

3 TWENTY SIX (26) LOT SUBDIVISION AND VEGETATION REMOVAL AT 43 WATTLETREE ROAD, BUNYIP

FILE REFERENCE INT1764846

RESPONSIBLE GENERAL MANAGER Andrew Paxton

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RECOMMENDATION

That a Notice of Decision to Amend Planning Permit T140555 be issued. The Amended Permit will allow for the subdivision of the land into twenty-six (26) lots, vegetation removal and removal of an easement at 43 Wattletree Road, Bunyip subject to the revised conditions attached to this report.

Attachments

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| 1 | Locality map | 1 Page |
| 2 | Development plans | 2 Pages |
| 3 | Copies of objections circulated to councillors only | 21 Pages |

EXECUTIVE SUMMARY:

APPLICATION NO.:	T140555 - 2
APPLICANT:	Parklea Pty Ltd
LAND:	43 Wattletree Road, Bunyip Victoria 3815
PROPOSAL:	Subdivision of the land into twenty-six (26) lots and vegetation removal
PLANNING CONTROLS:	Low Density Residential Zone – Schedule 3 (LDRZ3), Design and Development Overlay - Schedule 1 (DDO1) and Vegetation Protection Overlay - Schedule 1 (VPO1)
NOTIFICATION & OBJECTIONS:	The application has been advertised by sending notices to the owners and occupiers of adjoining land and placing two (2) signs on site. Ten (10) objections have been received to date.
KEY PLANNING CONSIDERATIONS:	Neighbourhood Character, environmental impacts
RECOMMENDATION:	Approval

BACKGROUND:

- Planning Permit T040236 to subdivide the land into two lots.
- Planning Permit Application T130691 for the multi-lot subdivision and removal of vegetation was lodged on 25 November 2013 and lapsed on 23 January 2014
- Planning Permit T140555 was issued on 17 June 2015 for the subdivision of the land into fourteen (14) lots and vegetation removal, generally in accordance with the approved plans

- Amended Planning Permit Application T140555-1 was lodged on 19 November 2015 and withdrawn on 20 November 2015.
- Amendment C188 to the Cardinia Planning Scheme was gazetted on 27 October 2016. The amendment introduced Schedules 2 and 3 to the Low Density Residential Zone and numbered the previously unnumbered schedule to the Low Density Residential Zone to Schedule 1. The new Schedule 3 to the Low Density Residential Zone specifies a minimum lot size of 0.2 hectares and applies to land at 35 McDonalds Track, Lang Lang and 43 Wattletree Road, Bunyip (the subject site), and 94 Wattletree Road, Bunyip.
- An extension of time application for Planning Permit T140555 was lodged on 18 April 2017 and is under consideration by Council.

SUBJECT SITE:

The site is located on the north-west corner of Wattletree Road and Nash Road in Bunyip. The overall site has an area of 6.011 hectares and consists of three properties described as:

- Lot 1 TP874771F is the eastern most property with frontage to Nash Road and south boundary abutting Wattletree Road. The lot has a width of 631.5 metres and length of 246.35 metres with an overall area of 1.556 hectares.
- Lot 2 PS 0101918 is the central portion of the overall lot with a width of 63.15 metres and length of 256.35 metres and overall 1.62 hectares. This lot is burdened by a drainage easement running along the north boundary and dissecting the eastern portion of the lot.
- Lot 2 PS 525720M is the western most portion of the site with a frontage of 63.14 metres to Wattletree Road north boundary of 126.28 metres with an overall area of 2.837 hectares.

The site is developed with a dwelling in the south-east corner of the site with surrounding vegetation with existing access at the eastern end on the Wattletree Road frontage. The remainder of the site consists of established vegetation along the north boundary of the site and patches of remnant vegetation in the western portion of the site.

The main characteristics of the surrounding area are:

- North:* 95 Nash Road abuts the north boundary of the site. This property is land within a Farming Zone and is developed with a dwelling with outbuildings and open grassed areas and scattered vegetation throughout the site.
- South:* Wattletree Road abuts the south boundary of the site including roadside vegetation and a two-way sealed road reserve with residential properties in a General Residential Zone to the south. The site surrounds 39 Wattletree Road which is a low density residential property developed with a dwelling setback 10 to 15 metres from the site frontage.
- East:* Nash Road abuts the east boundary of the site including established roadside vegetation and a gravel road surface with low density residential properties located further east
- West:* 35, 35A & 35B Wattletree Road is low density residential development with 35 Wattletree Road developed with a dwelling setback approximately 35 metres from the site frontage with the remaining properties being battle-axed low density allotments with one developed with a dwelling and the remaining lot vacant.

The subject site is located within a Low Density Residential Zone that abuts the Farming zone to the north and General Residential Zone to the south.

PROPOSAL:

The proposal includes the amendment to the existing permit to increase the lots from fourteen (14) to twenty-six (26) lots. The amendment also proposes changes to the extent of vegetation removal.

A summary of the proposal includes:

Subdivision:

- Four new lots on the Wattletree Road frontage with a width of 31.6 metres length of 63.4 metres and areas of 0.2 hectares. These lots include a 10 metre landscape buffer along the Wattletree Road frontage with a building envelope with setback of 15 metres from Wattletree Road and between 2 – 5 metres from common boundaries.
- Existing dwelling lot will provide an area of 0.4 hectares and will retain vegetation within the lot with a building envelop including a setback of 15 metres from Nash Road and 12 metres from common boundaries.
- Twenty one (21) lots varying between 0.2 hectares and 0.36 hectares with access from a new road reserve noted as Agnoletto Court. These lots vary in width and length with building envelopes that provide minimum 10 metre setbacks from the road frontage and rear boundaries with side setbacks of between 2 – 5 metres. The building envelopes for lots 14 – 18 have been designed to retain vegetation on the site.
- Road reserve includes a road width of 16 metres with access provided from Nash Road.

Vegetation Removal:

- The proposal includes the removal of a number of trees within the Nash Road road-reserve with 8 scattered trees on the site to be removed.
- The proposal includes the removal of 0.172 hectares of remnant patches of vegetation.

PLANNING SCHEME PROVISIONS:

State Planning Policy Framework (SPPF)

The relevant clauses of the SPPF are:

- 12.01-1 Protection of biodiversity;
- 12.01-2 Native vegetation management;
- 12.04-2 Landscapes;
- 15.01-3 Neighbourhood and subdivision design;
- 15.01-5 Cultural identity and neighbourhood character;
- 15.01-6 Healthy neighbourhoods; and
- 19.03 Development infrastructure.

Local Planning Policy Framework (LPPF)

The relevant clauses of the LPPF are:

- 21.02-2 Landscape;
- 21.02-3 Biodiversity;
- 21.03-3 Rural townships;
- 21.03-4 Rural residential and rural living development;
- 21.05-1 Infrastructure provision;
- 21.05-3 Local roads; and
- 21.07-6 Bunyip.

Relevant Particular/ General Provisions and relevant incorporated or reference documents

The relevant provisions/documents are:

- Clause 52.01 Public Open Space;
- Clause 52.17 Native Vegetation;
- Clause 65 Decision Guidelines;
- Clause 66 Referral and Notice Provisions; and
- Bunyip Township Strategy (2009) (Incorporated Document).

Zone

The land is subject to the **Low Density Residential Zone – Schedule 3 (LDRZ3)**.

Overlays

The land is subject to the following overlays:

- Design and Development Overlay – Schedule 1 (DDO1); and
- Vegetation Protection Overlay – Schedule 1 (VPO1).

PLANNING PERMIT TRIGGERS

The proposal for the subdivision of the land into twenty-six (26) lots and vegetation removal requires a planning permit under the following clauses of the Cardinia Planning Scheme:

- Pursuant to Clause 32.03-3 of the Low Density Residential Zone, a permit is required to subdivide land;
- Pursuant to Clause 42.02-2 of the Vegetation Protection Overlay, a permit is required to remove, destroy or lop any vegetation;
- Pursuant to Clause 43.02-3 of the Design and Development Overlay, a permit is required to subdivide land; and
- Pursuant to Clause 52.17 Native Vegetation, a permit is required to remove, destroy or lop native vegetation.

PUBLIC NOTIFICATION

The application has been advertised pursuant to Section 52 of the *Planning and Environment Act 1987*, by:

- Sending notices to the owners and occupiers of adjoining land; and
- Placing two (2) signs on site.

Council has received ten (10) objections to date.

The key issues that were raised in the objections are:

- Proposal is not consistent with the Bunyip Township Strategy and is inconsistent with the established built form and character of the area;
- Lot sizes not in keeping with the area, will not maintain the country feel and is an overdevelopment of the site;
- The proposal inconsistent with the Panel Report;
- Vegetation removal uncharacteristic of the area and will impact on fauna;
- Increased traffic through increased traffic numbers will reduce safety in the area;
- No footpath is located on the north side of Wattletree Road;
- Amenity impacts for Nash Road residents;
- Stormwater run off will impact on adjoining properties and the wider area; and
- Impact on sewerage for the area.

REFERRALS

The application was referred to the following authorities, and a summary of each response is provided.

Referral Authority	Response
AusNet	Approval subject to conditions
APA Group	Approval subject to conditions
Country Fire Authority	Approval subject to conditions
Department of Environment, Land, Water and Planning	Approval subject to conditions
Melbourne Water	The original conditions provided by Melbourne Water are to remain on the permit
South East Water	Approval subject to conditions
Telstra	No response. Standard telecommunications conditions will be placed on the permit

DISCUSSION

State & Local Planning Policy Framework

There is support in the Planning Scheme for the growth and development of Bunyip, with Clause 21.07-6 (Bunyip) recognising the potential for substantial growth within the township. At the same time, state and local policies also recognise the need for any development to respond to key natural features, the surrounding landscape and the existing and preferred character of an area.

Relevant state policies such as clauses 12.04-2 (Landscapes), 15.01-3 (Neighbourhood and subdivision design) and 15.01-5 (Cultural identity and neighbourhood character) encourage development to respond to its context and special characteristics of the local environment and protect and enhance native habitat. The protection of natural environment is reinforced by clauses 12.01-1 (Protection of biodiversity) and 12.01-2 (Native vegetation management), which aim to ensure that native vegetation results in no net loss in the contribution made by native vegetation to Victoria's biodiversity.

Local policies serve to reinforce these themes, with Clause 21.02-3 (Biodiversity) aiming to achieve a net gain in the quantity and quality of native vegetation in the municipality and maintain and

enhance the diversity of indigenous habitats and species. Clause 21.03-3 (Rural townships) identifies Bunyip as a 'large rural township' and seeks to maintain and enhance the distinct character and environmental qualities of each township within the Shire, with further guidance provided in Clause 22.07-6 (Bunyip). In particular, Clause 22.07-6 provides the following objectives relating to residential development:

- Accommodate the growth of Bunyip within the current urban growth boundary;
- Retain wide road verges in the approach to the township;
- Maintain generous street, footpath and easement widths in new developments;
- Ensure the protection and conservation of native vegetation including street trees and roadside vegetation; and
- Consider as appropriate the Precinct Character Guidelines set out in the Bunyip Township Strategy (September 2009).

Bunyip is recognised for its rural character and natural landscape and the subject site and surrounding area reinforce this character, with open and spacious landscapes that support low density and rural residential uses. While the proposed amendments intensify the already-approved subdivision of the site, the layout provides an appropriate transition from the General Residential Zoned-land to the south, to the surrounding Low Density Residential-zoned areas. It is considered the natural environment and landscape character will be enhanced through the landscaping buffer areas along the Wattle tree and Nash road boundaries, which will be reinforced via appropriate conditions and restrictions.

The increase in the number of lots does result in an increase in the extent of vegetation removal. However, the vegetation removal has been minimised through the appropriate placement of lot boundaries and building envelopes. The vegetation removal will also be appropriate offset via permit conditions to ensure no net loss of in the contribution made by native vegetation to Victoria's biodiversity.

The proposal demonstrates a strong response to the residential development objectives of Clause 22.07-6 (Bunyip), as the site is located well within the urban growth boundary and protects the majority of vegetation on the site. The provision of landscape buffer areas will allow for revegetation while also providing habitat for the threatened Southern Brown Bandicoot and enhancing the natural streetscape character.

Low Density Residential Zone

The purpose of the Low Density Residential Zone is to provide for low-density residential development on lots which, in the absence of reticulated sewerage, can treat and retain all wastewater. Schedule 3 to the zone allows for subdivision of land into 0.2 hectare allotments if connected to reticulated sewerage. The relevant decision guidelines of the zone include:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The protection and enhancement of the natural environment and character of the area including the retention of vegetation and faunal habitat and the need to plant vegetation along waterways, gullies, ridgelines and property boundaries; and
- The availability and provision of utility services, including sewerage, water, drainage, electricity, gas and telecommunications

While the proposal exceeds the minimum lot size requirements of the zone, it should be noted that simply meeting these requirements does not necessarily equate to compliance with the zone; a number of other factors must be taken into account.

In this case, the proposal is considered consistent with purpose and objectives of the zone as the subdivision layout will ensure minimal impact on the native vegetation within the site and surrounding roadside while facilitating low density residential growth within Bunyip. The layout of the subdivision generally matches the surrounding pattern of subdivision to the east and south, with long rectangular-shaped lots that incorporate building envelopes to maintain the existing sense of openness and spaciousness. The landscape buffers within the setbacks of Wattletree and Nash roads will make an additional contribution to the character of the township by providing opportunities for re-vegetation and landscaping in areas that are currently devoid of any vegetation. These requirements for landscaping and appropriate building setbacks are included for the internal lots that have frontage to the proposed new road known as Agnoletto Court.

The site has access to utility serves and it is considered that utility services can be provided within the lot. The proposed subdivision will be connected to sewerage with no objection from South East Water subject to appropriate permit conditions.

Vegetation Protection Overlay (VPO1) & Clause 52.17 Native Vegetation

The Vegetation Protection Overlay has a number of purposes, including to protect areas of significant vegetation, ensure that development minimises loss of vegetation, preserve existing trees and other vegetation, and maintain and enhance habitat and habitat corridors for indigenous fauna. It also aims to encourage the regeneration of native vegetation.

These purposes are reinforced by Schedule 1 to the Vegetation Protection Overlay, which also seeks to ensure that vegetation remains a significant part of the character and visual amenity of these areas, with the built form being located within a landscape, and vegetation being the predominant feature.

While the loss of any vegetation is generally contrary to the purpose of the overlay, it is noted that the vegetation to be removed generally consists of scattered trees that have not been individually recognised as having any particular importance in terms of cultural or heritage significance, conservation of flora and fauna, or management of erosion and ground water.

The proposed vegetation removal has been restricted to the western portion of the site and to provide access off Nash Road, with building envelopes to help ensure the retention of the surrounding vegetation. The removal of this tree will not detrimentally impact on the character of the area and landscape plan to provide landscape buffers on Wattletree Road and Nash Road will ensure minimal impact on the surrounds.

Clause 52.17 (Native Vegetation) provides further protection of vegetation, with an objective to ensure that the permitted clearing of native vegetation results in no net loss in the contribution made by native vegetation to Victoria's biodiversity. This is achieved through the following approach:

- Avoid the removal of native vegetation that makes a significant contribution to Victoria's biodiversity.
- Minimise impacts on Victoria's biodiversity from the removal of native vegetation.
- Where native vegetation is permitted to be removed, ensure that an offset is provided in a manner that makes a contribution to Victoria's biodiversity that is equivalent to the contribution made by the native vegetation to be removed.

As detailed by the vegetation assessment and confirmed by the Department of Environment, Land, Water and Planning, the development is a low risk pathway with the following an assessment of the proposal;

- *Biodiversity Considerations:* The proposed vegetation to be removed has been restricted to the west portion of the site and the Nash Road frontage, which has minimised the impact of the removal of native vegetation from the site. As detailed by the applicant's vegetation assessment submitted and subject to permit conditions requiring offset management will ensure a minimal impact on biodiversity for the site and is consistent with the requirements of this clause.
- *Offset Requirements:* The submitted information has provided clear indication of the proposed offset requirement of 0.035 general units with a minimum biodiversity score of 0.170. As noted by DELWP the provision of offsets can be provided through permit conditions and must be in accordance *Permitted clearing of native vegetation – Biodiversity assessment guidelines* (Department of Environment and Primary Industries, September 2013).

It is considered that the proposal has avoided vegetation removal where possible, and has implemented measures such as building envelopes to minimise vegetation removal. The proposed tree removal is also not expected to compromise the environmental outcome for the area given the vegetation to be removed is relatively well separated from any stands of significant vegetation.

The landscaping buffers areas will help to provide for re-vegetation and habitat corridors, and appropriate conditions as recommended by the Department of Environment, Land, Water and Planning and Council's Environment Department will provide appropriate offsets for the vegetation loss.

While Council's Environment noted concerns about the ability of the proposal to meet the requirements of the Vegetation Protection Overlay, based on the above discussion and consideration of other state and local policies, it is considered that the proposal is appropriate with the implementation of appropriate conditions.

Design and Development Overlay – Schedule 1

The Design and Development Overlay – Schedule 1 applies to low density residential areas of the Shire, with objectives that aim to ensure that the subdivision of land has regard to the existing pattern of subdivision in the area, respond to the environmental features and constraints of the land and encourage development to create an attractive low density residential environment.

The relevant decision guidelines of the overlay include:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The provisions of any relevant policies and urban design guidelines.
- Whether the bulk, location and appearance of any proposed buildings and works will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- Whether any proposed landscaping or removal of vegetation will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- Whether subdivision will result in development which is not in keeping with the character and appearance of adjacent buildings, the streetscape or the area.

- The protection and enhancement of the natural environment and character of the area including the retention of remnant vegetation and habitat, and the need to plant vegetation along waterways, gullies, ridgelines and property boundaries.
- The impact of any buildings and works on areas of remnant vegetation, and habitat of botanical and zoological significance.
- The impact of proposed buildings and works on the landscape character of the area, including prominent ridgelines and significant views.
- Measures to address environmental hazards or constraints including slope, erosion, drainage, salinity and fire.

A response to the key themes of the objectives and decision guidelines of the overlay is provided below:

Natural Environment

The proposed subdivision is located on a lot which is mostly cleared of vegetation and the proposed layout of the lots and building envelopes helps to minimise any further vegetation loss. The vegetation that is proposed to be removed will be appropriately offset via permit conditions and vegetation will also be established elsewhere throughout the site as a result of the conditions requiring landscaping within the proposed new road reserve and along the Wattletree and Nash road boundaries.

Character of the Area:

The layout of the proposed lots generally matches the surrounding pattern of subdivision to the east and south, with long rectangular-shaped lots. The proposed lots exceed 0.2 hectares in area and therefore are considered to provide an appropriate transition from smaller General Residential Zoned allotments to the south to the larger allotments low density residential allotments to the east and west.

While no buildings are proposed as part of this application, it is expected that the proposed subdivision will facilitate future residential development. In response, building envelopes are proposed for all lots with minimum 10 metre front setbacks (or 5 metres for the proposed lot with the existing dwelling) and 2 metre side setbacks. These setbacks will help to ensure appropriate separation between buildings and reinforce the open and spacious character of the area.

Environmental Hazards:

The proposed subdivision will not add to or increase the risk in terms of environmental hazards with the proposed building envelopes to minimise impact on the surrounding environment.

Clause 52.01 Public Open Space Contribution and Subdivision

A person who proposes to subdivide land must make a contribution to the council for public open space in an amount specified in the schedule to this clause (being a percentage of the land intended to be used for residential, industrial or commercial purposes, or a percentage of the site value of such land, or a combination of both). If no amount is specified, a contribution for public open space may still be required under section 18 of the *Subdivision Act 1988*.

Schedule to Clause 52.01 specifies an amount of 8 per cent for the subdivision of land in a Residential 1 Zone, or for urban residential purposes. The subject land is within the urban growth boundary of Bunyip and is considered to create urban residential type allotments, and as such, the amount specified in the schedule is considered applicable to this proposal.

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 Residential Precinct 3 – Low Density Residential Area, which identifies the important of maintain ad enhancing Bunyip’s rural character through the retention of existing indigenous trees and vegetation, the provision of very large allotments with wide frontages and considerable garden area.

The strategy includes the following guidelines for land within Precinct 3:

- Minimum lot size of 4,000 square metres;
- Minimum front setback of 10 metres;
- Minimum side boundary setback of 5 metres
- Ensure protection and conservation of native vegetation across the landscape.
- Encourage the inclusion of native vegetation and garden space for private and commercial development.
- Maintain generous street, footpath and easement widths in new development.

It is noted that while the proposal does not meet the minimum lot size of 4,000 square metres, the Bunyip Township Strategy was prepared prior to the rezoning of the land to Schedule 3 of the Low Density Residential Zone in 2016, which allows minimum lot sizes of 2,000 square metres. Due to this change, the lot size requirements of the guidelines are not considered applicable to this site.

The proposal is considered to meet all other relevant guidelines for precinct 3, with building envelopes to provide minimum 10 metre front setbacks (or 15 metres in the case of Wattletree Road) and minimum 5 metre side and rear setbacks. As discussed previously, vegetation removal has been minimised and the landscape buffers will make a positive contribution to the area.

The setbacks are generally consistent with the original permit, with the following key exceptions:

- The building envelope setbacks along Wattletree Road have been increased from 10 metres to 15 metres, which results in an improved outcome; and
- The building envelope setbacks along the western boundary have been partially reduced from 10 metres to 5 metres, which is considered appropriate given the recent three lot subdivision of the property and the presence of vegetation along this boundary.

In conclusion, the proposal contributes to the vision for Bunyip by supporting growth while including measures such as building envelopes and landscaping to reinforce the rural character of the area and provide an improved outcome for key fauna habitats.

Objections

A response to the key themes of the objections is provided below.

Character of the area and lot sizes

The objectors raised concerns that the proposal is not consistent with the Bunyip Township Strategy and is inconsistent with the established built form and character of the area with the lot sizes not in keeping with the area, will not maintain the country feel and is an overdevelopment of the site. One objector raised concerns with the rezoning and panel process.

While the proposal does involve a significant change to the number of lots approved by Planning Permit T140555, the increase is supported by the recent rezoning of the land to Schedule 3 of the Low Density Residential Zone, which went through public exhibition and planning panel process, and responds to the character with the area through the provision of landscaping, appropriately setback building envelopes and retention of vegetation where possible.

Vegetation removal

The objectors noted that the proposal results in vegetation removal uncharacteristic of the area and will impact on fauna. The majority of vegetation on the site is located along the boundaries of the site, and the proposed lot boundaries and building envelopes minimise the loss of any vegetation. The permit conditions requiring offsets and landscaping elsewhere on the site are expected to provide a net benefit.

Increased traffic and reduced safety for the area

A number of objectors raised concerns with increased traffic through increased density of the site and will result in reduce traffic and pedestrian safety in the area. The application has been referred to Council's Engineering and Traffic Departments, who had no objection to the proposal subject to conditions that will be placed on any planning permit. These conditions include a new footpath along Wattletree Road on the south side of the site, and improvements to Nash Road.

Stormwater and Sewerage Infrastructure

A number of objectors raised concerns that the intensity of the subdivision will have on stormwater run off impacts on adjoining properties and the wider area, with some objectors raising concerns with the impact on sewerage for the area. The application has been referred to Council's Engineering Department and South East Water, who both provided no objection to the proposal, stating these issues can be dealt with conditions that will be placed on any planning permit.

Amenity impacts

The objections raised concerns that the increased density will result in amenity impacts for Nash Road residents. It is considered the proposal will not have any unreasonable amenity impacts for residents of Nash Road as the subdivision has been designed with a lot layout that responds to the zone and surrounding pattern of subdivision. It will incorporate additional measures such as landscaping and building envelopes to manage the future outcomes. The conditions of any planning permit will help to manage any negative impacts of the development.

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 with minimal impact on the amenity of the area.

CONCLUSION

The proposed subdivision is consistent with the strategic direction for the site and surrounds as such is consistent with both the State and Local Planning Policy Framework. The subdivision is consistent with planning scheme requirements and will not detrimentally impact on surrounding properties subject to appropriate permit conditions. Overall it is considered that the proposed subdivision is consistent with the orderly and proper planning of the area.

It is recommended that a Notice of Decision to Amend Planning Permit **T140555** at **43 Wattletree Road, Bunyip** be issued so that the planning permit description be amended to read "The subdivision of land into twenty-six (26) lots and removal of vegetation" and condition replaced and updated as below:

CONDITIONS

1. The layout of the subdivision, and access as shown on the endorsed plan/s, may not be altered or modified without the prior written consent of the Responsible Authority.
2. Before the plan of subdivision is certified, 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 and three copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
 - a) All bearings, distances, levels, street names, lot numbers, lot sizes, reserves and easements.
 - b) Details of measures, including design specifications, to facilitate the movement of the Southern Brown Bandicoot along vehicle crossovers to Wattletree Road and under the new Nash Road entrance road.
 - c) Identify all vegetation including trees to be retained or removed along the extent of both Wattletree Road and Nash Road.
 - d) Add a note to the key/legend advising to refer to approved landscaping plan for landscaping requirements within the vegetation planting buffer.
 - e) Provide vehicle crossover envelopes for vehicle access to each lot.
 - f) Delete the text relating to the assumed removal of easement E-1.
 - g) Add a restriction to provide for the following:
 - i. No buildings or works may be carried out outside the area denoted as the building envelope without further consent from the Responsible Authority.
 - ii. No buildings may be constructed and no earthworks other than required for

landscaping may be undertaken within the vegetation planting buffer.

- iii. Landscaping within the vegetation planting buffer must be in accordance with the approved landscape plan.
 - iv. Fencing must not be constructed within the vegetation planting buffer area or within 10 metres of the Wattletree Road boundary or within 5 metres of the Nash Road boundary and fencing adjacent to these roads must meet the following requirements:
 1. The fence must have a gap of at least 10cm between the ground and the first strand/rail or bottom of the fence;
 2. The fence must be of permeable design and construction;
 3. The posts must be spaced at least 20cm apart;
 4. At least 90% of the fence line must be open at ground level; and
 5. Barbed wire must not be used.
3. Before the plan of subdivision is certified, a detailed landscape plan for the vegetation planting buffer areas along Wattletree Road and Nash Road must be submitted to and approved by the Responsible Authority. The detailed landscape works plan must be prepared by a person suitably qualified or experienced in landscape design to the satisfaction of 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 one (1) copy must be provided in an approved electronic format (PDF and CAD). The plan must show and include to the satisfaction of the Responsible Authority.
- a. A survey (including botanical names) of all existing vegetation to be retained and/or removed.
 - b. 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.
 - c. Landscaping and planting must be in accordance with the species (Lowland Forest EVC 16) and density of the Southern Brown Bandicoot Habitat Protection Strategy and Environmental Significance Overlay, prepared by Ecology Australia (14 July 2017) to the satisfaction of the Responsible Authority.
4. Before the plan of subdivision is certified, a detailed road reserve landscape plan must be submitted to and approved by the Responsible Authority. The detailed landscape works plan must be prepared by a person suitably qualified or experienced in landscape design to the satisfaction of 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 one (1) copy must be provided in an approved electronic format (PDF and CAD). The plan must show and include to the satisfaction of the Responsible Authority:
- a. A survey (including botanical names) of all existing vegetation to be retained and/or removed.
 - b. A detailed planting schedule of all proposed trees, shrubs and groundcovers, including botanical names, common names, pot sizes, sizes at maturity and quantities of each plant. Indigenous plant species must be used. Minimum installation size of 45L for street trees
 - c. The proposed road reservation widths and the treatment of interfaces with surrounding road reserves, including areas within the road reserves set aside for the retention of existing vegetation.
 - d. 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.

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

5. Before the plan of subdivision is certified, the owner must enter into an agreement with the Responsible Authority made pursuant to Section 173 of the *Planning and Environment Act 1987*:
 - a) The landscaping as shown on the approved landscape plan for the vegetation planting buffers is to be maintained, including weed control, to the satisfaction of the Responsible Authority and any dead or diseased plants replaced as soon as practicable.
 - b) Any re-vegetation must be undertaken in accordance with the landscape plan approved under planning permit T140555 or as amended.
 - c) Fencing must not be constructed within the vegetation planting buffer area or within 10 metres of the Wattleree Road boundary or 5 metres of the Nash Road boundary and fencing adjacent to these roads must meet the following requirements:
 - i. The fence must have a gap of at least 10cm between the ground and the first strand/rail or bottom of the fence;
 - ii. The fence must be of permeable design and construction;
 - iii. The posts must be spaced at least 20cm apart;
 - iv. At least 90% of the fence line must be open at ground level; and
 - v. Barbed wire must not be used.
 - d) No buildings may be constructed and no earthworks other than required for landscaping may be undertaken within the vegetation planting buffer.

The owner must pay the reasonable costs of preparation, execution and registration of the agreement.

6. Before the plan of subdivision is certified, the owner must prepare and submit a waste management plan to the Responsible Authority, to the satisfaction of the Responsible Authority. The waste management plan must:
 - a) Be prepared by a suitably qualified expert;
 - b) Provide detail of the proposed arrangements for collection of waste for the proposed lots 13, 14, 15, 16, 17, 18 and 19; and
 - c) Be consistent with relevant guidelines prepared by Cardinia Shire Council with respect to waste management for new residential developments.
7. The owner of the land must enter into an agreement with:
 - a) A telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
 - b) A suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
8. Before the submission and approval of detailed design construction plans (engineering plans) and the certification of the relevant plan of subdivision for each stage, a *functional layout plan* for the subdivision or stage of subdivision, generally in accordance with the standards nominated in the Cardinia Shire Council "Guidelines for the Development & Subdivision of Land", "Development Construction Specification" and the Water Sensitive Urban Design (WSUD)

Guidelines, to the satisfaction of the Responsible Authority, must be submitted to and approved by the Responsible Authority.

When approved, the *functional layout plan* will be endorsed and will then form part of the permit. Three copies of the *functional layout plan* must be drawn to a scale of 1:500 to acceptable drafting standards and an electronic copy (pdf) must be provided.

The *functional layout plan* must show:

- a) A fully dimensioned subdivision layout, including proposed street names, approximate lot areas, lot numbers and widths of street reservations,
- b) Topography and existing features, including contours for the subject land and any affected adjacent land,
- c) Identification by survey of all trees (or group of trees) existing on the subject land, including dead trees and those that overhang the subject land from adjoining land,
- d) Details of tree protection zones (TPZs) for all trees to be retained on the subject land,
- e) All trees proposed for removal from the subject land clearly designated,
- f) Typical cross-sections for each street type, dimensioning individual elements, services offsets and any other spatial requirements identified in the Development Plan,
- g) Location and alignment of kerbs, indented parking spaces, footpaths, shared paths, bus stops and traffic controls,
- h) The proposed minor drainage network and any spatial features requiring access,
- i) The major drainage system, including any watercourse, lake, wetland, sediment pond rain gardens, bio-infiltration system and/or piped elements showing preliminary sizing,
- j) Overland flow paths (100 year ARI) to indicate how excess runoff will safely be conveyed to its destination,
- k) Drainage outfall system (both interim and ultimate), indicating legal point of discharge and any access requirements for the construction and maintenance,
- l) A table of offsets for all utility services and street trees,
- m) Preliminary location of reserves for electrical kiosks and
- n) Traffic management plan showing sufficient notional (unmarked) on-street car parking spaces, at the rate of one space per lot, traffic control devices and large vehicle turning overlays.

Sites that are not adjacent to existing or approved infrastructure will be required to show the following information in addition to the above standard requirements:

- a) The relationship between the subject subdivision stage and surrounding land,
 - b) Proposed linkages to future streets, open space, regional path network and upstream drainage,
 - c) Works external to the subdivision, including both interim and ultimate access requirements,
 - d) Intersections with Category 1 roads showing interim and ultimate treatments,
 - e) Drainage and sewerage outfalls including any easements required over other property.
9. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.

10. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.
11. The plan of subdivision submitted for certification under the *Subdivision Act 1988* must be referred to the relevant authority in accordance with Section 8 of that Act.

Before Statement of Compliance

12. Prior to issue of a Statement of Compliance, the permit holder must:
 - a) Design and construct Nash Road from the Nash Road / Wattletree Road intersection to the northern boundary of the site, including a fully sealed pavement with, 6.5m wide from back of kerb to edge of seal, kerb and channel, concrete footpath and associated underground drainage along the west side for the full frontage Nash Road of the site, in accordance with plans and specifications approved by and to the satisfaction of the Responsible Authority.
 - b) Design and construct Wattletree Road with kerb and channel, sealed road widening, concrete footpath and associated underground drainage for the full Wattletree Road frontage of the site, in accordance with plans and specifications approved by and to the satisfaction of the Responsible Authority.
 - c) Provide construct concrete vehicle crossings to service all lots to the satisfaction of the Responsible Authority and in accordance with any specifications as per Condition 2b.
 - d) Provide appropriate driveway access and drainage connection points to all lots to the satisfaction of the Responsible Authority and in accordance with any specifications as per Condition 2b.
 - e) Outfall drainage for the subdivision must be designed and constructed to a satisfactory point of discharge in accordance with plans and specifications approved by the Responsible Authority and Melbourne Water.
 - f) All road and drainage infrastructure must be designed and constructed in accordance with plans and specifications approved by the Responsible Authority. The works must comply with the standards nominated in the Cardinia Shire Council "*Guidelines for the Development & Subdivision of Land*", "*Development Construction Specification*" and the "*Water Sensitive Urban Design (WSUD) Guidelines*".
13. Prior to issue of a Statement of Compliance, the building envelopes, vegetation planting buffers and fencing restrictions must be created as a restriction on the Plan of Subdivision submitted to the Responsible Authority for certification and lodged with the Titles Office for registration.
14. Prior to issue of a Statement of Compliance, the landscape works shown on the approved landscape plans must be carried out and completed to the satisfaction of the Responsible Authority or by agreement with the Responsible Authority, bond landscaping works incomplete at the completion of civil works. Payment can be made in the form of a cash bond or bank guarantee. Refer to the Cardinia Shire Council developer landscape guidelines (as amended from time to time) for bond calculation details.

Please note - At Practical Completion the outstanding landscape works bond will be released and only a landscape maintenance bond will be retained.

15. Prior to issue of a Statement of Compliance, bonding must be provided to the Responsible Authority to cover all landscaping works within the road reserve for a twenty-four (24) month maintenance period. Payment can be made in the form of a cash bond or bank guarantee. Refer to the Cardinia Shire Council developer landscape guidelines (as amended from time to time) for bond calculation details. A Certificate of Final Completion will be issued by the Responsible Authority and the bond released, less any moneys retained for imperfect works, following the satisfactory completion and satisfactory maintenance of the landscaping for a

minimum of 24 months. Final completion will not be granted between 1 November and 31 March.

Please contact Council's Open Space Department in relation to the costs of the cash bond or bank guarantee.

16. Prior to issue of a Statement of Compliance, the applicant or owner of the land must pay to the Responsible Authority a cash payment equivalent to the value of 8 per cent of Net Developable Area of the land in lieu of the provision of land for Public Open Space in accordance with the Schedule to Clause 52.01 of the Cardinia Planning Scheme.
17. Before a statement of compliance is issued for the subdivision under the *Subdivision Act 1988*, the owner of the land must provide written confirmation from:
 - a) A telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
 - b) A suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
18. Before the installation of trees to be planted within the road reserve, an inspection of the plant stock must be undertaken by Council's Landscape Development unit. Any trees deemed unsuitable must not be planted within the streetscape.
19. The permit holder must notify Council's Landscape Development unit a minimum of seven (7) days before commencing street tree planting and landscaping within the road reserve so that surveillance of the works can be undertaken.
20. The landscaping shown on the endorsed landscape plans must be maintained to the satisfaction of the Responsible Authority for a minimum of 24 months from the date of practical completion of the landscaping. All maintenance activities are to be undertaken until a Certificate of Final Completion is issued by the Responsible Authority. During this period:
 - a) any dead, diseased or damaged plants or landscaped areas must be repaired or replaced except for within the final 12 months of the maintenance period whereby trees must not be replaced. In accordance with the Cardinia Shire Council developer landscape guidelines (as amended from time to time) funds will be retained from the landscape maintenance bond for the works to be undertaken by Council following issuing of final completion.; and
 - b) the Responsible Authority may direct maintenance activities to be undertaken.

The direction to undertake maintenance activities must be completed within 14 days of the written notification being received from the Responsible Authority.
21. Lighting of streets and pedestrian/cycle paths must be designed and provided (prior to the issue of a Statement of Compliance for the relevant stage) in accordance with Australian Standard 1158.1 to the satisfaction of the Responsible Authority.
22. At least 14 days before any works start, a site specific Construction Environmental Management Plan (CEMP) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved the CEMP will be endorsed and will then form part of the permit. All works must be undertaken in accordance with the approved CEMP.

The CEMP must address all environmental risks and include:

- a) Temporary stormwater management including sedimentation control;

- b) Provision of pollution and contamination controls including noise and dust;
 - c) Location of stockpiles and stockpile management;
 - d) Location of site office and facilities;
 - e) Equipment, materials and goods management; and
 - f) Tree protection zones, trees to be retained and trees to be removed.
23. No fill or excavated material for or from this development is to be carted/hailed into or from the site without first obtaining the further written consent from Council's Engineering Department at least seven (7) days prior to the cartage/haulage works commencing to the satisfaction of the Responsible Authority.
24. All roads used for the purpose of haulage of imported or exported materials for construction must be:
- a) Approved in writing by the Responsible Authority for the submitted haulage strategy, at least seven days prior to the commencement of use,
 - b) Maintained in accordance with the Responsible Authority's maintenance intervention levels, or as requested by the Responsible Authority if the road deteriorates during the haulage period, and
 - c) Reinstated to the satisfaction of the Responsible Authority.
25. Erosion must be controlled during construction in accordance with the Environment Protection Authority Guideline TG208/90 (as amended) or in accordance with such guideline, policy or role that replaces TG 208/90.
26. Before a certificate of practical completion is issued, "as constructed" digital road and drainage information in AutoCAD format with all Xrefs binded into the drawings and showing any amendments during construction, must be submitted for all civil works where Council is the Responsibility Authority.
27. Before a certificate of practical completion is issued, CCTV results for the full length of all stormwater drainage pipes where Council is the Responsible Authority, must be submitted for assessment. The submitted information is to be to the satisfaction of the Responsible Authority.
28. Before the responsibility for the future care and maintenance of the works is transferred to Council, the developer must provide to the Responsible Authority:
- a) Survey enhanced "as constructed" GIS data for the drainage, road and footpath information components of the subdivision, in accordance with the current version of D-SPEC and R-SPEC. Council's preferred format for the submission of the graphical data is in "MapInfo Native Format". A secondary format is "MapInfo MID/MIF". Grid Co-ordinates must be MGA zone 55 (GDA 94). Please refer to the A-SPEC website for further information: www.dspect.com.au.

Sketches of the details of the permanent survey marks.

Department of Environment, Land, Water and Planning Conditions:

29. Before works start, the permit holder must advise all persons undertaking the vegetation removal and works on site of all relevant conditions of this permit.
30. Before works start, native vegetation protection fencing must be erected around all patches of native vegetation and scattered trees to be retained on site. This fencing must be erected around the patches at a minimum distance of 2 metres from retained native vegetation and at a radius of 12x the diameter at breast height (DBH) to a maximum of 15 metres but no less than 2 metres from the base of the trunk of the scattered trees.

The protection fencing must be constructed to the satisfaction of the responsible authority. The protection fencing must remain in place at least until all works are completed to the satisfaction of the responsible authority. Except with the written consent of the responsible authority, within this area:

- a) No vehicular or pedestrian access, trenching or soil excavation is to occur;
- b) No storage or dumping of tools, equipment or waste is to occur; and
- c) No entry and exit pits for underground services are to be constructed.

31. In order to offset the removal of 0.172 hectares of native vegetation and 8 scattered trees, with a total extent of 0.735 hectares approved as part of this permit, the applicant must provide a native vegetation offset that meets the following requirements and is in accordance with the *Permitted clearing of native vegetation – Biodiversity assessment guidelines* and the *Native vegetation gain scoring manual*. The general offset must:

- a) Contribute gain of 0.035 general biodiversity equivalence units be located within the Port Phillip and Westernport Catchment Management Authority boundary or Cardinia municipal district have a strategic biodiversity score of at least 0.136.

32. Before any native vegetation is removed, evidence that an offset has been secured must be provided to the satisfaction of the Responsible Authority. This offset must meet the offset requirements set out in this permit and be in accordance with the requirements of *Permitted clearing of native vegetation – Biodiversity assessment guidelines* and the *Native vegetation gain scoring manual*. Offset evidence can be either:

- a) a security agreement, to the required standard, for the offset site or sites, including a 10 year offset management plan, which is to include the ongoing management regime in perpetuity. Every year, for ten years, after the responsible authority has approved the offset management plan, the applicant must provide notification to the responsible authority of the management actions undertaken towards the implementation of the offset management plan. An offset site condition statement, including photographs must be included in this notification

- b) a credit register extract from the Native Vegetation Credit Register

33. A suitably qualified wildlife handler is to be present when felling trees, to ensure all affected wildlife is not harmed, and is removed from the subject land to an appropriate relocation site or relocated onsite to an appropriate location away from the construction footprint.

CFA Conditions:

34. Prior to the issue of a Statement of Compliance under the *Subdivision Act 1988* the following requirements must be met to the satisfaction of the CFA:

- a) Above or below ground operable hydrants must be provided. The maximum distance between these hydrants and the rear of all building envelopes (or in the absence of building envelopes, the rear of the lots) must be 120 metres and the hydrants must be no more than 200 metres apart. These distances must be measured around lot boundaries.
- b) The hydrants must be identified with marker posts and road reflectors as applicable to the satisfaction of the Country Fire Authority

Note – CFA's requirements for identification of hydrants are specified in 'Identification of Street Hydrants for Firefighting Purposes' available under publications on the CFA web site (www.cfa.vic.gov.au)

35. Roads must be constructed to a standard so that they are accessible in all weather conditions and capable of accommodating a vehicle of 15 tonnes for the trafficable road width.

36. The average grade must be no more than 1 in 7 (14.4%) (8.1 degrees) with a maximum of no more than 1 in 5 (20%) (11.3 degrees) for no more than 50 meters. Dips must have no more than a 1 in 8 (12%) (7.1 degree) entry and exit angle.

APA Group Conditions:

37. Easements in favour of "Australian Gas Networks (VIC) Pty Ltd" must be created on the plan to the satisfaction of APT.

38. The plan of subdivision submitted for certification must be referred to APT O&M Services Pty Ltd, in accordance with Section 8 of the *Subdivision Act 1988*.

AusNet Services Conditions:

39. The Plan of Subdivision submitted for certification must be referred to AUSNET ELECTRICITY SERVICES PTY LTD in accordance with Section 8 of the *Subdivision Act 1988*.

40. The applicant must –

- a) Enter in an agreement with AUSNET ELECTRICITY SERVICES PTY LTD for supply of electricity to each lot on the endorsed plan.
- b) Enter into an agreement with AUSNET ELECTRICITY SERVICES PTY LTD for the rearrangement of the existing electricity supply system.
- c) Enter into an agreement with AUSNET ELECTRICITY SERVICES PTY LTD for rearrangement of the points of supply to any existing installations affected by any private electric power line which would cross a boundary created by the subdivision, or by such means as may be agreed by AUSNET ELECTRICITY SERVICES PTY LTD.
- d) Provide easements satisfactory to AUSNET ELECTRICITY SERVICES PTY LTD for the purpose of "Power Line" in the favour of "AUSNET ELECTRICITY SERVICES PTY LTD" pursuant to Section 88 of the Electricity Industry Act 2000, where easements have not been otherwise provided, for all existing AUSNET ELECTRICITY SERVICES PTY LTD electric power lines and for any new power lines required to service the lots on the endorsed plan and/or abutting land.
- e) Obtain for the use of AUSNET ELECTRICITY SERVICES PTY LTD any other easement required to service the lots.
- f) Adjust the position of any existing AUSNET ELECTRICITY SERVICES PTY LTD easement to accord with the position of the electricity line(s) as determined by survey.
- g) Set aside on the plan of subdivision Reserves for the use of AUSNET ELECTRICITY SERVICES PTY LTD for electric substations.
- h) Provide survey plans for any electric substations required by AUSNET ELECTRICITY SERVICES PTY LTD and for associated power lines and cables and executes leases for a period of 30 years, at a nominal rental with a right to extend the lease for a further 30 years. AUSNET ELECTRICITY SERVICES PTY LTD requires that such leases are to be noted on the title by way of a caveat or a notification under Section 88 (2) of the Transfer of Land Act prior to the registration of the plan of subdivision.
- i) Provide to AUSNET ELECTRICITY SERVICES PTY LTD a copy of the plan of subdivision submitted for certification that shows any amendments that have been required.
- j) Agree to provide alternative electricity supply to lot owners and/or each lot until such time as permanent supply is available to the development by AUSNET ELECTRICITY SERVICES PTY LTD. Individual generators must be provided at each supply point. The generator for temporary supply must be installed in such a manner as to comply with the Electricity Safety Act 1998.

- k) Ensure that all necessary auditing is completed to the satisfaction of AUSNET ELECTRICITY SERVICES PTY LTD to allow the new network assets to be safely connected to the distribution network.

Melbourne Water conditions:

41. Prior to the commencement of works the owner shall enter into and comply with an agreement with Melbourne Water Corporation for the acceptance of surface and storm water from the subject land directly or indirectly into Melbourne Water's drainage systems and waterways, the provision of drainage works and other matters in accordance with the statutory powers of Melbourne Water Corporation.
42. No polluted and / or sediment laden runoff is to be discharged directly or indirectly into Melbourne Water's drains or watercourses.
43. Prior to commencement of any works or certification of any stage detailed engineering drawings and a concise report must be submitted to Melbourne Water and Council, demonstrating the proposed alignment for the 1 in 5 year drainage infrastructure and the overland flow paths directions for the 1 in 100 year ARI flood event. The report must include details of any temporary outfall arrangements and relevant storage calculations. Approvals from any affected downstream landowners must also be submitted.
44. Engineering plans of the subdivision (in electronic format) are to be forwarded to Melbourne Water for comment/approval.
45. Any road or access way intended to act as a stormwater overland flow path must be designed and constructed to comply with the floodway safety criteria outlined within Melbourne Water's Land Development Manual.
46. All local drainage must be to Council's satisfaction.
47. All new lots must achieve appropriate freeboard in relation to local overland flow paths to Council's satisfaction.
48. Prior to Certification, the Plan of Subdivision must be referred to Melbourne Water, in accordance with Section 8 of the *Subdivision Act 1988*.

South East Water Conditions:

49. The owner of the subject land must enter into an agreement with South East Water for the provision of potable water supply and fulfil all requirements to its satisfaction.
50. The owner of the subject land must enter into an agreement with South East Water for the provision of sewerage and fulfil all requirements to its satisfaction.
51. Prior to certification, the Plan of Subdivision must be referred to South East Water, in accordance with Section 8 of the *Subdivision Act 1988*.

Permit Expiry

This permit will expire if:

- a) The subdivision is not commenced within **two (2) years** of the date of this permit; or
- b) The subdivision is not completed within **five (5) years** of the date of commencement.

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

(Note: The starting of the subdivision is regarded by Section 68(3A) of the *Planning and Environment Act 1987* as the certification of a plan, and completion is regarded as the registration of the plan.)

Department of Environment, Land, Water and Planning Notes:

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

Melbourne Water Notes:

If further information is required in relation to Melbourne Water's permit conditions shown above, please contact Melbourne Water on 9679 7517, quoting Melbourne Water's reference 249067.

AusNet Services Notes:

It is recommended that, at an early date the applicant commences negotiations with AUSNET ELECTRICITY SERVICES PTY LTD for a supply of electricity in order that supply arrangements can be worked out in detail, so prescribed information can be issued without delay (the release to the municipality enabling a Statement of Compliance with the conditions to be issued).

Arrangements for the supply will be subject to obtaining the agreement of other Authorities and any landowners affected by routes of the electric power lines required to supply the lots and for any tree clearing.

Prospective purchasers of lots on this plan should contact this office to determine the availability of a supply of electricity. Financial contributions may be required.

South East Water Notes:

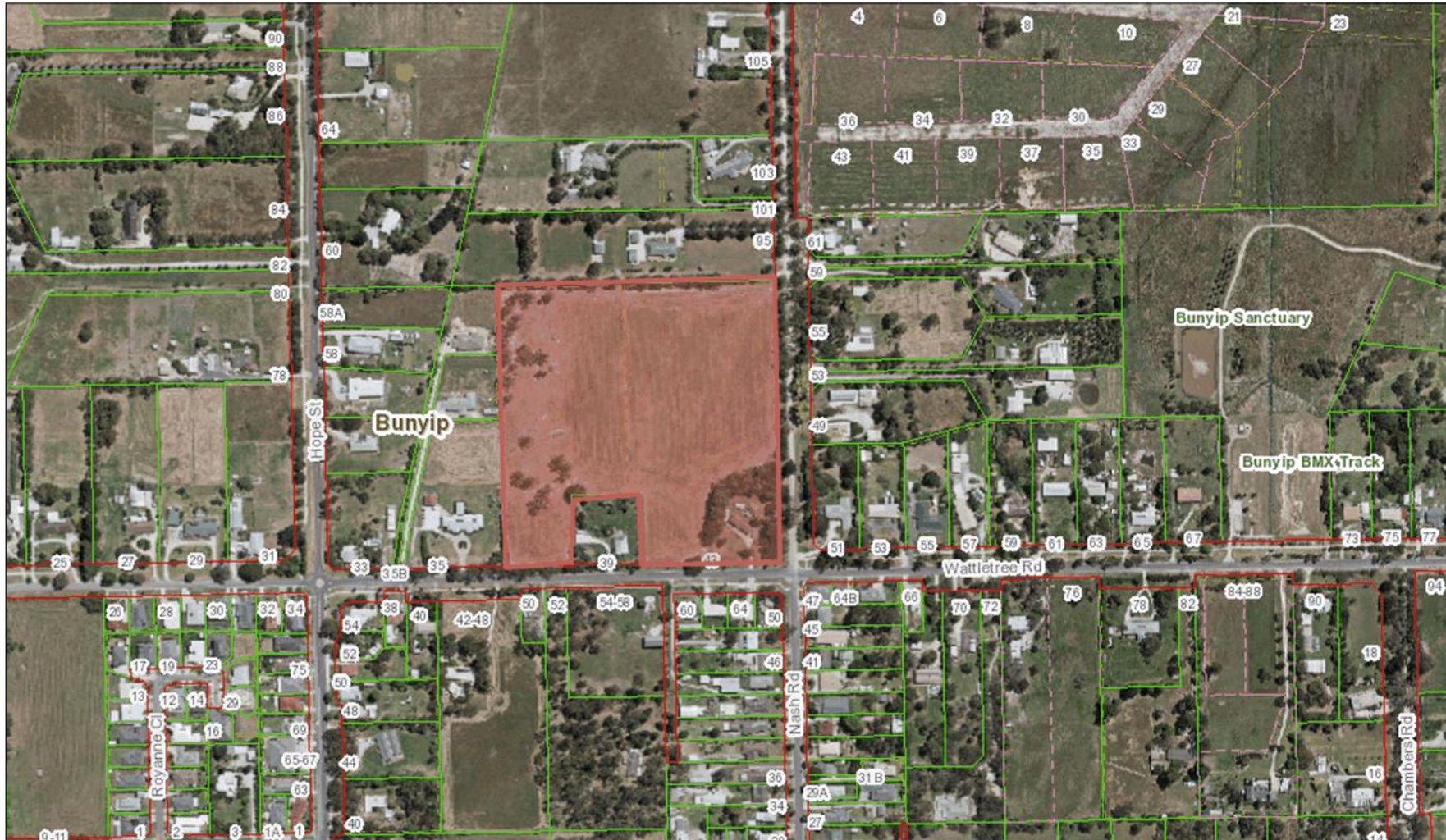
The owner of the subject land is required to obtain a 'Notice of Agreement' from South East Water. All requirements must be fulfilled to its satisfaction prior to South East Water consenting to the issuing of a Statement of Compliance.

The following South East Water agreement options are available:

- 1) Application to enter into a Development Agreement-Works – If South East Water reticulated sewer/water/recycled water (as applicable) is required to be extended to service lots within the development
- 2) Application For Notice of Agreement Subdivision-Non Works – If South East Water reticulated sewer/water/recycled water (as applicable) is available to the development and the owner only requires Statement of Compliance to release the titles (i.e. subdivision prior to building)
- 3) Plumbing Industrial, Commercial, Units & Private Water application – If South East Water reticulated sewer/water/recycled water (as applicable) is available to the development and the owner wishes to commence construction of the building/s (i.e. building prior to subdivision)

To lodge an application please visit our website: www.southeastwater.com.au.

T140555-2 APP - Locality Map



237.6 0 118.78 237.6 Meters

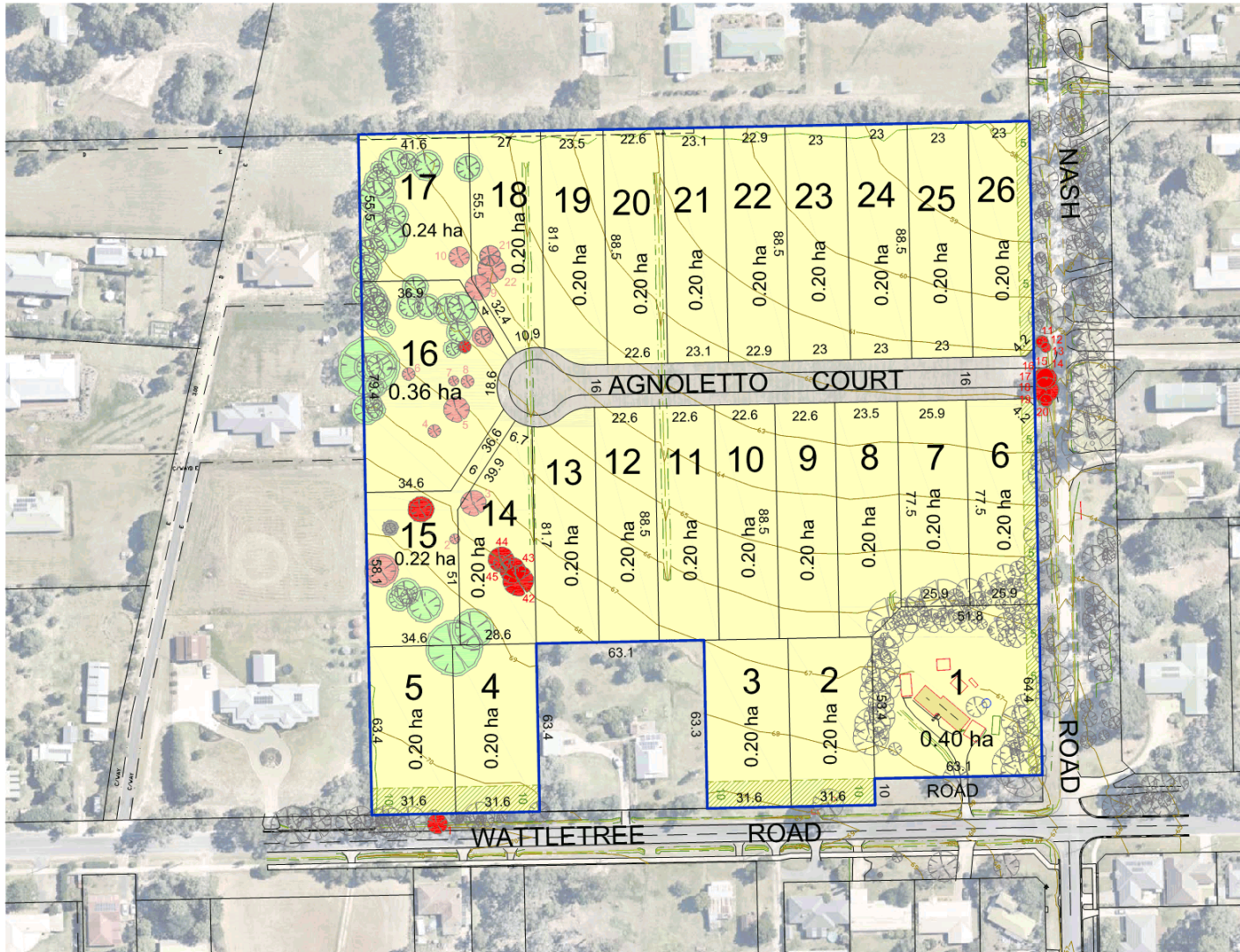
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Data Source: State & Local Government. © CARDINIA SHIRE COUNCIL

20-Sep-2017

Notes










NOTE:
This assumes that the existing easement E-1 is to be removed.



SITE AREA: 6.011 ha
LOT YIELD: 26

-  Dead trees
-  Trees removed previously and tree number
-  Trees to be removed and tree number
-  Trees to be retained
Tree protection zones to be determined upon detailed measurement of each trunk DBH.
-  Vegetation planting buffer and width in metres.
Refer to approved Landscape Plans for further details and requirements including fencing specifications.
Vehicle cross-overs to be permitted in the frontage of lots 2,3,4 & 5.

Subdivision Concept Plan

**43 WATTLE TREE ROAD
BUNYIP**

Bosco Jonson Pty Ltd
ABN 15 469 139 827
P.O. Box 5075, South Melbourne, Vic 3205
16 Eastern Road South Melbourne
Vic 3205 Australia
Tel 03) 9699 1400 Fax 03) 9699 5992



DATE: 13 June 2017
REF: 29636 001
DWG: 29636UDBD









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NOTE:
This assumes that the existing easement E-1 is to be removed.



SITE AREA: 6.011 ha
LOT YIELD: 26

-  Dead trees
-  Trees removed previously and tree number
-  Trees to be removed and tree number
-  Trees to be retained
Tree protection zones to be determined upon detailed measurement of each trunk DBH.
-  Building Envelope and setbacks (m) from lot boundaries
-  Vegetation planting buffer and width in metres.
Refer to approved Landscape Plans for further details and requirements including fencing specifications.
Vehicle cross-overs to be permitted in the frontage of lots 2,3,4 & 5.

Building Envelopes

**43 WATTLETREE ROAD
BUNYIP**

Bosco Jonson Pty Ltd
ABN 15 469 139 827
P.O. Box 5075, South Melbourne, Vic 3205
16 Eastern Road South Melbourne
Vic 3205 Australia
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scale 1:1500 @ A3