

PLANNING PERMIT PLN21/0497

Address of the land: 8/35 Drysdale Road WARRANDYTE
Lot 6 SP 30949H Vol 09863 Fol 679

The permit allows: Use of the land for an indoor recreation facility (Pilates, yoga and meditation classes)

The following conditions apply to this permit:

1. The use as shown on the approved plans must not be altered without the written consent of the Responsible Authority.
2. Except with the written consent of the Responsible Authority, the number of patrons (excluding staff) attending the site at one time must not exceed eight (8).
3. Except with the written consent of the Responsible Authority, the use allowed under this permit may only operate between the following hours:
 - 3.1 Monday to Sunday 7.00am to 8.00pm.
4. The use approved by this permit must not detrimentally affect amenity of the area to the satisfaction of the Responsible Authority.
5. The use must at all times operate such that noise emissions comply with the relevant limits prescribed under the *Environment Protection Act 2017*.
6. No external sound amplification equipment may be used for the purpose of announcement, broadcast, playing of music or similar purpose, to the satisfaction of the Responsible Authority.
7. This permit will expire if one of the following circumstances apply:
 - 7.1 The approved use is not commenced within two (2) years of the completion of the development; and
 - 7.2 The approved use is discontinued for a period of two (2) years.

The Responsible Authority may extend the periods referred to if a request is made in writing by the owner or occupier either before the permit expires or in accordance with Section 69 of the *Planning & Environment Act 1987*.

Notes:

How to avoid the expiry of this permit

Under Section 69 of the *Planning and Environment Act 1987* the owner or occupier of the land may apply to extend a permit either:

- Before it expires; or
- Within 6 months of the expiry if the permit has not been acted on.

Planning Permit PLN21/0497
Date issued: 22 November 2021



Signature for the Responsible Authority

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 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 –
-

Planning Permit PLN21/0497
Date issued: 22 November 2021


Signature for the Responsible Authority

- 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 the relevant 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.