


ATTACHMENT 1 – PROPOSED CONDITIONS (NOTICE OF DECISION TO GRANT A PLANNING PERMIT – TRACK CHANGES)

NOTICE OF DECISION TO GRANT A PERMIT	
	Wadawurrung Country PO Box 350, Torquay, Victoria 3228 1 Merrijig Drive, Torquay P: (03) 52621 0600 E: planningapps@surfcoast.vic.gov.au

Planning Scheme:	Surf Coast Planning Scheme
Responsible authority:	Surf Coast Shire Council

APPLICATION No.:	21/0333
ADDRESS OF THE LAND:	4, 10, 16, 22 and 24 Cypress Lane, Cypress Lane Road Reserve and 5 Coombes Road and part of 3A Blackwattle Mews Torquay (LOTS 36A, 36B, 37A, 38A, 39, 40A, 40B, 41A and 41B on PS:305011W)

**THE RESPONSIBLE AUTHORITY HAS DECIDED TO GRANT A PERMIT.
THE PERMIT HAS NOT BEEN ISSUED.**

WHAT WILL THE PERMIT ALLOW?

Planning Scheme Clause No.	Description of what the permit will allow
32.03-1	Use the land for a retirement village
32.03-4	Construct a building or construct or carry out works
52.02	To remove a reservation from land under section 24A of the Subdivision Act 1988
52.17-1	Removal, destroy or lop native vegetation

WHAT WILL THE CONDITIONS OF THE PERMIT BE?

Amended plans required for endorsement

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 will then form part of the permit. The plans must be drawn to scale with dimensions. The plans must be generally in accordance with the plans prepared by GKA architect, TP00-TP467, ~~Revision E1, submitted to dated 5 March 2024 the Responsible Authority on 10 February 2023 (Council reference number: D23/25666)~~ but modified to show:
 - a) A staging plan for each stage of the development, to include the following in the first stage of the development:
 - i) Upgrades to the intersection of Coombes Road, as required in Condition 1be);
 - ii) The provision of the public accessway to the western side boundary; and

- iii) Boundary tree planting in the first stage of the development.
- b) ~~The reduction in the height of the Deep Creek apartment buildings by the retention of the natural ground level to provide for a basement level (car parking); to reduce the bulk of the building and locations where there are more than two levels above ground. A cut may be provided for the access to the basement car park. Site and elevation plans are required;~~
- b) Upgrade to the intersection of the entry to the site, with Coombes Road to include left and right hand turns into the development;
- c) Provide detailed plans for the proposed parking areas along Cypress Lane;
- d) Widen any narrow sections of Cypress Lane to a minimum width of 5.5m, at the full cost of the permit holder;
- e) Provide a pedestrian footpath on at least one side of Cypress Lane for its entire length, connecting up to Coombes Road, at the full cost of the permit holder;
- f) The provision of boundary fencing to the property boundaries and each of the retirement villa independent living units, which must be in accordance with Council's Boundary Fencing Policy;
- g) A detailed fencing plan that demonstrates that the boundary fences do not impact on existing vegetation to be retained on the subject site and within the adjoining reserves. Fencing must be metal picket fences, or similar, with a minimum of 75% permeability. Brick pillars, or similar may be provided to either side of the entrance gate on the Coombes Road entrance. Pedestrian access gates may be provided at the northern and southern end of the eastern boundary as shown on the submitted plans;
- h) The Landscape Plan amended to show:
 - i) Grass to be Santa ana couch turf grass seed mix, or as otherwise approved by the Responsible Authority, to the south-west quarter of the site.
 - ii) No *Acacia verticillata* near paths or in grassed areas (to be within planted areas only due to maintenance requirements).
 - iii) No *Eucalyptus leucoxylon bellarinesis*, *Eucalyptus ovata*, *Eucalyptus viminalis*, *Eucalyptus obliqua* or other eucalyptus variety planted within the road reserve along Cypress Lane due to the size of the canopies of these trees and the associated management and safety issues burdened on Council as a result.
 - iv) All trees to be offset a minimum of 3m from any fencing to allow for mowing.
 - v) Retain a total width (either side of paths) of at least 4m for maintenance vehicle access. Trees must be offset from paths a minimum of 2m.
 - vi) Maintenance vehicle access must be provided at the entrance to the reserve, including a provision for a vehicle crossover and fixed and removable bollards.
- e) ~~The retention of the northern windrow of the Monterey Cypress running parallel to Coombes Road, identified as Plantation 1 in the Tree Health and Impact Assessment report undertaken by Let's Talk About Trees, Dated February 2023;~~
- d)j) A site plan showing the existing and proposed title boundaries;
- e)j) Details of external lighting which is to be designed to minimise light pollution in the landscape, through lighting intensity and baffling to limit views to external lighting; and
- f)k) The location of external plant and equipment including but not limited to service units for heating, cooling and hot water, solar panels, service shafts, ventilation systems, waste chute, television antennae and communication devices, service metres, clotheslines, car park mechanical exhaust and ventilation which is to be located and designed so as not to be visually prominent from the public realm or neighbouring properties. Where visible the plant shall be appropriately screened.

Landscape plans required for endorsement

2. Concurrent with the plans required by Condition 1, a landscape plan to the satisfaction of the responsible authority must be submitted to and approved by 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. The

landscaping plan must be generally in accordance with the landscape concept plan dated (November 2022/February 2024) prepared by (Habitat), except that the plan must show:

- a) A staging plan for the landscaping to correspond with the staging of the proposed development, including to provide for perimeter tree planting as part of stage 1 of the development;
- b) Landscaping and tree planting within all open and public areas within the site, including set out and offset from proposed infrastructure;
- c) Where the plan includes the planting of species from the family Myrtaceae, the plan must specify appropriate measures to control the introduction and spread of the disease Myrtle Rust (*Uredo rangelii*), such as quarantining of plants and inspections prior to planting;
- d) Hessian tree ties only are to be specified for tree planting where staking is required;
- e) The southern boundary, adjacent to the Deep Creek Nature Reserve, fenced with rural style post and wire fencing;
- f) The eastern boundary, adjacent to the Surf Coast Highway Linear reserve, fenced with a semi permeable fence with a maximum height of 1.8m;
- b)g) Indigenous canopy trees around the perimeter of the site, which are predominantly *Eucalyptus* species to assist with visually softening the development when viewed from beyond the site;
- e)h) Indigenous planting within 50m of the southern (rear) boundary, abutting the Deep Creek corridor;
- d)i) Indigenous planting, including trees and shrubs in the north-eastern corner of the site, to provide a visual screen when viewing the site from Surf Coast Highway near to Coombes Road;
- j) The retention of the northern windrow of Monterey Cypress running parallel to Coombes Road, identified as Plantation 1 in the Tree Health and Impact Assessment report undertaken by Let's Talk About Trees, Dated February 2023⁴;
- e)k) Site works specification and method of preparing, setting out, draining, watering and maintaining the landscaping;
- f)l) Details of surface finishes of pathways and driveways;
- m) The use of suitable sustainable materials (ie recycled, reusable and recyclable, low embodied energy) for all hard landscape elements;
- n) The location and design details (construction details and specification/fixtures and finishes schedule) of all landscape features including paths, shelters, boardwalks, railings, park furniture, retaining walls, access points and linkages;
- o) Any proposed planting within the Cypress Lane road reserve and Reserve No. 3 on the title must have regard for the density of planting and species selection in considering bushfire risk.
- g)p) A survey (including botanical names) of all existing vegetation to be retained and/or removed.
- h)q) Buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary;
- i)r) 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 on the subject land, including the Cypress Lane road reserve; and
- j)s) The predominant use of plant species indigenous to the locality.

All species selected must be to the satisfaction of the responsible authority.

Stormwater Management Plan

3. Concurrent with the plans required by Condition 1, a stormwater management plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Stormwater Management Plan will be endorsed and will then form part of the permit. The Stormwater Management Plan must be designed to:

- a) Ensure that flows downstream of the site are restricted to pre-development levels unless increased flows are approved by the relevant drainage authority and there are no detrimental downstream impacts. The Stormwater Management Plan must be generally in accordance with LOETIS Strategy, March 2024;

- b) Meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999);
- c) Explore stormwater harvesting for grey water use (such as toilet flushing, clothes washing etc);
- d) Maintenance responsibilities, requirements and costs for the stormwater infrastructure installed;
- e) Contribute to cooling, improving local habitat and providing attractive and enjoyable spaces;
- f) Connect to Council Infrastructure or the Deep Creek outfall;
- g) The temporary treatment or protection of final treatment facilities for stormwater during the construction phase of the development with the final wetland construction and landscaping completed prior to the issue of the Statement of Compliance for the last stage of the development; and
- h) A construction site plan that incorporates the stormwater management measures to be implemented during the construction phase of the development and outlines in detail how stormwater is to be managed, including sediment controls, during both the land development phase and the building phase. The plan should have regard to the Construction Techniques for Sediment Pollution Control (EPA 1991) and Environmental Guidelines for Major Construction Sites (EPA 1995). The management controls are to be regularly monitored and maintained.
- h)i) Ensure that the existing stormwater system(s) is in a suitable condition and has sufficient capacity to accommodate the flows from the development. And should identify any upgrades or renewals required

Deep Creek outlet

4. Concurrent with the plans required by Condition 1, a CCTV audit report must be carried out and submitted to the Responsible Authority appraising the structural condition of the outlet pipe and making any recommendations deemed necessary regarding its renewal must be submitted and approved by the Responsible Authority. Any renewal of the asset is to be done by non-destructive methods to the satisfaction of the Responsible Authority.

Endorsed Plans

5. The use and development and use as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.

Consolidation

6. Before the development starts the land (as Lots 36A, 36B, 37A, 38A, 39, 40A, 40B, 41A and 41B on PS305011W, ~~Cypress Lane and part of Reserve No. 3~~) must be consolidated under the *Subdivisions Act 1988* into a single lot.

Construction Management Plan

7. Before the development starts for each stage, a construction management plan to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must address the following matters:
 - a) Measures to minimise the impact of construction vehicles arriving at, queuing, and departing from the land;
 - b) Measures to accommodate the private vehicles of workers/ tradespersons;
 - c) Details of the location of all construction equipment and facilities, including delivery points, storerooms, toilets, temporary offices and workers' facilities;
 - d) Noise attenuation measures to be put in place to protect the amenity of nearby residents during construction having regard to the EPA Guidelines on Construction and Demolition Noise;
 - e) Measures to minimise the generation and dispersal of dust;
 - f) Sediment and pollutant control of stormwater flows, site containment, protection of Deep Creek and adjacent roads and infrastructure;
 - g) Protection of retained native vegetation on the land and adjoining land;
 - h) Details of a 24 hour hotline for access to a contact person or project manager accountable for the project and compliance with the CMP;

- i) Arrangements for waste collection and other services to be provided during construction;
- j) Location of stockpiles;
- k) Methods of disposal of excess materials;
- l) Details of the haul route for transport of excess materials removed from the site and delivery of materials to the site; and
- m) Inspection of haul route with council representative to audit condition of haul route prior to and post construction with any damage identified to be rectified by the contractor at his expense;

to the satisfaction of the Responsible Authority.

Construction Environmental Management Plan

8. Prior to works commencing a Construction Environmental Management Plan (CEMP) must be submitted to and approved by the Responsible Authority. The plans shall address control of site emissions and must include measures to be taken to ensure that no polluted water and/or sediment laden runoff is discharged directly or indirectly into stormwater drains or watercourse during the construction and the defects liability period to the satisfaction of the Responsible Authority. The CEMP must be prepared in accordance with the Civil construction, building and demolition guide, Publication 1834, (EPA, 2020). When approved the CEMP will form part of this permit. The plan must incorporate, but not limited to, the following information:
- a) Proposed construction access to the site;
 - b) Proposed construction vehicle haulage routes to the site;
 - c) Maps providing the location of the work zones;
 - d) Vegetation within the zone that is to be retained or removed;
 - e) Fencing and establishing No Go Zones which are clearly designated including areas outside the site i.e. Deep Creek reserve;
 - f) The type and location of all sediment and erosion controls to be used on-site. These are to be identified on the maps provided as part of the CEMP;
 - g) Include measures to be taken to ensure no polluted water and/or sediment laden runoff is to be discharged directly or indirectly into stormwater drains or watercourses, including Deep Creek, during the construction period. The plan must show where and how dewatering will be undertaken during construction;
 - h) Details of the induction process and how these records will be kept;
 - i) Measures to prevent the introduction of new weeds into the area and the further spread of existing weeds including environmental weeds as identified in "Environmental weeds: Invaders of the Surf Coast" booklet;
 - j) Indicative dates for commencement and completion of works;
 - k) Details of where works personnel will park; and
 - l) Phone numbers of on-site personnel or other supervisory staff to be contactable in the event of issues arising on site.

Detailed Construction Plans

9. Prior to the commencement of the development, detailed engineering plan to the satisfaction of responsible Authority must be submitted to and approved by 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 include:
- a) Detailed plans of Auxiliary Left and Right Turn Lane at the intersection of the access road and Coombes Road;
 - b) Any required construction of Cypress Lane.
 - a)c) Detailed footpath along Cypress Lane.
 - b)d) Internal road design with consideration to provision of on-street parking, footpaths, street lighting, vehicle crossover, traffic management measure, street signs access for emergency vehicles, garbage collection vehicles;
 - e)e) Stormwater drainage including pits and pipes, WSUD infrastructure, any erosion protection

measures required under CCMA Waterway Management Plan; and

d) Signage and Line marking.

All works constructed or carried out must be in accordance with those plans.

Water

10. Before commencement of the development an agreement with Barwon Water must be established for the connection to reticulated sewer.
11. Before occupation of each stage of the development the proposal must be connected to reticulated sewer.

Development Contributions

12. Prior to the commencement of each stage of the development, a Development Infrastructure Levy and Community Infrastructure Levy must be paid to the Collecting Agency (Surf Coast Shire Council) based on the net change in demand units in accordance with the provisions of the incorporated Torquay – Jan Juc Development Contributions Plan applying to the land. Please note that the Development Infrastructure Levy amount will be adjusted annually on 1 July each year to cover inflation, by applying the Building Price Index June Quarter for Melbourne in Rawlinsons Australian Construction Handbook.

You will need to contact Council within 28 days prior to payment being issued to confirm the amount due.

Vegetation Management Plan

13. Before the development starts, a vegetation management plan prepared by a suitably qualified person must be approved and endorsed by the responsible authority. The vegetation management plan must: include the following:
 - a) Measures that must be incorporated into the design and construction of the development to ensure the protection of any trees identified for retention, determined in accordance with Australian Standard AS4970-2009 - Protection of Trees on Development Sites;

The location of tree protection zones (TPZ) and tree protection fencing for trees identified for retention on a plan that is drawn to scale with dimensions;

- b) Measure to ensure that tree protection fencing remain in place and be maintained around any trees identified for retention on the approved and endorsed plans;
- c) Measures to ensure that development, excavation, construction works or activities, grade changes, surface treatments, storage and movement of construction materials and vehicles of any kind must not occur on or over and must be excluded from any areas inside the tree protection fencing;
- d) Any pruning that is required to be done to the canopy or root system of any tree to be retained must be done by a qualified arborist to Australian Standard – Pruning of Amenity Trees AS4373-1996, to the satisfaction of the responsible authority; and
- e) Measures to ensure that vegetation removal and disposal does not cause damage to vegetation stands to be retained or to drainage lines or watercourses, particularly vegetation present within the road reserve of the Surf Coast Highway to the east and along the Deep Creek Reserve to the south.

Vegetation Preclearance Survey

14. Prior to the commencement of any tree removal, an ecologist must be appointed to conduct a preclearance survey to assess the presence of fauna. Where fauna is likely to be present in trees or vegetation proposed for removal, a suitably qualified wildlife handler must be present during removal to ensure that native fauna is managed in accordance with DEECA guidance and all necessary authorisations must be obtained prior to removing or translocating native fauna.

Tree Management Plan for trees to be retained

15. Prior to the commencement of the development, a Tree Management Plan prepared by a suitably qualified person must be approved and endorsed by the responsible authority. When approved, the Tree Management Plan will form part of this permit and all works must be done in accordance with the Tree Management Plan. The tree management plan must be generally in accordance with the recommendations of the Tree Health and Impact Assessment (arborist) report undertaken by Let's Talk About Trees, dated February 2023 but include recommendations for the short term and long term health and stability of the trees (plantations) to be retained, including the useful life expectancy of Plantation No. 3 (Tuart Gum trees).

The Tree Management Plan must detail measures to protect and ensure the viability of trees to be retained on the site and adjoining land as identified on the endorsed plans. Without limiting the generality of the Tree Management Plan it must have at least three sections as follows:

- a) Pre-construction – details to include a tree protection zone, the height of a barrier around the tree protection zone, method of cutting any roots or branches which extend beyond the tree protection zone and the identification of risks with the remaining trees and the planned development and actions to address these risks.
- b) During-construction – details to include method of protection of exposed roots during construction including installation of boundary fencing.
- c) Post-construction – details to time of final inspection when barrier can be removed and protection works can cease.

Commencement of landscaping works

16. The Shire's Parks and Open Space Coordinator is to be contacted prior to commencement of any:
- a) works associated with the approved landscape (for a pre-commencement meeting on site);
 - b) street tree and reserve planting (for confirmation of and approval of set out of the location of the street and reserve trees);
 - c) planting of the first street tree within the streetscape (for inspection of the installation hole);
 - d) landscape hard works set out including pathway locations;
 - e) soft landscape works.

A minimum of 48 hours notice is required prior to all meetings listed above is required.

Completion of landscaping works

17. Before the commencement of the use hereby permitted or the completion of Stage 1 of the development, whichever occurs earlier, the permit holder must provide:

- a) Landscaping; and
- b) Fencing of Council reserves;

in accordance with the endorsed plans and to the satisfaction of the Responsible Authority.

Landscaping maintenance

18. All hard and soft landscape works forming part of the endorsed landscaping plans (including streetscape) must be maintained for a minimum of 24 months, to the satisfaction of the Responsible Authority. A log book is to be kept during the maintenance period of what maintenance work has been done, what materials including toxic materials that have been used. This log book should be available upon request by the Responsible authority unless otherwise agreed in writing by the Responsible Authority. The maintenance period will commence from for a minimum period of 2 years from the agreed date of practical completion by Council's Parks and Open Space Coordinator.

Prior to handover of the works following completion of the 2 year maintenance period Council's Parks and Open Space Coordinator is to be contacted for an inspection 3 months prior to the expected handover date. Defects are to be agreed and documented. Defects are to be rectified and a minimum 48 hours notice given to the Parks and Open Space Coordinator for attendance at the final handover meeting following the 2 year maintenance period.

Declared noxious weeds and pest animals are to be controlled across the development site and during the 2 year maintenance period as per the responsibilities of the land owner under Section 20 of the Catchment and Land Protection Act 1994, namely that the land owner must take all reasonable steps to: prevent the spread of, and as far as possible, eradicate established pest animals; eradicate regionally prohibited weeds, and prevent the growth and spread of regionally controlled weeds.

Waste

19. Before the development starts, a waste management plan prepared to the satisfaction of the responsible authority must be approved and endorsed by the responsible authority. The plan must be submitted in electronic form. The waste management plan must:

- a) Anticipate volumes of waste and recycling that will be generated and how they are determined;
- b) Nominate the type and number of waste bins, which must include at least four waste streams (i.e. general waste, comingled recycling, separated glass and food recovery) for all residential and ancillary areas;
- c) Nominate the type and size of trucks required for waste collection, and the access arrangements for waste collection vehicles through the proposed gates;
- d) Provide a plan detailing adequate areas for waste bin storage and collection for the required

type and number of bins. Each independent living unit must have its own bin storage and service location, providing a minimum 0.5m separation between bins for servicing and 3 bins for each independent living unit;

- e) Require signage for bin service areas to ensure clear access for waste collection vehicles;
- f) State that all waste collection for the use and development hereby permitted will be undertaken by a private waste collection contractor and not rely on Council-managed services;
- g) Nominate the frequency of waste collection; and
- h) Nominate the hours for waste collection.

The responsible authority may consent in writing to vary the details on an approved waste management plan.

Waste management and collection must be carried out in accordance with the requirements of the approved and endorsed waste management plan to the satisfaction of the responsible authority

15-20. Adequate provision must be made for the storage and collection of garbage and recyclables in bins or receptacles to the satisfaction of the responsible authority.

16-21. Litter on the site must be collected daily and placed in waste storage bins to the satisfaction of the responsible authority.

Completion of development

17-22. Before the use commences for each stage of the development:

- (b)(a) Roadworks;
- (c)(b) Landscaping;
- (d)(c) Drainage; and
- (e)(d) The stormwater detention and treatment system.

Must be carried out and completed for each stage of the approved development in accordance with the endorsed plans for that stage and to the satisfaction of the Responsible Authority.

The landscaping shown on the endorsed plans for each stage of the development must be maintained to the satisfaction of the responsible authority, including that any dead, diseased or damaged plants are to be replaced.

18-23. Roadworks shown on the endorsed plans on land owned or managed by the Surf Coast Shire Council must be completed to the satisfaction of Council before the commencement of use at the full cost of the owner or developer of the land.

19-24. Before the use of the land commences for each stage of the development including car parking, access roads, stormwater management facilities and landscaping must be completed in accordance with each stage of the staging plan to the satisfaction of the Responsible Authority.

Car Parking

20-25. Before the occupation of each stage of the development the area(s) set-aside for the parking of vehicles and access lanes (internal roads) as shown on the endorsed plans must be:

- (a) Constructed;
- (b) Properly formed to such levels that they can be used in accordance with the plans;
- (c) Surfaced with an all-weather seal coat;
- (d) Drained;
- (e) Line marked to indicate each car space and all access lanes;
- (f) Clearly marked to show the direction of traffic along access lanes and driveways; and

to the satisfaction of the responsible authority. Car spaces, access lanes and driveways must be kept available for these purposes at all times.

Replanting

24-26. Replanting to compensate for the loss of native vegetation shall be undertaken with indigenous plants of local provenance of at least an equivalent number of plants removed or destroyed and within 12 months of clearing at a site(s) agreed to by the responsible authority.

Section 173 Agreement

22-27. Before the use commences for the first stage of the development, as per the staging plan the owner must enter into an agreement with the responsible authority made pursuant to section 173 of the Planning and Environment Act 1987, and make application to the Registrar of Titles to have the agreement registered on title to the land under section 181 of the Act, which provides for the following:

- (a) The owner is responsible for maintaining the internal drainage system of the development, including the stormwater the ongoing maintenance and renewal required for the stormwater treatment as per the manufacturers specification; and
- (b) Ongoing monitoring of any erosion of Deep Creek at Deep Creek stormwater outlet from completion of the first stage of the development, until two years after the completion of the final stage of the development. A report from a professional must be submitted every #number# years and approved to the Responsible Authority and the CCMA including any recommendations that may be required regarding and degradation of the embankment. Any rectification works must be approved by the Responsible Authority and the CCMA and undertaken at the expense of the owner/operator of this permit.

The owner/operator under this permit must pay the reasonable costs of the preparation, execution and registration of the section 173 agreement.

Public Access

~~23. Public access to the pedestrian path running parallel to the western boundary, from Coombes Road (northern boundary) to the Deep Creek Linear Reserve (southern boundary) must be available to the public 24 hours a day to the satisfaction of the Responsible Authority.~~

Fencing

24-28. Any new fencing must not contribute to the bushfire risk associated with the site.

Haul Route

25-29. Prior to the occupation of the final stage of the development the applicant must rectify any damage to the haul route to the satisfaction of the responsible authority.

Independent Living Units

26-30. The Independent Living Units must be operated and managed in accordance with the *Retirement Villages Act 1986*.

Amenity

27-31. The use must be conducted to the satisfaction of the responsible authority so that the amenity of the area is not detrimentally affected by the use or development, through the:

- a) Transport of materials, goods or commodities to or from the land;
- b) Appearance of any buildings, works or materials;
- c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;
- d) Presence of vermin; and
- e) Others as appropriate.

Loading and unloading

28-32. Deliveries to and from the site (including fuel deliveries and waste collection) must only take place between:

- a) 7:00 am and 6:00 pm Monday to Friday; and
- b) 7:00 am and 1:00 pm Saturday.

No deliveries are to occur on Sunday and Public Holidays.

The loading and unloading of goods from vehicles must only be carried out on the land within the designated loading bay.

Batter of slopes

[29-33](#) The slope of batters, both cut and fill, shall not exceed 2:1 (horizontal: vertical) (and where this is not practical, batter shall be stabilised by mechanical means with materials such as rocks or railway sleepers) to the satisfaction of the responsible authority.

[30-34](#) All earthworks authorised by this permit shall be undertaken in a manner which will minimise soil erosion in accordance with the Guidelines for Minimising Soil Erosion and Sedimentation from Construction Sites in Victoria, Soil Conservation Authority, 1970).

Mulch exposed soil

[34-35](#) All disturbed and exposed areas of soil shall be protected with a weed free mulch such as woodchips or "eucamulch" to reduce soil erosion (and revegetated in accordance with the endorsed landscape plan as soon as possible after the works have been completed to the satisfaction of the responsible authority.

Stabilise erosion

[32-36](#) Should soil or cliff erosion or slumping occur as a result of the development, the Responsible Authority shall, require immediate works to be undertaken by the owner(s) of the land to stabilise the site.

Department of Energy, Environment and Climate Action Conditions

Notification of permit conditions

[33-37](#) Before works start, the permit holder must advise all persons undertaking the vegetation removal or works on site of all relevant permit conditions and associated statutory requirements or approvals.

Construction management

[34-38](#) Prior to the commencement of works, the permit holder must inform contractors that adjacent drainage lines are areas of ecological value or pathways to areas of ecological values (e.g. rivers, oceans and wetlands), and that no construction activity or disturbance is to occur in these areas.

[35-39](#) Stockpiles, laydowns and other temporary construction areas are not to be located within 50 m of any drainage lines.

[36-40](#) Best practice erosion and sediment control measures are to be implemented to prevent any off-site impacts.

Native vegetation offsets

[37-41](#) To offset the removal of 2.687 hectares of native vegetation the permit holder must secure a native vegetation offset, in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation* (DELWP 2017) as specified below:

- a) A general offset of 0.600 general habitat units:
 - I. located within the Corangamite Catchment Management Authority boundary or Surf Coast Shire Council municipal area;
 - II. with a minimum strategic biodiversity value of at least 0.683, ~~and~~

[38-42](#) Before any native vegetation is removed, evidence that the required offset for the project has been secured must be provided to the satisfaction of the responsible authority. This evidence must be one or both of the following:

- a) an established first party offset site including a security agreement signed by both parties, and a management plan detailing the 10-year management actions and ongoing management of the site, and/or
- b) credit extract(s) allocated to the permit from the Native Vegetation Credit Register.

CFA Conditions

BAL Plan required

[39-43](#) Prior to development occurring a BAL Plan must be prepared to the satisfaction of CFA then submitted to the Responsible authority for endorsement. Once endorsed the BAL Plan must not be modified unless with the written consent of CFA.

The BAL Plan must:

- a) Include a plan which clearly numbers each building; and
- b) Provide a Bushfire Attack Level for each building that is generally in accordance with the recommendations in section 7.5 of the Bushfire Risk assessment prepared by South Coast Bushfire Consultants (dated March 2024).

Each building must be constructed to the Bushfire Attack Level specified in the endorsed BAL Plan.

Fire Hydrants

40.44. Operable hydrants, above or below ground must be provided to satisfaction of CFA. The maximum distance between these hydrants and the rear of all buildings must be 120m and hydrants must be no more than 200m apart.

Hydrants must be identified as specified in 'Identification of Street Hydrants for Firefighting purposes' available under publications on the Country Fire Authority web site (www.cfa.vic.gov.au).

Vehicle access

41.45. Vehicle access 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.

Vehicle access for more than 60m in length from the nearest intersection must have a turning circle with a minimum radius of 8m (including roll-over kerbs if they are provided) T or Y heads of dimensions specified by the CFA may be used as alternatives.

Curves in driveway must have a minimum radius of 10 metres.

Vehicle access must provide a minimum trafficable width of 3.5 metres, be clear of encroachments 4 metres vertically and have no obstructions within 0.5 metres either side of the formed width of the road, to the satisfaction of the Responsible Authority.

Expiry

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

- (a) The first stage of the development is not started within 2 years of the date of this permit;
- (b) The use is not commenced within 4 years of the date of this permit; and
- (c) The development is not completed within 10 years of the date of this permit

The permit expiry may be extended in accordance with Section 69 of the *Planning and Environment Act 1987*.

Notes

The following requirements apply to vehicle crossings and driveways:

- Vehicle crossings shall be constructed in reinforced concrete or other approved material;
- New vehicle crossings to suit the proposed driveways shall be constructed;
- Redundant vehicle crossings shall be removed and kerb and channel or other approved road edgings reinstated to suit existing works;
- Pathways shall be replaced with a section capable of sustaining traffic loadings where vehicle crossings are constructed or relocated;
- Entrance culverts with endwalls and suitable pavement material must be constructed to suit the proposed driveways to the satisfaction of the responsible authority; and

A "Works Within Road Reserve" permit shall be obtained from the Coordinating Road Authority defined in the Roads Management Act 2004 prior to any works being undertaken in road reserves.

It is recommended that planting within the Cypress Lane road reserve be made up of a mix of local smaller trees and shrubs such as the following:

- Small trees
 - Blackwood (*Acacia melanoxylon*)
 - Lightwood (*Acacia implexa*)
 - Varnish Wattle (*Acacia verniciflua*)
- Shrubs
 - Silver Banksia (*Banksia marginata*)
 - Common Correa (*Correa reflexa*)
 - Hop Goodenia (*Goodenia ovata*)
 - Showy Daisy Bush (*Olearia lirata*)
 - Dusty Miller (*Sprydium parvifolium*)
 - Large-leaf Bush Pea (*Pultenaea daphnoides*)

Note that these lower trees and shrubs also provide good screening as they have more lower foliage.

ATTACHMENT 2 - PLANS

Figure 1 – Existing Site Conditions Plan

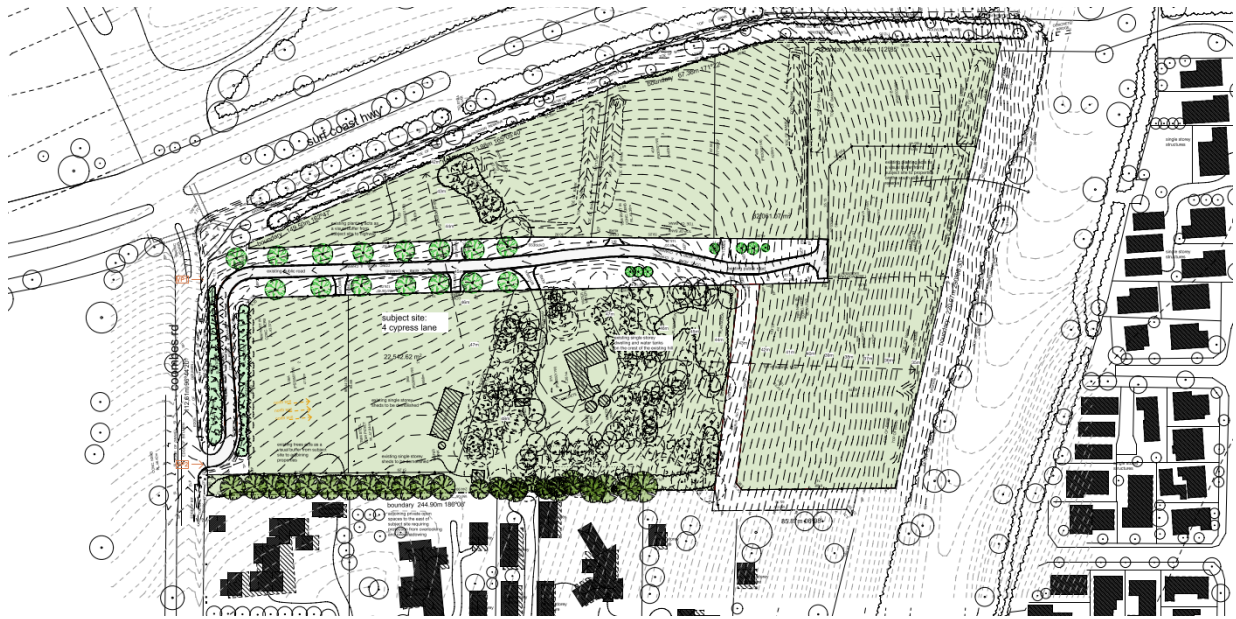


Figure 2 – Design Response Plan

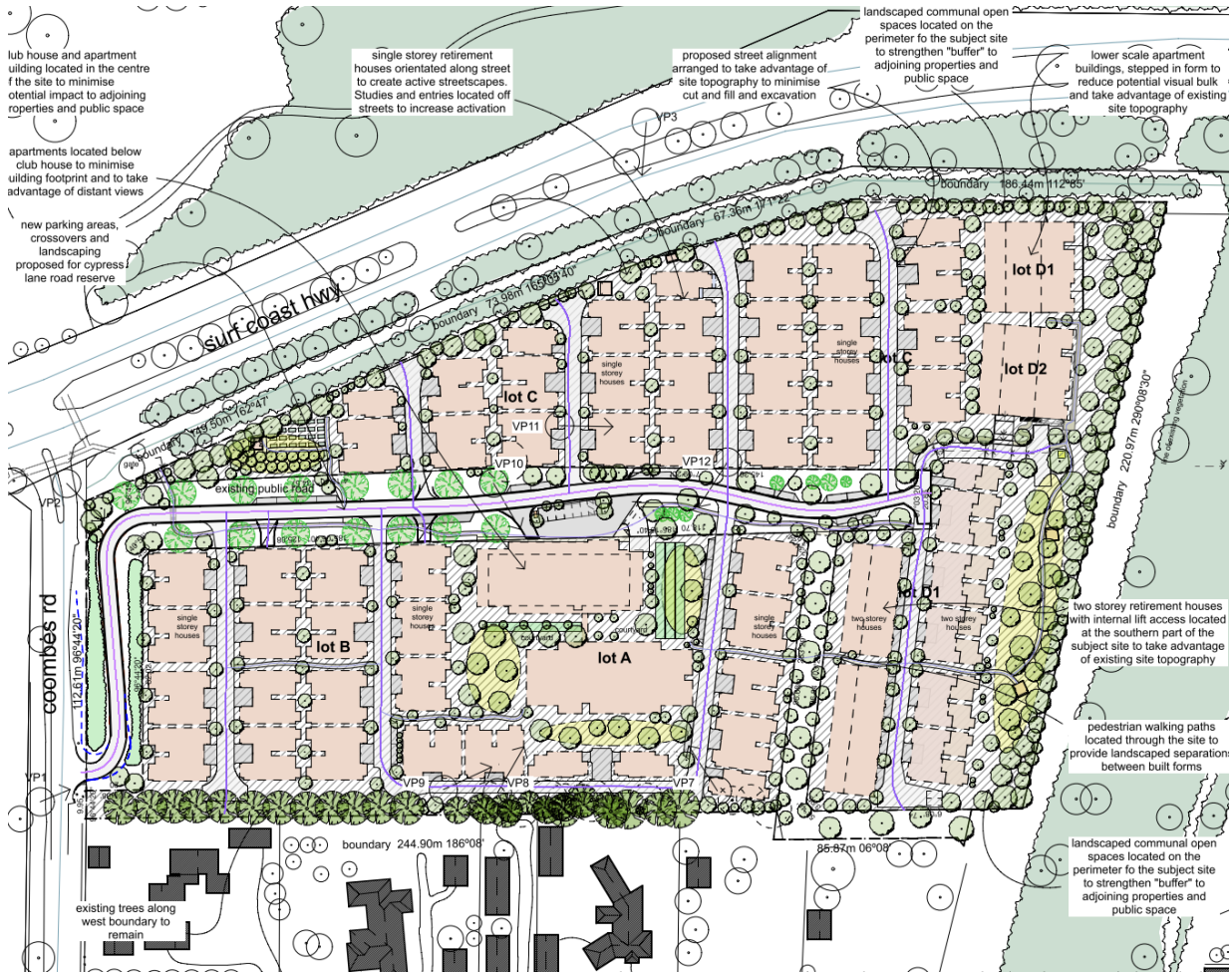


Figure 3 – Site Plan



Figure 4 – Basement Floor Layout Site Plan



Figure 5 - Ground Floor Layout Site Plan



Figure 6 – First Floor Layout Site Plan



Figure 7 – Second Floor Layout Site Plan

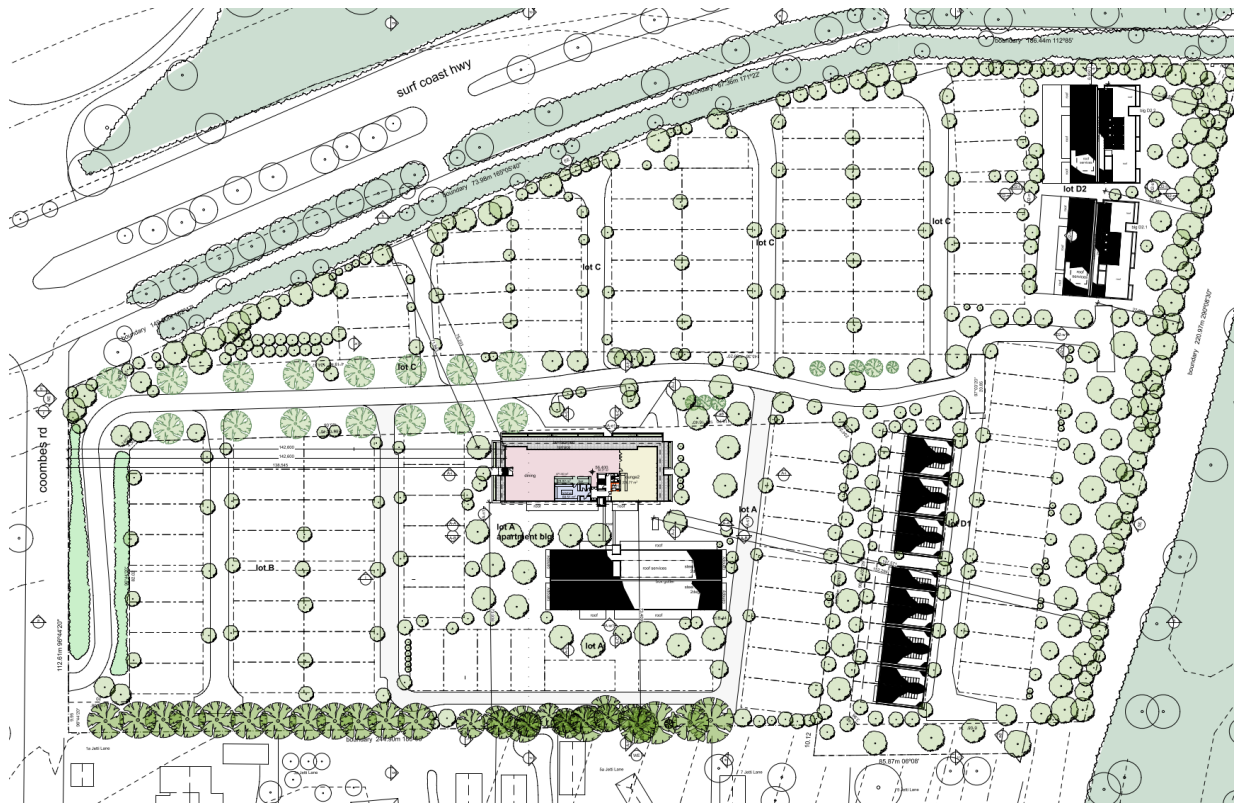


Figure 8 – Site Elevations

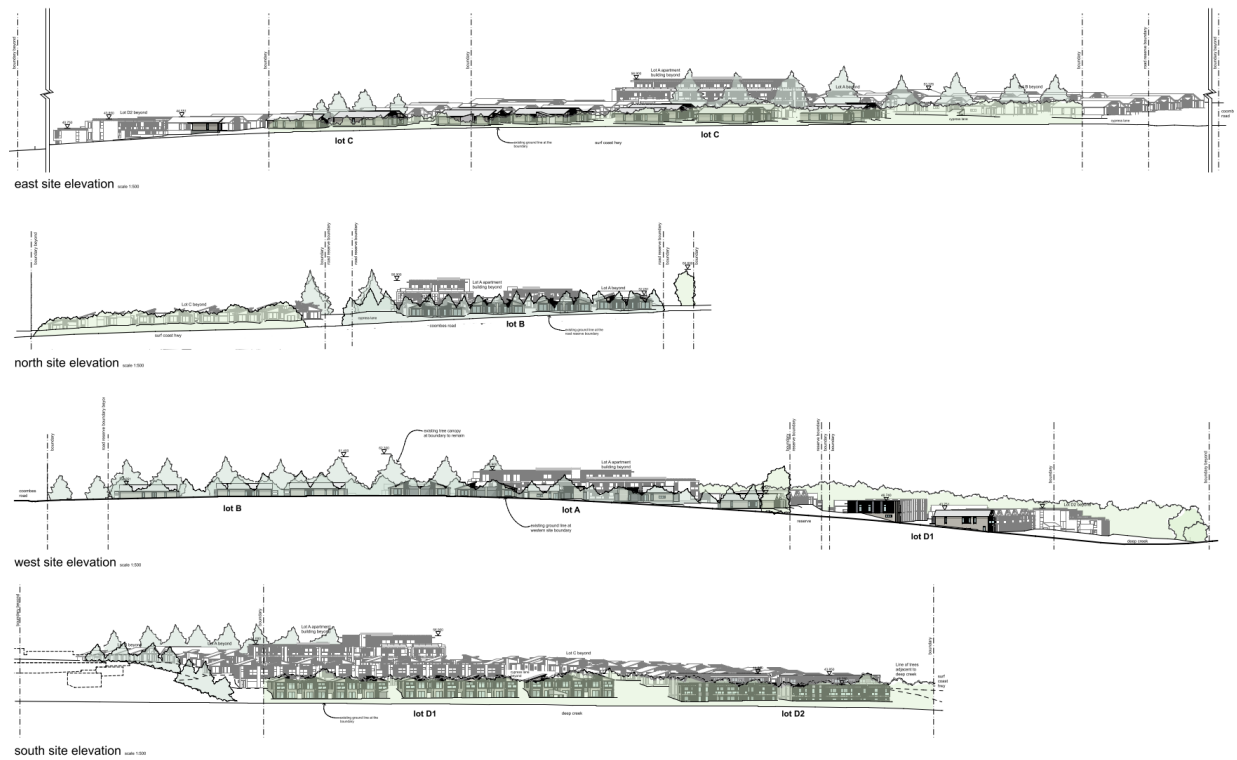


Figure 9 – Lot A Apartment Building Elevations Plan



Figure 10 – Lot D2 Apartment Building Elevations Plan

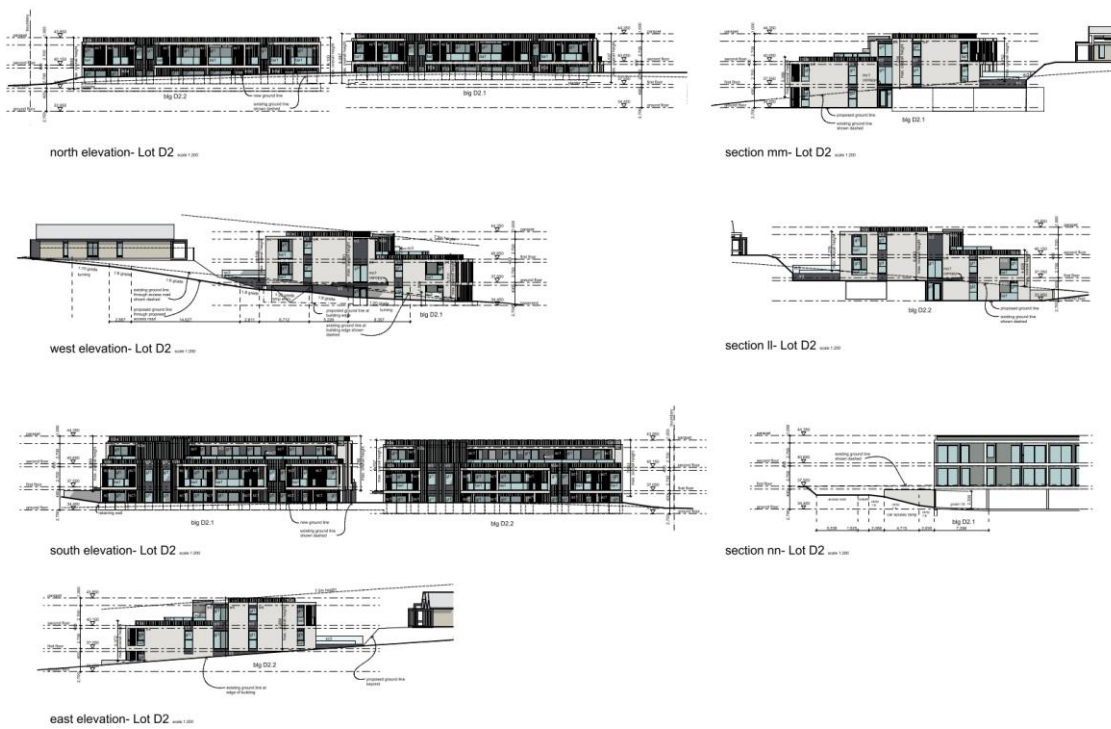


Figure 11 – Lot A Apartment Building Basement Floor Plan

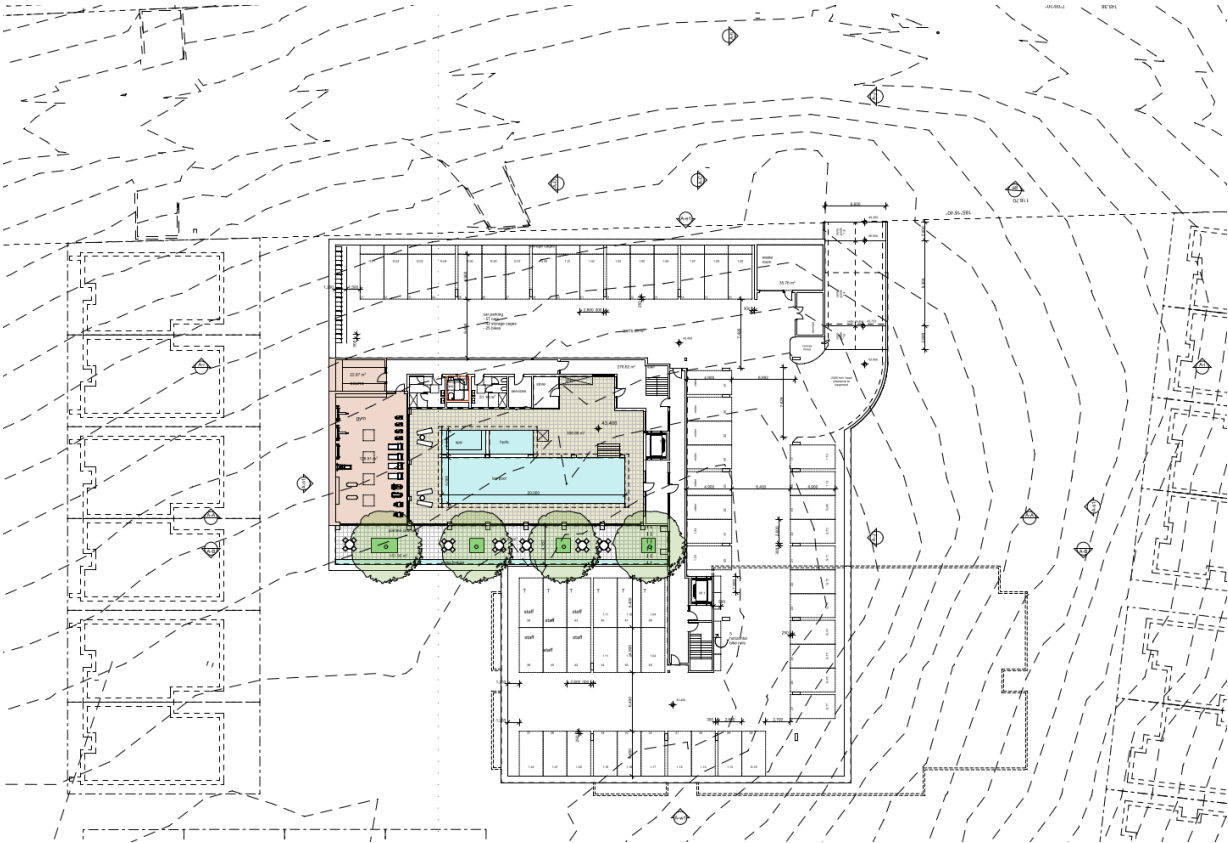


Figure 12 – Lot A Apartment Building Ground Floor Plan



Figure 13 – Lot A Apartment Building First Floor Plan



Figure 14 – Lot A Apartment Building Second Floor Plan

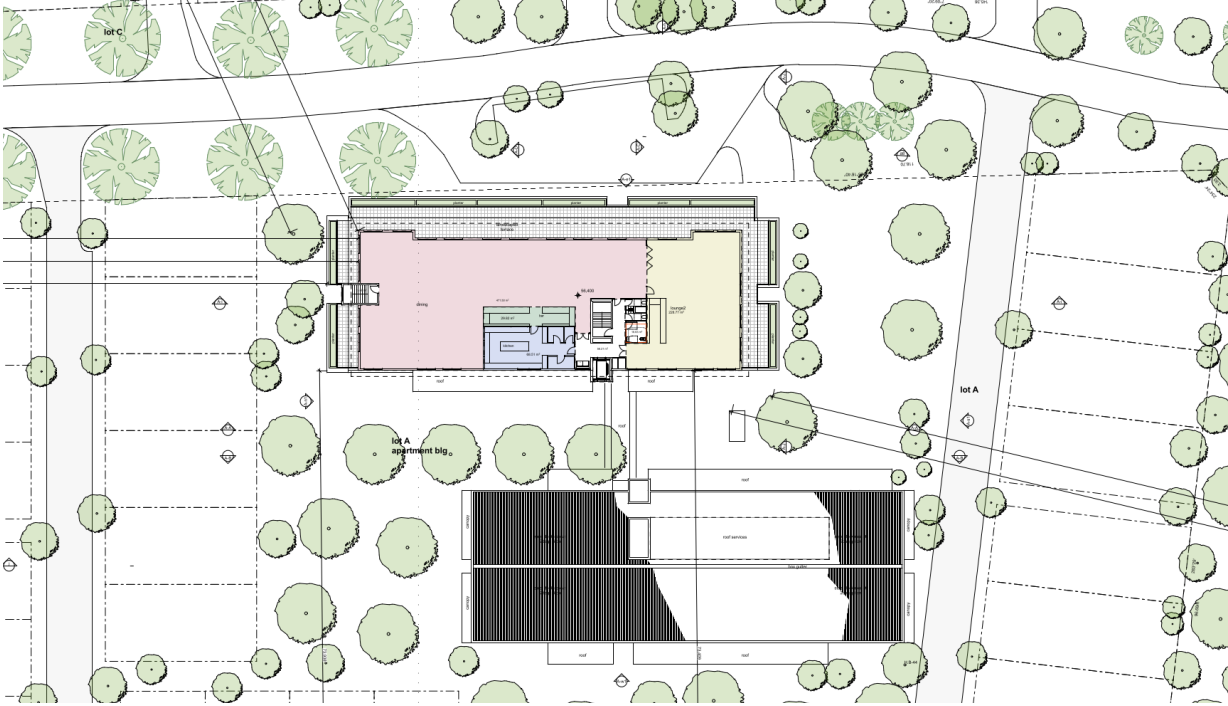


Figure 15 – Lot D1/D2 Apartment Building Basement Floor Plan



Figure 16 – Lot D1/D2 Apartment Building Ground Floor Plan

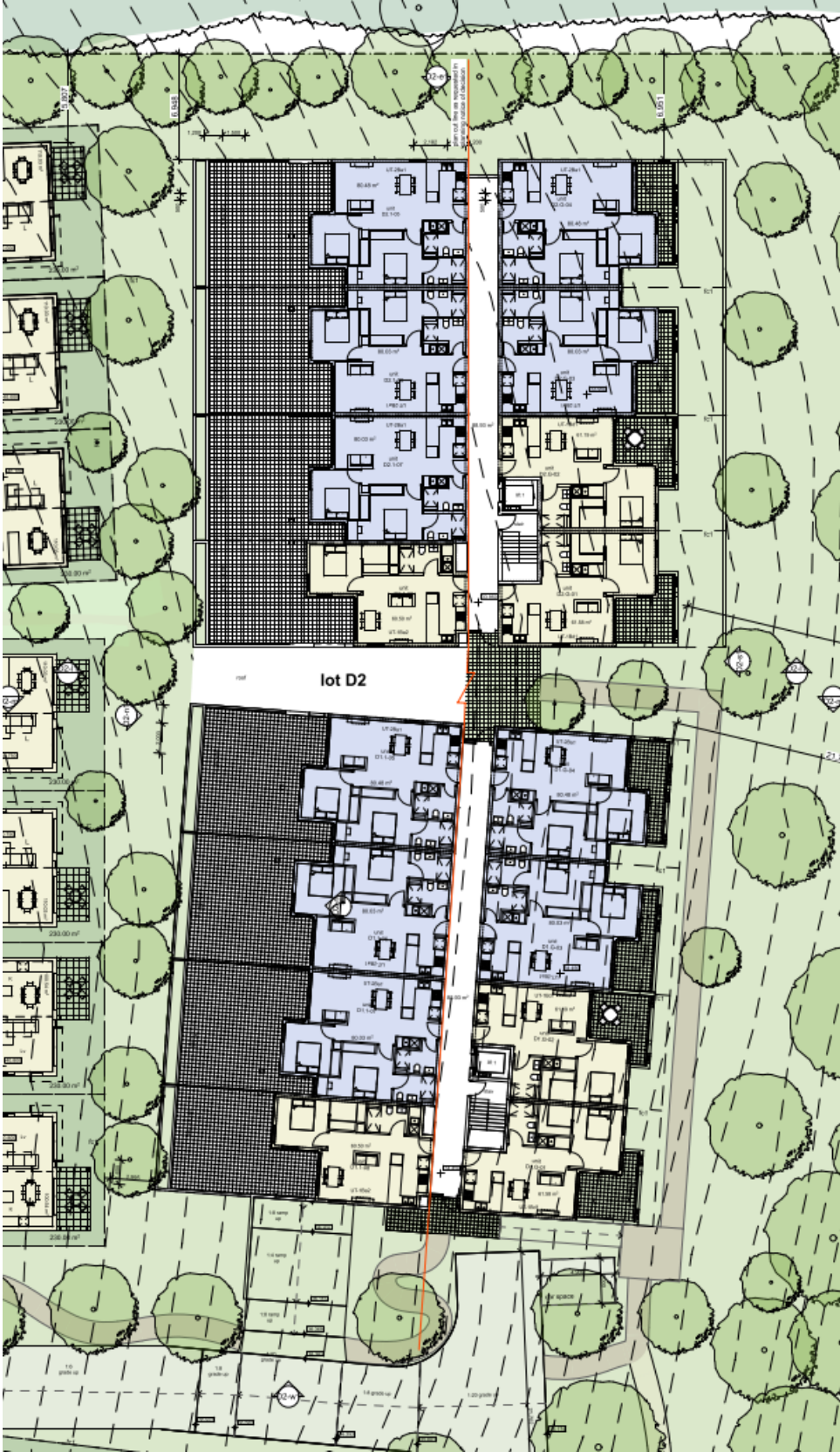


Figure 17 – Lot D1/D2 Apartment Building First Floor Plan



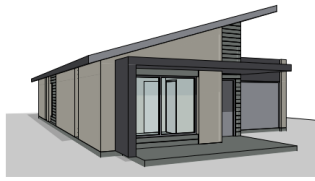
Figure 18 – Apartment Unit Floor Plan Layouts



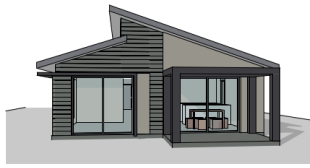
Figure 19 – Unit Type 1A Plans



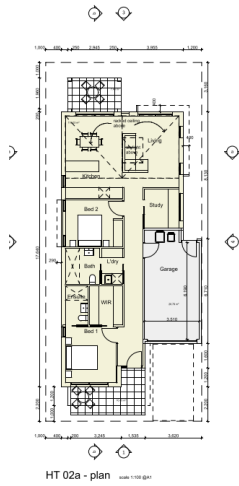
Figure 20 – Unit Type 2A Plans



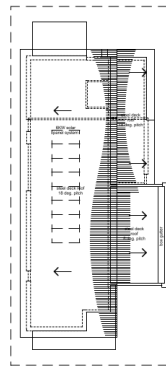
front view



rear view



HT 02a - plan scale 1:100 gpt



HT 02a - roof plan scale 1:100 gpt



HT 02a - elevation 4 scale 1:100 gpt



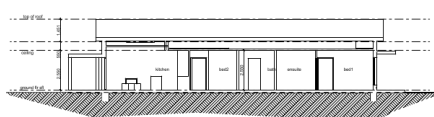
HT 02a - elevation 3 scale 1:100 gpt



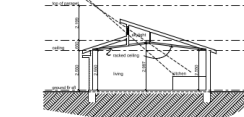
HT 02a - elevation 2 scale 1:100 gpt



HT 02a - elevation 1 scale 1:100 gpt

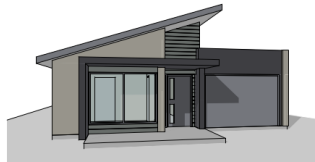


HT 02a - section b scale 1:100 gpt

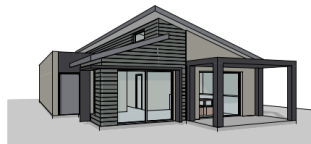


HT 02a - section a scale 1:100 gpt

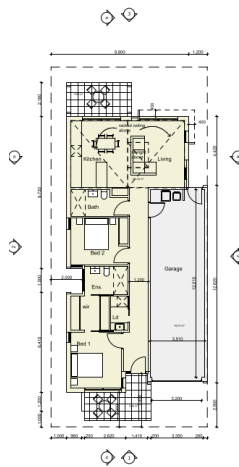
Figure 21 – Unit Type 3A Plans



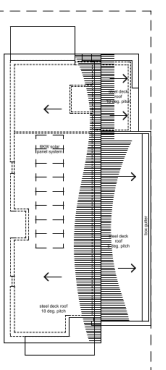
front view



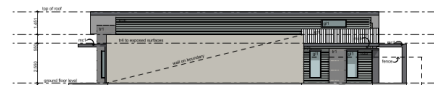
rear view



HT 03a - plan scale 1:100 gpt



HT 03a - roof plan scale 1:100 gpt



HT 03a - elevation 4 scale 1:100 gpt



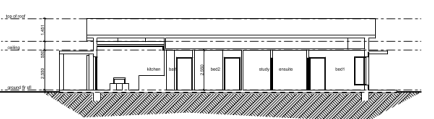
HT 03a - elevation 3 scale 1:100 gpt



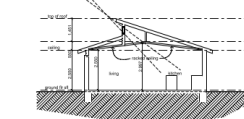
HT 03a - elevation 2 scale 1:100 gpt



HT 03a - elevation 1 scale 1:100 gpt



HT 03a - section b scale 1:100 gpt



HT 03a - section a scale 1:100 gpt

Figure 22 – Unit Type 6A Plans



Figure 23 – Unit Type 7A Plans



Figure 24 – Unit Type 8A Plans

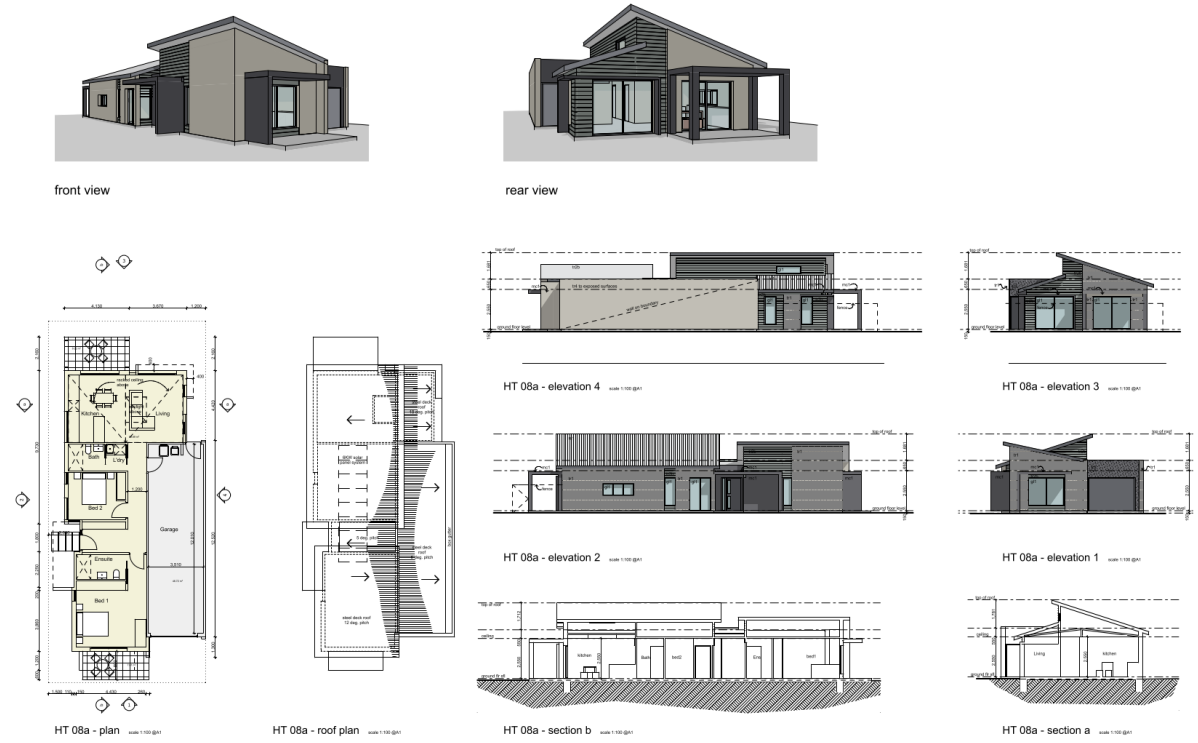


Figure 25 – Unit Type 9A Plans



Figure 26 – Unit Type 10A Plans



Figure 27 – Unit Type 12A Plans

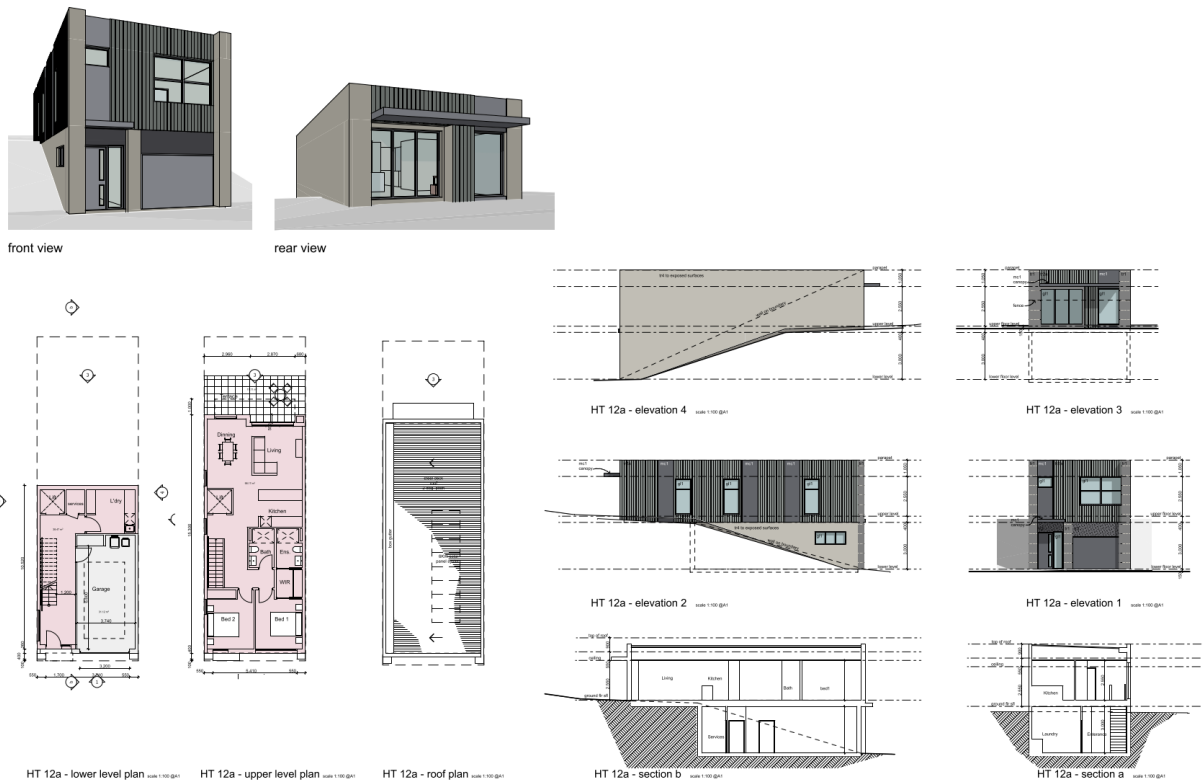


Figure 28 – Unit Type 13A Plans



Figure 29 – Pavilion Plans

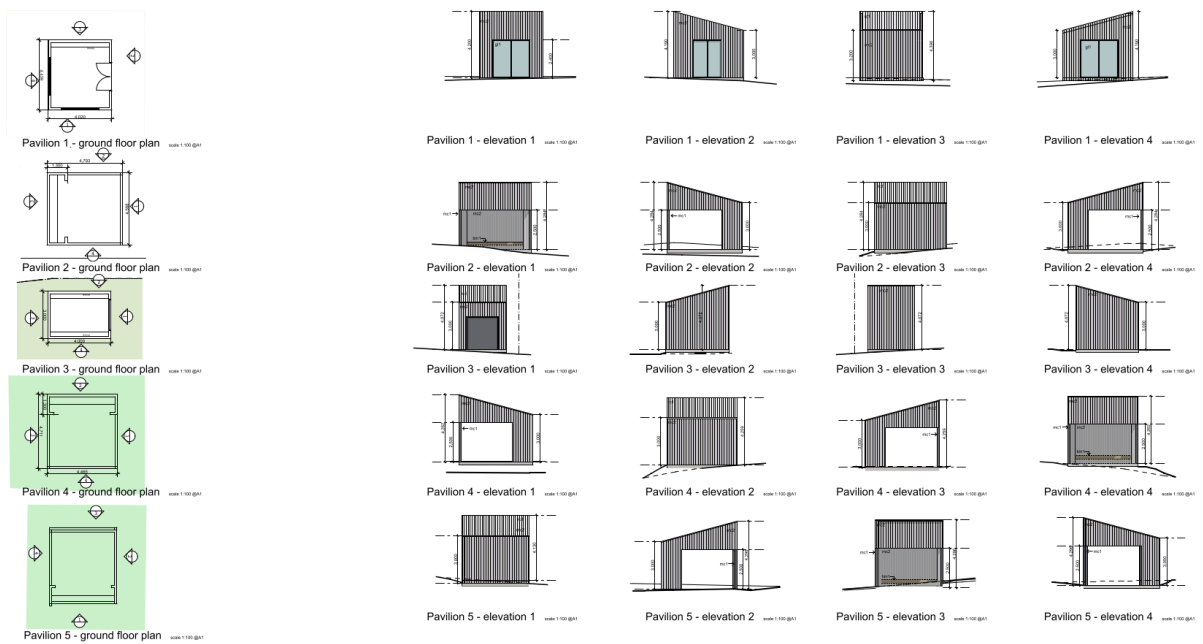
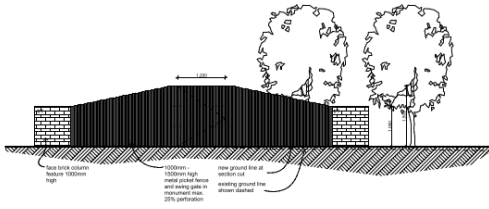
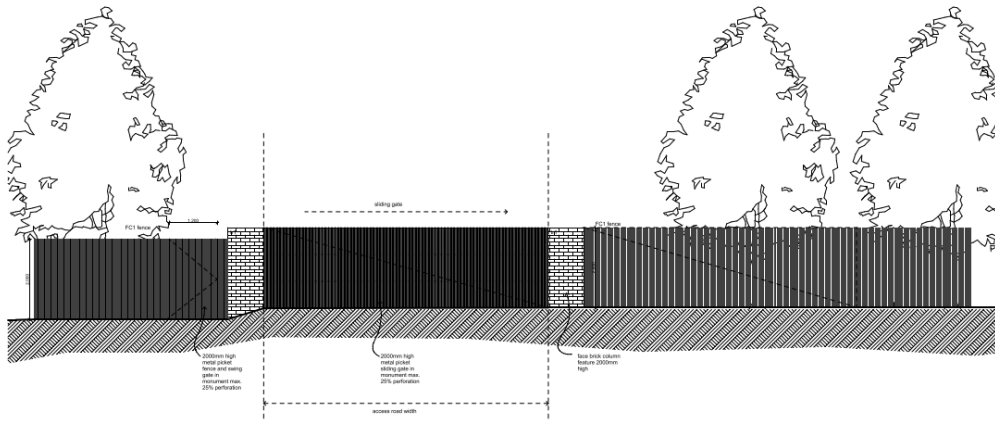


Figure 30 – Gate details Plan

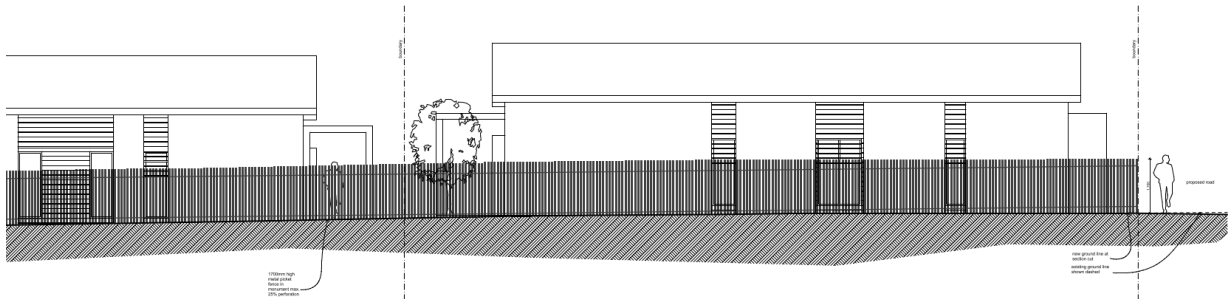


typical gate elevation connecting to public foot path scale 1:50 @A1

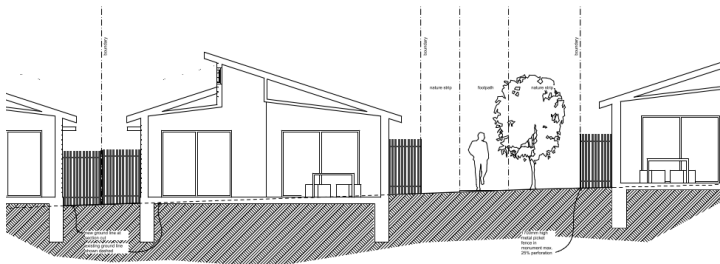


typical proposed access road gate elevation scale 1:50 @A1

Figure 31 – Fence details Plan



fence FC1 and FC2 elevation detail scale 1:50 @A1

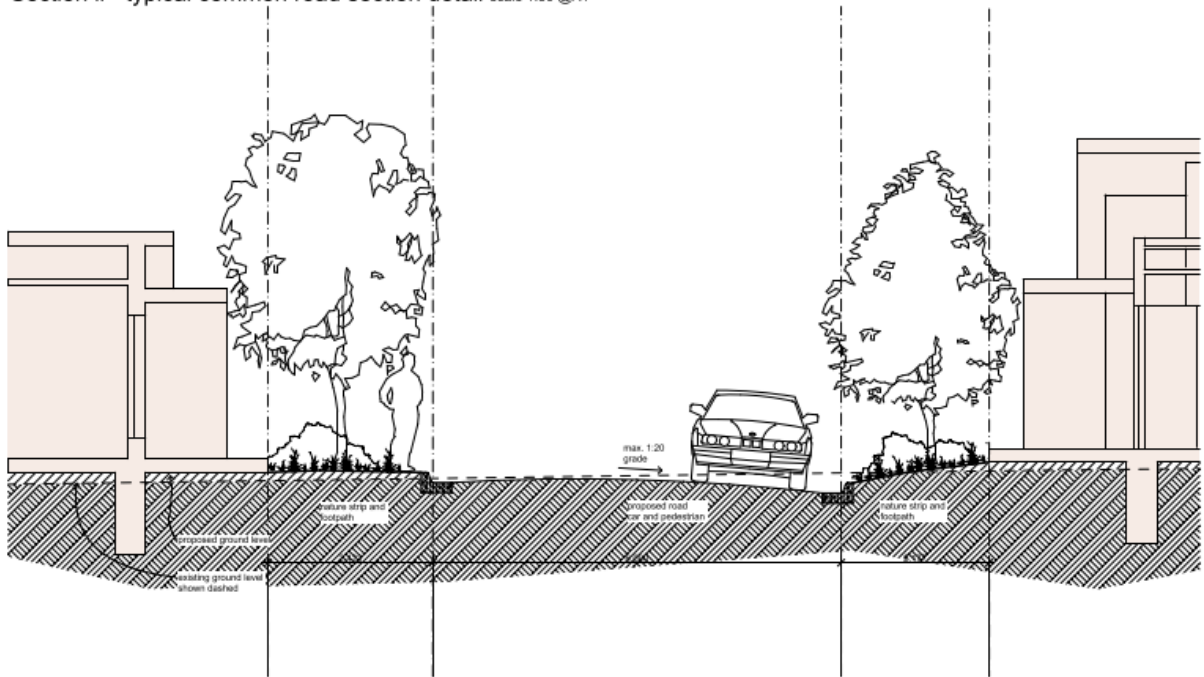


fence FC1 and FC2 section detail scale 1:50 @A1

Figure 32 – Internal Streetscape Sectional Plan



Section ii - typical common road section detail scale 1:50 @A1



Section iij - typical common road section detail scale 1:50 @A1

Figure 33 – Materials schedule

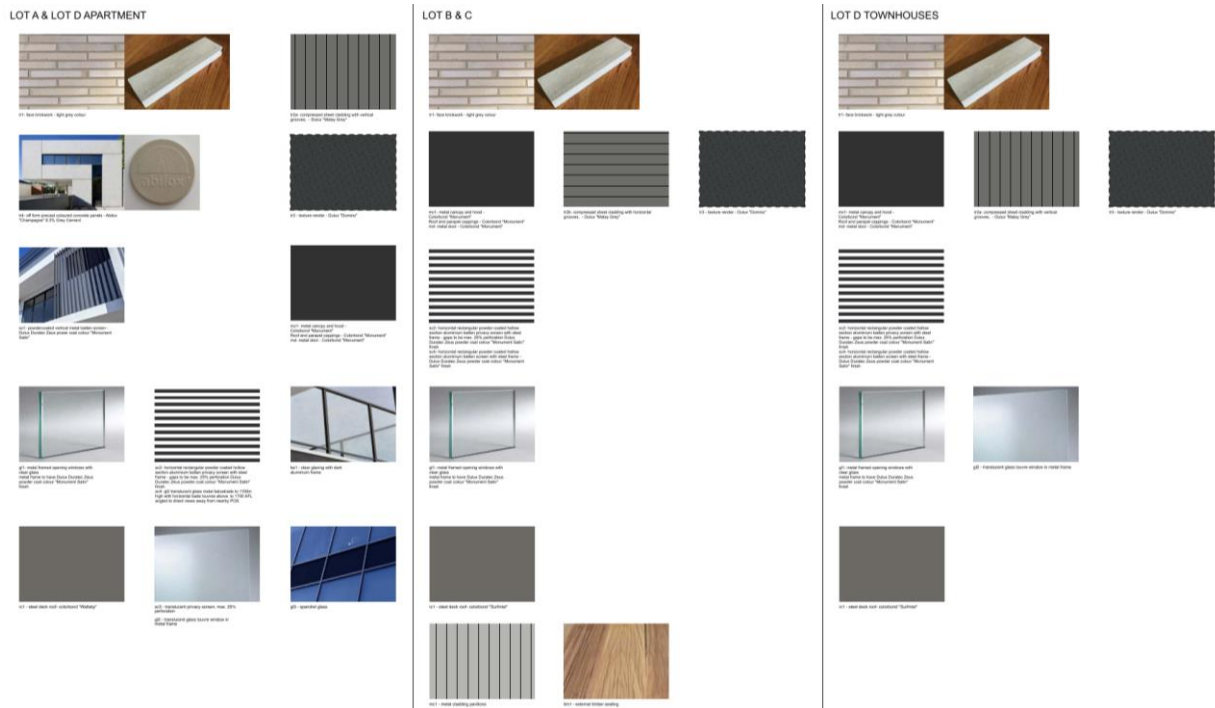


Figure 34 – Landscape Concept Plan



ATTACHMENT 3 – UPDATED REFERRAL RESPONSES

Internal referrals comments

Referral Authority	Advice/Comments/Conditions
Infrastructure	<p data-bbox="400 306 475 331">Access</p> <ul data-bbox="459 338 1386 1294" style="list-style-type: none"> <li data-bbox="459 338 1386 398">• The entry and exit to the site is off Coombes Road. A dedicated left and right hand turn onto the site is required off Coombes Road, to facilitate the flow of traffic. <li data-bbox="459 405 1386 465">• Cypress lane which is a Council managed road is removed from the site extent as indicated on amended plans. <li data-bbox="459 472 1386 555">• New 90-degree parking areas and indented parking areas are proposed along the Cypress Lane road reserve. Detailed plans must be submitted prior to commencement of development and must be constructed to the satisfaction of responsible authority. <li data-bbox="459 562 1386 622">• Crossovers are proposed fronting Cypress Lane. The proposed crossovers would have to be constructed to the satisfaction of responsible authority. <li data-bbox="459 629 1386 689">• From Section 4.2 of the report it is noted that internal access roads have a carriageway width of 6m from Coombes Road to the Village centre. <li data-bbox="459 696 1386 757">• Beyond the Village centre, the internal access road have a carriageway width of 5.5m and the remaining roads are 5.6m wide. <li data-bbox="459 763 1386 869">• The proposed internal roads of 5.5m and 5.6m wide carriageway are not ideal and would generally not be accepted by Council, but it is noted that these roads would be privately owned. Refer Table 2, of Infrastructure design manual for standard urban access roads. <li data-bbox="459 875 1386 1025">• T-turn bays are provided for turnaround manoeuvres, the swept path diagrams show that the movement of vehicle is very rigid and takes full width of the road which is not suitable and close to the building lines, in particular at Lot B and Lot D1. Is on street parking allowed on the internal streets as this would affect the turning movement of the MRV. <li data-bbox="459 1032 1386 1093">• Parking bays at the end of the T-turn bays are not ideal as it will restrict the movement of the MRV. <li data-bbox="459 1099 1386 1182">• At the end of Cypress Lane the turning templates show that the MRV is taking up the full width of the pavement, can you confirm if this is the case, if so it would be required to be widened to allow for two way traffic. <li data-bbox="459 1189 1386 1249">• The basement ramp for Lot A is satisfactory, with a minimum width of 6.6m and acceptable grades of 1:8 and 1:4. <li data-bbox="459 1256 1386 1294">• The basement ramp for Lot D2 is satisfactory, with a minimum width of 6.6m and acceptable grades of 1:8 and 1:4. <p data-bbox="400 1361 587 1386">Waste Collection</p> <ul data-bbox="459 1393 1386 1547" style="list-style-type: none"> <li data-bbox="459 1393 1386 1453">• Bins are collected from the kerbside of the internal road network using Council municipal waste collection services for independent units. <li data-bbox="459 1460 1386 1520">• Rubbish from the apartment buildings will be collected through a private contractor. <li data-bbox="459 1527 1386 1547">• As discussed, the waste collection will be requested to be done through private contractor for the whole development. <p data-bbox="400 1615 507 1639">Drainage</p> <ul data-bbox="459 1668 1386 2125" style="list-style-type: none"> <li data-bbox="459 1668 1386 1697">• Overall the Stormwater Management Strategy is satisfactory. <li data-bbox="459 1704 1386 1832">• The site has been divided into three catchments, with two discharge points one for the northern and one for the southern catchments. The catchment areas will be confirmed during the detailed design phase, as the northern catchment will need to be sized to maintain the predevelopment discharge rate of the northern point. <li data-bbox="459 1839 1386 1899">• It is proposed that all stormwater be treated before entering the Council network, to avoid unnecessary asset ownership changes in the network. <li data-bbox="459 1906 1386 1935">• Treatment trains have been proposed to treat each of the three catchment areas. <li data-bbox="459 1942 1386 2092">• It is noted that the design parameters for the design of the treatment only takes into account the three catchments with assumed impervious areas, these parameters would change during the design phase. During the detailed design the treatment design should be remodelled to also include Cypress Lane, as the runoff from the road is not going to be treated. This along with the changes to impervious area would affect the water quality standards. <li data-bbox="459 2098 1386 2125">• Detention storage is required to restrict the southern catchment flows to

predevelopment levels and will be determined during the detailed design.

- Realignment of the existing pipe network between Cypress Lane and the Deep Creek Reserve is required to facilitate the proposed development layout, these changes would need to be approved during the detailed design. But noting that Council will not accept any changes to the existing outlet pipe to Deep Creek, as no disturbance to the embankment would be allowed.
- Beaching is not being proposed at the southern outlet as the current configuration, existing concrete base into the creek, is not causing any erosion to occur. And any additional beaching would cause disturbance. Whilst this may be the case, they have also noted that there would be a reduction in overland flows, which would cause higher peak flows at the outlet, beaching would still be required at the outlet. Will be subject to more detailed work as part of Works on Waterway permit being required by CCMA.
- All drainage assets and WSUD assets will be a private asset and may require S173/ or an agreement to ensure the ownership and ongoing maintenance of the stormwater treatment system is managed by the owner. A CCTV camera inspection of the existing outlet should be conditioned, non-destructive renewal work may be required given age of pipe.

Conditions

The following conditions are suggested to be included on any permit that issues:

Before the development of the site starts, amended development plans to 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 planning permit. The plans must be generally in accordance with the plans submitted to Council but modified to permit. The plans must be generally in accordance with the plans submitted to Council but modified to show

- a) Upgrade of the intersection of the entry to the site with Coombes Road to include left and right hand turns into the development.
- b) Provide detailed plans for the proposed parking areas along Cypress lane
- c) Widen any narrow sections of Cypress lane to a minimum width of 5.5.m.
- d) Provide footpath on one side of Cypress lane for the full length, connecting upto Coombes Road.

Stormwater Management Plan – Required by Clause 53.18

Prior to the commencement of the development, a stormwater management plan to the satisfaction of the Responsible Authority must be submitted to and approved by the responsible authority. When approved, the stormwater management Plan will be endorsed and will then form part of the permit. The Stormwater Management Plan must be designed to:

- a) Ensure that flows downstream of the subdivision site are restricted to pre-development levels unless increased flows are approved by the relevant drainage authority and there are no detrimental downstream impacts. Stormwater Management Plan to be generally in accordance with LOETIS Strategy, March 2024.
- b) Meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999).
- c) Maintenance responsibilities, requirements and costs for the stormwater infrastructure installed.
- d) Contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.
- e) Connect to Council Infrastructure or the Deep Creek outfall
- f) The temporary treatment or protection of final treatment facilities for stormwater during the construction phase of the development with the final wetland construction and landscaping completed prior to the issue of the Statement of Compliance for the last stage of the development.
- g) A construction site plan that incorporates the stormwater management measures to be implemented during the construction phase of the development and outlines in detail how stormwater is to be managed, including sediment controls, during both the land development phase and the building phase. The plan should have regard to the Construction Techniques for Sediment Pollution Control (EPA 1991) and Environmental Guidelines for Major Construction Sites (EPA 1995). The management controls are to be regularly monitored and maintained.

Deep Creek outlet

A CCTV audit report must be carried out and submitted to Council appraising the structural condition of the outlet pipe and making any recommendations deemed necessary regarding its renewal. Any renewal of the asset is to be done by non-destructive methods.

Car Parking

Before the starts/ prior to the occupation of the development the area(s) set-aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:

- a) constructed.
- b) properly formed to such levels that they can be used in accordance with the plans.
- c) surfaced with an all-weather seal coat.
- d) drained.
- e) line marked to indicate each car space and all access lanes.
- f) clearly marked to show the direction of traffic along access lanes and driveways.

to the satisfaction of the responsible authority. Car spaces, access lanes and driveways must be kept available for these purposes at all times.

Construction Management Plan

Before the commencement of works for the subdivision, a construction management plan (three copies) to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must address the following matters:

- a) Measures to minimise the impact of construction vehicles arriving at, queuing, and departing from the land;
- b) Measures to accommodate the private vehicles of workers/ tradespersons;
- c) Details of the location of all construction equipment and facilities, including delivery points, storerooms, toilets, temporary offices and workers' facilities;
- d) Noise attenuation measures to be put in place to protect the amenity of nearby residents during construction having regard to the EPA Guidelines on Construction and Demolition Noise;
- e) Measures to minimise the generation and dispersal of dust;
- f) Sediment and pollutant control of stormwater flows , site containment, protection of Deep Creek and adjacent roads and infrastructure.
- g) Protection of retained native vegetation on the land and adjoining land;
- h) Details of a 24 hour hotline for access to a contact person or project manager accountable for the project and compliance with the CMP;
- i) Arrangements for waste collection and other services to be provided during construction;
- j) Location of stockpiles;
- k) Methods of disposal of excess materials;
- l) Details of the haul route for transport of excess materials removed from the site and delivery of materials to the site;
- m) Inspection of haul route with council representative to audit condition of haul route prior to and post construction with any damage identified to be rectified by the contactor at his expense;

to the satisfaction of the Responsible Authority.

Detailed Construction Plans

Prior to the commencement of the development, detailed engineering plans to the satisfaction of responsible Authority must be submitted to and approved by 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 include:

- a) Detailed plans of Auxillary Left and Right Turn Lane at the intersection of the Cypress lane and Coombes Road.
- b) Any required construction of Cypress lane.
- c) Detailed footpath plan along Cypress Lane.
- d) Internal road design with consideration to provision of on-street parking, footpaths, street lighting, vehicle crossover, traffic management measures,

	<p>street signs access for emergency vehicles and garbage collection vehicles</p> <p>e) Stormwater drainage including pits and pipes, WSUD infrastructure, any erosion protection measures required under CCMA Waterway Management Plan</p> <p>f) Signages and Line marking.</p> <p>All works constructed or carried out must be in accordance with those plans.</p> <p><u>Section 173 Agreement</u></p> <p>Before the occupation of the development under the Subdivision Act 1988 the owner must enter into an agreement with the responsible authority made pursuant to section 173 of the <i>Planning and Environment Act 1987</i>, and make application to the Registrar of Titles to have the agreement registered on title to the land under section 181 of the Act, which provides for the following:</p> <p>a) The owner is responsible for maintaining the internal drainage system of the development, including the stormwater the ongoing maintenance and renewal required for the stormwater treatment as per the manufacturers specification.</p> <p>b) Monitoring of any erosion of Deep Creek at Deep Creek stormwater outlet of site for first two years of operation of development. Submission of professional report regarding at conclusion of 2 year period for submission to Council and CCMA including any recommendations may be</p> <p>The owner/operator under this permit must pay the reasonable costs of the preparation, execution and registration of the section 173 agreement.</p> <p><u>Haul Route</u></p> <p>Prior to the issue of the Statement of Compliance for the final stage is issued the applicant must rectify any damage to the haul route to the satisfaction of the responsible authority.</p> <p>Prior to Occupation/use of the proposed development, the development must install the stormwater detention and treatment system in accordance with the requirements of the Stormwater Management Plan endorsed under this permit to the satisfaction of the Responsible Authority.</p> <p>Roadworks shown on the endorsed plans on land owned or managed by the Surf Coast Shire Council must be completed to the satisfaction of Council before the commencement of use at the full cost of the owner or developer of the land.</p> <p>Before the use of the land commences the development including car parking, access roads, stormwater management facilities and landscaping must be completed in accordance with the endorsed plans to the satisfaction of the Responsible Authority.</p> <p><u>Notes</u></p> <p>1. The following requirements apply to vehicle crossings and driveways:</p> <ul style="list-style-type: none"> · Vehicle crossings shall be constructed in reinforced concrete or other approved material; · New vehicle crossings to suit the proposed driveways shall be constructed; · Redundant vehicle crossings shall be removed and kerb and channel or other approved road edgings reinstated to suit existing works; · Pathways shall be replaced with a section capable of sustaining traffic loadings where vehicle crossings are constructed or relocated; · Entrance culverts with endwalls and suitable pavement material must be constructed to suit the proposed driveways to the satisfaction of the responsible authority. <p>A "Works Within Road Reserve" permit shall be obtained from the Coordinating Road Authority defined in the Roads Management Act 2004 prior to any works being undertaken in road reserves. Please feel free to contact me if you have any questions.</p>
Waste	<p><u>General Comments</u></p> <p>1. Retirement Village consisting of:</p> <ul style="list-style-type: none"> · 17 x 2Br Independent Living units · 16 x 1Br apartments · 58 2Br apartments · an ancillary Village Centre at the ground-floor of the apartment building with a library, gym, pool, salon and lawn bowls and a restaurant.

	<ol style="list-style-type: none"> 2. Waste Management Plan (WMP) supplied notes Council to provide kerbside waste service to independent living units. A private contractor is to manage waste for apartments & ancillary uses. 3. A number of dead end streets with 'hammerhead' turning arrangements. 4. A one-way street connects two 2-way streets, no turning is facilitated at the end of each 2-way street. 5. Gates at the entrance to each street restricting access. 6. Residential streets are shared zones with pedestrians interacting with vehicles. <p><u>Recommendations</u></p> <ol style="list-style-type: none"> 1. Swept paths supplied use 8.8m truck with 5.0m wheelbase with a 300mm margin of error allowed for. Council trucks are 10.2m with 5.35m wheelbase. 2. Council do not support use of hammerhead turning areas. Street must be through roads or enable turning in a single forward motion. Reversing in shared zones in an unacceptable risk. 3. It is proposed apartments and ancillary areas only have general waste and commingled recycling streams. This is not consistent with current best practice of having separated glass and also food recovery. <p>From a waste management point of view the application cannot be supported in its current format due to insufficient access for council waste collection vehicles.</p> <p>Option 1: the road network is redesigned to cater for trucks that are min 10.2m in length with 5.35m wheelbase and streets are through roads or enable turning in a single forward motion.</p> <p>Option 2: the proponent engages a private waste collection contractor for all properties.</p> <p>Comment – For Option 1 to be implemented, significant changes would be required to the proposal including a reduction in the number of independent living units. It is therefore considered that Option 2 is really the only viable option and should be recommended as a condition.</p> <p>Condition 17 will need to be updated to include the requirements of the Waste Management Unit.</p> <p><u>Further Information / Conditions</u></p> <ol style="list-style-type: none"> 1. The WMP needs to be amended to include: <ol style="list-style-type: none"> a) Four waste streams - general waste, commingled recycling, separated glass and food recovery for all residential and ancillary areas. b) Bin storage and service locations for all properties noting a minimum of 0.5m separation between bins for servicing and allowing for 3 bins from each property. c) Access arrangements for waste collection vehicles through the proposed gates d) Signage for bin service areas to ensure clear access for waste collection vehicles.
Open Space	<p><u>General Comments</u></p> <ul style="list-style-type: none"> · That the avenue of cypress trees in the Cypress Lane roadside are being retained. This is supported and it is noted that a tree protection plan has been provided with actions to protect these trees during construction activities. The provision and adherence to a tree protection / management plan has been included as a condition below · That the Council reserve in the SW quarter of the land is planned to house a pathway and plantings. This is supported. I understand that comments have been provided by the Environment team about species selection and maintenance access requirements for this reserve, I have included additional comments below in the further info requested section. · That a pathway connection is provide in the NE corner of the development to link it with the external pathway network. · That there is significant supplementary planting, with species that are supported. · That there is very limited information provided on boundary fencing <p><u>Further Information / Comments</u></p> <p>Please confirm, and include in Landscape Plan to be endorsed, a plan for boundary fencing on each of the property boundaries, noting the following is expected based on Council's Boundary Fencing Policy:</p> <ul style="list-style-type: none"> · Adjacent nature reserve (southern boundary) – 1.2m high standard post and wire fence for the full length of the property boundary · Adjacent open space reserves and pedestrian link reserves (eastern boundary) – 1.2 to 1.8m high semi permeable fence · Internal fencing should be limited to no more than 1.8m high <p>Please amend the Landscape Plan (can be in the version to be endorsed) to ensure the following in relation to the Council reserve in the SW quarter:</p> <ul style="list-style-type: none"> · Grass to be Santa ana couch turf or approved grass seed mix · No Acacia verticillata near paths or in grass areas (to be within planted areas only due

to maintenance requirements)

- Trees to be offset from fences 3m min to allow for mowing
- Retain a total width (either side of path) of at least 4m for maintenance vehicle access (ie. trees offset from path by 2m min). They should still be able to achieve a meandering path with these requirements.
- Maintenance vehicle access to be provided at entrance to reserve. Including a vehicle crossover and fixed and removable bollards.

Conditions

Landscape Plans

1. Before the commencement of development a Detailed Landscape 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 be provided in digital format. The plans must include, as appropriate:
 - a) 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, species should be predominantly indigenous (source of stock to be demonstrated);
 - b) Tree planting for the public areas within the development, including set out and offset from proposed infrastructure;
 - c) Where the plan includes the planting of species from the family Myrtaceae, the plan must specify appropriate measures to control the introduction and spread of the disease Myrtle Rust (*Uredo rangelii*), such as quarantining of plants and inspections prior to planting;
 - d) Hessian tree ties only are to be specified for tree planting where staking is required;
 - e) Site works specification and method of preparing, setting out, draining, watering and maintaining the landscaping
 - f) For all hard landscape elements the use of suitable sustainable materials (ie recycled, reusable and recyclable, low embodied energy)
 - g) The location and design details (construction details and specification/fixtures and finishes schedule) of all landscape features including paths, shelters, boardwalks, railings, park furniture, retaining walls, access points and linkages;
 - h) The southern boundary, adjacent to the Deep Creek Nature Reserve, fenced with rural style post and wire fencing;
 - i) The eastern boundary, adjacent to the Surf Coast Highway Linear reserve, fenced with a semi permeable fence with a maximum height of 1.8m

Comment – I will follow up the fencing with Dee and Open Space, as Condition 1e) requires a detailed fencing plan but does not include requirements for height but does allow for metal picket or similar rather than post and wire, which was discussed during the consideration of the application last year.

Tree Management Plan

2. Before the commencement of development, a Tree Management Plan prepared by a suitably qualified arborist must be submitted to and approved by the Responsible Authority. When approved, the Tree Management Plan will form part of this permit and all works must be done in accordance with the Tree Management Plan.
The Tree Management Plan must detail measures to protect and ensure the viability of trees to be retained on the site and adjoining land as identified on the endorsed plans. Without limiting the generality of the Tree Management Plan it must have at least three sections as follows:
 - a) Pre-construction – details to include a tree protection zone, the height of a barrier around the tree protection zone, method of cutting any roots or branches which extend beyond the tree protection zone and the identification of risks with the remaining trees and the planned development and actions to address these risks.
 - b) During-construction – details to include method of protection of exposed roots during construction including installation of boundary fencing.
 - c) Post-construction – details to time of final inspection when barrier can be removed and protection works can cease.

Comment – this is slightly different to Condition 14 of the NOD. We could include a ground that the Vegetation Management Plan includes pre, during and post construction measures. Although I feel that Condition 14 covers everything except for maybe post construction.

Commencement of landscaping works

3. The Shire's Parks and Open Space Coordinator is to be contacted prior to commencement of any:
 - a) works associated with the approved landscape (for a pre-commencement

	<p>meeting on site);</p> <ul style="list-style-type: none"> b) street tree and reserve planting (for confirmation of and approval of set out of the location of the street and reserve trees); c) planting of the first street tree within the streetscape (for inspection of the installation hole); d) landscape hard works set out including pathway locations; e) soft landscape works <p>A minimum of 48 hours notice is required prior to all meetings listed above is required.</p> <p>Comment – this is a new condition recommended as the proposal includes works and planting in Council owned land.</p> <p>Statement of Compliance</p> <ul style="list-style-type: none"> 4. Before a statement of compliance is issued for each stage under the Subdivision Act 1988 the owner/developer must provide: <ul style="list-style-type: none"> a) landscaping; b) fencing of Council Reserves; all in accordance with the endorsed plans to the satisfaction of the Responsible Authority. 5. Before the issue of a Statement of Compliance for any stage, or by such later date as is approved by the responsible authority in writing, the applicant may seek, to the satisfaction of the responsible authority the issue of the Statement of Compliance but with deferment of completion of all or part of landscape construction works shown on the endorsed plans provided the following requirements have been met: <ul style="list-style-type: none"> a) an amount equivalent to 150% of the agreed estimated cost of outstanding streetscape / landscape construction and maintenance works will be required by the responsible authority as security deposit, b) a works program is provided setting out the proposed timing of all outstanding landscape construction works, Upon completion of the deferred landscape construction works the applicant must notify the responsible authority to enable its inspection. If the works have been completed to its satisfaction, the responsible authority must refund fully the security deposit. <p>Comment – Given this is not a subdivision this will need to be reworded to prior the commencement the use. I am not sure if we should require this to be done in stage 1 at an early stage but I will follow this up. Don't think we need the second part as the landscaping will either need to be done prior to the commencement of use at an agreed stage.</p> <p>Landscape Maintenance</p> <ul style="list-style-type: none"> 6. All hard and soft landscape works forming part of the endorsed landscaping plans (including streetscape) must be maintained for a minimum of 24 months, to the satisfaction of the Responsible Authority. A log book is to be kept during the maintenance period of what maintenance work has been done, what materials including toxic materials that have been used. This log book should be available upon request by the Responsible authority unless otherwise agreed in writing by the Responsible Authority. The maintenance period will commence from for a minimum period of 2 years from the agreed date of practical completion by Council's Parks and Open Space Coordinator. <p>Prior to handover of the works following completion of the 2 year maintenance period Council's Parks and Open Space Coordinator is to be contacted for an inspection 3 months prior to the expected handover date. Defects are to be agreed and documented. Defects are to be rectified and a minimum 48 hours notice given to the Parks and Open Space Coordinator for attendance at the final handover meeting following the 2 year maintenance period.</p> <p>Declared noxious weeds and pest animals are to be controlled across the development site and during the 2 year maintenance period as per the responsibilities of the land owner under Section 20 of the Catchment and Land Protection Act 1994, namely that the land owner must take all reasonable steps to: prevent the spread of, and as far as possible, eradicate established pest animals; eradicate regionally prohibited weeds, and prevent the growth and spread of regionally controlled weeds.</p> <p>Comment – I assume we want maintenance conditions but given that the land is already Council's I am not sure exactly of the wording.</p>
Environment / Land Manager	<p><u>General Comments</u></p> <p>Landscaping species</p> <p>Generally a good mix of local species of different heights suitable for different uses throughout the development</p> <p>Landscaping of the Council laneway</p> <p>The proposed path is supported.</p> <p>The species and the planting location along the laneway, however, is not supported.</p>

The proposed eucalypts are not supported because of the width of their canopies. The laneway is 10m wide and the proposed eucalypts have canopies of at least that width or more as follows:
E. leucoxylon bellarinensis 15m canopy
E. ovata 15-20m canopy
E. viminalis 15-20m
E. obliqua 10-25m

Planting eucalypts with these large canopies will create ongoing management and safety issues for Council. Large branches would directly overhang the proposed pathway requiring regular pruning for safety reasons. Branches will also extend significant distances into both the development site and properties to the west. Past experience with this type of situation shows that regular requests for pruning will likely be made as the trees reach their mature heights.

It is recommended that planting within the laneway be made up of a mix of local smaller trees and shrubs such as the following:

Small trees

Blackwood (*Acacia melanoxylon*)

Lightwood (*Acacia implexa*)

Varnish Wattle (*Acacia verniciflua*)

Shrubs

Silver Banksia (*Banksia marginata*)

Common Correa (*Correa reflexa*)

Hop Goodenia (*Goodenia ovata*)

Showy Daisy Bush (*Olearia lirata*)

Dusty Miller (*Sprydium parvifolium*)

Large-leaf Bush Pea (*Pultenaea daphnoides*)

Note that these lower trees and shrubs also provide good screening as they have more lower foliage.

Planting position in the laneway

A number of large eucalypts are shown as being planted centrally in the 10m wide laneway. As well as the above mentioned safety issues with limb drop, the roots of these large trees will compromise the structural integrity of any pathway meaning ongoing maintenance costs are unacceptably high.

There is also the need to not plant directly along the property boundaries on either side.

It is recommended that a central 3m corridor within the laneway is left clear of any planting to enable long term management of safety and pathway infrastructure.

It is also recommended that trees or shrubs be planted no closer than 2m to the boundaries of the laneway and adjoining properties to ensure fences can be maintained and grass mown.

Fence

I seem to be missing details of what type of fence will be constructed along the boundary of the development site and the laneway and the broader Deep Creek Nature Reserve on the southern side. Most fences in this area are not solid being rural style post and wire. While it is recognised the aged care facility will have different safety and security requirements it would be great if boundary fencing could be transparent eg something like cyclone. And for the benefit of wildlife it would be good to require the top wire of any such fence not to be barbed to avoid entanglement.

Trees to be retained

The retention of some of the existing trees as proposed is supported.

The conditions contained in the Tree Health Assessment report outlining the measures to be undertaken pre and during construction should be included as permit conditions if a permit is to issue.

Avoiding sediment moving offsite during construction

It is assumed a construction management plan will be required for the build. With the site sloping to Deep Creek it is important that this plan includes sediment control barriers and provisions for the management of stormwater during construction (where and how will they pump water during construction ie dewatering) to the satisfaction of the Responsible Authority.

The construction management plan should also clearly show the location of the abovementioned tree protection measures.

Other native vegetation

I can't see any vegetation assessment other than the tree health report. Robyn's (Environments) earlier comments on any previous report would still stand now given that the entirety of the site is impacted (other than the trees to be retained).

	<p><i>Comment</i> – No conditions have been recommended however the comments above can be considered recommended conditions.</p> <p>Planting – condition 2 (landscape plan) could include another point requiring an updated planting schedule, density, location plan within Council owned land (i.e. Cypress Lane and reserve) to the satisfaction of the Responsible Authority and then I can provide the advice from Environment and Open Space re plantings.</p> <p>Fencing – Condition 1e) should cover the fencing comments.</p> <p>Tree Protection – Condition 14 (Vegetation Management Plan) should cover these requirements</p> <p>Sediment – Construction 9 (construction Environmental Management Plan) should cover these comments.</p>
--	---