

<b>Application</b>	<b>YR-2021/406</b>
<b>Address of the Land</b>	<b>325 Pinnacle Lane (Lot 2 LP117799) Steels Creek</b>
<b>Proposal</b>	<b>Buildings and works to construct a dwelling and earthworks greater than one (1) metre</b>

**THE FOLLOWING CONDITIONS ARE PROPOSED FOR THIS APPLICATION:**

1. Prior to the commencement of development (including the removal of any trees or other vegetation), amended plans 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 be generally in accordance with submitted plans (*Prepared by FGR Architects P/L, dated 15/12/2021*), but modified to show:
  - a. Glass sections on the first floor to be recessed a minimum of one (1) metre from the roof facia and floorplate;
  - b. Revised lower ground and ground floor facades to include sections of natural materials (including stone, timber and/or steel) or of a natural material look to reduce the extent of concrete and glass facades;
    - i. This may be achieved via a revised balcony balustrade to replace the glazed panels at ground level with a metal post and rail system incorporating tensile steel wire or wire mesh infill and landscaping along the lower ground level facade.
  - c. Any concrete surface painted to have a LRV (luminance reflective value) of less than 40;
  - d. A colour, materials and finishes schedule demonstrating that that development will be constructed in muted natural tones and incorporate natural materials;
  - e. Tree #2 and 3 as retained;
  - f. Updated tree schedule to show all trees as retained other than tree #7;
  - g. Submit stormwater calculations demonstrating the proposed culvert has sufficient capacity for the flow through the waterway; and
  - h. Landscape plan in accordance with Condition 7.

All of the above must be to the satisfaction of the Responsible Authority.
2. The layout of the site and the size of any proposed buildings and works shown on the endorsed plans shall not be altered or modified without the written consent of the Responsible Authority.
3. Prior to the occupation of the replacement dwelling, the existing dwelling must be demolished and removed from the site to the satisfaction of the Responsible Authority.
4. The land must only be used for the purpose of one (1) dwelling at any time.

5. All sewage and sullage waste water from the proposed development must be discharged into a new EPA approved on site wastewater treatment system which retains all wastes within the boundaries of the land and is located within any wastewater envelope indicated on the endorsed plan. Approval to install or alter an onsite wastewater treatment system must be obtained from the Yarra Ranges Council Health Department.
6. The development must be so managed that the amenity of the area is not detrimentally affected through the:
  - transportation of materials, goods or commodities to or from the land;
  - appearance of any building, works or materials;
  - emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot ash, dust, waste water, waste products, grit or oil; and
  - presence of vermin.

All to the satisfaction of the Responsible Authority

7. Landscape planting must be completed prior to the occupation of the permitted development, or if not occupied, within three months of completion of the permitted development. With written consent of the Responsible Authority landscaping may be deferred to the first planting season (May to September) following the completion of the permitted buildings and/or works. The landscape plan must detail the following:
  - a. A survey of all existing vegetation and natural features;
  - b. A schedule of all proposed trees, shrubs/small trees and ground cover;
  - c. Landscape plantings must be chosen from The Yarra Ranges Council's Vegetation Community No. 38 Yellow Box Valley Grassy Forest (EVC: 47) and include:
    - i. Landscaping of middle and/or upper storey trees along the southern boundary with a minimum 10 metre separation between trees.
    - ii. Landscaping of middle and/or upper storey trees along the southern and western boundary setback with a minimum 10 metre separation between trees.
    - iii. Shrub and groundcover plantings along the southern and western lower ground facade
  - d. Landscaping within the area of defendable space must be planted and maintained in accordance with the vegetation management requirements as outlined on the endorsed Bushfire Management Plan;
  - e. The plant schedule must include the botanical and common name of each plant, the quantity to be planted, the pot size and spacing;
  - f. The location of each species to be planted and the location of all areas to be covered by grass, lawn or other surface material;
  - g. Paving, retaining walls, fence design details and other landscape works including areas of cut and fill;
  - h. Appropriate irrigation systems; and
  - i. Details of a 24 month maintenance plan.

The planting must be maintained or replaced as necessary to the satisfaction of the Responsible Authority.

8. 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 TPZ. 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,
  - b. Have a minimum height of 1.8 metres and comply with Australian Standard AS 4687 for temporary fencing and hoardings,
  - 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, and must be inspected by a qualified Arborist prior to works occurring. Fencing must be modified in line with the footprint of the approved works only.

9. All underground service pipes/conduits including storm water and sewerage must be diverted around the Tree Protection Zone (TPZ) of any retained tree, or bored underneath with a minimum cover of 600 mm to top of pipe/conduit from natural ground surface to the satisfaction of the Responsible Authority. All pits, holes, joints and tees associated with the installation of services must be located outside the TPZs, or the project arborist must demonstrate works in the TPZs will not impact viable tree retention to the satisfaction of the Responsible Authority.
10. The driveway within the Tree Protection Zone (TPZ) of trees #13 must be constructed above the existing grade using permeable materials to the satisfaction of the Responsible Authority. There must be no excavation within the TPZs, except for scraping the surface up to 30mm deep to remove surface organics and/or debris.
11. All external lighting provided on the site must be baffled so that no direct light is emitted beyond the boundaries of the site and no nuisance is caused to adjoining properties.
12. Prior to the occupation of the permitted development piped drainage must be constructed 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 must be fully completed and subsequently inspected and approved by a suitably experienced Civil Engineer or qualified person 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. CFA conditions

The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defensible space, water supply and access, must be maintained to the satisfaction of the responsible authority and the relevant fire authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.

15. Before the development starts, the Bushfire Management Plan prepared by SBA Fire, Version 1.21-11 Final 2, Dated 20 August 2021 must be endorsed by the Responsible Authority. Once endorsed the plan must not be altered unless agreed to in writing by CFA and the Responsible Authority.
16. Unless with the consent of CFA and the Responsible Authority, the proposed dwelling must not be occupied until a private bushfire shelter (a Class10c building within the meaning of the Building Regulations 2018) is:
- Constructed on the same land as the dwelling;
  - Available for use by the occupants of the dwelling at all times; and
  - Maintained in accordance with the requirements of the building permit issued for that private bushfire shelter.

- End of CFA Conditions -

17. This permit will expire if the development is not started within two years of the date of this permit. The Responsible Authority may extend this period if a request is made in writing before the permit expires or within six months afterwards.

This permit will expire if the development is not completed within four years of the date of this permit. A request may be made to Responsible Authority to extend the time to complete a development or a stage of the development if:

- The request for an extension is made within 12 months of the permit expiry;
- The development or stage has lawfully commenced before the permit expiry.

#### NOTES:

The granting of this permit does not obviate the necessity for compliance with the requirements of any other authority under any act, regulation or local law.

Building works approved under this planning permit shall not be commenced until a building permit has also been obtained under the *Building Act 1993* and the *Building Regulations 2018*.

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/Stormwater-drainage>