

**PLANNING**

Permit No.:

**TPA/51344 Corrected****PERMIT**

Planning Scheme:

**Monash Planning Scheme**

Responsible Authority:

**Monash City Council****ADDRESS OF THE LAND**

4 Margaret Street OAKLEIGH SOUTH VIC 3167

**THE PERMIT ALLOWS**

Buildings and works to the existing building, use the land as a place of assembly and reduce the parking requirement pursuant to Clause 52.06 of the Monash Planning Scheme

**THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT****Amended Plans**

1. Before the development starts, plans drawn to scale and dimensioned must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be generally in accordance with the plans submitted with the application prepared by McGann Architects (Revision A), but modified to show:
  - a) Dimensions of car parking spaces and a notation to read 'car parking spaces to be properly line-marked on the site'.
  - b) Dimensions of the extended section of the mezzanine.
  - c) Height of the new canopy from ground level on the south elevation.

**No Alterations**

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

**Hours of Operation**

3. The use may operate only between the following hours with the stated maximum patron numbers at any one time:
  - 10.30am – 6.30pm – Monday to Friday – 20 patrons.



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- 10.30am – 4.30pm – Saturday and Sunday – 20 patrons.
- 6.30pm- 8.30pm – Monday to Friday – 50 patrons.
- 4.30pm- 8pm- Saturday and Sunday – 50 patrons.

### Car Parking Management


4. Before the use commences, a Car Park Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Car Park Management Plan will be endorsed and will form part of this permit. The Car Park Management Plan must address, but not be limited to, the following:
  - The number and location of car parking spaces allocated to staff and visitors;
  - The number and location of car spaces for shared use, including time of shared use;
  - The management of visitor car parking spaces;
  - A schedule of all proposed signage including directional arrows and signage, informative signs indicating location of exits and restrictions etc;
  - Details regarding the management of loading and unloading of goods and materials.
5. The provisions, recommendations and requirements of the endorsed Car Park Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

### Noise

6. Noise levels emanating from the premises must not exceed the relevant levels prescribed under State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2, to the satisfaction of the Responsible Authority.
7. 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.

### Signage

8. Signs must not be illuminated by external lights without the written consent of the Responsible Authority.



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9. No flashing, intermittent or changing colour light is permitted to be displayed, except with the prior written consent of the Responsible Authority.
10. Outdoor lighting must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on adjoining land.
11. The signs must not:
  - (a) Dazzle or distract drivers due to its colouring;
  - (b) Be able to be mistaken for a traffic signal because it has, for example, red circles, octagons, crosses or triangles;
  - (c) Be able to be mistaken as an instruction to drivers.to the satisfaction of the Responsible Authority

### Completion of Buildings and Works

12. Once the buildings and works has started it must be continued and completed to the satisfaction of the Responsible Authority.

### Permit Expiry

13. 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 has not started before two (2) years from the date of issue.
  - The development is not completed before four (4) years from the date of issue.
  - The use is not started before four (4) years from the date of issue.

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 six months of the permit expiry date, where the development allowed by the permit has not yet started; or within 12 months of the permit expiry date, where the development has lawfully started before the permit expires.

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### Permit Notes

- A. Building approval must be obtained prior to the commencement of the above approved works




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- B. Variation to Planning Permit  
Any request for a variation of this Permit shall be lodged with the relevant fee as determined under the Planning & Environment (Fees) Regulations 2016.
- C. Any request for time extension of this Permit shall be lodged with the relevant administration fee at the time the request is made.

THIS PERMIT HAS BEEN AMENDED AS FOLLOWS:

Date of amendment	Brief Description of Amendment	Name of responsible authority that approved the amendment
6 June 2024	• Condition 13 of the Permit corrected.	Monash City Council



## IMPORTANT INFORMATION ABOUT THIS PERMIT

### WHAT HAS BEEN DECIDED?

The Responsible Authority has issued a permit.

(Note: This is not a permit granted under Division 5 or 6 of Part 4 of the **Planning and Environment Act 1987**.)

### CAN THE RESPONSIBLE AUTHORITY AMEND THIS PERMIT?

The Responsible Authority may amend this permit under Division 1A of Part 4 of the **Planning and Environment Act 1987**.

### WHEN DOES A PERMIT BEGIN?

A permit operates:

- 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 review exists.
- An application for review must be lodged within 60 days after the permit was issued, unless a notice of decision to grant a permit has been issued previously, in which case the application for review must be lodged within 60 days after the giving of that notice.
- An application for review is lodged with the Victorian Civil and Administrative Tribunal.
- An application for review must be made on an application for review form which can be obtained from the Victorian Civil and Administrative Tribunal, and be accompanied by the applicable fee.
- An application for review must state the grounds upon which it is based.
- 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.