
PLANNING PERMIT

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

Permit No.: PG21/0085

Planning scheme: Surf Coast Planning Scheme

Responsible authority: Surf Coast Shire Council

ADDRESS OF THE LAND: 25 CRESSY ROAD, WINCHELSEA (CROWN ALLOTMENTS 1 - 9 SECTION 72 PARISH OF MIRNEE)

THE PERMIT ALLOWS: SUBDIVISION OF THE LAND IN ACCORDANCE WITH THE ENDORSED DOCUMENTS TO CREATE 23 LOTS.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Plans for approval

1. Before the plan of subdivision is certified under the *Subdivision Act 1988*:
 - a) Amended plans to the satisfaction of the responsible authority must be submitted to, and approved by, the responsible authority. When approved, the plans will be endorsed and then form part of the permit. The plans must be drawn to scale with dimensions and 3 copies must be provided. The plans must be generally in accordance with the plans prepared by SMEC (Revision F dated 21/10/2021), but modified to show:
 - i) All bearings, distances, levels, street names, lot numbers, lot sizes, reserves and easements (including easements in favour of the responsible authority).
 - ii) Naming of new streets in accordance with Surf Coast Shire Place Naming Policy (SCS-004, 2018) and Place Naming Guidelines (MPP-003, 2018) (themes for Winchelsea – names of pioneering families and local returned servicemen) Lot layout, lot numbers and area.

Functional Layout Plan

- b) A functional layout 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 then form part of the permit. The plan must be drawn to scale with dimensions and 3 copies must be provided. The plan must be generally in accordance with the plans submitted with the application but modified to show:
 - i) Layout plan for the roads and streets.
 - ii) Staging of development.
 - iii) Width of each road reserve.
 - iv) Location of carriageways, footpaths, vehicle crossings and Traffic Control Devices.
 - v) Location and offsets of all utility services.

Date issued:

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Signature for the responsible authority:

Stormwater Management Plan

- c) A stormwater management plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Stormwater Management Plan will be endorsed and will then form part of the permit. The Stormwater Management Plan must be designed to:
- i) Demonstrate the downstream drainage system has sufficient capacity to cater for the additional stormwater volume created from the development.
 - ii) Meet the requirements to the satisfaction of the water authority where reuse of stormwater is proposed.
 - iii) Meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999).
 - iv) Ensure that flows downstream of the subdivision site are restricted to pre-development levels unless increased flows are approved by the relevant drainage authority and there are no detrimental downstream impacts.
 - v) Contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.
 - vi) Integrate with the overall development plan including the street and public open space networks and landscape design.
 - vii) For all storm events up to and including the 20% Average Exceedence Probability (AEP) standard:
 - a) Stormwater flows should be contained within the drainage system to the requirements of the relevant authority.
 - b) Ponding on roads should not occur for longer than 1 hour after the cessation of rainfall.
 - viii) For storm events greater than 20% AEP and up to and including 1% AEP standard:
 - a) Provision must be made for the safe and effective passage of stormwater flows.
 - b) All new lots should be free from inundation or to a lesser standard of flood protection where agreed by the relevant floodplain management authority.
 - c) Ensure that streets, footpaths and cycle paths that are subject to flooding meet the safety criteria $d_a V_{ave} < 0.35 \text{ m}^2/\text{s}$ (where, d_a = average depth in metres and V_{ave} = average velocity in metres per second).
 - ix) The design of the local drainage network should:
 - a) Ensure stormwater is retarded to a standard required by the responsible drainage authority.
 - b) Ensure every lot is provided with drainage to a standard acceptable to the relevant drainage authority. Wherever possible, stormwater should be directed to the front of the lot and discharged into the street drainage system or legal point of discharge.
 - c) Ensure that inlet and outlet structures take into account the effects of obstructions and debris build up. Any surcharge drainage pit should discharge into an overland flow in a safe and predetermined manner.

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- d) Include water sensitive urban design features to manage stormwater in streets and public open space. Where such features are provided,
- x) Any flood mitigation works must be designed and constructed in accordance with the requirements of the relevant floodplain management authority.
- xi) Outline maintenance responsibilities, requirements and costs for the stormwater infrastructure installed.
- xii) Show any staging of the delivery of stormwater management infrastructure, including temporary infrastructure.
- xiii) Maintenance of the stormwater treatment facilities for 2 years after the Certificate of Practical Completion is issued for the final stage of the development, excluding hard Civil Works (i.e. concrete works, pipes and structures) that will otherwise have a maintenance period of 3 months.

Section 173 Agreement

- d) The owner must enter into an agreement with the responsible authority made pursuant to section 173 of the *Planning and Environment Act 1987*, and make application to the Registrar of Titles to have the agreement registered on title to the land under section 181 of the Act, which provides for the following:
 - i) A restriction must be placed on the title of all lots created by the approved subdivision preventing the construction of subsurface structures including cellars, basements and service pits.
 - ii) The land owner must continue to manage the adjoining government road reserves to a low threat condition in accordance with AS 3959-2018.
 - iii) All vegetation within the site must be managed and maintained to the following condition:
 - a) Grass must be short cropped and maintained during the declared fire danger period.
 - b) All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.
 - c) Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building.
 - d) Plants greater than 10 centimetres in height must not be placed within 3m of a window or glass feature of the building.
 - e) Shrubs must not be located under the canopy of trees.
 - f) Individual and clumps of shrubs must not exceed 5 sq. metres in area and must be separated by at least 5 metres.
 - g) Trees must not overhang or touch any elements of the building.
 - h) The canopy of trees must be separated by at least 2 metres.
 - i) There must be a clearance of at least 2 metres between the lowest tree branches and ground level.

The owner/operator under this permit must pay the reasonable costs of the preparation, execution and registration of the section 173 agreement.

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Prior to the Commencement of Works

Detailed Construction Plans

2. Before any works associated with each stage of the subdivision starts, detailed construction plans for that stage to the satisfaction of the responsible authority must be submitted to, and approved by, the responsible authority. When approved, the plans will be endorsed and then form part of the permit. The plans must be drawn to scale with dimensions and 3 copies must be provided. The plans must include:
- a) Roads and footpaths in accordance with the functional layout plan endorsed under Condition 1b.
 - b) Stormwater drainage including those works identified in the Stormwater Management Plan endorsed under Condition 1c of the permit.
 - c) A point of stormwater discharge for each lot.
 - d) Street Signs.
 - e) Fire hydrants.

All works constructed or carried out must be in accordance with those plans.

Construction Management Plan

3. Before the commencement of works for each stage of the subdivision, a construction management plan for that stage of the subdivision must be submitted to, and approved by, the responsible authority. When approved, the plan will be endorsed and then form part of the permit. The plans must be drawn to scale with dimensions and 3 copies must be provided. The plan must address the following matters:
- a) Measures to minimise the impact of construction vehicles arriving at, queuing, and departing from the land.
 - b) Measures to accommodate the private vehicles of workers/ tradespersons.
 - c) Details of the location of all construction equipment and facilities, including delivery points, storerooms, toilets, temporary offices and workers' facilities.
 - d) Noise attenuation measures to be put in place to protect the amenity of nearby residents during construction having regard to the EPA Guidelines on Construction and Demolition Noise.
 - e) Measures to minimise the generation and dispersal of dust.
 - f) Protection of retained native vegetation on the land and adjoining land.
 - g) Details of a 24 hour hotline for access to a contact person or project manager accountable for the project and compliance with the CMP.
 - h) Arrangements for waste collection and other services to be provided during construction.
 - i) Location of stockpiles.
 - j) Methods of disposal of excess materials.
 - k) Details of the haul route for transport of excess materials removed from the site and delivery of materials to the site.
 - l) Inspection of haul route with council representative to audit condition of haul route prior to and post construction with any damage identified to be rectified by the contractor at his expense.

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Landscape Master Plan

4. Before the commencement of works for the first stage of the subdivision, a landscape master plan to the satisfaction of the responsible authority for the estate must be submitted to, and approved by, the responsible authority. When approved, the plan will be endorsed and then form part of the permit. The plan must be drawn to scale and 3 copies must be provided. The plan must include:
- i) Species to be used.
 - ii) Proposed materials palette for all landscape features.

Detailed Landscape Plans

5. Before the commencement of landscape works for each stage, detailed landscape plans for that stage to the satisfaction of the responsible authority must be submitted to, and approved by, the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and 3 copies must be provided. The plans must be generally in accordance with the endorsed Landscape Master Plan endorsed under Condition 5 and must include, as appropriate:
- a) 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. Species should be predominantly indigenous (source of stock to be demonstrated).
 - b) Street tree planting for the proposed streets within the stage, including set out and offset from proposed infrastructure. All streets must have trees at a minimum of 1 per lot.
 - c) Where the plan includes the planting of species from the family Myrtaceae, the plan must specify appropriate measures to control the introduction and spread of the disease Myrtle Rust (*Uredo rangelii*), such as quarantining of plants and inspections prior to planting.
 - d) Hessian tree ties only are to be specified for tree planting where staking is required.
 - e) Site works specification and method of preparing, setting out, draining, watering and maintaining the landscaping.
 - f) For all hard landscape elements the use of suitable sustainable materials (i.e. recycled, reusable and recyclable, low embodied energy).
 - g) The location and design details (construction details and specification/fixtures and finishes schedule) of all landscape features including paths, shelters, boardwalks, railings, park furniture, retaining walls, access points and linkages.
 - h) Landscaping must be of a bushfire responsive design to ensure a bushfire risk is not created over time.

Landscaping Works

6. The Surf Coast Shire Council's Coordinator Open Space Operations is to be contacted prior to commencement of any:
- a) Works associated with the approved landscape plans (for a pre-commencement meeting on site).
 - b) Street tree planting (for confirmation of and approval of set out of the location of the street trees).
 - c) Planting of the first street tree within the streetscape (for inspection of the installation hole).
 - d) Landscape hard works set out including pathway locations.

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- e) Soft landscape works.

A minimum of 48 hours' notice is required prior to all meetings listed above is required.

Prior to the Issue of a Statement of Compliance

Subdivision Construction

7. Before the issue of a Statement of Compliance for each stage of the subdivision under the *Subdivision Act 1988*, the owner/developer must provide:

- a) Roads, including footpaths;
- b) Drainage, including those works required by the Stormwater Management Plan to be constructed as part of this subdivision;
- c) Concrete footpaths;
- d) Street Signs;
- e) Street furniture;
- f) Fire hydrants;
- g) All vehicle crossovers where shown on the endorsed plans to be constructed;
- h) Landscaping;
- i) Asset information in a digital format to include drainage data as per "D-Spec" the Consultant/Developer specifications for the delivery of drainage data to Local Government;
- j) Rectification of any damage to the haul route;
- k) Payment of Council fees and charges for Civil Works handed over to council as part of the works shown below:
 - i) Plan Checking Fee: 0.75% of Civil Works Costs;
 - ii) Supervision Fee: 2.5% of Civil Works Costs;
 - iii) Maintenance Bond (Civil Works): 5% of Civil Works Costs (Refundable);
 - iv) Non-Standard Public Lighting where approved for use (rate per pole set in council budget);

All in accordance with the endorsed plans to the satisfaction of the responsible authority.

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Landscape Works

8. Before the issue of a Statement of Compliance for any stage of the subdivision under the *Subdivision Act 1988*, or by such later date as is approved by the responsible authority in writing, the applicant may seek, to the satisfaction of the responsible authority the issue of the Statement of Compliance but with deferment of completion of all or part of landscape construction works shown on the endorsed plans provided the following requirements have been met:
- a) an amount equivalent to 150% of the agreed estimated cost of outstanding streetscape / landscape construction and maintenance works will be required by the responsible authority as security deposit.
 - b) a works program is provided setting out the proposed timing of all outstanding landscape construction works.

Upon completion of the deferred landscape construction works the applicant must notify the responsible authority to enable its inspection. If the works have been completed to its satisfaction, the responsible authority must refund fully the security deposit.

Vehicle crossings

9. The following requirements shall apply to vehicle crossings and driveways that shall be constructed to the satisfaction of the responsible authority:
- a) Vehicle crossings shall be constructed in reinforced concrete or other approved material.
 - b) New vehicle crossings to suit the proposed driveways shall be constructed.
 - c) Redundant vehicle crossings shall be removed and kerb and channel or other approved road edgings reinstated to suit existing works.
 - d) Pathways shall be replaced with a section capable of sustaining traffic loadings where vehicle crossings are constructed or relocated.
 - e) Entrance culverts with endwalls and suitable pavement material must be constructed to suit the proposed driveways to the satisfaction of the responsible authority.
 - f) A "Works Within Road Reserve" permit shall be obtained from the Coordinating Road Authority defined in the Roads Management Act 2004 prior to any works being undertaken in road reserves.

Bushfire Risk Mitigation

10. Before the issue of a Statement of Compliance for any stage of the subdivision under the *Subdivision Act 1988*, the applicant must meet the following bushfire risk mitigation requirements:
- a) Roads must be constructed to a standard so that they are accessible in all weather conditions and capable of accommodating a vehicle of 15 tonnes for the trafficable road width.
 - b) The average grade must be no more than 1 in 7 (14.4%) (8.1 degrees) with a maximum of no more than 1 in 5 (20%) (11.3 degrees) for no more than 50 metres. Dips must have no more than a 1 in 8 (12%) (7.1 degree) entry and exit angle.
 - c) Curves must have a minimum inner radius of 10 metres, have a minimum trafficable width of 3.5 metres and be clear of encroachments for at least 0.5 metres on each side and 4 metres above the access way.
 - d) Roads more than 60 metres in length from the nearest intersection must have a turning circle with a minimum radius of 8 metres (including rollover kerbs if they are provided) T or Y heads of dimensions specified by CFA may be used as alternatives.

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- e) Above or below ground operable hydrants must be provided. The maximum distance between these hydrants and the rear of all building envelopes (or in the absence of building envelopes, the rear of the lots) must be 90 metres and the hydrants must be no more than 120 metres apart. These distances must be measured around lot boundaries.
 - f) The hydrants must be identified with marker posts and road reflectors as applicable to the satisfaction of the Country Fire Authority.
 - g) A fence must be provided along the western aspect of the subdivision to provide a radiant heat shield from the neighbouring grassland. Materials used to construct the fence must be to the satisfaction of the Head, Transport for Victoria and VicTrack to ensure compliance with the VicTrack Rail Development Interface Guidelines, August 2019.
11. Before the issue of a Statement of Compliance for any stage of the subdivision under the *Subdivision Act 1988*, an Emergency Management Plan (EMP) must be submitted to and approved by the Responsible Authority. Once approved, the EMP will be endorsed and will then form part of the permit.

Haul Route

12. Prior to the issue of the Statement of Compliance for the final stage of the subdivision under the *Subdivision Act 1988*, the applicant must rectify any damage to the haul route to the satisfaction of the responsible authority.

Dwelling

13. Prior to the issue of the Statement of Compliance for the final stage of the subdivision under the *Subdivision Act 1988*:
- a) The existing dwelling located on Crown Allotment 2, Section 72 Parish of Mirnee, must be removed from the site; or
 - b) The applicant must decommission the existing dwelling by:
 - i. Removing the internal fit-out of the kitchen, including any cabinetry, oven and food preparation area, excluding a wet area and kitchen sink that is to be retained;
 - ii. Removing the internal fit-out of any laundry, including all plumbing fixtures and cabinetry;
 - iii. Removing the internal fit-out of any bathroom, including all plumbing fixtures and cabinetry; and
 - iv. Sealing all plumbing related pipes in the bathroom and laundry so that they are rendered unusable.

Unless otherwise agreed to in writing by the Responsible Authority, the permit holder must provide written and photographic evidence to the satisfaction of the Responsible Authority that demonstrates that the decommissioning works have been carried out.

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Landscape Maintenance

- 14. All hard and soft landscape works forming part of the endorsed landscaping plans (including streetscape) must be maintained for a minimum of 2 years, to the satisfaction of the Responsible Authority. A log book is to be kept during the maintenance period of what maintenance work has been done, what materials including toxic materials that have been used. This log book should be available upon request by the Responsible Authority unless otherwise agreed in writing by the Responsible Authority. The maintenance period will commence for a minimum period of 2 years from the agreed date of practical completion by Surf Coast Shire Council’s Coordinator Open Space Operations.
- 15. Prior to handover of the works following completion of the 2 year maintenance period, Surf Coast Shire Council’s Coordinator Open Space Operations is to be contacted for an inspection 3 months prior to the expected handover date. Defects are to be agreed and documented. Defects are to be rectified and a minimum 48 hours’ notice given to the Coordinator Open Space Operations for attendance at the final handover meeting following the 2 year maintenance period.

Drainage

- 16. Each lot shown on the endorsed plans must be drained to the satisfaction of the responsible authority.

Access

- 17. No vehicular access is permitted from the adjoining unmade Government road reserves to the hereby approved lots, unless the road reserves are constructed with approval from and to the satisfaction of the responsible authority.

Payment in Lieu of Open Space

- 18. Before a Statement of Compliance is issued for the final stage under the *Subdivision Act 1988*, the applicant or owner must pay to the responsible authority, as a financial contribution to open space, a sum equivalent to 10 per cent of the site value of all land in the subdivision to be used for industrial purposes, less the proportion of any land area which has been provided for the purpose of public open space.

Endorsed Plans

- 19. The layout and site dimensions of the proposed subdivision as shown on the endorsed plan(s) shall not be altered or modified without the written consent of the Responsible Authority. There are no requirements to alter or modify the endorsed plan if a plan is certified under the provisions of the *Subdivision Act 1988* that is generally in accordance with the endorsed plans.

General Conditions

- 20. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.
- 21. The plan of subdivision submitted for certification under the *Subdivision Act 1988* must be referred to the relevant authority in accordance with Section 8 of that Act.

Referral Authority Conditions

Telecommunication Services

- 22. The owner of the land must enter into an agreement with:
 - a) A telecommunications network or service provider for the provision of telecommunication

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services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and

- b) A suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

23. Before the issue of a Statement of Compliance for any stage of the subdivision under the *Subdivision Act 1988*, the owner of the land must provide written confirmation from:

- a) A telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
- b) A suitably qualified person that fibre ready telecommunications facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

Conditions required by Powercor

24. The plan of subdivision submitted for certification under the *Subdivision Act 1988* shall be referred to Powercor Australia Ltd in accordance with Section 8 of that Act.

25. The applicant shall provide an electricity supply to all lots in the subdivision in accordance with the Distributor's requirements and standards.

Notes: Extension, augmentation or rearrangement of the Distributor's electrical assets may be required to make such supplies available, with the cost of such works generally borne by the applicant.

26. The applicant shall ensure that existing and proposed buildings and electrical installations on the subject land are compliant with the Victorian Service and Installation Rules (VSIR).

Notes: Where electrical works are required to achieve VSIR compliance, a registered electrical contractor must be engaged to undertake such works.

27. The applicant shall, when required by the Distributor, set aside areas with the subdivision for the purposes of establishing a substation or substations.

Notes: Areas set aside for substations will be formalised to the Distributor's requirements under one of the following arrangements:

RESERVES established by the applicant in favour of the Distributor.

SUBSTATION LEASE at nominal rental for a period of 30 years with rights to extend the lease for a further 30 years. The Distributor will register such leases on title by way of a caveat prior to the registration of the plan of subdivision.

28. The applicant shall establish easements on the subdivision, for all existing Distributor electric lines where easements have not been otherwise provided on the land and for any new powerlines to service the lots or adjust the positioning existing easements.

Notes: Existing easements may need to be amended to meet the Distributor's requirements. Easements required by the Distributor shall be specified on the subdivision and show the Purpose, Origin and the In Favour of party as follows:

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Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited / In Favour Of
	Power Line		Section 88 - Electricity Industry Act 2000	Powercor Australia Ltd

Conditions required by VicTrack

29. Prior to the issue of a Statement of Compliance for the final stage of the subdivision under the *Subdivision Act 1988*, the applicant must prepare a traffic risk assessment report. The risk assessment report must be prepared by a suitably qualified person (whose appointment and terms of reference are to be approved by the Head, Transport for Victoria, the ARO and VicTrack) which assesses the operational and safety impacts the proposed development may have on traffic at the level crossing in accordance with Australian Standard AS1742.3-2016, Manual of uniform traffic control devices, Part 7: Railway crossings.

The risk assessment must:

- a) Advise on what operational and safety improvements will need to be made to the crossing.
- b) Demonstrate that increased traffic across the level crossing will not increase risk to safety.
- c) Provide a cost estimate of operational/safety improvement works to be completed by the applicant if required.
- d) Specify modifications that would need to be made to the subdivision in order to mitigate against adverse operational or safety impacts to the existing level crossing.

30. No drainage, effluent, waste soil or other materials must enter or be directed to railway land or stored or deposited on railway land.

Conditions required by the Department of Transport

31. The boundary of the land with any arterial roadway or railway land must be fenced at all times during the construction of the development to the satisfaction of the Head, Transport for Victoria and VicTrack so as to prevent access to railway land.

32. Prior to the issue of a Statement of Compliance for the final stage of the subdivision under the *Subdivision Act 1988*, mitigation works to upgrade Cressy Road at the proposed entrance to the subject site to a standard suitable for a 80km/h speed limit are required to be undertaken by the applicant, to the satisfaction of and at no cost to the Department of Transport, unless the speed limit is lowered to 50 km/h at the site.

Expiry of Permit

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

- a) The plan of subdivision for the first stage is not certified under the *Subdivision Act 1988* within two years of the date of this permit.
- b) The final stage of the subdivision is not completed within five (5) years after the certification of the plan of subdivision for the first stage under the *Subdivision Act 1988*.

The Responsible Authority may extend the period for commencement of the development if a request is made in writing before the permit expires or within six months afterwards.

The Responsible Authority may extend the period in which the development must be completed if the request for an extension of time is made in writing within twelve months after the permit expires and the development or stage started lawfully before the permit expired.

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<i>Date of amendment</i>	<i>Brief description of amendment</i>	<i>Name of responsible authority that approved the amendment</i>
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Date issued:

Date permit comes into operation:

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Signature for the responsible authority:

IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The Responsible Authority has issued a permit. The permit was granted by the Minister under section 96I of the **Planning and Environment Act 1987** on approval of Amendment No. C138surf to the Surf Coast Planning Scheme.

WHEN DOES THE 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 a 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.
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WHAT ABOUT REVIEWS?

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