

South Gippsland Shire Council

Planning Delegation Report

Application Details	
Application No	2021/105
Proposal	Development of the land for extension to the existing dwelling and unenclosed building
Applicant	David Trease Design & Drafting Solutions
Application lodged	26 March 2021 Amended application submitted 21/05/2021
Plan Details	David Trease Revision 1, ref no: 18-1811 dated April 2021.
Officer:	Amy Wagenaar
Property Details	
Property Address	250 O'Gradys Ridge Road Foster North VIC 3960
Land Description	L1 PS622580K Parish of Doomburrim
Land Area	4.01 hectares
Restrictions on title	A Section 173 agreement applies to the land, but is of no consequence to the current proposal (restricts further subdivision).
Existing Use	Existing dwelling and multiple outbuildings
Planning Provisions	
Zone	Farming Zone (FZ)
Overlays	Environmental Significance Overlay (ESO) Schedule 5
Particular Provisions	None.
General Provisions	Clause 65 - Decision Guidelines
CHMP	Not required.
Permit Triggers	
Zone	Clause 35.07-4 Farming Zone
Overlay	Clause 42.01 Environmental Significance Overlay
Notifications	
Advertising	Yes, notices to the immediate adjoining and adjacent owners and occupiers.
Number Objections	Nine (9) objections received.
Recommendation	
Zone/s and Overlay/s	That a Notice of Decision to Grant a Permit be issued

THE PROPOSAL

The planning permit application seeks approval for an extension to the existing dwelling by enclosing parts of the existing building to create 4 additional bedrooms, each with bathroom facilities, plus an additional living area space. The internal layout of the existing dwelling is being modified to provide bathrooms to the 3 bedrooms at the upper ground level, including one which extends out under the existing verandah. The roof and walls of the proposed extension are proposed to match the existing dwelling, which is a eucalypt green colour. The application also proposes to provide a simple roof structure over an existing unused historic Melbourne Tram.

The internal floor area of the existing dwelling is 177 square metres, comprising three bedrooms, two bathrooms and an additional toilet, with an open plan kitchen living and dining. A wrap-around covered decking/verandah area brings the total area to 342 square metres.

To the north-west of the dwelling, is a garage of 108 square metres. Between the garage and the dwelling is a covered deck area of around 68 square metres. The garage and deck area are proposed to be enclosed

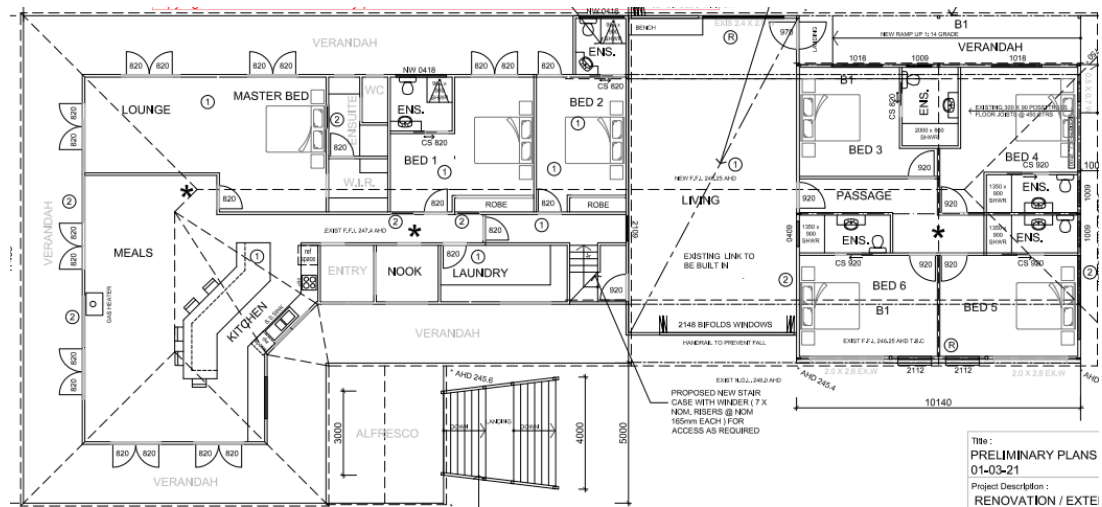
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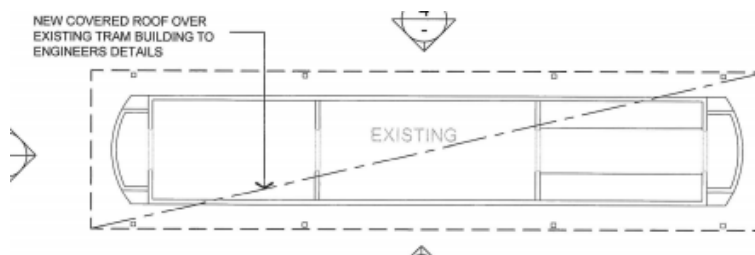
under this proposal and become part of the dwelling, with a floor level 1.15m lower than that of the existing dwelling, due to topography of the land.



Applicant provided aerial image of dwelling, verandah and garage.



Proposed layout of extension to existing dwelling.



Proposed roof structure over existing tram.

SUBJECT SITE AND SURROUNDING AREA

The subject site (Lot 1 PS622580K, Parish of Doomburrim, County of Buln Buln), known commonly as 250 O'Gradys Ridge Road, Foster North, is a 4.01ha lot located approximately 4.5 kilometres (as the crow flies) west of the Foster township. The subject land was formerly part of a larger agricultural parcel of land

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(approximately 86.77ha) until 2008, when it was subdivided into its current lot. The balance farmland which this smaller lot was excised from is utilised for timber production (pine and eucalypt).

The surrounding area comprises a combination of rural-residential and agricultural properties. Within a 1 kilometre radius of the site, 30 individual properties are identified, with lot sizes varying between 0.8ha to 83ha. The area immediately surrounding the subject land is predominately characterised by rural residential properties, save for the timber plantation to its north and north-west. Surrounding lots are typically improved by dwellings and associated domestic infrastructure. Some rural infrastructure is visible on the larger lots.

Agricultural activities in the surrounding area are generally broadacre cropping activities, with dairying and beef production being a common use of the larger lots. As noted, timber production (nested under crop raising) also occurs in the area. Rolling hills are a defining feature of the area, with a number of properties on the eastern side of O'Gradys Ridge Road obtaining views of Corner Inlet and Wilsons Promontory from the ridgeline. Almost all other dwellings in the area are setback at least 50 metres from O'Gradys Ridge Road, with extensive vegetative screening provided through cypress plantations. The dwelling on the subject land and those dwellings immediately nearby have been developed in the 1980's and 1990's to create the current character of the area.

In the immediate vicinity of the subject land is:

North 192 O'Gradys Ridge Road – An irregular shaped tenement of 121.61ha, generally vacant save for an isolated outbuilding in the north-eastern corner. The site is currently utilised for timber production, with plantations of cypress pine and blue gum visible from O'Gradys Ridge Road.

East 225 O'Gradys Ridge Road – An irregular shaped lot of 22.72ha, containing a dwelling and outbuildings. The site has vegetation cover along the riparian banks of multiple waterways traversing the site. The site is understood to be subject to a Carbon Tender 'Landowner' Revegetation Agreement to revegetate approximately 78% of the property. The dwelling on site is located approximately 460 metres from the dwelling on the subject land.

235 O'Gradys Ridge Road – An irregular shaped lot of 1.81ha, containing a large dwelling screened by vegetation. This vegetation comprises approximately 55% of the total site area. The dwelling on this site is located approximately 230 metres from the dwelling on the subject land.

245 O'Gradys Ridge Road – A generally rectangular shaped property of 1ha, containing a large dwelling and outbuildings. This property is known as 'Llarrinda' and operates as a bed and breakfast with a maximum occupancy of 6 guests. The site is generally screened from O'Gradys Ridge Road by roadside vegetation to the south of the driveway. The dwelling on the site is located approximately 115 metres from the dwelling on the subject land.

255 O'Gradys Ridge Road – An irregular shaped lot of 17.73ha, containing a dwelling and a range of vegetation along the banks of the head of Stockyard Creek, which originates on the site. The land is screened by a large row of Cypress trees on the O'Gradys Ridge Road frontage. The dwelling on the site is located approximately 155 metres from the dwelling on the subject land.

South 265 O'Gradys Ridge Road – An irregular shaped lot of 1.16ha, containing a dwelling and outbuilding. The site is well screened by vegetation from O'Gradys Ridge Road, with vegetation occupying approximately 60% of the total site area. The dwelling on the site is located approximately 170 metres from the dwelling on the subject site.

310 McGleads Road – An irregular shaped lot of 0.82ha, located on the corner of O'Gradys Ridge Road and McGleads Road. The subject site contains a range of large vegetation screening from

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O'Gradys Ridge Road, occupying the majority of the property. The dwelling on the site is located approximately 220 metres from the dwelling on the subject site.

West 270 O'Gradys Ridge Road – An irregular shaped property of 4.39ha, improved by a dwelling and a number of outbuildings. The dwelling curtilage contains some large vegetation, however this property is not screened in the same manner as many others are nearby. The dwelling on the land is located approximately 230 metres from the dwelling on the subject site.



Image 2: Aerial image of subject site and surrounds. Source: GIS 2018 Aerial Photos.

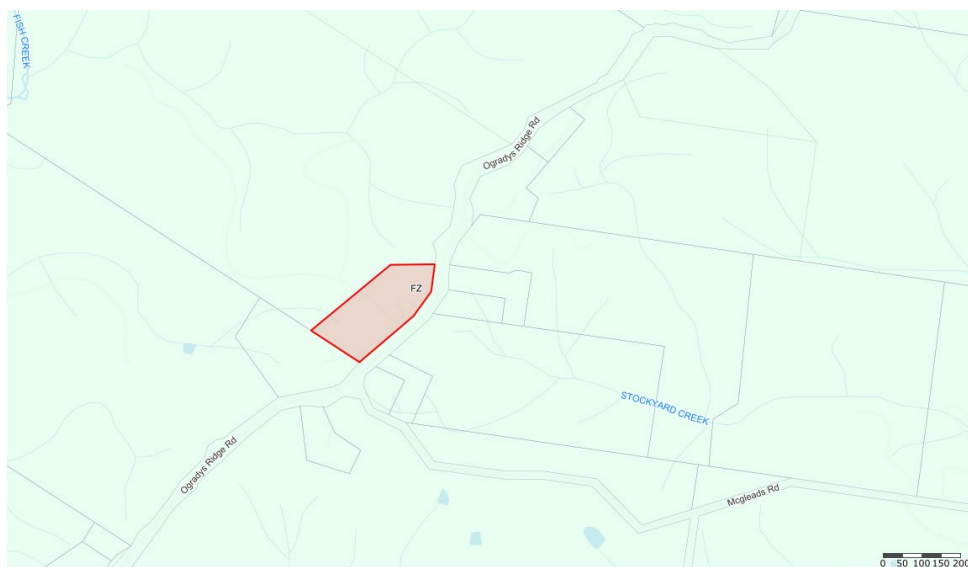


Image 3: Allotment view of subject site and surrounds overlaid with planning zones. Source: GIS 2018.

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There are no easements existing on site.

RESTRICTIVE COVENANTS, CAVEATS AND SECTION 173 AGREEMENTS

There is a Section 173 Agreement on the certificate of the title that restricts any further subdivision of the subject site. This proposal does not breach the Agreement.

BACKGROUND / PLANNING PERMIT HISTORY

2018/308 – Council issued a Notice of Decision to grant a planning permit for ‘Use and development of the land for group accommodation and development and display of business identification signage’. The application sought to provide Group Accommodation for up to 36 guests within 6 buildings on the land, plus two on-site managers.

A section 82 (objector) appeal to VCAT (VCAT reference P1941/2019) was heard over 7 days in late 2020. At the conclusion of the hearing, Council’s decision was set aside and no permit was granted. The key issues in the Tribunal’s decision to refuse the grant of a permit were:

- The impact that the group accommodation use would have on the adjoining timber plantation;
- Safe vehicular access to the site and sightlines;
- Increased bushfire risk associated with group accommodation, given the adjoining timber plantation.

That previous application has minimal relevance to the current proposal. The applicable permit triggers now relate to buildings and works to extend the existing dwelling only; there is no longer any consideration required for a new land use, as was the case for the Group Accommodation proposal (i.e. occupying 36 people away from their usual place of accommodation, across multiple habitable buildings). This new application is essentially seeking permission for buildings and works to incorporate existing structures into the internal floor space of the existing dwelling.

PLANNING SCHEME CONTROLS & PERMIT TRIGGERS

Zone/Overlays/Particular Provisions		
Provision	Trigger?	Rationale
Clause 35.07-4 Farming Zone	Buildings and works in association with a use in Section 2 of Clause 35.07-1	Extension to the existing dwelling is greater than 100 square metres.
Clause 42.01-2 Environmental Significance Overlay Schedule 5	Construct a building or construct or carry out works	Section 3.0 of Schedule 5 to construct a building or construct or carry out works where the total resultant floor area exceeds 200 square metres. Building and works (roof structure) for the tram is exempt as the total floor area is less than 200 square metres.

SPECIAL WATER SUPPLY CATCHMENT AREA

The land is not within a Special Water Supply Catchment Area.

South Gippsland Shire Council**Planning Delegation Report****ABORIGINAL CULTURAL HERITAGE MANAGEMENT PLAN (CHMP)**

The subject land is partially located within an area of Aboriginal Cultural Heritage Sensitivity. Pursuant to Regulation 46(1) of the Regulations, a single dwelling is not a listed high impact activity. Therefore, the development of the land for this purpose does not require a CHMP.

FURTHER INFORMATION

At the time of submitting the permit application, the applicant sought approval for development of the land for bed & breakfast. Council requested further information seeking clarification around whether the proposal could meet the Section 1 (no permit required) provisions for a bed and breakfast. Under the Farming Zone provisions, a dwelling can be used as a B&B without a planning permit provided no more than 10 persons are accommodated away from their normal place of residence, and that at least 1 car parking space is provided for every 2 guests.

In response, the applicant formally amended the application to remove Bed & Breakfast from the permissions being sought. The plans were also amended to delete a kitchenette from the living area.

NOTIFICATION OF THE PROPOSAL

The application was notified to adjoining/adjacent owners and occupiers.

Were there any objections received?

Nine (9) individual objections to the application have been received.

Key areas of concern raised by the objectors include:

- The owner appears to not live at the site permanently;
- The additional bedrooms will result in the land being used for tourist accommodation;
- Accommodation use will result in increased vehicle movements, noise;
- Exposure to fire risk and impacts;
- A use being operated illegally;
- Relevance of the previous planning application;
- The use of the existing structures onsite;
- Environmental impacts to the surrounding waterways and properties;
- The proposal may impact the adjoining Hardwood plantation;
- The overall use of the tram;
- Capability of the land to treat and retain effluent;
- Inconsistency of planning documents submitted;
- The proposal may impact on adjoining farming businesses.

A number of objections are lengthy and provide comprehensive submissions in relation to this application. Officers have not recited or referred to all of the contents of these documents in this assessment. The entirety of all objections has been considered in formulating the assessment of this application.

REFERRALS UNDER SECTION 55 OR 57C**INTERNAL REFERRALS**

Authority	Rationale	Date received and response
SGSC Waste	To determine if waste water can	Conditional consent.

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Water	be treated and retained on-site in accordance with the SEPP (Waters of Victoria) under the <i>Environment Protection Act 1970</i> .	
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PLANNING POLICY FRAMEWORK (PPF)**Planning Policy Framework**

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

Clause 11 Settlement
 Clause 11.01 Victoria
 Clause 11.01-1S Settlement
 Clause 11.01-1R Settlement - Gippsland
 Clause 11.03-6S Regional and local places
 Clause 13.02 Bushfire
 Clause 13.02-1S Bushfire planning
 Clause 13.04-2S Erosion and landslip
 Clause 14.01 Agriculture
 Clause 14.01-1S Protection of agricultural land
 Clause 14.01-1R Protection of agricultural land - Gippsland
 Clause 15.01-6S Design for rural areas

Local Planning Policy Framework

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

Clause 21.00 Municipal Strategic Statement
 Clause 21.01 Introduction
 Clause 21.02 Settlement
 Clause 21.04 Environmental Risks
 Clause 21.05 Natural Resource Management
 Clause 21.19 Localities
 Clause 21.20 Landscape Character Areas
 Character Area 3.2 – Welshpool Hills and Mount Hoddle

CLAUSE 22 POLICIES

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

ASSESSMENT**Clause 13.02-1S Bushfire planning**

The emphasis of relevant policy at the State and Local level is on the preservation of significant landscapes and character of hinterland towns like Foster North and as the highest priority the preservation of human life in bushfire affected areas.

The objective of Clause 13.02-1S Bushfire planning is:

“To strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.”

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Relevant strategies to achieve this require priority to be given to the protection of human life by:

- *Prioritising the protection of human life over all other policy considerations.*
- *Directing population growth and development to low risk locations and ensuring the availability of, and safe access to, areas where human life can be better protected from the effects of bushfire.*
- *Reducing the vulnerability of communities to bushfire through the consideration of bushfire risk in decision-making at all stages of the planning process.*

Although the site is designated as being Bushfire Prone under Building Act 1993, the site is not affected by a Bushfire Management Overlay (BMO), which would require additional planning considerations. Council must nevertheless be satisfied that the proposal can appropriately protect human life.

As has been explored in this report, abutting the subject land is an 80ha+ forestry property, comprised primarily of pine and eucalypt plantations. These trees are currently not of a size to warrant inclusion in the BMO, however this vegetation will grow and establish as 'forest' class vegetation (based on the standards of AS3959-2009).

The closest part of the proposed development to an existing plantation row is approximately 120 metres. Based on the land area of the site, it is evident that defendable space and Bushfire Attack Level (BAL) construction standards could readily meet the requirements of Clause 53.02-5 if the subject land was located within the BMO. The *Building Act 1993* provides a requirement for buildings to be constructed to a BAL12.5 in bushfire prone areas where the site is not located within a BMO.

The dwelling is currently existing on site and located close to the main road. The extension is providing a larger dwelling for the owners to enjoy whilst utilising the existing buildings on site. In the context of an application for an extension of an existing dwelling (essentially within the existing built-form footprint), it is considered that appropriate bushfire protections can be incorporated through the usual building permit process, and therefore the objective of Clause 13.02 will be achieved.

In regard to the proposed roofed structure over the existing tram, there is no requirement for the bushfire measures to be considered given that it does not fall within a proposed use and development under Clause 13.02 of the Planning Scheme, and is simply providing weather protection to preserve the tram and not being used for accommodation.

Farming Zone

Purpose:

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for the use of land for agriculture.

To encourage the retention of productive agricultural land.

To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.

To encourage the retention of employment and population to support rural communities.

To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

The land is considered capable of accommodating the proposed development. The site is already used for residential purposes and the development is compatible with adjoining and nearby land uses. The development makes use of all existing infrastructure and services on the site, and is located within the vicinity of other buildings on the site. As noted earlier in this report, the application plans were amended to remove the kitchenette from the new 'Living' space. In order to reduce the potential for this to be reintroduced at a later date, it is appropriate that an annotation be added to the plans prior to

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endorsement stating that no food preparation facilities are to be provided within this area. This reinforces the bone fide use of the extended space as an extension to the existing dwelling, rather than a separate fully self-contained part of the dwelling that would have potential to be sectioned off with its own external access point. This addition to the plans will be requested by way of a permit condition, which must be satisfied prior to endorsement of plans.

The proposal will not compromise agricultural uses occurring on the land in the vicinity of the site. The development will not adversely affect soil quality or permanently remove land from agricultural production, or limit the operation and expansion of adjoining and nearby agricultural uses. Similarly, the extension will not be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic or hours of operation.

The development will have a minimal impact on the natural physical features and resources of the area, in particular on soil and water quality. No vegetation will be removed to make way for the development

The minimal impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads and vistas are considered acceptable, noting the structures currently exist on site.

The dwelling on the subject land is located approximately 120 metres from the closest plantation row. Amongst all accommodation buildings, the closest building would be the existing tram being 75 metres south of a row of plantation trees. As the subject land already contains a dwelling, and is currently utilised for an existing sensitive land use, the proposal is considered unlikely to lead to a situation where the timber plantation is constrained in its operations.

The style of agricultural activity in the broader area is moderate, in that there is no feedlot or intensive animal production occurring in the area. A wide range of rural lifestyle properties are present around the subject land, which inhibit the potential for large scale intensive agriculture to occur in the surrounding area.

The proposed development is not considered to be changing the over-arching character of this part of O'Gradys Ridge Road. The development of one of these rural residential properties will not change this rural-residential nature. Given the extension is essentially occurring within the footprint of existing buildings on the land, the proposal does not give rise to concerns around potential constraint upon expansion of surrounding uses. This was not the case with the previous group accommodation proposal, since that application did see new accommodation uses occurring within 100m of the existing plantation areas.

Environmental Significance Overlay Schedule 5 (Areas susceptible to erosion)**Decision Guidelines:**

- *The purpose of the overlay.*
- *The following publications:*
 - *Background document Environment Guidelines for Major Construction Sites (Environment Protection Authority, February 1996).*
 - *Construction Techniques for Sediment Pollution Control (Environment Protection Authority, May 1991)*
 - *Background document Control of Erosion on Construction sites (Soil Conservation Authority).*
 - *Background document Your Dam, an Asset or a Liability (Department of Conservation and Natural Resources).*

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- *Any proposed measures to minimise the extent of soil disturbance and runoff.*
- *The need to stabilise disturbed areas by engineering works or vegetation.*
- *Whether the land is capable of providing a building envelope, which is not subject to high or severe erosion problem.*
- *Whether the proposed buildings or works are likely to cause erosion or landslip.*
- *Whether the proposed access and servicing of the site or the building envelope is likely to result in erosion or landslip.*
- *Any Land Capability Report Guidelines prepared by the Department of Natural Resources and Environment, Centre for Land Protection Resource.*

It is considered that the proposal meets the objectives of the ESO5, which aim to protect areas prone to erosion by minimising land disturbance and vegetation loss. The development will have a minimal impact on the site and should create minimal site disturbance and run off. The proposed works will not cause erosion or landslip as the area that the proposed extension is located is relatively flat, is located on the higher crest of the land, and utilising structures already existing on the land. The proposal respects the contours and topography of the land.

It is not considered necessary to stabilise disturbed areas with engineering works or vegetation. However, standard conditions on any permit should be imposed to ensure the construction is carried out in accordance with the Construction Techniques for Sediment Pollution Control (EPA 1991) and Control of Erosion on Construction Sites (Soil Conservation Authority). Stormwater generated by the building should also be required to be captured and stored appropriately to minimise soil scour and run off.

Council has determined that the proposal has the ability to adequately manage wastewater on site. Relevant permit conditions are required to ensure that updated reports are submitted as part of the Permit to Install issued by Council. The assessment is however satisfied that the hydraulic and environmental requirements have been met, thus satisfying the planning consideration requirements.

Response to objections

Where the issues and themes identified by objectors have not been addressed above, these issues are summarised and responded to below:

Submission: *The additional bedrooms will result in the land being used for tourist accommodation;*

Response: A number of objections have raised the prospect that this application will result in the land being used for other uses. Reference is made to the original application which sought approval for an extension to the existing dwelling for the purpose of a Bed & Breakfast (potentially a section 1 use), as well as advertising on the permit applicant's website.

Ultimately, Council must assess the application as it is described in the application material and associated plans. Having considered the application as a whole, characterising the use as shown and assessing it against the relevant controls, Council are of the view that the proposal seeks authorisation for development only for the extension to the existing dwelling only. The potential for a lawful bed and breakfast operation to occur from the dwelling without a planning permit exists for this site as it does for any other dwelling in the Farming Zone, and any use of the land beyond the 'as of right' parameters would be subject to enforcement action.

Submission: *The owner appears to not live at the site permanently.*

Response: This is not a relevant planning consideration.

Submission: *Accommodation use will result in increased vehicle movements, noise;*

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Response: The size of the dwelling is being increased, the plans demonstrate there is ample parking for vehicles and any noise increase will be minimal and not considered unreasonable.

Submission: *Exposure to fire risk and impacts;*

Response: As stated previously in this report, the bushfire risk has been assessed and is considered appropriate in the context of this proposal; an appropriate construction standard will be applied at the building permit stage, having regard for the bushfire prone status of the land.

Submission: *A use being operated illegally;*

Response: If the landowner were to seek other use(s) that requires separate permission under the Planning Scheme, any such use would need to be advertised and assessed on its own merits. Were such a use to occur without permission, then enforcement action would be taken. This is not considered to be a reason to refuse a permit application.

Submission: *Relevance of the previous planning application;*

Response: As noted earlier in this report, Council has taken into consideration the previous planning application (2018/308, VCAT reference P1941/2019) as part of the overall assessment, and is satisfied that the current application is of low scale in comparison to the broader use and development proposal for Group Accommodation. The matters raised as part of the VCAT order have been adequately addressed in the context of this new proposal.

Submission: *The use of the existing structures onsite;*

Response: This is not a relevant consideration in assessing this application. Council must assess the application that has been applied for. However the legality of structures can be investigated by Council's enforcement department.

Submission: *Environmental impacts to the surrounding waterways and properties;*

Response: The proposed extension is located more than 100 metres from any waterways and not considered to have any additional environmental impacts.

Submission: *The proposal may impact the adjoining Hardwood plantation;*

Response: The current application was advertised and a notice sent to the owner and occupier of the adjoining land; no submissions have been submitted from the adjoining timber plantation which is approximately 120 metres from the proposed building.

Submission: *The overall use of the tram;*

Response: The existing tram on site is not proposed to be used for any purpose listed in the planning scheme requiring permission. The applicant has stated it is an area used as a space to relax, which is considered ancillary to residential dwelling use.

Submission: *Capability of the land to treat and retain effluent;*

Response: Council's Wastewater team have assessed the current proposal and is aware of the previous application, and has no concerns with the application subject to relevant permit conditions.

Submission: *Inconsistency of planning documents submitted;*

Response: It is noted the north orientation of the floor plans and elevations is incorrectly shown on the submitted plans. Council can accurately ascertain the features of the proposal and assess them against the Scheme. For the sake of completeness, it is appropriate to require that this error be addressed via permit condition prior to endorsing plans.

Submission: *The proposal may impact on adjoining farming businesses*

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Response: As stated previously in this report, the proposal would have no impact on the surrounding farming uses due to the dwelling being existing on site (as opposed to a new land use occurring from the site), and the proposal is essentially consolidating the existing built-form footprint of the buildings.

Conclusion and Recommendation:

Council have considered the matters under Section 60 of the *Planning & Environment Act 1987*, and consider that the proposed development is appropriate having regard to the relevant matters identified in this report, and can be managed through appropriate conditions.

It is recommended that Council therefore issue a notice of decision to grant a permit for Development of the land for extension to the existing dwelling and building and works, in accordance with the endorsed plans and subject to the following conditions:

Proposed Conditions:

1. Before the building works commence, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions. The plans must be generally in accordance with the plans submitted with the application, but modified to show:
 - a. An annotation on the proposed floor plan to state that no food preparation facilities may be provided within the area shown as LIVING within the extended area of the dwelling.
 - b. The correct north point orientation to be shown on the floor plans.
2. The building, works and layout as shown on the endorsed plans, including the external colours and finishes must not be altered or modified except with the written consent of the Responsible Authority.
3. Once the development has started it must be continued and completed in a timely manner to the satisfaction of the Responsible Authority.
4. The existing driveway must be maintained at an all-weather condition as to accommodate emergency vehicles to the satisfaction of the Responsible Authority.
5. Building construction must be carried out in accordance with *Construction Techniques for Sediment Pollution Control* (EPA May 1991) and *Control of Erosion on Construction Sites* (Soil Conservation Authority) to the satisfaction of the Responsible Authority.
6. All works must be undertaken in a manner that minimises soil erosion, and any exposed areas of soil must be stabilised to prevent soil erosion, to the satisfaction of the Responsible Authority.
7. Any access road, clearings and banks resulting from excavation must be stabilised by the use of retaining walls, terracing, revegetation and other means of slope

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stabilisation due to the steepness of the block and must be to the satisfaction of the Responsible Authority.

8. Downpipe water from the extension 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.
9. 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.
10. The waste water system is to comply with the Land Capability Assessment from Strata Geoscience & Environmental Pty Ltd, Report No:03106, Dated 14th March 2019 and/or any updates as negotiated to the satisfaction of the Responsible Authority.
11. Final Permit to Install to comply with the Requirements of the EPA COP 891.4 as approved by the Permit to Install issued by the Responsible Authority.
12. 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.

Proposed Notes:

1. This permit allows the above land to be 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. 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.
3. All works associated with the development must be in a manner consistent with the provisions of the Aboriginal Heritage Act, 2006. It is an offence to harm Aboriginal cultural heritage unlawfully. Aboriginal Victoria is the authority for administration of the Aboriginal Heritage Act 2006. The owner/applicant is advised to contact Aboriginal Victoria at GPO Box 2392, Melbourne, 3001. Telephone 1800 762 003 or Aboriginalaffairs@dpc.vic.gov.au