NOTICE OF AN APPLICATION FOR AN AMENDMENT TO A PLANNING PERMIT

<table>
<thead>
<tr>
<th>THE LAND AFFECTED BY THE APPLICATION IS LOCATED AT:</th>
<th>55 Plummer Road, MENTONE VIC 3194</th>
</tr>
</thead>
<tbody>
<tr>
<td>THE APPLICATION IS TO AMEND PERMIT NUMBER KP-2015/358 by:</td>
<td>changes to the previously endorsed plans to modify the front fence from the previously approved 1.2 metre high horizontal timber fence to a 1.8 metre high rendered brick and horizontal steel infill fence</td>
</tr>
<tr>
<td>THE APPLICANT FOR THE AMENDMENT TO THE PERMIT IS:</td>
<td>Peter Hendy Design &amp; Drafting Service</td>
</tr>
<tr>
<td>THE APPLICATION REFERENCE NUMBER IS:</td>
<td>KP-2015/358/A</td>
</tr>
</tbody>
</table>

Any person who may be affected by the proposed amendment to the permit may object or make other submissions to the responsible authority.

An objection must:

- be made to the Responsible Authority in writing,
- include the reasons for the objection, and
- state how the objector would be affected.

The responsible authority must make a copy of every objection available at its office for any person to inspect during office hours free of charge until the end of the period during which an application may be made for review of a decision on the application.

| THE RESPONSIBLE AUTHORITY WILL NOT DECIDE ON THE APPLICATION BEFORE: | 24-June-2019 |

If you object, the Responsible Authority will tell you of its decision.

Privacy Notification: The personal information provided in a submission/objection is collected for planning purposes in accordance with the Planning & Environment Act 1987 (the Act). The public may view an objection or submission in accordance with Section 57 of the Act whilst the planning application is current. In accordance with the “Improving Access to Planning Documents” Practice Note dated December, 1999, a copy of your submission will be made available on request. If you fail to provide contact details your objection may not be considered. For information regarding access to Planning documents please contact Council’s Planning Department on 1300 653 356.
6 May 2019

City of Kingston
Att: Beau McKenzie - Town Planning Department
PO Box 1000
Mentone 3194

Dear Beau,

Re: Planning Permit No. KP-358/2015 - Construction of two dwellings
Address: 55 Plummer Road, Mentone 3194
Application to Amend Endorsed Plans via Section 72 Amendment.

We continue to act as agent on behalf of the owners; Helen (Eleni) Bromidis and Jim Bromidis. We are in receipt of Councils Request for Further Information letter dated 10 April 2019 and we provide response in numerical order as listed as follows;

Further information request items;

1. We enclose copy of our letter dated 6 May 2019 of request for withdrawal of our Secondary Consent request dated 28 February 2019.

2. Please find enclosed completed Section 72 Amendment form.

3. Please find enclosed balance Section 72 Amendment fee $569.90 - we note that Council will transfer the secondary consent fee of $550 paid across to the Section 72 Amendment application.

4. We enclose an updated landscape plan prepared by Rosewood Horticultural Services 3/5/19 which reflects the proposed front fence change.

Concerns Raised;

- **Section 72 amendment**
  
  As noted above we enclose Section 72 amendment application form.

- **Visual Splay**

  We enclose amended plans to accord with the requirements of Design standard 1 - Accessways of Clause 52.06-9. The front fence design has been amended and retains the required 2 metres along the road frontage by 2.5 metres along the exist lane pedestrian sightline triangles to each side of each driveway where landscaping is nominated to be kept to a maximum 900mm height. We note that likewise, we have reduced the 1.8 metre high brick piers to a maximum height of 900mm to each driveway, which due to the slope of the allotment is effectively

  height ranging between approximately 665mm to 750mm East to West for Dwelling 2 driveway and approximately 830mm grading up to a maximum 900mm height East to West for Dwelling 1 driveway.
We are proposing a transparent section of fence above the low rendered brick fence base and driveway gates consisting of 40mm x 40mm steel horizontal rails with a 40mm gap between on a 50mm x 50mm steel frame, providing the required 50% transparency above 900mm.

- Undisclosed changes to plans
  The proposed front fence redesign includes the provision of access path and pedestrian gate to the front door of each unit for the purpose of assisting each of the owners access to their mailbox.

We enclose:
- completed Section 72 application form
- balance application fee due $569.90
- 3 x amended site, floor & elevations plan - reference 140702TP11
- 1 x A3 reduced amended site, floor & elevation plan - 140702TP11
- 3 x amended landscape plan

We look forward to receiving approval by way of endorsed plans in due course. If we can be of any assistance or you wish to discuss any of the above to expedite the processing of this application please do not hesitate to contact our office on Telephone 9589 4022 or Email admin@peterhendydesign.com.

If our response to Council’s request for further information is deemed insufficient or unsatisfactory by Council, we request a further 30 days extension of time from the response due date (10th May) to 10th June 2019 to provide additional information to Council.

Yours faithfully,

Peter Hendy

Director: Peter Hendy
Application to Amend a Planning Permit VIA Section 72.

THIS FORM CAN BE USED TO AMEND PLANS, CONDITIONS AND/OR THE PREAMBLE ON A PLANNING PERMIT.

If you need help to complete this form, read How to Complete the Amend an Application for Planning Permit Form.

Please note questions marked with an (*) are mandatory and must be completed.

1. The Land
Address of the land. Complete the Street Address and one of the Formal Land Descriptions.

<table>
<thead>
<tr>
<th>Street Address *</th>
<th>Unit No.:</th>
<th>St No.:</th>
<th>St Name:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>55</td>
<td>Plummer Road</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Suburb:</th>
<th>Postcode:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Metone</td>
<td>3194</td>
</tr>
</tbody>
</table>

Formal Land Description * A
Complete either A or B. This information can be found on the certificate of title.

<table>
<thead>
<tr>
<th>Lot No.:</th>
<th>On Lodged Plan, Title Plan or Plan of Subdivision No:</th>
</tr>
</thead>
<tbody>
<tr>
<td>29</td>
<td>LP12953</td>
</tr>
</tbody>
</table>

OR

<table>
<thead>
<tr>
<th>Crown Allotment No.:</th>
<th>Section No.:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Parish/Township Name:

2. Planning Permit Details
Plans/documents for which permit are being amended? *

Planning Permit No.: KP-358/2015

3. Development Costs
If the permit allows development, estimate the cost difference between the development allowed by the permit and the development to be allowed by the amended permit. *

<table>
<thead>
<tr>
<th>Cost of Proposed Amended Dev</th>
<th>Cost of Permitted Development</th>
<th>Cost Difference (+ or -)</th>
</tr>
</thead>
<tbody>
<tr>
<td>$ 680,000.00</td>
<td>$ 650,000.00</td>
<td>$ 30,000.00</td>
</tr>
</tbody>
</table>

Application to Amend A Planning Permit via Section 72 (Updated 12/01/2018)
4. The Amended Proposal
You must give full details of the amendment being applied for. Insufficient or unclear information will delay your application.

What is the amendment being applied for?*

- [ ] What the permit allows
- [x] Plans endorsed under the permit
- [ ] Current conditions of the permit
- [ ] Other documents endorsed under the permit

Indicate the type of changes proposed to the plans/documents.

List details of the proposed changes.

If the space provided is insufficient, attach a separate sheet

Details:
The proposed changes consist of front fence alteration from the 1.2 metre high horizontal timber fence endorsed 20/10/16 to a rendered low (665mm-900mm) brick pier fence and 1.8 metre high rendered brick mail box tower to each unit, with a maximum 1.8 high horizontal steel infill panel and vehicle and pedestrian gates of 50% transparency.

Provide 2 sets of plans clearly identifying all proposed changes to the endorsed plans plus one A3 set of all plans, together with; any information required by the planning scheme, requested by Council or outlined in the Council checklist; and include a description of the likely effect of the proposal.

5. Existing Conditions
Describe how the land is used and developed now?*

Eg. Vacant, three dwellings, medical centre with two practitioners, licensed restaurant with 80 seats.

Have the conditions of the land changed since the time for the original permit application? Yes [x] No [ ]

Please provide details of the existing conditions.
The dwellings as permitted have been constructed and near completion.

Provide a plan of the existing conditions if the conditions have changed since the time of the original permit application. Photos are helpful.

6. Title Information
Encumbrances on title?*

Does the proposal breach, in any way, an encumbrance on title such as a restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope?

- [ ] Yes (if ‘yes’ contact Council for advice on how to proceed before continuing with this application)
- [ ] No
- [ ] Not applicable (no such encumbrance applies)

Provide a full, current copy of the title for each individual parcel of land forming the subject site. (The title includes: the covering ‘register search statement’, the title diagram and the associated title documents, known as ‘instruments’, eg. Restrictive covenants.)
7. Applicant and Owner Details

Provide details of the applicant and owner of the land.
9. Need help with the Application?

Contact Council’s planning department to discuss the specific requirements for this application. Insufficient or unclear information may delay your application.

If you need help to complete this form, please read How to Complete the Amend an Application for Planning Permit Form

General information about the planning process is available at http://www.dpcd.vic.gov.au/planning

Has there been a pre-application meeting with a council planning officer?

- No
- Yes

If 'yes', with whom?

Date: dd/mm/yyyy

10. Information checklist

- Filled in the form completely?
- Paid or included the application fee? (Contact council to determine the appropriate fee).
- Attached all necessary supporting information and documents?
- Signed the declaration (section 7)?

11. Lodgement

Lodge the completed and signed form and all documents with:

Council Name: City Of Kingston
Council Address: 1230 Nepean Highway, Cheltenham
Council Address: PO Box 1000, Mentone, Victoria, 3194

For help or more information
Telephone: 9581 4131
Fax: 03 9581 4500
Email: info@kingston.vic.gov.au

Privacy Notice

Your application and the personal information on this form is collected by the City of Kingston for the purpose of the Planning and Environment Act 1987 (PE Act). If you do not provide your name and address, the City of Kingston will not be able to consider your application. Your application will be available at the City of Kingston office for any person to inspect and copies may be made available on request to any person for the relevant period set out in the PE Act. You must not submit any personal information or copyright material of third parties without their informed consent. By submitting the material, you agree that the use of the material as detailed above does not breach any third party's right to privacy and copyright. Personal Information includes;
- The name, address or contact details of any third party
- Photographs of a third party or their property
- A third party’s opinion about the planning application or related issue
If you have any concerns or wish to request access to your personal information please contact Council’s Planning Department on 9581 4131.
Register Search Statement - Volume 6655 Folio 881

LAND DESCRIPTION
-----------------
Lot 29 on Plan of Subdivision 012953.

PARENT TITLE Volume 05455 Folio 844
Created by instrument 1896175 26/10/1943

REGISTERED PROPRIETOR
-------------------------
Estate Fee Simple

TENANTS IN COMMON
As to 1 of a total of 2 equal undivided shares
Sole Proprietor

HELEN BROMIDIS of 1 MURRAY STREET MENTONE VIC 3194
As to 1 of a total of 2 equal undivided shares
Sole Proprietor

JIM BROMIDIS of 2 BARWON STREET MENTONE VIC 3194
AL234905D 17/07/2014

ENCUMBRANCES, CAVEATS AND NOTICES
-----------------------------------
Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION
-------------------
SEE LP012953 FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS
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NIL

END OF REGISTER SEARCH STATEMENT
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Additional information: (not part of the Register Search Statement)

Street Address: 55 PLUMMER ROAD MENTONE VIC 3194

DOCUMENT END

Delivered from the LANDATA® System by SAI Global Property Division Pty Ltd
Delivered at 27/02/2019, for Order Number 55707986. Your reference: 140702.
PLAN OF SUBDIVISION OF
PART OF CROWN ALLOTMENT C PORTION 50
AT MENTONE
PARISH OF MOORABBIN
COUNTY OF BOURKE

Scale Feet to an Inch
V. 5455 F. 844

COLOUR CODE
E-1=BLUE
E-2=BROWN

THE LAND COLOURED BLUE
IS APPROPRIATED OR SET
APART FOR EASEMENTS OF
DRAINAGE AND SEWERAGE
AND ARE 6 FEET WIDE.

THE LAND COLOURED BROWN
IS APPROPRIATED OR SET
APART FOR ROADS

The distance from the splayed
corners to the intersection of
the street alignments is 10 Feet.
28 February 2019

City of Kingston
Att: Town Planning Department
PO Box 1000
Mentone 3194

Dear Sir/Madam,

Re: Planning Permit No. KP-358/2015 - Construction of two dwellings
Address: 55 Plummer Road, Mentone 3194
Application to Amend Endorsed Plans via Secondary Consent.

We act as agents on behalf of the owners; Helen (Eleni) Bromidis and Jim Bromidis in submitting the enclosed application for approval via secondary consent to amend the endorsed plans. Plans were endorsed in accordance with Planning Permit No. KP-358/2015 condition 1 on 20 October 2016. Condition 2 of the planning permit requires that the development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.

The development has commenced and the construction of the two dwellings almost complete.

We seek to amend the design of the front fence to 1.8 metre high maximum rendered brick pier with transparent 40mm x 40mm aluminum or steel horizontal rails with 60mm gap between infill slats and matching aluminum or steel horizontal rail gates finished in powdercoat as shown on the enclosed front fence elevation - sheet 2 of 2 plan reference 140702TP10.

We enclose photos of neighbouring fence heights along Plummer Road, where there are numerous examples of existing fence heights which exceed the 1.2 metre fence height specified under the Schedule to the Zone. As follows;

<table>
<thead>
<tr>
<th>Address</th>
<th>Fence Height/Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>- No. 37 Plummer Road, Mentone</td>
<td>1.8 metre high solid brick fence &amp; metal gate</td>
</tr>
<tr>
<td>- No. 1/39 Plummer Road</td>
<td>1.8 metre high solid brick</td>
</tr>
<tr>
<td>- No. 41 Plummer Road</td>
<td>1.5 metre high timber</td>
</tr>
<tr>
<td>- No. 43 Plummer Road</td>
<td>2.0 metre high brick fence and timber gate</td>
</tr>
<tr>
<td>- No. 45 Plummer Road</td>
<td>1.73 metre high brick pier and 1.63 metre high metal infill</td>
</tr>
<tr>
<td>- No. 47 Plummer Road</td>
<td>1.8 metre high brick &amp; metal gate</td>
</tr>
<tr>
<td>- No. 1/49 Plummer Road</td>
<td>1.8 metre high brick</td>
</tr>
<tr>
<td>- No. 51A Plummer Road</td>
<td>1.6 metre high piers and 1.5 metal infill &amp; gate</td>
</tr>
<tr>
<td>- No. 53 Plummer Road</td>
<td>1.79 metre high brick fence &amp; metal gate</td>
</tr>
<tr>
<td>- No. 57 Plummer Road</td>
<td>0.8 metre high brick fence</td>
</tr>
<tr>
<td>- No. 59 Plummer Road</td>
<td>1.5 metre high timber and colorbond</td>
</tr>
<tr>
<td>- No. 61 Plummer Road</td>
<td>1.85 metre high brushwood &amp; timber gate</td>
</tr>
<tr>
<td>- No. 63 Plummer Road</td>
<td>1.9 metre high brick with 2.1 metre high piers</td>
</tr>
<tr>
<td>- No. 65 Plummer Road</td>
<td>1.9 metre high brick and 2.0 metre high piers</td>
</tr>
</tbody>
</table>
We submit that from the above table and photographs the proposed 1.8 metre high rendered brick pier and transparent metal infill fence and gates would be in keeping with the existing streetscape and emergent neighbourhood character and would not cause any undue affect on the rhythm of the streetscape but complement the existing heights, style and materials used on prevailing fences. Over half of the tabled fence heights are over the preferred 1.2 metre height and predominantly of brick structure and several have either solid or partially open in style metal or timber gates. The proposed driveway gates and adjoining fencing within 2m achieves the minimum 50% transparency to assist with pedestrian visibility.

The dwellings are to be owner occupied by one elderly and one disabled persons and they request the fence height and style for the purposes of security for themselves and visitors alike as Plummer Road can be used as a thru road from Balcombe Road through to Beach Road receiving additional traffic during morning and afternoon peak hours due to its proximity to several schools, Mentone shopping (Activity) centre and Mentone train station.

We enclose:
- completed application to amend plans via secondary consent form
- application fee $550
- current copy of title
- 3 x amended site, floor & elevations plan - reference 140702TP10
- 1 x A3 reduced amended site, floor & elevation plan - 140702TP10
- 1 x Photomontage - streetscape photos & fence heights

We look forward to receiving approval by way of endorsed plans in due course. If we can be of any assistance or you wish to discuss any of the above to expedite the processing of this application please do not hesitate to contact our office on Telephone 9589 4022 or Email admin@peterhendydesign.com.

Yours faithfully,

Peter Hendy

Director: Peter Hendy
Photomontage for 55 Plummer Rd, Mentone

37 Plummer Rd, Mentone  
(1.8m brick)

1/39 Plummer Rd, Mentone  
(1.8m brick)

41 Plummer Rd, Mentone  
(1.5m timber)

43 Plummer Rd, Mentone  
(2.0m brick)

45 Plummer Rd, Mentone  
(1.73m brick pier and 1.63m metal infill)

47 Plummer Rd, Mentone  
(1.8m brick)

1/49 Plummer Rd, Mentone  
(1.8m brick)

51A Plummer Rd, Mentone  
(1.6m piers and 1.5m metal infill)

53 Plummer Rd, Mentone  
(1.79m brick fence)

55 Plummer Rd, Mentone  
(subject site - unfenced)

57 Plummer Rd, Mentone  
(0.8m brick)

59 Plummer Rd, Mentone  
(1.5m timber and colorbond)
Photomontage for 55 Plummer Rd, Mentone

11/48 Plummer Rd, Mentone
(2.2m hedge in front of brick fence)

1/46 Plummer Rd, Mentone
(2.2m hedge in front of brick fence)

44 Plummer Rd, Mentone
(1.1m timber)

1/44 Plummer Rd, Mentone
(1.1m timber)

42 Plummer Rd, Mentone
(2.6m hedge)

40 Plummer Rd, Mentone
(1.8m brick and metal infill)

38A and 38 Plummer Rd, Mentone
(1.69m brick and metal infill)

36A Plummer Rd, Mentone
(1.77m piers and metal infill)