



Colac Otway
SHIRE

PLANNING COMMITTEE MEETING

MINUTES

WEDNESDAY 11 JULY 2018

AT 4PM

COPACC

COLAC OTWAY SHIRE COUNCIL PLANNING COMMITTEE MEETING

11 JULY 2018

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COLAC OTWAY SHIRE COUNCIL PLANNING COMMITTEE MEETING

MINUTES of the *PLANNING COMMITTEE MEETING OF THE COLAC OTWAY SHIRE COUNCIL* held at
COPACC on 11 July 2018 at 4pm.

MINUTES

1. I DECLARE THIS MEETING OPEN

OPENING PRAYER

*Almighty God, we seek your
blessing and guidance in our
deliberations on behalf of the
people of the Colac Otway Shire.
Enable this Council's decisions to be
those that contribute to the true
welfare and betterment of our community.*

AMEN

2. PRESENT

Cr Kate Hanson
Cr Stephen Hart
Cr Joe McCracken (Mayor)
Cr Chris Potter
Cr Jason Schram
Cr Chris Smith

Peter Brown, Chief Executive
Errol Lawrence, General Manager, Corporate Services
Tony McGann, General Manager, Infrastructure & Leisure Services
Gareth Smith, General Manager, Development & Community Services
Sarah McKew, Manager, Governance & Customer Service
Lyndal McLean, Acting Governance Officer
Doug McNeill, Manager, Planning, Building & Health
Blaithe Butler, Statutory Planning Coordinator
Sarah Osborne, Acting Communications Coordinator
Gary Warrener, Manager, Economic Development & Events
Jo Wade, Acting Communications Officer
Vicki Jeffery, Events Officer
Trevor Olsson, Manager, People, Performance & Culture
Melanie Duvé, Corporate Planning & Reporting Officer
Greg Fletcher, Manager, Community Services
Ian Seuren, Manager, Arts & Leisure

3. APOLOGIES

Cr Terry Woodcroft

4. WELCOME & ACKNOWLEDGEMENT OF COUNTRY

I would like to start today by acknowledging the traditional custodians and law makers of this land, their elders past and present and welcome any descendants here today.

I would also like to advise that all Council meetings are audio recorded, with the exception of confidential matters. This includes the public participation sections of meetings.

Audio recordings of meetings are taken to facilitate the preparation of the minutes of open Council and Committee meetings and to ensure their accuracy.

In some circumstances a recording will be disclosed to a third party. Those circumstances include, but are not limited to, circumstances such as where Council is compelled to disclose an audio recording because it is required by law, such as the *Freedom of Information Act 1982*, or by court order, warrant, or subpoena or to assist in an investigation undertaken by the Ombudsman or the Independent Broad-based Anti-corruption Commission.

Council will not use or disclose the recordings for any other purpose. It is an offence to make an unauthorized recording of the meeting.

5. DECLARATIONS OF INTEREST

Nil

6. CONFIRMATION OF MINUTES

- Planning Committee meeting held on 13 June 2018.

RESOLUTION

MOVED Cr Chris Potter seconded Cr Kate Hanson

That the Planning Committee confirm the above minutes.

CARRIED 6 : 0

7. VERBAL SUBMISSIONS FROM APPLICANTS/OBJECTORS

The Mayor is to read out the names of those applicants and objectors who have confirmed in writing that they wish to make a verbal submission. These verbal submissions will be made in relation to each respective agenda item and must be directly relevant to the respective agenda item. A time limit of five minutes will apply.

Objector: Stephanie Balcombe (on behalf of M & S Balcombe)

Objector: Tania Hislop (on behalf of DJ & T Hislop)

Applicant: Anthony Bright (on behalf of DHHS)

PLANNING COMMITTEE

SUBDIVISION OF LAND INTO THREE LOTS AT 250 WILSON STREET, COLAC

PC181107-1

ADDRESS AND PROPERTY DETAILS	250 Wilson Street, Colac	GENERAL MANAGER	Gareth Smith
PREPARED BY	Helen Evans	TRIM FILE	F18/2712
DIVISION	Development & Community Services	CONFIDENTIAL	No
PERMIT TRIGGERS	Clause 32.08-3 – Subdivision of Land		
TRIGGER FOR DETERMINATION BY COMMITTEE	Five objections received		
APPLICATION NUMBER	PP57/2018-1		
PROPOSAL	Subdivision of Land into Three (3) Lots		
ZONE	General Residential 1 Zone	OVERLAYS	Nil
COVENANTS	Not Applicable		
LIST OF ATTACHMENTS	1. Permit Application		
CULTURAL HERITAGE	Not Applicable		

RECOMMENDATION

That Council resolves to issue a Notice of Decision to Grant a Permit for the subdivision of land into three (3) lots at 250 Wilson Street Colac (Lot S2 PS600535P, Parish of Colac), subject to the following conditions:

Endorsed plan

- 1. The layout and site dimensions of the subdivision hereby permitted, as shown on the endorsed plan/s, must not be altered or modified without the written consent of the Responsible Authority. There are no requirements to alter or modify the endorsed plan if a plan is certified under the provisions of the Subdivision Act 1988 that is generally in accordance with the endorsed plan/s.**

Creation of easements

- 2. Prior to the certification of the plan of subdivision under the Subdivision Act 1988, all easements deemed necessary to protect existing or future drainage lines within the subject site, and any easements required between the subject site and the nominated legal point of discharge must be created to the satisfaction of the Responsible Authority.**

Erosion Control Plan

- 3. Prior to the certification of the plan of subdivision under the Subdivision Act 1988, unless otherwise approved in writing by the Responsible Authority, an 'Erosion Control Plan' must be submitted to and approved by the Responsible Authority. The plan must describe the erosion and sediment control techniques that will be used when constructing the subdivision, detail how the site will be managed prior to and during the construction period and must set out requirements for managing:**

- a) Erosion and sediment.**
- b) Dust.**
- c) Runoff**
- d) Litter, concrete and other construction wastes.**
- e) Chemical contamination.**
- f) Vegetation and natural features planned for retention.**

The developer must ensure that all contractors are aware of the requirements of the approved Erosion Control Plan and understand how to implement them. No polluted and/or sediment laden runoff is to be discharged directly or indirectly into Colac Otway Shire drains and/or watercourses at any time during construction or operation to the satisfaction of the Responsible Authority.

Landscaping

- 4. Prior to certification of the plan of subdivision under the Subdivision Act 1988, unless otherwise approved in writing by the Responsible Authority, a Landscape Master Plan 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 and three copies must be provided. The Landscape Master Plan must include:**

- a) The species, location, approximate height and spread of planting (where appropriate) including all street trees. All species selected must be to the satisfaction of the Responsible Authority.**
- b) Four street trees along Wilson Street, in locations to the satisfaction of the Responsible Authority.**
- c) The promotion of the use of drought tolerant and low maintenance plants, and avoidance of species that are likely to spread into the surrounding environment.**
- d) Details of implementation of the planting and of the maintenance of the trees (for two years), including an undertaking to replace dead trees.**

- 5. Prior to the issue of Statement of Compliance, or as otherwise agreed in writing with the Responsible Authority, the Landscape Master Plan must be implemented to the satisfaction of the Responsible Authority at the expense of the applicant.**

6. *The street trees must be maintained in accordance with the detail in the Landscape Master Plan for a period of two years at the applicant's expense. Prior to Statement of Compliance being issued, a landscaping bond equivalent to \$150 per tree must be lodged with the Responsible Authority for the maintenance of the landscaping works in accordance with the endorsed plan for a two year period.*
7. *Upon completion of the two year maintenance period to the satisfaction of the Responsible Authority, the Responsible Authority may refund the landscaping bond after receiving a written request from the applicant. In the event that the landscaping works are not maintained to the satisfaction of the Responsible Authority, the Responsible Authority may complete or maintain the landscaping works and deduct the cost thereof, including supervision fee, from any bond lodged in accordance with condition 6 of this permit.*

Construction Plans

8. *Prior to the issue of Statement of Compliance under the Subdivision Act 1988, unless otherwise approved in writing by the Responsible Authority, a service vehicle plan showing the movement of a typical waste vehicle for the proposed lots accessed from Cants Road, with no reversing of the waste vehicle other than by 3 point turns must be submitted to and approved by the Responsible Authority*
9. *Prior to the commencement of any works associated with the subdivision, detailed construction plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and form part of the planning permit. The plans must be drawn to scale with dimensions and three copies provided. The plans must include:*
 - a) *Design for a footpath conforming to the requirements of the adopted Infrastructure Design Manual, between Cants Road and Sinclair Street South, including provision of kerb ramps at kerb returns and the installation of Tactile Ground Surface indicators as necessary.*
 - b) *Details of vehicle crossover*
 - c) *Locations of street trees as required under Landscaping Plan.*

Stormwater Management Plan

10. *Prior to commencement of any works associated with the subdivision hereby permitted, a stormwater management plan demonstrating how the proposed subdivision will be drained 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 form part of the planning permit. The plans must be drawn to scale with dimensions and three copies must be provided.*

Drainage

11. *Each lot on the endorsed plan must be drained to the satisfaction of the Responsible Authority.*

Access

12. *Prior to the issue of a statement of compliance under the Subdivision Act 1988, vehicular access from the roadway to the property boundary must be constructed to the satisfaction of the Responsible Authority.*

Compliance with Construction and Stormwater Management Plans

- 13. Prior to the issue of statement of compliance under the Subdivision Act 1988, or as otherwise agreed in writing with the Responsible Authority and subject to a payment of a bond, all works associated with the Construction Plans and drainage must be constructed in accordance with the approved plans and specifications, to the satisfaction of the Responsible Authority.**

The bond would be calculated by Council following receipt from the owner of an independent cost estimate for the proposed footpath and drainage works, and payment of a bond amount of 150% of that cost estimate would be required, to the satisfaction of Council.

In the event the works are completed to the satisfaction of the Responsible Authority after statement of compliance has been issued and a bond has been paid, the Responsible Authority will refund the bond after receiving a written request from the applicant. In the event that the works are not completed by 31 May 2019 to the satisfaction of the Responsible Authority, the Responsible Authority may complete the works and deduct the cost thereof, including supervision fee, from any bond lodged.

Submission of Drawings

- 14. Prior to the statement of compliance for the subdivision or as otherwise agreed in writing with the Responsible Authority, the following drawings and information must be submitted to the Responsible Authority:**

- *Copies of the as constructed engineering footpath drawings in the following format: one (1x) A3 print, one (1x) LandXML file with MGA Co-ordinates.*
- *Survey enhanced digital data for the asset information component of the subdivision, in accordance with the current version of the relevant A-SPEC format. The preferred formats are Mif/mid or Shape file.*

Telecommunications

- 15. The owner of the land must enter into an agreement with:**

- *a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and*
- *a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.*

- 16. Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:**

- *a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and*
- *a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.*

Barwon Water conditions

General

17. *The plan of subdivision must be referred to Barwon Water in accordance with the Subdivision Act 1988 and any subsequent amendments to the plan provided to Barwon Water.*
18. *The owner shall create easements for Pipelines or Ancillary Purposes in Favour of Barwon Region Water Corporation over all existing and proposed sewer mains located within the subdivision. The width of these easements shall be 2.0m.*

Potable Water

19. *The provision and installation of a potable water supply to the development.*
20. *Reticulated potable water mains are required. This work must be undertaken by a Barwon Water accredited Consultant and accredited Contractor following the "Developer Works" process.*
21. *New Customer Contributions are payable for water for each additional connection which includes any new lot on a plan of subdivision and/ or any apartment, unit, or premises within the development that is or can be separately metered for a potable water supply.*

Sewer

22. *The provision and installation of a sewerage service to the development.*
23. *Reticulated sewer mains are required. This work must be undertaken by a Barwon Water accredited Consultant and accredited Contractor following the "Developer Works" process.*
24. *New Customer Contributions are payable for sewer for each additional connection which includes any new lot on a plan of subdivision and/ or any apartment, unit, or premises within the development (that is or can be separately metered for a potable water supply).*

CFA conditions

Hydrants

25. *Prior to the issue of a Statement of Compliance under the Subdivision Act 1988 the following requirements must be met to the satisfaction of the CFA:*
 - a) *Above or below ground operable hydrants must be provided. The maximum distance between these hydrants and the rear of all building envelopes (or in the absence of building envelopes, the rear of the lots) must be 120 metres and the hydrants must be no more than 200 metres apart. These distances must be measured around lot boundaries.*
 - b) *The hydrants must be identified with marker posts and road reflectors as applicable to the satisfaction of the Country Fire Authority.*

Powercor conditions

26. *The plan of subdivision submitted for certification under the Subdivision Act 1988 shall be referred to Powercor Australia Ltd in accordance with Section 8 of that Act.*
27. *The applicant shall:*
 - a) *Provide an electricity supply to all lots in the subdivision in accordance with Powercor's requirements and standards, including the extension, augmentation or re-arrangement of any existing electricity supply system, as required by Powercor (A payment to cover the*

cost of such work will be required). In the event that a supply is not provided the applicant shall provide a written undertaking to Powercor Australia Ltd that prospective purchasers will be so informed.

- b) Where buildings or other installations exist on the land to be subdivided and are connected to the electricity supply, they shall be brought into compliance with the Service and Installation Rules issued by the Victorian Electricity Supply Industry. You shall arrange compliance through a Registered Electrical Contractor.*
- c) Any buildings must comply with the clearances required by the Electricity Safety (Installations) Regulations.*
- d) Any construction work must comply with Energy Safe Victoria's 'No Go Zone' rules.*
- e) Set aside on the plan of subdivision for the use of Powercor Australia Ltd reserves and/or easements satisfactory to Powercor Australia Ltd where any electric substation (other than a pole mounted type) is required to service the subdivision.*

Alternatively, at the discretion of Powercor Australia Ltd a lease(s) of the site(s) and for easements for associated powerlines, cables and access ways shall be provided. Such a lease shall be for a period of 30 years at a nominal rental with a right to extend the lease for a further 30 years. Powercor Australia Ltd will register such leases on the title by way of a caveat prior to the registration of the plan of subdivision.

- f) Provide easements satisfactory to Powercor Australia Ltd, where easements have not been otherwise provided, for all existing Powercor Australia Ltd electric lines on the land and for any new powerlines required to service the lots and adjoining land, save for lines located, or to be located, on public roads set out on the plan. These easements shall show on the plan an easement(s) in favour of 'Powercor Australia Ltd' for 'Power Line' pursuant to Section 88 of the Electricity Industry Act 2000.*
- g) Obtain for the use of Powercor Australia Ltd any other easement external to the subdivision required to service the lots.*
- h) Adjust the position of any existing easement(s) for powerlines to accord with the position of the line(s) as determined by survey.*
- i) Obtain Powercor Australia Ltd's approval for lot boundaries within any area affected by an easement for a powerline and for the construction of any works in such an area.*
- j) Provide to Powercor Australia Ltd a copy of the version of the plan of subdivision submitted for certification, which shows any amendments which have been required.*

Expiry

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

- a) The plan of subdivision is not certified within two years of the date of the permit.*
- b) A statement of compliance is not issued within five years of the date of certification of the Plan.*

The Responsible Authority may extend the period referred to for certification if a request is made in writing before the permit expires, or within six months afterwards.

Notes

1. *Prior to commencement of development, an application to undertake works within the road reserve the must be submitted to and approved by the Council.*
2. Barwon Water
The developer is to apply to Barwon Water for details relating to servicing requirements and costing for the provision of a potable water supply and where applicable, recycled water and/ or sewerage services to the subdivision. It would be appreciated if all communication between the developer/agent and Barwon Water quote Barwon Water reference number L013310.
3. Powercor
It is recommended that, at an early date, the applicant commences negotiations with Powercor for supply of electricity in order that supply arrangements can be worked out in detail, so prescribed information can be issued once all electricity works are completed (the release to the municipality enabling a Statement of Compliance to be issued).

Prospective purchasers of lots in this subdivision should contact Powercor Australia Ltd to determine the availability of a supply of electricity. Financial contributions may be required.
4. CFA
CFA's requirements for identification of hydrants are specified in 'Identification of Street Hydrants for Firefighting Purposes' available under publications on the CFA web site (www.cfa.vic.gov.au).

MOTION

MOVED Cr Stephen Hart

That the meeting is adjourned for a short break.

CARRIED 6 : 0

The meeting adjourned for a short break at 4.42pm.
The meeting resumed at 4.55pm.

ALTERNATIVE MOTION

MOVED Cr Chris Smith seconded Cr Jason Schram

That Council resolves to refuse to grant a permit on the following grounds:

1. *The proposed subdivision would be an underdevelopment of the land. The proposed subdivision is considered inappropriate due to failure to upgrade Cants Road, the reduced opportunity for the provision of public open space, the lack of detail about drainage of the proposed lots to avoid detriment to surrounding properties, and the fact that the subdivision would be out of keeping with the character of the area.*

LOST 2 : 4

DIVISION

For the motion: Cr Jason Schram, Cr Chris Smith

Against the motion: Cr Kate Hanson, Cr Stephen Hart, Cr Joe McCracken, Cr Chris Potter

RESOLUTION

That Council resolves to issue a Notice of Decision to Grant a Permit for the subdivision of land into three (3) lots at 250 Wilson Street Colac (Lot S2 PS600535P, Parish of Colac), subject to the following conditions:

Endorsed plan

- 1. The layout and site dimensions of the subdivision hereby permitted, as shown on the endorsed plan/s, must not be altered or modified without the written consent of the Responsible Authority. There are no requirements to alter or modify the endorsed plan if a plan is certified under the provisions of the Subdivision Act 1988 that is generally in accordance with the endorsed plan/s.*

Creation of easements

- 2. Prior to the certification of the plan of subdivision under the Subdivision Act 1988, all easements deemed necessary to protect existing or future drainage lines within the subject site, and any easements required between the subject site and the nominated legal point of discharge must be created to the satisfaction of the Responsible Authority.*

Erosion Control Plan

- 3. Prior to the certification of the plan of subdivision under the Subdivision Act 1988, unless otherwise approved in writing by the Responsible Authority, an 'Erosion Control Plan' must be submitted to and approved by the Responsible Authority. The plan must describe the erosion and sediment control techniques that will be used when constructing the subdivision, detail how the site will be managed prior to and during the construction period and must set out requirements for managing:
 - a) Erosion and sediment.*
 - b) Dust.*
 - c) Runoff*
 - d) Litter, concrete and other construction wastes.*
 - e) Chemical contamination.*
 - f) Vegetation and natural features planned for retention.**

The developer must ensure that all contractors are aware of the requirements of the approved Erosion Control Plan and understand how to implement them. No polluted and/or sediment laden runoff is to be discharged directly or indirectly into Colac Otway Shire drains and/or watercourses at any time during construction or operation to the satisfaction of the Responsible Authority.

Landscaping

- 4. Prior to certification of the plan of subdivision under the Subdivision Act 1988, unless otherwise approved in writing by the Responsible Authority, a Landscape Master Plan 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 and three copies must be provided. The Landscape Master Plan must include:*

- a) *The species, location, approximate height and spread of planting (where appropriate) including all street trees. All species selected must be to the satisfaction of the Responsible Authority.*
 - b) *Four street trees along Wilson Street, in locations to the satisfaction of the Responsible Authority.*
 - c) *The promotion of the use of drought tolerant and low maintenance plants, and avoidance of species that are likely to spread into the surrounding environment.*
 - d) *Details of implementation of the planting and of the maintenance of the trees (for two years), including an undertaking to replace dead trees.*
5. *Prior to the issue of Statement of Compliance, or as otherwise agreed in writing with the Responsible Authority, the Landscape Master Plan must be implemented to the satisfaction of the Responsible Authority at the expense of the applicant.*
 6. *The street trees must be maintained in accordance with the detail in the Landscape Master Plan for a period of two years at the applicant's expense. Prior to Statement of Compliance being issued, a landscaping bond equivalent to \$150 per tree must be lodged with the Responsible Authority for the maintenance of the landscaping works in accordance with the endorsed plan for a two year period.*
 7. *Upon completion of the two year maintenance period to the satisfaction of the Responsible Authority, the Responsible Authority may refund the landscaping bond after receiving a written request from the applicant. In the event that the landscaping works are not maintained to the satisfaction of the Responsible Authority, the Responsible Authority may complete or maintain the landscaping works and deduct the cost thereof, including supervision fee, from any bond lodged in accordance with condition 6 of this permit.*

Construction Plans

8. *Prior to the issue of Statement of Compliance under the Subdivision Act 1988, unless otherwise approved in writing by the Responsible Authority, a service vehicle plan showing the movement of a typical waste vehicle for the proposed lots accessed from Cants Road, with no reversing of the waste vehicle other than by 3 point turns must be submitted to and approved by the Responsible Authority*
9. *Prior to the commencement of any works associated with the subdivision, detailed construction plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and form part of the planning permit. The plans must be drawn to scale with dimensions and three copies provided. The plans must include:*
 - a) *Design for a footpath conforming to the requirements of the adopted Infrastructure Design Manual, between Cants Road and Sinclair Street South, including provision of kerb ramps at kerb returns and the installation of Tactile Ground Surface indicators as necessary.*
 - b) *Details of vehicle crossover*
 - c) *Locations of street trees as required under Landscaping Plan.*

Stormwater Management Plan

10. Prior to commencement of any works associated with the subdivision hereby permitted, a stormwater management plan demonstrating how the proposed subdivision will be drained 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 form part of the planning permit. The plans must be drawn to scale with dimensions and three copies must be provided.

Drainage

11. Each lot on the endorsed plan must be drained to the satisfaction of the Responsible Authority.

Access

12. Prior to the issue of a statement of compliance under the Subdivision Act 1988, vehicular access from the roadway to the property boundary must be constructed to the satisfaction of the Responsible Authority.

Compliance with Construction and Stormwater Management Plans

13. Prior to the issue of statement of compliance under the Subdivision Act 1988, or as otherwise agreed in writing with the Responsible Authority and subject to a payment of a bond, all works associated with the Construction Plans and drainage must be constructed in accordance with the approved plans and specifications, to the satisfaction of the Responsible Authority.

The bond would be calculated by Council following receipt from the owner of an independent cost estimate for the proposed footpath and drainage works, and payment of a bond amount of 150% of that cost estimate would be required, to the satisfaction of Council.

In the event the works are completed to the satisfaction of the Responsible Authority after statement of compliance has been issued and a bond has been paid, the Responsible Authority will refund the bond after receiving a written request from the applicant. In the event that the works are not completed by 31 May 2019 to the satisfaction of the Responsible Authority, the Responsible Authority may complete the works and deduct the cost thereof, including supervision fee, from any bond lodged.

Submission of Drawings

14. Prior to the statement of compliance for the subdivision or as otherwise agreed in writing with the Responsible Authority, the following drawings and information must be submitted to the Responsible Authority:

- **Copies of the as constructed engineering footpath drawings in the following format: one (1x) A3 print, one (1x) LandXML file with MGA Co-ordinates.**
- **Survey enhanced digital data for the asset information component of the subdivision, in accordance with the current version of the relevant A-SPEC format. The preferred formats are Mif/mid or Shape file.**

Telecommunications

15. The owner of the land must enter into an agreement with:

- **a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and**
- **a suitably qualified person for the provision of fibre ready telecommunication facilities to**

each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

16. Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:

- a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and*
- a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.*

Barwon Water conditions

General

17. The plan of subdivision must be referred to Barwon Water in accordance with the Subdivision Act 1988 and any subsequent amendments to the plan provided to Barwon Water.

18. The owner shall create easements for Pipelines or Ancillary Purposes in Favour of Barwon Region Water Corporation over all existing and proposed sewer mains located within the subdivision. The width of these easements shall be 2.0m.

Potable Water

19. The provision and installation of a potable water supply to the development.

20. Reticulated potable water mains are required. This work must be undertaken by a Barwon Water accredited Consultant and accredited Contractor following the "Developer Works" process.

21. New Customer Contributions are payable for water for each additional connection which includes any new lot on a plan of subdivision and/ or any apartment, unit, or premises within the development that is or can be separately metered for a potable water supply.

Sewer

22. The provision and installation of a sewerage service to the development.

23. Reticulated sewer mains are required. This work must be undertaken by a Barwon Water accredited Consultant and accredited Contractor following the "Developer Works" process.

24. New Customer Contributions are payable for sewer for each additional connection which includes any new lot on a plan of subdivision and/ or any apartment, unit, or premises within the development (that is or can be separately metered for a potable water supply).

CFA conditions

Hydrants

25. Prior to the issue of a Statement of Compliance under the Subdivision Act 1988 the following requirements must be met to the satisfaction of the CFA:

- a) *Above or below ground operable hydrants must be provided. The maximum distance between these hydrants and the rear of all building envelopes (or in the absence of building envelopes, the rear of the lots) must be 120 metres and the hydrants must be no more than 200 metres apart. These distances must be measured around lot boundaries.*
- b) *The hydrants must be identified with marker posts and road reflectors as applicable to the satisfaction of the Country Fire Authority.*

Powercor conditions

26. The plan of subdivision submitted for certification under the Subdivision Act 1988 shall be referred to Powercor Australia Ltd in accordance with Section 8 of that Act.

27. The applicant shall:

- a) *Provide an electricity supply to all lots in the subdivision in accordance with Powercor's requirements and standards, including the extension, augmentation or re-arrangement of any existing electricity supply system, as required by Powercor (A payment to cover the cost of such work will be required). In the event that a supply is not provided the applicant shall provide a written undertaking to Powercor Australia Ltd that prospective purchasers will be so informed.*
- b) *Where buildings or other installations exist on the land to be subdivided and are connected to the electricity supply, they shall be brought into compliance with the Service and Installation Rules issued by the Victorian Electricity Supply Industry. You shall arrange compliance through a Registered Electrical Contractor.*
- c) *Any buildings must comply with the clearances required by the Electricity Safety (Installations) Regulations.*
- d) *Any construction work must comply with Energy Safe Victoria's 'No Go Zone' rules.*
- e) *Set aside on the plan of subdivision for the use of Powercor Australia Ltd reserves and/or easements satisfactory to Powercor Australia Ltd where any electric substation (other than a pole mounted type) is required to service the subdivision.*

Alternatively, at the discretion of Powercor Australia Ltd a lease(s) of the site(s) and for easements for associated powerlines, cables and access ways shall be provided. Such a lease shall be for a period of 30 years at a nominal rental with a right to extend the lease for a further 30 years. Powercor Australia Ltd will register such leases on the title by way of a caveat prior to the registration of the plan of subdivision.

- f) *Provide easements satisfactory to Powercor Australia Ltd, where easements have not been otherwise provided, for all existing Powercor Australia Ltd electric lines on the land and for any new powerlines required to service the lots and adjoining land, save for lines located, or to be located, on public roads set out on the plan. These easements shall show on the plan an easement(s) in favour of 'Powercor Australia Ltd' for 'Power Line' pursuant to Section 88 of the Electricity Industry Act 2000.*
- g) *Obtain for the use of Powercor Australia Ltd any other easement external to the subdivision required to service the lots.*

- h) Adjust the position of any existing easement(s) for powerlines to accord with the position of the line(s) as determined by survey.*
- i) Obtain Powercor Australia Ltd's approval for lot boundaries within any area affected by an easement for a powerline and for the construction of any works in such an area.*
- j) Provide to Powercor Australia Ltd a copy of the version of the plan of subdivision submitted for certification, which shows any amendments which have been required.*

Expiry

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

- a) The plan of subdivision is not certified within two years of the date of the permit.*
- b) A statement of compliance is not issued within five years of the date of certification of the Plan.*

The Responsible Authority may extend the period referred to for certification if a request is made in writing before the permit expires, or within six months afterwards.

Notes

- 1.** *Prior to commencement of development, an application to undertake works within the road reserve the must be submitted to and approved by the Council.*
- 2.** **Barwon Water**
The developer is to apply to Barwon Water for details relating to servicing requirements and costing for the provision of a potable water supply and where applicable, recycled water and/ or sewerage services to the subdivision. It would be appreciated if all communication between the developer/agent and Barwon Water quote Barwon Water reference number L013310.
- 3.** **Powercor**
It is recommended that, at an early date, the applicant commences negotiations with Powercor for supply of electricity in order that supply arrangements can be worked out in detail, so prescribed information can be issued once all electricity works are completed (the release to the municipality enabling a Statement of Compliance to be issued).

Prospective purchasers of lots in this subdivision should contact Powercor Australia Ltd to determine the availability of a supply of electricity. Financial contributions may be required.

4. CFA

CFA's requirements for identification of hydrants are specified in 'Identification of Street Hydrants for Firefighting Purposes' available under publications on the CFA web site (www.cfa.vic.gov.au).

CARRIED 4 : 2

DIVISION

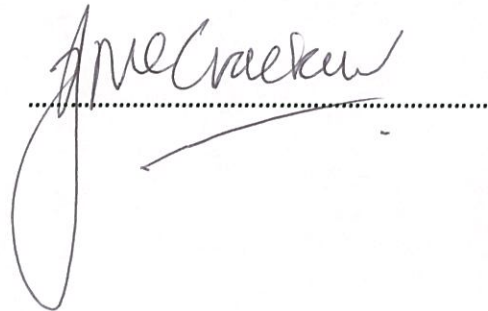
For the motion: Cr Kate Hanson, Cr Stephen Hart, Cr Joe McCracken, Cr Chris Potter

Against the motion: Cr Jason Schram, Cr Chris Smith

Gary Warrener attended the meeting at 4.56pm.
Jo Wade attended the meeting at 4.56pm.
Vicki Jeffrey attended the meeting at 4.58pm.
Trevor Olsson attended the meeting at 4.59pm.
Melanie Duvé, attended the meeting at 4.59pm.
Greg Fletcher attended the meeting at 4.59pm.
Ian Seuren attended the meeting at 4.59pm.

The meeting was declared closed at 5.20pm

CONFIRMED AND SIGNED at the meeting held on 14 NOVEMBER 2018



A handwritten signature in black ink, appearing to read "J. McCrae", is written above a horizontal dotted line. A long, sweeping horizontal stroke extends from the end of the signature across the dotted line.