

## AMENDED PLANNING PERMIT PL16/026510

**Address of the land:** 34 Sandra Street BULLEEN  
Lot 30 LP 50965 Vol 8261 Fol 866

**The permit allows:** Construction of two, two-storey dwellings

**The following conditions apply to this permit:**

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### Amended Plans

1. Before the development starts, two copies of amended plans drawn to scale and dimensioned, must be submitted to and approved by the Responsible Authority. When approved the plans will then form part of the permit. The plans must be generally in accordance with the decision plans (Received to Council 29 September 2016/ Ref No 16017 Revision C), but modified to show:

#### Dwelling 1:

- 1.1 Further setback the ground floor wall associated with the bedroom 1, its bathroom and wall over the double car garage from the southern boundary to meet the Standard at Clause 55.04-1 Side and rear setback.
- 1.2 Further setback the ground floor wall associated with the living area and alfresco area a minimum 1.6 metres from the southern boundary to provide articulation and additional landscaping along the common boundary.
- 1.3 Further setback the first floor wall associated with the master bedroom and its ensuite from the southern boundary to meet the Standard at Clause 55.04-1 Side and rear setback.
- 1.4 The driveway relocated as far south as possible so it continues to share the crossover with the neighbouring property.

#### Dwelling 2:

- 1.5 Further setback the ground floor wall associated with bedroom 1, its bathroom and wall over the double car garage from the northern boundary to meet the Standard at Clause 55.04-1 Side and rear setback.  
Further setback the ground floor wall associated with the living area and alfresco area a minimum 1.6 metres from the northern boundary to provide articulation and additional landscaping along the common boundary.
- 1.6 Further setback the first floor wall associated with the master bedroom and its Ensuite from the northern boundary to meet the Standard at Clause 55.04-1 Side and rear setback.
- 1.7 Replace the north boundary fence with a new minimum 1.8 metre high timber paling fence.

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1.8 Dwelling 1 crossover to show double crossovers shared with the neighbouring property.

Other:

1.9 The extent of concrete paving associated with pedestrian access to the front entries and within the frontage of the site reduced, including entry gained straight from the driveway rather than the concrete stairs path.

1.10 The removal of planter boxes with further increases to the area available for landscaping within the front setback.

1.11 Clotheslines to show a minimum length of 1.8 metres on the ground floor plans;

1.12 Legend for obscure glazing shown on the elevations and on floor plans.

#### Amended Plans (Amended Planning Permit 8/11/17)

1A. Before the development starts amended plans must be submitted to and approved by the Responsible Authority. When approved, the plans will then form part of the permit and will replace any plans approved under Condition 1 of this permit. The plans must be drawn to scale with dimensions and two copies must be provided. The plans must be generally in accordance with the plans submitted with the application (Ref. No. 16017 / date supplied 27 June 2017) but modified to show:

1.1 The finished floor levels associated with Dwelling 2 lowered by increasing the gradient of the driveway from 1:13 to 1:10. It is estimated this will lower the dwelling by around 300mm, and reintroduce stepping within the front presentation between the dwellings.

1.2 Ground and first floor setbacks amended to achieve Standard B17 at Clause 55.04-1 - Side and rear setback. The ground floor lounge rooms and the first floor master bedrooms will require changes.

1.3 Screening introduced to the lounge room side windows in both dwellings to achieve Standard B22 at Clause 55.04-6 - Overlooking.

1.4 DELETED

1.5 Show the Heights and details of proposed retaining walls along boundaries of the site.

#### Amended Plans (Amended Planning Permit 24/09/19)

1B. Before the development starts amended plans must be submitted to and approved by the Responsible Authority. When approved, the plans will then form part of the permit and will replace any plans approved under Condition 1 of this permit. The plans must be drawn to scale with dimensions. The plans must be generally in accordance with the plans submitted with the application (prepared by Amato Design, job number 16017), but modified to show:

1.1 The garage of dwelling setback a minimum of 1m from the southern boundary.

1.2 The full-length windows directly above the dwelling entryways to incorporate a section of render/other material to provide visual separation between the ground and first floors.

1.3 The pathways leading up to the dwelling entryways reduced in width to maximise space for landscaping within the front setback.



- 1.4 The east facing first floor windows to be screened in accordance with Clause 55.04-6 of the Manningham Planning Scheme to avoid overlooking impacts.
- 1.5 Ground level wall heights/setbacks that accord with Standard B17 of Clause 55.04-1.
- 1.6 The driveway relocated as close to side boundaries as practicable at the front of the site to share crossovers with the neighbouring properties.

#### Endorsed Plans

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

#### Completion

3. Before the occupation of the approved dwellings, landscaped areas must be fully planted and mulched or grassed generally in accordance with the approved plan and to the satisfaction of the Responsible Authority.
4. Privacy screens and obscure glazing as required in accordance with the approved plans must be installed prior to occupation of the building to the satisfaction of the Responsible Authority and maintained thereafter to the satisfaction of the Responsible Authority. The use of obscure film fixed to transparent windows is not considered to be 'obscure glazing' or an appropriate response to screen overlooking.

#### Landscape Plan

5. Before the development starts, a landscaping plan prepared by a landscape architect or person of approved competence must be submitted to the Responsible Authority for approval. Such plan must be generally in accordance with the plan approved under Condition 1B of this permit, and must show:
  - 5.1 Species, locations, approximate height and spread of proposed planting and the retention of existing trees and shrubs, where appropriate or as directed by any other condition of this Permit;
  - 5.2 Details of soil preparation and mulch depth for garden beds and surface preparation for grassed areas;
  - 5.3 Fixed edge strips for separation between grassed and garden areas and/or to contain mulch on batters;
  - 5.4 A sectional detail of the canopy tree planting method which includes support staking and the use of durable ties;
  - 5.5 A minimum of one (1) canopy tree, capable of reaching a minimum mature height of 8 metres, within the front setback of the site for each dwelling. The tree must be a minimum height of 1.5 metres at the time of planting;
  - 5.6 A minimum of one (1) canopy tree, within the private open space of each dwelling, to be a minimum height of 1.5 metres at the time of planting;
  - 5.7 Screen planting along the northern and southern boundaries, to be a minimum height of 0.5 metres at the time of planting;
  - 5.8 Planting within 2 metres along the frontage from the edge of the driveway(s) and 2.5 metres along the driveway(s) from the frontage to be no greater than 0.9 metres in height at maturity.

The use of synthetic grass as a substitute for open lawn area within secluded private open space or a front setback will not be supported. Synthetic turf may be used in place of approved paving decking and/or other hardstand surfaces.



## Landscape Bond

6. Before the release of the approved plan for the development, a \$2,900 cash bond or bank guarantee must be lodged with the Responsible Authority to ensure the completion and maintenance of landscaped areas and such bond or bank guarantee will only be refunded or discharged after a period of 13 weeks from the completion of all works, provided the landscaped areas are being maintained to the satisfaction of the Responsible Authority.

## Street Tree

7. Except with the prior consent of the Responsible Authority, the existing street tree(s) must not be removed or lopped.

## Stormwater – On-site detention (OSD)

8. The owner must provide on-site storm water detention storage or other suitable system (which may include but is not limited to the re-use of stormwater using rainwater tanks), to limit the Permissible Site Discharge (PSD) to that applicable to the site coverage of 35 percent of hard surface or the pre-existing hard surface if it is greater than 35 percent. The PSD must meet the following requirements:
  - 8.1 Be designed for a 1 in 5 year storm; and
  - 8.2 Storage must be designed for 1 in 10 year storm.

## Construction Plan (OSD)

9. Before the development starts, a construction plan for the system required by Condition 8 of this permit must be submitted to and approved by the Responsible Authority. The system must be maintained by the Owner thereafter in accordance with the approved construction plan to the satisfaction of the Responsible Authority.

## Drainage

10. Stormwater must not be discharged from the subject land other than by means of drainage to the legal point of discharge. The drainage system within the development must be designed and constructed to the requirements and satisfaction of the relevant Building Surveyor. A connection to Council maintained assets must not be constructed unless a Miscellaneous Works Permit is first obtained from the Responsible Authority.
11. The whole of the land, including landscaped and paved areas must be graded and drained to the satisfaction of the Responsible Authority, to prevent ponding and to minimise overland flows onto adjoining properties.

## Site Services

12. All services, including water, electricity, gas, sewerage and telephone, must be installed underground and located to the satisfaction of the Responsible Authority.
13. All upper level service pipes (excluding stormwater downpipes) and any wall mounted spa-bath pump must be concealed and screened respectively to the satisfaction of the Responsible Authority.
14. All PVC pipes serving rainwater tanks which are positioned against building walls must be painted to match the colour of roofline guttering to the satisfaction of the Responsible Authority.

## Vehicle Crossings and Accessways



15. Prior to occupation of the approved dwellings, any new or modified vehicular crossover must be constructed in accordance with the plans endorsed under Condition 1 of this permit to the satisfaction of the Responsible Authority.

#### Fencing

16. Prior to the occupation of the approved dwellings, all fencing must be erected in good condition in accordance with the plans endorsed under Condition 1 of this permit to the satisfaction of the Responsible Authority.

#### Brickwork / Retaining Walls

17. All brickwork on or immediately adjacent to the boundaries of the site which is visible from the adjoining property must be cleaned and finished to the satisfaction of the Responsible Authority.
18. All retaining walls must be constructed and finished in a professional manner to ensure a neat presentation and longevity to the satisfaction of the Responsible Authority.

#### Maintenance

19. Buildings, paved areas, drainage and landscaping must be maintained to the satisfaction of the Responsible Authority.

#### Construction Management

20. The owner must use appropriate site management practices to prevent the transfer of mud, dust, sand or slurry from the site into drains or onto nearby roads. In the event that a road or drain is affected, the owner must upon direction of the Responsible Authority take the necessary steps to clean the affected portion of road or drain to the satisfaction of the Responsible Authority.

#### Permit Expiry

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

- 21.1 The development is not started within two (2) years of the date of this permit; and  
21.2 The development is not completed within four (4) years of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing by the owner or occupier either before the permit expires or in accordance with Section 69 of the *Planning & Environment Act 1987*.

#### THIS PERMIT HAS BEEN AMENDED AS FOLLOWS

Amendment no.	Brief Description of amendment.	Date of amendment.
PL16/026510.01	Pursuant to Section 73 and 74 of the <i>Planning and Environment Act 1987</i> , the permit (permit and plans) have been amended in the following manner:  Amendment to the permit preamble to include "with sub-floor basements" and additional condition 1 requirements under Condition 1A.	08-11-2017
PLA19/0061	Pursuant to Section 72 of the <i>Planning and Environment Act 1987</i> , the permit (permit and plans) have been amended in the following manner:	24-09-2019

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	<p>Amendment of the permit preamble to read as "<i>The construction of two, two-storey dwellings</i>";</p> <p>The inclusion of condition 1B requirements;</p> <p>The variation of condition 5 to require a landscape plan generally in accordance with the revised plans approved under condition 1B;</p>	
PLA21/0099	<p>Pursuant to Section 72 of the <i>Planning and Environment Act 1987</i>, the permit (permit and plans) have been amended in the following manner:</p> <p>Deletion of Condition 1A:1.4, which requires "<i>The removal of the retaining wall and decks from the easement, and the relocation of the pools in both dwellings towards the alfresco areas to provide for a landscape area with canopy tree adjacent to the rear boundary.</i>"</p> <p>The addition of swimming pools to the rear of the existing dwellings, and the inclusion of retaining walls along the rear of the site.</p>	19-01-2022

An amendment/correction to the permit does not extend the validity of the permit. The expiry of this permit is calculated using the original permit issue date shown at the bottom of the page, not the date the amendment/correction was issued.

#### Permit Notes:

Under Section 69 of the *Planning and Environment Act 1987* the owner or occupier of the land may apply to extend a permit either:

- Before it expires; or
- Within 6 months of the expiry if the permit has not been acted on; or
- Within 12 months of the expiry of the permit if the development was started lawfully before the permit expired.

#### Post Construction Inspection

The Responsible Authority (Statutory Planning Unit) must be advised when all construction and works (including nature strip restoration and on-site landscaping) are fully completed to enable the site to be inspected for compliance with the approved permit and plans.

#### Construction over easements

Consent in the form of a written "Build Over Easement" consent/permit from the relevant service authority must be obtained before any works occur over an easement which is located on the subject land. For any queries in relation to these plans please contact Engineering and Technical Services Unit on 9846 0542.

#### Vehicle Crossing Approval

Before the construction or modification of any vehicular crossing, a Vehicle Crossing Permit must be obtained from the Responsible Authority. Approved vehicular crossings must be constructed under the Responsible Authority's supervision, for which 24 hours notice is required.

#### OSD Plans

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Plans submitted for approval for the on-site storm water detention system should be forwarded to Council's Engineering and Technical Services Unit. For any queries in relation to these plans please contact Engineering and Technical Services on 9846 0563.

**Mailboxes**

The location and design of mail boxes must accord with Australia Post guidelines found at [www.auspost.com.au/media/documents/Appendix\\_02\\_Aug13.pdf](http://www.auspost.com.au/media/documents/Appendix_02_Aug13.pdf). Developers seeking additional information regarding this should call Australia Post Customer Service on 13 13 18.

**Allocation of New Property Addresses**

Manningham City Council is the Responsible authority for the allocation of all new property addressing. For information or advice regarding the allocation of new addresses please contact Council's Property Services team on 9840 9242.





## IMPORTANT INFORMATION ABOUT THIS PERMIT

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### 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**.)

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### 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**.

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### 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
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### 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 –
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- 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.
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## 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.

