

## 1213-1217 Centre Road, Oakleigh South – Planning Permit TPA/40514/A

### Site Zoning

- Site is within GRZ2 and not subject to any overlays.
- Previously zoned Residential 1 and has been since at least the NFPS (gazetted 16/11/2000). Translation to GRZ2 occurred with AmC119 (gazetted 13/06/2014)
- The NFPS maps show part of the site being subject to an EAO. This was removed by Amendment C106.

### Amendment C106 and environmental audit

Amendment C106 was a site specific amendment that removed the EAO from the site. Amendment C106 was a 20(4) amendment approved by the Minister at Council's request. The explanatory report states:

"A Certificate of Environmental Audit was issued for the site on 21 April 2011 in accordance with Part IXD of the Environment Protection Act 1970. The Certificate of Environmental Audit states that the condition of the site is neither detrimental nor potentially detrimental to any beneficial use of the site."

### Planning Permit TPA/40514

- Permit issued 28 February 2013 for "development of a five (5) storey building comprising 137 dwellings with semi-basement level car parking; variation of easement (E1); removal of native vegetation; and alteration of access to a road zone category 1 (RDZ1)"
- No conditions requiring environmental audit
- Further information letter didn't mention environmental audit
- Extension of time issued 9/10/14; extension granted to 28 February 2017 to commence and 28 February 2019 to complete the development.
- Amendment lodged 31/08/15 and amended permit issued 24/02/2016.





(11)

**PLANNING  
PERMIT**

Permit No.: **TPA/40514/A**  
Planning Scheme: **Monash Planning Scheme**  
Responsible Authority: **Monash City Council**

**ADDRESS OF THE LAND**

1213-1217 Centre Road OAKLEIGH SOUTH VIC 3167

**THE PERMIT ALLOWS**

Development of a five (5) storey building comprising 137 dwellings with semi-basement level car parking; variation of easement (E1); removal of native vegetation; and alteration of access to a road zone category 1 (RDZ1)

**THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT**

1. Before the development starts, three copies of amended plans drawn to scale and dimensioned, must be submitted to and approved by the Responsible Authority. The submitted plans must clearly delineate and highlight any changes. When approved the plans will be endorsed and will then form part of the permit.

The plans must be generally in accordance with the plans submitted with the application, but modified to show:

- a) The location and design of any proposed electricity supply meter boxes and transformers. The electricity supply meter boxes should be located at a distance from the street which is at or behind the setback alignment of buildings on the site to the satisfaction of the Responsible Authority.
- b) The location of gas and water meters.
- c) Revised façade treatments in order to provide a greater richness of detailing by way of varying façade treatments for different parts of the development (particularly in relation to the southern elevation) to the satisfaction of the Responsible Authority.
- d) The provision of more equitable pedestrian access to Courtyards 2 and 3 to the satisfaction of the Responsible Authority. This may require the incorporation of

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- low rise platform lifts or similar devices adjacent to the stairs which provide access to each courtyard from the Centre Road pedestrian footpath.
- e) An amended Undercroft Plan (Drawing No. TP 03) to accurately reflect the details of the Ratio Consultants Functional Layout Plan 10963FLP Revision 11 to the satisfaction of the Responsible Authority.
  - f) The access aisle in front of Spaces 115 and 155 is required to be fully paved to the satisfaction of the Responsible Authority.
  - g) Provide a corner splay or area at least 50% clear of visual obstructions (or with a height of less than 1.2 metres) extending at least 2.0 metres long x 2.5 metres deep (within the property) from the edge of the exit lane of each vehicle crossing to provide a clear view of pedestrians on the footpath of the frontage road to the satisfaction of the Responsible Authority.
  - h) The vehicle ramp grades on the elevation plans amended to be consistent with the basement plan.
  - i) The precise location and access to the kiosk substation to the satisfaction of the Responsible Authority.
2. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
3. The Centre Road and Huntingdale Road site access arrangement, including footpath locations and proposed naturestrip widths, are to be constructed generally in accordance with Ratio Consultants Functional Layout Plan 10963FLP Revision 11, to the satisfaction of the Responsible Authority. The access points are to include the following features as detailed in Ratio's Functional Layout Plan 10963FLP Revision 11 and traffic submission dated 20 November 2012 (Reference 10963Let01/T/RF:11):
- The Centre Road traffic island is to be at least 3.0m wide along its southern edge.
  - The Centre Road traffic island is to be at least 3.0m wide along its western edge.
  - The location of the intercom system to Centre Road to be at least 4.5m north of the back of the footpath.
  - The location of the intercom system to Huntingdale Road to be at least 5.0m east of the back of the footpath.
  - Provision of associated signage to the central islands.
  - Centre Road access entrance ramp to be 1 in 16 for the first 5.0m.

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- Access points to be built as standard vehicle crossings and not as roads.
4. The layout of the development shall follow the Design Standards for car parking set out in Clause 52.06-8 of the Monash Planning Scheme as detailed below:
    - Driveway gradient to be no steeper than 1 in 10 (10%) within 5 metres of the frontage to ensure safety for pedestrians and vehicles.
    - 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).
    - 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.
    - Any projection of a structure into a car space to be a minimum height of 2.1m above the space, *excluding the overhead storage units*.
  5. The car stacker modules must be installed and maintained in accordance with the technical specifications of Ratio Consultants Traffic Impact Assessment dated 22 July 2015.
  6. All access doors to the system are to be fully automated and linked to the car stacker operating system to ensure that there is no inadvertent access during the operation of the system.
  7. Plans for the car stacker detail design and associated features, such as a suitable mechanical ventilation and sprinkler system, are required to the satisfaction of the Responsible Authority prior to any building and works commencing.
  8. The mechanical car stackers are to be maintained in a good working order and be permanently available for the parking of vehicles in accordance with their purpose, to the satisfaction of the Responsible Authority.
  9. The existing redundant crossings are to be removed and replaced with kerb and channel. The footpath and naturestrip are to be reinstated to the satisfaction of Council.
  10. The directional signage associated with the site access points is to be maintained to the satisfaction of the Responsible Authority.

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11. Detail of the proposed relocation of the existing JCDecaux bus shelter is required to be submitted to Council's Engineering Department for approval. The full cost of the relocation of the bus shelter, which is to include the provision of Tactile Ground Surface Indicators to current DDA requirements, is to be funded by the developer and must be paid to the City of Monash prior to any buildings and works being undertaken on the subject land. The works are to be arranged by the City of Monash.
12. On-site visitor parking spaces are required to be clearly marked.
13. The semi-basement ramps must provide a minimum 2.5m headroom in order to accommodate the proposed waste management vehicle to the satisfaction of the Responsible Authority.
14. Bicycle parking facilities shall generally follow the design and signage requirements set out in Clause 52.34 of the Monash Planning Scheme.
15. 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 prior to the commencement of any works. The plan must show the proposed landscape treatment of the site including:-
  - the location of all existing trees and other vegetation to be retained on site
  - provision of canopy trees with spreading crowns located throughout the site including the major open space areas of the development
  - planting to soften the appearance of hard surface areas such as driveways and other paved areas
  - a schedule of all proposed trees, shrubs and ground cover, which will include the size of all plants (at planting and at maturity), their location, botanical names and the location of all areas to be covered by grass, lawn, mulch or other surface material
  - the location and details of all fencing
  - the extent of any cut, fill, embankments or retaining walls associated with the landscape treatment of the site
  - details of all proposed hard surface materials including pathways, patio or decked areas

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

16. Before the occupation of the buildings allowed by this permit, landscaping works as shown on the endorsed plans must be completed to the satisfaction of the

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Responsible Authority and then maintained to the satisfaction of the Responsible Authority.

17. All works within five (5) metres of any tree to be retained shall be supervised by a qualified landscape architect or horticulturist who shall ensure that the works are done in a manner which protects and minimises any damage to those trees.
18. All existing vegetation shown on the endorsed plans must be suitably marked before any development starts on the site and that vegetation must not be removed, destroyed or lopped without the written consent of the Responsible Authority.
19. No building material, demolition material or earthworks shall be stored or stockpiles under the canopy line of any tree to be retained during the construction period of the development hereby permitted.
20. No vehicle shall park under the canopy line of any tree to be retained.

### Conditions 21 to 30 required by VicRoads (Ref: 03787/12)

21. Prior to the start of the development, Ratio Consultants Drawing No. 10963FLP Issue 11 shall be updated in consideration of the Undercroft Plan (Drawing No TP03, Job No 1448, Revision 1, dated August 2015) and submitted to VicRoads for approval.
22. Prior to the occupation or use of the development hereby approved, where the proposed roadworks, including footpath and nature strip, lie within the subject land, a widening of the road reserve will be required, at no cost to VicRoads. The developer must engage a licensed surveyor to prepare Plans of Subdivision showing the affected land labelled "ROAD", which is to be vested in the Roads Corporation upon certification of the Plan of Subdivision, without any encumbrances. Subsequent to the registration of the plan, the subdivider must ensure that the original Certificates of Title that issues in the name of the Roads Corporation, are posted to: VicRoads - Property Services Department, 60 Denmark Street KEW, 3101.
23. Prior to the occupation or use of the development hereby approved, where the proposed roadworks, including footpath and nature strip, lie within the subject land the applicant must enter into an agreement with the Responsible Authority and VicRoads, under Section 173 of the Planning and Environment Act 1987, to provide for the permit holder to reimburse all costs incurred by VicRoads and the responsible authority associated with the declaration of the land as arterial road pursuant to the provisions of the Road Management Act 2004 and the rezoning of the land to RDZ1 pursuant to the provisions of the Planning and Environment Act 1987.

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24. Prior to the occupation or use of the development hereby approved, the following works required by VicRoads must be completed in accordance with the approved functional layout plans and to the satisfaction of VicRoads and at no cost to VicRoads;
  - Channelised right turn lanes and traffic islands on Centre Road.
25. Any security boom, barrier, gate or similar device controlling vehicular access to the premises must be located a minimum of 6 metres inside the property to allow vehicles to store clear of the Centre Road and Huntingdale Road pavement and footpath.
26. All disused or redundant vehicle crossings must be removed and the area reinstated to kerb and channel to the satisfaction of the Responsible Authority and at no cost to VicRoads prior to the occupation of the buildings hereby approved.
27. The crossover and driveway are to be constructed to the satisfaction of the Responsible Authority and at no cost to VicRoads prior to the occupation of the buildings hereby approved.
28. Prior to the occupation of the buildings hereby approved, the access lanes, driveways, crossovers and associated works must be provided and available for use and be:
  - Formed to such levels and drained so that they can be used in accordance with the plan.
  - Treated with an all-weather seal or some other durable surface.
29. Driveways must be maintained in a fit and proper state so as not to compromise the ability of vehicles to enter and exit the site in a safe manner or compromise operational efficiency of the road or public safety (e.g. by spilling gravel onto the roadway).
30. No work may be commenced in, on, under or over the road reserve without having first obtaining all necessary approval under the Road Management Act 2004, the Road Safety Act 1986, and any other relevant acts or regulations created under those Acts.
31. All on-site stormwater is to be collected from hard surface areas and must not be allowed to flow uncontrolled into adjoining properties.
32. Before the development starts, a site layout plan drawn to scale and dimensioned must be approved by the Responsible Authority.

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The plans must show a drainage scheme providing for the collection of stormwater within the site and for the conveying of the stormwater to the nominated point of discharge.

The nominated point of discharge is the south boundary of the property where the entire site's stormwater must be collected and free drained via a pipe to Council pit in the nature strip to Council Standards. *(A new pit is to be constructed if a pit does not exist or is not a standard Council pit).*

If the point of discharge cannot be located then notify Council's Engineering Division immediately.

33. Stormwater discharge is to be detained on site to the predevelopment level of peak stormwater discharge. Approval of any detention system is required by the City of Monash, the Responsible Authority, prior to works commencing.
34. The owner of the subject land must enter into an agreement with South East Water for the provision of potable water supply and fulfil all requirements to its satisfaction.
35. The owner of the subject land must enter into an agreement with South East Water for the provision of sewerage and fulfil all requirements to its satisfaction.
36. Prior to certification, the Plan of Subdivision must be referred to South East Water, in accordance with Section 8 of the Subdivision Act 1988.  
The certified Plan of Subdivision will need to show sewerage supply easements over all existing and/or proposed South East Water sewer mains located within the land, to be in the favour of South East Water pursuant to Section 12(1) of the Subdivision Act.
37. Before the occupation of the development the bus stop and shelter, as shown on the endorsed plans, must be relocated at a cost born by the permit holder to the satisfaction of Public Transport Victoria and deemed compliant with the Disability Discrimination Act – Disability Standards for Accessible Public Transport 2002.
38. The permit holder must take all reasonable steps to ensure that disruption to bus operation along Centre Road is kept to a minimum during the construction of the development. Foreseen disruptions to bus operations and mitigation measures must be communicated to Public Transport Victoria fourteen (14) days prior.
39. Before occupation all buildings and works specified in this permit must be completed to the satisfaction of the Responsible Authority. The Responsible Authority must be

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advised in writing when all construction and works are completed to enable the site to be inspected.

40. 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.
41. No goods must be stored or left exposed outside the building so as to be visible from any public road or thoroughfare.
42. No bin or receptacle or any form of rubbish or refuse shall be allowed to remain in view of the public and no odour shall be emitted from any receptacle so as to cause offence to persons outside the land.
43. The amenity of the area must not be detrimentally affected by the use or development, through the:
  - (a) transport of materials, goods or commodities to or from the land;
  - (b) appearance of any building, works or materials;
  - (c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;
  - (d) presence of vermin.
44. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.
45. Before the development starts, a construction management plan must be prepared and submitted to the Responsible Authority for approval. The plan must be to the satisfaction of the Responsible Authority. Once approved, the plan must be implemented to the satisfaction of the Responsible Authority. The plan must address the following issues:
  - a) measures to control noise, dust and water runoff;
  - b) prevention of silt or other pollutants from entering into the Council's underground drainage system or road network;
  - c) the location of where building materials are to be kept during construction;
  - d) site security;
  - e) maintenance of safe movements of vehicles to and from the site during the construction phase;
  - f) on-site parking of vehicles associated with construction of the development;

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- g) wash down areas for trucks and vehicles associated with construction activities;
  - h) cleaning and maintaining surrounding road surfaces;
  - i) a requirement that 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. This does not include excavation or the use of heavy machinery.)
46. Prior to the commencement of works on the site, the owner shall prepare a Waste Management Plan for the collection and disposal of garbage and recyclables for all uses on the site. The Waste Management Plan shall provide for:
- a) The method of collection of garbage and recyclables for uses;
  - b) Designation of methods of collection including the need to provide for private services or utilisation of council services;
  - c) Appropriate areas of bin storage on site and areas for bin storage on collection days;
  - d) Measures to minimise the impact upon local amenity and on the operation, management and maintenance of car parking areas;
  - e) Litter management.
  - f) A copy of this plan must be submitted to Council.
47. Relocate the existing Council assets within the existing easement to the new 2m wide easement to be created at the time of subdivision in favour of City of Monash along the property to protect Council's drainage assets as shown on the plans.
48. The property has been referred to Monash Council as an overland flow path. The requirements to protect the property are as follows:
- a) The proposed finished floor levels should maintain a minimum clearance of 690mm above the finished surface level of the ground around each building.
  - b) The finished ground surface around each unit should be sloped away to direct overland water flow along the western side of the building. It is recommended that the western side of the rear unit be maintained as a clear area with no trees or shrubs.
  - c) The back of the building should be sloped to direct all overland flow to the western side of the property.

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49. This permit will expire in accordance with section 68 of the Planning and Environment Act 1987, if one of the following circumstances applies:

- The development is not started before 28 February 2017.
- The development is not completed before 28 February 2019.

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 within three months afterwards.

## NOTES-

1. Building approval must be obtained prior to the commencement of the above approved works.
2. Building Permit approval for this development must take into consideration the location of future subdivision boundaries and their compliance with the Fire Separation Provisions of the Building Code of Australia, including Separating Walls and Openings near Boundaries, as well as the requirements of the Building Regulations.
3. A drainage contribution will not be accepted in lieu of a detention system.

Detention system requirements for the above property are as follows:

- Minimum storage = 37.87 cubic metres
- Maximum discharge rate = 84.49 litres per second
- Minimum orifice diameter if using orifice pit = 90mm, otherwise install a Phillips multi cell or similar to control outflow.

4. Tree planting should be kept clear of the drainage easement.
5. Use of Easement approval is required for relocation of Council assets.

Approval should be given subject to:

- Council and South East Water approval being obtained.
- A construction joint being made along the easement line where applicable.
- The payment of a \$1000 refundable security deposit prior to the drainage works commencing.
- The replacement of the existing 450 mm drain within the easement by a 450 mm drain from the pit at the south of the property in the naturestrip to a pit to be installed at the south-west corner of the quarry.

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- The exact location of the 450 mm drain is to be determined precisely prior to any work commencing within the easement, especially the driveway from Huntingdale Road.
6. Any new drainage work within the road reserve requires the approval of the City of Monash's Engineering Division prior to the works commencing. Three copies of the plans (A3-A1 size) for the drainage works must be submitted to and approved by the Engineering Division. The plans are to show sufficient information to determine that the drainage works will meet all drainage conditions of the permit. A refundable security deposit of \$500 is to be paid prior to the drainage works commencing.
  7. Engineering permits must be obtained for new vehicle crossings and for new connections to Council pits and these works are to be inspected by Council (telephone 9518 3690).
  8. The redundant crossings are to be removed and reinstated with kerb and channel to the satisfaction of Council.
  9. An on site detention system for storm events up to the 1% AEP event to be retained on site for the car park.
  10. A licensed surveyor or civil engineer (who is a registered building practitioner) must certify that the storm water detention system including all levels, pits, pipes and storage volume is constructed in accordance with the approved plans. The certifier's registration number must be included on the certificate.
  11. A traffic management plan is required prior to the issue of vehicle crossing permits.
  12. As the development has an enclosed bin storage arrangement, the following measures are required:
    - Appropriate ventilation
    - Bin washing facility
    - Suitable capacity to store all the bins.
  13. The preparation of the detailed engineering design and the construction and completion of all work must be undertaken in a manner consistent with current VicRoads' policy, procedures and standards and at no cost to VicRoads. In order to meet VicRoads' requirements for these tasks the applicant will be required to comply with the requirements documented as "Standard Requirements - Developer Funded

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Projects" and any other requirements considered necessary depending on the nature of the work.

THIS PERMIT HAS BEEN AMENDED AS FOLLOWS:

Date of amendment	Brief Description of Amendment	Name of responsible authority that approved the amendment
24 February 2016	<ul style="list-style-type: none"><li>• Amended the plans endorsed under the permit.</li><li>• Conditions 1 h) and i) added to show amended ramp grades and kiosk substation location.</li><li>• Condition 5 reworded to allow new technical specifications to car stackers.</li><li>• Condition 14 added relating to bicycle facilities design requirements and subsequent conditions renumbered.</li><li>• VicRoads Conditions 20 to 25 replaced with amended VicRoads conditions and Note 13 added.</li></ul>	Monash City Council

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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 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-
  - the use does not start within the time specified in the permit, or if no time is specified, within two years after the issue of the permit, or
  - the use is discontinued for a period of two years.
3. A permit for the development and use of land expires if-
  - the development or any stage of it does not start within the time specified in the permit; or
  - the development or any stage of it is not completed within the time specified in the permit, or if no time is specified, within two years after the issue of the permit; or
  - the use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development; or
  - the use is discontinued for a period of two years.
4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in section 6A(2) of the **Planning and Environment Act 1987**, or to any combination of use, development or any of those circumstances requires the certification of a plan under the **Subdivision Act 1988**, unless the permit contains a different provision -
  - the use or development of any stage is to be taken to have started when the plan is certified; and
  - the permit expires if the plan is not certified within two years of the issue of the permit.
5. The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

### WHAT ABOUT REVIEWS?

- The person who applied for the permit may apply for a review of any condition in the permit unless it was granted at the direction of the Victorian Civil and Administrative Tribunal, in which case no right of appeal 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.
- 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.

