

VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL

PLANNING AND ENVIRONMENT LIST

VCAT REFERENCE NO. P550/2025
PERMIT APPLICATION NO. TPA/53095

APPLICANT 1041 Centre Road Pty Ltd
RESPONSIBLE AUTHORITY Monash City Council
RESPONDENT Bunnings Group Limited
SUBJECT LAND 1041 Centre Road
OAKLEIGH SOUTH VIC 3167
DATE OF ORDER 2 October 2025

ORDER

Amend permit

- 1 Application no. P550/2025 is allowed.
- 2 Planning permit no. TPA/53095 is amended and it is directed that an amended permit be issued for land at 1041 Centre Road, Oakleigh South. The permit is amended as follows:
 - a The description of the matters for which the permit has been granted is amended to read:

Construction of a multi-storey building to be used for accommodation (comprising residential apartment and residential hotel), food and drinks premises, supermarket and shop, display of signage, reduction in carparking requirements and alteration of access to a road in a Transport Zone 2.
 - b The conditions of the permit are amended to read as set out in Appendix A.

Vacate hearing

- 3 The hearing listed on 13 and 14 October 2025 is **vacated**. No attendance is required.

Costs

- 4 No orders as to costs.

Donna D'Alessandro
Member



REMARKS

Full settlement

- 5 This matter involves an application pursuant to section 87A(2)(a) of the *Planning and Environment Act 1987* (Vic) to amend planning permit TPA/53095. The permit was granted at the direction of the Tribunal on 22 December 2022 for the construction of a multi-storey building to be used for accommodation, food and drinks premises, supermarket and shop, display of signage, reduction in car parking requirements and alteration of access to a road in a Transport Zone 2 on the subject land.
- 2 At the compulsory conference, the parties reached agreement subject to:
 - Amended plans (substitution of plans per PNPE9) as discussed at the compulsory conference served on the parties to the proceeding.
 - The responsible authority confirming its consent.
- 3 The matter was set down for an administrative mention. By email letter dated 1 October 2025 the parties agreed that the above matters had been undertaken per the Tribunal Order dated 8 September 2025.
- 4 The council affirmed its position at its council meeting of 30 September 2025. The council in principle supported the amended plans circulated to the parties, and subject to conditions to be included in the consent orders.
- 5 Accordingly, all parties have reached agreement and request orders by consent. The parties request that P550/2025 is allowed and planning permit no. TPA/53095 is amended and an amended permit be issued, subject to amended permit and conditions.
- 6 Therefore, this order is made at the request of the parties and with their consent as an outcome of a compulsory conference.
- 7 The Tribunal regards the consent of the responsible authority to be a confirmation to the Tribunal that:
 - the responsible authority is of the opinion that the issue of an amended permit in the form agreed by the parties as described in the agreed orders is appropriate having regard to the matters it is required to consider under section 60 of the *Planning and Environment Act 1987* (Vic) including the balanced application of the strategies and policies of the relevant Planning Scheme and is otherwise in conformity with the provisions of the Planning Scheme and the Act;
- 8 Based on the information available to the Tribunal, it is appropriate to give effect to the settlement reached by the parties pursuant to section 93(1) of the *Victorian Civil and Administrative Tribunal Act 1998* (Vic).

Donna D'Alessandro
Member



APPENDIX A – PERMIT DESCRIPTION AND CONDITIONS

PERMIT NO	TPA/53095
PLANNING SCHEME	Monash Planning Scheme
RESPONSIBLE AUTHORITY	Monash City Council
ADDRESS OF THE LAND	1041 Centre Road OAKLEIGH SOUTH VIC 3167

THE PERMIT ALLOWS:

Construction of a multi-storey building to be used for accommodation (comprising residential apartment and residential hotel), food and drinks premises, supermarket and shop, display of signage, reduction in car parking requirements and alteration of access to a road in a Transport Zone 2.

CONDITIONS TO APPLY TO THE PERMIT:

Amended Plans Required

- 1 Before the development and use starts, excluding demolition works, amended plans drawn to scale and correctly dimensioned must be submitted to the satisfaction of and approved by the Responsible Authority. When approved, the plans will be endorsed and then form part of the Permit. The plans must be generally in accordance with the VCAT amended plans prepared by i2C Ryder Architects drawing numbers DA01; DA02; DA10; DA11; DA12; DA13; DA20; DA21; DA30; DA31; DA32; DA33; DA34; DA35; DA36; DA37; DA40; DA41; DA42; DA43; DA44; DA48; DA49; DA50; DA51; DA60; DA61; DA62; DA63; DA64; DA65; DA77; DA78; DA80; DA81; DA82; DA100; DA101; DA102; DA130 dated 3 September 2025 (Rev TP15) but modified to show:
 - (a) A corner splay or area at least 50% clear of visual obstructions (or with a height of less than 1.2 metres), which may include adjacent landscaping areas with a height of less than 0.9 metres, extending at least 2.0 metres long x 2.5 metres deep (within the property) on the western edge of the podium car park exit to provide a clear view of pedestrians on the footpath of Links Avenue;
 - (b) The columns on the westernmost bank of residential car parking spaces amended to provide sufficient clearance to the car parking spaces in accordance with Diagram 1 of Clause 52.06-8 of the Monash Planning Scheme;
 - (c) Consolidation of the supermarket loading dock, waste collection and compactor, redesigned with a single roller door, generally in accordance with the drawing DA30 (Rev TP17);



- (d) Redesign of the residential/retail waste collection and residential loading dock and mechanical plant room generally in accordance with the drawing DA30 (Rev TP17);
- (e) Provision of a kerbed (not line marked) pedestrian refuge between the residential/retail waste collection and the supermarket loading dock, designed with contrasting pavement material and/or colour to the loading access crossovers;
- (f) Provision of line marking on the adjacent car park access road (Link Avenue) to indicate the zone of loading/waste vehicle reversing, generally in accordance with the drawing DA30 (Rev TP17);
- (g) Provision of electronic variable warning signage (e.g., ‘caution – vehicles reversing’) and safety warning lights adjacent the loading docks to caution pedestrians and vehicular traffic when loading bay/waste collection roller doors open for both the arrival and departure of a loading/waste collection vehicles, generally in accordance with the drawing DA30 (Rev TP17);
- (h) Inclusion of a notation that all supermarket loading must occur internally within the building;
- (i) Inclusion of a notation that all supermarket waste collection must occur internally within the building;
- (j) Relocation of the trolley bay to be located centrally within the at-grade eastern parking area, adjacent to the disabled parking area;
- (k) Inclusion of a notation that any loading in the drop off bay will be managed to ensure that it does not impede traffic on Link Avenue;
- (l) Provision of parking restriction signage along the eastern and northern site frontages preventing vehicles from parking in areas other than the drop-off bay;
- (m) Swept path to ensure that each loading area is not compromised by an obstruction in the adjacent loading bay within the Supermarket loading bays.
- (n) An amended landscape plan prepared in accordance with Condition 4;
- (o) An amended Waste Management Plan prepared in accordance with Condition 6;
- (p) An amended Sustainable Management Plan prepared in accordance with Condition 7;
- (q) Changes as a result of Condition 17;
- (r) Changes as required by the Wind Report in accordance with Condition 18;
- (s) Bicycle parking facilities designed in accordance with Condition 30;



- (t) Any changes as set out in the Signage Plan prepared by i2C Ryder Architects drawing DA80; DA 81; DA82 dated 19 May 2025 including dimensions of signs proposed for the glazing.

All to the satisfaction of the responsible authority.

Layout not to be Altered

- 2 The development and use as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
- 3 Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.

Landscaping Plan

- 4 Concurrent with the endorsement of any plans requested pursuant to Condition 1, a landscape plan prepared by a Landscape Architect or a suitably qualified or experienced landscape designer, drawn to scale and dimensioned must be submitted to and approved by the Responsible Authority. When endorsed, the plan will form part of the Permit. The plans must be generally in accordance with the plans submitted to Council prepared by Form Landscape Architects, Revision C (dated May 2025) but modified to show:
 - (a) Changes required under Condition 1;
 - (b) A survey and location of all existing trees, using botanical names of those existing trees to be retained and of those to be removed. The intended status of the trees shown on the landscape plan must be consistent with that depicted on the development layout plan;
 - (c) A planting schedule of all proposed trees, shrubs and ground cover, which will include the size of all plants (at planting and at maturity), pot / planting size, location, botanical names and quantities;
 - (d) The location of any fencing internal to the site;
 - (e) Planting to soften the appearance of hard surface areas such as driveways and other paved areas;
 - (f) The location of any retaining walls associated with the landscape treatment of the site;
 - (g) Details of all proposed surface finishes including pathways, accessways, and driveways;
 - (h) The location of external lighting;
 - (i) Details of the raised planters, such as planter box materials and dimensions, mulch layer, growing media, filter media, and root barrier / water proofing layer;
 - (j) Details of the proposed method for irrigation and drainage; and
 - (k) Details of maintenance (including during and regime).



When approved the plan will be endorsed and will then form part of the permit.

- 5 Before the occupation of any of the buildings allowed by this permit, landscaping works as shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority and thereafter maintained to the satisfaction of the Responsible Authority.

Management Plans

Waste Management Plan

- 6 Concurrent with the endorsement of plans required pursuant to Condition 1, a Waste Management Plan must be submitted to and approved by the Responsible Authority. The plan must be substantially in accordance with the Waste Management Plan prepared by Leigh Design dated 19 May 2025 but revised to show:

- (a) Changes required under Condition 1 of this permit;
- (b) The statement under Section 1.1 removed the wording 'In General', the report should comply with the Monash Guidelines;
- (c) The number of apartments should be included in the Development Description and Use section;
- (d) The waste volume calculation revised to include the waste generation rate used for each waste source or type and include the calculation details of the waste estimation in Table 1. This is to ensure the waste estimates are accurate and align with the bin provisions;
- (e) Clarification if there is a glass and organic bin on each floor of the apartment building, and their locations on the plans;
- (f) Bin storage areas including drainage to sewer to be shown on scale plans;
- (g) Management of glass and food waste streams for the apartments;
- (h) All supermarket waste collection must occur internally within the building;
- (i) Storage of all waste bins/receptacles to be located within the building only;
- (j) Specifications of all waste and compactor collection vehicles;
- (k) All waste collection vehicles must exit the building in a forward motion;
- (l) Waste collection may only occur during the following hours:
 - 7am to 3pm and 6pm to 8pm Monday to Saturday;
 - 9am to 10am and 2pm to 8pm Public Holidays;
 - No collection is allowed Sundays.



When approved, the plan will be endorsed and will then form part of the permit. Waste collection from the development must be in accordance with the plan, to the satisfaction of the Responsible Authority.

Sustainable Management Plan

- 7 Concurrent with the endorsement of plans requested pursuant to Condition 1, a Sustainable Management Plan must be submitted to and approved by the Responsible Authority. The plan must be generally in accordance with the Sustainability Management Plan prepared by GIW Environmental Solutions Pty Ltd dated 6 May 2025, except that the plan must be modified to show the amended proposal in accordance with the plans prepared by i2C Ryder Architects (dated 19 May 2025) and changes required under condition 1 of this permit.

Construction Management Plan

- 8 Prior to the commencement of any site works (including any demolition and excavation), a Construction Management Plan (CMP) must be submitted and approved by the Responsible Authority. No works are permitted to occur until the CMP has been approved and endorsed by the Responsible Authority. Once endorsed, the CMP will form part of the permit and must be implemented to the satisfaction of the Responsible Authority. The CMP must address the following issues:
- (a) Hours for construction activity in accordance with any other condition of this permit;
 - (b) Appropriate measures to control noise, dust and water and sediment laden runoff;
 - (c) Appropriate measures for the prevention of silt or other pollutants from entering into the Council's underground drainage system or road network;
 - (d) Appropriate measures relating to removal of hazardous or dangerous material from the site, where applicable;
 - (e) A plan showing the location and design of a vehicle wash-down bay for construction vehicles on the site so as to prevent material leaving the site and being deposited on Council's road network;
 - (f) A program for the cleaning and maintaining surrounding road surfaces;
 - (g) A site plan showing the location of any site sheds, on-site amenities, building waste storage and the like, noting that Council does not support the siting of site sheds within Council road reserves;
 - (h) Measures to provide for public safety and site security;
 - (i) A plan showing the location of parking areas for construction and sub-contractors' vehicles on and surrounding the site, to ensure that



vehicles associated with construction activity cause minimum disruption to surrounding premises.

- (j) A Traffic Management Plan showing truck routes to and from the site;
- (k) A swept path analysis demonstrating the ability for trucks to enter and exit the site in a safe manner for the largest anticipated truck associated with the construction;
- (l) Appropriate measures to ensure that sub-contractors/tradespersons operating on the site are aware of and adhere to the requirements of the CMP;
- (m) The provision of contact details of key construction site staff; and
- (n) Include a requirement that except with the prior written consent of the Responsible Authority, a requirement that demolition, excavation or construction works must only be carried out during the following hours:
 - Monday to Friday (inclusive) – 7.00am to 6.00pm;
 - Saturday – 9.00am to 1.00pm;
 - Saturday – 1.00pm to 5.00pm (Only activities associated with the erection of buildings that does not exceed the EPA guidelines);
 - No works are permitted on Sundays or Public Holidays.
- (o) Appropriate measures to minimise and limit disruption to traffic and parking for commercial uses within the Links Shopping Centre

The provisions, recommendations and requirements of the endorsed CMP must be implemented and complied with by all contractors to the satisfaction of the Responsible Authority.

Green Travel Plan

- 9 Before the development is occupied, a Green Travel Plan must be prepared to the satisfaction of the Responsible Authority following consultation with the Department of Transport. The Plan must be prepared by a suitably qualified person and must encourage the use of non-private vehicle transport modes by the occupiers of the land. The Green Travel Plan must include, but not be limited to, the following:
- (a) A description of the location in the context of alternative modes of transport;
 - (b) Details of end of trip facilities provided;
 - (c) Education and awareness initiatives and incentives for residents and visitors to encourage more sustainable modes of travel to/from the site;
 - (d) Management practices identifying sustainable transport alternatives;

- (e) Provision of electric vehicle charging facilities;
- (f) Lobby areas of building to include real time information of train, tram and bus services;
- (g) Details of bicycle spaces for staff;
- (h) Employee and resident packs (such as myki cards for new workers);
- (i) An obligation to update the plan not less than every 5 years;
- (j) Details of when and how this travel plan will be available for new staff and residents; and
- (k) Any other relevant matters.

Once approved, the Green Travel Plan must form part of the permit and any ongoing Management Plan for the land to ensure the Green Travel Plan continues to be implemented by residents or owners to the satisfaction of the Responsible Authority.

- 10 The Green Travel Plan must not be amended without the written consent of the Responsible Authority, following consultation with the Department of Transport.

Environmental Site Assessment Report

- 11 Prior to the commencement of the development, excluding demolition works which may be required to finalise any environmental reports and site remediation works, the owner/developer must submit to the Responsible Authority:
 - (a) A preliminary risk screen assessment statement in accordance with the *Environment Protection Act 2017* stating that an environmental audit is not required for proposed use and development; or
 - (b) An environmental audit statement under Part 8.3 of the *Environment Protection Act 2017* stating that the land is suitable for the proposed use and development.
- 12 Where a Statement of Environmental Audit is issued for the land pursuant to Condition 11 above, the use and development of the land must comply with all directions and conditions contained within the Statement.
- 13 Where a Statement of Environmental Audit is issued for the land pursuant to Condition 11 above, prior to the occupation of the development, a letter prepared by a suitably qualified environmental consultant or other suitable person acceptable to the responsible authority, must be submitted to the Responsible Authority to verify that the directions and conditions contained within the Statement have been satisfied. Compliance sign off must be in accordance with any requirements in the environmental audit statement recommendations regarding verification of works.
- 14 Where a Statement of Environmental Audit is issued for the land pursuant to Condition 11 above, and any condition of that Statement requires any



maintenance or monitoring of an ongoing nature, the owner must enter into an Agreement with Council pursuant to Section 173 of the *Planning and Environment Act 1987*. Where a Section 173 Agreement is required, the Agreement must be executed prior to the occupation of the development and prior to Statement of Compliance of the Plan of Subdivision. All expenses involved in drafting, negotiating, lodging, registering, executing and enforcing the Agreement, including those incurred by the Responsible Authority, must be met by the owner.

Landfill Gas Risk Assessment

- 15 Prior to the commencement of the development authorised under this permit, excluding demolition works (and excluding works reasonably required to conduct the landfill gas assessment), the permit holder must to the satisfaction of the Responsible Authority:
- (a) Engage an appropriately qualified site assessor with demonstrated experience in the assessment of landfill gas in the subsurface environment, to conduct an assessment of any methane within the land, subsurface services and buildings and structures on the land adopting the methane gas action levels prescribed at items 6 and 7 of schedule 3 of the Environment Protection Regulations 2021 as set out below.

Item	<i>Location for assessing methane gas concentration action levels</i>	<i>Methane gas concentration action level</i>
6	Subsurface services on, and adjacent to, the waste	10,000 parts per million
7	Buildings and structures on, and adjacent to, the waste	5000 parts per million

- (b) Ensure that the site assessor prepares a report to be submitted to the Responsible Authority. The landfill gas risk assessment (LGRA) should be based on guidance prepared by the Environment Protection Authority from time to time and incorporated under the Environment Protection Act 2017 and subordinate legislation.
- (c) If the landfill gas assessment identifies methane at concentrations exceeding the methane gas concentration action levels, the permit holder must engage the services of an EPA-appointed environmental auditor to complete an environmental audit with a scope limited to:
- i assessment of the nature and extent of the risk of harm to human health from waste;

- ii recommending measures to manage the risk of harm to human health from waste;
 - iii making recommendations to manage any waste, where the landfill extends onto or beneath the land.
- (d) The permit holder must provide the Responsible Authority with a scope and supporting documents endorsed or determined by the Environment Protection Authority pursuant to section 208(5) of the Environment Protection Act 2017 and a copy of the environmental audit statement and environmental audit report issued pursuant to sections 210(1) of the Environment Protection Act 2017.

Peer Review

- 16 Prior to the commencement of the development authorised under this permit, excluding demolition works, the permit holder must:
- (a) provide to Council a copy of the LGRA undertaken in accordance with Condition 11 within 14 days of receiving the LGRA;
 - (b) pay Council's costs and expenses associated with a Council-arranged peer review of the LGRA. The peer review will be undertaken by an independent and suitably qualified environmental consultant nominated by Council;
 - (c) obtain a copy of the peer review obtained by Council.
- 17 The recommendations of the LGRA including any requirements arising from the peer review are to be implemented by the permit holder.

Wind Report

- 18 Before the commencement of the development, excluding demolition works, an amended Wind Assessment to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Wind Assessment will be endorsed and will form part of this permit. The amended Wind Assessment must be generally in accordance with the Wind Assessment prepared by MEL Consultants and dated 24 March 2025 but modified to include or show:
- (a) Assess the proposal as amended pursuant to Condition 1.
 - (b) Wind tunnel model measurements undertaken to verify the findings of the desktop study.
 - (c) Achievement of the following wind conditions:
 - i "walking" criterion along the proposed pedestrian footpaths adjacent to the proposed development;
 - ii "sitting" criterion within all areas containing proposed seating (such as the outdoor seating areas for the cafes, the seating/landscaped areas within the communal open space on Level 1); and



- iii “walking” criterion for the building entrances;
 - (d) Any necessary mitigation measures to achieve the above wind conditions.
- 19 The provisions, recommendations and requirements of the endorsed Wind Assessment Report (including wind tunnel modelling) must be implemented and complied with to the satisfaction of the Responsible Authority.

General Conditions

- 20 No equipment, services, architectural features or structures of any kind, including telecommunication facilities, other than those shown on the endorsed plans shall be permitted above the roof level of the building unless otherwise agreed to in writing by the Responsible Authority.
- 21 Air-conditioning and other plant and equipment installed on or within the buildings must be so positioned and baffled that any noise emitted complies with the appropriate Australian Standards and EPA requirements.
- 22 As part of the ongoing consultant team, i2C Ryder Architects or an architectural firm which is acknowledged to have comparable skill and expertise to the satisfaction of the Responsible Authority must be engaged to:
- (a) Oversee design and construction of the development; and
 - (b) Ensure the design quality and appearance of the development is realised as shown in the endorsed plans or otherwise to the satisfaction of the Responsible Authority.
 - (c) Ensure an appropriate repair, reconstruction, paint removal and painting scheme is developed for the existing heritage building. This scheme is to carry out repairs to the awning, timber and render, tiles and other materials and authorised by a qualified heritage architect.
- 23 Noise levels must not exceed the permissible noise levels stipulated in the Environment Protection Regulations under the *Environment Protection Act 2017* and the Incorporated Noise Protocol (Publication 1826.4, Environment Protection Authority, May 2021) as may be amended from time to time to the satisfaction of the Responsible Authority.
- 24 Amplified music (including background music) is not permitted to be played other than through a sound system calibrated to ensure compliance with the Environment Protection Regulations under the *Environment Protection Act 2017* and the Incorporated Noise Protocol (Publication 1826.4, Environment Protection Authority, May 2021) as may be amended from time to time, with details submitted demonstrating how compliance will be achieved to the satisfaction of the Responsible Authority.
- 25 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
Appearance of any building, works or materials
- (b) Emission of noise, artificial light, vibration, smell, fumes, smoke,
vapour, steam, soot, ash, dust, waste water, waste products, grit or oil
- (c) Presence of vermin.

Car Parking Conditions

- 26 Unless with the agreement of the Responsible Authority, prior to the use starts or any building is occupied, the developer is required to fully fund the design and construction of a pedestrian connection at least 1.5 metre wide, from the Links Avenue T-intersection at the north end of the development (at the existing zebra crossing) to the eastern property boundary south of the existing water tank. Unless otherwise agreed to the satisfaction of the Responsible Authority, this pedestrian connection is to include a DDA compliant access ramp through to Stan Riley Reserve to join with the proposed Council-constructed footpath within the Reserve. Any changes to the existing retaining wall/embankment on the eastern boundary are to be included in the works, at the full cost of the developer. The existing zebra crossing at the Links Avenue T-intersection is to be modified to meet current standards. A detailed design plan of the proposed pedestrian connection must be submitted to the Council's Engineering Department for approval. The works are to be designed and constructed to the satisfaction of the Responsible Authority.
- 27 Before the use starts or any building is occupied, areas set aside for parked vehicles and access lanes as shown on the endorsed plans must be:
- (a) constructed to the satisfaction of the Responsible Authority;
 - (b) properly formed to such levels that they can be used in accordance with the plans;
 - (c) surfaced with an all-weather sealcoat to the satisfaction of the Responsible Authority;
 - (d) drained, maintained and not used for any other purpose to the satisfaction of the Responsible Authority;
 - (e) line-marked to indicate each car space and all access lanes to the satisfaction of the Responsible Authority.

Parking areas and access lanes must be kept available for these purposes at all times.

- 28 The layout of the development must comply with the Design Standards for car parking set out in Clause 52.06-8 of the Monash Planning Scheme as detailed below unless with the written consent of the Responsible Authority
- (a) Driveway to provide at least 2.1m headroom beneath overhead obstructions.

- (b) Driveway gradient to be no steeper than 1 in 10 (10%) within 5 metres of the frontage to ensure safety for pedestrians and vehicles.
 - (c) Ramp grades (except within 5 metres of the frontage) to be designed as follows:
 - i Maximum grade of 1 in 4.
 - ii Provision of minimum 2.0 metre grade transitions between different section of ramp or floor for changes in grade in excess of 12.5% (summit grade change) or 15% (sag grade change).
 - (d) Minimum requirements for car park dimensions to be in accordance with Table 2.
 - (e) Clearance to car parking spaces to be in accordance with Diagram 1 in relation to the placement of a wall, fence, column, tree, tree guard or any other structure that abuts a car space.
- 29 The accessible parking space should be designed in accordance with the Australian Standard for Off-Street Parking for people with disabilities, AS/NZS 2890.6.
- 30 Unless otherwise agreed to the satisfaction of the Responsible Authority, bicycle parking facilities must comply with the design and signage requirements set out in Clause 52.34 of the Monash Planning Scheme or AS2890.3:2015. Minimum 20% ground level (horizontal) parking spaces as per AS2890.3:2015 are required.
- 31 The proposed vehicle crossing is to be constructed in accordance with the City of Monash standards.
- 32 Any works within the road reserve must ensure the footpath and kerb and channel are reinstated to Council standards.

Signage Conditions

- 33 The location and details of the signs shown on the endorsed plans must not be altered without the written consent of the responsible Authority.
- 34 The signs must be constructed and maintained to the satisfaction of the Responsible Authority
- 35 The signs must not contain any flashing or moving light, other than the electronic variable warning signage (e.g., ‘caution – vehicles reversing”) required under Condition 1g).
- 36 The signs must not be illuminated by external lights without the written consent of the Responsible Authority.
- 37 Lighting of the signs must be designed, baffled and located to the satisfaction of the Responsible Authority.

- 38 The intensity of the light to the signs must be limited so as not to cause glare or distraction to motorists, or loss of amenity in the surrounding area, to the satisfaction of the Responsible Authority.

Drainage Conditions

- 39 All stormwater collected on the site from all hard surface areas must not be allowed to flow uncontrolled into adjoining properties or the road reserve.

Residential Hotel, Car Parking, Bicycle Parking & Loading Bay Management

Operational Management Plan

- 40 Prior to the commencement of the use for residential hotel, an Operational Management Plan concerning the serviced apartments prepared to the satisfaction of the Responsible Authority must be submitted and approved by the Responsible Authority. The plan should detail but not be limited to:
- (a) Residential hotel premises are to managed and remain under the control of a single operator responsible for the operation and maintenance of the entire premises;
 - (b) The contact details of the management of the premises displayed in a manner and location that it is visible to any person entering the site. This information is to be updated as required immediately following any change to the nominated responsible contact person;
 - (c) Services provided;
 - (d) Operating hours;
 - (e) After hours contact details for management of the facility;
 - (f) Car parking allocated to Residential hotel. No less than 0.8 car space must be allocated to each residential hotel apartment approved by this permit;
 - (g) Management of the car park associated with the residential hotel apartment including access arrangements; and
 - (h) Maintenance of buildings and grounds, including all landscaped areas.

When approved, the Operational Management Plan will be endorsed to form part of this permit and must be implemented to the satisfaction of the Responsible Authority

Car Parking and Bicycle Parking Management Plan

- 41 Before the occupation of any of the buildings allowed by this permit, a Car Parking and Bicycle Parking Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale and dimensioned. The plan must include:

- (a) The allocation of car spaces to uses within the development;
- (b) The number and location of the car spaces in the at-grade retail car park to the east of Link Avenue. All these spaces must be available for public use;
- (c) A requirement for the nominated trolley bays in the at-grade retail car park to the east of Link Avenue to be maintained at all times for use by supermarket customers;
- (d) Bicycle parking facilities, including public access arrangements;
- (e) Provision of a signage plan which directs all supermarket customers to use the at-grade retail car park to the east of Link Avenue and not use the existing car park to the north of the development site. The Plan must include directional arrows and signage, informative signs indicating location of disabled bays, bicycle parking, exits, restrictions etc;
- (f) Any policing arrangements and/or formal agreements.

When approved, the Car Parking and Bicycle Parking Management Plan will be endorsed to form part of this permit and must be implemented to the satisfaction of the Responsible Authority. The provisions, recommendations and requirements of the endorsed Car Parking and Bicycle Parking Management Plan must be implemented and thereafter complied with at all times to the satisfaction of the Responsible Authority and must not be varied except with the written approval of the Responsible Authority.

Loading Bay Management

42 Before the occupation of any of the buildings allowed by this permit, A Loading Bay Management Plan for all loading bays, generally in accordance with the Loading Bay Management Plan issue B by Traffix Group, dated 5 September 2025 to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale and dimensioned. It must include the following:

- (a) That all supermarket loading must occur internally within the building;
- (b) Details of electronic variable warning signage (e.g., ‘caution – vehicles reversing’) and safety warning lights adjacent the loading docks to caution pedestrians and vehicular traffic when loading bay/waste collection roller doors open for both the arrival and departure of a loading/waste collection vehicles, generally in accordance with the drawing DA30 (Rev TP17);
- (c) That the roller door must be closed when occupied by a stationary vehicle during loading activities;



- (d) All vehicles must exit the loading bays in a forward direction;
- (e) Specifications of all supermarket vehicles, ensuring they do not exceed 19.5m in length;
- (f) Loading may only occur during the following hours:
 - 7am to 10pm Monday to Friday;
 - 7am to 12pm and 3pm to 10pm Saturday, Sunday, and Public Holidays.
- (g) There will be no more than 1 vehicle in each loading bay at any given time;
- (h) Frequency of supermarket deliveries and details of the management of such deliveries, including limiting supermarket deliveries to no more than five per day, and of those, no more than three can be semi-trailers;
- (i) Measures to avoid the presence of multiple delivery vehicles on the site at any one time, and a requirement that if the loading bays are occupied, vehicles must not prop in Link Avenue or the existing Links Shopping Centre car park (north of the site);
- (j) A requirement for all delivery and service/waste collection drivers to be informed of the requirements of the Loading Management Plan, including provision of contact details for the loading dock managers;
- (k) Provision of a signage plan which directs loading vehicles, including informative signs and restrictions etc;
- (l) Maintenance and cleaning of all loading bays;
- (m) Operational details of the residential loading bays including the management of new residents and bulky goods deliveries; and
- (n) Any policing arrangements and/or formal agreements.

When approved, the Loading Bay Management Plan will be endorsed to form part of this permit and must be implemented to the satisfaction of the Responsible Authority. The provisions, recommendations and requirements of the endorsed Loading Management Plan must be implemented thereafter complied with at all times to the satisfaction of the Responsible Authority.

- 43 The loading and unloading of goods and the movement of delivery vehicles on the land must not adversely affect the movement of traffic on the surrounding internal road network, or pose an unacceptable risk to public safety, to the satisfaction of the Responsible Authority.

Expiry Conditions

- 44 This permit as it relates to use and development will expire if one of the following circumstances applies:



- (a) The development is not started within three (3) years of the issue date of this permit;
- (b) The development is not completed within five (5) years of the issue date of this permit;
- (c) The use does not start within one (1) year after the completion of the development; or
- (d) The use is discontinued for a period of two (2) years.

In accordance with section 69 of the *Planning and Environment Act 1987*, the responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or:

- i within six (6) months afterwards if the development has not commenced; or
- ii within twelve (12) months afterwards if the development has not been completed.

Council and the Victorian Civil and Administrative Tribunal are unable to approve requests outside of the relevant time frame.

– End of conditions –