

**NOTICE OF  
DECISION TO  
GRANT A PERMIT**

Application No.: **TPA/51344**  
Planning Scheme: **Monash Planning Scheme**  
Responsible Authority: **Monash City Council**

THE RESPONSIBLE AUTHORITY HAS DECIDED TO GRANT A PERMIT.  
THE PERMIT HAS NOT BEEN ISSUED.

**ADDRESS OF THE LAND**

4 Margaret Street OAKLEIGH SOUTH VIC 3167

**WHAT WILL THE PERMIT ALLOW?**

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

**WHAT WILL THE CONDITIONS OF THE PERMIT BE?**

**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.

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## 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.
  - 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.

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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.
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 and use 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.

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

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**Date issued:**  
**1 June 2020**

**Signature for the**  
**Responsible Authority:** *Jeanny Lui*

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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
- 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.

## IMPORTANT INFORMATION ABOUT THIS NOTICE

### WHAT HAS BEEN DECIDED?

The Responsible Authority has decided to grant a permit. The permit has not been issued.

This notice sets out what the permit will allow and what conditions the permit will be subject to if issued.

### WHAT ABOUT REVIEWS?

#### For the Applicant -

- The person who applied for the permit may apply for review of any condition in the notice of decision to grant a permit. The application for review must be lodged within 60 days of the giving of this notice.

#### For an Objector -

- An objector may apply for review of the decision of the Responsible Authority to grant a permit. The application for review must be lodged within 28 days of the giving of this notice.
- If there is no application for review, a permit will be issued after 28 days of the giving of this notice.

#### For a recommending referral authority—

- A recommending referral authority may apply for review of the decision of the responsible authority—
  - (a) to grant a permit, if that recommending referral authority objected to the grant of the permit; or
  - (b) not to include a condition on the permit that the recommending referral authority recommended.
- The application for review must be lodged within 21 days of the giving of this notice.
- If there is no application for review, a permit will be issued after 21 days of the giving of this notice.

#### For all applications for review -

- 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 be served on the responsible authority, each other party and each other person entitled to notice of the application for review under the **Planning and Environment Act 1987** and the **Victorian Civil and Administrative Tribunal Act 1998** within 7 days after lodging the application with the Victorian Civil and Administrative Tribunal.
- Details about applications for review and the fees payable can be obtained from the Victorian Civil and Administrative Tribunal.

The address of the Victorian Civil and Administrative Tribunal is 55 King Street, Melbourne 3000.

The telephone number of 1300 01 8228. The web site is [www.vcat.vic.gov.au](http://www.vcat.vic.gov.au)