

## CONDITIONS

Application	YR-2023/468
Address of the land	7 Huntingdale Drive, Chirnside Park
Proposal	Buildings and works to construct a second dwelling, and carport and shed for an existing dwelling

### Amended Plans

1. Before the development starts, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and form part of the permit. The plans must be drawn to scale with dimensions and a digital copy must be provided. The plans must be generally in accordance with the plans submitted with the application prepared by Building Perspectives Design & Drafting Services (Dated.: February 2023) but amended to show the following:
  - a) Notation indicating a Build over Easement permit is required for the proposed carport to the existing dwelling, and the proposed driveway of the proposed dwelling that will front Simmons Court, to the satisfaction of the responsible authority.
  - b) Location of concrete pedestrian path adjacent to the northern boundary of the subject site which is to be replaced, to the satisfaction of the responsible authority.
  - c) Height and depth of site cut associated with proposed driveway and crossover to Simmons Court, to the satisfaction of the responsible authority.
  - d) Side boundary fencing to be a minimum of 1.8 metres in height from ground level to comply with Clause 55.04-6 Overlooking, to the satisfaction of the responsible authority.
  - e) Location of four bins within rear private open space of each dwelling in accordance with Council's FOGO scheme to comply with Clause 55.06-4 Site services, to the satisfaction of the responsible authority.
  - f) Location of mailboxes to comply with Clause 55.06-4 Site services, to the satisfaction of the responsible authority.
  - g) Location of site metering services to comply with Clause 55.06-4 Site services, to the satisfaction of the responsible authority.
  - h) Corner splays depicted for the proposed crossover to Simmons Courts which comply with Design Standard 1 at Clause 52.06-9, to the satisfaction of the responsible authority.
  - i) Boundary fencing within corner splays reduced to 900mm in height to comply with Design Standard 1 at Clause 52.06-9, to the satisfaction of the responsible authority.

### Amended Landscape Plan

2. Before the development starts, an amended Landscape Plan 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 form part of the permit. The plans must be drawn to scale with dimensions and a digital copy must be provided. The plans must be generally in accordance with the plans submitted with the application prepared by Perspectives Design & Drafting Services (Dated: February 2023) but amended to show the following:
  - a) Landscape Plan layout in accordance with the development plans to be endorsed under Condition 1 of this permit, to the satisfaction of the responsible authority.
  - b) Trees in the following locations:
    - a) A minimum of two canopy trees (2 metres high at time of planting) reaching a minimum mature height of 10 metres within the Simmons Court frontage of Unit 1.
    - b) A minimum of one canopy tree (2 metres high at time of planting) reaching a minimum mature height of 5 metres within the private open space of each dwelling.

The landscaping shown on the endorsed plans must be maintained in accordance with the endorsed plans to the satisfaction of the responsible authority. Areas shown on the endorsed plan as landscaped must not be used for any other purpose and any dead, diseased or damaged plants are to be replaced after becoming aware of the dead, diseased or damaged plants. The responsible authority may amend the endorsed

#### **Detailed Construction Plans**

3. Before the development starts, detailed construction plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. Once approved, the plans will be endorsed and form part of the permit. The plans must be drawn to scale with dimensions and a digital copy provided. The plans must include:
  - a) Details of the re-graded concrete footpath on Simmons Court along the frontage of the subject site in accordance with the relevant Yarra Ranges Council's design requirements.
  - b) Details of any retaining walls details.
  - c) Location of replacement street trees, if any.
  - d) Location of street lighting, if any.

#### **Layout Not Altered**

4. The development as shown on the endorsed plans must not be altered or modified (unless the Yarra Ranges Planning Scheme specifies a permit is not required) without the prior written consent of the responsible authority.

#### **General Amenity**

5. Once the development starts, the development must be carried out and completed to the satisfaction of the responsible authority.

6. All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

**Prior to Commencement**

7. Prior to the commencement of any buildings and/or works approved by this permit, temporary fencing must be erected around any tree shown for retention on the endorsed plans to define a Tree Protection Zone (TPZ) to the satisfaction of the Responsible Authority and must:
  - a) Exclude access and construction activity within the TPZs. If trees have not been assessed, the TPZ is a circle with a radius equal to 12x the trunk diameter measured at 1.4 m above ground level, and
  - b) Have a minimum height of 1.8 metres and comply with Australian Standard AS 4687 for temporary fencing and hoardings, and
  - c) Not extend beyond the site boundaries except into roadside reserve and/or nature strip areas. Fencing within roadside reserves and/or nature strip areas must not prevent the use of a road or footpath, and
  - d) Remain in place until all buildings and/or works are completed, unless with the prior written consent of the Responsible Authority.

Temporary fencing can be modified to accommodate encroachment into the TPZ of tree(s) as per the endorsed plans. Fencing must be modified in line with the footprint of the approved works only

8. Prior to the commencement of any works as required by this permit, Development Stormwater Drainage Engineering Plans and Computations must be submitted to, and approved by, the Responsible Authority. Development Stormwater Drainage Engineering Plans and Computations must be in line with all the requirements of the approved point of discharge certificate.

Separate detention systems and connection points for the existing dwelling and proposed second dwelling must be provided to the satisfaction of the Responsible Authority.

<https://www.yarraranges.vic.gov.au/Development/Roads-drains/Applications-andpermits/Submit-stormwater-drainage-and-computations>

9. Prior to the commencement of any works covered by this permit, engineering construction plans showing all car parking, access ways and drainage together with a processing fee as determined by the responsible authority must be submitted to, and approved by, the Responsible Authority. The development must then be constructed in accordance with these approved engineering plans.
10. Prior to the commencement of any works covered by this permit an inspection report, including documentation and photos, of the condition of Simmons Court must be submitted to the Responsible Authority for approval.
  - The condition of Simmons Court shall be monitored for the duration of the works and any repairs identified as being required shall be completed to the satisfaction of the Responsible Authority within 24 hours of being identified.

- At the completion of works a final condition report for Simmons Court shall be submitted and any repairs/re-construction works identified shall be carried out at the cost of the permit holder to the satisfaction of the Responsible Authority.

### **Prior to Occupation**

11. Prior to the occupation of the permitted development piped drainage must be constructed to drain all impervious areas incorporating Water Sensitive Urban Design features, to the satisfaction of the Responsible Authority.
12. Prior to the occupation of the permitted development a detention system, must be constructed/installed to drain all impervious areas, to the satisfaction of the Responsible Authority.
13. Prior to the occupation of the permitted development the construction of all civil works within the site, including detention system must be fully completed and subsequently inspected and approved by a suitably experienced Civil Engineer at the arrangement and expense of the owner/developer. This person must supply written certification that the works have been constructed in accordance with this permit and to relevant standards to the satisfaction of the Responsible Authority.
14. Before the development is occupied, the following works must be carried out and completed to the satisfaction of the responsible authority:
  - a) The existing pedestrian footpath at the base of Simmons Court must be suitably designed to the new grades of the frontage of the site and accessway to accommodate pedestrian movements in accordance with the detailed construction plans under Condition 3 of this permit
15. Prior to the occupation of the permitted development the parking areas and vehicular access ways shown on the endorsed plan must be fully constructed, sealed, drained and delineated to the satisfaction of the Responsible Authority.
16. Prior to the occupation of the permitted development a concrete vehicle crossing must be constructed in Simmons Court to serve the development to the satisfaction of the Responsible Authority.
17. Prior to the occupation of the permitted development a longitudinal grade assessment for the proposed vehicle crossing to Simmons Court must be submitted to, and approved by, the Responsible Authority which demonstrates that vehicles will not scrape or bottom-out when accessing the site.
18. Before the development is occupied, or by such later date as approved in writing by the responsible authority, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the responsible authority.

### **Expiry of Permit**

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

- (a) The development is not started within **two years** of the date of this permit, or
- (b) The development is not completed within **four years** of the date of this permit.

The responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or within six months of expiry of permit of the commencement date.

An extension of time to complete the development or a stage of the development may be requested if:

- The request for an extension of time is made within 12 months after the permit expires; and
- The development or stage started lawfully before the permit expired.

#### **NOTES:**

- (i) The granting of this permit does not obviate the necessity for compliance with the requirements of any other authority, under this or any other Act, Regulation or Local Law.
- (ii) The owner and/or developer must ensure all relevant permits have been obtained before the use and or development starts.
- (iii) Building works approved under this planning permit must not be commenced until a building permit has also been obtained under the *Building Act 1993* and the *Building Regulations 2018*.
- (iv) The management of Stormwater is to be in accordance with the Approved Point of Stormwater Discharge. Please apply for Approved Point of Stormwater Discharge through Council's webpage.  
<https://www.yarraranges.vic.gov.au/Property/Roads-drains-footpaths/Stormwaterdrainage>
- (v) Prior to the commencement of any works affecting or involving Shire roads or drains, Asset Protection and/or Road Reserve/Easement Works permit(s) are required. An application for a permit can be obtained at the Shire of Yarra Ranges Community Links.
- (vi) Before any earthworks are undertaken, contact Dial Before You Dig.