

## **2 PLACE OF WORSHIP AND REMOVAL OF NATIVE VEGETATION AT 33 OFFICER ROAD, OFFICER**

FILE REFERENCE INT1764375

RESPONSIBLE GENERAL MANAGER Andrew Paxton

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### **RECOMMENDATION**

That a Notice of Decision to Grant Planning Permit T170376 be issued for the Use and Development of the Land for a Place of Worship and the Removal of Native Vegetation at 33 Officer Road, Officer subject to the conditions attached to this report.

### **Attachments**

- |   |   |          |
|---|---|----------|
| 1 | Locality plan                                       | 1 Page   |
| 2 | Development plans                                   | 4 Pages  |
| 3 | Copies of objections circulated to councillors only | 38 Pages |

### **EXECUTIVE SUMMARY:**

APPLICATION NO.:	T170376
APPLICANT:	Officer Property Trust and Sri Guru Nanak Darbar
LAND:	33 Officer Road, Officer VIC 3809
PROPOSAL:	Use and development of the land for a place of worship and the removal of native vegetation
PLANNING CONTROLS:	Green Wedge Zone - Schedule 1 Environmental Significance Overlay Schedule 1 Land Subject to Inundation Overlay (in part- not in development area) Bushfire Management Overlay (in part- not in development area)
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 twenty-four (24) objections were received.
KEY PLANNING CONSIDERATIONS:	Consistency with the Green Wedge Zone and location of the site Environmental Impacts Impact on amenity of surrounds
RECOMMENDATION:	Approval

**BACKGROUND:**

There is no recent Planning Permit history for the subject site

**SUBJECT SITE:**

The site is located on the west side of Officer Road approximately 300 metres north of Brown Road and the urban growth boundary.

The site currently contains a dwelling and surrounding outbuildings in the south east corner of the site with access provided in the southern portion of the site frontage.

The topography of the land is undulating with the north portion of the site dissected by a watercourse and dam located centrally. Some vegetation lines the watercourse with remaining areas throughout the property open grazing land

The immediate site context includes rural residential properties with some farming activities, some stands of remnant vegetation and the urban growth boundary within close proximity to the south of the site.

**PROPOSAL:**

A summary of the use and development proposal includes:

***Use***

The proposal is to use the existing building and small addition on the site for a place of worship with a maximum 100 patrons. The facility will operate Monday-Sunday- 6am-10pm. The peak times for the proposed use have been noted as Sunday morning and Wednesday night. The use will include community garden and will house 2-3 Priests to live in the existing dwelling.

***Site Layout***

The proposal includes the retention of the existing dwelling with a minor extension on the north side of the dwelling, amenities and parking to the west and north of the existing buildings, located in the south east portion of the site. The proposal will require modifications be made to the existing crossover and driveway. All works are surrounding the existing buildings located in the southern portion of the site.

***Building Form***

The proposal includes the retention of existing dwelling with a minor single storey extension to the north of the dwelling to provide a prayer room with the provision of a separate amenities building which is single storey with flat roof form and located to the north of the existing building in the southern portion of the site.

***Access and Parking***

The proposal includes the use of existing crossover although will be widened with the provision of a thirty-eight (38) on-site parking spaces including two disabled parking spaces provided within the gravel car park located to the north and west of the existing building on the site.

***Vegetation Removal***

The proposal includes the removal of twenty-eight (28) trees, which spans for approximately 35 meters along the sites frontage. Trees to be removed in a remnant vegetation patch within the road reserve and will create a safe sight line to the sites access.

## **PLANNING SCHEME PROVISIONS:**

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

The relevant clauses of the SPPF are:

- Clause 11 Settlement
- Clause 11.06-7 Green Wedges
- Clause 12.01-2 Native Vegetation
- Clause 12.04-1 Environmental sensitive areas
- Clause 12.04-2 Landscapes
- Clause 13.02 Floodplains
- Clause 13.05-1 Bushfire planning strategies and principles
- Clause 14.01-1 Protection of agricultural land
- Clause 18.02-5 Car Parking
- Clause 19.02-4 Distribution of social and cultural infrastructure
- Clause 19.03-2 Water supply, sewerage and drainage

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

The relevant clauses of the LPPF are:

- Clause 21.02 Cardinia Shire Key Issues and Strategic Vision
- Clause 21.01-2 Key influences
- Clause 21.01-3 Key issues
- Clause 21.02 Environment
- Clause 21.02-3 Biodiversity
- Clause 21.02-4 Wildfire management
- Clause 21.04-2 Agriculture
- Clause 21.05-3 Local roads
- Clause 21.05-6 Community services and facilities
- Clause 21.06-1 Design and built form
- Clause 22.05 Western Port Green Wedge Policy

### **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 57 Metropolitan Green Wedge Land

### **Zone**

The land is subject to the Green Wedge Zone – Schedule 1 (GWZ1)

### **Overlays**

The land is subject to the following overlays:

- Environmental Significance Overlay – Schedule 1
- Land Subject to Inundation Overlay (in part)
- Bushfire Management Overlay (in part)

### **PLANNING PERMIT TRIGGERS**

The proposal for a place of worship and native vegetation removal requires a planning permit under the following clauses of the Cardinia Planning Scheme:

- Pursuant to Clause 35.04 Schedule 1 of the Green Wedge Zone a planning permit is required for a Section 2 use (Place of Worship).
- Pursuant to Clause 35.04 Schedule 1 of the Green Wedge Zone a planning permit is required to construct or carry out buildings and works associated with a Section 2 use (Place of Worship).
- Pursuant to Clause 42.01 Schedule 1 of the Environmental Significance Overlay a planning permit is required for buildings and works and vegetation removal (building exceeding 4 metres above natural ground level)
- Pursuant to Clause 52.17 a permit is required for the removal of native vegetation

### **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

Council has received 24 objections to date.

The key issues that were raised in the objections are:

- Contrary to the Green Wedge Zone
- Impacts on the quiet country serene area, loss of the semi-rural identity and is not in keeping with the area.
- Use inappropriate and effectively a commercial development and should be a farm, concerns that this use can even be considered. Use should be located in a commercial or industrial area.
- Conflicts with surrounding agricultural uses, disturbance of use of machinery for agriculture during worship times.
- Precedent for similar developments in the future.
- Need to retain as a residential area.
- Increased traffic with impacts on the road capacity that struggles to cope with local traffic and will impact on cyclists and pedestrians that use this road.
- Location near a blind corner on Officer Road will impact on traffic safety with no street lights along Officer Road.
- Application does not include the number of worship meetings, or hours of operations of festival days
- Visual impact on adjoining properties with extensive gravel parking spaces and toilet block visible from adjoining property and will be an eyesore and visual impact on the wider landscape
- Loss of privacy
- Increased noise from traffic and people, including singing chanting and playing instruments, PA systems in outside business hours (late at night and Sunday mornings).



- Impact of lights from the premises on the area
- Potential for expansion of the use with bigger buildings and growth in numbers or the subdivision of the land given the size of the site.
- Environmental impacts in an environmentally significant area including extensive removal of native vegetation in a conservation area inappropriate and extensive impact on surrounding fauna.
- A number of objectors suggested improvements to the creek.
- If use changes the control of weeds is a concern
- Disposal of effluent/sewerage - impacts on the surrounds for 100 patrons could result in a septic tank that could contaminate the local water course given part of the site is in land subject to inundation. Secondary building for amenities inappropriate and appears to be temporary.
- Stormwater runoff from the car parking areas will impact on the creek and potential impact on adjoining properties.
- No details of the overall land management of the site
- High heritage values of the Haunted Gully Creek and potential contamination.
- Fencing around the property needs to be maintained.
- Raised concerns with the placement of an advertising sign
- Values of surrounding properties

## REFERRALS

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

The application was also referred to internal Council Departments, Health, Traffic and Engineering, who consented and provided conditions to the application. Council's Environment Department were also referred the application and raised objection to the proposal due to its failure to seek to minimise vegetation removal which is required to create a safe site line for the access way to Officer Road. Environment cited the proposals inability to respond the objectives of the Environmental Significance Overlay (ESO) as its main reason for opposition. This concern was noted, and considered with the approval from DELWP, the statutory referral requirement.

The advice of the Strategic Planning Department was also sort in relation to the proposals compliance with the newly implemented Western Port Green Wedge Management Plan (Clause 22.05). Strategic Planning stated that the proposal was close to the UGB, was appropriately serviced and could be supported in this case.

## DISCUSSION

### Use

A place of worship is an allowable use within the Green Wedge Zone. While not a typical use within the Green Wedge Zone, given the small scale and large capacity of the site, the proposal is considered to be in keeping with the purpose of this zone. The area of the site to be used as a place of worship and associated car parking area will be constrained to a small section of the 8.05 hectares' site ensuring the majority of the site is conserved to contribute to the environmentally significant landscape in which it sits.

Council's Westernport Green Wedge Management Plan acknowledges that there are broader activities and uses encroaching into the GWZ which has increased the amount of urban uses, such

as place of worships, being proposed in the zone. If inappropriately located, these uses can detrimentally impact the rural character of these landscapes and fragment agricultural land. The site is not situated within the designated Precincts identified in this plan but the overarching principals are relevant in the assessment of this proposal. The policy notes (across all 3 precincts) that a place of worship should therefore be located, subject to strategic justification, closer to the urban growth boundary (UGB) or within existing townships. The site sits on the future urban fringe, located 300 metres from the urban growth area and future residential precinct of Officer. It is for this reason that the application was supported given the recent adoption of Clause 22.05 which specifies that non-rural uses should not be supported in the Green Wedge apart from land that adjoins the UGB.

The use on the subject site can also be justified given the transition that the surrounding area in the coming years will experience. Once the residential precinct is developed to the south the proposed use will sit more comfortably within its surrounds.

Clause 21.05-6 Community services facilities, encourages the provision of a reasonable level of access to a range of community services and facilities to rural townships in response to community needs. The use will provide a central hub to a small local religion and is easily accessible from the Princes Highway and hilltop towns. It is therefore considered that the facility will be providing a needed community facility.

The permit will restrict the hours of operation and number of worshipers allowed on the site at any one time to ensure the use operates appropriately within the rural environment it sits and is as undistruptive as possible to neighbouring properties. A substantial part of existing dwelling will be retained for its residential use.

The proposal aligns with Clause 57- Metropolitan Green Wedge Land. No limitations have been placed on a 'place of worship' use.

### **Built form**

The development of a prayer room is modest in form and in keeping with the development objectives of the Rural Conservation Zone and Environmental Significance Overlay and well as local policy.

Clause 21.02 'Landscape' in general aims to protect the significant landscapes within the municipality in order to maintain scenic corridors, landscape values, biodiversity and tourism. The site is not situated within a significant landscape corridor, though the design is sympathetic to the surrounding rural landscape. The prayer room will adjoin the northern elevation of the existing dwelling and will be predominately screened from the road by the existing dwelling. The amenity block will also have a small visual impact and will be located well within the property boundaries. Both the amenity block and the prayer room will be constructed of muted tones and non-reflective materials to blend with the existing development on site and the surrounding rural environment. A permit condition will require the car parking and access ways to be sealed and screened from the road way by native plantings. In order to reinstate the some of the habitat and biodiversity value lost by the vegetation removal, a permit condition will also require the revegetation and management of the section of Haunted Gully Creek located on site as well as offsetting to be completed elsewhere.

### **Environmental Impacts and Access**

The vegetation to be removed is located along the sites frontage and is located either side of the existing crossover. Due to the high speed of Officer Road, the location of the crossover on a crest and the outside curve in a bend in the road, a substantial amount of vegetation is to be removed.

The applicant has prepared a Preliminary Arboricultural Assessment in order to justify the vegetation removal. The report concluded that 17 of the trees to be removed are due to poor health or structure. A further 11 trees are proposed for removal for sightlines. The proposed vegetation loss does not constitute a proportional loss to rare or threatened species. The offsets required to mitigate the permitted clearing of native vegetation in accordance with Permitted clearing of native vegetation – Biodiversity assessment Guidelines (DEPI 2013) are General Offsets, with a biodiversity equivalence unit of 0.005, this has been identified in the offset strategy. The offset strategy identifies that the offset will be secured via third party and they are currently available through a broker.

The application was referred to DELWP and Councils Environment Department who recommended that it might not be necessary to removing all of the trees proposed for sightlines, especially those that are not currently in poor health, alternatively prune branches and clear understory to maintain some continuity of vegetation in the corridor. In consultation with Councils Traffic Department, it has been determined that this will not create a safe access arrangement given the curve, speed and incline of the road. Traffic also confirmed that the existing location of the cross over is the safest option for the site. Offsetting required to be completed by the applicant will ensure the biodiversity value lost will be instated elsewhere within Port Phillip and Westernport Catchment Management Authority boundary or Cardinia Municipal district.

Such a high portion of vegetation removal contravenes the purposes of the Environmental Significance Overlay and Clause 52.17. Though the net loss has been justified by the creation of a safe access for the site. The vegetation has not been identified as being significant and has a low biodiversity value. Clause 21.02 encourage the re-establishment of native vegetation to protect areas of habitat and landscape value. A permit condition will require vegetation and habitat corridors to be established along the creek located in the northern section of the site.

### **Car Parking**

A 38 space car park is proposed to be constructed to the north west of the place of worship with two disabled car parking spaces. A permit condition will require the sealing of this car park. Clause 52.06 requires that a place of assembly (inclusive of place of worship) is required to provide 0.3 spaces per patron permit and therefore the use generates a car parking requirement of 30 car spaces.

The provision of 38 on site car spaces exceeds the Clause 52.06 requirements. The site is not serviced by public transport or within a walkable catchment and therefore, the provision of 38 car spaces for a maximum of 100 patrons is considered suitable. There is also ample space surrounding the dwelling and stables to be used for overflow car parking during peak times without impacting on the road network. The car parking area will be located at well within the property boundaries and ample circulation and queueing areas have been accounted for to ensure minimal disruptions to the flow of traffic along Officer Road.

### **Objectors Concerns**

Below summarises the main themes raised in the objections received:

- Inappropriate development in the Green Wedge/Rural Environment
- A common theme within the objections raised was the suitability of the use within the rural environment in which the site sits. As discussed above, the use is allowable under the

provisions of the zone as well as Clause 57. The use is further supported in this location by local policy Clause 22.05. Conditions on the permit will insure the impacts to the level of amenity are minimal. It is not foreseen that the use will have any impact on the farming and agricultural uses surrounding the site, given the small size of the congregation and isolated area that the use will be contained. Concern was raised about a precedent being set and potential expansion of use. Any similar uses or expansion of the facility will require planning permission to determine its suitability.

- **Traffic & Parking**

The proposal exceeds the requirements of the Planning Scheme regarding the provision of car parking. Council officers are satisfied that the impact of car parking will be negligible as cars will not be able to park on the Officer Road verge given its limited width. Ample space is provided on site for overflow car parking. Councils Engineering and Traffic Departments are satisfied that the existing road pavement can accommodate the increased traffic volumes. Safety of the access arrangements will be improved by the proposed vegetation removal and slicing of verge.

- **Amenity**

Potential impacts to the level of amenity caused by noise and light will be controlled by permit conditions. Hours of operation and patron numbers will be limited by the permit to ensure the sites operations are respectful to the amenity of nearby residence. Out of usual working hours, the site will only be able to operate at a limited capacity, with the exemption of Wednesday night. The site is well setback from any nearby dwellings with the closest neighbours being 220 metres to the west, 170 metres to the north and 195 metres to the south and therefore Council are satisfied that the potential impacts to amenity or privacy caused by the place of worship will be minimal.

## CONCLUSION

It is considered that the proposal meets the requirements of the planning scheme and that a Notice of Decision to Grant Planning Permit T170376 be issued for the Use and Development of the Land for a Place of Worship and the Removal of Native Vegetation at 33 Officer Road, Officer subject to the below conditions.

## CONDITIONS

1. Before the development starts, 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. The plans must show:
  - a. Sealing of the car park access, circulation and car parking areas concrete, asphalt or other approved hard surfacing material
  - b. Landscape plan
    - i. Screen planting surrounding the entirety of the car parking area.
    - ii. Mature native trees to be located in between the car parking area and Officer Road at a rate of 1 per 3 metres.
    - iii. A survey (including botanical names) of all existing vegetation to be retained and/or removed including street trees.
    - iv. Buildings and trees (including botanical names) on neighbouring properties, including the road reservation within three metres of the boundary.

- v. A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant for the common property throughout the site.
- vi. Details of surface finishes of pathways for the property throughout the site including a pedestrian path from the front of the site to the entrance of the building.
- vii. Details of Tree protection measures if required, to ensure the health of the trees on the site and any adjoining properties.

All species selected must be drought tolerant and selected to the satisfaction of the Responsible Authority.

2. Prior to the commencement of native vegetation removal, the owner must submit a property management plan to the satisfaction of the Responsible Authority along the Haunted Gully Creek. When approved, the property management plan will be endorsed and will form a part of this permit. The plan will define this conservation zone to include;
  - a. primary objective of conservation and enhancement of biodiversity
  - b. not less than 20 metre setback from either side of the creek
  - c. details of stock fencing, weed control and revegetation works along the conservation zone
  - d. timeframes and key performance standards for each action
  - e. nursery source for indigenous plant stock
  - f. wildlife friendly animal fencing
  - g. scale map that shows the location and boundaries of the management works.
3. The layout of the site and the size of the proposed buildings and works, as shown on the approved plans, must not be altered or modified without the consent in writing of the Responsible Authority.
4. Once the development has commenced, it must be continued and completed to the satisfaction of the Responsible Authority.
5. The use of the premises must not be changed without the written consent of the Responsible Authority
6. The place of worship must operate within the following operation hours and patron numbers (maximums numbers at any one time):
  - a. Monday- Friday 6am-9am- 12 people
  - b. Monday, Tuesday, Thursday and Friday 9am-8pm- 100 people
  - c. Monday, Tuesday, Thursday and Friday 8pm-10pm- 12 people
  - d. Wednesday 9am-10pm – 100 people
  - e. Saturday and Sunday 6am-9am- 12 people
  - f. Saturday and Sunday- 9am-8pm -100 people
7. Prior to the commencement of the use the permit holder must:
  - a. Provide access, circulation and car parking areas constructed with concrete, asphalt or other approved hard surfacing material, drained and the parking areas delineated, with installation of direction signs and/or direction pavement markings included to the satisfaction of the Responsible Authority. Once constructed, these areas must be maintained to the satisfaction of the Responsible Authority.

- b. Before the use commences safe access arrangements including vegetation removal and slicing to be completed (Traffic Group- Site Distance Plan- Dwg No- G22567-01, 25.05.17)
  - c. Complete the landscaping in accordance with the approved landscape plan to the satisfaction of the Responsible Authority.
  - d. The access to the site must be constructed to the standards consistent with Traffic Engineering Assessment – Traffic Group, Ref G22567R-01C Version C- Figure 5 'Desirable Access Treatment'
8. Before the use commences, a Management Plan prepared by a suitably qualified person, to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the Management Plan will be endorsed and will then form part of the permit. All activities forming part of the use must comply with the endorsed Management Plan. The plan must include but not be limited to:
  - a. A mechanism to record attendance numbers at the site. This record must be made available to be viewed by the Council upon request.
  - b. Traffic management and car parking management arrangements during peak usage time.
  - c. Staffing and other measures to ensure the orderly departure and arrival of people especially any large groups departing at the end of peak usage time.
  - d. Specific amenity management arrangements to be put in place during peak usage time, morning and evening prayer sessions.
  - e. Measures to control noise emissions from the premises.
  - f. Ongoing communication methods (including the provision of signage) advising the users of the premises to respect the amenity of adjoining neighbours.
  - g. Any other matter that is relevant to the conduct of the use in accordance with the conditions of this permit

When the plan is approved by the responsible authority, the use must be conducted in accordance with the approved Management Plan. The Management Plan may be amended by the responsible authority after written request by the owner or the operator of the land.
9. Before the development starts, a stormwater management plan showing the stormwater works to the nominated point of discharge must be submitted for the approval of the Responsible Authority. The stormwater management plan must be prepared by a suitably qualified person and show details of the proposed stormwater works including all existing and proposed features that may have impact (including trees to be retained, crossings, services, fences, abutting buildings, existing boundary levels etc). All works must be undertaken in accordance with the approved stormwater management plan.
10. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority and used for no other purpose, including that any dead, diseased or damaged plants are to be replaced.
11. Vehicles under the control of the operator of the building, including staff vehicles, must not be parked in any nearby road.
12. The areas shown on the approved plan for car parking, access and landscaping must not be used for any other purpose and maintained to the satisfaction of the responsible authority.
13. The dimensions and layout of the proposed access and parking areas for cars must be in accordance with the requirements of Clause 52.06 of the Cardinia Planning Scheme. And all parking bays must be line marked including disabled pavement marking.



14. 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.
15. 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 unstabilised must be minimised to the satisfaction of the Responsible Authority.
16. The exterior colour and cladding of the building must not result in any adverse visual impact on the environment of the area and all external cladding and trim of the building must be of a non-reflective nature to the satisfaction of the Responsible Authority.
17. External lighting of the areas set aside for car parking, access lanes and driveways must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on adjoining land.
18. The site must be so ordered and maintained as not to prejudicially affect the amenity of the locality by reason of appearance.
19. No external sound amplification equipment or loudspeakers are to be used for the purpose of announcements, broadcasts, playing of music or similar purposes.
20. The use, development and the occupation of the development must be managed so that the amenity of the area is not detrimentally affected through the:
  - a. transportation of materials, goods or commodities to or from the subject land;
  - b. appearance of any building, works or materials;
  - c. emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;
  - d. presence of vermin; or
  - e. in any other way.
21. Adequate lighting at driveways and throughout the car park must be provided for safe night time traffic movement. Such lighting must be located and designed with suitable baffles so as to prevent any adverse effect on the adjoining land to the satisfaction of the responsible authority.
22. ***Creek management plan***
23. Except where specified on the endorsed plan, no vegetation may be removed, destroyed or lopped without the written consent of the Responsible Authority.
24. Vegetation removal and disposal must not cause damage to vegetation stands to be retained or to drainage lines or watercourses.
25. All wastewater from proposed development must be treated and contained within the property boundaries in accordance with the current EPA Code of Practice – Onsite Wastewater Management: Guidelines for Environmental Management, Australian Standards 1547 and Council requirements.
26. No part of the septic tank system may be located within a fill pad.
27. All wastewater from the facilities must be discharged into the reticulated sewerage system, to the satisfaction of the responsible authority, within 3 months of the sewerage system becoming available to the property.
28. Stormwater works must be provided on the subject land so as to prevent overflows onto adjacent properties.



**Department of Environment, Water, Land and Planning**

29. 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.
30. 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.
31. 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
32. In order to offset the removal of 0.060 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:

  - contribute gain of 0.005 general biodiversity equivalence units,
  - be located within the Port Phillip and Westernport Catchment Management Authority boundary or Cardinia municipal district,
  - have a strategic biodiversity score of at least 0.111
33. 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 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,
  - a credit register extract from the Native Vegetation Credit Register.

**Expiry:**

A permit for the development and use of land expires if—

- a) the development does not start within **two (2) years** after the issue of the permit; or
- b) the development is not completed within **four (4) years** after the issue of the permit; or
- c) the use does not start within **two (2) years** after the completion of the development; or
- d) the use is discontinued for a period of **two (2) years**.

In accordance with Section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.

**Permit Notes**

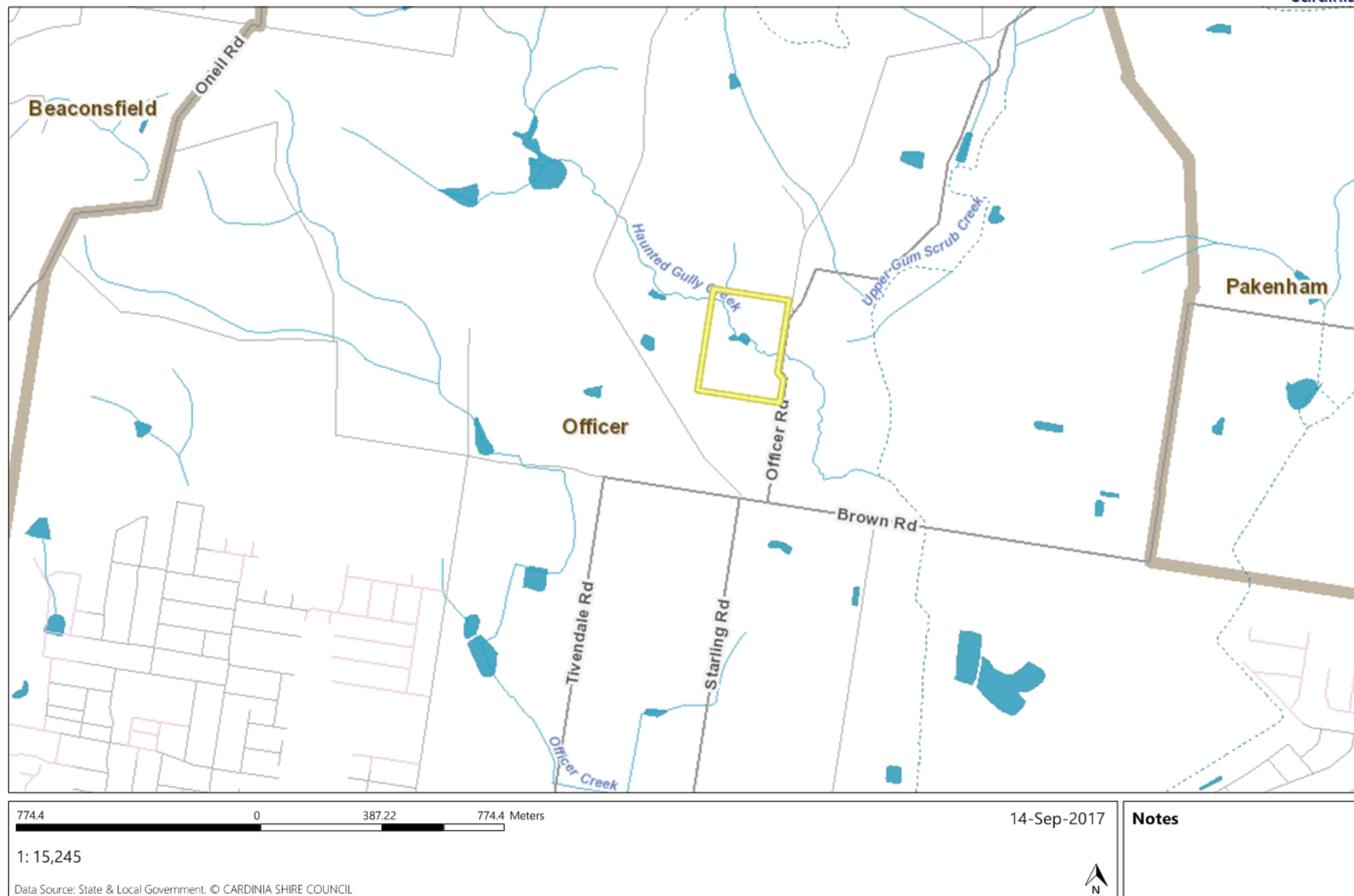
Any proposed advertising signs must comply with the provisions of the Cardinia Planning Scheme. Advertising signs which do not comply with the provisions of the Cardinia Planning Scheme will require a planning permit.

A Building Permit will be required for this development and to obtain a building permit you will need to contact a registered building surveyor.

Any commercial enterprise involving handling of food or drink must contact the Environmental Health Department for further advice concerning legislative requirements.

Department of Environment, Water, Land and Planning

Prior to the commencement of works, a Protected Flora Permit must be obtained from DELWP to remove protected flora during works within the public road reserve. Please contact Sue Hadden on 9450 8746 for further information.





LOCALITY PLAN  
SCALE 1:5000

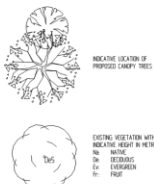
WASTEWATER/STORMWATER

ALL WASTEWATER AND/OR STORMWATER RUN-OFF SHALL BE CONTAINED ON SITE TO THE SATISFACTION OF THE RELEVANT LOCAL AUTHORITY. ALL STORMWATER MUST BE CONVEYED BY MEANS OF DRAINAGE TO SATISFACTORY POINTS OR AREAS OF DETENTION TO THE SATISFACTION OF THE RELEVANT LOCAL AUTHORITY. IT IS THE OWNER'S RESPONSIBILITY TO ENSURE THAT ALL SILT GENERATED FROM SITE IS CAPTURED AND REMOVED ON SITE. PROVIDE COORDINATE MARKS TO PREVENT OVERTOPPING INTO ADJACENT PROPERTIES.

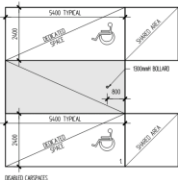
LANDSCAPING

REFER TO ANY SEPARATE LANDSCAPE PLAN AS PROVIDED APPROVED CIRCULAR FOR DETAILS. WHERE LANDSCAPING IS REQUIRED AS A CONDITION OF A PLANNING PERMIT, IT MUST BE PROVIDED IN A RELEVANT LOCAL AUTHORITY. LANDSCAPING MUST BE DESIGNED TO THE SATISFACTION OF THE RELEVANT LOCAL AUTHORITY. PLANTINGS ARE TO BE SATISFACTORILY MATCHED. WATERING, WEEDING, FERTILISING, PRUNING AND DISEASE CONTROLLED AND MAINTENANCE REQUIRED TO MAINTAIN THE COMPLETED LANDSCAPE. WHERE PROPOSED LANDSCAPING IS INDICATED, IT IS DEEMED TO COMPLY WITH RELEVANT LOCAL AUTHORITY PLANNING REQUIREMENTS AND IS NOT TO BE DIRECTLY CONNECTED TO ANY PROPOSED USE OR BUILDING WORKS.

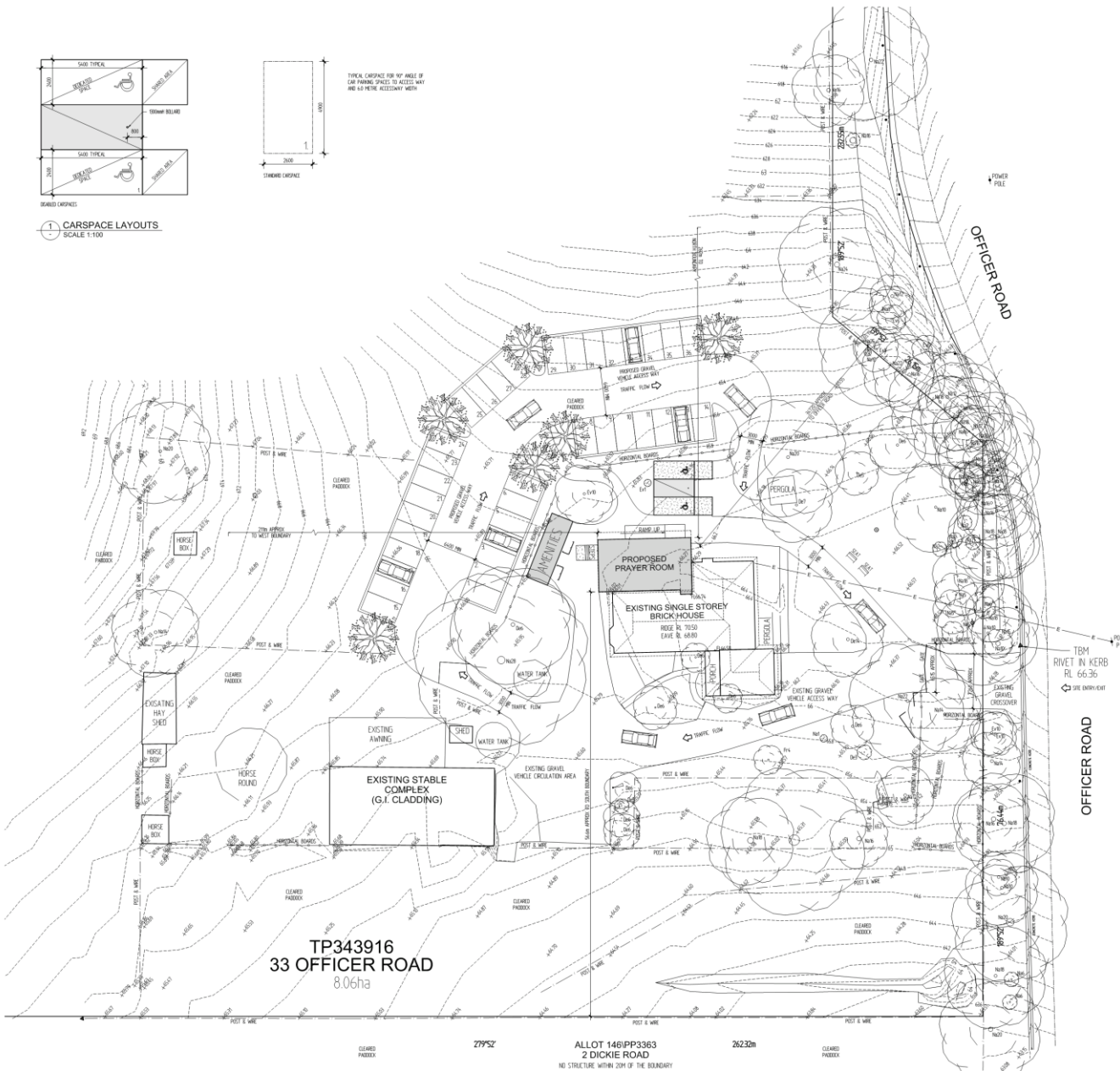
VEGETATION LEGEND



DIRECTION OF VEHICLE MOVEMENTS AS INDICATED IN PLAN  
INDICATE TRAFFIC FLOW REGULATORY SIGNS TO BE AS NECESSARY TO CONTROL VEHICLE MOVEMENTS THROUGHOUT THE SITE



CARSPACE LAYOUTS  
SCALE 1:100



SITE PLAN  
SCALE 1:250

GENERAL NOTES

IT IS THE OCCUPANT'S RESPONSIBILITY TO OBTAIN ANY NECESSARY BUILDING AND/OR PLANNING PERMITS AND NOTED USE OF THE PREMISES OR FOR PROPOSED STRUCTURAL WORKS WITHIN THESE DRAWINGS.

THESE DRAWINGS SHALL BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS AND ALL OTHER CONSULTANTS' DRAWINGS/NOTES.

THESE NOTES ARE NEITHER CONTRACT NOR A SUBSTITUTE FOR RELEVANT CONTRACT REQUIREMENTS, BUILDING PRACTICES OR CONTRACTUAL OBLIGATIONS AND UNLESS OTHERWISE STATED OTHERWISE, PROVIDED THAT AS GUIDELINES - NO RESPONSIBILITY IS ACCEPTED FOR THEM.

ANY PERSON WHO USES OR RELIES ON THESE PLANS FOR THE CONSTRUCTION OF A STRUCTURE IN ANY FORM OR FORM DOES SO AT THEIR OWN RISK.

THESE DRAWINGS ACCEPTS NO RESPONSIBILITY FOR THEM FOR USE OTHER THAN FOR THEIR INTENDED PURPOSE.

IT IS THE OWNER'S RESPONSIBILITY TO VERIFY ALL DIMENSIONS, GEOMETRIC LEVELS AND SPECIFICATIONS AND THE LOCATION OF ANY SERVICES INDICATED.

CARPARKING & VEHICLE MOVEMENT NOTES

PROPOSED LANDSCAPING INCLUDING LOCATION OF CANOPY TREES INDICATED ONLY.

REFER TO SEPARATE LANDSCAPE PLAN AS PROVIDED FOR AUTHORIZED CONSULTANT FOR DETAILS.

PROVIDE WATER TREATMENT SYSTEM TREATMENT AND LANDSCAPING TO THE SATISFACTION OF THE RELEVANT LOCAL AUTHORITY.

ALL CLEARED AREAS FOR VEHICLE USE MUST BE STABILISED DURING AND SUBSEQUENT TO THE CONSTRUCTION OF A STRUCTURE IN ANY FORM OR FORM DOES SO AT THEIR OWN RISK.

ALL CAR PARKING SPACES AND ACCESS LINES TO BE CLEARLY DEMARKED OR PROVIDED WITH OTHER SUITABLE FORM OF DEMARKING ACCESS LINES AND CAR PARKING SPACES.

ALL PROPOSED PARKING TO BE CLEARLY DEMARKED PROVIDE ADEQUATE SIGNAGE AND PARKING MARKINGS TO CONTROL MOVEMENT AND DIRECTION OF TRAFFIC OF VEHICLES IN ACCORDANCE WITH THE SATISFACTION OF THE RELEVANT LOCAL AUTHORITY.

ACCESS LINES TO BE CLEAR OF VEHICLE OBSTRUCTIONS INCLUDING LANDSCAPING OVER ROOM IN HEIGHT ALONG THE ROAD FORMATION OR AS OTHERWISE NECESSARY.

PROVIDE AT LEAST 2.1 METRES MINIMUM HEADROOM BENEATH OVERHEAD OBSTRUCTIONS TO ALL CARPARKS.

CONSTRUCTING WATERING CAPACITIES INCLUDING BUT NOT LIMITED TO WALLS, FENCES, COLUMNS, TREES OR TRELLIS. CANOPY TREES NOT NEARER THAN 1.0 METRE TO ANY BUILDING.

IT REMAINS THE RESPONSIBILITY OF THE CLIENT TO OBTAIN ANY NECESSARY PERMITS FOR ANY NEW OR EXISTING STRUCTURE.

FIGURED DIMENSIONS TAKE PRECEDENCE OVER SCALE DIMENSIONS.

NOTE: REFER TO ANY SEPARATE ENGINEERING PLANS FOR FURTHER DIMENSIONS INCLUDING DIMENSIONS, SURFACE PREPARATION TREATMENTS AND FINISHES AND DRAINAGE.

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MELBOURNE REF: 202-KT1

CONTOUR INTERVAL IS 200mm

LEVELS SHOWN ON THIS PLAN ARE TO AUSTRALIAN HEIGHT DATUM

TRAFFIC FLOW

TRAFFIC FLOW

TRAFFIC FLOW

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