

## Delegate's Report

<b>Application No:</b>	<b>2020/8</b>
<b>Application Type:</b>	Single Dwelling (New/Alteration/Outbuilding)
<b>Received:</b>	15 January 2020
<b>The Applicant:</b>	
Name:	B C Weller
Address:	18 Tecoma Avenue Sandy Point VIC 3959
<b>The Proposal:</b>	
Proposal:	Development of the land for a dwelling
<b>The Land:</b>	
Land Address:	3 Freycinet Street Waratah Bay VIC 3959
Land Description:	L14 LP43694 Parish of Waratah North
Zone/s and Overlay/s	Environmental Significance Overlay - Schedule 7 Design and Development Overlay - Schedule 4 Bushfire Management Overlay Township Zone

**Description of Proposal:**

The proposed development is for a two (2) bedroom double storey dwelling with a single carport.

Use

Dwelling – Section 1 use permit not required.

Development

Construct a building or construct or carry out works

**Description of the site and locality (including any inspection notes):**

Site

The subject land is mostly rectangular shape, with a total size of approximately 613m<sup>2</sup>. The site has a frontage of approximately 15.24m to Freycinet Street and a length of approximately 40.23m.

There is an existing single storey dwelling that is proposed to be demolished. The property slopes gently down to the southeast corner and there is minimal vegetation on the subject land.

To the rear of the subject land is the foreshore reserve (grass and vegetation) and Cape Liptrap National Park (beach) allowing for ocean views and beach access directly to and from the property.

The site appears to have access to reticulated power, telecommunications, sewer, but not water.

Aerial photography image:



#### Locality

Freycinet Street is a quiet street located just off the main road of Waratah Bay. There are 8 properties located in Freycinet Street. With 5 properties that back on to the foreshore reserve and beach making it quite a unique location. The end of Freycinet Street is the main entry and exit to the Waratah Caravan Park that is at capacity during the holiday and summer seasons.

To the rear of Freycinet Street is a grassy strip and vegetation that is part of the foreshore reserve. This strip allows pedestrian access along the reserve from the Caravan Park to Brown Street. It is understood that respective owners mow and maintain the grassy strip to retain it as a pedestrian walkway to access the beach.

Freycinet Street is mainly made up of single dwellings on a lot with scattered vegetation within the road reserve. The dwellings types are a mix of weatherboard, brick, cement cladding and timber dwellings with water tanks and carport structures located forward of the dwellings facing the street.

To the west directly adjoining the subject land is a large double storey dwelling of contemporary design with natural materials consisting mainly of timber with landscaping within the front setback to enhance the streetscape. To the rear the property adjoins the foreshore reserve (grassy pedestrian strip) which is setback 6.2 metres from the rear boundary with an open style deck. The dwelling has floor to ceiling windows at ground and first floor capturing the ocean views.

The surrounding properties that back on to the foreshore reserve have similar open style decks and large windows to capture the ocean views. There is a brick veneer double storey dwelling located close to the caravan park and on the peak of the hill making the dwelling visible from Gale Street.

The character of the street is typified by older type dwellings built in the 1970's period however the emerging neighbourhood is changing creating a mix of dwelling styles in the street. The setbacks, heights, size, bulk/scale, fencing vary significantly.

Proposed development

The application seeks to develop the land for a double storey dwelling. Ground floor consists of a yoga room and open style kitchen living and dining area with a deck and courtyard on the eastern side and the dining room leads out to a rear deck that is partially covered. The first floor contains a living area and two bedrooms with large balconies facing ocean views.

The proposed dwelling is a contemporary design with various angles and shapes at first floor to break up the visual bulk and building mass creating a visual interest from Gale Street. The dwelling proposes to use natural and muted colours and materials such as timber, rammed earth and dark coloured fibre cement sheeting to blend with the surrounding environment.

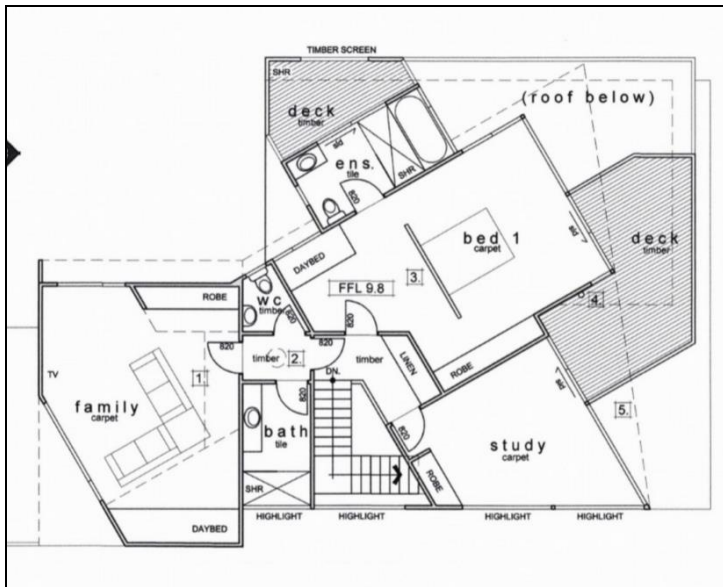
The total building floor space is 252 m<sup>2</sup> which includes the single carport and storage area facing Freycinet Street which has a front setback of 7.5 metres allowing opportunities for vegetation and landscaping planting along the frontage. The dwelling at ground floor is setback 14 metres from the front boundary with the first floor setback a further 16 metres from the front boundary.

To the rear of the subject land the rear boundary adjoins the foreshore reserve with views to Waratah Bay. The proposed dwelling is setback of 6.9 metres from the rear boundary, at ground floor consists of a living area and open deck that is partially roofed by first floor balcony.

Ground floor plan:



First floor plan:



### Why is a Permit Required?

#### Township Zone – no permit required

Dwelling Section 1 use

#### Environmental Significance Overlay – no permit required

Clause 42.01-2 – A permit is required to construct a building or construct or carry out works. This does not apply if a schedule to this overlay specifically states that a permit is not required. The Schedule 7 to this overlay does contain a relevant exemption because the excavation or fill for the proposed dwelling does not exceed 1 metre; therefore, no permit is required.

#### Design and Development Overlay

Clause 43.02-2 – A permit is required to construct a building or construct or carry out works. Schedule 4 to the DDO does not contain a relevant exemption due to:

- The height of the proposed dwelling (6.8m) exceeding 6.5m from the natural ground level.
- The total building floor space of the proposed dwelling (252.5m<sup>2</sup>) exceeding 250m<sup>2</sup>.

#### Bushfire Management Overlay

Clause 44.06 – A permit is required to construct a building or construct or carry out works associated with the use of accommodation.

#### Particular provisions

Clause 53.02 –Bushfire Planning

Particular provisions that are relevant but do not trigger a permit

N/A

**Is there a registered restrictive covenant or a Section 173 Agreement on the title? If so, does the proposal comply with the restriction or Section 173 Agreement?**

No.

**Is the land within a Special Water Supply Catchment Area listed in Schedule 5 of the *Catchment and Land Protection Act 1994*?**

No.

**Is an Aboriginal Cultural Heritage Management Plan required?**

No, a CHMP is not required because even though the proposed development is within an area of cultural heritage sensitivity, it is an exempt activity under Division 2 of the Aboriginal Heritage Regulations 2018.

**Was Further Information Requested under Section 54?**

No further information was required.

**Was notice of the application given under Section 52(1), 52(1AA), 52(3) or 57B?**

The application was notified to adjoining/adjacent owners and occupiers. The application was also notified by placing a sign on both street frontages of the land.

**Were there any objections received?**

There were 13 objections and 1 support submission received as at 18/05/2020. The issues raised are summarised below:

Main Issues & Concerns	Assessment
<p>Dwelling is not in compliance with DDO4 objectives as the overbearing built form, visual bulk presence will dominate the public view from the beach, Gale Street, Brown Street and Freycinet Street;</p> <p>The siting of the Dwelling does not respect the history and amenity of Waratah Bay;</p> <p>Carport and storage area will dominate the streetscape;</p>	<p>The relevant design objectives of DDO4 is:</p> <p><i>'To encourage single storey development and recessive second storey development that is respectful of the typical built form and the coastal landscape setting'</i></p> <p><i>'To ensure that new development demonstrates a high standard of contemporary design and innovation and respects the low scale and the typical mass and form of the area'</i></p> <p><i>'To minimise the dominance of car parking structures and outbuildings associated with residential development on views from the street and other sensitive viewing locations'</i></p>

	<p>The front portion of the dwelling is single storey with the upper level recessed another 9 metres behind the front facade.</p> <p>There is ample space on the subject land for planting of native vegetation to be planted in the front garden, courtyard and along the east and west boundaries to allow the dwelling to be screened by vegetation and provide habitat for birds, and wildlife.</p> <p>The building frontage is 7.5 metres from the street and has a width of only 8.6 metres (4.5 metres of which is carport), allowing native vegetation to be planted along the frontage to form the streetscape and contribute to the well-vegetated character of Waratah Bay,</p> <p>The carport and storage area covers a portion of the frontage, leaving space for vegetation and entry to the dwelling.</p> <p>The visual impact of the car parking structure and driveway will be minimised with the use of natural materials such as timber, rammed earth and gravel driveway which will complement the natural environment.</p> <p>The dwelling will be visible coming into Waratah Bay along Gale Street, and from the beach. The applicant has proposed shapes and angles of the dwelling creating visual interest and by using natural and muted coloured materials like timber, rammed earth, and dark coloured fibre cement sheet, the dwelling will better blend into the surrounding environment.</p> <p>The applicant has designed the dwelling to minimise the impact on the surrounding properties views to the ocean. The existing dwelling can be seen from the beach and from Gale Street. The proposed development will not change the existing conditions.</p>
<p>The dwelling is not keeping with the predominant character of the area;</p>	<p>The broader area of Waratah Bay has a combination of older style dwellings and recently constructed dwellings both single and double storey. Freycinet</p>

	<p>Street in particular demonstrates double storey dwellings with recessed first floors facing the street and to the rear floor to ceiling windows, large open decks facing the foreshore to capture the ocean views.</p> <p>The emerging neighbourhood is changing creating a mix of dwelling styles in the street. The setbacks, heights, size, bulk/scale, fencing vary significantly, however the DDO4 has requirements regarding development requirements that aims at creating a neighbourhood character and streetscape that is consistent with the surrounding area.</p> <p>The location, bulk or scale of the building will be in keeping with the predominant character. The location of the proposed dwelling is very similar to the dwelling it will replace. The massing of the building is broken up to avoid excessive bulk. The angles and materials create visual interest that will enhance the view from Gale Street.</p>
<p>Dwelling is too close to the rear boundary affecting the pedestrian grass walkway;</p> <p>Location of the dwelling will discourage pedestrians from using the grass walkway and will feel as intruding on privacy;</p> <p>The dwelling should be setback further from the beach so that it is in line with the surrounding properties at the rear;</p>	<p>From observing the surrounding properties to the west there is open style decks with a setback of 6 metres to the rear boundary looking out to the grass walkway and foreshore.</p> <p>The proposed dwelling is setback 6.9 metres from the rear boundary which occupies a living room and a partially covered deck will look out to the grass walkway and foreshore.</p> <p>The proposed development is consistent with the surrounding properties and still provides a reasonable setback of 7 metres allowing for visitors to use the walkway without impacting on the proposed dwelling.</p> <p>The existing dwelling on the subject land is setback 6 metres from the rear boundary and the proposed dwelling is increasing the setback by 900mm which will better align all of the properties setback to be more consistent and create a safe pedestrian walkway to the beach.</p>
<p>The Waratah Bay Strategic Foreshore Management Plan 2014 outlines proposed upgrades and works along the Waratah Bay foreshore and the grass</p>	<p>The Waratah Bay Strategic Foreshore Management Plan 2014 was funded by a South Gippsland Shire Council Community Grant in 2014. The document</p>

<p>pedestrian footpath. The works recommended in this plan (viewing platform and seating) cannot be constructed due to the siting of the proposed dwelling being too close to the rear boundary and beach;</p>	<p>was prepared by Andrew Nixon (external consultant), on behalf of the Waratah Bay Community Association Group.</p> <p>The strategic plan was never adopted or incorporated in any South Gippsland Shire Council policies or strategies.</p> <p>While officers acknowledge and refer to the plan there is no future plans or funds to complete the proposed works as outlined in the plan.</p> <p>The proposed development does not impact on the implementation of works in the plan.</p>
<p>Dwelling is too close to the beach impacting on global warming and sea level rising;</p>	<p>The existing dwelling currently has a setback of 6 metres to the rear boundary and the proposed dwelling is further setback 6.9 metres, therefore the proposal would not be impacted on global warming and rising sea level.</p>
<p>Siting of the dwelling causes potential access problems for the caravan park and properties along Freycinet Street in a case of emergency e.g.: bushfire;</p>	<p>The subject land is within a Bushfire Management Overlay and was referred to CFA for comments. The CFA are satisfied with the proposal and recommended approval.</p> <p>There is an existing dwelling on site and should an emergency situation happen within Waratah Bay or nearby area, it is understood the appropriate measures will be undertaken by the relevant authorities ensuring that prioritising of life is guaranteed.</p>
<p>Location of underground water tanks will impact stormwater run off from Freycinet Street and beach side along the foreshore reserve.</p>	<p>This is not a planning consideration.</p>
<p>Overlooking concerns and impacts at first floor.</p>	<p>Clause 54.06-6 Overlooking objective from the South Gippsland Planning Scheme protects and limits views into existing secluded private open space and habitable room windows.</p> <p>ResCode assessment can only be considered when the development is triggered under the Township Zone, as the land area for the subject land is greater than 500 square metres, the amenity impacts will be considered and assessed by a relevant building surveyor.</p>



**Was the application referred under Section 55 or 57C?**

Authority	Which Clause? Determining or Recommending?	Date received and response
Country Fire Authority	66.03 and 44.06-6 (BMO) - Recommending	CFA responded on 23/03/2020 recommending approval subject to relevant permit conditions.

**Were there any non-statutory or internal referrals?**

N/A

**Planning Scheme Requirements and policies:**

SPPF

The following SPPF clauses are considered relevant to the assessment of this application:

## 11.03 PLANNING FOR PLACES

- 11.03-4S Coastal settlement

## 12.02 COASTAL AREAS

- 12.02-1S Protection of coastal areas
- 12.02-2S Coastal Crown Land

## 12.05 SIGNIFICANT ENVIRONMENTS AND LANDSCAPES

- 12.05-2S Landscapes

## 13.01 CLIMATE CHANGE IMPACTS

- 13.01-1S Natural hazards and climate change
- 13.01-2S Coastal inundation and erosion

## 13.02 BUSHFIRE

- 13.02-1S Bushfire planning

## 14.02 WATER

- 14.02-2 Water quality

## 15.01 BUILT ENVIRONMENT

- 15.01-2S Building design
- 15.01-5S Neighbourhood character

## 16.01 RESIDENTIAL DEVELOPMENT

- 16.01-1S Integrated housing
- 16.01-2S Location of residential development

- 16.01-3S Housing diversity

#### LPPF

The following LPPF clauses are considered relevant to the assessment of this application:

- 21.01 Introduction
- 21.03 Environmental and landscape values
- 21.04 Environmental risks
- 21.02 Settlement
- 21.07 Housing
- 21.17 Coastal Villages
- 21.20 Landscape character areas

#### Clause 22 policies

There are no Clause 22 policies considered relevant to the assessment of this application.

#### **General Assessment:**

In assessing this application officers consider that the key issues relating to this application are:

- Whether the built form of the proposed dwelling is respectful of the coastal village setting;
- Whether the siting of the proposed dwelling will have unacceptable amenity impacts to the surrounding properties and landscape;
- Whether the proposed development ensures bushfire risk can be reduced to an acceptable level.

These issues are discussed in turn below.

#### Design and Development Overlay (DDO)

The decision guidelines of the DDO4 are outlined below:

*The design objectives of this schedule.*

*Whether the proposal will assist in achieving the Vision, Objectives and Strategies for Waratah Bay contained in Clause 21.04.*

*Whether the location, bulk or scale of the buildings or works will be in keeping with the predominant character and /or enhance the appearance of the area.*

*The visual prominence of buildings and other structures within the landscape, particularly above the vegetation line.*

*Whether the additional height of a development is required to achieve an exceptional or innovative design outcome that cannot otherwise be achieved, and is able to be substantially screened by the existing and proposed new vegetation and the landform.*

*Whether opportunities exist to avoid a building being visually obtrusive such as along a ridgeline by the use of alternative building designs, including split level and staggered building forms that follow the natural slope of the land and reduce the need for site excavation and filling.*

*Whether any encroachment of buildings within the minimum setbacks stipulated in this Clause can demonstrate that the development will result in a preferred environmental and design outcome while being consistent with the township and landscape character.*

*Whether car parking structures, outbuildings and driveways are sited such that the visual impact of these structures and works are minimized.*

*Whether buildings and structures are sited to incorporate space for the planting of substantial vegetation, including canopy trees.*

*The preservation of any existing natural vegetation, particularly indigenous vegetation.*

*Whether the landscaping will be integrated with the design of the development to screen buildings and structures and complement the landscaping of any adjoining public realm.*

*Whether the siting, colour and design of buildings and works will be in keeping with the character and/or enhance the appearance of the area.*

*The effect of any proposed subdivision or development on the environmental and landscape values of the site and of the local area.*

The front setback to the carport and storage area is 7.5 metres from the street and has a width of only 8.6 metres. There is ample space on the subject land for native vegetation to be planted in the front garden, courtyard and along the east and west boundaries to allow the dwelling to be screened by vegetation and contribute to the well-vegetated character of Waratah Bay.

The visual impact of the car parking structure and driveway will be minimised with the use of natural materials such as timber, rammed earth and gravel driveway which will complement the natural environment.

No paved areas are proposed and the driveway will be gravel to minimise the visual impact on the street (except for the underground concrete tanks which form part of the driveway).

The dwelling at ground floor is setback 14 metres from the front boundary (consistent with the adjoining property to the west) with the first floor recessed another 3 metres behind the front façade. The built form from Freycinet Street is predominately single storey reducing the visual bulk impacts.

The proposed dwelling is setback 6.9 metres from the rear boundary which occupies a living room and a partially covered deck will look out to the foreshore reserve and Waratah Bay.

The proposed development is consistent with the surrounding properties and still provides a reasonable setback of 6.9 metres allowing for visitors to use the grassy walkway without impacting on the proposed dwelling.

The existing dwelling on the subject land is setback 6 metres from the rear boundary and the proposed dwelling is increasing the setback by 900mm which will better align all of the properties setback to be more consistent and create a safe pedestrian walkway to the beach.

The maximum building height will be 6.8 metres at its highest point to allow the angled walls and roof to create a visual effect and still maintain appropriate ceiling heights. The land slopes gently down 1 metre to the southeast corner, the dwelling floor level design steps down with the shape of the land.

The existing building footprint is very similar to the proposed building footprint. The massing of the building is broken up to avoid excessive bulk. The angles and materials create visual interest that will enhance the view from Gale Street.

The first floor balcony (deck) is mostly unroofed to minimise the building bulk. The location, bulk or scale of the building will be in keeping with the predominant character. The siting, materials and design of the building will add interest and enhance the appearance of the area.

The dwelling will be seen coming into Waratah Bay along Gale Street, and from the beach. The applicant has proposed shapes and angles of the dwelling creating visual interest to look at and by using natural and muted coloured materials like timber, rammed earth, and dark coloured fibre cement sheet, the dwelling will better blend into the surrounding environment.

The building will be visually prominent from Gale Street and the beach as the foreshore space is maintained as a grassy area. However, with vegetation planted at the front of the dwelling and the recessive second storey will be in character with the streetscape and keep the dwelling from being overly dominant. The front setback, courtyard and side boundaries present opportunities for planting native vegetation for visual appeal, shade and enhance habitat.

#### Bushfire Management Overlay (BMO)

According to clause 44.06:

*A permit is required to construct a building or construct or carry out works associated with accommodation.*

Pursuant to clause 74, the term accommodation applies to a dwelling. Therefore, a permit is required for the construction of a single dwelling.

#### **53.02 Bushfire planning**

Decision Guidelines	Assessment
The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.	See above.
The bushfire hazard site assessment and the bushfire management statement submitted with the application.	The application included the following: <ul style="list-style-type: none"> <li>▪ Bushfire hazard site assessment</li> <li>▪ Bushfire management statement</li> </ul> They were considered sufficient.
Whether all of the approved measures have been incorporated into the application.	All of the relevant approved measures have been incorporated into the application.
Measure	Assessment
AM 1.1 A building is sited to ensure the site best achieves the following: <ul style="list-style-type: none"> <li>▪ The maximum separation distance between the building and the bushfire hazard.</li> <li>▪ The building is in close proximity to a public road.</li> </ul>	Complies. The dwelling has been sited to best achieve the maximum separation distance from the bushfire hazards given the constraints of the lot.  Complies. The lot has frontage to a sealed public road (Freycinet Street).

<ul style="list-style-type: none"> <li>▪ Access can be provided to the building for emergency service vehicles.</li> </ul>	Complies. Access is from Freycinet Street.
<p>AM 1.2 A building provides the defendable space in accordance with Table 1 Columns A, B, C, D or E and Table 6 to Clause 52.47-3. Adjoining land may be included as defendable space where there is a reasonable assurance that the land will remain or continue to be managed in that condition as part of the defendable space.</p> <p>A building is constructed to the bushfire attack level:</p> <ul style="list-style-type: none"> <li>▪ That corresponds to the defendable space provided in accordance with Table 1 to Clause 53.02-5, or</li> <li>▪ The next lower bushfire attack level that corresponds to the defendable space provided in accordance with Table 1 to Clause 53.02-5 where all of the following apply: <ul style="list-style-type: none"> <li>○ A private bushfire shelter (a Class 10c building within the meaning of the Building Regulations 2006) is constructed on the same land as the dwelling.</li> <li>○ A minimum bushfire attack level of BAL12.5 is provided in all circumstances.</li> </ul> </li> </ul>	<p>Complies. The proposed dwelling is provided with defendable space to the borders of the lot.</p> <p>Complies. The proposed dwelling will be constructed to BAL-29.</p> <p>N/A.</p>
<p>AM 1.3 A building is provided with:</p> <ul style="list-style-type: none"> <li>▪ A static water supply for firefighting and property protection purposes specified in Table 4 to Clause 53.02-5. The water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for firefighting water supplies.</li> <li>▪ Vehicle access that is designed and constructed as specified in Table 5 to Clause 53.02-5.</li> </ul>	<p>Complies. A 10,000 Litre non-combustible water tank will be provided for firefighting purposes.</p> <p>Complies. The proposed vehicle access is compliant with the specifications in Table 5 to Clause 53.02-5.</p>

**Declaration of Conflict of Interest:**

No officers involved in the preparation of this report have any direct or indirect conflict of interest in this matter.

**Conclusion and Recommendation:**

Council officers has considered the matters under Section 60 of the *Planning & Environment Act 1987*. It considers that the proposed development is appropriate having regard to the relevant matters and can be managed through appropriate conditions.

It is recommended that a notice of decision to grant a planning permit is issued for the Development of the land for a dwelling, in accordance with the endorsed plans and subject to the following conditions:

**This Permit Allows**

Development of the land for a dwelling, in accordance with the endorsed plans.

**Conditions:**

1. Prior to plans being endorsed, a landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show:
  - a) Appropriate vegetation to be planted within the front setback and along the east and west boundaries.
  - b) A planting schedule of all proposed trees, shrubs and ground covers (including common names and botanical names), pot sizes, sizes at maturity, and quantities of each plant;
  - c) The incorporation of lower, middle and upper storey species;

All species must be selected from the relevant Ecological Vegetation Class (EVC) for the bioregion that the land is located within, from the *Indigenous Plants of South Gippsland Shire* publication.
2. Prior to any works commencing, the owner of the land must enter into an agreement with the Responsible Authority in accordance with Section 173 of the *Planning and Environment Act 1987* which states that the road access to the land may be detrimentally impacted by coastal climate change and associated inundation, which may impact upon the owner's use and enjoyment of the land and which may cut off access to and egress from the subject land from time to time or permanently should the access road become, in Council's view, uneconomic to repair. Council has no responsibility nor does Council accept any responsibility for providing alternate access to or egress from the subject land.
 

The Agreement must be registered on title pursuant to Section 181 of the *Planning and Environment Act 1987* and confirmation of the Dealing number provided to Council. All costs relating to the preparation and registration of the Agreement must be borne by the applicant.

Note: A copy of the Section 173 Agreement is available on [www.southgippsland.vic.gov.au](http://www.southgippsland.vic.gov.au) under Planning and Building / Understanding your permit conditions.
3. Appendix 2 as the Bushfire Management Plan Ver.1, 08/01/2020, included in the Bushfire Management Statement prepared by Euca Planning P/L, must be endorsed to form part of the permit and must not be altered unless otherwise agreed in writing by the CFA and the Responsible Authority.
4. The building, works and layout as shown on the endorsed plans must not be altered or modified except with the written consent of the Responsible Authority.

5. Once the development has started it must be continued and completed in a timely manner to the satisfaction of the Responsible Authority.
6. The external finishes of the dwelling, including walls and roof materials, must be colour treated and maintained in muted non-reflective tones to the satisfaction of the Responsible Authority.
7. Care must be taken to ensure that the construction of the dwelling and ancillary works, and their ongoing use, does not cause erosion or degradation to the subject or surrounding land to the satisfaction of the Responsible Authority.
8. This permit does not allow the removal, destruction or lopping of native vegetation. The removal, destruction or lopping of native vegetation may be subject to further planning approval.
9. Before the occupation of the development starts 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.
10. Landscaping shown on the endorsed plans must be planted prior to the issue of an Occupancy Permit for the dwelling and maintained to the satisfaction of the Responsible Authority.
11. Downpipe water from the dwelling and outbuilding must be suitably directed into water tank(s), soakwell(s), or otherwise discharged, so as not to cause erosion to the subject or surrounding land, to the satisfaction of the Responsible Authority. The external finishes and materials of water tank(s) (if required) must be colour treated in muted low-reflective tones.
12. South Gippsland Shire Engineering Department conditions:
  - a) Access and layout of the driveway must be constructed in accordance with Council's standard drawing SD 240 (Copy attached).
  - b) The driveway must have a minimum consolidated pavement depth of 100 mm thick crushed rock or 2nd grade gravel on a suitably prepared and firm subgrade between the road and the property boundary.
  - c) The remainder of the driveway must be constructed, and thereafter maintained, to an all-weather standard (gravel, crushed rock or equivalent).
  - d) The owner/applicant must check with the relevant authorities before any excavation work is undertaken.
  - e) All work must be to the satisfaction of the Responsible Authority.

13. The dwelling must be connected to reticulated sewerage, if available. If reticulated sewerage is not available all wastewater from the dwelling must be treated and retained within the boundaries of the lot in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*.
14. All stormwater discharging from the development and/or use on the land must be contained within the boundaries of the land to the satisfaction of the Responsible Authority.
15. This permit will expire if either of the following applies:
  - 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.

The Responsible Authority may extend the periods referred to in accordance with Section 69 of the *Planning and Environment Act 1987*, if a request is made in writing.

**Notes:**

1. This permit allows the above land to be used or developed for the purpose specified. It is the permit holder's responsibility to ensure that any other relevant approvals are obtained prior to the commencement of the use or development.
2. The owner/applicant is encouraged to check with the relevant service authorities before any excavation work is undertaken (e.g. Telstra, SP Ausnet and South Gippsland Water).
3. A Consent to Work Within the Road Reserve Permit must be obtained from Council's Engineering Department for the construction and/or alteration of the driveway crossover.
4. In relation to the Telecommunications Condition please refer to "Telecommunications Services and Facilities" on our Website at [www.southgippsland.vic.gov.au](http://www.southgippsland.vic.gov.au)
5. In issuing this permit the application has not been assessed against Clause 54 (ResCode) requirements of the South Gippsland Planning Scheme. It is therefore the responsibility of the Relevant Building Surveyor to assess the application against the relevant building regulations.