

## **2 CONSTRUCTION OF TEN (10) DWELLINGS AT 37-39 HOPE STREET, BUNYIP**

FILE REFERENCE INT1859214

RESPONSIBLE GENERAL MANAGER Andrew Paxton

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### **RECOMMENDATION**

That a Notice of Decision to Grant Planning Permit T180207 be issued for the construction of ten (10) dwellings at 37-39 Hope Street, Bunyip VIC 3815, subject to the conditions attached to this report.

### **Attachments**

- |   |   |          |
|---|---|----------|
| 1 | Locality plan   | 1 Page   |
| 2 | Development plans                                     | 8 Pages  |
| 3 | Copies of objections - circulated to councillors only | 12 Pages |

### **EXECUTIVE SUMMARY:**

APPLICATION NO.: T180207

APPLICANT: XWB Consulting

LAND: 37-39 Hope Street, Bunyip VIC 3815

PROPOSAL: Construction of ten (10) dwellings

PLANNING CONTROLS: General Residential Zone – Schedule 1 (GRZ1); No overlays

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 site.

Four (4) objections have been received to date.

KEY PLANNING CONSIDERATIONS: Residential intensification, amenity impacts, township character, consistency with Bunyip Township Strategy

### **BACKGROUND:**

There is no relevant planning history for the site.

### **SUBJECT SITE:**

The land is contained in Certificate of Title Volume 03976 Folio 057, and identified as Lot 20 on Plan of Subdivision 5157, or more generally known as 37-39 Hope Street, Bunyip. It is located on the



western side of Hope Street, and the eastern side of Nylander Road, with frontages of approximately 40.23 metres to these roads. The site has a depth of approximately 100.58 metres and an overall site area of 4,046 square metres.

There is an existing single storey dwelling and associated outbuildings located within the eastern half of the site. The site has a moderate slope to the south west, with a fall of 6.27 metres between the north-east corner of the site and the south-west corner of the site.

There are established gardens along the Hope Street frontage, including mature trees. There is also a mature oak tree along the southern boundary of the site approximately midway into the site. Otherwise, the site is largely devoid of vegetation with a large gravel hard stand area accessed off Nylander Road.

Hope Street is the main access street into the Bunyip township and comprises a sealed pavement and kerb and channel on both sides of the road. Nylander Road is a rural standard gravel road with a pavement width of approximately 4 metres. The primary access to the site is via a crossover from Hope Street.

The land is not burdened by any easements or any relevant restrictions.

The main characteristics of the surrounding area are:

- The site is located approximately 500 metres north-west of the Bunyip Town Centre in an established residential area of Bunyip.
- To the north, the adjoining lot fronting Hope Street is vacant and the lot fronting Nylander Road is occupied by a recently-constructed dwelling.
- To the west of Nylander Road is open paddocks. The urban subdivision of this land has commenced further to the south and in time will extend up adjacent to the site.
- The site is adjoined by two lots to the south, with the easternmost lot featuring an older weatherboard dwelling fronting Hope Street and the westernmost lot consisting of a more recently constructed dwelling fronting Nylander Road.
- To the east is residential properties along Hope Street. Immediately opposite, a second dwelling is being constructed to the rear of an existing dwelling, and to the north-east is the Columba Catholic Primary School.
- The dwellings in the area vary in age from older township dwellings to recently constructed dwellings. The dwellings are predominantly single-storey dwellings with a variety of materials including brick and weatherboards.
- Most lots in the area exceed approximately 1,000 square metres and contain single dwellings. However, more recently, a number of these lots have been developed with multiple dwellings. For example, 24 Hope Street, 25 Hope Street and 27 Hope Street.

## PROPOSAL:

The proposal is for the construction of ten (10) single-storey dwellings, with the dwellings to be located either side of a central east-west access way that connects to Hope Street.



Proposed dwellings 1 and 10 have frontages to Hope Street and dwellings 5 and 6 have frontages to Nylander Road, with integration provided via the use of street-facing porches and pathways. The remaining dwellings are internally located and have frontage to the access way.

The development has a minimum setback of 6.5 metres from Hope Street (or 7.5 metres excluding porches) and 7 metres from Nylander Road. Along the northern and southern side boundaries, all units have a minimum setback of 1.5 metres. Internally, the setbacks between dwellings range from approximately 3.2 metres to 3.9 metres.

With the exception of dwellings 7 and 9, all dwellings contain three bedrooms, two bathrooms, open living, dining and kitchen areas and double garages. Dwellings 7 and 9 will contain two bedrooms. The living areas provide access to secluded private open space, which is located on the south-west side of units 1 to 5, and the north-west side of units 6 to 10.

### Design

The units incorporate a range of materials and colours, including face brickwork, rendered finishes, and concrete tiled hip roofing with a maximum pitch of 22.5 degrees and eaves on selected sides of the buildings. Other design features used throughout the development include prominent entry porches and recessed garages.

The units will have ground floor ceiling heights of approximately 2.7 metres and a maximum height of up to 4.95 metres from ground level to ridgeline.

### Vegetation Removal, Landscaping, Open Space and Fencing

A number of small to large trees and other vegetation are proposed to be removed. While formal landscaping plans have not been provided, the proposed site plan includes a number of open space areas within the front, side and rear of the units.

Open space is provided alongside the internal accessway and within the Hope Street and Nylander Road setbacks, with secluded private open space provided to the side and rear of each of the dwellings.

Perimeter fencing consisting of 2.0-metre-high paling fencing is shown on the northern and southern (side) boundaries. No fencing is proposed along the Hope Street and Nylander Road frontages. Internal fencing consists of 1.8-metre-high timber paling fences.

### Subdivision

No subdivision is proposed as part of this application however the applicant has provided indicative subdivision plans that show lots sizes of between approximately 246 square metres and 388 square metres.

### Utilities, Services, Amenities and Access

The plans show the provision of patios, storage sheds, clotheslines and rubbish bin storage areas within the rear private open space of each dwelling, and mailboxes at the entry to the site.

A 6.1-metre-wide crossover to Hope Street is to be constructed along the eastern boundary and access within the site will be provided by minimum 3-metre-wide roads.



Two visitor spaces are located within the site, with one adjacent to the garage of dwelling 2 and one between dwellings 5 and 6.

## **PLANNING SCHEME PROVISIONS:**

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

The relevant clauses of the SPPF are:

- Clause 11.03-3S (Peri-urban areas);
- Clause 13.02-1S (Bushfire planning);
- Clause 15.01-1S (Urban design);
- Clause 15.01-2S (Building design);
- Clause 15.01-5S (Neighbourhood character);
- Clause 15.02-1S (Energy and resource efficiency);
- Clause 16.01-1S (Integrated housing);
- Clause 16.01-3S (Housing diversity); and
- Clause 16.01-4S (Housing affordability).

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

The relevant clauses of the LPPF are:

- Clause 21.02-8 (Resource conservation);
- Clause 21.03-1 (Housing);
- Clause 21.03-3 (Rural townships);
- Clause 21.06-1 (Design and built form); and
- Clause 21.07-6 (Bunyip).

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

The relevant provisions/ documents are:

- Bunyip Township Strategy;
- Cardinia Shire's Liveability Plan 2017-2029;
- Clause 52.06 Car Parking;
- Clause 52.17 Native Vegetation;
- Clause 55 Two or More Dwellings on a Lot and Residential Buildings;
- Clause 65 Decision Guidelines; and
- Clause 66 Referral and Notice Provisions.

## **Zone**

The land is subject to the General Residential Zone – Schedule 1 (GRZ1).

## **Overlays**

The land is not subject to any overlays.

## **PLANNING PERMIT TRIGGERS**



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

- Pursuant to Clause 32.08-6 of the General Residential Zone, a permit is required to construct two or more dwellings on a lot.

## **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; and
- Placing two (2) signs on site facing Hope Street and Nyland Road.

Council has received four (4) objections to date.

The key issues that were raised in the objections are:

- Inconsistencies with the Bunyip Township Strategy;
- Amenity impacts including overshadowing and overlooking;
- Issues associated with car parking and congestion;
- Stormwater management issues; and
- Errors and inaccuracies within the submitted planning application documents.

## **REFERRALS**

The application was not referred to any external authorities.

## **DISCUSSION**

The proposal for the construction of ten (10) dwellings 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 housing in appropriate locations.

### **State and Local policies**

A number of state and local policies are relevant to this application, including:

- Clause 11.03-3S (Peri-urban areas), which seeks to manage growth in peri-urban areas to protect and enhance their identified valued attributes, which includes strategies to enhance the character, identity, attractiveness and amenity of peri-urban towns and prevent dispersed settlement and provide for non-urban breaks between urban areas.
- Clause 13.02-1S (Bushfire planning), which applies to all planning and decision making relating to land that is within a designated bushfire prone area, and seeks to strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.
- Clauses 15.01-1S (Urban design) and related clauses such as 15.01-2S (Building design), 15.01-5S (Neighbourhood character), which encourage development to respond to its context in terms of character, cultural identity, natural features, surrounding landscape and climate.



This is reinforced at a local level by Clause 21.06-1 (Design and built form) which contains similar objectives and strategies.

- Clause 15.02-1S (Energy and resource efficiency), which seeks to encourage land use and development that is energy and resource efficient, supports a cooler environment and minimises greenhouse gas emissions. Clause 21.02-8 (Resource conservation) provides further support, with strategies that seek to encourage development that incorporates sustainable building design.
- Clause 16.01-1S (Integrated housing), which has an objective to promote a housing market that meets community needs, with strategies that seek to increase the supply of housing in existing urban areas by facilitating increased housing yield in appropriate locations. This is reinforced by Clause 16.01-2S (Location of residential development) which aims to locate new housing in designated locations that offer good access to jobs, services and transport.
- Clause 16.01-3S (Housing diversity), which aims to provide for a range of housing types to meet diverse needs, with strategies that seek to ensure housing stock matches changing demand by widening housing choice. A complementary clause is 16.01-4S (Housing affordability), which has an objective to deliver more affordable housing closer to jobs, transport and services via strategies that include increasing choice in housing type, tenure and cost to meet the needs of households as they move through life cycle changes and to support diverse communities.
- Clause 21.03-1 (Housing) applies at a local level and 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.
- More specific guidance for Bunyip is provided via clauses 21.03-3 (Rural townships) and 21.07-6 (Bunyip). Clause 21.03-3 identifies Bunyip as a large rural township and includes an objective to maintain and enhance the distinct character and environmental qualities of townships. Specific strategies include those that aim to ensure that the siting and design of new buildings and works complement the rural character of the township, and does not dominate the landscape or surrounding built form character. Clause 21.07-6 aims to ensure that any proposed use or development within the Bunyip township is generally consistent with the Bunyip Township Strategy.

The proposed development responds to these clauses as it will support the increase of housing within an established area of Bunyip, with Bunyip's commercial centre and train station located approximately 500-600 metres to the south-east. The proposal is located well inside the urban growth boundary of Bunyip and is identified in the Bunyip Township Strategy as an established residential area.

The proposal also contributes towards a diversity of housing types and sizes, with the proposed units to provide a smaller form of housing type that is not substantially provided in the area, with most surrounding lots providing single-storey detached dwellings on lot sizes in excess of 1,000 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, concrete tiled hip roofing, eaves and open areas for landscaping.

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.



## **General Residential Zone – Schedule 1**

The General Residential Zone seeks to encourage development that respects the neighbourhood character of the area and to provide a diversity of housing types and housing growth in locations offering good access to services and transport.

While the use of the land for 10 dwellings does not require a planning permit under the zone, a permit is required to construct two or more dwellings on a lot under clause 32.08-6.

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

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies;
- The purpose of this zone; and
- The objectives, standards and decision guidelines of Clause 55.

The proposal reinforces the residential nature of the area and supports housing growth in an area that is well-served by infrastructure and located close to the commercial centre of Bunyip, including Bunyip train station.

Clause 32.08-4 requires a minimum percentage of a lot to be set aside as garden area when constructing or extending a dwelling or residential building on a lot. For a lot exceeding 650 square metres (such as the subject site), 35 per cent of the land must be set aside as garden area. The proposal meets this requirement, with 43.5 per cent or 1,760 square metres of garden area.

A summary of the assessment against the requirements of Clause 55 is shown below, with the proposal meeting all relevant objectives.

Accordingly, the development is considered responsive to the existing and emerging character of the area, while achieving the zone's objective for housing diversity and growth in appropriate locations.

### **Clause 55 Two or More Dwellings on a Lot and Residential Buildings**

The proposed development is considered appropriate for the site and surrounds and complies with all the relevant objectives and standards of Clause 55. A summary of the assessment of the development against Clause 55 is listed below:

#### Clause 55.02 Neighbourhood character and infrastructure:

It is considered that the proposed development generally accords with the existing and developing neighbourhood character of the area. The proposal reinforces the residential character of the area, and uses appropriate design, materials and siting to complement the area. The development is well integrated with the streetscape and of an appropriate scale given its proximity to Bunyip Town Centre and associated services and infrastructure.

The development can be suitably accommodated into the infrastructure of the existing area and all reticulated services will be available to the development.

#### Clause 55.03 Site layout and building massing:

The setbacks of the buildings respect the existing and preferred neighbourhood character of the area and it is considered that the site layout and building form is consistent with the relevant standards.



While the front setbacks of the development does not meet the 9 metres required under the Standard to Hope Street, and the 8.4 metres to Nylander Road, the proposed minimum setbacks of 7.5 metres and 7 metres to the respective frontages are considered consistent with the objectives for the following reasons:

- The setbacks are consistent with the numerical setback requirement of 7 metres as outlined in the Bunyip Township Strategy.
- The reduced setback allows for increased spacing, openness and landscaping opportunities between the proposed buildings.
- The reduced setback still allows for substantial landscaping to be undertaken within the front setback, which forms a key component of the character of the area.
- The reduced setback to Hope Street is consistent with nearby houses, including 45 Hope Street (approximately 7.3m), 45A Hope Street (6.8m), 27, Hope Street (7.5m), and 24 Hope Street (5.5m).
- The reduced setback to Nylander Road is consistent with nearby houses, including 8 Nylander Road (approximately 7m) and 12 Nylander Road (5.5m).
- The open landscape character of the street is maintained as the development does not propose any front fencing and provides adequate landscaping opportunities.

Building heights (maximum height of 4.95 metres), site coverage (39.7 per cent) and permeability (42.8 per cent) are within the standards. Energy efficiency, safety, landscaping, access and parking location are all considered appropriate and in accordance with the required standards.

#### Clause 55.04 Amenity Impacts:

The proposed development will have limited impact on the amenity of existing dwellings, with the proposal meeting all standards in relation to matters such as walls on boundaries, side and rear setbacks, daylight to existing windows, overshadowing and overlooking. Internal impacts such as internal views and noise impacts are also managed appropriately and in accordance with the relevant standards.

#### Clause 55.05 On Site Amenities and Facilities:

The development has been designed to provide a sense of identity for each dwelling and adequate open space areas in accordance with the requirements of Clause 55. The proposal has been designed to ensure adequate provision of on-site amenities and facilities, including accessibility, daylight and solar access.

#### Clause 55.06 Detailed Design:

The design details of the proposed development are compatible with the character of the surrounding area.

The proposal comprises a conventional residential standard of design that does not detract from the surrounding area. It includes features such as eaves on the upper level, and colours and materials that will make a positive contribution to the area.



The proposed access way is functional and capable of efficient management. It is considered that all site services and facilities can be provided to the site, and this will take the form of conditions on any permit issued.

### **Bunyip Township Strategy**

The Bunyip Township Strategy was adopted by Council in 2009 and introduced as an incorporated document to the Cardinia Planning Scheme via Amendment C124 in 2012. The Strategy sets out the key issues facing the Bunyip Township and outlines a range of policies and actions to achieve the desired vision for Bunyip:

*A rural township with extensive recreational opportunities, potential for substantial growth and a commercial and retail centre providing an extensive range of services to the township and nearby residents.*

*The Bunyip Township will contain a range of housing types that respect the rural character of the town and the natural landscape. Open space areas will be diverse, to allow access for active and passive recreation while ensuring the protection of remnant vegetation and wildlife corridors to allow the movement of species throughout the landscape.*

The subject land forms part of the strategy area, and more specifically, forms part of Precinct 1 – Established Residential Areas, which has the following preferred character statement.

*The established residential areas will retain a reasonable proportion of large lots, wide nature strips and roads, and street trees throughout the area. Significant views particularly to the south will be protected. There will be some unit development near the town centre. Development will integrate with the undulating landform which is a defining characteristic of the area. The strong legible grid layout of roads is a precedent for future development. The existing mixture of native trees and large shrubs will also be a feature of new developments.*

The strategy includes the following guidelines for unit development on land within Precinct 1 (a response to each is shown in brackets):

- Minimum lot density of 450sqm per unit including open space and common areas (including open space and common areas, the development results in a lot density of approximately 404 square metres);
- Minimum setback 7 metres or not less than the average setback of two adjoining dwellings (street setback to Hope Street is 7.5 metres and Nylander Road is 7 metres, and while this is less than the average of the adjoining dwellings, the setback is consistent with other dwellings in the area);
- Maximum site coverage to not exceed 50% of lot including garages and other outbuildings (while the site coverage of each future subdivided lot will exceed 50%, the overall site coverage is only 39.7%);
- Minimum lot width of 18 metres (the site width remains unchanged at 40.234 metres. Individually, units 1 and 10 will have a width of approximately 18.5 metres to Hope Street (including the common driveway), and units 5 and 6 will have a width of approximately 19.2 metres to Nylander Road);



- Providing a minimum 30% site coverage of the allotment as private open space (the total private open space allocated to the 10 dwellings is 793.2 square metres, which equates to 48.9 per cent across the overall allotment);
- Retain existing vegetation (the proposal does not include the retention of vegetation, with some large trees to be removed. While not ideal, the removal of these trees maximises the spacing and openness able to be provided by the development, and the proposal includes large areas of open space for landscaping);
- Provide new trees and garden spaces (the plans show large areas of open space for landscaping and a condition of any planning permit will require formal landscaping plans);
- Encouraging no front fence to allow gardens and nature strips to merge (no front fencing is proposed); and
- On larger blocks, orientating the driveway along one side of the property instead of down the middle and encouraging a curvilinear driveway with tree planting (while the proposal incorporates a central driveway, this maximises efficiency of the site and is considered suitable given the dual frontage of the site and the benefits it has in terms of minimising crossovers and access points.)

While there a number of guidelines that are not met, the overall development is considered to meet the aims and objectives of the guidelines as it provides a strong landscape and design response that includes a sense of spaciousness and openness and the use of materials and colours that complement the surrounding are so as to not diminish the streetscape values.

Also, where the proposal does not meet one of the standards, it generally exceeds a complementary standard. For example, while the site coverage of each future subdivided lot will generally exceed 50 per cent, the overall site coverage of the overall site is much less at 39 per cent. While the street setbacks are less than required, the site widths exceeds the guidelines. It is also noted that the Strategy contains a set of 'guidelines' only; and these must be balanced against other relevant planning controls that seek to encourage housing growth and diversity in appropriate locations while respecting the character of the area.

The proposal also directly responds to key strategic objectives of the Strategy, including the need to provide a range of lots sizes in order to accommodate a mix of housing types. The Strategy acknowledges the need for additional housing – including medium density infill development – in response to the population growth of the township.

In conclusion, the proposal contributes to the vision for Bunyip by supporting growth while incorporating appropriate measures to reinforce the rural township character of the area

### **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 8 three-bedroom dwellings, and 2 two-bedroom dwellings. Pursuant to Clause 52.06-5, dwellings with two bedrooms are required to provide a minimum of one car parking space and dwellings three bedrooms are required to provide a minimum of two car parking spaces. 1 visitor space is also required to be provided to every 5 dwellings.



The development meets the above car parking requirements, with all dwellings providing a 6m x 5.5m double garage. A total of two visitor spaces are provided. The development also complies with all relevant design standards of Clause 52.06-9, which covers matters such as access way widths, turning areas and car park space sizes.

The application has been supported by Council's Traffic Department, subject to conditions.

## **Objections**

The application was advertised by sending notices to the owners and occupiers of adjoining land and placing two (2) signs on site facing Hope Street and Nylander Road. 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:

### There are inconsistencies in the development application.

It is acknowledged that the development application contains inconsistencies but these are not critical to the assessment of the application. Some of these inconsistencies are because of changes requested during the assessment process. The development has been assessed on its merits.

### The development is inconsistent with the Bunyip Township Strategy.

The Bunyip Township Strategy provides a set of guidelines and while not fully consistent with these guidelines, the development is considered to provide an appropriate balance between accommodating growth and alternative housing types within the township, while respecting the character of the area.

### The development will result in car parking issues, including vehicles parking on the street.

It is noted that the proposal meets the car parking requirements of Clause 52.06 of the Planning Scheme, with all dwellings containing the required number of car parking spaces and the overall development containing the required number of visitor car parking spaces.

The application has been referred to Council's Traffic Department, who had no objection to the proposal, subject to conditions.

### The development will result in overlooking impacts on the property at 10 Nylander Road.

The application includes a detailed set of elevation drawings which show that the development makes use of fencing and screening techniques to ensure compliance with the overlooking requirements of Standard B22 of Clause 55. The development also includes large areas of land that can be used for landscaping to help provide further screening between adjoining properties. The development also complies with all relevant height standards

### The development will result in overshadowing impacts on the property at 10 Nylander Road.

The application includes a detailed set of shadow diagrams which show that the development will not result in any unreasonable overshadowing of adjoining properties. The development complies with the overshadowing requirements of Standard B21 of Clause 55.

### Issues associated with stormwater management.



Council's Engineering Department has not identified any issues relating to water run-off. Conditions of any planning permit require the preparation of detailed stormwater and drainage management plans.

### **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 transport and services.

### **Clause 65 Decision Guidelines**

Clause 65 requires the consideration of a range of matters, including the State Planning Policy Framework and the Local Planning Policy Framework and the purpose and decision guidelines of the relevant zone, overlay or other provisions. Other relevant guidelines of Clause 65 include the orderly planning of the area, the effect on the amenity of the area, and the matters set out in Section 60 of the Act.

The proposal is considered consistent with Clause 65 and will deliver an orderly planning outcome that will not have any unreasonable impacts 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 T180207 be issued for the construction of ten (10) dwellings at 37-39 Hope Street, Bunyip VIC 3815 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:

#### Landscape Plan:

- a. 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 to be retained and/or removed (including street trees).
  - ii. Buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary.
  - 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.

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

2. 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.
  - a. Each TPF must be installed prior to the commencement of any demolition, excavation, tree removal, delivery of building/construction materials, temporary buildings and construction.
  - b. Each TPF shall not be removed until such works have been fully completed.
  - c. Each TPF must extend (as close as practicable) to the Tree Retention Zone, calculated as being a radius of 12 times the Diameter at Breast Height ( DBH – measured at 1.4 metres above ground level as defined by the Australian Standard AS 4970.2009).
  - d. If works are shown on any endorsed plans of this permit within the calculated TPF, the Tree Protection Fencing must be taken in only the minimum amount necessary to allow the works to be completed.
  - e. Areas within the TPF must not be used:
    - i. for vehicular or pedestrian access, no trenching or soil excavation is to occur.
    - ii. for storage or dumping of tools, equipment, materials or waste.
3. 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.*

4. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
5. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.



6. The development must not be occupied until the following works have been completed to the satisfaction of the Responsible Authority:
  - a. A private street name blade must be installed in accordance with Council requirements and any necessary permits.
  - b. The premises are connected to a reticulated water supply, sewerage, drainage and underground electricity to the requirements of the relevant servicing authority.
  - c. 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.
  - d. Any proposed timber paling fencing must be constructed at the cost of the owner/permit holder in accordance with the endorsed plans.
  - e. 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.
  - f. A mail box must be provided to the satisfaction of the Responsible Authority and Australia Post.
  - g. 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.
  - h. Lighting must be provided near the front entrance of each dwelling.
  - i. The landscaping works shown on the endorsed plans must be carried out and completed.
  - j. A residential standard concrete vehicle crossing/s as shown on the approved plans must be constructed to the approval and satisfaction of the Responsible Authority.
  - k. Visitor parking spaces must be in a contrasting colour to the driveway.
  - l. 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.
  - m. 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.
7. Stormwater works must be provided on the subject land so as to prevent overflows onto adjacent properties.
8. 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.



9. 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.
10. 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.
11. 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.
12. 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.
13. 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.
14. 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.
15. 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.

**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.



## Locality Map



256.6 0 128.32 256.6 Meters

1: 5,052

Data Source: State & Local Government. © CARDINIA SHIRE COUNCIL

17-Aug-2018

Notes

































