# NOTICE OF AN APPLICATION FOR PLANNING PERMIT

<table>
<thead>
<tr>
<th>THE LAND AFFECTED BY THE APPLICATION IS LOCATED AT:</th>
<th>47 Golf View Road, HEATHERTON VIC 3202</th>
</tr>
</thead>
<tbody>
<tr>
<td>THE APPLICATION IS FOR A PERMIT TO:</td>
<td>The development of one (1) dwelling to the rear of the existing</td>
</tr>
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<td>THE APPLICATION REFERENCE NUMBER IS:</td>
<td>KP-2019/170</td>
</tr>
<tr>
<td>THE APPLICANT FOR THE PERMIT IS:</td>
<td>Urban Solutions</td>
</tr>
<tr>
<td>This can be done during office hours and is free of charge</td>
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</table>

Any person who may be affected by the granting of 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: | 08-July-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.
Application for Planning Permit

Privacy notice - any material submitted with this application, including plans and personal information, will be made available for public viewing, including electronically, and copies may be made for interested parties for the purpose of enabling consideration and review as part of the planning process under the Planning and Environment Act 1987. If you have any concerns please contact Council’s Planning Department on 9581 4131.

Need Help? - If you need help to complete this form, read: How to complete the application for planning permit form available at www.kingston.vic.gov.au/planning

Questions marked with an asterisk (*) are mandatory and must be completed

1. Pre-application meeting

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

- [ ] No
- [x] Yes

If 'yes', with whom?

Date of Previous Application: dd/mm/yyyy

2. The Land *

Address of the land. Complete the street address and one of the formal land descriptions.

Street Address *

<table>
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<tr>
<th>Unit No.</th>
<th>St No.</th>
<th>St Name</th>
</tr>
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<tr>
<td></td>
<td>47</td>
<td>Golf View Road</td>
</tr>
</tbody>
</table>

Suburb: Heatherton, Postcode: 3202

Formal Land Description *

- [ ] Lodged Plan
- [ ] Title Plan
- [x] Plan of Subdivision

A Lot No.: 30

OR

B Crown Allotment No.: Section No.: 022953

Parish/Township Name:

This information can be found on the certificate of title.
3. **Description of Land** *

Describe how the land is used and development now.

- e.g. vacant, single dwelling, three dwellings, shop, factory, medical centre, with two practitioners, licensed restaurant with 80 seats.

Existing Residence with Attached Carport.

4. **Plan of the Land** *

Attach a plan of the existing conditions. Photos are also helpful.

5. **The Proposal** *

You must give full details of your proposal and attach the information required to assess the application. Lack of detail, insufficient or unclear information will delay your application.

For what use, development or other matter do you require a permit?

If you need help about the proposal, read: *How to complete the application for planning permit form.*

Proposed Second Residence and Associated Works

6. **Additional Information**

Attach additional information providing details of the proposal, including:

- Any information required by the planning scheme, requested by Council or outlined in a council planning permit checklist.
- Plans and elevations showing the layout and details of the proposal.

If required, a description of the likely effect of the proposal (e.g. traffic, noise, environmental impacts).

**Note**
Contact council or refer to council planning permit checklists for more information about council’s requirements.
7. Title Information *

Attach a full, current copy of title information, not older than 90 days, for each individual parcel of land, forming the subject site.

Encumbrances on title?

Encumbrances are identified on the certificate of title.

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<tbody>
<tr>
<td>□</td>
<td>No, go to Question 8.</td>
</tr>
<tr>
<td>□</td>
<td>Yes, Attach a copy of the document (instrument) specifying the details of the encumbrance.</td>
</tr>
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Does the proposal breach, in any way, the encumbrance on title?

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<td>□</td>
<td>No, go to Question 8.</td>
</tr>
<tr>
<td>□</td>
<td>Yes, contact council for advice on how to proceed before continuing with this application.</td>
</tr>
</tbody>
</table>

Note

Council must not grant a permit that authorises anything that would result in a breach of a registered restrictive covenant (sections 61 (4) and 62 of the Planning and Environment Act 1987). Contact Council and/or an appropriately qualified person for advice.

8. Costs of Buildings and Works/permit fee *

All applications require a fee to be paid. Where development is proposed, the value of the development affects the fee. Contact Council to determine the appropriate fee.

Estimate cost of development for which the permit is required? *

Write 'Nil' if no development is proposed (eg. Change of use, subdivision, removal of covenant, liquor licence)

Note

You may be required to verify this estimate

Is a Metropolitan Planning Levy (MPL) certificate required? *

Is the estimated cost of the development greater than $1 million?

<p>| | |</p>
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<tr>
<td>□</td>
<td>No, go to Question 9.</td>
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<tr>
<td>□</td>
<td>Yes, Attach a valid copy of the MPL Certificate</td>
</tr>
</tbody>
</table>

Note

If a MPL is applicable, a planning application must be accompanied by the MPL certificate. This is a requirement of section 3 of the Planning and Environment Act 1987. For more information on the MPL visit www.sro.vic.gov.au
9. Applicant and owner details *

Provide details of the applicant and owner of the land.

**Applicant**
The person or organisation who wants the permit.

**Contact**
The person you want council to communicate with about the application.

**Contact information**
Please provide at least one contact phone number and email address.

**Owner**
The person or organisation who owns the land.

Where the owner is different from the applicant or contact provide the name of the person or organisation who owns the land.

10. Declaration *

This form must be signed by the applicant

Remember it is against the law to provide false or misleading information, which could result in a heavy fine and cancellation of the permit.
11. Information checklist

Have you:

- [ ] Filled in the form completely?
- [ ] Included the application fee? (Contact council to determine the appropriate fee).
- [ ] Provided all necessary supporting information and documents?
  - Provided a copy of full title, no older than 3 months, for each individual parcel of land forming the subject site?
  - Provided a plan of existing site conditions?
  - Included plans showing the layout and details of the proposal?
  - Provided all information required by the planning scheme, requested by Council or outlined in a council planning permit checklist?
- [ ] Where required, provided a description of the likely effect of the proposal (e.g. traffic, noise, environmental impacts)?
- [ ] If applicable, included a current MPL Certificate. Note: a levy certificate expires 90 days after the day on which it is issued by the State Revenue Office. Once expired, the certificate becomes invalid and cannot be used. Failure to comply means the application is void.
- [ ] Completed Kingston’s relevant Council Planning Permit Checklist?
- [ ] Signed the Declaration (section 10 of this form)?

12. Lodgement

Lodge the completed and signed form, the fee payment and all documents with:

By Post
City Development
Kingston City Council
PO Box 1000, Mentone, VIC 3194

In Person
Level 1, 1230 Nepean Highway, Cheltenham VIC 3194

Contact Information
T (03) 9581 4131
E info@kingston.vic.gov.au
REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 08182 FOLIO 615

LAND DESCRIPTION
--------------------
Lot 30 on Plan of Subdivision 022953.
PARENT TITLE Volume 07060 Folio 862
Created by instrument A469532 24/01/1959

REGISTERED PROPRIETOR
-----------------------
Estate Fee Simple
Sole Proprietor

ENCUMBRANCES, CAVEATS AND NOTICES
-------------------------------------
MORTGAGE T967551G 22/11/1995
COMMONWEALTH BANK OF AUSTRALIA

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 LP022953 FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS
----------------------------
NIL

Additional information: (not part of the Register Search Statement)

Street Address: 47 GOLF VIEW ROAD HEATHERTON VIC 3202

ADMINISTRATIVE NOTICES
------------------------
NIL

eCT Control 15940N CBA - COMMONWEALTH BANK OF AUSTRALIA
Effective from 22/10/2016

DOCUMENT END

Delivered from the LANDATA® System by SAI Global Property Division Pty Ltd
Delivered at 25/03/2019, for Order Number 56101243. Your reference: 4501.
PLAN OF SUBDIVISION
PART OF CROWN ALLOTMENT 4 SECTION 9
PARISH OF MORDIALLOC
COUNTY OF BOURKE
VOL. 7060 FOL. 862
Measurements are in Feet & Inches
Conversion Factor
FEET x 0.3048 = METRES
REFERENCE MARKS ARE 12" ¼ PIPES
SEE FIELD NOTES FOR DATUM

COLOUR CODE
E-1 = BLUE
R1 = BROWN

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

THE LAND COLOURED BROWN IS
APPROPRIATED OR SET APART
FOR EASEMENTS OF WAY & DRAINAGE
ADVERTISED PLANS
Documentation May Be Subject to Copyright
Existing Conditions Plan

Proposed Second Residence
47 Golf View Road, Heatherton 3202
Site Neighbourhood Plan

NOTE:
No natural or cultural features on the site
No notable features or characteristics on the site
No significant views to or from the site
No external influences (noise or odour) except street noise
No apparent indication of tree removal in previous 12 months
No apparent contaminated or filled soils

Proposed Second Residence
47 Golf View Road, Heatherton 3202
Clause 55 Design Response Plan

Garden Area

Proposed Second Residence
47 Golf View Road, Heatherton 3202
Ground Floor/Site Plan

Proposed Second Residence
47 Golf View Road, Heatherton 3202
First Floor/Site Plan

Proposed Second Residence
47 Golf View Road, Heatherton 3202

HENRY STREET

First Floor

TITL 45.009m 90°00'
3.048m

TITL 48.070m 90°00'
3.048m

GOLF VIEW ROAD

ADVERTISED PLANS
Documentation May Be Subject to Copyright

urban solutions
Designing your dreams
North (Side Street) Elevation

South Elevation

Proposed Second Residence
47 Golf View Road, Heatherton 3202
Job Reference: Job
23rd April 2019
Attention Leila Esseesse
Statutory Planner
City of Kingston
PO Box 1000
Mentone 3194

Dear Leila

Re: KP-2019/170
47 Golf View Road, Heatherton

Can you please refuse this application so my client can take it to VCAT. As discussed today, I believe we can easily meet/modify the design/drawings to provide an application more to what the council is seeking and fitting in with the Section 54 request. However, this is all based on the access issues being resolved.

My client is not happy with the progress of resolving the access issues, therefore wants to take this proposal to VCAT.

In reply to your letter dated 8th April 2019

A. Potential Contamination - We were unaware this requirement before your letter – however we will endeavour to sort this requirement.

B. Access – We have had conversations with different departments in the council about the access to this proposal and were getting different statements on the reasons and whom to discuss it with. As a result, my client wishes to take this proposal to VCAT.

C. Neighbourhood Character – we understand his proposed style of residence is not the ideal look the council is trying to achieve, however as this proposal is intended to face Henry Street, we believe this should be allowed as stated in item D.

If we were going down the path of a single residence on a property, we could have a residence of this style without consulting the Character Profile.

D. Design Detail – As this proposal (dwelling 2) has been designed to face Henry Street, it has the ability to have its own style and therefore we believe this style of residence (box like) would be ideal for the property and to fit the Owner’s (clients) requirements.

This dwelling was designed to look like this based on the clients wishes.
This photo was given to us at brief stage with the client stating he wants this look.

**E. General Residential Zone**

- **Double Storey** – The Owner (client), who this proposal is designed for, wants this style of residence for himself, e.g., he does not want a pitched roof style etc. As this proposal (second dwelling) is intended to have its own frontage facing Henry Street, it will have its own identity, therefore we believe this style of dwelling should be allowed (as stated in item D)

- **Site Coverage** (currently 52.98%) – the proposal can easily be reduced by 21.68 m² in area to bring the site coverage under 50%.

- **Private Open Space** – we believe the current proposal meets this requirement of minimum area and dimensions; however, this can be discussed.

**F. Solar Access to Private Open Space** – The POS is on the north-west side of the proposal, so would get plenty of sun. Additionally, the first floor balcony faces due north – therefore we believe this complies, however are willing to discuss the matter.

**G. Dwelling Entry/Safety** – If the access issues are resolved, then both dwellings entries would be facing the street and therefore would comply with this requirement.

**H. Side and Rear Setbacks** –

- **Southern Boundary**
  - Building Height (eastern parapet) 7200 mm
  - Required minimum setback 2300 mm
  - Proposed minimum setback 1800 mm
  - The setback is adjacent a garage, therefore, we do not consider it an issue and should be allowed, however if not we could modify it

- **Western Boundary**
  - Building height 6400 mm
  - Required minimum setback 1840 mm
  - Proposed minimum setback 1902 mm - complies

**I. Landscaping** – We're able to plant canopy trees to the west and east (dwelling 1 rear yard) of the proposed dwelling, therefore we believe this complies.

Should you have any questions relating to this project, please do not hesitate to contact me during business hours on telephone (03) 5975 5588, and I will be only too happy to help.

Yours faithfully

Wayne A. Dawson
Director/Designer