

PLANNING PERMIT GRANTED UNDER SECTION 96I OF THE PLANNING AND ENVIRONMENT ACT 1987

Permit No.:	T230528
Planning scheme:	Cardinia Planning Scheme
Responsible authority:	Cardinia Shire Council
ADDRESS OF THE LAND:	Cotswold Crescent, Officer VIC 3809 (Lot AA on PS814723U)

THE PERMIT ALLOWS:

Planning scheme clause	Matter for which the permit has been granted:
Clause 32.08-2	To use the land for a food and drink premises (Section 2 use) and office use (Section 2 use) where the conditions specified are not met.
Clause 32.08-10	To construct a building or construct or carry out works for a use in Section 2 of Clause 32.08-2.
Clause 43.01-1	To construct a building or construct or carry out works. To display a sign. To externally alter a building by structural work, rendering, sandblasting or in any other way. To internally alter a building if the schedule to this overlay specifies the heritage place as one where internal alteration controls apply.
Clause 52.05-13	To display business identification signage. To display internally-illuminated signage.
Clause 52.06-3	To reduce (including reduce to zero) the minimum number of car parking spaces required.
Clause 52.29-2	To create or alter access to a road in a Transport Zone 2.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Amended Plans

Date issued: XX Month XXXX	Signature for the responsible authority:
Date permit comes into operation: XX Month XXXX (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Once approved, the plans will be endorsed and will then form part of the permit. The plans must be in accordance with the plans prepared by User Experience Design (UXD) Group, Revision V2.6, dated 25 November 2024, but modified to show:
 - a) The floor area (sqm) nominated for the alfresco booth area;
 - b) Additional bicycle facilities required in accordance with the correct calculation of floor area available to the public for the restaurant use;
 - c) All north-facing windows along the northern elevation of the proposed office building (as shown on TP-11) to be installed with fixed obscure glazing;
 - d) Details of any wheel stops proposed for the car parking spaces (if none proposed, please state this);
 - e) Provision of the existing footpath within Grace Street to be extended for the entire length of the site's respective street frontage, to ensure that continuous footpath connectivity is made;
 - f) Pedestrian access to the site from Grace Street shown to utilise the existing kerb ramps on the west and east sides of the street at the "L" bend;
 - g) Deletion of the pedestrian path access point at the site's western boundary through to the adjoining north/south footpath located within the adjoining Council reserve;
 - h) A notation on the plans stating: "all plantings shown along the perimeter of the north, west and south edges of the proposed Level 2 balcony area associated with the office to be maintained to Council's satisfaction";
 - i) Deletion of the "site gate access point" nominated at the site's eastern boundary;
 - j) Improved elevation plans showing full details of the proposed fencing treatment along the site's western property boundary and the interface with the adjoining Council reserve at 355 Princes Highway;
 - k) Boundary fencing details (including height, materials, colours, finishes, etc.) for the northern boundary of the subject land which shares a boundary with 13 Grace Street; and
 - l) Boundary fencing details (including height, materials, colours, finishes, etc.) for the eastern boundary of the subject land which shares a boundary with 1 Shale Rise.

Prior to Commencement

2. Before any development starts, the Owner must enter into an agreement with the Responsible Authority made pursuant to Section 173 of the *Planning and Environment Act 1987* to provide for the following:
 - a) That the bored footings be deepened to below the invert level of the existing drainage pipe.
 - b) That the Owner of the subject land applies for and obtains "build over easement" approval from council prior to commencement of any works associated with the existing kiln structure.

Date issued: XX Month XXXX Date permit comes into operation: XX Month XXXX (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	Signature for the responsible authority:
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- c) The Owner's responsibilities regarding the potential need to remove and replace any structure within the easement, at the Owner's expense, should Council have the need to repair or replace their existing drainage asset in the future.

Except with the written consent of the Responsible Authority.

3. Before any development starts, application must be made to the Registrar of Titles to register the Section 173 agreement on the title to the land under Section 181 of the Act.
4. The Owner under this permit must pay to the Responsible Authority the reasonable costs incurred by the Responsible Authority in the preparation or review, execution *and registration* of the Section 173 agreement.
5. Prior to any works commencing on the site, a photographic record of the heritage fabric to be demolished or altered to the satisfaction of the responsible authority must be submitted to and approved by the Responsible Authority. The study must include:
 - a) Views of each elevation of the heritage building;
 - b) Two diagonally opposed views of each internal space in the building; and
 - c) Architectural design detailing of the building.

Photographic record must be of a high standard and taken with appropriate photographic equipment to the satisfaction of the Responsible Authority.

6. Prior to any works commencing on the site, a Schedule of Conservation Works report (to be prepared by a suitably qualified professional) is to be submitted to and approved by the Responsible Authority). This report must outline all conservation repairs and maintenance required for the heritage building, including details of any structural engineering remediation required, as follows:
 - a) Stage 1 - specific conservation works (these works should be undertaken prior to new works); and
 - b) Stage 2 - ultimate conservation works (these works should be undertaken during or after the new works).

To the satisfaction of the Responsible Authority.

7. Prior to the endorsement of plans under Condition 1 of this permit, including any demolition works, a fully detailed demolition method statement must be submitted to and approved by the Responsible Authority. When approved, the statement will be endorsed and will then form part of the permit. The demolition method statement must:
 - a) Fully describe and clearly demonstrate the methods of dismantling of the heritage fabric, restoration and repair and the subsequent reconstruction of the building.
 - b) Include reference to the staging of demolition and reconstruction works on the site.
 - c) Detail the necessary protection works required during the demolition works to protect those parts of the building to be retained.

Date issued: XX Month XXXX	Signature for the responsible authority:
Date permit comes into operation: XX Month XXXX (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	

Once approved by the Responsible Authority, all buildings and works must be in accordance with the demolition method statement.

Layout Not Altered

8. The development and/or use of land must be in accordance with the plan/s endorsed under this permit and subject to the conditions set out in this permit.
9. The layout of the access/use/development as shown on the endorsed plan/s must not be altered without the written consent of the Responsible Authority.
10. Once the development starts, it must be continued and completed to the satisfaction of the Responsible Authority.

Use

11. No more than sixty (60) patrons (not including staff) may be present at any time on the site in association with the restaurant and wine bar use unless with the prior written consent of the Responsible Authority.
12. Except with the prior written consent of the Responsible Authority, the use (restaurant and wine bar) may only operate:
 - a) Monday and Tuesday: 5:00pm to 9:00pm
 - b) Wednesday: 5:00pm to 10:00pm
 - c) Thursday and Friday: 5:00pm to 11:00pm
 - d) Saturday: 11:00am to 11:00pm
 - e) Sunday 11:00am to 10:00pm.
13. Except with the prior written consent of the Responsible Authority, the use (food and drink premises) may only operate between 6:00am and 3:00pm seven (7) days per week.
14. Except with the prior written consent of the Responsible Authority, the use (office) may only operate between 7:00am and 5:00pm between Monday and Friday.

Conservation Management Plan (Built Heritage)

15. Before the development (including any demolition works) starts, a conservation management plan for the heritage building to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the conservation management plan will be endorsed and will then form part of the permit. The conservation management plan must include:
 - a) Window and door repairs/restoration.
 - b) External joinery restoration.
 - c) Stripping of painted brickwork.
 - d) Fence design.
 - e) Removal of the slate tiles on the portion of the building, which is to be demolished, and their re-use to repair the remaining roof.

Works to the heritage building must be undertaken in accordance with the conservation management plan to the satisfaction of the Responsible Authority.

Date issued: XX Month XXXX	Signature for the responsible authority:
Date permit comes into operation: XX Month XXXX (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	

Construction Environmental Management Plan

16. Prior to the commencement of any buildings or works a Construction Environmental Management Plan (CEMP) is to be prepared, where appropriate.

The CEMP must specifically address significant flora and fauna where the buildings or works are within:

- a) 50 metres of any native vegetation to be retained in the *Officer Precinct Native Vegetation Precinct Plan (September 2011)*; and/or
- b) 100 metres of any waterbody (including creeks, drains, dams and wetlands) under the provisions of the incorporated *Officer Precinct Structure Plan Conservation Management Plan (excluding Cardinia Creek)*; and/or
- c) the area shown as Environmental Residential (south of the railway line) in Plan 2.

The CEMP must address all requirements specified in the *Officer Native Vegetation Precinct Plan (September 2011)* and the relevant Conservation Management Plan and be to the satisfaction of the responsible authority.

Conservation Management Plan (Environment)

17. Where the *Officer Precinct Structure Plan Conservation Management Plan (excluding Cardinia Creek) (Ecology Partners, 15 September 2011)* or the *Officer Precinct Structure Plan Cardinia Creek Conservation Management Plan (Ecology Australia, 8 September 2011)* has been approved by the Secretary to the Department of Sustainability and Environment and it applies to the land (refer Plan 13 of the incorporated *Officer Precinct Structure Plan*), any permit granted for subdivision or the construction of a building or the carrying out of works must include the following conditions:

- a) The actions which identify the responsible agent as the “landowner” or “developer” in the Conservation Management Plan (CMP) must be implemented to the satisfaction of the Department of Sustainability and Environment.

and the following conditions, where appropriate:

- b) Prior to any works commencing within 100 metres of the edge of any waterbody which is to be retained, a highly visible fence is to be installed 20 metres from the edge of the water body.
- c) No polluted and/or sediment laden run-off is to be discharged directly or indirectly into drains or watercourses.
- d) Pollution or litter traps must be provided on the land at appropriate points along the drainage system or drainage lines.
- e) A salvage and translocation plan must be prepared and implemented to the satisfaction of the Department of Sustainability and Environment and the approval of the responsible authority.

Date issued: XX Month XXXX	Signature for the responsible authority:
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Landscape Masterplan (Development)

18. Before the development starts (including any demolition works), a landscape plan to the satisfaction of the Responsible Authority prepared by a suitably qualified person in landscape design must be submitted to and approved by the Responsible Authority. When approved, the landscaping plan will be endorsed and will then form part of the permit. All species selected must be drought tolerant and proven hardy cultivars suitable to the local conditions. Planting must not impact sightlines for vehicles, pedestrians or cyclists. The landscaping plan must be generally in accordance with the landscape concept plan dated 24 February 2025 (Revision A) prepared by Zenith Concepts Pty Ltd, but modified to show:
- A survey (including botanical names) of all existing vegetation to be retained and/or removed.
 - Buildings and trees (including botanical names, trunk location, trunk diameter and canopy spread) on neighbouring properties within three metres of the boundary (or where the Tree Protection Zones of such trees fall within the subject site as calculated in accordance with Australian Standards AS4970-2009 (or its successor/equivalent)).
 - Details of surface finishes of pathways and driveways.
 - A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
 - Landscaping and planting within all open areas of the subject land.
 - Screening vegetation adjacent to the bin storage enclosure/s.
 - All fencing along a common boundary with land which is or is intended to become public open space must not exceed 1.2m in height and must include a pedestrian gate and/or stairs as required.
 - All fencing treatment shown on endorsed plans as a part of this permit, to be in accordance with the Arborist Impact Assessment report (prepared by Arbkey, dated 11 November 2024).

Landscape Conditions

19. Before the development is occupied or by such later date as is approved by the Responsible Authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
20. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority and used for no other purpose. Any dead, diseased or damaged plants are to be replaced.
21. Before the development including demolition starts, a tree protection fence must be erected around the existing street trees to be retained outside the canopy zone of the tree to define a "Tree Protection Area". The fence must be constructed of star pickets and chain mesh or similar to the satisfaction of the Responsible Authority. The tree protection fence must remain in place until construction is completed. No vehicular or pedestrian access, trenching or soil excavation is to occur within the Tree Protection Area without the written consent of the Responsible Authority. No storage or dumping of tools, equipment or

Date issued: XX Month XXXX	Signature for the responsible authority:
Date permit comes into operation: XX Month XXXX (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	

waste is to occur within the Tree Protection Area. Any pruning that is required to be done to the canopy or roots of any tree to be retained is to be done with permission by Council's Arborist by a qualified arborist to Australian Standard – Pruning of Amenity Trees AS4373-2007.

22. Before the development starts a fee per tree, as amended from time to time, must be paid to the Responsible Authority for the replacement of the existing street tree/s nominated to be removed for the development. Replacement will be undertaken by Council contractors within the streetscape in the next planting season.

Tree Management Plan

23. Before the commencement of any works, a Tree Management Plan must be prepared by a suitably qualified arborist in accordance with AS4970 (2009) and be submitted to and approved by the responsible authority. The Tree Management Plan must detail the following:
- A structural assessment of all retained trees.
 - The procedure for protecting any impacted trees through the implementation of the endorsed development plans.
 - Identification of requisite tree protection zones.
 - Underground services must not encroach into the Structural Root Zone of any tree retained. Services should not be installed by open trenching but use boring/tunnelling if they pass through a TPZ and be at >1000mm depth.
 - Landscaping works (e.g. paving new turf) should not reduce the natural soil level >50mm within TPZs. Any landscaping works within the TPZs should be done by hand, and large roots (>50mm diameter) if encountered must be left intact.
 - Mulch the TPZ areas where possible with coarse mulch (e.g. composted wood chips 100mm deep), prior to heavy machinery entering the site.
 - Direction for management activities to improve the health of the retained trees over the long term.

Waste Management Plan

24. Before the use commences, an amended Waste Management Plan to the satisfaction of the Responsible Authority and prepared by a suitably qualified person must be submitted to and approved by the Responsible Authority. When approved, the Waste Management Plan will be endorsed and will then form part of the permit. The Waste Management Plan, generally consistent with that prepared by One Mile Grid, dated 1 August 2023, must be updated to:
- Provide detail of the proposed arrangements for collection of waste from the land.
 - Demonstrate and show swept path diagrams for proposed waste collection vehicles.
 - Be consistent with relevant guidelines prepared by Cardinia Shire Council regarding waste management for new residential and mixed-use developments.
25. The endorsed Waste Management Plan must be complied with to the satisfaction of the Responsible Authority. The Waste Management Plan may only be amended with the written consent of the Responsible Authority.

Date issued: XX Month XXXX Date permit comes into operation: XX Month XXXX (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	Signature for the responsible authority:
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Engineering Conditions

26. Stormwater must not be discharged from the subject land other than by means of an underground pipe drain discharged to an outlet in the street or to an underground pipe drain to the satisfaction of the Responsible Authority.
27. Before the development starts, a stormwater management plan showing the stormwater works to the nominated point of discharge must be submitted for the approval of the Responsible Authority. The stormwater management plan must be prepared by a suitably qualified person and show details of the proposed stormwater works including all existing and proposed features that may have impact (including trees to be retained, crossings, services, fences, abutting buildings, existing boundary levels etc). All works must be undertaken in accordance with the approved stormwater management plan.
28. Stormwater works must be provided on the subject land so as to prevent overflows onto adjacent properties.
29. Before the development is occupied, all proposed areas set aside on the approved plan/s for access, circulation and car parking must be constructed with concrete, asphalt or other approved hard surfacing material, drained and the parking areas delineated to the satisfaction of the Responsible Authority. Once constructed, these areas must be maintained to the satisfaction of the Responsible Authority.
30. At least 14 days before any works start, a site specific Construction Environmental Management Plan (CEMP) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved the CEMP will be endorsed and will then form part of the permit. All works must be undertaken in accordance with the approved CEMP.

The CEMP must address all environmental risks and include:
 - a) Temporary stormwater management including sedimentation control,
 - b) Provision of pollution and contamination controls including noise and dust,
 - c) Location of stockpiles and stockpile management,
 - d) Location of site office and facilities
 - e) Equipment, materials and goods management.
 - f) Tree protection zones, trees to be retained and trees to be removed.
31. Sediment control measures must be undertaken during construction to the satisfaction of the Responsible Authority to ensure that the development subject land is adequately managed in such a way that no mud, dirt, sand, soil, clay or stones are washed into or allowed to enter the stormwater drainage system.

Date issued: XX Month XXXX	Signature for the responsible authority:
Date permit comes into operation: XX Month XXXX (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	

Patron and Premises Plan

32. Before the use (restaurant and wine bar) starts, a Patron and Premises Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Once approved, the Site Management Plan will be endorsed and will then form part of the permit. The Site Management Plan must show:
- a) Hours of operation (days and hours in accordance with that permitted under this permit).
 - b) Site security.
 - c) Provision of security cameras.
 - d) Details about minimising and managing graffiti and its removal.
 - e) Maintenance of parking areas, loading bay areas and any other paved areas.
 - f) Maintenance of the public realm (including paving, street furniture and landscaping).
 - g) Management of advertising signs.
 - h) Arrangements for managing the car park, landscape areas, bins, bicycle racks, deliveries (delivery truck routes, delivery times) and waste collection.
 - i) Outdoor dining standards.
 - j) Management of litter, rubbish bins and skips.
 - k) Arrangements for achieving surveillance and views into and out of the development and to car parking areas through the provision and maintenance of clear unobstructed glazing (no tinting, reflective film, advertising or storage displays) to at least 80% of all glazing.
 - l) Contact details of the site manager.
33. Unless with the prior written consent of the Responsible Authority, the use must operate in accordance with the approved Patron and Premises Plan to the satisfaction of the Responsible Authority.

Traffic, Loading and Parking Management Plan

34. Before the use starts, a Traffic, Loading and Parking Management Plan to the satisfaction of the Responsible Authority and prepared by a suitably qualified engineer must be submitted to and approved by the Responsible Authority. Once approved, the Traffic, Loading and Parking Management Plan will be endorsed and will then form part of the permit. The Traffic, Loading and Parking Management Plan must show:
- a) The location of all areas on and/or off-site to be used for staff and patron parking.
 - b) Owner's permission and any required planning permission for parking on other land.
 - c) Specification of staff numbers adequate to enable efficient operation of car parking areas both on- and off-site.
 - d) The number and location of all on and off-site security staff.
 - e) The means by which the direction of traffic and pedestrian flows to and from car parking areas will be managed and controlled both on and off-site.

Date issued: XX Month XXXX	Signature for the responsible authority:
Date permit comes into operation: XX Month XXXX (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	

- f) Measures to discourage patron car parking in Grace Street.
 - g) Measures to preclude staff parking in designated patron car parking areas.
 - h) Staffing and other measures to ensure the orderly departure and arrival of patrons especially any large groups departing at closing time.
 - i) Servicing of the drainage and maintenance of car parking areas.
 - j) Signage/devices to direct loading/unloading vehicles.
 - k) Designated loading and unloading bay/s.
35. All traffic, loading and parking on the land must be implemented and complied with at all times in accordance with the approved Traffic, Loading and Parking Management Plan to the satisfaction of the Responsible Authority.
36. Except with the written consent of the Responsible Authority, no live or amplified music or entertainment may occur on the premises.
37. No live music, live entertainment, pre-recorded or amplified music may be played outside the building at any time, unless with the prior written consent of the Responsible Authority.
38. Speakers must not be installed or located outside the building, unless with the prior written consent of the Responsible Authority.
39. Empty bottles must be stored internally to the satisfaction of the Responsible Authority. Any transfer of bottles to external areas must not occur after 10.00 pm or before 7.00 am daily on any day. If a bottle crusher is used on the premises, the transfer of crushed material to external areas may take place at any time with the prior written consent of the Responsible Authority.

Fencing to Public Open Space

40. Before the use starts and/or development is occupied, or at any other time agreed to by the Responsible Authority, all fencing along a common boundary with land which is or is intended to become public open space must be erected in accordance with the Officer Precinct Structure Plan or otherwise to the satisfaction of the Responsible Authority. The fencing must be designed and erected in accordance with the endorsed plans that form part of this permit.

Works Required Prior to Occupation

41. Before the use starts and/or development is occupied, the recommendations made in the Preliminary Environmental & Hydrogeological Site Investigation report (prepared by Tonkin & Taylor Pty Ltd, dated May 2024), in regard to appropriate design of infrastructure to consider salinisation of soils and monitoring of groundwater levels during development works must be implemented to the satisfaction of the Responsible Authority.
42. Where saline groundwater is encountered during construction that is detrimental to infrastructure, management strategies to protect the development must implemented to the satisfaction of the Responsible Authority.

Date issued: XX Month XXXX	Signature for the responsible authority:
Date permit comes into operation: XX Month XXXX (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	

43. Before the development is occupied, the following must be completed for that stage to the satisfaction of the Responsible Authority:
- a) Any redundant existing vehicle crossing must be removed and the footpath, nature strip and kerb and channel reinstated at no cost to the Responsible Authority and to the satisfaction of the Responsible Authority.
 - b) All car parking spaces located within the common property driveway must be finished to the satisfaction of the Responsible Authority.
 - c) All areas set aside for access, crossovers and footpaths must be constructed, sealed, drained and delineated.
 - d) Outfall drainage must be designed and constructed to a satisfactory point of discharge in accordance with plans and specifications approved by the Responsible Authority.
 - e) The premises are connected to reticulated water supply, sewerage, drainage and underground electricity to the requirements of the relevant servicing authority.
 - f) All landscaping works shown on the endorsed plan/s must be carried out and completed to the satisfaction of the Responsible Authority. The landscaped areas must be maintained to the satisfaction of the Responsible Authority.
 - g) A bin storage area must be provided for each premises/tenancy and must be located so as not to be detrimental to the visual amenity of the neighbourhood and/or as shown on the endorsed plans.
 - h) Lighting must be provided near the front entrance of each premises/tenancy and along accessways.

General Conditions

44. The use/development must be managed so that the amenity of the area is not detrimentally affected including 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.

Date issued: XX Month XXXX Date permit comes into operation: XX Month XXXX (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	Signature for the responsible authority:
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45. The exterior colour and cladding of the development must not result in any adverse visual impact on the environment of the area and all external cladding and trim of the building, including the roof, must be of a non-reflective nature.
46. Before the use starts/the development is occupied, all pipes, fixtures, fittings and vents servicing any building on the subject land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
47. Before the use starts/the development is occupied, all external plant and equipment must be acoustically treated or placed in soundproof housing to ensure no unreasonable noise impact, to the satisfaction of the Responsible Authority.
48. No plant, equipment, services or architectural features other than those shown on the endorsed plan/s are permitted above the roof level of the building/s without the written consent of the Responsible Authority.
49. All rooftop plant and equipment (including air conditioning units, heating units and hot water systems) must be concealed or screened from the public realm (and remain so), all to the satisfaction of the Responsible Authority.
50. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
51. The loading and unloading of goods from vehicles must not disrupt the circulation and parking of vehicles on the land and must only be carried out on the land:
 - a) Within the designated loading bay/s.
 - b) In accordance with the endorsed Traffic, Loading and Parking Management Plan required under this permit.

Advertising Signs

52. The location and details of the signs, including those on the supporting structure, as shown on the endorsed plan/s, must not be altered without the prior written consent of the Responsible Authority.
53. The illumination of the sign/s must not detrimentally affect the amenity of the area through the emission of unreasonable levels of light beyond the boundary of the subject land.
54. The sign/s lighting must be designed, baffled and located to prevent any adverse effect on adjoining land to the satisfaction of the Responsible Authority.
55. Sign/s must not contain any flashing light.
56. Sign/s must be displayed and maintained to the satisfaction of the Responsible Authority.
57. The intensity of the illuminated signage must be limited to the satisfaction of the Responsible Authority to not cause distraction to motorists or any detriment to the amenity in the surrounding area.

Date issued: XX Month XXXX Date permit comes into operation: XX Month XXXX (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	Signature for the responsible authority:
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Department of Transport & Planning (DTP)

58. Prior to the endorsement of plans, amended plans must be submitted to and approved by the Head, Transport for Victoria. When approved by the Head, Transport for Victoria, the plans must be endorsed by the Responsible Authority and will then form part of the permit. The plans must be generally in accordance with the Ground Floor Plan date stamped 14/03/2024 (Drawing no: 2021.000, TP-07, Revision V2.2) but modified or annotated to show:
- The provision of a left turn deceleration lane on the Princes Highway to the satisfaction of and at no cost to the Head, Transport for Victoria.
 - No overflow parking permitted on the existing gravel shoulder on the Princes Highway.
59. Unless otherwise agreed in writing by the Head, Transport for Victoria, prior to the commencement of roadworks on Princes Highway, a Functional Layout Plan (FLP) and functional stage Road Safety Audit must be submitted to the Head, Transport for Victoria for approval. The FLP must include:
- The provision of a left turn deceleration lane length in accordance with AustRoads Guidelines.
 - The provision of appropriate signage or parking controls to prohibit parking on Princes Highway along the frontage of the site to the satisfaction of the Responsible Authority.
 - The hours of operation and patron numbers associated with the use must not be altered without the written consent of the Head, Transport for Victoria.
60. Subsequent to the approval of the Functional Layout Plans and prior to the commencement of any roadworks on Princes Highway required by the Head, Transport for Victoria under this permit, the permit holder must submit detailed engineering design plans, along with a detail design stage Road Safety Audit, to the Head, Transport for Victoria for review and obtain written approval. The detailed design plans must be generally in accordance with the approved Functional Layout Plan. Any identified issues in the Road Safety Audit must be addressed in the detailed design plan to the satisfaction of and at no cost to the Head Transport for Victoria.
61. Prior to the commencement of the use, all required roadworks on Princes Highway as per the approved detailed design plan must be completed to the satisfaction of and at no cost to the Head, Transport for Victoria.
62. All vehicles must enter and exit the site in a forward direction at all times.

Date issued: XX Month XXXX	Signature for the responsible authority:
Date permit comes into operation: XX Month XXXX (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	

Expiry Conditions

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

- a) The development does not start within **three (3) years** of the date of this permit; or
- b) The development is not completed within **five (5) years** of the date of this permit; or
- c) The use does not start within **three (3) years** of the completion of the development; or
- d) The use is discontinued for a period of **three (3) years**.

The Responsible Authority may extend the periods referred to if a request is made in writing in accordance with section 69 of the *Planning and Environment Act 1987*.

64. The permit for signage will expire **fifteen (15) years** from the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing in accordance with section 69 of the *Planning and Environment Act 1987*.

USEFUL INFORMATION:

(the following information does not form part of this permit)

1. The permitted use or development may need to comply with, or obtain the following further approvals:
 - a. A building permit under the *Building Act 1993*.
 - b. Removal of any asbestos containing fibro-cement sheeting in accordance with the Victorian Occupational Health and Safety Regulations.

Date issued: XX Month XXXX Date permit comes into operation: XX Month XXXX (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	Signature for the responsible authority:
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IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The responsible authority has issued a permit. This permit was granted by the Minister under section 96I of the **Planning and Environment Act 1987** on approval of Amendment No. [insert planning scheme number] to the [insert planning scheme].

WHEN DOES A PERMIT BEGIN?

The permit operates from a day specified in the permit being a day on or after the day on which the amendment to which the permit applies comes into operation.

WHEN DOES A PERMIT EXPIRE?

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

WHAT ABOUT REVIEWS?

- In accordance with section 96M of the **Planning and Environment Act 1987**, the applicant may not apply to the Victorian Administrative Tribunal for a review of any condition in this permit.

Date issued: XX Month XXXX Date permit comes into operation: XX Month XXXX (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	Signature for the responsible authority:
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