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CITY COUNCIL

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Enquiries to: Harvey Donoghue
Phone: 9524 3722
Email: HDonoghue@gleneira.vic.gov.au

1 September 2023

The North Planning Pty Ltd
35 Edithvale Road
EDITHVALE VIC 3196

Dear Applicant

Planning Permit No.: GE/DP-35804/2022
Property: 12 Service Street Caulfield North
Proposal: Construction of two dwellings on a lot

I refer to the above planning application and Council's recent determination to issue a Notice of Decision to Grant a Planning Permit.

According to VCAT's webpage ("Current list of applications for review") no applications for a review (appeals) of Council's decision were lodged. Accordingly, a planning permit has now been issued. Your copy of the planning permit is enclosed.

It is strongly recommended that you read and understand all the planning permit conditions as they must be complied with. Please note that failure to comply with the conditions may result in penalties or enforcement action being taken.

To submit condition of permit plans, you will need to head to our online portal which can be found [here](#). If they don't contain all of the required information or changes, you may be subject to other processing fees.

The last page of the permit details important information relating to its expiry.

You are advised to confirm whether a building permit is required by contacting either your Building Surveyor or Council's Statutory Building Services on 9524 3333. Please be aware that the municipality has been designated as being likely to be subject to the infestation of termites and you will need to comply with standards in relation to protection of building from subterranean termites.

If you have any queries in relation to this permit, please contact Urban Planning on 9524 3333.

All the best,

Harvey Donoghue
URBAN PLANNER

GLEN EIRA CITY COUNCIL
CORNER GLEN EIRA AND HAWTHORN ROADS, CAULFIELD, VIC
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PLANNING PERMIT



GLEN EIRA
CITY COUNCIL

Planning scheme: Glen Eira Planning Scheme
Responsible authority: Glen Eira City Council

| | |
|----------------------|--|
| Permit number: | GE/DP-35804/2022 |
| Address of the land: | 12 Service Street Caulfield North |
| The permit allows: | Construction of two dwellings on a lot in accordance with the endorsed plans |

The following conditions apply to this permit:

Amended plans

- I. Before the development starts, 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 along with the Arborist Report by TMC Reports and will then form part of the permit. The plans must be drawn to scale with dimensions and must be generally in accordance with the development plans identified as sheets 04-06 & 08, Issue no. TP-11, dated 3/2/23 by Roke Design Studios, and the landscape plan by Zenith Concepts, dated 5/9/22, but further modified to show:
 - (a) The southern setback of Dwelling 1 increased and other consequential changes, generally as shown on Sketch Plan 1 dated 29 August 2023;
 - (b) The south facing window to the master suite in Dwelling 1 deleted;
 - (c) The south facing window to Bedroom 2 in Dwelling 1 to have a minimum sill height of not less than 1.7metres above finished floor level;
 - (d) The landscape plan updated to reflect the development plans;
 - (e) The rear parapet on the north wall on boundary for Dwelling 2 to be reduced to a maximum height of 3.6m;
 - (f) The 6m³ storage shed for Dwelling 1 to be moved at least 1m away from the southern boundary or alternatively moved to a location that is not adjacent to the north facing habitable room window of 14A Service Street; and
 - (g) The sill height for the north facing master suite window in Dwelling 2 to be clearly annotated on the elevations.

Layout not to be altered

2. The development as shown on the endorsed plans must not be altered or modified (unless the Glen Eira Planning Scheme specifies a permit is not required) except with the prior written consent of the Responsible Authority.

Completion of landscaping

3. Before the dwellings are occupied, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed landscape plan must be carried out and completed to the satisfaction of the Responsible Authority.

Landscaping Maintenance

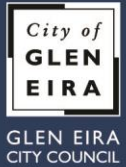
4. The landscaping shown on the endorsed landscape plan must be maintained to the satisfaction of the Responsible Authority including by:
 - (a) Implementing and complying with the provisions, recommendations and requirements of the endorsed landscaping.
 - (b) Not using the areas set aside on the endorsed landscape plan for landscaping for any other purpose.
 - (c) Replacing any dead, diseased, dying or damaged plants.

Signature for the
responsible authority: Harvey Donoghue

Date issued: 1 September 2023

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Protection for third-party owned trees

5. Before the development starts (including any site preparations or demolition), the recommendations contained within Section 8 of the endorsed Arborist Report by TMC Reports must be carried out to the satisfaction of the Responsible Authority, with particular attention given to:
- (a) Engage a suitably qualified arborist (AQF Level 5) to supervise excavation for garage 2 within the TPZ of Tree 2.
 - (b) TPZ fencing is to be installed as per the Tree Protection Plan included within the report.
 - (c) Ground protection is to be installed as per the Tree Protection Plan included within the report.

Street tree protection

6. Before the development starts (including any site preparations or demolition), tree protection fencing must be assembled around the street tree to isolate the tree protection zone (TPZ) in accordance with AS 4970–2009 Protection of Trees on Development Sites and is to remain in place until the development is complete (including the landscaping phase).

The TPZ must be clearly signed, identifying the area as a TPZ and must include the standard restrictions to activities as outlined AS 4970–2009. The TPZ fencing is to be located within the nature strip area to ensure the footpath remains open for public access. Fencing should be assembled as follows:

- (a) Fencing aligned to the footpath edge;
- (b) Fencing aligned to the back of kerb;
- (c) Fencing to cross the nature strip 3 metres to the north/south from the centre of the trunk.

Fencing can be reduced to the edge of the proposed crossovers only when excavation and construction of the crossover is to occur. No alteration to the TPZ fencing may be undertaken except with the prior written consent of the Responsible Authority.

7. Fencing proposed within the TPZ of street tree should be constructed under arborist supervision, using tree-sensitive methods, such as post-hole footings. There should be no footings located within the SRZ, and post hole footings must be flexible in location to avoid major roots (>40mm diameter).

Permit expiry

8. This permit will expire if one of the following circumstances applies:
- (a) The development is not started within three years of the date of this permit.
 - (b) The development is not completed within five years of the date of this permit.

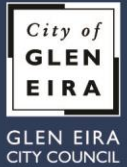
The Responsible Authority may extend the permit if a request is made in writing in accordance with Section 69 of Planning and Environment Act 1987 (Vic).

Signature for the
responsible authority: Harvey Donoghue

Date issued: 1 September 2023

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The following permit notes are for information only and do not constitute part of this permit or conditions of this permit:

General:

- The amendments specified in Condition 1 of this Permit and any additional modifications which are “necessary or consequential” are those that will be assessed by Council when plans are lodged to satisfy that condition. Any “necessary or consequential” amendments, in addition to those required by this condition, should be specifically brought to the attention of Council for assessment.

If other modifications are proposed, they must be identified and be of a nature that an application for amendment of permit may be lodged under Section 72 of the Planning and Environment Act 1987. An amendment application is subject to the procedures set out in Section 73 of the Planning and Environment Act 1987.

- This Planning Permit represents the Planning approval for the use and/or development of the land. This Planning Permit does not represent the approval of other departments of Glen Eira City Council or other statutory authorities. Such approvals may be required and may be assessed on different criteria from that adopted for the approval of this Planning Permit.
- Nothing in the grant of this permit should be construed as granting any permission other than planning permission for the purpose described. It is the duty of the permit holder to acquaint themselves, and comply, with all other relevant legal obligations (including any obligation in relation to restrictive covenants and easements affecting the site) and to obtain other required permits, consents or approvals.
- Any failure to comply with the conditions of this permit may result in action being taken to have an Enforcement Order made against some or all persons having an interest in the land and may result in legal action or the cancellation of this permit by the Victorian Civil and Administrative Tribunal.
- Pursuant to the Glen Eira City Council Residential Parking Permit System Policy 2020, residents of the dwellings allowed under this permit will not be issued Residential Parking Permits (including visitor parking permits).

Asset Engineering:

- The proposed vehicle crossing for access to Dwelling 1 shall be constructed as a splay type crossing to a maximum width of 3.0m
- The existing crossing is to be retained for the use of Dwelling 2. If the existing crossing is damaged during construction, it is to be reconstructed as a splay type crossing to Council's standards and satisfaction.

Signature for the
responsible authority:

Harvey Donoghue

Date issued:

1 September 2023

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- All stormwater runoff must be connected to Council's drainage network.
- All on-site stormwater is to be collected from the hard surface areas and must not be allowed to flow uncontrolled into adjoining properties and footpaths. The on-site drainage system must prevent discharge from each driveway onto the footpath. Such a system may include either:
 - trench grate (150mm minimum internal width) located within the property and/or;
 - shaping the driveway so that water is collected in a grated pit on the property.
- An Asset Protection Permit must be obtained from Council's Engineering Services Department prior to the commencement of any building works. The application can be lodged at:
<https://www.gleneira.vic.gov.au/services/planning-and-building/building/permits/asset-protection-permit>
- To construct the proposed vehicle crossing, a vehicle crossing permit must be obtained. The application can be lodged at: <https://www.gleneira.vic.gov.au/services/planning-and-building/building/permits/vehicle-crossing-permit>
- To connect storm water discharge to the Council drainage network and any work in the road reserve, an Asset consent permit must be obtained by lodging an application at:
<https://www.gleneira.vic.gov.au/services/planning-and-building/building/permits/asset-consent-permit>

Signature for the
responsible authority: Harvey Donoghue

Date issued: 1 September 2023

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—
 - 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.