

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 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 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 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 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 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.

PLANNING PERMIT



CITY OF MELBOURNE

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PERMIT NO.

TP-2023-366

PLANNING SCHEME

Melbourne Planning Scheme

RESPONSIBLE
AUTHORITY

Melbourne City Council

ADDRESS OF THE LAND

23-25 St Leonards Court, SOUTH YARRA VIC 3141

THE PERMIT ALLOWS

Partial demolition, building and works for alterations and additions to the existing building for the purpose of a single dwelling, including a new front fence in accordance with the endorsed plans.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT.

Amended plans before endorsement

1. Prior to the commencement of the development, an electronic set of plans drawn to scale must be submitted to the Responsible Authority, generally in accordance with the plans prepared by Powell & Glenn Pty Ltd dated 31 May 2023 but amended to show:
 - a. Within the deck and pool areas (as shown on plan TP43 – Overlooking Diagrams) additional screening which includes a 310mm upstand screen at the eastern edge of the terrace, 310mm floating screen and the planter bed raised by 310mm, as depicted in the discussion plan drawn by Powell & Glenn Pty Ltd, titled Neighbour Context, drawing number A100, dated 3 October 2023.
 - b. The demolition plan to include removal of:
 - i. The concrete driveway.
 - ii. The fence on the east side of the building
 - c. The width of the modified crossover to St Leonards Court.
 - d. The material, colour and details of the cobble driveway.
 - e. The existing metal-work 'sputnik motif' on the blind oculi of the gables drawn on the north elevation and shown as retained.
 - f. A 1:20 drawing of the proposed garage doors facing St Leonards Court to match the design intent of the original building design, to the satisfaction of the Responsible Authority.
 - g. The window on the west boundary deleted and the brick wall retained.
 - h. The proposed elevations showing material, colour and finish of the rendered walls of the addition without the creeping fig.

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

Date Issued: 31 October 2023

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.

Endorsed plans - development

- The development as shown on the endorsed plans must not be altered or modified unless with the prior written consent of the Responsible Authority.

Landscape Plan

- Prior to development commencing under this planning permit a landscape plan must be submitted to and approved by Council. Once the approved the plan must be endorsed under this planning permit. The landscape plan must be generally in accordance with the plans of Myles Baldwin Design, Project 23-25 St Leonards Court, South Yarra, drawing numbers 739_TP_01, 739_TP_02, 739_TP_10, 739_TP_11, 739_TP_12, 739_TP_13, 739_TP_45, 739_TP_46, 739_TP_50, all issue C and all dated 4 July 2023, lodged with the application for planning permit, and include the following amendments:
 - Within zones 3, 4 and 5 (as depicted on the Legend plan TP02) clarify the "Pot Size – mature" reference in the "Plant Schedule" to mean the heights and spreads referenced for "Mature Height" in the schedule to ensure screening of view lines from the land at 321 Walsh Street South Yarra, and to ensure the immediate effect of the landscaping at the time of planting, achieves at least the heights and spreads as depicted in the discussion plans drawn by Myles Baldwin Design, Project 23-25 St Leonards Court, South Yarra, issue E.
 - Include within the Plant Schedule an additional column specifying the minimum soil volumes required to be installed in planters to ensure planting, achieves at least the heights and spreads specified in the schedule at maturity (i.e. at the time of planting), and the longevity of all plants, and if required amend the hard landscaping planter design size and scale to accommodate these soil volumes, as depicted in the discussion plans drawn by Myles Baldwin Design, Project 23-25 St Leonards Court, South Yarra, issue E. The minimum soil volumes required must be supported by a report of a suitably qualified arborist or landscaper approved by Council, and that the building engineering works can support the weight of the landscaping must be supported by a report of a suitably qualified engineer approved by Council;
- Within three months of completion of development, or as otherwise agreed, the landscaping shown on the approved landscape plan must be carried out and completed to the satisfaction of the responsible authority.
- At all times the landscaping shown on the approved landscape plan must be maintained (including the replacement of any dead, diseased or damaged plants) to the satisfaction of the responsible authority.

Services not visible (HO)

- No plant, equipment or domestic services (including any associated screening devices) or architectural features, other than those shown on the endorsed plans are permitted, except where they would not be visible from a street (other than a lane) or public park, without the written consent of the Responsible Authority.

CITY INFRASTRUCTURE CONDITIONS

- The title boundaries for the property may not exactly agree with the road alignments of the abutting the City of Melbourne's laneway. The approved works must not result in structures that encroach onto the City of Melbourne's laneway.
- Prior to the commencement of the development, a stormwater drainage system incorporating integrated water management design principles must be submitted to, and approved, by the Responsible Authority – City Infrastructure. This system must be constructed prior to the occupation of the development and provision made to connect this system to the City of Melbourne's stormwater drainage system.
- Prior to the commencement of the use/occupation of the development, all necessary vehicle crossings must be constructed and all unnecessary vehicle crossings must be demolished and the footpath, kerb and channel reconstructed, in accordance with plans and specifications first approved by the Responsible Authority – City Infrastructure.

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Signature of the Responsible Authority



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10. All portions of roads and laneways affected by the building related activities of the subject land must be reconstructed together with associated works including the reconstruction or relocation of services as necessary at the cost of the developer, in accordance with plans and specifications first approved by the Responsible Authority – City Infrastructure.
11. The footpath adjoining the site along St Leonard Court must be reconstructed together with associated works including the reinstatement of kerb and channel and modification of services as necessary at the cost of the developer, in accordance with plans and specifications first approved by the Responsible Authority – City Infrastructure
12. Existing street levels in roads adjoining the site must not be altered for the purpose of constructing new vehicle crossings or pedestrian entrances without first obtaining approval from the Responsible Authority – City Infrastructure.
13. All street lighting assets temporarily removed or altered to facilitate construction works shall be reinstated once the need for removal or alteration has been ceased. Existing public street lighting must not be altered without first obtaining the written approval of the Responsible Authority – City Infrastructure. Development time limit.

Commencement

14. This permit will operate from the issued date of this permit.

Expiry

15. This permit as it relates to development (buildings and works) will expire if one of the following circumstances applies:

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

In accordance with Section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the responsible authority for an extension of the periods referred to in this condition.

***** END OF CONDITIONS *****

NOTES – USEFUL INFORMATION

- The objections made were withdrawn subject to the inclusion of Conditions 1.a, g and 3.
- The permitted development has not been assessed against Clause 54 of the Melbourne Planning Scheme (Rescode) as a planning permit is only required under the Heritage Overlay and the Design Development Overlay. A Clause 54 assessment is the responsibility of the relevant Building Surveyor.
- The development must comply with the City of Melbourne's Code of Practice for Building Construction and Works.
- The construction and installation of swimming pools, spas and safety barriers and barrier maintenance are all subject to the requirements of the Building Regulations 2018.
- The Environment Protection Regulations 2021 covers residential noise including prohibited times for prescribed hours for swimming pools and water pumps.

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