

**NOTICE OF DECISION
TO GRANT A PERMIT
NO:
5/2017/164/1**

Responsible Authority: Bayside City Council

Planning Scheme: Bayside



Address Of The Land: 509 Balcombe Road BEAUMARIS

The Permit Will Allow: Removal of Native Trees in a Vegetation Protection Overlay in accordance with the endorsed plans and subject to the following conditions.

The responsible authority has decided to grant a permit. The permit has not been issued.

What Will The Conditions Of The Permit Be?

1. Before the removal of the trees, an amended landscape plan to the satisfaction of the Responsible Authority must be submitted to and be endorsed by the Responsible Authority. The plan must be generally in accordance with the landscape concept plan submitted 22 March 2017 and be drawn to scale with dimensions and three copies must be provided. The plan must show:
 - a. Retention of Tree 5;
 - b. A survey, including botanical names of all existing trees (native and exotic) to be retained on-site including Tree Protection Zones in accordance with AS4970-2009;
 - c. Planting of two (2) indigenous canopy trees, which have the capacity to reach a mature height of 10m and spread of 6m at maturity. One tree to be planted in the front setback and a second tree should be planted in the rear yard;
 - d. Planting of two (2) additional indigenous canopy trees, which have the capacity to reach a mature height of 8m and spread of 4m at maturity. One tree to be planted in the front setback and a second tree should be planted in the rear yard.
2. The canopy trees planted in the front setback should be sufficiently setback from the northern boundary so mature tree canopies will not require pruning for powerline clearance.
3. No additional native trees as shown on the endorsed plans are to be removed without the prior written consent of the Responsible Authority.
4. The landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority within 12 months of the removal of the trees.
5. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.
6. This permit will expire if the tree removal has not been completed within two years of the date of this permit.

Date issued: 15 August 2017

Michael Kelleher

Signature for the Responsible Authority

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IMPORTANT INFORMATION ABOUT THIS NOTICE****WHAT HAS BEEN DECIDED?**

The Responsible Authority has decided to grant a permit. The permit has not been issued. This notice sets out what the permit will allow and what conditions the permit will be subject to if issued.

WHAT ABOUT APPEALS?**For the Applicant—**

* The person who applied for the permit may apply for review of any condition in the notice of decision to grant a permit. The application for review must be lodged within 60 days of the giving of this notice.

For an Objector—

* An objector may apply for review of the decision of the Responsible Authority to grant a permit. The application for review must be lodged within 21 days of the giving of this notice.

* If there is no application for review, a permit will be issued after 21 days of the giving of this notice.

For a Recommending Referral Authority—

* A recommending referral authority may apply for review of the decision of the responsible authority:

- (a) to grant a permit, if that recommending referral authority objected to the grant of the permit; or
- (b) not to include a condition on the permit that the recommending referral authority recommended.

* The application for review must be lodged within 21 days of the giving of this notice.

* If there is no application for review, a permit will be issued after 21 days of the giving of this notice.

For all applications for review—

- * An application for review is lodged with the Victorian Civil and Administrative Tribunal.
- * An application for review must be made on the Application for Review form which can be obtained from the Victorian Civil and Administrative Tribunal, and be accompanied by the applicable fee.
- * An application for review must state the grounds upon which it is based.
- * An application for review must also be served on the Responsible Authority.
- * Notice of the application for review must be given in writing to all other parties to the review as soon as practicable after an application for review is lodged. An objector who applies for a review must give notice to the person who applied for the permit.

An applicant who applies for review must give notice to all objectors.