



**PLANNING PERMIT
Permit No:PA2045907**

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

ADDRESS OF THE LAND: 12 Oxford St, Newport VIC 3015

THIS PERMIT ALLOWS: **Partial demolition and buildings and works (alterations and additions to an existing dwelling) under clause 43.01-1 (Heritage Overlay) in accordance with the endorsed plans**

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

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 all external materials and finishes. The schedule must show the materials, colour and finish of all external walls, roof, fascias, window frames and paving, and include the following:

i. gutters are to be quad galvanized steel and down pipes are to be round galvanized steel.

All wall cladding noted as 'weatherboard' must be notated as timber weatherboards or an alternative material with a profile consistent with timber weatherboard cladding.

b. 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 Site Plan and Landscaping Plan to nominate a Tree Protection Zone in accordance with condition 3 of this permit.
2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
3. Prior to commencement of works, the following provisions relating to the protection of existing street trees must be undertaken to the satisfaction of the Responsible Authority:
 - a. A suitable Tree Protection Zone of 1.5 metre radius with barrier fence must be established around the street tree on the Oxford Street frontage.
 - b. 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'.
 - c. 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).
 - d. 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.
4. 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.
5. All service pipes, (excluding downpipes), fixtures and fittings must be concealed on exposed elevations to the satisfaction of the Responsible Authority.
6. 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.
7. 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.
8. 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.

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

10. 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. 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.
- This planning permit has been assessed against the requirements of the Heritage Overlay only. This planning permit has NOT been assessed against the requirements of Rescode.
- 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 safe removal of building materials, including asbestos.

Date Issued: 16 April 2020



Clinton Smith
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.