



**PLANNING PERMIT  
Permit No:PA2047055**

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**Hobsons Bay Planning Scheme  
Responsible Authority: Hobsons Bay City Council**

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**ADDRESS OF THE LAND:** 18 Campbell St, Laverton VIC 3028

**THIS PERMIT ALLOWS:** The construction of two or more dwellings on a lot under clause 32.08-6 (two single storey dwellings) in accordance with the endorsed plans

**THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:**

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1. Before the development starts, revised 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 substantially in accordance with the advertised plans but modified to show to the satisfaction of the Responsible Authority:

a) A schedule of external materials and finishes to be altered by deleting reference to 'Monument' for the roof colour and replacement with a lighter colour.

b) The site plan to show the positioning of all plant and equipment (including air conditioning units, heating units, hot water systems, etc.) which is proposed to be located externally. Such plant and equipment must be positioned to prevent unreasonable noise and visual impact.

c) The landscape plan altered to include:

- The two 'semi mature trees' labelled in the front setback area to be shown as two advanced native non-deciduous canopy trees comprising either a Coastal Banksia, Dwarf Yellow Gum or similar within the front setback of each dwelling. The canopy trees must have a mature height of at least six metres.

- Correction of the species labelled as 'd' in the front setback area to be labelled as 'a' (Grey Box shrub).

- Provision of at least one canopy tree in the rear secluded private open space area of Dwelling 2.

- A notation indicating all trees must be a minimum 1.5 metres high at the time of planting.

d) The Site Plan and Landscaping Plan to nominate a Tree Protection Zone in accordance with Condition 7 of this permit.

e) The location and design (including elevations) of any structure to be sited within the front setback required to accommodate an electricity meter box. The structure must be a maximum height of 1.2 metres and designed to minimise the visual impact on the streetscape and possible impacts on pedestrian safety and vehicle traffic. If the structure is designed to include integral mail boxes, the mail boxes must be located at the junction of the road reserve with the common driveway, face the street to allow mail delivery from the footpath area and display the street number in accordance with the requirements of Australia Post.

f) A notation on the plans that electricity company connections to the proposed dwellings are provided underground.

g) The location of any proposed external heating/cooling units to be shown on the site plan.

h) The floor layout and site plan must show the existing natural ground levels and the proposed finished floor levels (FFL's) and site levels reduced to a common datum point (RL) or to Australian Height Datum (AHD). The elevation plans must show the wall heights and overall height based on the RL's.

i) New timber paling or Colorbond steel fence at the cost of the owner of 18 Campbell Street, Laverton built on the western boundary of the site with 16 Campbell Street, Laverton, with the first 4.0 metres extending back from the street at a maximum height of 1.2 metres to provide satisfactory sight lines for vehicles egressing the site, subject to the approval of the adjoining property owner.

j) A notation on the site layout and landscape plans stating that all stormwater infrastructure as required by Condition 18 hereof is to be located within the driveways and not in the areas set aside for landscaping.

k) The site layout and landscape plans must show the location for the storage of four bins for each dwelling, comprising three 120 litre bins and one 240 litre bin.

l) The car parking space to Dwelling 1 must remain uncovered with no structure to be erected over it. A notation to this affect must be included on the plans.

m) The new vehicle crossing and driveway to Dwelling 1, to be constructed in line with the western side boundary in order to locate the crossing away from the existing street tree. The vehicle crossing to be shown at a 90 degree angle to the kerb.

n) A notation on the site plan that no front fence is proposed.

o) In conjunction with the updated Sustainable Design Assessment required by Condition 5, the plans must be revised to show:

i) The SDA and associated reports (BESS/STORM) must be cross referenced on the drawings prominently to say "Refer to the SDA/BESS/STORM reports for a comprehensive list of SDA commitments."

ii) The 3500L rainwater tanks must be shown on the site plans.

iii) The buffer strips must be shown on the WSUD plan and a note should be included on the WSUD plan and the landscape plan that the planting for the 2 buffer strips should be chosen from WSUD suitable planting lists/guidelines.

v) The location for the storage of four waste bins to be clearly shown on the site plan.

vi) The Monument colour shown for the roof of the dwellings, to be replaced with a lighter colour.

2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.

3. The car parking space to Dwelling 1 must remain uncovered with no structure to be erected over it, unless otherwise approved by the Responsible Authority.

4. Concurrently with a request for endorsed plans under this permit, the owner must lodge a bank guarantee or bond of \$2000.00 with the Responsible Authority to ensure the satisfactory establishment of landscaping works. Once landscaping has been completed in accordance with the endorsed landscaping plan, Council must be notified so a six week establishment period will commence. The bank guarantee or bond will be returned after an inspection has confirmed the landscaping has been maintained for that period to the satisfaction of the Responsible Authority. After the establishment period, the landscaping must be maintained in accordance with the endorsed landscaping plan to the satisfaction of the Responsible Authority.

5. Concurrently with a request for endorsed plans under this permit a revised Sustainable Design Assessment (SDA) and BESS report must be submitted to and approved by the Responsible Authority. When approved the SDA will be endorsed and will then form part of the permit. The assessment and report must be substantially in accordance with those provided with the application, but modified to show to the satisfaction of the Responsible Authority:

a) Paints with no/low toxicity/VOC.

b) A minimum 70% of the construction and demolition waste to be reused/recycled.

c) A commitment for builder to address stormwater pollution by various measures during the construction process (Refer to [http://www.melbournewater.com.au/content/library/rivers\\_and\\_creeks/keeping\\_our\\_stormwater\\_clean-a\\_builders\\_guide.pdf](http://www.melbournewater.com.au/content/library/rivers_and_creeks/keeping_our_stormwater_clean-a_builders_guide.pdf)).

6. The sustainable design initiatives listed in the endorsed Sustainable Design Assessment must be incorporated into the development to the satisfaction of the Responsible Authority.
7. Prior to the occupation of the buildings, all boundary walls on or facing the boundaries of the site must be either raked and cleaned (face brickwork) or rendered and painted or bagged and painted to the satisfaction of the Responsible Authority. Any protruding floor slab must be cleaned and trimmed flush with the wall to the satisfaction of the Responsible Authority
8. Prior to commencement of works, the following provisions relating to the protection of the two existing street trees must be undertaken to the satisfaction of the Responsible Authority:
  - i) A suitable Tree Protection Zone of 1.0 metre radius with barrier fence must be established around the two street trees to be retained on the Campbell Street frontage.
  - ii) The Tree Protection Zone must be enclosed using a 2 metre high temporary cyclone fence or similar, which must remain in place through all stages of the development. This fence must not enclose the footpath which must be kept clear for pedestrian access and a sign must be erected on the fence informing that the fence is a 'Tree Protection Zone'.
  - iii) The area within the Tree Protection Zone must not be disturbed by any means (including parking of vehicles or storage of plant & equipment, materials, soil or waste).
  - iv) No excavation is allowed within the Tree Protection Zone except with the consent of Council's Town Planning Department and under the supervision of a qualified Arborist.
9. Provision must be made for a suitable structure or structures for receiving mail and newspapers. Such area must be kept clean and tidy. The structure must include separate provision for each unit to receive papers. The structure must be designed so the mail boxes face the street to allow mail delivery from the footpath area in accordance with the requirements of Australia Post.
10. 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. Separate unit numbers must be placed adjacent to the front entrance of each dwelling, such numbers must be clearly legible from the access driveway.
11. All service pipes, (excluding downpipes), fixtures and fittings must be concealed on exposed elevations to the satisfaction of the Responsible Authority.
12. Any alteration of soil level involving an increased or decreased level at the boundary must be retained by the provision of an adequate retaining wall, which is constructed of brick or masonry or other suitable alternative approved by the Responsible Authority, to buttress the soil against the possibility of shift. The construction of this retaining wall must be carried out by the owner. The retaining wall must remain in place whilst any increase or decrease level is present.
13. Prior to the occupation of the building/addition, all boundary walls on or facing the boundaries of the site, (including any protruding floor slab) must be rendered and

painted or bagged and painted or either raked and cleaned (face brickwork) to the satisfaction of the Responsible Authority.

14. Prior to the occupation of the buildings hereby permitted, areas set aside for parked vehicles and access lanes as shown on the endorsed plans must to the satisfaction of the Responsible Authority be:

- a) Constructed.
- b) Properly formed to such levels that they can be used in accordance with the plans.
- c) Surfaced with an all-weather seal coat.
- d) Drained and maintained.

Parking areas and access lanes must be kept available for these purposes at all times.

15. Garages must at all times be kept available for primary purpose of parking motor vehicles and must not be used for any other purpose.

16. The garages authorised under this permit must have either a panel lift door or a roller door and be remote opening to the satisfaction of the Responsible Authority.

17. All basic services including water, electricity, gas, sewerage, telephone and other telecommunication facilities must be installed underground. All above ground meters must be located to the satisfaction of the Responsible Authority.

18. Prior to commencement of the development the owner must prepare stormwater drainage design plans to the satisfaction of the relevant Building Surveyor. An application to Council must be made for a Legal Point of Discharge for the disposal of stormwater from the subject land and to determine the relevant Council standards for the stormwater drainage system design. An on-site storm water detention system will be required if the volume of stormwater exceeds the capacity of the legal point of discharge.

19. Before any construction or demolition works commence on the land, a secure fence must be provided around the perimeter of the land to prevent access to the land by unauthorised persons. This fence must be maintained for the duration of the construction and demolition, be a minimum height of 1.5m (or such alternative height as is approved in writing by the Responsible Authority), and be constructed to the satisfaction of the Responsible Authority. The gate or opening to the fence must be securely locked at all times when work is not being undertaken on the land.

20. The owner must meet the costs of all alterations to and reinstatement of, the Responsible Authority and other Public Authority Assets deemed necessary and required by such Authorities for the development. The owner must obtain the prior specific written consent of the Council or other relevant Authority to such alterations and reinstatements and must comply with conditions required by the said Authority in relation to the execution of such works.

21. Any vehicle crossings must be constructed in the location shown on the endorsed plan to a standard satisfactory to the Responsible Authority. The relocation of any services including electricity poles, drainage pits, Telstra pits, fire hydrants and the like must be at the expense of the owner and approved by the appropriate authority prior to

undertaking such works. Consent for such crossings must be obtained through Council's Contracts, Procurement and Asset Protection Department prior to construction.

22. If the nature strip is damaged during construction of the development approved or during the construction of any services, it must be reinstated and made good, (including by the planting of grass) at the cost of the owner to the satisfaction of the Responsible Authority.

23. Except as otherwise specified in another condition of this permit, boundary fences must be replaced to the satisfaction of the Responsible Authority at no less than 1.8 metres and no more than 2.0 metres in height and at the cost of the owner unless otherwise agreed to in writing by the Responsible Authority.

24. Once the development has started, it must be continued and completed to the satisfaction of the Responsible Authority.

25. This permit will expire if one of the following circumstances applies:

- (a) The development is not started within two years of the date of this permit.
- (b) The development is not completed within four years of the date of this permit.

The Responsible Authority may extend the period in which to start the development if a request is made in writing before the permit expires or within six months afterwards.

The Responsible Authority may extend the period in which to complete the development if a request is made in writing before the permit expires or within 12 months afterwards and the development was lawfully started before the permit expired.

### **Permit Notes**

- Plans submitted for endorsement under a condition of this permit must meet all the requirements of the condition and be lodged electronically on the Council's website [www.hobsonsbay.vic.gov.au/planninglodgement](http://www.hobsonsbay.vic.gov.au/planninglodgement). Where the requirements are not met, a fee will apply to any subsequent requests for endorsed plans where the plans submitted with the initial request do not comply with conditions on this permit. If you require assistance with any condition, you should contact Town Planning on 9932 1000.
- The building is to comply with the requirements of the Building Regulations 2018, and a Building Permit is required before any works are commenced.
- The existing building(s) may contain asbestos. Any demolition works must comply with the Occupational Health and Safety Regulations 2017. Worksafe should be contacted regarding the safe handling of asbestos.
- Disposal of any building materials, including asbestos, must comply with the Environment Protection (Industrial Waste Resource) Regulations 2009. The Environment Protection Authority should be contacted regarding the safe removal of building materials, including asbestos.
- A vehicle crossing permit is required from Council's Contracts, Procurement and Asset Protection Department prior to commencing buildings and works for the construction of a new vehicle crossing or, for the removal of, or alteration to, an existing vehicle

crossing.

- Existing street trees must not be removed or damaged.
- Please complete the Landscaping Bond Return Request Form available on the Hobsons Bay City Council website [www.hobsonsbay.vic.gov.au](http://www.hobsonsbay.vic.gov.au) when the landscaping, as shown on the endorsed plans, has been completed. The form is to be accompanied by photographs of the completed landscaping. Council will undertake a follow up inspection after the six week establishment period to ensure that the landscaping has been properly maintained. This inspection is free of charge, any subsequent inspections required as a result of the landscaping being non-compliant with the planning permit will incur an inspection fee of \$100 per inspection payable prior to the follow up inspection.
- In the event that an application is made for the subdivision of the land to accord with the development hereby approved, the Responsible Authority will not:
  - o Certify the plan of subdivision until construction of the development as approved has substantially commenced, or;
  - o Issue a Statement of Compliance until all development works (including landscaping) are completed in accordance with the permit and the accompanying endorsed plans.
- As part of any future subdivision of the land it is a requirement under Clause 66.01-1 of the Hobsons Bay Planning Scheme that the owner of the land must enter into an agreement with:
  - o a telecommunications network or service provider for the provision of telecommunication services to each proposed lot in accordance with the provider's requirements and relevant legislation at the time; and
  - o a suitably qualified person for the provision of fibre ready telecommunication facilities to each proposed lot in accordance with any industry specifications or any standards set by an Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

Date Issued: 8 September 2020



Rhiannon Wright  
**Senior Urban Planner**



## **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 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 not 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 not 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 complete 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 not 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) or 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 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 a Notice of Appeal form which can be obtained from the Victorian Civil and Administrative Tribunal, and be accompanied by the application fee. An appeal must state the grounds upon which it is based.
- An application for review must also be served on the Responsible Authority.
- Details about application for review and the fees payable can be obtained from the Victorian Civil and Administrative Tribunal.