

## **1 EXTENSION TO AN EXISTING RESIDENTIAL AGED CARE FACILITY AT 5-9 SALISBURY ROAD BEACONSFIELD UPPER**

FILE REFERENCE INT1734599

RESPONSIBLE GENERAL MANAGER Andrew Paxton

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### **RECOMMENDATION**

That a Notice of Decision to Grant Planning Permit T160025 be issued for a 30 bedroom addition to an existing residential aged care facility, vegetation removal and associated works at 5-9 Salisbury Road, Beaconsfield Upper Victoria 3808 subject to the conditions attached to this report.

### **Attachments**

- |   |  |          |
|---|--|----------|
| 1 | Locality map                                     | 1 Page   |
| 2 | Development plans                                | 10 Pages |
| 3 | List of objectors circulated to councillors only | 26 Pages |

### **EXECUTIVE SUMMARY:**

APPLICATION NO.:	T160025
APPLICANT:	Roy Hodgson
LAND:	5-9 Salisbury Road, Beaconsfield Upper Victoria 3808
PROPOSAL:	30 bedroom addition to an existing aged care facility, vegetation removal and associated works
PLANNING CONTROLS:	NRZ1, RCZ2 BMO, DD02, HO110, HO71, ES01, VP02
NOTIFICATION & OBJECTIONS:	The application has been advertised pursuant to Section 52 of the <i>Planning and Environment Act 1987</i> , by sending notices to adjoining land owners and occupiers and placing a sign on site. A total of nine objections were received.
KEY PLANNING CONSIDERATIONS:	Visual scale and mass, heritage, vegetation removal, bushfire risk
RECOMMENDATION:	Approval

### **BACKGROUND:**

The only recent planning decisions relevant to the subject site regards Planning Permit T120408 issued 4 March 2013 for the 'use of the land for animal keeping and associated vegetation removal generally in accordance with the approved plans'.

### **SUBJECT SITE**

The site is located on the south side of Salisbury Road and features three crossovers. The site currently contains the existing 60 bed residential aged care facility the majority of which is contained within 'Salisbury House' a former nineteenth century resort building with historic significance to Cardinia.

The topography of the land exhibits a rapid downward slope from the rear of the existing building to the south boundary of approximately 24 metres.

There are 151 trees on the subject site which the majority of these contained in the southern half.

The main characteristics of the surrounding area are:

- Residential allotments varying between 900 and 2, 900 square metres featuring single detached dwellings and associated outbuildings. Vegetation on these allotments varies between predominantly cleared and very dense coverage.
- Larger residential allotments varying between 8, 000 and 57, 000 square metres featuring single detached dwellings and associated outbuildings. These lots feature extensive vegetation coverage.
- Immediately north of the site also fronting Salisbury Road is the Ash Wednesday Memorial Park, Keith Emerson Park and the Upper Beaconsfield Community Centre.

## **PROPOSAL**

The applicant is seeking planning approval for the development of a 30 bedroom addition to the existing residential aged care facility on the site to western side of the existing building. The additions will comprise of three levels, a basement car park featuring 27 bedrooms and 15 bedrooms including sitting and dining each at the ground and first floors. The addition will stand at a maximum height of 9 metres above natural ground level require 3 metres of earthworks and extensive vegetation removal.

The addition will require the demolition of sections of handrail and a window along the west side of the existing Salisbury Road. Extensive vegetation removal and earthworks is also required.

## **PLANNING SCHEME PROVISIONS**

### **State Planning Policy Framework (SPPF)**

The relevant clauses of the SPPF are:

- Clause 11 Settlement
- Clause 12.01 Native vegetation management
- Clause 12.04-2 Landscapes
- Clause 13.05 Bushfire
- Clause 15.01 Urban environment
- Clause 15.03 Heritage conservation
- Clause 16.02-3 Residential aged care facilities
- Clause 16.02-4 Design and location of residential aged care facilities

## **Local Planning Policy Framework (LPPF)**

The relevant clauses of the SPPF are:

- Clause 21.01 Cardinia Shire Key Issues and Strategic Vision
- Clause 21.02-2 Landscapes
- Clause 21.02-3 Biodiversity
- Clause 21.02-4 Wildfire management
- Clause 21.02-6 Post-contact heritage
- Clause 21.03-3 Rural townships
- Clause 21.06 Particular Uses and Development
- Clause 21.07-5 Upper Beaconsfield

## **Relevant particular/general provisions and relevant incorporated or reference documents**

The relevant provisions/documents are:

- Clause 52.06 Car Parking
- Clause 52.17 Native Vegetation
- Clause 52.48 Bushfire Protection: Exemptions
- Clause 55 Two or more Dwellings on a Lot and Residential Building
- Upper Beaconsfield Township Strategy

## **Zone**

The land is subject to Clause 32.09 Neighbourhood Residential Zone – Schedule 1 and Clause 35.06 Rural Conservation Zone – Schedule 2.

## **Overlays**

The land is subject to the following overlays:

- Clause 32.05 Bushfire Management Overlay
- Clause 42.01 Environmental Significance Overlay – Schedule 1
- Clause 43.01 Heritage Overlay – Schedule 71 and 110
- Clause 43.02 Design and Development Overlay – Schedule 2

## **PLANNING PERMIT TRIGGERS**

The proposal for development of an addition to an existing residential aged care facility, vegetation removal and associated works requires a planning permit under the following clauses of the Cardinia Planning Scheme:

Pursuant to Clause 32.09 Neighbourhood Residential Zone – Schedule 1 a planning permit is required to construct or extend a residential building.

Pursuant to Clause 32.05 Bushfire Management Overlay a planning permit is required to construct a building or construct or carry out works associated with accommodation.

Pursuant to Clause 42.01 Environmental Significance Overlay – Schedule 1 a planning permit is required to construct a building or construct or carry out works and to remove destroy or lop any vegetation.

Pursuant to Clause 42.02 Vegetation Protection Overlay – Schedule 2 a planning permit is required to remove destroy or lop and vegetation.

Pursuant to Clause 43.01 Heritage Overlay a planning permit is required to construct a building or construct or carry out works.

Pursuant to Clause 43.02 Design and Development Overlay Schedule 2 a planning permit is required to construct a building or construct or carry out works.

Pursuant to Clause 52.17 Native Vegetation a planning permit is required to remove destroy or lop and vegetation that is not native to Victoria.

Clause 35.06 Rural Conservation Zone – Schedule 2 is applicable to the southern half of the subject site and is outside of the area of buildings and works associated with the proposed addition.

## **PUBLIC NOTIFICATION**

The application has been advertised pursuant to Section 52 of the Planning and Environment Act 1987, by:

- Sending notices to the owners and occupiers of adjoining land.
- Placing a sign on site.

The notification has been carried out correctly, and Council has received nine objections to date. The key issues that were raised in the objections are:

- Out of character development
- Car parking/traffic movement along Salisbury Road
- Fire risk
- Drainage concerns
- Excavation
- Vegetation removal
- Overlooking of adjoining allotments
- Adverse impact on existing heritage building
- Noise

## **REFERRALS**

*Country Fire Authority*

The application was referred to the Country Fire Authority as a statutory referral. They had no objection to the proposal subject to conditions

*Department of Environment, Land, Water and Planning*

The application was referred to the Department of Environment, Land, Water and Planning as a statutory referral. They had no objection to the proposal subject to conditions.

**DISCUSSION**

It is noted that following notification of the application the applicant submitted plans to Council without formally amending the application. These submitted plans have formed the basis of this assessment and subject to approval conditions would require plans to be formally submitted for endorsement in accordance with their specifications.

**State and Local Planning Scheme**

Pursuant to Clause 21.07-5 'Upper Beaconsfield' is characterised as a unique hill-top town nestled within a rural landscape featuring a combination of housing, native bushland and open recreational spaces. It emphasises that the country atmosphere and unique environment should be actively protected.

Clause 16.02-3 'Residential aged care facilities' emphasise the need to facilitate development of residential aged care facilities to meet existing and future needs. The Upper Beaconsfield Township Strategy highlights that there will be an increased need for suitable residential accommodation for older people in Upper Beaconsfield as the population ages. The proposed addition to the existing residential aged care facility on the subject site will enable a greater amount of older people to be accommodated within the Beaconsfield Upper community both within the short and long term future and contribute to wider housing diversity.

Clause 16.02-4 'Design and location of residential aged care facilities' recognises that residential aged care facilities should be well designed and appropriately located. Importantly it notes that such facilities by way of their purpose and function are different from dwellings and therefore will require a different built form in scale and mass. The proposed addition therefore should not be explicitly restricted by the character of the existing residential dwelling development that comprises the majority of the immediate neighbourhood.

Clause 12.04-2 'Landscapes' and Clause 21.02-2 'Landscape' advise that landscapes that contribute to the character, identity and sustainable environments should be protected. Likewise, Clause 21.02-3 'Biodiversity' highlights that biodiversity should be maintained in areas of significance and Clause 21.02-4 'Wildfire management' notes that balancing the protection of native vegetation with wildfire management is a key issue. However, Clause 13.05-1 'Bushfire planning strategies and principles' emphasises that the protection of human life over other policy considerations in areas at risk from bushfire should be prioritised.

Clause 15.01-1 'Urban design' highlights strategies to promote good urban design, require development to respond to its context and encourage retention of existing vegetation amongst other things. Both Clause 15.03-2 'Heritage' and Clause 21.02-6 'Post-contact heritage' encourage the retention, protection and conservation of sites of heritage significance whilst Clause 15.01-2 'Urban design principles' advises that new development should respect, but not simply copy, historic precedents.

## Neighbourhood character

The subject site is located within 'Precinct 3 - Garden Estate Residential' of the Upper Beaconsfield Township Strategy which features the following preferred character:

*The semi-treed, compact character of the settlement and the diversity of the lot sizes will be maintained.*

*The layout and design of dwellings will maximize the retention of vegetation. The built form will be unobtrusive so as to appear as a forested hillside from the town centre. There will be gardens with primarily native vegetation. A network of paths will connect the different areas of this precinct.*

The proposed addition in scale is a departure from the existing character exhibited in the predominantly residential context of the immediate area. However, as previously highlighted in Clause 16.02-3 a residential aged care facility has different functions and needs to a dwelling and therefore should not be expected to reflect the same parameters as one in relation to built form. The subject site is significantly constrained by the rapid slope the land experiences to the rear boundary. The most appropriate location for any addition is on the comparatively flat land immediately west of the existing facility. The proposed addition complies with the relevant requirements regarding maximum building height and setbacks and its overall external appearance is a reflection of the need to response to the high fire risk posed within the area and to not detract from the existing heritage building by replicating its form. Furthermore, in order to follow the slope of the landscape the form of the building will have a stepped down design which will assist in further integrating it into the landscape. The bushfire risk requires a significant amount of vegetation to be removed from the site, however, where possible significant vegetation has been retained to maintain the treed character of the area.

## Built form

### Front setback

The front wall of the proposed addition is setback 9.02 metres from the front boundary with Salisbury Road. Pursuant to Standard B6 of Clause 55.03-1 'Street setback objective' states that the front walls of the building should be setback 5.05 metres as a consequence of this being the average of the front setbacks of the dwellings fronting Salisbury Road either side of the subject site. Furthermore, it is noted that the existing building features a minimum setback of 5.735 metres from Salisbury Road. The proposed addition is therefore considered to be suitably well setback from Salisbury Road.

### Side and rear setbacks

The south (rear) and west (side) elevations of the proposed addition front common boundaries to adjoining allotments.

At ground level a minimum setback of 1 metre would be required between the proposed wall and the adjacent boundary pursuant to Standard B17 of Clause 55.04-1 'Side and rear setbacks objective'. The south boundary is in excess of 40 metres from this boundary whilst the west wall is setback between 3.94 metres and 4.88 metres.

At first floor level the south elevation features maximum heights of between 8.3 metres and 9 metres. Pursuant to Standard B17, a minimum setback of between 3.91 metres and 4.44 metres. The proposed walls are setback in excess of 40 metres from this boundary.

The proposed west wall of the addition varies between a maximum height of 7.74 metres and 9 metres above natural ground level. Pursuant to Standard B17, walls of this height would be required to be setback from a common boundary a minimum of 3.574 metres and 4.44 metres. The proposed walls are setback between 5.3 metres and 8.76 metres.

As demonstrated the proposed development complies with the relevant side and rear setback requirements. Furthermore, it would be noted that the elevations feature multiple recessed elements and a mixture of exterior finishes that will provide additional articulation to mitigate against adverse visual bulk.

### *Building height*

The proposed addition was lodged as an application and not formally amended prior to Amendment VC110, which changed the maximum building height requirements within the residential zones. As a consequence, the application can take advantage of the transitional provisions contained within the Neighbourhood Residential Zone – Schedule 1 that enable the application to be assessed against the previous provisions prior to the amendment. The proposed addition therefore can be no higher than 8 metres or 9 metres where the slope of the natural ground level at any cross section wider than 8 metres is 2.5 degrees or more. The proposed addition does not exceed a maximum height of 9 metres which is allowable to the slope of the land. Where the slope is not applicable the addition will not exceed a maximum height of 7.74 metres which demonstrates compliance. It should be noted that while the maximum height of the building is 9 metres the slope of the land will mean that the majority of the addition is less than 9 metres.

There was no limitation on the number of storeys that can be proposed within the Neighbourhood Residential Zone prior to Amendment VC110. As previously noted the proposed addition will be, albeit for a small extent and predominantly no more than two storeys, at maximum a three storey building.

### *Site coverage*

Pursuant to Standard B8 of Clause 55.03-3 'Site coverage objective' the area of the subject site covered by buildings should not exceed 60%. The site coverage of the proposed addition when combined with the existing is 31.94%. The proposed development is therefore compliant.

### *Permeability*

Pursuant to Standard B9 of Clause 55.03-4 'Permeability objective' the area of the subject site covered by pervious surfaces should be at least 20% of the subject site. The per cent of pervious surfaces proposed addition when combined with the existing is 72.97%. The proposed development is therefore compliant.

### *Overlooking*

The proposed addition features windows and balconies within 9 metres of the habitable room windows and secluded private open space of adjoining 1 Salisbury Road. The balconies and windows at first floor include a notation to screening these areas up to 1.7 metres above floor level to comply with Standard B22 of Clause 55.04-6 'Overlooking objective'. The ground level windows and balcony do not include any screening as there is a 1.8 metre fence along the common boundary between the subject site and 1 Salisbury Road. However, it is noted that due to the slope of the land the windows and balcony to the rear of this west wall will be elevated above this 1.8 metre boundary fence and therefore could result in adverse overlooking. A condition of approval would therefore require that all balconies and windows demonstrate compliance with B22 of Clause



55.04-6 'Overlooking objective' to ensure that any potential overlooking that is not in accordance with this standard is appropriately treated to screen non-compliant views.

#### *Overshadowing*

The proposed addition was submitted with plans demonstrating that between 9AM and 3PM sunlight to adjoining allotments secluded private open space will not be significantly reduced in a manner that would be non-compliant with Standard B21 'Overshadowing open space objective'.

#### *Design detail*

The proposed addition will feature articulated exterior walls along all elevations what will aid in minimising the visual impact of the structure. The roof form whilst predominantly flat will include a pitched element to the ground floor at the front of the building to complement the established pitched rooves that characterise the majority of the dwellings in the immediate area. The exterior colours will be conditioned to be darker muted tones that are consistent with the natural colours present in the surrounding environmental landscape.

#### **Vegetation removal**

As noted within Clause 42.01 Environmental Significance Overlay – Schedule 1 the northern hills of the municipality are an area with significant landscape and environmental values. The proposed additions require significant vegetation removal. This removal is not required due to being in the same location as that of the proposed additions but is instead necessary in order to provide suitable defendable space both around the proposed addition and existing aged care facility pursuant to CFA requirements. In this instance given the fire risk, the defendable space extends from the building to the boundaries of the subject site. Within the southern half of the subject site 94 tree would be required to be removed due to the requirement to provide the required 5 metre separation between trees as specified within the CFA conditions. The applicant has provided a biodiversity assessment prepared by Ecolink consulting that advised 14 trees would remain in the southern half but that they are healthy and mature examples which will help to maintain the aesthetics of the study area and retain the maximum ecological value within this area. This assessment also concluded that it is unlikely that any threatened flora species are within the subject site and that none will be impacted by the proposed additions. Furthermore, the application was referred to the Department of Environment, Land, Water and Planning pursuant to Clause 52.17 'Native Vegetation' who did not object to the proposed extent of removal subject to conditions in relation to offsetting the vegetation lost.

Further vegetation removal within closer proximity to the existing residential aged care facility will also be exempt from requiring a planning permit pursuant to Clause 52.48 'Bushfire Protection: Exemptions'.

As previously noted, Clause 13.05-1 'Bushfire planning strategies and principles' emphasises that the protection of human life over other policy considerations in areas at risk from bushfire should be prioritised.

#### **Bushfire Risk**

The proposed additions were referred to the CFA for comment pursuant to Clause 44.06 'Bushfire Management Overlay'. The CFA responded with no objection to the proposal subject to the inclusion of conditions relevant to a Bushfire Management Plan, Development Plans and Fire Engineering Report and Bushfire Emergency Management Plan being submitted and endorsed. As a consequence of this it is considered that the proposed additions demonstrate compliance with



Clause 44.06 'Bushfire Management Overlay' by prioritising the protection of human life, identifying bushfire protection measures and ensuring that development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.

### **Car parking and waste collection**

Pursuant to Clause 52.05 'Car Parking' a residential aged care facility should provide 0.3 car spaces per lodging room. The existing 45 lodging rooms combined with the 30 bedrooms proposed within the addition would take the overall number of lodging rooms to 90 which equates to a minimum car parking requirement of 27 spaces. The proposed addition includes car parking for 27 car spaces demonstrating compliance with this requirement. Council's traffic engineers have reviewed the car parking on site and have advised of no objection.

Council's traffic engineers have raised concern in relation to the waste collection from the existing residential aged care facility, specifically in relation to the waste vehicle moderately overhanging Salisbury Road during collections. These concerns relate to the pre-existing long term operation of the established aged care facility and it is noted that the proposed additions do not intend to alter this arrangement.

Whilst it is acknowledged that the proposed development would ultimately result in an increase in the volume of waste likely to be generated in association with the use, it is not considered appropriate to seek to retrofit a design solution to overcome this issue as part of this application. Therefore, any existing waste collection issues are a matter for Council to consider separately to this application

### **Heritage**

The subject site is covered by Heritage Overlay Schedule 71 'Charing Cross Civic and Commercial Precinct' and Schedule 110 'Kincraik'.

Council's heritage advisor has reviewed the application and advised of their general satisfaction with the proposal in relation to the heritage significance of both the existing building and in the wider Charing Cross Civic and Commercial Precinct'. It is highlighted that Clause 15.01-2 'Urban design principles' advises that new development should respect, but not simply copy, historic precedents. It is considered that the notable contrast in scale and design of the proposed addition to that of the existing building will ensure that the heritage significance of the existing building is not diluted by way of mimicking its style on the addition. The proposed addition will therefore provide a clear difference between the old and new that will respect the heritage significance of the established building.

### **Objections**

The objections lodged against the application include the following concerns:

- Out of character development.
- Car parking/traffic movement along Salisbury Road.
- Fire risk.
- Drainage concerns.
- Excavation.
- Vegetation removal.
- Overlooking of adjoining allotments.
- Adverse impact on existing heritage building.
- Noise

The following provides a response to these concerns that have not already been addressed previously within the assessment:

- *Out of character development*

It is noted that the proposed addition is a departure from the established built form character dominated by dwellings and the existing heritage building, however, Clause 16.02-4 'Design and location of residential aged care facilities' highlights that an aged care facility should not be expected to have the same built form as that of a dwelling due to their different purposes. Furthermore, the existing heritage building of 'Salisbury House' was constructed in the nineteenth century with the intention of being a resort as opposed to specifically being an aged care facility of which it was converted into at a later date. Due to the existing heritage significance of the established building on the subject site the different design of the proposed addition provides a direct contrast to that of the existing building as opposed to derivatively copying its style.

Taking the above into consideration it is also noted that the subject site poses significant constraints in relation to topography and bushfire risk. Where possible the proposed addition has attempted to retain as much vegetation as possible and the design will feature elements like a pitched roof to the ground floor that responds to the pitched roof forms characteristic of the majority of development in the area. The proposed addition will also be finished in muted tones that will further aid in integrating the building into the landscape.

- *Drainage concerns*

Council's engineers have reviewed the application and advised no concerns with drainage subject to conditions.

- *Excavation*

Council's engineers have reviewed the application and have provided conditions to appropriately manage excavation and earthworks.

- *Noise*

It is inevitable that noise will be generated by proposed addition during its construction. However, the majority of construction will generate noise of some kind and this in isolation does not merit grounds for refusal of an application. Conditions will require that the construction of the development does not detrimentally affect the amenity of the area.

When constructed the car park will be predominantly underground with the remaining area enclosed which will minimise noise emissions.

## CONCLUSION

The proposed addition to the existing residential aged care facility will provide for additional housing diversity for the increasing number of elderly people within the Upper Beaconsfield area. The proposed design will respect the existing heritage building on site and respond to the characteristics of the surrounding area where possible. At the same time, it is also noted that the planning scheme recognises that residential aged care facilities should not be considered like a dwelling due to their varying purposes and that therefore their scale and mass will be different.

It is acknowledged that a significant amount of vegetation will require removal but that this will enable both the proposed and existing buildings to provide suitable defensible space to mitigate bushfire risk as per the requirements of the CFA.

It is recommended that a Notice of Decision to Grant Planning Permit T160025 be issued for a 30 bedroom addition to an existing residential aged care facility, vegetation removal and associated works at 5-9 Salisbury Road, Beaconsfield Upper Victoria 3808 subject to the following conditions:

## CONDITIONS

1. Before development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
  - a) All of the changes shown on plans TP.07, TP.08, TP.09, TP.10 dated 23 June 2015, Project No. 150034, but modified to show:
    - i. Compliance with Standard B22 of Clause 55.04-6 'Overlooking objective'.
    - ii. Compliance with Standard B23 of Clause 55.04-7 'Internal views objective'
    - iii. A colour and materials schedule consistent with plan TP.14, dated 23 June 2015, Project No. 150034, but modified to include the west facing wall to the corridor and staircase finished in a darker muted tone.
    - iv. Compliance with Condition 1b).
    - v. The 'Section Through Ramp Basement' on plan TP.10 consistent with the gradients of the ramp as demonstrated on plan TP.08
    - vi. The continuation of the existing front fence along the frontage adjacent to the proposed additions where proposed.
  - b) A plan specifically demonstrating all vegetation to be removed from and retained on the subject site in accordance with Condition 19 (a) and Biodiversity Assessment, 3-9 Salisbury Road, Beaconsfield Upper dated April 2017, Project No. 1396.
  - c) A minimum of 1 car space must be provided for the exclusive use of disabled persons. The car space must be provided as close as practicable to a suitable entrance of the building and must be clearly marked with a sign to indicate that the space must only be utilised by disabled persons. The dimensions and layout of the car space must be in accordance with Australian Standard AS2890.6-2009 (disabled) and the Building Code of Australia.
2. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
3. All pipes, fixtures, fittings and vents servicing any building on the subject land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
4. All external plant and equipment must be acoustically treated or placed in sound proof housing to reduce noise to a level satisfactory to the Responsible Authority.
5. All security alarms or similar devices installed on the subject land must be of a silent type in accordance with any current standard published by Standards Australia International Limited and be connected to a security service.

6. The works associated with the construction of the development must not detrimentally affect the amenity of the area, through the:
  - a) Transport of materials, goods or commodities to or from the land.
  - b) Inappropriate storage of any works or construction materials.
  - c) Hours of construction activity.
  - d) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste and storm water runoff, waste products, grit or oil.
  - e) Presence of vermin.
7. Before the development is occupied, the concrete footpath must be constructed along the adjacent road reserve for the full length of the subject site's front boundary and no cost to and to the satisfaction of the Responsible Authority.
8. Before the development is occupied, all proposed areas set aside on the approved plans for access, circulation and car parking must be constructed with concrete, asphalt or other approved hard surfacing material, drained and the parking areas delineated to the satisfaction of the Responsible Authority. Once constructed, these areas must be maintained to the satisfaction of the Responsible Authority.
9. Before the development is occupied a commercial/industrial standard concrete vehicle crossing/s as shown on the approved plans must be constructed to the approval and satisfaction of the Responsible Authority.
10. Before the development is occupied any redundant existing vehicle crossing must be removed and the nature strip and kerb and channel reinstated at the cost of the owner and to the satisfaction of the Responsible Authority.
11. Sediment control measures must be undertaken during construction to the satisfaction of the Responsible Authority to ensure that the development subject land is adequately managed in such a way that no mud, dirt, sand, soil, clay or stones are washed into or allowed to enter the stormwater drainage system.
12. Earthworks must be undertaken in a manner that minimises soil erosion. Exposed areas of soil must be stabilised to prevent soil erosion. The time for which soil remains exposed and unestablished must be minimised to the satisfaction of the Responsible Authority.
13. The slope of batters, both cut and fill, must not exceed 2:1 (horizontal: vertical) or, where this is not practicable, batters must be stabilised by other means to the satisfaction of the Responsible Authority.

#### **DEPARTMENT OF ENVIRONMENT, LAND, WATER AND PLANNING**

14. Before works start, the permit holder must advise all persons undertaking the vegetation removal and works on site of all relevant conditions of this permit.
15. Before works start, native vegetation protection fencing must be erected around all patches of native vegetation and scattered trees to be retained on site. This fencing must be erected around the patches at a minimum distance of 2 metres from retained native vegetation and at a radius of 12x the diameter at breast height (DBH) to a maximum of 15 metres but no less than 2 metres from the base of the trunk of the scattered trees.

The protection fencing must be constructed to the satisfaction of the responsible authority.  
The protection fencing must remain in place at least until all works are completed to the

satisfaction of the responsible authority. Except with the written consent of the responsible authority, within this area;

- a) no vehicular or pedestrian access, trenching or soil excavation is to occur
- b) no storage or dumping of tools, equipment or waste is to occur
- c) no entry and exit pits for underground services are to be constructed

16. In order to offset the removal of 0.487 hectares of native vegetation approved as part of this permit, the applicant must provide a native vegetation offset that meets the following requirements and is in accordance with the Permitted clearing of native vegetation – Biodiversity assessment guidelines and the Native vegetation gain scoring manual:

The general offset must:

- a) contribute gain of 0.053 general biodiversity equivalence units
- b) be located within the Port Phillip and Westernport Catchment Management Authority boundary or Cardinia Shire Council municipal district
- c) have a strategic biodiversity score of at least 0.175

17. Before any native vegetation is removed, evidence that an offset has been secured must be provided to the satisfaction of the Responsible Authority. This offset must meet the offset requirements set out in this permit and be in accordance with the requirements of Permitted clearing of native vegetation – Biodiversity assessment guidelines and the Native vegetation gain scoring manual. Offset evidence can be either:

- a) a security agreement, to the required standard, for the offset site or sites, including a 10 year offset management plan, which is to include the ongoing management regime in perpetuity. Every year, for ten years, after the responsible authority has approved the offset management plan, the applicant must provide notification to the responsible authority of the management actions undertaken towards the implementation of the offset management plan. An offset site condition statement, including photographs must be included in this notification
- b) a credit register extract from the Native Vegetation Credit Register

## **COUNTRY FIRE AUTHORITY**

18. Before the development starts, a stand – alone Bushfire Management Plan must be prepared to the satisfaction of CFA and submitted to and endorsed by the Responsible Authority.
19. The Bushfire Management Plan must show the following bushfire mitigation measures relied upon for the development:

### **Defendable Space**

- a) The plan must show all the land to the property boundary as the area of defendable space, where vegetation (and other flammable materials) will be modified and managed in accordance with the following requirements:
  - i. Grass must be short cropped and maintained during the declared fire danger period.
  - ii. All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.
  - iii. Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building.

- iv. Plants greater than 10 centimetres in height must not be placed within 3m of a window or glass feature of the building.
- v. Shrubs must not be located under the canopy of trees.
- vi. Individual and clumps of shrubs must not exceed 5 sq. metres in area and must be separated by at least 5 metres.
- vii. Trees must not overhang or touch any elements of the building.
- viii. The canopy of trees must be separated by at least 5 metres.
- ix. There must be a clearance of at least 2 metres between the lowest tree branches and ground level.
- b) There must be notation for defensible space requirements that specifies that the requirements included under Condition 19 (a) must be undertaken at the site on an ongoing basis for the life of the associated use of the property as an aged care facility.
- c) The Bushfire Management Plan must not be amended, unless otherwise agreed in writing by CFA and the Responsible Authority.

#### *Construction standards*

- d) The plan must nominate that the design and construction of the extension as shown on the plan must be undertaken in accordance with the Fire Engineering Report prepared by Omnii Consulting Fire Engineers, dated 30th January 2017, Project No. 5952100, Revision B and any approved changes to this report.
- e) The plan must identify the extent of the existing building that is not subject to any proposed buildings and works.
- f) The plan must identify the extent of any new buildings and works to the site, including the proposed alterations and additions to the existing building.

#### *Water supply*

- g) The fire fighting water supply must be in accordance with s5.5.4 of the endorsed Fire Engineering Report (prepared by Omnii Consulting Fire Engineers, 30th January 2017, Project No. 5952100, Revision B) and the Bushfire Emergency Management Plan 21 December 2016:
  - i. The refuge must be provided with an independent water supply of 80,000 litres as a fire fighting supply for the automatic sprinkler system, charged by a diesel pump as specified in the Salisbury House Bushfire Emergency Management Plan (21 December 2016) prepared by Terramatrix
  - ii. There must be a 10,000 litre water supply to supply for firefighting purposes which meets the following requirements:
    - ai. Is stored in an above ground water tank constructed of concrete or metal.
    - aii. All fixed above-ground water pipes and fittings required for firefighting purposes must be made of corrosive resistant metal.
    - aiii. Incorporate a ball or gate valve (British Standard Pipe (BSP) 65mm) and coupling (64 mm CFA 3 thread per inch male fitting).
    - aiv. The outlet/s of the water tank must be within 4m of the accessway and be unobstructed.
    - av. Be readily identifiable from the building or appropriate identification signage to the satisfaction of CFA must be provided



- avi. Any pipework and fittings must be a minimum of 65 mm (excluding the CFA coupling).

#### Access

- h) The plan must show the access for fire fighting purposes which meets the following requirements:
  - i. The average grade must be no more than 1 in 7 (14.4 per cent) (8.1 degrees) with a maximum of no more than 1 in 5 (20 per cent) (11.3 degrees) for no more than 50m.
  - ii. Have a minimum trafficable width of 3.5m of all- weather construction.
  - iii. Be clear of encroachments for at least 0.5m on each side and 4m above the accessway.
  - iv. Dips must have no more than a 1 in 8 (12.5 per cent) (7.1 degrees) entry and exit angle.

#### *Bushfire Emergency Management Plan*

- i) The plan must nominate that a Bushfire Emergency Management Plan version 3.0 (Terramatrix, 21 December 2016) has been developed for this site on behalf of Menarock Aged Care Services and should be used in a bushfire emergency event.

#### *Development Plans*

20. Before the development starts and the stipulated plans are endorsed by the Responsible Authority, the following plans must be amended to ensure that they reflect the requirements of the Bushfire Emergency Management Plan and Fire Engineering Report associated with this permit:
- a) Proposed Site Plan (Date: 23 June 2015, Project No. 150034, Sheet TP.07, Issue F – 27/09/2016)
  - b) Proposed Floor Plans (Date: 23 June 2015 , Project No. 150034, Sheet TP.08, Issue F – 27/09/2016)
  - c) Proposed Elevations N/W (Date: 23 June 2015, Project No. 150034, Sheet TP.09, Issue F – 27/09/2016)
  - d) Proposed Elevations S/E (Date: 23 June 2015, Project No. 150034, Sheet TP.10, Issue F – 27/09/2016)

The proposed floor plans and elevations should show the location of the bushfire shutters and viewing panels in accordance with the submitted Fire Engineering Report.

#### *Fire Engineering Report*

- 21. The submitted Fire Engineering Report (prepared by Omnii Consulting Fire Engineers, 30th January 2017, Project No. 5952100, Revision B) must be endorsed and form part of this permit.
- 22. Any buildings and works approved under this permit must be undertaken and carried out in accordance with the Fire Engineering Report endorsed under this permit.
- 23. Any amendment to the Fire Engineering Report and subsequent construction must:
  - a) Be designed and engineered to a standard that is equal to or exceeds the design standards/parameters shown in the current report to be endorsed under this permit (Prepared by Omnii Consulting Fire Engineers, 30th January 2017, Project No. 5952100, Revision B).

- b) Maintain at least the same high level of safety to the occupants of the building in the event of a bushfire as the current Fire Engineering Report.
- c) Include a peer review and certification by a suitably qualified person that states that the change is acceptable and will meet relevant fire safety standards and maintain an appropriate level of safety in the building.
- d) A copy of any amended fire engineering report must be provided to the Responsible Authority and CFA.

*Bushfire Emergency Management Plan*

- 24. A copy of any amended fire engineering report must be provided to the Responsible Authority and CFA.
- 25. The Bushfire Emergency Management Plan must be reviewed and updated a minimum of every year close to 30th September, as prescribed in this plan. A version Control Table must be included in any future versions of the plan.
- 26. A copy of the updated Bushfire Emergency Management Plan must be provided annually to the Responsible Authority and CFA District 8 Headquarters for distribution to the relevant responding brigades.
- 27. This permit will expire if one of the following circumstances applies:
  - a. The development is not started within two years of the date of this permit.
  - b. The development is not completed within four years of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires, or within three months afterwards.

**Permit Notes:**

- Prior to commencement of the proposed use a Building Permit must be obtained for any retaining wall exceeding 1.0 metres in height.
- A 'Vehicle Crossing Permit' must be obtained from Council prior to the commencement of any works associated with the proposed vehicle crossing.







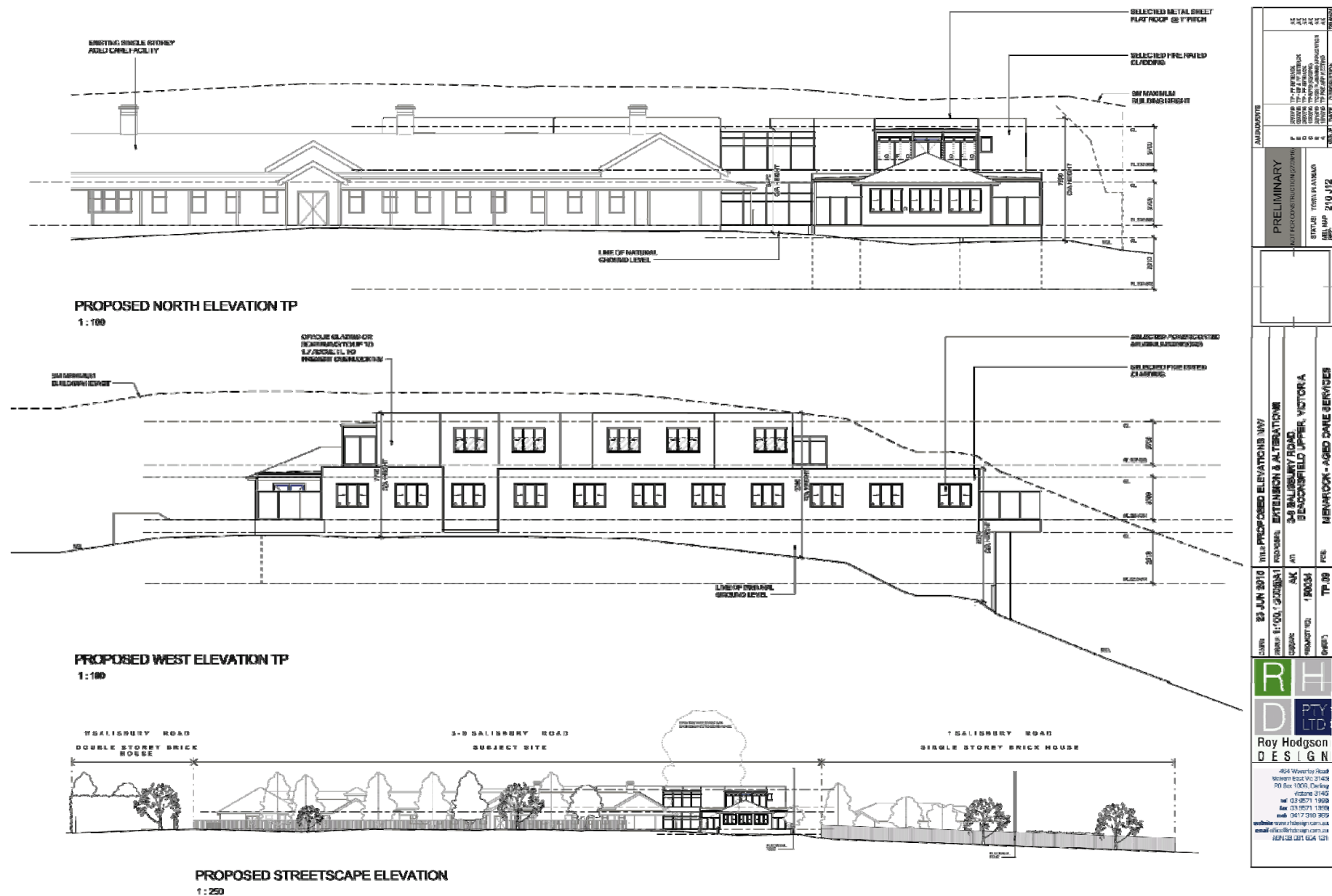








[illegible]







 <b>Roy Hodgson DESIGN</b>  4000 Wherry Road Wolverhampton WV6 9AG WV6 9AG, Walsley Tel: 01902 719399 Fax: 01902 719376 Mobile: 0777 290 3659  <a href="http://www.royhodgson.co.uk">www.royhodgson.co.uk</a> <a href="mailto:info@royhodgson.co.uk">email: info@royhodgson.co.uk</a> <a href="http://www.royhodgson.co.uk">http://www.royhodgson.co.uk</a>	DATE: 23 JUN 2015	TITLE: 3D VIEWS ALTERNATIVE COLOUR OPTION		<div>PROPOSER: EXTENSION &amp; ALTERATIONS</div> <div>3-9 SALISBURY ROAD, BEAUFORT, UPPER, VICTORIA</div> <div>STREET: TOWN PLANNING</div> <div>REF: 210 J12</div>	<div>PRELIMINARY</div> <div>NOT FOR CONSTRUCTION</div> <div>1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 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