
PLANNING
PERMIT

Permit No.: 2010 014775

Planning Scheme: Boroondara

Responsible Authority: Minister for Planning

ADDRESS OF THE LAND:

Part Area (Stage 3B) affected by the Plan of Subdivision PS630770J approved under Permit 2010014775
115 Princess Street (Former Kew Residential Services), Kew
(The land is more particularly described as Lot C on Plan of Subdivision 603974U).

THE PERMIT ALLOWS:

CONSTRUCTION OF THIRTY ONE (31) DWELLINGS ON ONE ALLOTMENT, THE REMOVAL OF NATIVE TREES IN ACCORDANCE WITH THE ENDORSED PLANS

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

1. Prior to the commencement of the development hereby permitted, three copies of amended plans, drawn to scale, shall be submitted to the Responsible Authority for approval. Once approved, the plans will form part of the permit. The plans shall generally be in accordance with those lodged with the application but modified to show the following:
 - (a). The footprint of the dwelling on lot 152 varied to allow a minimum rear setback of 7.76 metres.
 - (b). The footprint of the dwelling on lot 160 varied to provide a minimum 3 metre setback to the north-east property boundary.
 - (c). Further articulation to the first floor of dwellings on lots 138, 143, 158, 163, and 169 to be achieved by indenting the upper level bedroom an additional 600mm to provide variation to the first floor area and reduce building bulk.
 - (d). The retention of the trees 397, 398 and 883.
 - (e). The rear yard of the dwelling on lot 146 shall have a minimum depth of 7.76 metres to be achieved by shifting the footprint of the dwelling forward.
 - (f). The front yard of lot 165 shall have a minimum area of 25m² of secluded enclosed private open space. The fencing shall be varied in terms of materiality with some transparency achieved.
2. The development as shown on the endorsed plans must not be altered without the written consent of the responsible authority.

3. Vehicle crossings must be constructed to the road to suit the proposed driveways to the satisfaction of the responsible authority and any existing redundant crossing or crossing opening must be removed and replaced with footpath, nature strip and kerb and channel, as relevant to the area, to the satisfaction of the responsible authority.
4. A construction plan including details of all vehicle crossovers and driveways approved under this permit, designed in accordance with relevant standards, must be submitted to and approved by the Relevant Authority prior to their construction on the site.
5. There shall be no vehicle access from the adjoining reserve to any dwelling approved by this permit.
6. Any existing works to be retained and affected by the development construction shall be reinstated to the satisfaction of the responsible authority.
7. A landscape plan with details of all proposed hard and soft landscaping and fencing associated with lots 138, 143, 151, 158, 163, 164 and 169 is to be submitted to and approved by the Relevant Authority prior to the commencement of landscape works associated with the dwellings. Any landscape design to these allotments shall allow for a permeable area in excess of 20% or to the satisfaction of the Responsible Authority.
8. The landscaped area(s) shown on the endorsed plan(s) must be planted and maintained to the satisfaction of the Responsible Authority and once landscaped must not be used for any other purpose except with the prior written consent of the Responsible Authority.
9. Before any demolition, buildings or works start on a lot, open space and / or road reserve, an arboricultural management plan for the subdivision or stage of subdivision, 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 will then form part of the permit.
10. Alterations to topography involving an increased or decreased level at the boundaries of individual lots must be retained by the provision of an adequate retaining wall, constructed of brick or masonry or other suitable landscape or engineering alternative, to the satisfaction of the responsible authority. The construction of this retaining wall shall be the sole responsibility of the owner / developer.
11. Street numbers contrasting in colour to the background must be fixed at the front boundary of the property as near as practicable to, or on the letterboxes in order to clearly establish the identity of the property to the satisfaction the responsible authority.
12. Air-conditioning units, plant and equipment shall be located such that they are not visible from the street to the satisfaction of the Responsible Authority.
13. In accordance with the *Planning and Environment Act 1987* this permit will expire if the development is not commenced within two years of the date of this permit or not completed within five years from the date of issue. An extension of time may be sought in writing up to 3 months after the expiry of the permit.

NOTE

This permit is issued pursuant to the provisions of the Boroondara Planning Scheme and does not relieve the permit holder of the necessity to obtain a Heritage Permit or consent pursuant to the *Heritage Act 1995* prior to commencement of any construction or works on any part of the site.

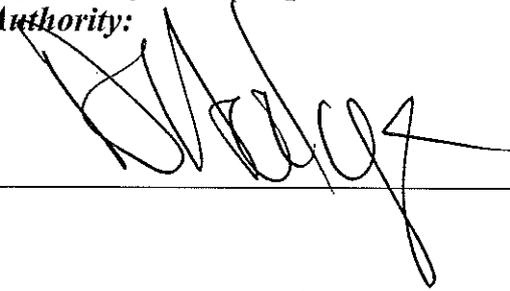
End of Conditions

Date Issued:

12 OCT 2010

Note: Under Part 4, Division 1A of the Planning and Environment Act 1987, a permit may be amended. Please check with the responsible authority that this permit is the current permit and can be acted upon.

*Signature for the Responsible
Authority:*



IMPORTANT INFORMATION ABOUT THIS NOTICE

WHAT HAS BEEN DECIDED

The Responsible Authority has issued a permit. (Note: This is not a permit granted under Division 5 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 a 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 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 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 of 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 of the issue of the permit; or
 - * the use is discontinued for a period of two years.
 4. If a permit for the use of land or the development 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 APPLICATIONS FOR REVIEW?

- * The person who applied for the permit may apply for review of any condition in the permit unless it was granted at the direction of the Victorian Civil and Administrative Tribunal where, in such 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 a Application for Review form which can be obtained from the Victorian Civil and Administrative Tribunal, and be accompanied by the prescribed fee.
- * An application for review must state the grounds upon which it is based.
- * 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, 7th Floor, 55 King Street, Melbourne.



Department of Planning and Community Development

Ref. 2010014775

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Ms Fiona Beard
Coordinator Statutory Planning
Boroondara City Council
Level 1, 8 Inglesby Road
Camberwell VIC 3124

12 OCT 2010

Dear Ms Beard

**STAGE 3B – PLANNING PERMIT NO. 2010014775 FOR 31 DWELLINGS AND
REMOVAL OF VEGETATION
MAIN DRIVE KEW**

I am enclosing a copy of the above planning permit issued under delegation, from the Minister for Planning.

I understand that the planning permit application was lodged with the Department by the Kew Development Corporation Pty Ltd. in June this year and was referred to Council in keeping with the established protocol. Council comments were greatly appreciated and have assisted the Department in its assessment of the proposal.

During the last four months, there have been further exchanges of information between the proponent, Council and the Department, including a meeting held with Council officers on 13 August 2010 to address concerns raised both by Council and the Department.

These exchanges have resulted in negotiated changes to the application to address a number of these concerns including;

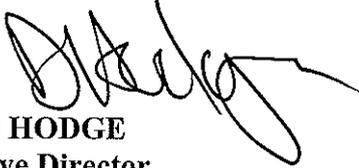
- Retention of additional trees;
- Manoeuvrability of garbage vehicles and waste management within the street network;
- General design based issues to proposed dwellings, and
- Reduction of one dwelling.

Collectively these discussions have resulted in voluntary changes by the proponent to the application as well as the inclusion of a number of permit conditions to significantly improve the outcome of the proposal. Whilst there may be some aspects of the approved application which Council may have concerns with, the points of disagreement have been significantly reduced.

I am satisfied with the modified proposal in the light of the changes made and have issued Planning Permit No. 2010014775, under delegation, for the Stage 3B construction of 31 dwellings and removal of vegetation.

If you have any queries regarding this matter, please contact Lorenz Pereira of State Planning Services on 9637 9019.

Yours sincerely

A handwritten signature in black ink, appearing to read 'D. Hodge', with a long horizontal stroke extending to the right.

DAVID HODGE
Executive Director
Planning Services and Development Facilitation

Encl.