

## TOWN PLANNING

### **1 DEVELOPMENT OF THE LAND FOR TEN (10) DWELLINGS, AN OFFICE AND WAIVER OF CAR PARKING, 6-8, 10 MAIN STREET, PAKENHAM**

FILE REFERENCE INT1855636

RESPONSIBLE GENERAL MANAGER Andrew Paxton

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#### RECOMMENDATION

That a Notice of Decision to Grant Planning Permit T180360 be issued for the development of the land for ten (10) dwellings, an office and associated waiver of car parking requirements at 6-8 & 10 Main Street, Pakenham VIC 3810 subject to the conditions attached to this report.

#### Attachments

- |   |  |         |
|---|--|---------|
| 1 | Development plans                                    | 3 Pages |
| 2 | Objections received , circulated to councillors only | 4 Pages |

#### EXECUTIVE SUMMARY:

APPLICATION NO.:	T180360
APPLICANT:	Ms Alexandra Thorn – Sienna Homes
LAND:	6-8 & 10 Main Street, Pakenham VIC 3810
PROPOSAL:	Development of the land for ten (10) dwellings, an office and associated waiver of car parking requirements
PLANNING CONTROLS:	Mixed Use Zone (MUZ) Development Contributions Plan Overlay – Schedule 1 (DCP01) Special Building Overlay (SBO)
NOTIFICATION & OBJECTIONS:	Notice of the application has been given by sending notices to the owners and occupiers of adjoining land and placing two (2) signs on the site facing Main Street and Snodgrass Street  Four (4) objections have been received to date
KEY PLANNING CONSIDERATIONS:	Residential intensification Vehicle congestion Visual impact Impact to drainage infrastructure
RECOMMENDATION:	Approval

#### BACKGROUND:

The subject allotments are identified as vacant Council owned land.

Planning permit T040103 was issued 16 July 2004 at 6-8 Main Street for the use and development of the land for the purpose of a retail plant nursery and signage.

A single dwelling was contained at 10 Main Street and recently demolished.

#### SUBJECT SITE:



The site is an irregular shape comprising of three parcels of land known as lots 19, 20 and 21 of LP53965. These parcels are situated on the northeast side of Main Street with a frontage of approximately 57 metres while the site also abuts Snodgrass Street to the southeast with a frontage of approximately 55 metres. Towards the eastern end of the site, Snodgrass Street curves to a parallel direction with Main Street.

Three crossovers are located off Main Street while there is also a dual crossover positioned centrally along the frontage to Snodgrass Street. There are no easements that burden the allotments

All allotments are vacant and generally flat. A single tree is located at 10 Main Street while a street tree is located along both street frontages.

The site is a gateway area from the west to the Pakenham Activity Centre and is characterised by an evolving development pattern that includes old housing stock, contemporary unit development and a mixture of medical clinics before entering the wider commercial precinct generally bound by Main street/Rogers Street intersection eastwards.

The main characteristics of the adjacent land uses are:

- Pakenham Creek bounds the north-eastern boundary of the site with single dwelling allotments fronting Princes Highway
- Snodgrass Street lies adjacent to the southeast with a dual-unit complex opposite the site. An additional dwelling allotment has a narrow frontage to the site, with access further around the road bend.
- To the south-west of these allotments lies Main Street – a two-lane road with additional width for street parking. Across the street is 3 Main Street containing five units, a single dwelling allotment and Council owned land.
- North-west of the site is Sid Earle reserve, also in Council ownership.

**PROPOSAL:**Dwellings/Office

The proposal is for the construction of ten dwellings, an office and associated reduction in car parking requirements.

The ten dwellings will comprise a mixture of single and double storey styles with an outward-facing configuration to the Main and Snodgrass Streets. A common open space area is provided to the rear of the dwellings, each with internal access to this area, while street access can also be made via Main Street.

Dwelling 1: Will be a split use containing an office and dwelling. The office will be contained to the ground floor with pedestrian access along the north-west face of the dwelling. The office space will include a meeting room, office and associated reception and ancillary areas. The first floor will include a self-contained residence with independent access from Main Street. The dwelling includes two bedrooms, one bathroom and open kitchen/living areas. The design will be modern with mixed material usage including brick veneer and weatherboard cladding along with a pitched roof. A single garage and tandem space is provided to the street. A visitor space is also contained within the frontage to this dwelling.

Dwellings 2 - 5: These four dwellings are to be single storey with two bedrooms and open kitchen living areas facing north to the common open space area. Each dwelling will include a single-car garage and tandem driveway space. Secluded private open space ranges from 32 to 33 squares with a north-eastern aspect. Dwelling design will reflect a dual-occupancy arrangement where there is a single roofline for units 2 & 3 and 4 & 5 complete with window glazing to the street, a small porch area and a brick veneer finish. The dwellings will be setback a minimum 3.54 metres from the street frontage (with the inclusion of a porch reducing this to 2.5 metres). A visitor space has also been provided within the frontage to dwelling 5.

Dwellings 6 - 10: These dwellings are to be a double storey arrangement with living areas on the ground floor and three bedrooms located on the first floor (with the exception of dwelling 10 containing four bedrooms including the main bedroom on the ground floor). All living areas face to the rear of the dwellings while 26 square metres of secluded private open space facing north-west is allocated per dwelling. The dwelling design will be consistent with that of dwelling 1 with a modern design combining mixed material use of brick veneer and weatherboard cladding. Total height across the development will be a 7.34 metres with Colorbond roof finish. Each dwelling will include a single car garage and tandem driveway space.

Vegetation removal, landscaping and fencing

One semi-mature non-indigenous tree is to be removed from the site while two street trees will also be removed as part of the proposal.

Formal landscaping plans have not been submitted with the proposal, secluded private open space areas and a common park area adjacent to the private open space will be provided.

Perimeter and internal fencing at 1.8 metres in height has been nominated around the individual back yard areas along with timber paling fencing along the internal boundaries of the development (north and west).

Utilities, Service and Amenities

The plans do not show the provision of rubbish storage areas. Given all allotments face Council roads each contain suitable road reserve access for bin collection. Mailboxes are included to each dwelling.

**PLANNING SCHEME PROVISIONS:****State Planning Policy Framework (SPPF)**

The relevant clauses of the SPPF are:

- 11.06-2 Housing choice;
- 11.06-5 Neighbourhoods;
- 11.06-6 Sustainability and resilience;
- 15.01-1 Urban design;

- 15.01-4 Design for safety;
- 15.01-5 Cultural identity and neighbourhood character;
- 15.01-6 Healthy neighbourhoods;
- 15.02-1 Energy and resource efficiency;
- 16.01-1 Integrated housing;
- 16.01-2 Location of residential development; and
- 16.01-4 Housing diversity.

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

The relevant clauses of the LPPF are:

- 21.03-1 Housing; and
- 21.06-1 Design and built form

### **Relevant Particular/ General Provisions and relevant incorporated or reference documents**

The relevant provisions/ documents are:

- Pakenham Structure Plan 2017
- Cardinia Shire's Liveability Plan 2017-2029;
- Clause 55 Two or More Dwellings on a Lot and Residential Buildings;
- Clause 52.06 Car Parking;
- Clause 65 Decision Guidelines
- Clause 66 Referral and Notice Provisions

### **Cardinia Shire's Liveability Plan 2017-2029**

This proposal has regard to Cardinia Shire's Liveability Plan 2017-2029, in particular:

- Improved Social Cohesion through the use of shared public space
- Improved safety through a strong address to the street and associated passive surveillance frontages
- Reduce obesity through the use of common park areas and decreased dependency on cars to encourage public transport use in a well serviced area of Pakenham.

### **Zone**

The land is subject to the Mixed Use Zone (MUZ)

### **Overlays**

The land is subject to the following overlays:

- Development Contributions Plan Overlay – Schedule 1 (DCP01)

### **PLANNING PERMIT TRIGGERS**

The proposal for requires a planning permit under the following clauses of the Cardinia Planning Scheme:

- Pursuant to Clause 32.04-6 of the Mixed Use Zone a permit is required to construction two or more dwellings on a lot

- Pursuant to Clause 44.05 of the Special Building Overlay a permit is required to construct a building or carry out works
- Pursuant to Clause 52.06-3 of the Car Parking Particular Provisions a permit is required to reduce the number of car spaces required

## 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 two (2) signs on the site facing each street frontage

Council has received four (4) objections to date.

The key issues raised in the objections are:

- Traffic generation and safety issues relating to Snodgrass Street
- Limited street parking availability and lack of parking provided on-site
- Amenity issues related during the construction of the proposal dwellings
- Drainage concerns relating to the overflow from Pakenham Creek
- Visual appeal of the proposal which is inconsistent with the area

## REFERRALS

### Melbourne Water

The application was referred to Melbourne Water as a statutory referral. Melbourne Water had no objection to the proposal subject to conditions

## DISCUSSION

The proposal for the construction of ten (10) dwellings, an office and associated reduction in carparking requirements is considered consistent with the aims and objectives of the Cardinia Planning Scheme. The proposal delivers on relevant state and local policies that seek to achieve attractive and liveable neighbourhoods and support increased housing density in appropriate locations.

### State and Local Policies

A number of state and local policies are relevant to this application, such as Clause 15.01 (Urban environment), Clause 16.01 (Residential development) and Clause 21.06-1 (Design and built form), which aim to encourage housing diversity, promote a high standard of design and achieve attractive, diverse, sustainable and liveable neighbourhoods.

At a local level, Clause 21.03-1 (Housing) of the Local Policy Planning Framework is also relevant to this application. This includes objectives and strategies to help deliver a range of housing types and increased densities, while being consistent with the existing and/or preferred neighbourhood character.

Clauses 11.06-2 (Housing choice) and 11.06-5 (Neighbourhoods) are also relevant to this application. These clauses aim to prevent inappropriate development and provide housing diversity close to jobs and services. More specifically, these clauses include strategies that seek to facilitate increased housing in the established areas and in areas with appropriate infrastructure and access to jobs and public transport and deliver a diverse mix of housing types.

The proposal also contributes towards a diversity of housing types and sizes, with the two-storey townhouses providing a form of housing that is currently not common to the area, making more efficient use of available



land. The immediate area generally consists of single-storey detached dwellings and multi-unit properties on lot sizes generally under 700 square metres. At the same time, the proposal helps to respect the character of the existing area, with the use of features and materials that are consistent with what is found in the wider area, such as brick cladding, pitched roofing, eaves and open areas for landscaping

Clauses 11.06-6 (Sustainability and resilience), 15.02-1 (Energy and resource efficiency) and 21.02-8 (Resource conservation) are also applicable to this application. These clauses generally seek to create a more sustainable and resilient city by encouraging development to maximise efficient use of energy and minimise greenhouse gas emissions.

The proposed development responds to these clauses as it will support the increase of housing within an established area of Pakenham, with Pakenham's commercial centre and train station located approximately 1 kilometre south east, Princes Freeway approximately 2 kilometres to the south, and selection of reserves and public open space areas within approximately 300 metres of the development site.

The proposal is also considered consistent with the sustainability and energy efficiency objectives of the Planning Scheme, with the plans maximising the northern orientation of the proposed dwellings and associated private open spaces, and including large areas for landscaping and permeability

The subject site is also identified with the Pakenham Structure Plan (2017) and forms part of the Activity Centre of Pakenham. The proposal is generally consistent with the vision of this document through a mixed-purpose proposal that facilitates greater urban density and prioritises a pedestrian focused environment.

#### Mixed Use Zone

The Mixed Use Zone seeks to encourage higher density land use through a mixture of residential, commercial and industrial uses that complement the functionality of an urban centre while encouraging development that is responsive to the existing precinct and reflects the preferred character of the area.

While the use of the land for 10 dwellings and an office does not require a planning permit under the zone, a permit is required to construct two or more dwellings on a lot under Clause 32.04-6.

The decision guidelines of this overlay cover a number of matters, including:

- The objectives, standards and decision guidelines of Clause 55
- The Municipal Planning Strategy and the Planning Policy Framework
- The objectives set out in a schedule to this zone
- Any other decision guidelines specified in a schedule to this zone

The proposal reinforces the predominantly residential nature of the immediate area and supports housing growth in an area that is well served by infrastructure being located in walking distance to the commercial centre of Pakenham.

A summary of the assessment against the requirements of Clause 55 was provided, with the proposal meeting all relevant objectives.

#### **Development Contributions Plan Overlay – Schedule 1**

The Development Contributions Plan Overlay identifies areas which require the preparation of a development contributions plan for the purpose of levying contributions for the provision of works, services and facilities before development can commence.

Pursuant to Clause 45.06-1, a permit granted must:

- Be consistent with the provisions of the relevant development contributions plan; and
- Include any conditions required to give effect to any contributions or levies imposed, conditions or requirements set out in the relevant schedule to this overlay.

A condition requiring the payment of this contribution will be placed on any planning permit

### **Special Building Overlay**

The Special Building Overlay identifies land in urban areas that is prone to inundation by overland flows from the urban drainage system and ensures development maintains the free passage and temporary storage of floodwaters to avoid any significant rise in flood level or flow velocity.

As part of the application process, the proposal has been referred to the relevant floodplain management authority (Melbourne Water) who do not object to the proposal, subject to conditions.

In addition, the application has been referred to the Engineering Department who have no objection, subject to the appropriate management of storm water and creation of a Storm Water Detention System on-site to ensure the any overflows are kept to pre-development levels.

### **Clause 52.06 Car Parking**

The purposes of Clause 52.06 include the need to ensure the provision of an appropriate number of car parking spaces having regard to the activities on the land and to ensure that car parking does not adversely affect the amenity of the locality.

The proposal consists of 5 two-bedroom dwelling, 4 three-bedroom dwellings and 1 four-bedroom dwelling. Pursuant to Clause 52.06-5, dwellings with three bedrooms are required to provide a minimum of two car parking spaces while dwellings with less than three bedrooms must provide a minimum of one. 1 visitor space is also required to be provided to every 5 dwellings.

All parking associated with the dwellings is met with single garages and tandem spaces provided for all ten dwellings. Visitor spaces are also provided on-site with one space allocated within the frontage to dwelling 1 (and Office) while the other is positioned within the frontage to dwelling 5, both off Main Street.

The application was referred to Council's traffic engineering department have no objection to the application providing the visitor spaces along Main Street are removed from the proposal and provision of two 'indented bays' along the frontage to Snodgrass Street are provided where street parking is currently not permitted.

The office measures 66.5 square metres and requires provision for two car spaces on the subject site. No parking is provided for this component, and therefore a waiver of two spaces is sought. This waiver, in addition to the removal of two visitor spaces totals a four-space reduction for the development. The following points justify the reduction:

- The development is located in close proximity to local services, amenities and public transport options (within 1000 metres of the centrally activity area)
- The Mixed Use Zoning of the land encourages greater densities and more efficient use of land
- The proposal has over 100 metres of street frontage across both streets where street parking is permitted along Main Street.
- The office is identified as an ancillary component to the dwelling development with the intention for it to be used only on an intermittent basis
- A condition will be placed on the permit to construct two indented car bays along Snodgrass Street to help offset the waived spaces

The development also complies with all relevant design standards of Clause 52.06-9, which covers matters such as access way widths and car park space sizes.

### **Objections**

The application was advertised by sending notices to the owners and occupiers of adjoining land and placing two (2) signs on site facing Main and Snodgrass Streets. Council has received four (4) objections to date.

The key issues and themes that were raised in the objections and a response to each is provided below:

- The traffic generation and safety issues will exacerbate existing issues around the town centre

The majority of spaces are contained within the site, the impact to road congestion through overflow parking will be managed and the likely traffic to be generated as a result of the development is modest and in line with the intensification encouraged by the Pakenham Structure Plan and Mixed Use Zone. It is noted the development site forms part of the Pakenham Activity Centre and therefore land use intensification is encouraged and to be expected, with this proposal likely to generate a very measured increase in vehicle movement to the area.

All crossovers to be created will be conditioned to meet traffic requirements and are suitably positioned away from any blind areas along Snodgrass Street.

- Limited street parking availability and lack of parking provided on-site

The application has been referred to Council's Traffic Department who have no objection to the proposal. It is recognised that most car spaces generated from this development will be provided on-site. Of the spaces that are to be waived, these are directly associated with the office on the ground level of unit #1 and removal of visitor spaces. While the office requires two car spaces, the intention of the office is for the processing and support of people living within the development and therefore will only be used on an ad-hoc basis with no ongoing car spaces required. The two further visitor spaces to be sought for a waiver will be partially offset through construction of two indented car spaces along Snodgrass Street where there is currently no on-street parking permitted. These spaces will have no impact to the flow of traffic through the street given the nature of indented bays. The creation of these spaces is considered surplus given the development is not created with a private driveway/road and therefore provides a large street frontage for visitor parking when needed.

- Amenity issues related to the unit construction

This is not a planning consideration and an unavoidable product of land development. All construction will need to comply with appropriate EPA guidelines and local laws.

- Drainage concerns relating to the overflow from Pakenham Creek

Underground drainage is available at this site and a stormwater detention system to reduce flows to pre-development levels will be a condition of the permit. This will ensure any excessive stormwater generated on the site will be suitable managed and contained.

- Visual appeal of proposal which is inconsistent with the area

The design provides a mixture of dwelling sizes and varied design that will complement the evolving character along Main Street. The design is outward facing to the street to positively contribute to the streetscape with a use of modern materials and finishes consistent with the intended revitalisation of the centre

### **Cardinia Shire's Liveability Plan 2017-2029**

Cardinia Shire's Liveability Plan has been developed to provide a clear framework for public health planning within the Shire, and it has a number of goals and actions relating to policy domains that include active travel, education, employment and housing. The application is considered consistent with this Plan as it supports an increase of housing and alternative housing types in close proximity to employment, transport, education and services.

### **Clause 65 Decision Guidelines**

The proposal is consistent with the SPPF and LPPF, the purpose of the zone and is consistent with the orderly planning of the area and not expected to have any unreasonable impact on the amenity of the surrounding area.



## CONCLUSION

Having regard to the above, it is considered that the proposal is consistent with the Cardinia Planning Scheme. It is recommended that a Notice of Decision to grant Planning Permit T180360 be issued for the construction of ten (10) dwellings, an office and associated reduction in car parking requirements at 6-8 and 10 Main Street, Pakenham VIC 3810 subject to the following conditions:

## CONDITIONS

1. Before the 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 and fully dimensioned. The plans must be generally in accordance with the plans submitted with the application but modified to show:

### Development Plans:

- a. Deletion of the two visitor spaces and associated crossovers shown on page 1 of the development plans and include two indented car bays within the western road reservation of Snodgrass Street
- b. Amend the plans in accordance with condition 21

### Landscape Plan:

- c. A landscape plan prepared by a person suitably qualified and experienced in landscape design. The plan must be drawn to scale with dimensions and show the following:
  - i. A survey (including botanical names) of all existing vegetation (including street trees) to be retained and/or removed.
  - ii. Buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary, including street trees.
  - iii. Details of surface finishes of pathways and driveways.
  - iv. 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.
  - v. Landscaping and planting within all open areas of the subject land, including front setbacks to all units, rear private open space and the common property area to the rear of the units
  - vi. Amenity trees (minimum two metres tall when planted) in the following areas:
    - Front corner setback of unit 6. Tree should be upright in form and grow to a minimum 6m tall
  - vii. Rear open space to include screening to the fence and a minimum 2 canopy trees (minimum two metres tall when planted) growing to a mature height of at least 6m to provide shade and amenity to this area.

All species selected must be to the satisfaction of the Responsible Authority and should be drought tolerant and proven hardy cultivars suitable to the local conditions. Plantings are not to impact site lines for vehicles or pedestrians

2. Before the development starts, drainage plans must be submitted to and approved by the Responsible Authority. The plans must show the provision of a stormwater detention system. The stormwater detention system will become the responsibility of the property owner or body corporate to maintain to the satisfaction of the Responsible Authority.

Note: As the development has an impervious ratio greater than 35%, the developer shall engage the services of a suitably experienced Engineer to design a stormwater detention system that will reduce the intensity of the storm water discharge entering Council's drainage system, i.e.: a detention system. The storm water detention system shall provide for the same five (5) year ARI peak discharge as that for a standard house lot with no storm water detention. A standard house lot is assumed to have a fraction impervious area of 35%. Calculations and a plan shall be submitted to Council for approval prior to construction. The storm water detention system must be constructed prior to the occupation of the proposed development

3. Prior to a building permit being issued under the *Building Act 1993*, a cash contribution to the satisfaction of the Responsible Authority must be provided for the provision or augmentation of public infrastructure in accordance with the relevant approved Development Contribution Plan.
4. Before the development starts a fee of \$375.00 per tree must be paid to the Responsible Authority for the replacement of the existing street trees along Main St (1) and Snodgrass St (1) if they are identified to be removed or impacted by the development. This fee will be used to replace and maintain the trees by Council contractors as part of the surrounding streetscape in the next planting season. Alternatively, if trees are to be retained during construction, before development starts, Tree Protection Zones/s must be placed around existing street trees. The Tree Protection Zone/s must remain in place until the completion of any works hereby approved. No vehicular or pedestrian access, trenching or soil excavation is to occur within the Tree Protection Area without the written consent of the Responsible Authority. No storage or dumping of tools, equipment or waste is to occur within the Tree Protection Area
5. 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
6. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
7. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.
8. The development must not be occupied until the following works have been completed to the satisfaction of the Responsible Authority:
  - a. The premises are connected to a reticulated water supply, sewerage, drainage and underground electricity to the requirements of the relevant servicing authority.
  - b. Power and telephone lines to all new dwellings must be placed underground from the main point of service supplied by the relevant authority outside the boundaries of the subject land.
  - c. A bin storage area must be provided for each dwelling and must be located so as not to be detrimental to the visual amenity of the neighbourhood.
  - d. A mail box must be provided to the satisfaction of the Responsible Authority and Australia Post.
  - e. A clothesline must be provided for each dwelling and must be located so as not to be detrimental to the visual amenity of the neighbourhood.
  - f. Lighting must be provided near the front entrance of each dwelling.
  - g. The landscaping works shown on the endorsed plans must be carried out and completed.
  - h. Residential standard concrete vehicle crossing/s as shown on the approved plans must be constructed to the approval and satisfaction of the Responsible Authority
  - i. All proposed areas set aside on the approved plan/s 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. Stormwater works must be provided on the subject land so as to prevent overflows onto adjacent properties.
10. Stormwater works must be provided on the subject land so as to prevent overflows onto adjacent properties
11. Stormwater must not be discharged from the subject land other than by means of an underground pipe drain discharged to an outlet in the street or to an underground pipe drain to the satisfaction of the Responsible Authority
12. Before the development commences, a site drainage plan must be submitted to and approved by the Responsible Authority that includes all proposed buildings, access, circulation and parking areas.
13. 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.
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. Before the development is occupied or by such later date as is approved by the Responsible Authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority
16. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority and used for no other purpose. Any dead, diseased or damaged plants are to be replaced
17. The exterior colour and cladding of the development must not result in any adverse visual impact on the environment of the area and all external cladding and trim of the building, including the roof, must be of a non-reflective nature.
18. The dimensions and layout of the proposed access and parking areas must be in accordance with the requirements of Clause 52.06 of the Cardinia Planning Scheme.
19. All residential waste must be stored within the specified bin storage area for each dwelling. Garbage bins are to be placed on the street for collection in a tidy manner on the appropriate waste collection day for the area.
20. Any external lighting must be designed, baffled and located so as to not detrimentally affect the adjoining land to the satisfaction of the Responsible Authority

**Melbourne Water Conditions:**

21. Prior to the endorsement of plans, amended plans must be submitted to Council and Melbourne Water addressing Melbourne Water's conditions. Plans must be submitted with surface and floor levels to Australian Height Datum (AHD) and must be modified to show:
  - j. Finished floor levels of units 1,2 and 3 must be set no lower than 37.38 metres to AHD.
  - k. b) Finished floor levels of units 4,5,6,7,8 and 9 must be set no lower than 37.2 metres to AHD.
  - l. Finished floor levels of unit 10 must be set no lower than 37.05 metres to AHD.
  - m. Finished floor levels of the garages for units 8, 9 must be set no lower than 37.05 metres to AHD.
  - n. Finished floor levels of the garage for unit 10 must be set no lower than 36.9 metres to AHD.
22. Units 1, 2 and 3 must be constructed with finished floor levels set no lower than 37.38 metres to Australian Height Datum, which is 300mm above the applicable flood level of 37.08m to AHD.
23. Units 4, 5, 6, 7, 8 and 9 must be constructed with finished floor levels set no lower than 37.2 metres to Australian Height Datum, which is 300mm above the applicable flood level of 36.9m to AHD

24. Unit 10 must be constructed with finished floor levels set no lower than 37.05 metres to Australian Height Datum, which is 300mm above the applicable flood level of 36.75m to AHD.
25. The garages for units 1, 2 and 3 must be constructed with finished floor levels set no lower than 37.23 metres to Australian Height Datum, which is 150mm above the applicable flood level of 37.08m to AHD.
26. The garages for units 4, 5, 6, 7, 8 and 9 must be constructed with finished floor levels set no lower than 37.05 metres to Australian Height Datum, which is 150mm above the applicable flood level of 36.9m to AHD.
27. The garage for unit 10 must be constructed with finished floor levels set no lower than 36.9 metres to Australian Height Datum, which is 150mm above the applicable flood level of 36.75m to AHD.
28. The building/structure including footings, eaves etc. must be set a minimum 3.0 metres laterally clear of the title boundary which borders the drainage reserve.
29. Prior to the issue of an Occupancy Permit, a certified survey plan, showing finished floor levels (as constructed) reduced to the Australian Height Datum, must be submitted to Melbourne Water to demonstrate that the floor levels have been constructed in accordance with Melbourne Water's requirements

**Expiry:**

This permit for development will expire if:

- a) The development is not started within **two (2) years** of the date of this permit.
- b) The development is not completed within **four (4) years** of the date of this permit.

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.

**Notes:**

- A 'Vehicle Crossing Permit' must be obtained from Council prior to the commencement of any works associated with the proposed vehicle crossing.
- A Building Permit may be required for this development. To obtain a building permit you will need to contact a registered building surveyor.





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