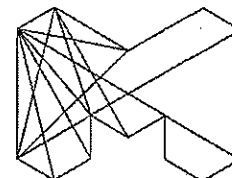


PLANNING PERMIT



CITY OF MELBOURNE

PERMIT NO.

TP-2011-1060

PLANNING SCHEME

Melbourne Planning Scheme

RESPONSIBLE
AUTHORITY

Melbourne City Council

For further reference contact:

Anne-Marie Edgley

Telephone: 03 9658 8483

Email: planning@melbourne.vic.gov.au

Planning and Building Branch

Level 3, Council House 2

240 Little Collins Street, Melbourne

ADDRESS OF THE LAND

21-23 Hayes Lane, EAST MELBOURNE VIC 3002

THE PERMIT ALLOWS

Construction of a new dwelling on a lot less than 300 square metres in a Heritage Overlay in accordance with the endorsed plans.

This permit is issued in accordance with the Victorian Civil and Administrative Tribunal's order dated 27 December 2012, pursuant to Section 85(1) of the Planning and Environment Act 1987.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

1. Prior to the commencement of the development hereby permitted, the applicant must submit to the Responsible Authority three copies of plans drawn to scale generally in accordance with the plans accompanying the application but amended to show:
 - a) The cantilevering stairwell to have a clearance height of 5 metres above natural ground level;
 - b) The location of bin storage indicated on the plans which must be contained within the property boundary;
 - c) An updated eastern elevation and plan of the proposal to show the details of the proposed garage doors;
 - d) The raised planter boxes on the west face of the rooftop terrace level to be extended to the back of the adjoining vertical fins.

These amended plans must be to the satisfaction of the Responsible Authority and when approved shall be the endorsed plans of this permit.

2. The development as shown on the endorsed plan(s) must not be altered or modified without the prior written consent of the Responsible Authority.
3. Prior to commencement of the development, the owner of the property must enter into a legal agreement under Section 173 of the Planning and Environment Act 1987 with the Council, regarding those parts of the development projecting into airspace or sub-soil of land under the care and management of Council, that are not on Crown land, and pay to Council a lump sum licence fee for the occupation (payable at the outset rather than an annual fee). The agreement is to indemnify Council against any claims on the matter and also act as the licence. It must also

Date Issued: 8 January 2013

Signature of the Responsible Authority

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.

IMPORTANT INFORMATION ABOUT THIS NOTICE

WHAT HAS BEEN DECIDED?

The Responsible Authority has issued a permit.

WHEN DOES A PERMIT BEGIN?

A permit operates:

- a. from the date specified in the permit; or
- b. 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 -
 - (a) the development or any stage of it does not start within the time specified in the permit, or
 - (b) 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
 - (c) 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 -
 - (a) 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
 - (b) the use is discontinued for a period of two years.
3. A permit for the development and use of land expires if -
 - (a) the development or any stage of it does not start within the time specified in the permit, or
 - (b) 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
 - (c) 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
 - (d) 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 -
 - (a) the use or development of any stage is to be taken to have started when the plan is certified; and
 - (b) the permit expires if the plan is not certified within two years of the issue of a permit.
5. The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

WHAT ABOUT APPLICATIONS FOR REVIEW?

- The person who applied for the permit may apply for review against any condition in the permit unless it was granted at the direction of the Victorian Civil and Administrative Tribunal where, 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 an Application For Review form which can be obtained from the Victorian Civil and Administrative Tribunal, and must 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.

undertake the projections will be kept in a structurally sound and safe and sightly condition and disclaim any right or intention to make any claim relating to adverse possession of the land. The agreement must be to the satisfaction of Council's Manager Planning and Building and Chief Legal Counsel. The owner must pay all of Council's reasonable legal costs and expenses of this agreement, including preparation, execution and registration on title.

4. No works are to be carried out in lands contained in Title Plan TP344076H (Property at No 17-19 Gipps Street).
5. The projection over the street alignment must be drained to a legal point of discharge in accordance with plans and specifications first approved by the Responsible Authority – Engineering Services.
6. The existing footpath/road levels in Corporation Lane CL1756 must not be altered for the purpose of constructing new vehicle or pedestrian entrances without first obtaining the written approval of the Responsible Authority – Engineering Services.
7. The Road pavement in Corporation Lane CL1756 which is adjacent to the subject land must be reconstructed in asphalt in accordance with plans and specifications first approved by the Responsible Authority – Engineering Services.
8. The owner of the subject land must construct a drainage system, incorporating water sensitive urban design, within the development and make provision to connect this system to the City of Melbourne's stormwater drainage system in accordance with plans and specifications first approved by the Responsible Authority.
9. This permit will expire if one of the following circumstances applies:
 - the development is not started within two years of the date of this permit.
 - the development is not completed within four years of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires, or within three months afterwards

Notes

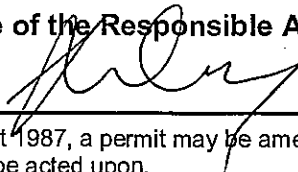
The applicant advises potential owners/occupiers that the parking space available is only suitable for a smart car.

Any requirement to temporarily relocate street lighting must be first approved by the City of Melbourne – Engineering Services.

All necessary approvals and permits are to be first obtained from the City of Melbourne and the works performed to the satisfaction of the responsible authority – Engineering Services

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