viii) The construction program.
- i) Preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency.
- j) Measures to ensure that all work on the land will be carried out in accordance with the CMP.
- k) An outline of requests to occupy public footpaths or road, or anticipated disruptions to local services.
- l) An emergency contact that is available 24 hours a day for residents and Yarra City Council in the event of relevant queries or problems experienced.
- m) The provision of a traffic management plan to comply with the provisions of *AS 1742.3-2002 Manual of uniform traffic control devices – Part: Traffic control devices* for works on roads.
- n) If required, the CMP may be approved in stages. Construction of each stage must not commence until a CMP has been endorsed for that stage.
- o) A Noise and Vibration Management Plan showing methods to minimise noise and vibration impacts on nearby properties and to demonstrate compliance with Noise Control Guideline 12 for Construction (Publication 1254) as issued by the Environment Protection Authority in October 2008. The Noise and Vibration Management Plan must



be prepared to satisfaction of Yarra City Council. In preparing the Noise and Vibration Management Plan, consideration must be given to:

- (i) Any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines.
- (ii) The suitability of the land for the use of an electric crane.
- (iii) Silencing all mechanical plant by the best practical means using current technology.
- (iv) Fitting pneumatic tools with an effective silencer.
- (v) Other relevant considerations.
- (vi) Any site-specific requirements.

During the construction:

- p) Any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines.
- q) Stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the land enters the stormwater drainage system.
- r) Vehicle borne material must not accumulate on the roads abutting the land.
- s) The cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads.
- t) All litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.

Development Infrastructure Levy

25. Before the development starts, the Development Infrastructure Levy must be paid to Yarra City Council in accordance with the approved Development Contributions Plan or the permit holder must enter into an agreement with Yarra City Council to pay the Development Infrastructure Levy within a time specified in the agreement.

Community Infrastructure Levy

26. Before a building permit is issued, the Community Infrastructure Levy must be paid to Yarra City Council in accordance with the approved Development Contributions Plan.

Green Travel Plan

27. Before the use commences, a Green Travel Plan must be approved and endorsed by the responsible authority, in consultation with Yarra City Council. The Green Travel Plan (GTP) must include, but not be limited to, the following:
- a) A description of the location in the context of alternative modes of transport.
 - b) Employee welcome packs (e.g. provision of myki/transport ticketing).
 - c) Sustainable transport goals linked to measurable targets, performance indicators and monitoring timeframes.



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- d) A designated 'manager' or 'champion' responsible for coordination and implementation.
- e) Details of bicycle parking and bicycle routes.
- f) Details of GTP funding and management responsibilities.
- g) The specific design of bicycle storage devices proposed to be used for employee.
- h) Spaces, including demonstration of their suitability for parking cargo bikes, electric bikes and recumbent bikes.
- i) The types of lockers proposed within the change-room facilities, with at least 50% of lockers providing hanging storage space.
- j) Security arrangements to access the employee bicycle storage spaces.
- k) Signage and wayfinding information for bicycle facilities and pedestrians pursuant to Australian Standard AS2890.3.
- l) Reference to a minimum 40A single phase electrical sub circuit should be installed to the car park areas for 'EV readiness'.
- m) Provisions for the Green Travel Plan to be updated not less than every 5 years.

Residential Hotel

28. Before the use commences, a Hotel Management Plan must be approved and endorsed by the responsible authority in consultation with Yarra City Council. The plan must be prepared to the satisfaction of the responsible authority and must include, but not be limited to, the following:
- a) A General or Duty Manager to be onsite at all times, providing immediate oversight of security, noise issues, maintenance and actioning of any complaints.
 - b) CCTV surveillance to be provided across the premises at all times.
 - c) Reception operating hours.
 - d) Staffing/management arrangements, including any measures necessary for supporting the efficient operation of regular and/or frequent loading and deliveries such as waste collection and laundry services.
 - e) Provision for 'after hours' arrivals and departures.
 - f) Security arrangements.
 - g) Ongoing measures to be taken to ensure residential hotel guests and visitors do not cause any unreasonable amenity impact to persons beyond the land.
 - h) Establishment of a line of communication with adjoining owners and occupiers aimed at identifying and addressing amenity concerns.
 - i) An outline of all hotel rules intended to be used to manage residents and guests including:
 - (i) Guest behaviour.

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- (ii) Noise.
 - (iii) Use of private and communal terraces.
 - (iv) Details of eviction process in the event hotel rules are broken
- j) Except with the prior written consent of the responsible authority, the restaurant may only operate between 7am to 12am, 7 days a week.
- k) Speakers external to the building must not be erected or used.

Noise and Amenity

29. The use and 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 responsible authority.

30. At all times noise emanating from the land must comply with the requirements of the Environment Protection Regulations 2021 (as amended from time to time) as measured in accordance with the Noise Protocol to the satisfaction of the responsible authority.
31. Except with the prior written consent of the responsible authority, the delivery and collection of goods to and from the land may only occur between 7am and 10pm Monday to Saturday, or after 9am on a Sunday or public holiday, except for those allowed under any relevant local law.
32. All external plant and equipment must be acoustically treated or placed in soundproof housing to reduce noise to a level to the satisfaction of the responsible authority.

Boundary Walls

33. Before the development is occupied, all new or extended walls on or facing the boundaries of adjoining properties or a laneway must be cleaned and finished to the satisfaction of Yarra City Council.
34. Before the development is occupied, any wall located on a boundary facing public property must be treated with a graffiti proof finish to the satisfaction of Yarra City Council.

Reflected Glare

35. Extended periods of discomfort glare for pedestrians and occupants of surrounding buildings caused by glazing (including tilted glazing) and external cladding materials and finishes with specular or glossy finishes (including polished metal cladding, finished stainless steel, glazed tiles, high gloss paint finishes) must be avoided or minimised, to the satisfaction of the responsible authority.

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Plant Equipment or Features on Roof

36. No plant, equipment, services or architectural features other than those shown on the approved plans are permitted above the roof level of the building.

Concealed Service Pipes and Equipment

37. All pipes, fixtures, fittings vents, plant and equipment servicing any building on the land (excluding storm water down pipes, guttering and rainheads) must be concealed in service ducts or otherwise hidden from view to the satisfaction of the responsible authority.

Car Parking

38. Before the building is occupied, or by such later date as approved in writing by the Yarra City Council, the area set aside on the endorsed plans for the car parking spaces, access lanes, driveways and associated works must be:

- a) Constructed and available for use in accordance with the endorsed plans;
- b) Formed to such levels and drained so that they can be used in accordance with the endorsed plans;
- c) Treated with an all-weather seal or some other durable surface; and
- d) Line-marked or provided with some adequate means of showing the car parking spaces.

To the satisfaction of Yarra City Council.

Civil Works

39. Before the development is occupied, or as otherwise agreed by Yarra City Council, the following civil works must be undertaken at the permit holder's cost and to the satisfaction of Yarra City Council:

- a) Any new vehicle crossing must be constructed.
- b) Any redundant vehicular crossings must be demolished and re-instated as footpath, verge (if applicable), and kerb and channel.
- c) The footpath along the Chestnut, Balmain and the western laneway frontages must be reconstructed in asphalt.
- d) The kerb and channel along the Chestnut, Balmain and the western laneway frontages must be reconstructed.
- e) The road pavement along the Chestnut, Balmain and the western laneway frontages must be re-sheeted.
- f) Any damage to Council infrastructure resulting from the development must be reinstated in accordance with Yarra Standard Drawings.
- g) Any service poles, structures or pits located within the public realm areas must be adjusted as required.
- h) Except with the prior written consent of the Yarra City Council, Council assets must not be altered in any way.



Expiry – Development and Use

40. This permit will expire if one of the following circumstances applies:

- a) The development is not started within 2 years of the issued date of this permit.
- b) The development is not completed within 4 years of the issued date of this permit.
- c) The use does not start within 2 years of completion of the development.

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

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:
 - A building permit under the *Building Act 1993*.



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IMPORTANT INFORMATION ABOUT THIS PERMIT

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 of issue: 3 February 2026 Signature for the responsible authority:

