



PLANNING PERMIT

Application Number: **PDPL/00392/2022/A**

Planning Scheme: **Port Phillip**

Responsible Authority: **City of Port Phillip**

ADDRESS OF THE LAND:

50-52 QUEENS ROAD MELBOURNE VIC 3004

THE PERMIT ALLOWS:

Permit allows:

Construct a multi-storey apartment building with basement car parking, on land in the Residential Growth Zone and Design and Development Overlay and alteration of access to a road in a Transport Zone 2

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Amended Plans Required

1. Amended Plans Required 1 Before the use or development starts, excluding bulk excavation, site preparation, soil removal, site remediation and retention works, 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 an electronic copy must be provided. The plans must be generally in accordance with the plans prepared by Bates Smart titled "50 Queens Rd", Project No M12568, Plans No.s as TP00.00 Rev C, TP-01.00 Rev B, TP-01.02 Rev B, TP-03.00 to TP-03.04 Rev B, TP-03.09 Rev B, TP-03.12 Rev B, TP03.14 Rev C, TP-03.15 Rev B, TP-03.B01 Rev B, TP-03.B01M Rev A, TP03.B02 Rev B, TP-03.B03 Rev B, TP-09.00 Rev B to TP09.04 Rev B, TP-10.00 Rev B to TP-10.03 Rev B (dated 7.03.23 and Council date stamped 7 March 2023 referred to as "VCAT Submission Issue" but modified to show:

(a) The deletion of one level, either Level 12 or 13, and the stepping back of the remaining two floors above so as to be not visible for an observer standing on the eastern footpath directly opposite the proposed façade.

(b) Two of the car parking spaces within the basement levels to be allocated for maintenance and medical professionals. One of these two spaces is to be located adjacent to the northern loading bay.

4th July 2023

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(c) The rooftop plant and associated screening to be amended generally in accordance with SK03.15 rev 1 dated 8 May 2023 but further amended to show the plant screen set back from the northern parapet of the building no less than 5.1 metres. These amendments shall be as far as practicable taking into consideration the changes required in Condition 1(a), to the satisfaction of the Responsible Authority.

(d) Provide privacy screening to the balcony on one side of the Queens Lane vertical articulation break with detailing, materials and colours integrated into the overall façade design.

(e) Updated roof plan to include details of the photovoltaic system. (f) Indicate on plans the commitment that the apartments will achieve a 7.5-star average NatHERS rating and maximum cooling load as per above.

(g) For all non-residential spaces, include a commitment to achieving a 10% improvement on Section J Energy Efficiency building fabric requirements of the National Construction Code (NCC).

(h) Apartment layouts modified so that a minimum 50% of the dwellings meet the minimum requirements of Standard D17 (Accessibility) of Clause 58.

(i) Any changes required by conditions 4 (Sustainable Management Plan), 12 (Urban Art) 13 (Waste Management Plan) and 14 (Public Realm Plan), 15 (External Lighting Plan), and 16 (Landscape Plan).

(j) Increased setback of the intercom pole from the garage door at ground floor.

(k) Removal of a car space and relocation of a column on the inside corner of the first bend within basement level 1 upon entry.

(l) Labelling of car spaces that are 2.6m wide between structural columns on each side as 'small car spaces' and the same label removed from car spaces that have additional width.

(m) Provision of convex mirrors at various locations throughout the car parking levels.

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(n) Adjustment of column locations to comply with Diagram 1 of Clause 52.06-9 (Design Standard 2) to the satisfaction of the Responsible Authority.

(o) Addition of a bicycle repair station within one of the bicycle storage rooms.

(p) Footpath ramps to be wholly within the subject site.

(q) A flush steel edge between the public and private footpath boundary along Queens Road

No Alterations

- 2 The layout of the site and the size, levels, design and location of buildings and works shown on the endorsed plans must not be modified for any reason without the prior written consent of the Responsible Authority.

No Change to External Finishes

- 3 All external materials, finishes, and colours as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.

Sustainable Management Plan

- 4 Concurrent with the endorsement of plans, a Sustainable Management Plan (SMP) must be submitted to and approved by the Responsible Authority. Upon approval the SMP will be endorsed as part of the planning permit and the development must incorporate the sustainable design initiatives outlined in the SMP to the satisfaction of the Responsible Authority. Amendments to the SMP must be incorporated into plan changes required under Condition 1. The report must be generally in accordance with the SMP prepared by ADP Consulting dated 29 August 2022 but updated to address the following:

(a) SMP to include meeting NatHERS maximum cooling load requirements as per Clause 58.03-1 Energy efficiency objectives.

(b) Energy reduction measures relevant to the pool facilities needs to be included in the SMP.

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(c) Water reduction measures relevant to the pool facilities needs to be included in the SMP.

(d) Urban Heat Island Effect calculations to be provided together with material specifications reflecting the calculations on plans. Alternatively, provide a green factor tool assessment achieving an equivalent score with material specifications reflecting the calculations on plans.

(e) Proposed stormwater management strategy needs to be clearly reflected on plans:

(f) 40,000L tank collecting of 3,415m² of non-trafficable roof area connected to all toilets in the development.

(g) 40,000L tank collecting of 3,602m² of trafficable areas connected to all irrigation systems.

(h) Provide a maintenance manual for each type of water sensitive urban design device proposed. These must set out future operational and maintenance arrangements for all WSUD (stormwater management) devices appropriate to the scale and complexity of the project. The manual should include inspection frequency, cleanout procedures and as-installed design details/diagrams including a sketch of how the system operates. This manual needs to be incorporated into any Building Maintenance Guide/ Building Users' Guide.

(i) Revised Construction Site Management.

Incorporation of Sustainable Design Initiatives

- 5 The project must incorporate the sustainable design initiatives listed in the endorsed Sustainable Management Plan to the satisfaction of the Responsible Authority.

Implementation of Sustainable Design Initiatives

- 6 Prior to occupation of the development approved under this permit, an ESD Implementation Report (or reports) from a suitably qualified person or company, must be submitted to and endorsed by the Responsible Authority. The Report must confirm that all ESD initiatives in the endorsed SDA/SMP and WSUD report have been implemented in accordance with the approved plans to the satisfaction of the Responsible Authority. The ESD and WSUD initiatives must be maintained throughout the operational life of the development to the Satisfaction of the Responsible Authority.

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Implementation of Water Sensitive Urban Design Initiatives

- 7 The initiatives in the endorsed Water Sensitive Urban Design (WSUD) Response must be fully implemented. These initiatives must be maintained throughout the operational life of the development to the satisfaction of the Responsible Authority.

Stormwater Treatment Maintenance Plan

- 8 Before the use or development starts, excluding bulk excavation, site preparation, soil removal, site remediation and retention works, a Stormwater Treatment Maintenance Plan detailing the on-going maintenance of the stormwater treatment devices must be submitted to and approved by the Responsible Authority, addressing the following points;

- (a) A full list of maintenance tasks for each device,
- (b) The required frequency of each maintenance task (e.g. monthly, annually etc.),
- (c) Person responsible for each maintenance task.

The Stormwater Treatment Maintenance Plan can be part of the Water Sensitive Urban Design (Stormwater Management) response, or can be contained in a stand-alone manual. When approved, the STMP will be endorsed and will form part of this permit.

Construction Management Water Sensitive Urban Design

- 9 The developer must ensure that throughout the construction of the building(s) and construction and carrying out of works allowed by this permit;
- (a) No water containing oil, foam, grease, scum or litter will be discharged to the stormwater drainage system from the site;
 - (b) All stored wastes are kept in designated areas or covered containers that prevent escape into the stormwater system;
 - (c) The amount of mud, dirt, sand, soil, clay or stones deposited by vehicles on the abutting roads is minimised when vehicles are leaving the site;

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(d) No mud, dirt, sand, soil, clay or stones are washed into, or are allowed to enter the stormwater drainage system;

(e) The site is developed and managed to minimise the risks of stormwater pollution through the contamination of run-off by chemicals, sediments, animal wastes or gross pollutants in accordance with currently accepted best practice.

Acoustic Report

- 10 All habitable rooms shall be designed to comply with Clause 58 (Standard D16) of the planning scheme. Prior to occupation of units, an acoustic report detailing testing within habitable rooms over a reasonable sample of units shall be provided to the satisfaction of the Responsible Authority confirming that the minimum internal noise levels have been met. Any further rectification to ensure compliance shall be at the cost of the applicant.

Upper Level Acoustic Testing

- 11 Prior to occupation of units, noise testing shall be carried out on a reasonable sample of upper level balconies overlooking adjacent building rooftop plant and tested in accordance with the Environmental Protection Regulations 2021 and EPA Publication 1826 (Noise Protocol) to the satisfaction of the Responsible Authority. Any non-compliance measured shall be rectified at the cost of the applicant until compliance is demonstrated.

Urban Art Plan

12. Before the development starts, excluding bulk excavation, site preparation, soil removal, site remediation, retention works, footings, ground beams and ground slab and temporary structures, an urban art plan in accordance with Council's Urban Art Strategy must be submitted to, be to the satisfaction of and approved by the Responsible Authority. The value of the urban art must be at least 0.25% of the total building cost of the development to the satisfaction of the Responsible Authority. Urban Art in accordance with the approved plan must be installed prior to the occupation of the building to the satisfaction of the Responsible Authority.

Waste Management Plan

13. Concurrent with the endorsement of plans a Waste Management Plan based on the City of Port Phillip's Waste Management Plan Guidelines for Developments must be

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prepared by a Waste Management Engineer or Waste Management Planner to the satisfaction of the Responsible Authority and endorsed as part of this permit. The Plan must include reference to the following: • The estimated garbage and recycling volumes for the whole development. • Bin quantity, size and colour. • The garbage and recycling equipment to be used. • Collection frequency. • The location and space allocated to the garbage and recycling bin storage area and collection point. • The waste services collection point for vehicles. • Waste collection provider. • How tenants will be regularly informed of the waste management arrangements. • Scaled waste management drawings. • Signage. Once submitted and approved, the waste management plan must be carried out to the satisfaction of the Responsible Authority.

Public Realm Plan - Queens Lane frontage

14. Concurrent with the endorsement of plans, or by such later date as approved in writing by the Responsible Authority, a Public Realm Plan of the Queens Lane frontage is to be prepared and approved to the satisfaction of the Responsible Authority. The plan submitted must provide a high standard of pedestrian amenity. It must coordinate all elements such as bicycle hoops, seating, planter boxes, artwork, pavement types, bollards, awnings and lighting. Details of all paving and footpath treatments including details of the treatment of level changes. Pedestrian access must comply with the Disability Discrimination Act 1982.

External Lighting Plan – Queens Lane frontage

15. Concurrent with the endorsement of plans, or by such later date as approved in writing by the Responsible Authority, a Lighting Plan of the Queens Lane frontage is to be prepared and approved to the satisfaction of the Responsible Authority. The lighting plan will provide details of light levels and light spill at the following: • The cross-over to the carpark and carpark entrance (including the bike parking area)
- The proposed pick-up/drop-off area in front of the building entrance
 - The garbage truck parking/waste collection area.

The Lighting plan to be accommodated by a lighting report prepared by a suitably qualified person that demonstrates the proposed lighting layout complies with relevant Australian e.g., AS1158.3.1 – 2020 and AS4282.

Landscape Plan

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16 Concurrent with the endorsement of plans, an updated Landscape Plan is required to show compliance with canopy cover and deep soil requirements, as per Clause 58.03-5 Landscaping Objectives. The plan must be submitted to, approved by and be to the satisfaction of the Responsible Authority. The Landscape Plan must be generally in accordance with the Landscape Plan (prepared by Arcadia) submitted with the application but amended to incorporate:

(a) Minimum area of deep soil provided for each type b and type c tree (as per table D3), including minimum soil plan dimensions.

(b) Dimensions of all planters that will make up the remaining deep soil area including minimum required planter soil volume, minimum soil plan dimension and minimum planter soil depth.

(c) Where there has been a reduction in soil area requirement for clusters of trees.

When the Landscape Plan is approved, it will become an endorsed plan forming part of this Permit.

Completion of Landscaping

17 The landscaping as shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority before the occupation of the development and/or the commencement of the use or at such later date as is approved by the Responsible Authority in writing.

Landscaping Maintenance

18 The landscaping as shown in the endorsed Landscape Plan must be maintained, and any dead, diseased or damaged plant replaced in accordance with the landscaping plan to the satisfaction of the Responsible Authority.

19 An Arboricultural Impact Assessment report is required for review, prior to approval of the permit for works at this site. The report must be prepared by a suitably qualified Arborist (AQF level 5 or equivalent) and include:

- trees on neighbouring properties with TPZs that fall within the subject site,
- the nature strip tree(s) adjacent the property.

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The report must follow the guidelines from Council Arboriculture Victoria and comply with the Australian Standard 4970:2009 Protection of Trees on Development Sites. Should the report find that any works encroach into 10% or more of the Tree Protection Zone, or into the Structural Root Zone of any tree the design is to be modified to reduce the incursion, unless a non-destructive root investigation (NDRI) can demonstrate that the tree will not be negatively impacted. The NDRI is to be conducted along the line of the proposed works and documented with a root map to show the location, depth and diameter of all roots found. The findings, photographs and recommendations should be presented in the impact assessment report.

- 20 Following council arborist approval of the Arboricultural Impact Assessment, a Tree Protection and Management Plan that details how the trees will be protected, in accordance with AS4970-2009, will be required for endorsement and form part of the permit.

Car Parking and Bicycle Parking Layout

- 21 Before the use or occupation of the development starts, the area(s) set aside for the parking of vehicles and bicycles and access lanes as shown on the endorsed plans must be:

- (a) Constructed.
- (b) Properly formed to such levels that may be used in accordance with the plans.
- (c) Surfaced with an all-weather surface or seal coat (as appropriate).
- (d) Drained and maintained.
- (e) Line marked to indicate each car space, visitor space, bicycle space, loading bay and/or access lane.
- (f) Clearly marked to show the direction of traffic along access land and driveways.

All to the satisfaction of the Responsible Authority.

Loading/unloading

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- 22 The loading and unloading of vehicles and the delivery of goods to and from the premises must at all times be conducted entirely within the site or in a manner that limits interference with other vehicular traffic to the satisfaction of the Responsible Authority.

Piping, Ducting, Service Units

- 23 All service pipes/service units (excluding down pipes, guttering and rainwater heads) must be concealed from view from the public realm and any screening devices suitably integrated into the design of the building to the satisfaction of the Responsible Authority.

Walls on or facing the boundary

- 24 Before the occupation of the development allowed by this permit, all new or extended walls on or facing the boundary of adjoining properties and/or a laneway must be cleaned and finished to a uniform standard to the satisfaction of the Responsible Authority. Unpainted or unrendered masonry walls must have all excess mortar removed from the joints and face and all joints must be tooled or pointed also to the satisfaction of the Responsible Authority. Painted or rendered or bagged walls must be finished to a uniform standard to the satisfaction of the Responsible Authority. Glare 25 Specular light reflectance must be less than 15 per cent for all external building glazing and cladding materials and finishes when measured at an angle of 90 degrees to the surface of the material (normal incidence), except with the written consent of the responsible authority.

Wind

- 26 The recommendations and requirements of the approved Wind Impact Assessment Report as amended to reflect any changes as a result of Condition 1 and any potential impacts upon adjoining properties, must be implemented to the satisfaction of Port Phillip City Council before the development is occupied.

Vehicle Crossings – Removal

- 27 Before the occupation of the development allowed by this permit, all disused or redundant vehicle crossings, must be removed and the area re-instated with footpath, nature strip and kerb and channel at the cost of the applicant/owner as well as any on street parking signage and line marking changes and to the satisfaction of the Responsible Authority.

Lighting baffled

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- 28 All lighting of external areas must be suitably baffled so as not to cause nuisance or annoyance to nearby residential properties. Crossover – Department of Transport Condition 29 Prior to commencement of use all disused or redundant vehicle crossings must be removed, and the area reinstated to the satisfaction of the Responsible Authority and at no cost to the Head, Transport for Victoria.

Satisfactory Continuation

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

Noise and Disturbance

- 31 The roof plant and equipment must not cause excessive noise or vibration effects to any neighbouring properties in accordance with the requirements of the Environmental Protection Regulations 2021 and EPA Publication 1826.4 (Noise Protocol).

Time for Starting and Completion

- 32 This permit will expire if one of the following circumstances applies:

- (a) The development is not started within three (3) years of the date of this permit.
- (b) The development is not completed within five (5) years of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing:

- Before or within 6 months after the permit expiry date, where the use or development allowed by the permit has not yet started; and
- Within 12 months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expires.

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THIS PERMIT HAS BEEN AMENDED AS FOLLOWS:

Date of amendment	Brief description of amendment	Name of responsible authority that approved the amendment
Date: 25 th March 2024	<p>Amendment to the permit conditions and plans forming part of the planning permit pursuant to section 72 of the <i>Planning and Environment Act 1987</i> as follows:</p> <p><u>Changes to plans</u></p> <ul style="list-style-type: none"> • Minor alterations to Ground Floor landscape and bike parking to provide greater amenity to Queens Lane more consistency of the architectural plan with the landscape plan submitted to VCAT prior. • General landscaping update to internal courtyard (refer landscape plans) • Reconfiguration of Ground Floor apartments to North to extend Living Areas into 'balcony zone' to rationalise façade alignment with adjacent Ground Floor facades instead of with building line above, and to be more consistent with other Ground Floor apartments facing the courtyard. • Reconfiguration of Ground Floor apartments to South to make better use of previously unallocated space over the carpark entry ramp and facilitate improvement of the South West corner apartment from 2 BR to 3 BR. • Addition of airlock wind mitigation arrangement to West end of Lobby facing the internal courtyard • Removal of carpark ventilation structure to North West corner of site (no longer required) and consequential increase in deep soil planting to this area • Structural design development has led to significant reconfiguration of the basement levels columns and carparking including relocation of the circulation ramp 	City of Port Phillip

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	<p>between basement levels. The overall extent of Basement 3 has been reduced with setback increased from the North and South boundaries.</p> <ul style="list-style-type: none"> • General increase in detail of façade elements including indication of operable windows / sliding doors and minor adjustments to spandrel glazed areas. • Reinstatement of a vertical strip of operable windows to the North and South elevations required to enable cross-ventilation compliance of the North East and South East corner apartments to achieve minimum ratio overall. These windows are not located within 9 metres of abutting habitable open space or rooms • Vertical ventilation louvres introduced to the South elevation at Ground Floor as required for mechanical ventilation to the pool area; and to North elevation for substation ventilation and carpark air intake • Additional Co-Work communal amenity has been added to Level 1 above the Western end of the Ground Floor Lobby (this was previously double height space/void) • Additional area required for Building Services has been indicated on Basement 3 • Numbers of bike and car parking spaces across each of the Basement levels have been adjusted • Adjustments to interface between landscaping planters and building façade • Reduction of West apartment Living areas (Ground Floor only) to rationalise façade line with above • Basement height clearances revised to indicate minimum required for SRV vehicle • FCR not required – area reallocated as Store Room • Consolidation and adjustment of bicycle store, storage and South bin rooms to improve functionality of all spaces and 	
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	<p>improve waste collection from South Bin Room.</p> <ul style="list-style-type: none"> • Materials Legend updated • Communal areas layout internal reconfiguration • South core stair no longer required to extent to rooftop <p><u>Changes to Conditions</u></p> <ul style="list-style-type: none"> • Addition of Condition 1p and q to address development engineering issues. 	
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IMPORTANT INFORMATION ABOUT THIS NOTICE

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 –



IMPORTANT INFORMATION ABOUT THIS NOTICE

- 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 of the permit.

Sch. 1 Form 5 amended by S.R. No. 111/2020 reg. 5(1)
Planning and Environment Regulations 2015

Common planning compliance issues when developing land

Fact Sheet

Planning and building permit compliance

Building permit plans must match planning permit plans for development. While building permit plans will have more technical and structural detail than planning permit plans, they must be consistent with the endorsed planning permit plans.

Council will enforce compliance with the endorsed planning permit plans, even in cases where an error in the building permit plans causes an inconsistency.

The layout of the site and the size, levels, design, and location of buildings and works shown on the endorsed plans associated with the planning permit must not be modified for any reason without the prior written consent of the Responsible Authority (Council).

Expired planning permits

You must pay careful attention to any conditions relating to the expiration of your planning permit. Once the permit expires you may no longer be able to lawfully commence or continue any building and works allowed by the permit.

You can apply to extend your planning permit by contacting Council's Planning Department. This must be done while the permit is still valid; within six months of the permit's expiry date if the development has not commenced; or within 12 months of the permit's expiry date to complete the development.

Additional reports and documents

Most planning permits require you to submit additional documentation to Council prior to commencing the development allowed by the permit. These documents must be endorsed by Council by the times specified.

Typical examples of documents still required after the issue of a planning permit include revised plans, demolition method statements, arborist reports, sustainable design statements and acoustic reports.

Please pay careful attention to the conditions of your permit, as failure to comply with the requirements of these conditions can result in enforcement action being taken with no notice to you.

Demolition with heritage Overlay sites

Heritage Overlays are used to protect sites that have heritage significance and are contained within Council's planning schemes.

Much of the municipality is covered by a Heritage Overlay, and as such, many planning permits deal with partial demolition of protected heritage buildings.

It is essential that you take particular care not to exceed the extent of any demolition that has been allowed by the planning permit. You should ensure that you are familiar with the Demolition Method Statement and the plans indicating the extent of demolition permitted.

Council takes illegal demolition very seriously and offenders may be referred to the Magistrates' Court for prosecution.

Landscaping

Landscaping must be completed in accordance with the permit, usually before or within a set period of time after the occupation of the building.

➤ Please turn over for more information.

PLANNING COMPLIANCE



Tree protection

Some planning permits require you to take special measures to protect trees located on your land or on neighbouring properties.

If your planning permit includes conditions regarding tree protection, you must ensure you comply with these conditions. This often means installing protective fencing around trees and maintaining the fence during construction.

You may also be required to employ the services of a qualified arborist to supervise areas of construction near protected trees.

Building heights and setbacks

Floor levels and parapets must comply with the approved heights indicated on the endorsed plans. Over-height buildings are considered a serious breach and can be very expensive to rectify.

Any changes to the height of a building must be approved prior to carrying out any building works, even if these changes are required for technical reasons.

Screening – windows and decks

All privacy screening must be installed as approved prior to occupation of the building. Screening must comply with the conditions outlined in the approved permit and plans including materials, heights, and design.

Generally, windows that require screening must not be able to be opened below a height of 1.7 metres above floor level.

Screening materials must not be altered from those approved without first gaining further planning approval for the alternative screening proposal.

Domestic services

Domestic services shown on the endorsed plans form part of your planning permit, including any proposed screening, and must not be altered without the written consent of the Responsible Authority unless otherwise permitted by the planning permit.

If the associated land being developed is covered by a heritage overlay, domestic services including air conditioners, solar panels, heaters, and hot water services require planning approval if visible from a street (front, back or side) or public park.

Please note a further condition on the planning permit may also restrict domestic services except with further Council consent. Consideration should be given to any noise issues that may result for neighbours from the placing and operation of these types of units.

Finishes on boundary walls

Finishes must be completed to an acceptable standard in accordance with the conditions of the planning permit, prior to occupation.

Brick boundary walls must have any excess mortar removed and the brick face cleaned with joints tooled to a consistent finish, prior to occupation of the building.

For more information contact

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