



Delegate Report

File Number: DA4831
 Planning Application No. P197/23
 Responsible Officer: Claire Wilkinson- Senior Statutory Planner
 Attachments: N/A

Conflict of Interest

After reading the definitions of a general or material conflict of interest as defined by the *Local Government Act 2020*, do you have a conflict of interest?

Yes ☐ No ☒

<i>Application Details</i>	
APPLICANT	Carolyn Anderson
PROPOSAL	Development of land for two (2) dwellings and a two (2) lot subdivision
APPLICATION LODGED	10 January 2024 Request for further information response- 29 January 2024
NOTICE AND SUBMISSIONS	Notices sent to six (6) Owners/Occupiers of surrounding properties (12 February 2024 – 5 March 2024). Notice on site - Yes Two (2) objections received, one of which has since been withdrawn.
<i>Property Details</i>	
PROPERTY ADDRESS	28 Stoneleigh Road, Mansfield
LAND DESCRIPTION	Lot 3 LP 125881
RESTRICTIVE COVENANTS	Nil
LAND AREA	0.4060 hectares
EXISTING USE	Single dwelling (to be removed)
<i>Planning Provisions</i>	
ZONE	Clause 32.08 – General Residential Zone

OVERLAYS	Nil
MUNICIPAL PLANNING STRATEGY	Clause 02.03-1 – Settlement Clause 02.03-5 – Built environment and heritage Clause 02.03-6 – Housing Clause 02.03-9 – Infrastructure
PLANNING POLICY FRAMEWORK	Clause 11.01-1S – Settlement Clause 11.01-1R – Settlement – Hume Clause 11.01-1L-01 – Mansfield Township Clause 15.01-1S – Urban design Clause 15.01-2S – Building design Clause 15.01-3S – Subdivision design Clause 15.01-5S – Neighbourhood character Clause 16.01-1S – Housing supply Clause 16.01-1L – Housing supply in Mansfield Township Clause 16.01-2S – Housing affordability Clause 18.02-4S – Roads Clause 19.03-1L – Development and infrastructure contributions plans Clause 19.03-3S – Integrated water management
PARTICULAR PROVISIONS	Clause 52.06 – Car parking Clause 55 – Two or more dwellings on a lot and residential buildings Clause 56 – Residential subdivision
<i>Permit Triggers</i>	
GENERAL RESIDENTIAL ZONE	Clause 32.08-3 – A permit is required to subdivide land.
GENERAL RESIDENTIAL ZONE	Clause 32.08-6 – A permit is required to construct two (2) or more dwellings on a lot
<i>Other</i>	
CULTURAL SENSITIVITY	The land is not in an area of aboriginal cultural heritage sensitivity.
SITE INSPECTION	26 February 2023

Background

Proposal

The permit applicant, Carolyn Anderson seeks approval for the development of land for two (2) dwellings, subdivision of land into two (2) lots, on the land identified as 28 Stoneleigh Road, Mansfield.

The proposal comprises the following features:

Dwelling 1 / Lot 1

- Lot size – 1,976m²
- Dwelling characteristics:
 - Floor area – 240m² + attached garage 45m².
 - East side – Open plan living, kitchen and dining areas, laundry adjacent to kitchen/dining with powder room, mud room and attached enclosed double garage.
 - West site – Master bedroom with ensuite & walk in robe, 2 x bedrooms with built in robe, study with linen and storage area.
 - Dwelling layout is an ‘H’ shape with the central section an enclosed hall, sitting and bathroom flanked by external courtyard areas.
 - Boundary setbacks:
 - East: 6 metres
 - South: 13.2 metres
 - West: 12.3 metres to existing boundary (7.3 metres to proposed driveway of lot 2)
 - North: 21.2 metres from proposed southern boundary of Lot 2
 - Maximum height – 5.055 metres above NGL.
- Car parking:
 - Attached enclosed double garage.

Dwelling 2 / Lot 2

- Lot size – 2,086m²
- Dwelling characteristics:
 - Floor area – 240m² + attached garage 45m².
 - East side – Master bedroom with ensuite & walk in robe, 2 x bedrooms with built in robe, study with linen and storage area.
 - West site – Open plan living, kitchen and dining areas, laundry adjacent to kitchen/dining with powder room, mud room and attached enclosed double garage.

- Dwelling layout is an 'H' shape with the central section an enclosed hall, sitting and bathroom flanked by external courtyard areas.
- Boundary setbacks:
 - East: 10.6 metres
 - South: 8.5 metres
 - West: 7.8 metres
 - North: 14 metres to northern boundary
- Maximum height – 5.050 metres above NGL.
- Car parking:
 - Attached enclosed double garage.

Dwelling 1 and Dwelling 2 are proposed to have gable roof forms, with dark grey face brick, timber vertical cladding and white weatherboard cladding. The roof cladding is colorbond in Shale Grey. The main entrance to each dwelling is recessed back into the central section of the house. There is an internal entrance through the enclosed garage to the laundry/ mud room.

A rendering of the he proposed development and lot layout plans is attached below:

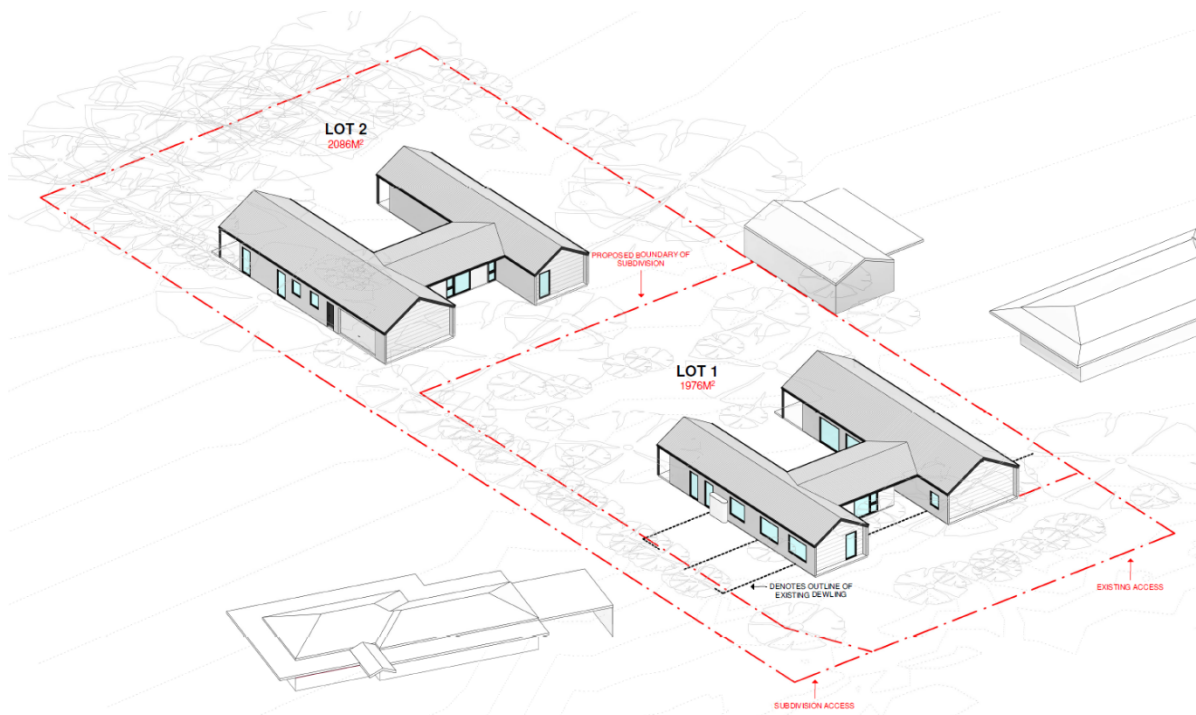
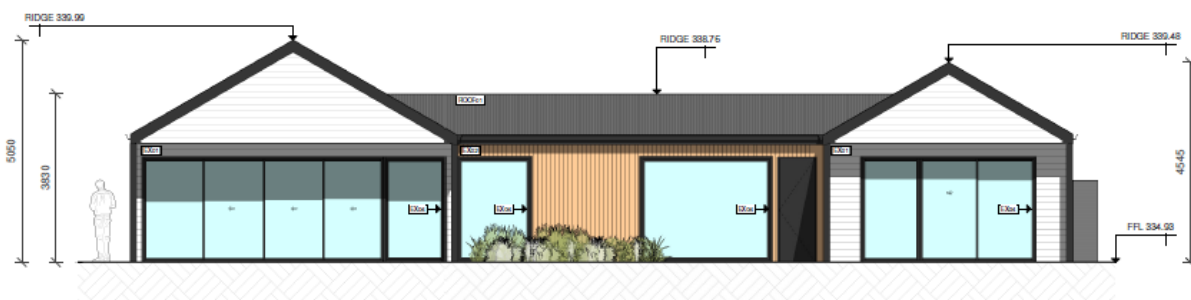


Figure 1: *Rendering showing site layout and neighboring development*



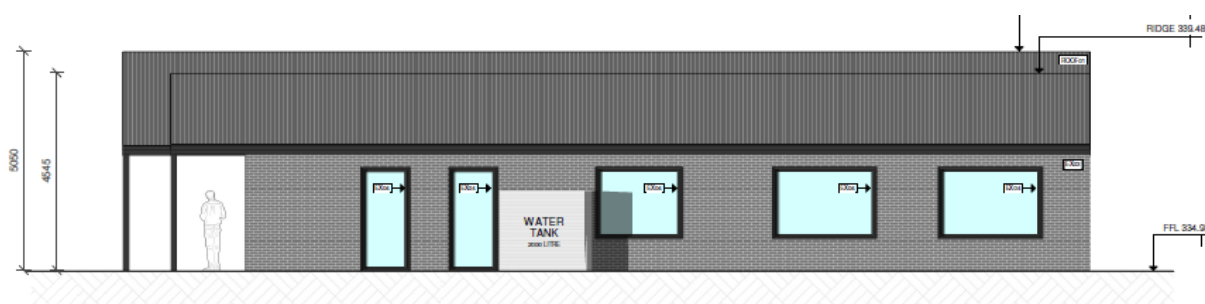
Figure 2: Proposed floor plan Lot 1- dwelling 1





NORTH ELEVATION

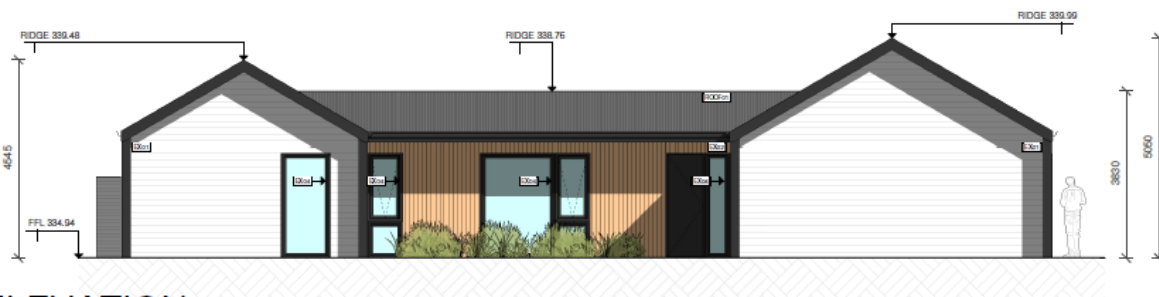
1 : 100



EAST ELEVATION

1 : 100

Figure 4: North and East Proposed Elevation Plans- Lot 1



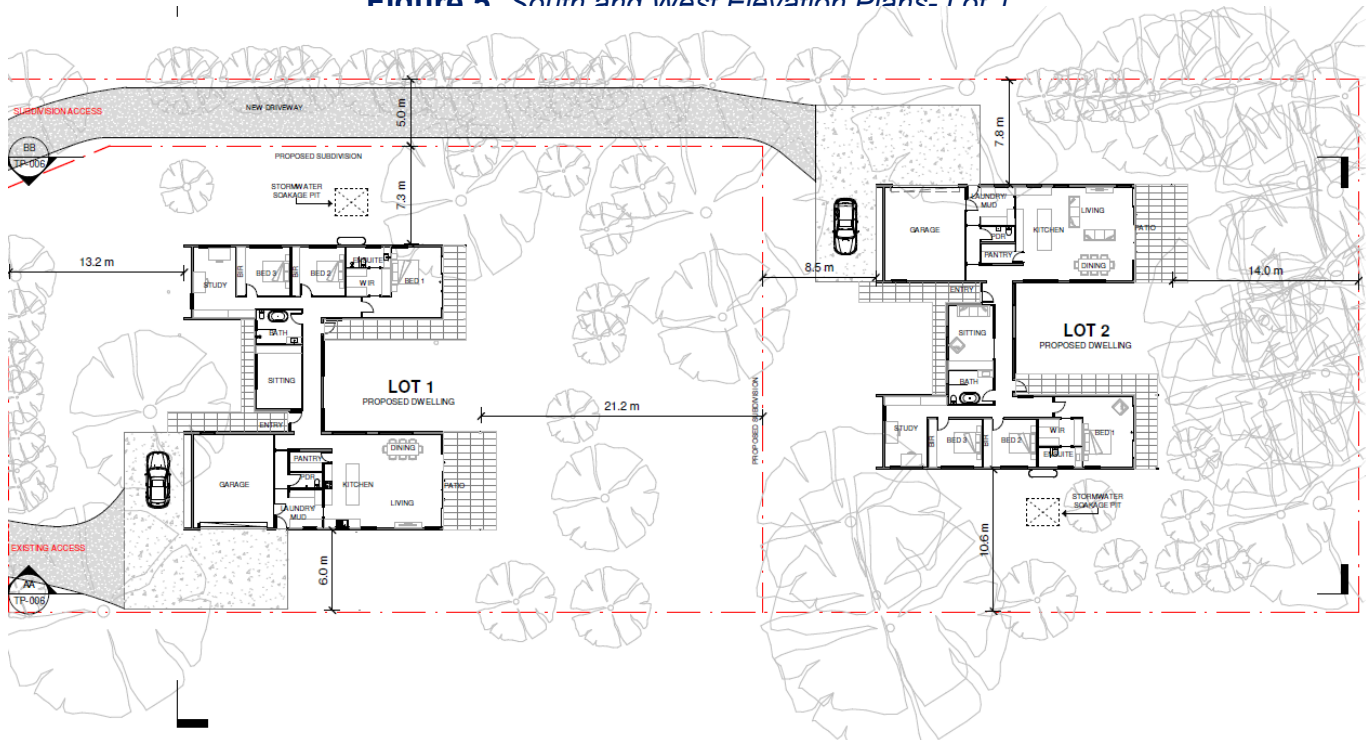
SOUTH ELEVATION

1 : 100



WEST ELEVATION

1 : 100

Figure 5: South and West Elevation Plans- Lot 1**Figure 6: Site Layout plan showing the orientation of the proposed dwellings, setbacks and onsite carparking provisions**

Subject site, neighbourhood and environs

The subject site comprises a single lot and is located on the northern side of Stoneleigh Road. The property is formally identified as Lot 3 LP12588. The lot is rectangular in shape and one of four similarly sized allotments that are located on the southern edge of the Mansfield township directly west of the Mansfield Public Cemetery. The site is generally flat, with minimal fall across the site. The site is currently improved by an existing single storey dwelling and domestic curtilage, the existing single storey residence has been constructed in a similar fashion to the prevailing development form in the broader area.

The site has a frontage of approximately 40 metres to Stoneleigh Road, with established access to the site from same. The proposal would formalise the existing western crossover into a battle-axe driveway, with an approximate width of 5 metres and a roadside splay. The other existing crossover in the south-eastern corner of the site would also maintain access to the new proposed dwelling on Lot 1. The proposed dwelling would be setback 13.2 metres at the closest point to the frontage. The site layout plan in Figure 6 shows the orientation and position of the second dwelling, slightly offset closer to the western boundary with 32 Stoneleigh Road.

Lots to the immediate east and west generally comprise residentially zoned and developed lots with areas between 4000-6,500m². There are no infill developments in the surrounding area, with single dwellings being the sole development form. The allotment to the North (16 Griffin Avenue) is a large 2.9 hectare general residential allotment with a single dwelling. The land adjacent to the site across Stoneleigh Road to the south is a large undeveloped allotment with both Rural Living and Farming Zoning.

The site is connected to reticulated power and telecommunications. There is no reticulated water and sewer connections to the site.



Figure 7: Aerial image of subject site and immediate surrounds

Site History

Planning permits approved for the subject land include the following:-

- No planning permits on Council's electronic record.

Consultation

Referral Responses

<i>Referral Agency</i>	<i>Clause</i>	<i>Response</i>
GOULBURN VALLEY WATER	Section 52 notice	Conditional consent- (3 November 2022)- Eight conditions relating to the connection to reticulated services
ENGINEERING	Section 52 notice	No response provided.

Advertising

Advertising was carried out in accordance with the requirements of the Planning and Environment Act 1987, by way of:

- Letters to adjoining and nearby owners and occupiers; and
- Sign on site

Notices sent to six (6) Owners/Occupiers of surrounding properties (12 February 2024 – 5 March 2024). Two objections received.

As a result of both public notifications, there have been two (2) objections to the application which have been received, raising the following concerns:

- Overlooking from development- privacy;
- Stormwater management;

The applicant has responded with a formal response to the objection (27 February 2024) raised and there has been no amendment to the proposal or layout as proposed. The applicant's response has been provided to the objectors and one (1) objection has been withdrawn , and a response has not been received from the second Objector.

Response to objections

Concern: *Overlooking from development*

Response: The proposal meets the relevant overlooking provisions of ResCode. While there is no doubt that this is a legitimate concern of objectors, this is not a basis in which to refuse the application.

The objection relating to the to these concerns has since been withdrawn following the response by the Permit Applicant.

Concern: *Insufficient infrastructure to service development (no infrastructure for stormwater drainage etc)*

Response: The site will be serviced by all reticulated infrastructure, which appears to have sufficient capacity to accommodate the development. It is recommended that Permit conditions ensure that the development is appropriately integrated to the Mansfield Township.

Concern: *Impact from stormwater*

Response: It is noted that the natural overland gradient of the allotments along Stoneleigh Road do have a gradual fall toward the north and the natural watercourse.

There are no stormwater drains provided on Stoneleigh Road. The existing dwelling currently drains into soakage lines within the lawn area. The existing site conditions do not include on site water tanks. The applicant contends that there is no concentrated flow/ overflows directed towards the property adjoining the land to the north.

The stormwater response that the applicant provides for the proposed 2 lot subdivision and development is that each dwelling will have a 2000 - 5000 liter stormwater tank to capture the roof stormwater with the captured water being reticulated back to each dwelling for toilet flushing and irrigation. Any overflow from the water tanks will be directed to a soakage pit. A soakage pit is a pit with permeable walls and floor, filled with aggregate that allows water to slowly disperse into the ground around the pit and therefore be maintained within the property boundaries. The soakage pit does not have any overflow that directs water to another location.

The proposed stormwater pit as shown on the drawings offers a generous 22m setback from the boundary with 16 Griffin Ave / the adjoining allotment to the north. It is considered that the proposed stormwater design response allows sufficient area for reasonable overland dispersal without having any concentrated effect on neighbouring properties.

Mansfield Planning Scheme and Context Assessment

Mansfield Planning Scheme seeks to ensure that the objectives of planning in Victoria (as set out in Section 4 of the Planning and Environment Act 1987) are fostered through appropriate land use and development planning policies and practices which integrate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development.

Municipal Planning Strategy (MPS)

Clause 02.03-1 – Settlement

The settlement pattern in the Shire is characterised by Mansfield Township as the major urban centre, with a number of surrounding smaller settlements, significant areas for rural living and a number of isolated 'legacy' settlements principally located around the shores of Lake Eildon. The 4 major valleys: Upper Delatite, Upper Goulburn, Howqua and Jamieson provide a distinctive and valued landscape setting for all settlements.

Mansfield Township

The Hume Regional Growth Plan 2014 considers Mansfield Township a sub-regional moderate growth centre in the Central Hume sub-region that is serviced by larger regional towns further west and north. It is the only urban centre with significant growth potential in the Shire and provides all major services and infrastructure for the community. Commercial and retail growth will occur within and around the shopping centre. There is a need for more industrial land to service demand. Existing infrastructure is capable of servicing growth however there is a need to increase water storage capacity.

Council's strategic directions for settlement are to:

- Maintain the role of Mansfield Township as the main town with growth potential, supplying the majority of housing, commercial, retail and industrial growth.*
- Limit development in unsewered towns to infill development based on land capability.*
- Avoid out-of-sequence development and rezoning.*
- Ensure there is sufficient land supply to meet current and future demand.*

Officer Response:

The Scheme sets a clear strategic direction for urban infill development to be undertaken with the Mansfield Township, which this proposal seeks to achieve. The proposed subdivision and infill development provides for the extension of the existing mains sewer and water.

Clause 02.03-5 – Built environment and heritage

Development of land along the Maroondah Highway and other major routes such as Mount Buller Road in the Shire need to be sensitive to their role as gateways to the Alpine areas

Mansfield Township's residential areas are characterised by wide streets with on street parking, large lots and street trees. Infill and medium density development will challenge the urban character of some areas in town but key attributes such as their spacious garden settings and identified heritage buildings should remain and be protected.

Council's strategic directions for the built environment and heritage are to:

- Support development (including advertising signage) that is sensitive to the role of the Alpine approaches as gateways to Mansfield Township and the Alps.*
- Encourage development that respects the unique character and location of each settlement and protects areas of natural, environmental and architectural character.*
- Protect places of identified European and Aboriginal heritage significance.*
- Protect the heritage values of the Goulburn, Howqua and Big Rivers.*

Officer response:

As is discussed further in this assessment, the subject site is considered suitable for infill housing development. The form of the proposed development will be of a design that is relatively in keeping with the existing development in the immediate area. The strategic direction of this clause seeks to manage change to ensure that the unique character of areas is respected, and that change seeks to fit within this character rather than ignore it. It is considered that the proposal is generally consistent with existing policy and the design and lot layout seeks to develop the site in a manner that does not contravene the existing character of the area.

Clause 02.03-6 – Housing

A diversity of housing opportunities is an important part of providing housing for all. As the major urban centre of the Shire, the majority of housing growth will take place in Mansfield Township, where aged care, infill and medium density housing development will be key for the community to be able to age in place.

Council's strategic directions for housing are to:

- *Provide for housing needs to be met within townships and designated rural living areas.*
- *Maintain housing affordability and increase the diversity of housing choices, including opportunities for rural living.*

Officer response:

The proposal reflects a low density infill housing development within the Mansfield township. The proposed dwellings and front to back lot configuration maintains generous lot areas in an area of general residential land.

Clause 02.03-9 – Infrastructure

Development infrastructure

It is expected development will connect to all available infrastructure or provide it as part of larger developments.

Stormwater, onsite water catchment facilities, water sensitive urban design, drainage, reticulated water and sewerage systems, public open space, variety of lot sizes, provision of quality internal and access roads and detailed landscaping plans are necessary to improve development outcomes.

Council's strategic directions for development infrastructure are to:

- *Support the provision of infrastructure that meets current and future needs.*
- *Support the provision of full reticulated infrastructure to all urban areas.*
- *Support the fair and equal distribution of infrastructure and services to new development.*

- *Support the provision of wastewater management systems that will minimise adverse impact on Special Water Supply Catchments.*

Officer response:

The subject site is currently *not* serviced by all available reticulated infrastructure. The developer will be conditionally required to ensure that their development can be serviced and any capacity impacts are addressed at the developers cost.

Planning Policy Framework (PPF)

Clause 11.01-1S – Settlement

Objective

- *To facilitate the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.*

Relevant strategies

- *Develop sustainable communities through a settlement framework offering convenient access to jobs, services, infrastructure and community facilities.*
- *Ensure regions and their settlements are planned in accordance with their relevant regional growth plan.*
- *Guide the structure, functioning and character of each settlement taking into account municipal and regional contexts and frameworks.*
- *Create and reinforce settlement boundaries.*
- *Deliver networks of high-quality integrated settlements that have a strong identity and sense of place, are prosperous and are sustainable by:*
 - *Building on strengths and capabilities of each region across Victoria to respond sustainably to population growth and changing environments.*
 - *Developing settlements that will support resilient communities and their ability to adapt and change.*
 - *Balancing strategic objectives to achieve improved land use and development outcomes at a regional, catchment and local level.*
 - *Preserving and protecting features of rural land and natural resources and features to enhance their contribution to settlements and landscapes.*
 - *Encouraging an integrated planning response between settlements in regions and in adjoining regions and states in accordance with the relevant regional growth plan.*
 - *Providing for appropriately located supplies of residential, commercial, and industrial land across a region, sufficient to meet community needs in accordance with the relevant regional growth plan.*
 - *Improving transport network connections in and between regional cities, towns and Melbourne.*

- *Integrating the management of water resources into the urban environment in a way that supports water security, public health, environment and amenity outcomes.*
- *Minimising exposure to natural hazards, including increased risks due to climate change.*
- *Contributing to net zero greenhouse gas emissions through renewable energy infrastructure and energy efficient urban layout and urban design.*
- *Encourage a form and density of settlements that supports healthy, active and sustainable transport.*
- *Limit urban sprawl and direct growth into existing settlements.*
- *Promote and capitalise on opportunities for urban renewal and infill redevelopment.*
- *Develop compact urban areas that are based around existing or planned activity centres to maximise accessibility to facilities and services.*

Clause 11.01-1R – Settlement – Hume

Relevant strategies

- *Support growth and development in other existing urban settlements and foster the sustainability of small rural settlements.*

Officer Response:

The proposal is generally consistent with settlement policy, insofar as it directs growth and development within existing settlement boundaries and with potential to extend existing reticulated sewer and water.

Clause 11.01-1L-01 – Mansfield Township

Relevant objective

- *To support the growth of Mansfield township as the focus of development in the Shire.*

Relevant strategies

- *Contain and intensify residential development within existing residentially zoned land.*
- *Encourage the redevelopment of key strategic sites, infill sites and currently vacant General Residential land.*

Officer response:

As noted above, the proposal does intensify residential development within existing residentially zoned land, and the proposal is not considered unacceptable due to broader strategic directions relating to residential growth.

Clause 15.01-1S – Urban design

Objective

- *To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.*

Relevant strategies

- *Require development to respond to its context in terms of character, cultural identity, natural features, surrounding landscape and climate.*
- *Ensure development contributes to community and cultural life by improving the quality of living and working environments, facilitating accessibility and providing for inclusiveness.*
- *Ensure the interface between the private and public realm protects and enhances personal safety.*
- *Ensure development supports public realm amenity and safe access to walking and cycling environments and public transport.*
- *Ensure that the design and location of publicly accessible private spaces, including car parking areas, forecourts and walkways, is of a high standard, creates a safe environment for users and enables easy and efficient use.*
- *Ensure that development provides landscaping that supports the amenity, attractiveness and safety of the public realm.*
- *Ensure that development, including signs, minimises detrimental impacts on amenity, on the natural and built environment and on the safety and efficiency of roads.*
- *Promote good urban design along and abutting transport corridors.*

Officer response:

The typology of the area generally comprises single storey dwellings of weatherboard and brick construction/cladding. Sizeable native and exotic street trees are found in front of most dwellings, from the median strip and spread on private property. Dwellings have varied generous setbacks between 15-20+ metres. The single storey dwelling type and treed character ensures that such structures are nestled into the streetscape. Stoneleigh Road in this area provides a sense of a 'leafy' quiet residential street with high amenity value. Stoneleigh Road is a 2 way sealed road, with no kerb/channel. There is virtually no infill development surrounding the subject site.

The Clause 55 assessment and Clause 56 assessment (appended to this report) demonstrate that the proposal in its current form can meet the policy for two or more dwellings on a lot and residential subdivision.

Clause 15.01-2S – Building design

Objective

- *To achieve building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development.*

Relevant strategies

- *Ensure a comprehensive site analysis forms the starting point of the design process and provides the basis for the consideration of height, scale, massing and energy performance of new development.*
- *Ensure development responds and contributes to the strategic and cultural context of its location.*
- *Minimise the detrimental impact of development on neighbouring properties, the public realm and the natural environment.*
- *Improve the energy performance of buildings through siting and design measures that encourage:*
 - *Passive design responses that minimise the need for heating, cooling and lighting.*
 - *On-site renewable energy generation and storage technology.*
 - *Use of low embodied energy materials.*
- *Ensure the layout and design of development supports resource recovery, including separation, storage and collection of waste, mixed recycling, glass, organics and e-waste.*
- *Encourage use of recycled and reusable materials in building construction and undertake adaptive reuse of buildings, where practical.*
- *Encourage water efficiency and the use of rainwater, stormwater and recycled water.*
- *Minimise stormwater discharge through site layout and landscaping measures that support on-site infiltration and stormwater reuse.*
- *Ensure the form, scale, and appearance of development enhances the function and amenity of the public realm.*
- *Ensure buildings and their interface with the public realm support personal safety, perceptions of safety and property security.*
- *Ensure development is designed to protect and enhance valued landmarks, views and vistas.*
- *Ensure development considers and responds to transport movement networks and provides safe access and egress for pedestrians, cyclists and vehicles.*
- *Encourage development to retain existing vegetation.*
- *Ensure development provides landscaping that responds to its site context, enhances the built form, creates safe and attractive spaces and supports cooling and greening of urban areas.*

Officer Response:

The proposed development offers a modest infill option on a generous sized allotment. The proposed siting of new dwellings on the two allotments minimises any detrimental impact of development on neighbouring properties.

Clause 15.01-3S – Subdivision design

Objective

- *To ensure the design of subdivisions achieves attractive, safe, accessible, diverse and sustainable neighbourhoods.*

Relevant strategies

- *In the development of new residential areas and in the redevelopment of existing areas, subdivision should be designed to create liveable and sustainable communities by:*
 - *Creating compact neighbourhoods that have walkable distances between activities.*
 - *Creating urban places with a strong sense of place that are functional, safe and attractive.*
 - *Providing a range of lot sizes to suit a variety of dwelling and household types to meet the needs and aspirations of different groups of people.*
 - *Creating landscaped streets and a network of open spaces to meet a variety of needs with links to regional parks where possible.*
 - *Facilitating an urban structure where neighbourhoods are clustered to support larger activity centres served by high quality public transport.*
 - *Reduce car dependency by allowing for:*
 - *A convenient and safe road network.*
 - *Minimising exposure of sensitive uses to air and noise pollution from the transport system.*
 - *Being accessible to people with disabilities.*
 - *Creating an urban structure that:*
 - *Responds to climate related hazards.*
 - *Incorporates integrated water management, including sustainable irrigation of open space.*
 - *Minimises peak demand on the electricity network.*
 - *Supports energy efficiency and solar energy generation through urban layout and lot orientation.*
 - *Supports waste minimisation and increased resource recovery.*

Officer response:

The Clause 56 assessment (appended to this report) demonstrate that the proposal in its current form can meet the policy for residential subdivision.

Clause 15.01-5S – Neighbourhood character

Objective

- *To recognise, support and protect neighbourhood character, cultural identity, and sense of place.*

Relevant strategies

- *Support development that respects the existing neighbourhood character or contributes to a preferred neighbourhood character.*
- *Ensure the preferred neighbourhood character is consistent with medium and higher density housing outcomes in areas identified for increased housing.*
- *Ensure development responds to its context and reinforces a sense of place and the valued features and characteristics of the local environment and place by respecting the:*
 - *Pattern of local urban structure and subdivision.*
 - *Underlying natural landscape character and significant vegetation.*
 - *Neighbourhood character values and built form that reflect community identity.*

Officer response:

The proposed dwellings are single-storey dwellings, in keeping with the existing single storey typology found in the surrounding area. This section of Stoneleigh Road comprises single storey dwellings, with these being nestled into the streetscape behind vegetation. Local architectural style is predominantly a mix of a variety of construction eras ranging from Federation-era weatherboard dwellings with hipped and gabled iron roofs, to mid- and late-20th Century brick dwellings with tiled hipped roof forms. It is not considered that the proposed increase to two dwellings on the subject site will result in any substantial change in neighbourhood character.

Clause 16.01-1S – Housing supply

Objective

- *To facilitate well-located, integrated and diverse housing that meets community needs.*

Relevant strategies

- *Ensure that an appropriate quantity, quality and type of housing is provided, including aged care facilities and other housing suitable for older people, supported accommodation for people with disability, rooming houses, student accommodation and social housing.*
- *Increase the proportion of housing in designated locations in established urban areas (including under-utilised urban land) and reduce the share of new dwellings in greenfield, fringe and dispersed development areas.*
- *Encourage higher density housing development on sites that are well located in relation to jobs, services and public transport.*
- *Identify opportunities for increased residential densities to help consolidate urban areas.*
- *Facilitate diverse housing that offers choice and meets changing household needs by widening housing diversity through a mix of housing types.*
- *Encourage the development of well-designed housing that:*
 - *Provides a high level of internal and external amenity.*
 - *Incorporates universal design and adaptable internal dwelling design.*

- *Support opportunities for a range of income groups to choose housing in well-serviced locations.*

Officer response:

The site is well positioned in relation to jobs, transport and services and would provide the potential for future residents to utilise alternative transport in lieu of car based modes. The site is not connected to existing reticulated infrastructure.

Clause 16.01-1L – Housing supply in Mansfield Township

Relevant strategies

- *Encourage higher density development in areas that can capitalise on existing physical and social infrastructure in proximity to the Mansfield town centre.*
- *Support smaller housing options and retirement and aged care accommodation close to town centres and areas with existing social and physical infrastructure.*
- *Encourage opportunities to increase the supply of affordable housing to cater for lower income households, older people and young people.*

Officer response:

The site is well located and serviced, such that some form of intensification is considered appropriate. The new dwellings do not provide smaller housing options for an aging population (with 3 bedrooms in each and larger lot area), the proposal is not reflective of affordable housing as that term is defined in the act.

Clause 16.01-2S – Housing affordability

Objective

- *To deliver more affordable housing closer to jobs, transport and services.*

Relevant strategies

- *Improve housing affordability by:*
 - *Ensuring land supply continues to be sufficient to meet demand.*
 - *Increasing choice in housing type, tenure and cost to meet the needs of households as they move through life cycle changes and to support diverse communities.*
 - *Promoting good housing and urban design to minimise negative environmental impacts and keep costs down for residents and the wider community.*
 - *Encouraging a significant proportion of new development to be affordable for households on very low to moderate incomes.*
- *Increase the supply of well-located affordable housing by:*

- *Facilitating a mix of private, affordable and social housing in suburbs, activity centres and urban renewal precincts.*
- *Ensuring the redevelopment and renewal of public housing stock better meets community needs.*
- *Facilitate the delivery of social housing by identifying surplus government land suitable for housing.*

Officer response:

The development is not purported to be an affordable housing development in the manner envisaged by this clause.

Clause 18.02-4S – Roads

Objective

- *To facilitate an efficient and safe road network that integrates all movement networks and makes best use of existing infrastructure.*

Relevant strategies

- *Plan an adequate supply of car parking that is designed and located to:*
 - *Protect the role and function of nearby roads.*
 - *Enable the efficient movement and delivery of goods.*
 - *Facilitate the use of public transport.*
 - *Maintain journey times and the reliability of the on-road public transport network.*
 - *Protect residential areas from the effects of road congestion created by on-street parking.*
 - *Enable easy and efficient use.*
 - *Achieve a high standard of urban design.*
 - *Protect the amenity of the locality, including the amenity of pedestrians and other road users.*
 - *Create a safe environment, particularly at night.*
- *Allocate land for car parking considering:*
 - *The existing and potential modes of access including public transport.*
 - *The demand for off-street car parking.*
 - *Road capacity.*
 - *The potential for demand-management of car parking.*
 - *Consolidate car parking facilities to improve efficiency.*

Officer response:

The car parking spaces provided are appropriately sized and allow for easy ingress and egress to and from the site. In terms of the broader road network, Stoneleigh Road is a 2 way sealed local street, which is capable of accommodating additional traffic that would emanate from the proposed development.

Clause 19.03-1L – Development and infrastructure contributions plans

Strategy

- *Ensure that the cost of new infrastructure required to serve a specific development is met by the developer.*

Officer response:

The subject site is not connected to reticulated services, and any connection/ upgrades to such services to accommodate the development would be borne by the developer.

Clause 19.03-3S – Integrated water management

Objective

- *To sustainably manage water supply and demand, water resources, wastewater, drainage and stormwater through an integrated water management approach.*

Relevant strategies

- *Plan and coordinate integrated water management, bringing together stormwater, wastewater, drainage, water supply, water treatment and re-use, to:*
 - *Take into account the catchment context.*
 - *Protect downstream environments, waterways and bays.*
 - *Manage and use potable water efficiently.*
 - *Reduce pressure on Victoria's drinking water supplies.*
 - *Minimise drainage, water or wastewater infrastructure and operational costs.*
 - *Minimise flood risks.*
 - *Provide urban environments that are more resilient to the effects of climate change.*
- *Integrate water into the landscape to facilitate cooling, local habitat improvements and provision of attractive and enjoyable spaces for community use.*
- *Facilitate use of alternative water sources such as rainwater, stormwater, recycled water and run-off from irrigated farmland.*
- *Ensure that development protects and improves the health of water bodies including creeks, rivers, wetlands, estuaries and bays by:*
 - *Minimising stormwater quality and quantity related impacts.*
 - *Filtering sediment and waste from stormwater prior to discharge from a site.*
 - *Managing industrial and commercial toxicants in an appropriate way.*
 - *Requiring appropriate measures to mitigate litter, sediment and other discharges from construction sites.*
- *Manage stormwater quality and quantity through a mix of on-site measures and developer contributions at a scale that will provide greatest net community benefit.*

- *Provide for sewerage at the time of subdivision or ensure lots created by the subdivision are capable of adequately treating and retaining all domestic wastewater within the boundaries of each lot.*
- *Ensure land is set aside for water management infrastructure at the subdivision design stage.*
- *Minimise the potential impacts of water, sewerage and drainage assets on the environment.*
- *Protect significant water, sewerage and drainage assets from encroaching sensitive and incompatible uses.*
- *Protect areas with potential to recycle water for forestry, agriculture or other uses that can use treated effluent of an appropriate quality.*
- *Ensure that the use and development of land identifies and appropriately responds to potential environmental risks, and contributes to maintaining or improving the environmental quality of water and groundwater.*

Officer response:

As discussed above, the subject site is not serviced by reticulated infrastructure. It is considered appropriate that given the large curtilage of the site suitable conditions can be applied to the Planning Permit that overland stormwater flows from the site to managed, and stormwater reuse measures to be applied across the site.

Zoning

Clause 32.08 – General Residential Zone

Purpose

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To encourage development that respects the neighbourhood character of the area.*
- *To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.*
- *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations*

Clause 32.08-4 – Construction or extension of a dwelling or residential building

An application to construct or extend a dwelling or residential building on a lot must provide a minimum garden area as set out in the following table:

<i>Lot size</i>	<i>Minimum percentage of a lot set aside as garden area</i>

400 - 500 sqm	25%
Above 500 - 650 sqm	30%
Above 650 sqm	35%

Officer response:

As per the Tribunal decision of *Clayton Gardens Pty Ltd v Monash CC (Red Dot) [2019] VCAT 1138 (31 July 2019)*, the calculation of garden area is to be considered in the context of the 'planning unit' of the application; rather than the measurement of individual lots comprising the planning unit. The Tribunal has also found that the garden area requirement must be met at the application stage and cannot be addressed through conditions.

Garden area is defined at Clause 73.01 of the Mansfield Planning Scheme as:

Any area on a lot with a minimum dimension of 1 metre that does not include:

(a) a dwelling or residential building, except for:

- i. an eave, fascia or gutter that does not exceed a total width of 600mm;*
- ii. a pergola;*
- iii. unroofed terraces, patios, decks, steps or landings less than 800mm in height;*
- iv. a basement that does not project above ground level;*
- v. any outbuilding that does not exceed a gross floor area of 10 square metres;*
and
- vi. domestic services normal to a dwelling or residential building;*

(b) a driveway; or

(c) an area set aside for car parking.

The proposed development comprises 1 parcel with a total area of 4,060m². 35% of the site must therefore be provided as garden area.

The application development summary shows that the site coverage areas provide well in excess of the minimum required garden area:

TOTAL SITE AREA	4062.0 m ²	
LOT 1	m ²	%
Proposed Site Area	1976	
Total Building Coverage	295	14.9
Terraces / Decking	71	3.5
Permeable Driveways & Paths	146	7.4
Soft Landscaping Area	1464	74.4
LOT 2	m ²	%
Proposed Site Area	2086	
Total Building Coverage	295	14.1
Terraces / Decking	60	2.8
Permeable Driveways & Paths	294	14.1
Soft Landscaping Area	1437	68.9
OVERALL	m ²	%
Site Area	4062	
Total Building Coverage	590	14.5
Terraces / Decking	131	3.2
Permeable Driveways & Paths	440	10.8
Soft Landscaping Area	2901	71.0

Figure 8: *Development summary provided with plans and supporting planning submission*

Clause 32.08-6 Dwellings and residential buildings

For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55.

Officer response:

An assessment against the relevant provisions of Clause 55 has been undertaken and is found at the end of this report. No significant variations to the Clause 55 objectives and standards are required.

Clause 32.08-13 Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General

- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The purpose of this zone.*

- *The objectives set out in a schedule to this zone.*
- *Any other decision guidelines specified in a schedule to this zone.*
- *The impact of overshadowing on existing rooftop solar energy facilities on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.*

Subdivision

- *The pattern of subdivision and its effect on the spacing of buildings.*
- *For subdivision of land for residential development, the objectives and standards of Clause 56.*

Dwellings and residential buildings

- *For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55.*

Officer response: For the reasons that are discussed in this assessment, it is considered that the proposed development and subdivision is consistent with the Municipal Planning Strategy and the Planning Policy Framework in relation to urban design, building design and neighbourhood character.

Overlays

The subject site is not covered by any overlays.

Particular Provisions

Clause 52.06 – Car parking

Purpose

- *To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.*
- *To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.*
- *To support sustainable transport alternatives to the motor car.*
- *To promote the efficient use of car parking spaces through the consolidation of car parking facilities.*
- *To ensure that car parking does not adversely affect the amenity of the locality.*

- *To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.*

Clause 52.06-5 – Number of car parking spaces required.

<i>Use</i>	<i>Rate Column A</i>	<i>Rate Column B</i>	<i>Car Parking Measure Column C</i>
<i>Dwelling</i>	<i>1</i>	<i>1</i>	<i>To each one or two bedroom dwelling, plus</i>
	<i>2</i>	<i>2</i>	<i>To each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedrooms) plus</i>
	<i>1</i>	<i>0</i>	<i>For visitors to every 5 dwellings for developments of 5 or more dwellings</i>

Officer response:

The development provides for 2 x 3 bedroom dwellings, therefore requiring 2 x car parking spaces per dwelling.

The submitted plans clearly delineate car parking spaces for each dwellings within an attached enclosed garage. For these reasons, the proposal is considered to be consistent with Clause 52.06.

Clause 53.01 – 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.

Clause 53.01-1 Provides a exemption from public open space requirement specified in the scheme. Whereby a subdivision is exempt from a public open space requirement specified in the scheme if it subdivides land into two lots and the council considers it unlikely that each lot will be further subdivided.

Officer response:

It is considered that the development and subdivision of the land would be likely to lead to a very minor increased use of Public Open Space than what is currently found on the existing lot

configuration. The lot sizes after subdivision offer further opportunity for additional infill/ re-subdivision.

Consequently, a condition will be imposed requiring contribution of the land value as POS in accordance with Section 18 of the Subdivision Act 1988, prior to the issue of a Statement of Compliance for the subdivision to the satisfaction of Council.

Clause 55 – Two or more dwellings on a lot and residential buildings

The application includes development of two (2) or more dwellings on a lot. An assessment against the relevant provisions of Clause 55 is appended to this report.

Clause 56 – Residential subdivision

The application seeks to subdivide the land consistent with the sought development. An assessment against the relevant provisions of Clause 56 is appended to this report.

General Provisions

Clause 65.01 – Approval of an application or plan

Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:

- *The matters set out in section 60 of the Act.*
- *Any significant effects the environment, including the contamination of land, may have on the use or development.*
- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The purpose of the zone, overlay or other provision.*
- *Any matter required to be considered in the zone, overlay or other provision.*
- *The orderly planning of the area.*
- *The effect on the environment, human health and amenity of the area.*
- *The proximity of the land to any public land.*
- *Factors likely to cause or contribute to land degradation, salinity or reduce water quality.*
- *Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.*
- *The extent and character of native vegetation and the likelihood of its destruction.*
- *Whether native vegetation is to be or can be protected, planted or allowed to regenerate.*
- *The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.*
- *The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.*
- *The impact the use or development will have on the current and future development and operation of the transport system.*

Clause 65.02 – Approval of an application to subdivide land

Before deciding on an application to subdivide land, the responsible authority must also consider, as appropriate:

- *The suitability of the land for subdivision.*
- *The existing use and possible future development of the land and nearby land.*
- *The availability of subdivided land in the locality, and the need for the creation of further lots.*
- *The effect of development on the use or development of other land which has a common means of drainage.*
- *The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.*
- *The density of the proposed development.*
- *The area and dimensions of each lot in the subdivision.*
- *The layout of roads having regard to their function and relationship to existing roads.*
- *The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots.*
- *The provision and location of reserves for public open space and other community facilities.*
- *The staging of the subdivision.*
- *The design and siting of buildings having regard to safety and the risk of spread of fire.*
- *The provision of off-street parking.*
- *The provision and location of common property.*
- *The functions of any body corporate.*
- *The availability and provision of utility services, including water, sewerage, drainage, electricity and gas.*
- *If the land is not sewered and no provision has been made for the land to be sewered, the capacity of the land to treat and retain all sewage and sullage within the boundaries of each lot.*
- *Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas.*
- *The impact the development will have on the current and future development and operation of the transport system.*

Officer response: As discussed throughout this report, the proposal presents a reasonable and orderly planning outcome, that is in keeping with relevant Planning Policy in the Mansfield Planning Scheme. The proposal is consistent with the prevailing character of the area, meets Clause 55 objectives and is a satisfactory low density intensification of an existing large general residential allotment.

Conclusions

This application proposes the development of land for two (2) dwellings and the subdivision of land into two (2) lots, at the site known as 28 Stoneleigh Road, Mansfield; being Lot 3 LP 125881.

Having assessed the application against the relevant clauses of the Mansfield Planning Scheme, it is considered that the proposal represents a suitable development of the site, that accords with the existing or preferred neighbourhood character of the area and provides excellent amenity outcomes for existing and future residents.

The application is therefore recommended for approval.

Officer Recommendation

NOTICE OF DECISION TO GRANT A PLANNING PERMIT

That Council, having caused notice of the application to be given under Section 52 of the *Planning and Environment Act 1987*, and having considered all matters under Section 60 of the *Planning and Environment Act 1987*, determines to **issued a Notice of Decision to Grant a Permit** for Planning Application P197/23 for the Development of land for two (2) dwellings and a two (2) lot subdivision on **Lot 3 LP 125881**, commonly addressed as 28 Stoneleigh Road, Mansfield, for the following reasons:

Endorsed Plans

1. The development must be in accordance with the endorsed plans forming part of this permit and must not be altered without the prior written consent of the Responsible Authority.
2. The subdivision approved under this permit must be undertaken in accordance with the plans endorsed and forming part of this permit.

Section 173 Agreement

3. Prior to the issue of a Statement of Compliance and the completion of development the permit holder must enter into an agreement with the Responsible Authority pursuant to Section 173 of the *Planning and Environment Act 1987*, prepared by Council's preferred solicitors, to achieve the requirements of Condition 17 of this permit. The permit holder must pay the reasonable costs for the preparation, review, execution and registration of the Section 173 Agreement.

Subdivision

4. 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.
5. 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.
6. 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.

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 issue of a Statement of Compliance for any stage of 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.

External Cladding

9. The external materials of the buildings, including the roof, must be constructed of materials of muted colours to protect the aesthetic amenity of the area to the satisfaction of the Responsible Authority. No materials having a highly reflective surface must be used. For the purpose of this clause "highly reflective" includes unpainted or untreated aluminium, zinc or similar materials.

Landscaping

10. Prior to the completion of the development approved by this permit, or by such later date as is approved by the Responsible Authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
11. The landscaping shown on the endorsed plans must be maintained for the life of the use and development to the satisfaction of the Responsible Authority, including that any dead, diseased, dying or damaged plants are to be replaced with like for like replacements of the same or greater size.

Public Open Space

12. Prior to the issue of Statement of Compliance under the *Subdivision Act* 1988, the permit holder must pay to the Responsible Authority:

- a. A sum in accordance with Clause 53.01 (Public Open Space Contribution and Subdivision) of Mansfield Planning Scheme at time of payment;
- b. Any costs associated with valuation of the land including valuers fees.

The permit holder must make a request to Council to commence the process involved with this condition.

Engineering

13. Prior to the issue of Certification and the commencement of any site works an Integrated Stormwater Management Plan is to be submitted to and approved by the Responsible Authority. Once approved the plan will be endorsed to form part of this permit. The Plan must suitably detail how the development will provide for a reduction of the existing overland water flows and any measures to reduce impacts to neighbouring properties.

14. Prior to the issue of Certification any recommendation in the endorsed Stormwater Management Plan for drainage easements must be included on a Plan of Subdivision submitted for Certification.

15. Prior to the issue of a Statement of Compliance and the completion of development all recommended works in the endorsed Stormwater Management Plan must be completed to the satisfaction of the Responsible Authority.

16. Prior to the issue of a Statement of Compliance and the completion of development the existing vehicle crossovers must be upgraded in accordance with IDM Standard Drawing 'SD260M – Typical Swale Drian Vehicle Crossing (Fringe Urban or Rural Residential Entrance)' which is available upon receipt of an application for Works Within Road Reserve Permit.

17. Prior to the issue of a Statement of Compliance and the completion of development the permit holder must enter into an agreement with the Responsible Authority pursuant to Section 173 of the Planning and Environment Act 1987, to the effect that:

- a. Any dwelling constructed must capacity as per Section 19.3.4 of the Infrastructure Design Manual. The tanks must be installed and connected to the toilet system, laundry, washing machine taps and external taps for gardening purposes.
- b. The land containing the Stormwater Soakage Pits must not be used for any other purpose.

18. Any damage to Council managed assets (such as roads and stormwater infrastructure) as a result of the development must be repaired at the cost of the developer to the satisfaction of the Responsible Authority.
19. All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991) to the satisfaction of the Responsible Authority.
20. Appropriate measures must be implemented throughout the construction stage of development to rectify and/or minimise mud, crushed rock or other debris being carried onto public roads or footpaths from the subject land to the satisfaction of the Responsible Authority.
21. Prior to the commencement of use, or by such later date as is approved by the Responsible Authority in writing, the following works must be completed in accordance with the endorsed plans and to the satisfaction of the Responsible Authority:
 - a) All stormwater is to be contained to the pre-development runoff equivalent using detention water tanks or similar and then shall be discharged to the legal point of stormwater discharge;
 - b) The car parking spaces, access lanes, driveways and associated works and landscaping shown on the plan must be:
 - i. constructed and available for use in accordance with the plan approved by the responsible authority; and
 - ii. formed to such levels and drained so that they can be used in accordance with the plan; and
 - iii. treated with an all-weather seal or some other durable surface; and
 - iv. line-marked or provided with some other adequate means of showing the car parking spaces; and
 - v. be of sufficient dimension to accommodate emergency vehicles and be sufficient to meet CFA access requirements.
22. Interrupted overland flow from this development must not impact on the adjacent lots.
23. Prior to the issue of a Statement of Compliance, and any works proceeding within the road reserve, an application for Works Within Roads Reserve Permit must be made.
24. Prior to issue of a Statement of Compliance, an application must be made to Council to obtain a Legal Point of Stormwater Discharge.

25. Interrupted overland flow from this development must not be allowed to impact on the adjacent lots.
26. Any damage to Council infrastructure resulting from subdivision works must be repaired/made good to the satisfaction of the Responsible Authority prior to the issue of a Statement of Compliance.

Goulburn Valley Water

27. Payment of new customer contribution charges for water supply to the development, such amount being determined by the Corporation at the time of payment.
28. Provision of one water tapping per Lot at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation.
29. Provision of separate water supply meters to each tenement within the development, located at the property boundary and to the satisfaction of Goulburn Valley Region Water Corporation.
30. Any existing water service that crosses any of the proposed allotment boundaries within the proposed development must be disconnected and re-located at the developer's expense, to be wholly within one allotment only, including notification of the proposed lot to be serviced by the existing water meter, to the satisfaction of the Goulburn Valley Region Water Corporation.
31. Payment of new customer contributions charges for sewerage services to the development, such amount being determined by the Corporation at the time of payment.
32. Provision of reticulated sewerage and associated construction works to each allotment within the development, at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation.
33. Connection of all sanitary fixtures within the development to reticulated sewerage, at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation.
34. All works required are to be carried out in accordance with AS 3500.2 - 'Sanitary plumbing and drainage', and to the satisfaction of the Corporation's Property Services department.
35. Provision of easements in favour of the Goulburn Valley Region Water Corporation over all existing and proposed gravity sewer mains located within private property.
36. The operator under this permit shall be obliged to enter into an Agreement with Goulburn Valley Region Water Corporation relating to the design and construction of any sewerage or water works required. The form of such Agreement shall be to the satisfaction of Goulburn Valley Water. A copy of the format of the Agreement will be provided on request.

37. The plan of subdivision lodged for certification is to be referred to the Goulburn Valley Region Water Corporation pursuant to Section 8(1) of the Subdivision Act, 1988.

Permit Expiry

38. This permit will expire if any one of the following circumstances applies:

- a) The buildings and works have not substantially commenced 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.
- c) The plan of subdivision has not been certified under the *Subdivision Act 1988* within two (2) years of the issue date of this permit.
- d) A statement of compliance is not issued within five (5) years of the date of certification under the *Subdivision Act 1988*.

In accordance with Section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.

NOTATIONS

- 1) This permit does not authorise the commencement of any building works. Building approval must be obtained prior to the commencement of any approved works.
- 2) Before any earthworks are undertaken, it is recommended that you contact 'Dial Before You Dig' on 1100.
- 3) Prior to commencement of any building and civil works, and application must be made to Council to obtain a Legal Point of Stormwater Discharge.
- 4) Any failure to comply with the conditions of this permit may result in action being taken to have an Enforcement Order made against some or all persons having an interest in the land and may result in legal action or the cancellation of this permit by the Victorian Civil and Administrative Tribunal.