

---

# PLANNING PERMIT

GRANTED UNDER DIVISION 5 OF PART 4 OF  
THE PLANNING AND ENVIRONMENT ACT  
1987

Permit No.: D/243/2011

Planning Scheme: Darebin Planning Scheme

Responsible Authority: Darebin City Council

---

**ADDRESS OF THE LAND:**

99 Helen Street, Northcote

**THE PERMIT ALLOWS:**

The use of the land for nine (9) dwellings; associated buildings and works; and the reduction in car parking requirements associated with this use.

**THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:**

---

1. Before the use starts, amended plans to the satisfaction of the Responsible Authority must be submitted to, and approved by, the Responsible Authority. The plans must be drawn to scale with dimensions and must be [generally] in accordance with the plans submitted with the application but modified to show:
  - a) Permanent landscape planter boxes measuring 0.4m by 0.5m located adjacent to the residential entrances along the Right of Way.
2. The layout of the use(s) and development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
3. Areas set aside for the parking and movement of vehicles as shown on the endorsed plans must be made available for such use and must not be used for any other purpose.
4. This permit will expire if the use is not commenced within three (3) years of the date of this permit.
5. The Responsible Authority may extend periods referred to if a request is made in writing before the permit expires, or within three months afterwards.
6. Before the use starts the Section 173 agreement affecting the land must be removed under Section 177 of the Planning and Environment Act 1987. The owner must pay the costs of the removal of the Agreement to the satisfaction of the Responsible Authority.
7. Before the dwellings are occupied, an automatic external lighting system capable of illuminating the entry to each unit, access to each garage and car parking space and all pedestrian walkways must be provided on the land to the satisfaction of the Responsible Authority.

---

**Date Issued:**

**Date Permit comes into operation:**

(or if no date is specified, the permit comes into operation on the same day as the amendment, to which the permit applies, comes into operation)

**Signature for the Responsible Authority**

8. All outdoor lighting must be designed, baffled and/or located to ensure that no loss of amenity is caused to adjoining and nearby land to the satisfaction of the Responsible Authority.
9. Before the use starts, a Landscape Plan to the satisfaction of the Responsible Authority must be submitted to, and approved by the Responsible Authority. When the Landscape Plan is approved, it will be endorsed and will then form part of this Permit. The Landscape Plan must be prepared by a suitably qualified person and must incorporate:
  - a) a planting schedule of proposed vegetation for the planters detailing the botanical name, common name, size at maturity and quantities of all plants.
  - b) an outline of the approved building/s including any basement, the location of entry doors, windows, gates and fences. An outline of buildings on adjoining land, including the location of windows and doors which face the subject site must also be shown.
10. The species of all proposed plants selected must be to the satisfaction of the Responsible Authority.
11. The landscaping as shown on the endorsed Landscape Plan must be completed to the satisfaction of the Responsible Authority before the use starts or at such later date as is approved by the Responsible Authority in writing.
12. No later than seven (7) days after the completion of the landscaping, the permit holder must advise Council, in writing, that the landscaping has been completed.
13. The landscaping as shown on the endorsed Landscape Plan must be maintained, and any dead, diseased or damaged plant replaced in accordance with the endorsed Landscape Plan to the satisfaction of the Responsible Authority.
14. Before the use commences a waste management plan, to the satisfaction of the Responsible Authority, demonstrating the operation of the garbage and recyclables storage areas must be submitted to the Responsible Authority.

The plan/documentation must demonstrate the means by which garbage and recyclables will be stored on the site and must clearly detail: what waste services will be provided (ie. cardboard paper plastic and metals recycling or comingled waste, general waste and even organic waste), types of bins, types of collection vehicles, frequency of collection, times of collection, location of collection point for vehicles and any other relevant matter. The plan must require that collection be undertaken by a private contractor, with no storage of bins in the right of way, Helen Street or the surrounding street network

Waste storage and collection must undertaken in accordance with the approved management plan and must be conducted in such a manner as not to affect the amenity of the surrounding area and which does not cause any interference with the circulation and parking of vehicles on abutting streets.

15. Before the use starts the owner of the land must enter into an Agreement with the Responsible Authority under Section 173 of the Planning and Environment Act 1987 to the satisfaction of the Responsible Authority to the effect that, without the written consent of the Responsible Authority:
  - the site must remain fully sealed at all times in accordance with the provisions of the Statement of Environmental Audit dated June 2010 prepared by Peter J Rampsey and associates issued in respect of the land.

<b>Date Issued:</b>	<b>Date Permit comes into operation:</b> (or if no date is specified, the permit comes into operation on the same day as the amendment, to which the permit applies, comes into operation)	<b>Signature for the Responsible Authority</b>
---------------------	---	--

- a full copy of the Statement of Environmental Audit dated June 2010 prepared by Peter J Rampsey and associates issued in respect of the land must be provided to all prospective purchasers.
- The owner acknowledges that residents of the development will not be granted a resident parking permit from the Council.

A memorandum of the Agreement must be entered on the Title to the land and the owner must pay the costs of the preparation and execution of the Agreement and entry of the memorandum on Title.

---

**Date Issued:**

**Date Permit comes into operation:**

(or if no date is specified, the permit comes into operation on the same day as the amendment, to which the permit applies, comes into operation)

**Signature for the Responsible Authority**

## IMPORTANT INFORMATION ABOUT THIS PERMIT

---

### WHAT HAS BEEN DECIDED?

---

The Responsible Authority has issued a permit. The permit was granted by the Minister administering the **Planning and Environment Act 1987** under section 96I of that Act.

---

### WHEN DOES THE PERMIT BEGIN?

---

The permit operates from a day specified in the permit being a day on or after the day on which the amendment to which the permit applies comes into operation.

---

### 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 a 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 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 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-
  - \* 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 APPEALS?

---

- \* Any person affected may apply for a review of -
    - a decision of the responsible authority refusing to extend the time within which any development or use is to be started or any development completed; or.
    - a decision of the responsible authority refusing to extend the time within which a plan under the **Subdivision Act 1988** is to be certified, in the case of a permit relating to any of the circumstances mentioned in section 6A(2) of the **Planning and Environment Act 1987**; or.
    - the failure of the responsible authority to extend the time within one month after the request for extension is made.
  - \* An application for review is lodged with the Victorian Civil and Administrative Tribunal.
  - \* An application for review must be made on an Application for Review 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.
  - \* 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 Victorian Civil and Administrative Tribunal.
-