

# VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL

## PLANNING AND ENVIRONMENT LIST

VCAT REFERENCE NO. P1413/2022  
PERMIT APPLICATION NO.TPA/53778

### CATCHWORDS

Application under section 77 of the *Planning and Environment Act 1987* to review refusal to grant a permit; Monash Planning Scheme; General Residential Zone 3 – Garden City Suburbs; ground floor extension and first floor addition to the existing dwelling; neighbourhood and garden city character and landscaping

<b>APPLICANT</b>	Weihong Ling
<b>RESPONSIBLE AUTHORITY</b>	Monash City Council
<b>SUBJECT LAND</b>	1/26 Leyland Road MOUNT WAVERLEY VIC 3149
<b>HEARING TYPE</b>	Hearing
<b>DATE OF HEARING</b>	3 March 2023
<b>DATE OF ORDER</b>	16 March 2023
<b>CITATION</b>	Ling v Monash CC [2023] VCAT 268

### ORDER

- 1 In application P1413/2022 the decision of the responsible authority is set aside.
- 2 In planning permit application TPA/53778 a permit is granted and directed to be issued for the land at 1/26 Leyland Road Mount Waverley VIC 3149 in accordance with the endorsed plans and the conditions set out in Appendix A. The permit allows:
  - Ground floor extension and first floor addition to the existing dwelling on a lot less than 500 square metres in the General Residential Zone Schedule 3.

Christopher Harty  
**Member**



## APPEARANCES

For applicant	Mr John Klarica, Town Planner from Calibre Planning. He called the following expert witness: <ul style="list-style-type: none"><li>• Mr Robert Thomson, Landscape Architect from Habitat Landscape Environmental and Design Consultants</li></ul>
For responsible authority	Ms Adrienne Kellock, Town Planner from Kellock Town Planning Pty Ltd

## INFORMATION

Description of proposal	Ground floor extension and first floor addition to the existing dwelling.
Nature of proceeding	Application under section 77 of the <i>Planning and Environment Act 1987</i> – to review the refusal to grant a permit.
Planning scheme	Monash Planning Scheme
Zone and overlays	General Residential Zone Schedule 3 – <i>Garden City Suburbs (GRZ3)</i> Vegetation Protection Overlay Schedule 1 – <i>Tree Protection Area (VPO1)</i>
Permit requirements	Clause 32.08-5 to construct or extend one dwelling on a lot less than 500 square metres
Relevant scheme policies and provisions	Clauses 11, 15, 16, 21.01, 21.02, 21.03, 21.04, 22.01, 22.04, 22.05, 32.08, 42.02, 54, 65 and 71.02



## Land description

The subject land is located on the south-east corner of Leyland Road and Kingston Street in Mount Waverley. It is generally rectangular in shape with a frontage width of 14.32 metres to Leyland Road and 25.81 metres to Kingston Street with an overall area of 495.4 square metres. The subject land has a fall of approximately 2.84 metres from the rear (south-east) corner to the front (north-west). The subject land contains a split level (part single and part double storey) dwelling with an undercroft/semi-basement garage parking and storage area that is partly elevated above ground level due to the land slope and partly beneath ground level. The subject land contains scattered vegetation including some palm trees and conifer trees and one medium and one small canopy tree in the side setback to Kingston Street. A mature street tree is located in each of the Leyland Road and Kingston Street frontages. The site was previously developed with a double storey dwelling to the rear (to the south) which faces Kingston Street, and which has been subdivided.

The surrounding area is a residential area, with a mix of dwelling forms ranging from post-war to more contemporary built form. The area is undulating resulting in built form ranging from single to three storeys in height.

## Tribunal inspection

10 March 2023 unaccompanied

## REASONS<sup>1</sup>

### WHAT IS THIS PROCEEDING ABOUT?

- 1 Weihong Ling (**applicant**) seeks to construct a ground floor extension and first floor addition to the existing dwelling at 1/26 Leyland Road, Mount Waverley (**site**). Monash City Council (**Council**) refused to grant a permit and the applicant seeks a review of this decision.
- 2 Council says the proposal fails to respect the neighbourhood character of the area and provides insufficient opportunity for landscaping.
- 3 A statement of grounds was also submitted by the objector from the adjoining property to the south of the site at 2/26 Leyland Road (Yan Wang, who is a non-party) who expressed concern regarding overshadowing and ventilation impacts and loss of privacy to the dwelling.
- 4 The applicant says the proposal is an acceptable built form in the context of the mixed character of the surrounding residential area. The area is changing with newer contemporary development to which the proposal would not be at odds.
- 5 The proposal seeks to (refer to Figures 1 to 3):
  - Extend the ground floor level towards the front of the existing dwelling over the front terrace area above the semi-basement garage with a proposed dining/living room with glazing to the north and west elevations of the extension. The overall footprint of the existing dwelling will remain unchanged. The extension comprises an area of 27.8 square metres and will be set back approximately 9 metres from Leyland Road and 3.15 metres from Kingston Street.
  - Add a first-floor level to the existing dwelling within the existing footprint of the ground floor level with setbacks of approximately 13.7 metres from Leyland Road, 4.3 metres from Kingston Street, 3.8 metres from the southern boundary and between 2.65 metres and 3.45 metres from the eastern boundary. The first-floor level is proposed to have three bedrooms, ensuite and separate bathrooms. Two of the bedrooms are provided with balconies facing north and north-west.
  - Show a contemporary design with the ground floor brickwork to be retained and the upper floor level constructed with lightweight rendered cladding with a generally flat roof and have an overall height of around 8.9 metres.

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<sup>1</sup> The submissions and evidence of the parties, any supporting exhibits given at the hearing and the statements of grounds filed have all been considered in the determination of the proceeding. In accordance with the practice of the Tribunal, not all of this material will be cited or referred to in these reasons.



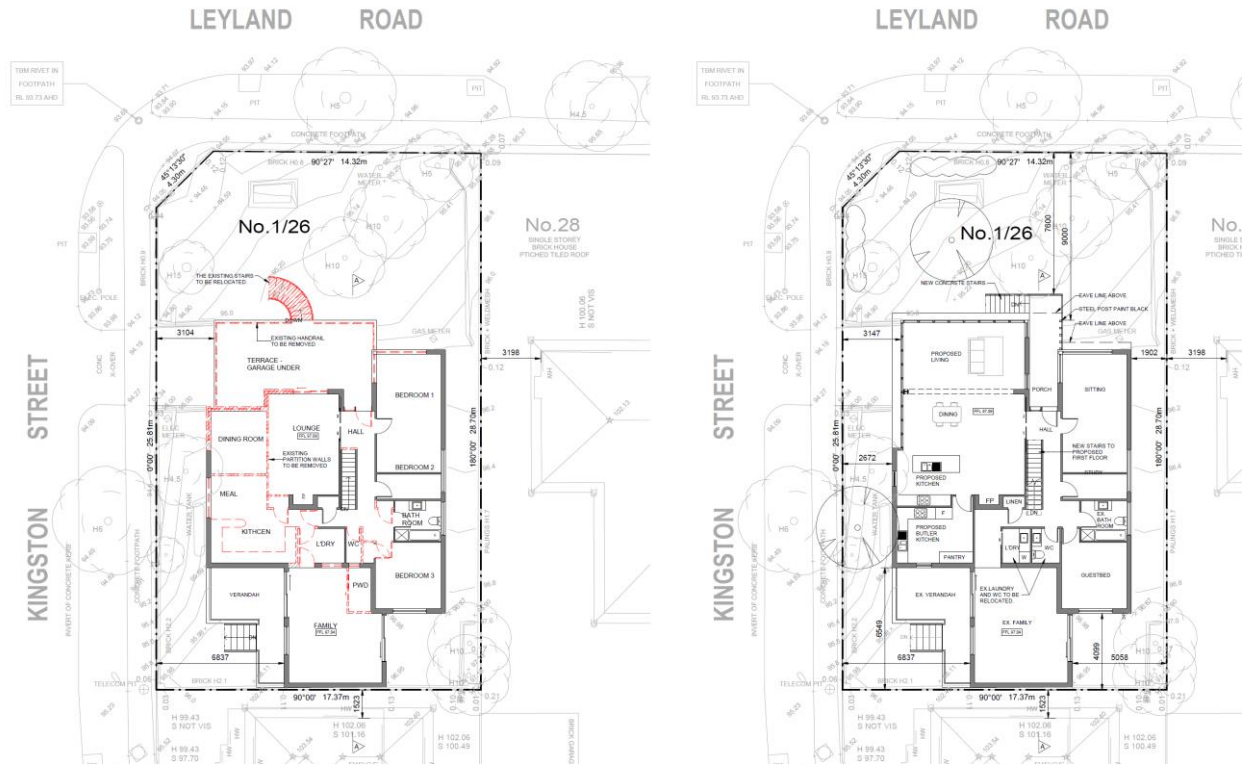


Figure 1: Ground floor extension.

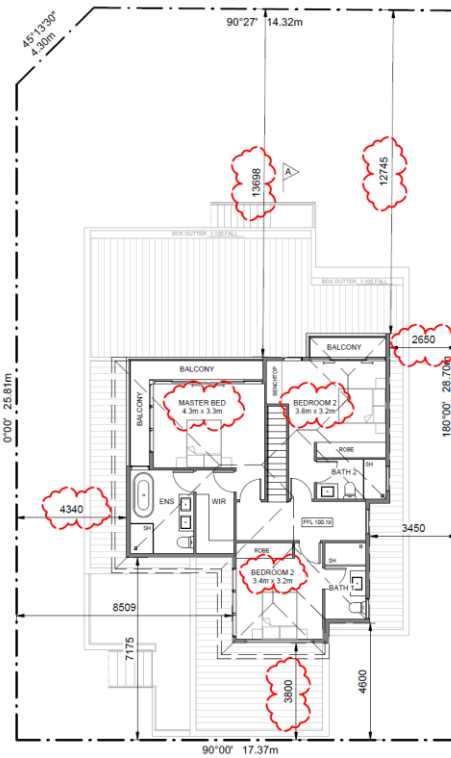


Figure 2: First floor addition.

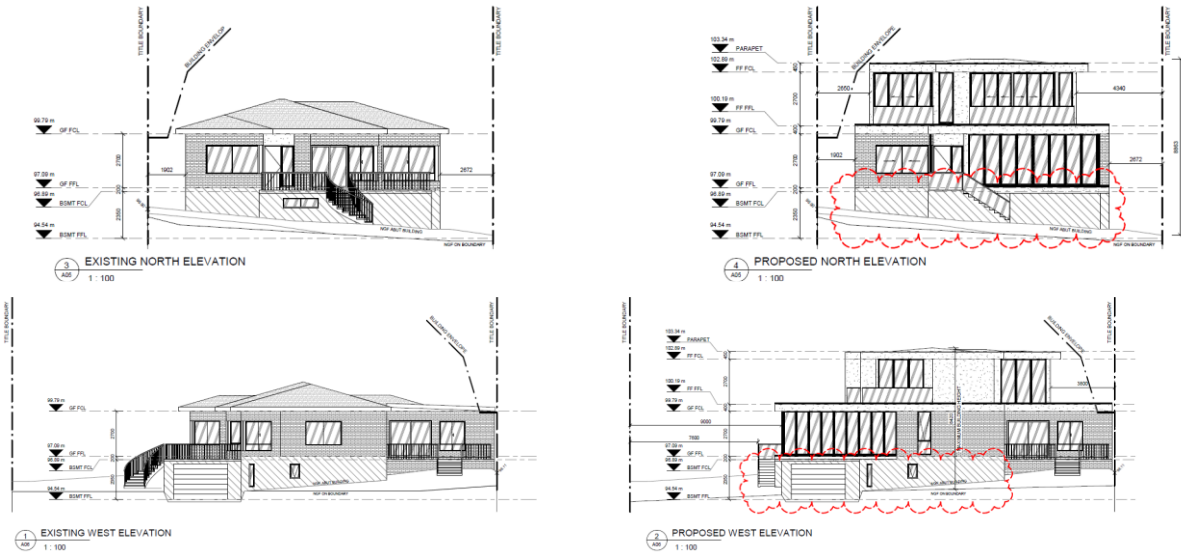


Figure 3: Elevations north, Leyland Road above and west, Kingston Street below.

- 6 Under the Monash Planning Scheme (**planning scheme**), the site is within the General Residential Zone Schedule 3 – *Garden City Suburbs (GRZ3)*. A permit is triggered under the GRZ3 to extend a dwelling on a lot less than 500 square metres. A development is required to meet the requirements of Clause 54. Schedule 3 to the zone includes variations to Clause 54 requirements in relation to street setbacks, site coverage, permeability, landscaping, side and rear setbacks, private open space, and front fencing. Building height is below the requirement of 11 metres or 3 storeys.
- 7 The site is also affected by the Vegetation Protection Overlay Schedule 1 – *Tree Protection Area (VPO1)*. No trees of significance under the VPO1 are proposed to be removed, hence the VPO1 is not activated.

### WHAT ARE THE KEY ISSUES?

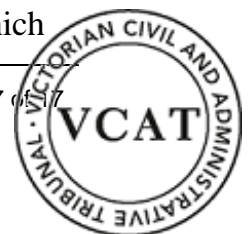
- 8 The issues raised within the context of this review relate generally to the proposal's design response to the policy and physical contexts of the area, neighbourhood character considerations and landscaping response. Having heard the submissions and evidence and inspected the site and locality, the key issues arising from this proposal are:
  - Does the proposal appropriately respond to the physical and policy contexts of the area?
  - Will the proposal cause unreasonable amenity or landscape impacts?
- 9 I must decide whether the proposal will produce an acceptable outcome having regard to the relevant policies and provisions in the planning scheme. Net community benefit is central in reaching a conclusion. Clause 71.02-3 - *Integrated Decision Making* of the planning scheme requires the decision-maker to integrate the range of policies relevant to the issues to be

determined and balance conflicting objectives in favour of net community benefit and sustainable development.

- 10 With this proposed development I must decide whether a permit should be granted and, if so, what conditions should be applied.
- 11 Having considered all submissions and evidence presented with regards to the applicable policies and provisions of the planning scheme and from my inspection, I find the proposal achieves an acceptable outcome.
- 12 The proposal presents as a satisfactory design response to both the physical and policy contexts of the area and is not what I consider a development that is disrespectful of the neighbourhood or garden city character of the area. I consider the proposal achieves a net community benefit and I have decided to set aside the decision of Council and direct that a permit is granted subject to conditions outlined in Appendix A. My reasons follow.

### **DOES THE PROPOSAL APPROPRIATELY RESPOND TO THE PHYSICAL AND POLICY CONTEXTS OF THE AREA?**

- 13 Both Council and the applicant described to me in detail the existing physical conditions and context of the site and surrounding neighbourhood and the planning policy, zoning and overlay contexts affecting the site and area. I will not repeat that information as it is on the record and on the Tribunal's file.
- 14 Council advised that under the planning scheme, *Garden City Character* is the core policy value that permeates the planning scheme and is held by the community and Council.
- 15 Council described that the site is in an area that historically appears to have contained mostly detached houses set on relatively large lots with generous garden areas.
- 16 The original housing is mostly single and two storey in height. Some tall double storey built form and three storey built form is also evident in the area and attributed to in part by the land slope in the area, with dwellings often split level in nature with semi-basement garaging and built form elevated above ground and street levels.
- 17 The site is located within a residential area that is experiencing change. The character of the area is evolving with newer multi-storey development comprising both single dwellings and two dwelling developments. This newer development is contributing to an emerging character of contemporary dwellings two storeys or higher. I note that housing on the southern side of Leyland Road is generally elevated above the footpath due to topography and is often prominent in the streetscape.
- 18 The landscape character of the neighbourhood also varies. The evidence of Mr Thomson was that garden areas contain a mix of native and exotic tree and shrub species (including scattered medium to high canopy trees) which



provide a sparse to fair canopy cover at a ratio of built form to vegetation of 60:40 and with more recent development containing immature plantings with a more prominent built form character.

- 19 Mr Thomson's evidence was that street trees play an important role in contributing to the garden city character of the neighbourhood with... *widely spaced mixed native species including Corymbia, Eucalyptus, Melaleuca, Melia and Tristaniopsis species and exotic Pyrus species which contribute low to medium canopy element to the streetscape. Larger street trees further to the south along Kingston Street provide a more prominent canopy element and allow built form to be less obvious.*
- 20 The applicant says it is this mix of both built form and landscape character that provides scope for the proposal which introduces a partly three storey built form to the site and the corner position of Leyland Road and Kingston Street. I note this is somewhat similar to the built form transition provided by the redevelopment on the opposite corner at 24 Leyland Road.
- 21 The site is in the GRZ3 which generally seeks to encourage a diversity of housing types and growth particularly in locations offering good access to services and transport and for development to respect the neighbourhood character of the area. Schedule 3 to the zone includes relevant neighbourhood character objectives to support new development that contributes to the preferred garden city character through well landscaped gardens, which includes canopy trees and that minimises building mass and visual bulk in the streetscape through landscaping in the front setback and within breaks in buildings and with recesses in the built form.
- 22 Relevant decision guidelines in the GRZ3 includes whether there is appropriate transition to built form on adjoining sites, robust materials and finishes and the location, quantity and species of vegetation provided in the proposal.
- 23 Relevant policies with respect to neighbourhood and garden city character include Clause 21.04 – *Residential Development* and Clause 22.01 – *Residential Development and Character Policy*.
- 24 The GRZ3 relates to *Garden City Suburbs*. Under Clause 21.04, the site is found within an area suitable for incremental change under *Category 8 – Garden City Suburbs*. The policy encourages housing variety and sizes to accommodate diversity of future housing needs and revegetation of new residential development to maintain and enhance the garden city character of the area. The policy supports new residential development enhancing the character of the neighbourhood and regarding the preferred future character outlined in Clause 22.01.
- 25 With respect to Clause 22.01, policy identifies the site within *the Garden City Suburbs Northern Area* preferred future character area. The preferred future character statement for this area refers to housing change occurring





within a leafy area with well vegetated front and rear gardens and large canopy trees. Neighbourhoods with diverse topography will have two storey form but within a well-developed mature tree canopy that provides a visually unified appearance of built form with canopy and street trees. New development will be screened from the street and neighbouring properties by well planted gardens that will ensure the soft leafy nature of the street is retained.

26 Having regard to this physical and policy context and the proposal, Council says:

- The building mass of the proposal will present as bulky and overly prominent in the streetscape. Retention of the existing dwelling means that with the elevated basement garage and two storey form, it is already prominent in the Kingston Street streetscape and adding an additional storey above the elevated built form will result in excessive visual bulk and mass when viewed from Kingston Street. The built form does not provide an adequate transition to that on adjoining sites.
- The limited setback to Kingston Street constrains landscaping space. Minimal setbacks from Kingston Street due to retention of the existing dwelling limits space for meaningful landscaping resulting in the proposal not appearing as secondary in its visual presence to vegetation when viewed from the street. The proposed landscaping will not provide an effective visual buffer to the built form, noting that the selected species along the Kingston Street frontage are mostly narrow upright species that reach a mature height of between 4.5 metres and 7 metres.
- The extension is out of keeping with the predominant built form. The predominant built form is single and two storeys. The part three storey form coupled with the proposed flat roof design is out of keeping with the predominant form and pitched roofing found in the area.

27 The applicant says the proposal is for works associated with an additional storey and a ground floor extension to the existing dwelling. There is no increase in the overall footprint of the existing dwelling and the proposal includes first floor level setbacks that provide for a recessed upper-level addition with appropriate transition between built form on adjoining properties. Part of the addition will result in a part three storey building, which the applicant says will not be out of place in the neighbourhood given the land slope in the area and the presence in the neighbourhood of other three storey built forms.<sup>2</sup>

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<sup>2</sup> See for example 14 Kingston Street which is an older style dwelling at three storeys and 10 Kingston Street which is a more contemporary three storey dwelling.



- 28 I find I agree with the applicant. I find the proposal is consistent with what the planning scheme seeks including with regards to the policy framework, the GRZ3 and Clause 54 of the planning scheme.
- 29 The site is in an area suitable for incremental change. Respecting neighbourhood character includes allowance for change. It is not meant to be taken as maintaining or replicating the same form or design of residential development. The proposal is for a small extension at ground floor with no expansion of the overall footprint of the existing dwelling and an additional upper-floor level that is well setback from the site boundaries and the ground level façades of the existing dwelling. No changes are proposed to setbacks, site coverage, site permeability or to areas of on-ground private open space. The proposal also satisfies the 25% requirement for garden area under Clause 32.08-4.
- 30 There is an increase in building height, however this remains within the scope of the height requirements under the GRZ3.
- 31 No existing trees are proposed to be removed. Although the proposal will be more prominent when viewed in the Kingston Street streetscape, this is a side frontage, and I am satisfied the proposed landscaping will contribute and enhance the garden city character of the area and assist in filtering streetscape views of the proposal.
- 32 I find the proposal respects neighbourhood character by:
- Maintaining a brick base to respect the existing dwelling on the site and nearby older dwellings.
  - Providing a white rendered first floor that complements the contemporary design and provides a lightweight upper floor appearance.
  - Providing a flat roof form similar to other flat roof and parapet form of dwellings evident in the area, which helps to minimise overall height and complements the contemporary design.
  - Providing a first floor which is set back from the ground floor facades so that it is less dominant. The first floor is recessed behind the front (north) ground floor façade (from Leyland Road) by around 4.7 metres. Between 748mm and 1.548 metres from the ground floor level façade to the east. Set back between 3.8 metres and 7.175 metres from the southern (rear) boundary and between 4.340 metres and 8.509 metres from the west (Kingston Street) boundary (or around 1.668 metres behind the ground floor façade).
  - Providing a reasonable transition to adjoining dwellings as seen in the streetscape elevations (refer to Figure 4) which shows the proposed upper floor level only marginally exceeding the eave height of the adjacent dwellings to the south along Kingston Street (in the order of

approximately 1 metre) and one storey to the dwelling to the east at 28 Leyland Road. These changes are graduated and reasonable considering the large size of dwellings in the neighbourhood.

- 33 The setbacks of the first-floor addition behind the ground floor of the existing dwelling particularly from the north and west makes the effect of any three-storey built form with respect to visual bulk and mass less prominent. A three-storey form is effectively only created across the northern portion of the dwelling above the existing semi-basement garage. Considering the streetscape elevations and what will be visible within an environment with significant land slope, I find the proposal will not be at odds with the type of built form that has and is occurring in the area.



Figure 4: Streetscape elevations from Kingston Street above and Leyland Road below.

- 34 The site contains a scattering of tree and shrub plantings none of which has arboricultural, ecological, or aesthetic significance according to the evidence of Mr Thomson. There are large palm trees which are prominent due to their height, which are proposed to be retained with no trees on the site proposed to be removed.
- 35 Proposed landscaping on the site includes:
- The retention of the five palm trees and three other trees capable of growth up to 8 metres in height.
  - The provision of eight additional canopy trees that can grow to 7 metres or taller in height including four trees that can grow 9 metres to 16 metres in height.

- The planting of around 99 other mixed species of groundcovers and tussocks and medium to large shrubs/small trees which will contribute to the garden character.
- 36 Mr Thomson's evidence is that the proposal will increase the number and size of trees on the site, which will be more than what is present on other sites in the neighbourhood, including the adjoining site to the south which has no canopy trees within its front setback.
- 37 In response to Council's criticism concerning the narrow upright form of the canopy trees proposed within the Kingston Street setback, Mr Thomson considers species selection is appropriate due to the presence of powerlines and the street tree and the desire to minimise conflict between canopy spread and these existing features. He also considered that the nature of the proposed canopy tree planting, in combination with the land slope, would result in a filtering of views of the built form when viewed at a pedestrian level in the street.
- 38 Mr Thomson's view was that:
- ...The maturing landscape will create a garden setting for the proposed development consistent with the objectives and guidelines of planning policies by providing garden areas that include canopy trees and other vegetation in front, side and rear setbacks and which is contributive to adjacent properties and the wider area and leading to an improved and sustainable outcome in terms of contribution to amenity and landscape character.
- 39 I accept the evidence of Mr Thomson and consider the retention of the existing trees on the site and additional planting of other canopy trees, some of which will achieve a height greater than the building height, will achieve a filtering of built form when viewed from the public realm and satisfies the garden city aspirations of the planning scheme.
- 40 Overall, I find the proposal appropriately responds to the physical and policy contexts of the area and is a respectful response to neighbourhood character.

**WILL THE PROPOSAL CAUSE UNREASONABLE AMENITY OR LANDSCAPE IMPACTS?**

- 41 Amenity impacts have been raised in the non-party statement of grounds arising from overshadowing and ventilation impacts and loss of privacy to the adjoining dwelling to the south.
- 42 There are also issues raised by Council regarding unreasonable landscape impacts
- 43 It is not proposed to remove existing trees from the site. I am satisfied the proposal will not have unreasonable landscape impacts.

- 44 Regarding amenity impacts from overshadowing, I note that the adjoining dwelling to the south at 2/26 Leyland Road does not have any north facing habitable room windows that would lead to an impact on amenity from a loss of daylight access.
- 45 I also note the extent of overshadowing at 9am, 12pm, 2pm and 3pm is not more than what is cast by the existing dwelling and fence. The main portion of secluded private open space at 2/26 Leyland remains clear of shadowing.
- 46 Regarding ventilation issues, I am satisfied the proposal is adequately setback to avoid any loss of ventilation.
- 47 Regarding loss of privacy, the proposal does not intend to alter the ground floor footprint and the first floor addition is well setback with screening or highlight habitable room windows that minimise overlooking.
- 48 I find the impacts on amenity are not unreasonable.

#### **WHAT CONDITIONS ARE APPROPRIATE?**

- 49 I have had the benefit of a 'without prejudice' discussion of draft permit conditions circulated by Council.
- 50 There was discussion about including additional canopy trees. I am satisfied with the landscape plan provided in Mr Thomson's evidence and do not consider it necessary to require any changes regarding additional canopy tree planting.
- 51 There was also discussion about relocating an existing water tank. The applicant says this may involve pipework changes that may impact vegetation. I consider the water tank should remain and have deleted the condition requiring its relocation. It is not prominent in the streetscape and Mr Thomson indicated that it does not act as a significant constraint for landscaping.
- 52 I have amended the conditions as I consider appropriate for the proposal and the issues regarding the proposed development.

#### **CONCLUSION**

- 53 For the reasons given above, the decision of the responsible authority is set aside. A permit is granted subject to conditions.

Christopher Harty  
**Member**



## APPENDIX A – PERMIT CONDITIONS

<b>PERMIT APPLICATION NO</b>	TPA/53778
<b>LAND</b>	1/26 Leyland Road MOUNT WAVERLEY VIC 3149

### WHAT THE PERMIT ALLOWS

In accordance with the endorsed plans:

- Ground floor extension and first floor addition to the existing dwelling on a lot less than 500 square metres in the General Residential Zone Schedule 3.

### CONDITIONS

#### Amended Plans Required

- 1 Before the development commences, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. The plans must be drawn to scale and dimensioned. When the plans are endorsed, they will then form part of the Permit. The must be generally in accordance with plans prepared by Yu Cachia design and Construction dated 7 July 2022, but modified to show:
  - (a) A minimum sill height of 1.7 metres above finished floor level to the south facing first floor window serving Bedroom 2.
  - (b) The first floor northern Bedroom 2 renumbered to Bedroom 3, so as to distinguish it from the southern Bedroom 2.
  - (c) A notation on the eastern elevation confirming that there is a full height solid wall along the entire eastern edge of the Bedroom 3 balcony (as is shown on the first floor plan).
  - (d) A Landscape plan in accordance with Condition 3 of this Permit.
  - (e) Remove the notations shown on plan drawing number A01 regarding proposed canopy trees.

#### Layout not to be Altered

- 2 The development as shown on the endorsed plans must not be altered without the prior written consent of the responsible authority.

#### Landscape

- 3 Concurrent with the endorsement of any plans requested pursuant to Condition 1, a landscape plan generally in accordance with the landscape plan dated February 2023 prepared by Habitat Landscape and



Environmental Design Consultants, drawn to scale and dimensioned must be submitted to and approved by the responsible authority. The Landscape Plan must be modified to show:

- (a) A survey and location of all existing trees, using botanical names to be retained and of those to be removed. The intended status of the trees shown on the landscape plan must be consistent with that depicted on the development layout plan;
- (b) A planting schedule of all proposed trees, shrubs and ground cover, which will include the size of all plants (at planting and at maturity), pot / planting size, location, botanical names and quantities;
- (c) The location of any boundary and internal fencing to the site;
- (d) Provision of canopy trees of an appropriate species with spreading crowns appropriate for its location and provided throughout the site including the major open space areas of the development;
- (e) Planting to soften the appearance of hard surface areas such as driveways and other paved areas;
- (f) Canopy Trees / Significant Planting on adjoining properties within 3 metres of the site;
- (g) The location of any retaining walls associated with the landscape treatment of the site;
- (h) Details of all proposed surface finishes including pathways, accessways, patio or decked areas;
- (i) An in-ground, automatic watering system linked to rainwater tanks on the land must be installed and maintained to the common garden areas to the satisfaction of the responsible authority;
- (j) Landscaping and planting within all open areas of the site.

When approved the plan will be endorsed and will then form part of the permit.

### **Tree Protection**

- 4 Before any development (including demolition) starts on the land, a tree protection fence must be erected around all trees that are to be retained, or are located within or adjacent to any works area (including trees on adjacent land). The tree protection fence must remain in place until all construction is completed on the land, except with the prior written consent of the responsible authority.
- 5 No building material, demolition material, excavation or earthworks shall be stored or stockpiled within the Tree Protection Zone (TPZ) of any tree to be retained during the demolition, excavation and construction period of the

development hereby permitted without the prior written consent of the responsible authority.

### **Landscaping Prior to Occupation**

- 6 Before the occupation of any of the buildings allowed by this permit, landscaping works as shown on the endorsed plans must be completed to the satisfaction of the responsible authority and thereafter maintained to the satisfaction of the responsible authority.

### **Drainage**

- 7 The site must be drained to the satisfaction of the responsible authority. Stormwater must be directed to the Point of Connection as detailed in the Legal Point of Discharge report. Stormwater must not be allowed to flow into adjoining properties including the road reserve.
- 8 No polluted and/or sediment laden stormwater runoff is to be discharged directly or indirectly into Council's drains or watercourses during and after development, to the satisfaction of the responsible authority.
- 9 Stormwater is to be detained on site to the predevelopment level of peak stormwater discharge. The design of any internal detention system is to be approved by Council's Engineering Department prior to any stormwater drainage works commencing.
- 10 A plan detailing the stormwater drainage and civil works must be submitted to and approved by the Engineering Department prior to the commencement of any works. The plans are to show sufficient information to determine that the drainage and civil works will meet all drainage requirements of this permit. Refer to Engineering Plan Checking on [www.monash.vic.gov.au](http://www.monash.vic.gov.au).

### **Urban Design**

- 11 The walls on the boundary of adjoining properties shall be cleaned and finished in a manner to the satisfaction of the responsible authority.

### **Satisfactory Continuation and Completion**

- 12 Once the development has started it must be continued and completed to the satisfaction of the responsible authority.

### **Expiry of permit for development**

- 13 This permit as it relates to development (buildings and works) will expire if one of the following circumstances applies:
  - (a) The development is not started within two (2) years of the issue date of this permit.
  - (b) The development is not completed within four (4) years of the issue date of this permit.





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

**– End of conditions –**

