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PLANNING PERMIT

Permit No. MPS/2023/637
Amendment No **MPS/2023/637/A**
Planning Scheme: Merri-bek Planning Scheme
Responsible Authority: Merri-bek City Council

ADDRESS OF LAND: **10 Dawson Street, BRUNSWICK VIC 3056**

THE PERMIT ALLOWS: Demolition of existing buildings and construction of a multi storey mixed-use building, use of the land for dwellings, to vary an easement and a reduction of the standard car parking requirement, in accordance with the endorsed plans

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Amended Plans

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority 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 and must be generally in accordance with the plans advertised 9 February 2024 but modified to show:

   a) The upper level front (southern) setbacks to Dawson Street to be dimensioned to the front wall instead of the dashed lines beyond the front wall.

   b) Demonstration that at least 50% of dwellings achieve Standard D18 of Clause 58.05-1.

   c) At least 20 per cent of the bicycle parking devices designed to provide ground level horizontal (i.e. 1800mm long) bike parking devices in accordance with the Australian Standard for Bicycle Parking (AS2890.3).

   d) Dimension the accessway grades of the car basement ramps to comply with Clause 52.06-9 of the Merri-bek Planning Scheme with:

Date Issued: 19 February 2025

Signature for the Responsible Authority:

Note: Under Part 4, Division 1A of the Planning and Environment Act 1987, a permit may be amended. Please check with the responsible authority that this permit is the current permit and can be acted upon.

i. Slopes no greater than 1 in 4;
ii. Slopes within 5 metres of the street boundary to be no greater than 1 in 10;
iii. Changes of grade of more than 1 in 8 for a summit grade change or more than 1 in 6.7 for a sag grade change, to be provided with a transition of at least 2 metres to prevent vehicles scraping or bottoming.

e) Dimensions of the tandem car parking spaces.

f) Each pedestrian entrance with a ramp shown and labelled with the statement "Slope floor to match existing footpath level".

g) Any changes to the plans arising from the:

i. Landscape Plan in accordance with Condition 5 of this permit.
ii. Tree Protection Plan in accordance with Condition 8 of this permit.
iii. Sustainability Management Plan in accordance with Condition 11 of this permit.
iv. Accessibility Report in accordance with Condition 15 of this permit.
v. Acoustic Report in accordance with Condition 17 of this permit.
vi. Waste Management Plan in accordance with Condition 20 of this permit.
vii. Wind impact assessment in accordance with Condition 22 of this permit.

Compliance with Endorsed Plans

2. The use and development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.

Carriageway Easement

3. Within 12 months of the commencement of construction, the permit holder must provide evidence to the Responsible Authority that a carriageway easement (Easement E-2) has been registered on the title of 10 Dawson Street, Brunswick in favour of 33 Saxon Street /15 Phoenix Street, generally in accordance with the advertised Plan of Creation and Removal of Easement.

4. Prior to the issue of Statement of Compliance or an occupancy permit for any part of the development, whichever occurs first, the proposed Easement E-2 must be fully constructed to the satisfaction of the Responsible Authority at the cost of the permit holder.

Landscaping

5. Prior to the endorsement of plans, an amended landscape plan must be submitted to the Responsible Authority. The landscape plan must be generally in accordance with the plan prepared by Oculus dated 01 December 2023 but amended to show:

a) Any changes required to align with the plans for endorsement.

b) Deleted.

c) The mature size of proposed trees (e.g. Waterhousea/Syzygium floribunda) updated.

d) Use of 50cm or smaller stock for rooftop trees.

e) Placement of ferns and other shade-loving plants reviewed (e.g. sufficient shading from creepers and nearby structures).

f) Confirmation of lawn species and demonstrate consideration of suitable solar exposure between different lawn areas.

g) Details of planter box design including:

i. Media product name

ii. Construction/section diagrams

iii. Irrigation (e.g. location of controllers, irrigation volumes/frequency, connection points)

iv. Drainage design (including discharge points)

v. Consideration of water collection, water recycling and water tanks

When submitted and approved to the satisfaction of the Responsible Authority, the landscape plan will be endorsed to form part of this permit. No alterations to the plan may occur without the written consent of the Responsible Authority.

6. Before the development is occupied, all landscaping works, including installation of automatic irrigation, must be completed in accordance with the endorsed landscape plan to the satisfaction of the Responsible Authority.

7. All landscaping and irrigation systems must be maintained to the satisfaction of the Responsible Authority in accordance with the endorsed landscape plans. Any dead, diseased or damaged plants must be replaced with a suitable species to the satisfaction of the Responsible Authority.

Tree Protection Plan

8. Before the plans required by Condition 1 are endorsed, an updated Tree Protection Management Plan (TPMP) must be submitted to the Responsible Authority. The TPMP

must be compliant with section 5 of AS4970-2009 Protection of Trees on Development Sites, to ensure that the street tree on the Dawson Street and Saxon Street corner (Tree 1) remains healthy and viable during construction. The TPMP must be prepared by a suitably qualified and experienced arborist (AQF Level 5+ plus a minimum 5 year demonstrated industry experience). The TPMP must be to the satisfaction of the Responsible Authority, must be generally in accordance with the Tree Management Report and Protection Plan prepared by Arbor Survey Revision 3 dated 19/01/2024 and must include the following updates to the satisfaction of the Responsible Authority:

a) Name, qualifications and experience of the author to be included.

b) A Tree Protection Plan to scale that shows:

   i. All Tree Protection Zones and Structural Root Zones
   ii. All Tree Protection Fencing
   iii. Areas where ground protection systems will be used
   iv. The type of footings within any Tree Protection Zone
   v. The location of services within any Tree Protection Zone

c) The location and design of Tree Protection Fencing.

d) Details of appropriate footings within the Tree Protection Zone.

e) The method of installing any services through the Tree Protection Zone.

f) Details of how the root zone within the Tree Protection Zone will be managed throughout the project.

g) A timetable outlining works requiring supervision by the Project Arborist.

h) The results of any exploratory trenching where there is encroachment (construction or excavation) greater than 10 per cent into the Tree Protection Zone (in accordance with Australian Standard AS4970:2009 - Protection of Trees on Development Sites) of any tree to be retained. This must include photographic evidence of any trenching/ excavation undertaken.

i) All remedial pruning works that are required to be performed on the tree during the development of the site. The pruning comments must reference Australian Standards 4373:2007, Pruning of Amenity Trees and a detailed photographic diagram specifying what pruning will occur.

j) Results of non-destructive root investigation (NDRI) (e.g. hydro excavation) where the TPZ of Tree 1 is encroached by the proposed basement (e.g. on subject side of fence where the TPZ extends, to a depth of 1000mm+. Project arborist (AQF Level 5+) to supervise and document works and provide the applicant with advice regarding impacts of proposed basement works. Advice

must be made to assure the long-term viability (including structural integrity) of Tree 1 is not compromised by development works.

When approved the TPMP will be endorsed to form part of this permit and must not be altered without the prior written consent of the Responsible Authority. The recommendations of the endorsed TPMP must be implemented to the satisfaction of the Responsible Authority.

Tree Removal

9. In the event that public tree(s) are proposed for removal at any stage of the development, or Merri-bek City Council determine that impacts from the development will result in any of the public street trees to be no longer viable, the applicant must, before the development is occupied, pay Council the amenity value, removal, replacement and establishment costs in accordance with the Merri-bek Urban Forest Strategy 2017 for each street tree removed or damaged through the building works, to the satisfaction of the Responsible Authority.

Heritage Record

10. Prior to the commencement of any demolition, a professionally prepared archival record of the substation on the land must be carried out and submitted to the satisfaction of the Responsible Authority. This record must be carried out in accordance with Heritage Victoria's technical note 'Specification for the submission of Archival' undated.

Environmentally Sustainable Design (ESD)

11. Before the plans required by Condition 1 are endorsed, an amended Sustainability Management Plan (SMP) and plans must be submitted to the Responsible Authority. The SMP must be to the satisfaction of the Responsible Authority, must demonstrate a best practice standard of environmentally sustainable design and must be generally in accordance with the SMP prepared by GIW Environmental Solutions Dated 23 January 2024 but modified to include the following changes:

    a) A summary of re-use options for the >80 per cent of fire test water proposed to be collected and re-used on site.

    b) Solar Reflectance Index (SRI) values of all hard surfaces clearly annotated on the development plans, aligned with endorsed SMP commitments.

    c) Provide a preliminary NCC Part J facade calculator, demonstrating compliance to NCC Part J and the BESS DtS Energy compliance criteria.

    d) Show the following ESD initiatives on the development plans:

i. An ESD table on the plans for items that cannot be drawn e.g. NatHERS, tap and cooling/heating ratings, etc.

Where alternative ESD initiatives are proposed to those specified in the conditions above, the Responsible Authority may vary the requirements of this condition at its discretion, subject to the development achieving equivalent (or greater) ESD outcomes in association with the development.

When approved, the amended Sustainability Management Plan and associated notated plans will be endorsed to form part of this permit. No alterations to the endorsed SMP may occur without the written consent of the Responsible Authority.

12. The development must be constructed in accordance with the endorsed Sustainability Management Plan (including any BESS and STORM reports and NatHERS Ratings) to the satisfaction of the Responsible Authority.

13. Before the development is occupied, a report from the author of the endorsed Sustainability Management Plan (SMP), or similarly qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm (with documented evidence) that all measures specified in the SMP have been implemented in accordance with the endorsed SMP.

14. All stormwater treatment devices (e.g., raingardens, rainwater tanks etc.) must be maintained to the satisfaction of the Responsible Authority to ensure water quality discharged from the site complies with the performance standard in the endorsed Sustainability Management Plan.

Accessibility

15. Before the plans required by Condition 1 are endorsed, an Accessibility Report prepared by a suitably qualified person must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must include the following:

    a) Detail how the ‘designated accessible apartments’ in the development will incorporate design features in accordance with Standard D17 (Accessibility) of Clause 58 of the Merri-bek Planning Scheme, including the detailed design of the adaptable bathrooms (e.g. confirmation of hobless showers and removable hinges to doors).

    When approved, the Accessibility Report will be endorsed to form part of this permit. No alterations to the endorsed Accessibility Report may occur without the written consent of the Responsible Authority. The recommendations of the report must be implemented to the satisfaction of the Responsible Authority before the development is occupied.

16. Before the development is occupied, a report from the author of the endorsed Accessibility Report, or similarly qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that all measures specified in the Accessibility Report have been implemented in accordance with the endorsed Accessibility Report.

Acoustic Attenuation

17. Before the plans required by Condition 1 are endorsed, an amended Acoustic Report prepared by a qualified Acoustic Engineer must be submitted to the Responsible Authority. The Acoustic Report must be to the satisfaction of the Responsible Authority and must be generally in accordance with the Acoustic Report prepared by Acoustic Logic advertised on 9/02/2024 but modified to:

    (a) Reflect the changes required by Condition 1 of this permit.

    (b) Include measures to ensure the design of dwellings comply with Standard D16 of Clause 58.04-3 (Noise impacts objective) of the Merri-bek Planning Scheme.

    When approved, the Acoustic Report will be endorsed to form part of this permit. No alterations to the endorsed Acoustic Report may occur without the written consent of the Responsible Authority.

18. The building must be constructed and thereafter maintained in accordance with the recommendations contained within the approved Acoustic Report to the satisfaction of the Responsible Authority, unless with the further written approval of the Responsible Authority.

19. Before the development is occupied, a report from the author of the endorsed Acoustic Report or similarly qualified person or company must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that all measures specified in the endorsed Acoustic Report have been implemented.

Waste Management

20. Before the plans required by Condition 1 are endorsed, a Waste Management Plan (WMP) to the satisfaction of the Responsible Authority must be submitted to, and be approved by, the Responsible Authority. The WMP must generally in accordance with the Waste Management Plan prepared by Leigh Design dated 19 October 2023.

    When approved, the WMP will be endorsed to form part of this permit. No alterations to the endorsed WMP may occur without the written consent of the Responsible Authority.

21. The endorsed Waste Management Plan must be implemented and complied with at all times to the satisfaction of the Responsible Authority unless with the further written approval of the Responsible Authority.

Wind impact assessment

22. Before the plans required by Condition 1 are endorsed, an amended Wind Impact Assessment must be submitted and approved by Responsible Authority. When approved, the Wind Impact Assessment will be endorsed and will form part of this permit. The Wind Impact Assessment must be generally in accordance with the environmental wind assessment prepared by MEL Consultants advertised 9/02/2024 but it must be amended as required, to show the development layout updated to reflect the changes required by Condition 1 of this permit.

23. The endorsed Wind Impact Assessment be implemented and complied with at all times to the satisfaction of the Responsible Authority unless with the further written approval of the Responsible Authority.

Public Works Plan

24. Before the development starts, a Public Works Plan and associated construction drawing specifications detailing the works to the land must be submitted and approved by the Responsible Authority. The Public Works Plan must be in accordance with the Merri-bek City Council Technical Notes July 2019, or any updated version and detail works in front of the approved building along Dawson Street and Saxon Street including:

    (a) A detailed feature survey of the footpaths and roads.
    (b) For any vehicle crossing not being used, the kerb, channel and footpath reinstated.
    (c) Any other works to the public land adjacent to the development.

    When approved, the Public Works Plan will be endorsed to form part of the permit. No alterations to the Public Works Plan may occur without the written consent of the Responsible Authority.

25. Before the development is occupied, all public works shown on the endorsed Public Works Plan must be implemented to the satisfaction of the Responsible Authority at the expense of the owner of the land, unless otherwise agreed with prior written consent of the Responsible Authority.

Environmental Audit

26. Before the construction or carrying out of buildings and works (other than demolition, investigation works, excavation and piling works), or where no buildings and works are

proposed, prior to the commencement of the permitted use or the issue of a statement of compliance under the Subdivision Act 1988 (whichever is earlier), the owner(s) must provide:

a) A preliminary risk screen assessment statement in accordance with the Environment Protection Act 2017 stating that an environmental audit is not required for the use or, if this permit authorises the construction or carrying out of buildings or works, is not required for the use for which the buildings or works are constructed or carried out; or,

b) An environmental audit statement under Part 8.3 of the Environment Protection Act stating that the land is suitable for the use or, if this permit authorises the construction or carrying out of buildings or works, is suitable for the use for which the buildings or works are constructed or carried out; or.

c) An environmental audit statement under Part 8.3 of the Environment Protection Act 2017 stating that the land is suitable for the use or, if this permit authorises the construction or carrying out of buildings or works, is suitable for the use for which the buildings or works are constructed or carried out, if the recommendations made in the statement are complied with.

27. Where an environmental audit statement is issued for the land, and any recommendation of that environmental audit statement requires any maintenance and/or monitoring of an ongoing nature, the Responsible Authority may require the Owner(s) to enter into an Agreement with the Responsible Authority pursuant to Section 173 of the Planning and Environment Act 1987 that provides for the undertaking of the ongoing maintenance and/or monitoring as required by the environmental audit statement.

    Where a Section 173 Agreement is required, the Agreement must be executed prior to the commencement of the permitted use, the issue of an Occupancy Permit under the Building Act 1993 or the issue of a Statement of Compliance under the Subdivision Act 1988 (whichever occurs first). All expenses involved in the drafting, negotiating, lodging, registering and execution of the Agreement, including those incurred by the Responsible Authority, must be met by the Owner(s).

28. Prior to any remediation works (if required) being undertaken in association with the environmental audit, a ‘remediation works’ plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The plan must detail all excavation works as well as any proposed structures such as retaining walls required to facilitate the remediation works. Only those works detailed in the approved remediation works plan are permitted to be carried out prior to the issue of an environmental audit statement.

29. Prior to commencement of the use, the issue of an Occupancy Permit under the Building Act 1993 or the issue of a Statement of Compliance under the Subdivision Act 1988 (whichever occurs first), written confirmation of compliance with all the

recommendations of the environmental audit statement must be provided by an environmental auditor appointed under the Environment Protection Act 2017, including confirming that any requirements in the environmental audit statement recommendations regarding verification of works have been complied with. All the recommendations of the environmental audit statement must be complied with to the satisfaction of the Responsible Authority.

30. Where a preliminary risk screen assessment has satisfied Condition 26 (that an environmental audit is not required), the development and use must not deviate from the assumptions or limitations contained in the preliminary risk screen assessment, including but not limited to the layout and design of the development and use of the land without the written consent of the Responsible Authority. The development and use must accord with any requirements and recommendations of the preliminary risk screen assessment to the satisfaction of the Responsible Authority.

3D model

31. Before the development starts, a 3D digital model of the approved development which is compatible for use on Council's Virtual Merri-bek tools and software for Council and community must be submitted to the Responsible Authority. The model should be prepared in accordance with Merri-bek City Council's 3D model submission guidelines. In the event that substantial modifications to the building envelope are approved under an amendment to this planning permit, a revised 3D digital model must be submitted to, and be to the satisfaction of the Responsible Authority. (Note: A copy of the 3D model submission guidelines and further information on the Virtual Merri-bek Project can be found Council's website).

Engineering Matters

32. Before the development is occupied, all new telecommunications and power connections (where by means of a cable) and associated infrastructure to the land must be underground to the satisfaction of the Responsible Authority.

33. Before the development is occupied, bicycle signage that directs the cyclists to the bicycle facilities must be provided to the satisfaction of the Responsible Authority. Bicycle signage should be at least 0.3 metres wide and 0.45 metres high; display a white bicycle on a blue background on the top half of the sign and display information about the direction of facilities on the bottom half of the sign.

Stormwater

34. All stormwater from the land, where it is not collected in rainwater tanks for re-use, must be collected by an underground pipe drain approved by and to the satisfaction of the Responsible Authority (Note: Please contact Merri-bek City Council, City Infrastructure Department).

35. The surface of all balconies is to be sloped to collect the stormwater run-off into stormwater drainage pipes that connect into the underground drainage system of the development to the satisfaction of the Responsible Authority.

36. The stormwater run-off from the accessway must not flow out of the property over the public footpath to the satisfaction of the Responsible Authority.

Car Parking

37. The area set aside for the parking of vehicles and access lanes shown on the endorsed plan must, to the satisfaction of the Responsible Authority:

    a) Be completed before the development is occupied.
    b) Be maintained.
    c) Be properly formed to such levels that it can be used according to the endorsed plan.
    d) Have the boundaries of all vehicle parking spaces clearly marked on the ground to accord with the endorsed plan.
    e) Not be used for any other purpose other than the parking of vehicles, unless with the prior written consent of the Responsible Authority.
    f) Be numbered to facilitate management of the car park.

38. All parking spaces are to be marked with the associated apartment or commercial business number to facilitate management of the car park to the satisfaction of the Responsible Authority.

39. No additional columns are to be placed in the car park without the prior written consent of the Responsible Authority.

General

40. Before the development is occupied, all boundary walls must be constructed, cleaned and finished to the satisfaction of the Responsible Authority.

41. Unless with the prior written consent of the Responsible Authority, any plumbing pipe, ducting and plant equipment must be concealed from external views. This does not include external guttering or associated rainwater down pipes.

42. The windows associated to the ‘commercial floor space must not be painted or blocked out in any way to the satisfaction of the Responsible Authority.

43. Bicycle signage at least 300mm wide and 450mm high showing a white bicycle on a blue background, directing cyclists to the location of the bicycle parking.

44. All lighting of external areas must be designed not to emit direct light onto adjoining property to the satisfaction of the Responsible Authority.

45. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, all visual screening measures shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. All visual screening and measures to prevent overlooking must be maintained to the satisfaction of the Responsible Authority. Any screening measure that is removed or unsatisfactorily maintained must be replaced to the satisfaction of the Responsible Authority.

CitiPower Conditions

46. CitiPower letter dated 28 June 2024 (reference No: 309299507) shall be supplied to the applicant in its entirety.

47. The applicant must provide an electricity supply to the development in accordance with the distributor's requirements and standards.

48. The applicant must ensure that existing and proposed buildings and electrical installations on the subject land are compliant with the Victorian Service and Installation Rules (VSIR).

49. The applicant must, when required by the distributor, set aside areas with the subdivision for the purposes of establishing a substation or substations.

50. Any buildings must comply with the clearances required by the Electricity Safety (Installations) Regulations.

51. Any construction work must comply with the Energy Safe Victoria's "No Go Zone" rules.

Permit Expiry

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

    a) the development is not commenced within three (3) years from the date of issue of this permit;

    b) the development is not completed within five (5) years from the date of issue of this permit.

    c) the use is not commenced within five (5) years from the date of issue of this permit.

    The Responsible Authority may extend the period referred to if a request is made in writing before the permit expires or;

    a) within six months after the permit expires to extend the commencement date.
    b) within 12 months after the permit expires to extend the completion date of the development if the development has lawfully commenced.

Notes: These notes are for information only and do not constitute part of this permit or conditions of this permit.

Note 1: Should Council impose car parking restrictions in this street, the owners and/or occupiers of the land would generally not be eligible for residential or visitor parking permits to allow for on street parking. See Council's website for more information.

Note 2: Environmental Audit Notes
A copy of the Environmental Audit Statement, including the Environmental Audit Report, must be submitted to the responsible authority within 5 business days of issue, as set out in s 210 of the Environment Protection Act 2017.

The person in management or control of the site must also provide a copy of any statement to any person who proposes to become the person in management or control of the site, such as a potential occupier or potential purchaser.

The land owner and all its successors in title or transferees must, upon release for private sale of any part of the land, include in the Vendor's Statement pursuant to Section 32 of the Sale of Land Act 1962, a copy of the Environmental Statement including a copy of any cover letter.

Note 3: Merri-bek City Council is committed to increasing the amount of affordable housing in the municipality. One way to do this, is through Homes for Homes, a social enterprise founded by the Big Issue that aims to raise new funds via voluntary tax-deductible donations on property transactions and invest those funds in building and managing new social and affordable dwellings. If you would like to help build homes for those in need, visit Homes for Homes and register your commitment to donate 0.1 per cent of the sale price of your dwelling(s).

Note 4: Council allocates new street addressing to the street that the frontage/main access faces. Should a development abut a suburb boundary, the street addressing will reflect the suburb of that street. In some instances a suburb boundary realignment may be required, should the land be at the suburb boundary.

CitiPower Notes:

Note 5: Extension, augmentation or rearrangement of the Distributor's electrical assets may be required to make such supplies available, with the cost of such works generally borne by the applicant.

Note 6: Where electrical works are required to achieve VSIR compliance, a registered electrical contractor must be engaged to undertake such works.

Note 7: Areas set aside for substations will be formalised to the Distributor's requirements under one of the following arrangements:

- RESERVES established by the applicant in favour of the Distributor.
- SUBSTATION LEASE at nominal rental for a period of 30 years with rights to extend the lease for a further 30 years. The Distributor will register such leases on title by way of a caveat prior to the registration of the plan of subdivision.

Note 8: To apply for a permit to work go to CitiPower's website: https://customer.portal.powercor.com.au/mysupply/CIAWQuickCalculator and apply on line through the No Go Zone Assessment.

Permit Correction
This permit was corrected under Section 71 of the Planning and Environment Act 1987 on 30 April 2025 to correct the wording of Condition 45.

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.

THIS PERMIT HAS BEEN AMENDED AS FOLLOWS:

Date of amendment	Brief description of amendment	Name of responsible authority that approved the amendment	Section of the Act under which the permit has been amended
17 September 2025	• Reduction of dwellings from 80 to 78 apartments • Increase in overall height from rooftop services • Changes to building footprint and layout • Changes to commercial tenancies • Changes to car and bicycle parking provision • Subsequent changes to external facade • Deletion of Condition 5b • Update wording of Condition 26 • Endorsement of amended documents including:	Merri-bek City Council	Section 74

	○ Development Plans ○ Landscape Plan ○ Sustainability Management Plan ○ Accessibility Report ○ Acoustic Report ○ Waste Management Plan ○ Wind Impact Assessment ○ Public Works Plan		

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:

1. from the date specified in the permit; **or**
2. if no date is specified, from:
   a. the date of the decision of the Victorian Civil & Administrative Tribunal, if the permit was issued at the direction of the Tribunal, **or**
   b. 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:

(a) the development or any stage of it does not start within the time specified in the permit; or

(b) 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

(c) 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 5 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:

   (a) 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
   (b) the use is discontinued for a period of two years.

3. A permit for the development and use of land expires if:

   (a) the development or any stage of it does not start within the time specified in the permit; or
   (b) 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
   (c) 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
   (d) 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—

   (a) the use or development of any stage is to be taken to have started when the plan is certified; and
   (b) 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 APPEALS?

- 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 an Application for Review 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.
- 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.