



**Colac Otway
SHIRE**

AGENDA

**PLANNING COMMITTEE MEETING
OF THE
COLAC-OTWAY SHIRE
COUNCIL**

9 JULY 2014

at 10:30 AM

COPACC Meeting Rooms

All Council and Committee meetings are audio recorded, with the exception of matters identified as confidential items in the Agenda. This includes the public participation sections of the 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 unauthorised recording of the meeting.

COLAC-OTWAY SHIRE PLANNING COMMITTEE MEETING

9 JULY 2014

TABLE OF CONTENTS

OFFICERS' REPORTS

PC140907-1	PLANNING AND BUILDING STATISTICAL REPORT.....	6
PC140907-2	SUBDIVISION OF THE LAND INTO TWENTY FIVE (25) LOTS AT 122 MAIN STREET ELLIMINYT (PP258/2013-1).....	21

NOTICE is hereby given that the next **PLANNING COMMITTEE MEETING OF THE COLAC-OTWAY SHIRE COUNCIL** will be held in COPACC Meeting Rooms on 9 July 2014 at 10.30am.

AGENDA

1. 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

3. APOLOGIES

4. MAYORAL STATEMENT

Colac Otway Shire acknowledges the original custodians and law makers of this land, their elders past and present and welcomes any descendents here today.

Colac Otway Shire encourages community input and participation in Council decisions.

Council meetings enable Councillors to debate matters prior to decisions being made. I ask that we all behave in a courteous manner.

All Council and Committee meetings are audio recorded, with the exception of matters identified as confidential items in the Agenda. This includes the public participation sections of the 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 unauthorised recording of the meeting.

5. DECLARATION OF INTEREST

6. 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 5 minutes will apply.

7. CONFIRMATION OF MINUTES

- **Planning Committee held on the 14/05/14.**

Recommendation

That Council confirm the above minutes.

OFFICERS' REPORTS

Sustainable Planning and Development

PC140907-1 PLANNING AND BUILDING STATISTICAL REPORT
PC140907-2 SUBDIVISION OF THE LAND INTO TWENTY FIVE (25) LOTS AT 122
MAIN STREET ELLIMINYT (PP258/2013-1)

**Phil Corluka
(Acting) Chief Executive Officer**

PC140907-1 PLANNING AND BUILDING STATISTICAL REPORT

AUTHOR:	Tammy Kavanagh	ENDORSED:	Jack Green
DEPARTMENT:	Sustainable Planning & Development	FILE REF:	F11/2683

Planning Committee at its meeting on 11 June 2014 resolved that the matter be deferred to the meeting to be held on 09 July 2014.

Summary

This report provides statistics relating to the months of May and June 2014.

Planning Statistics

23 Planning Permit Applications were received for the period 1 May 2014 – 31 May 2014.

30 Planning Permit Applications were considered for the period 1 May 2014 – 31 May 2014.

17 Planning Permit Applications were received for the period 1 June 2014 – 30 June 2014.

26 Planning Permit Applications were considered for the period 1 June 2014 – 30 June 2014.

Building Statistics

The Victorian Building Authority data is updated to February 2014.

Attachments

1. Planning Statistical Report - May 2014 - Determinations
2. Planning Statistical Report - June 2014 - Determinations

Recommendation(s)

That Council’s Planning Committee take note of the statistical reports for May and June 2014.

~~~~~\ ~~~~~

## PLANNING STATISTICAL REPORT – MAY 2014 – (DETERMINATIONS)

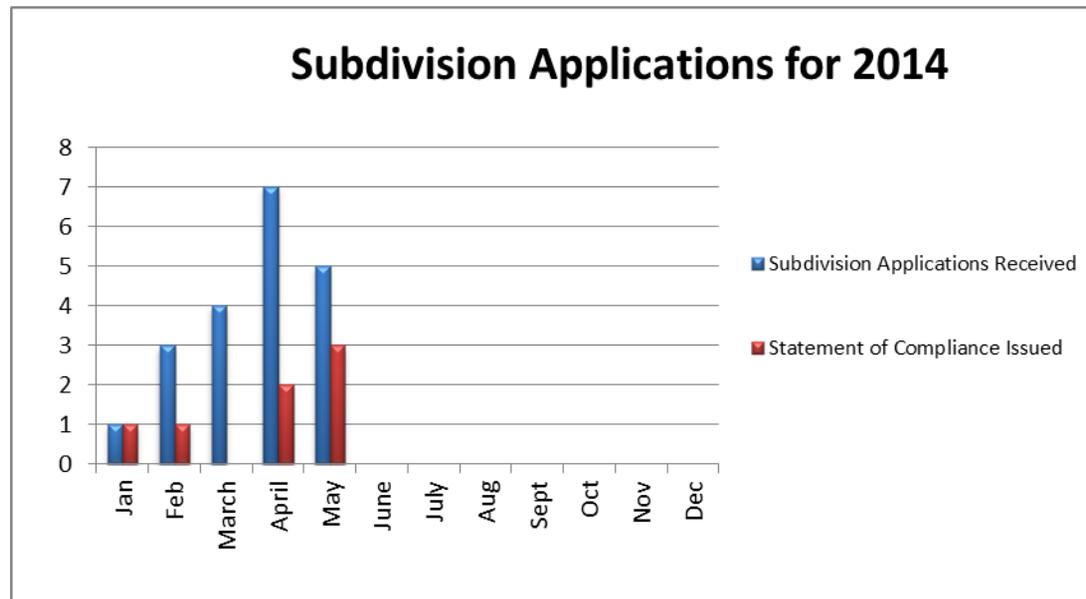
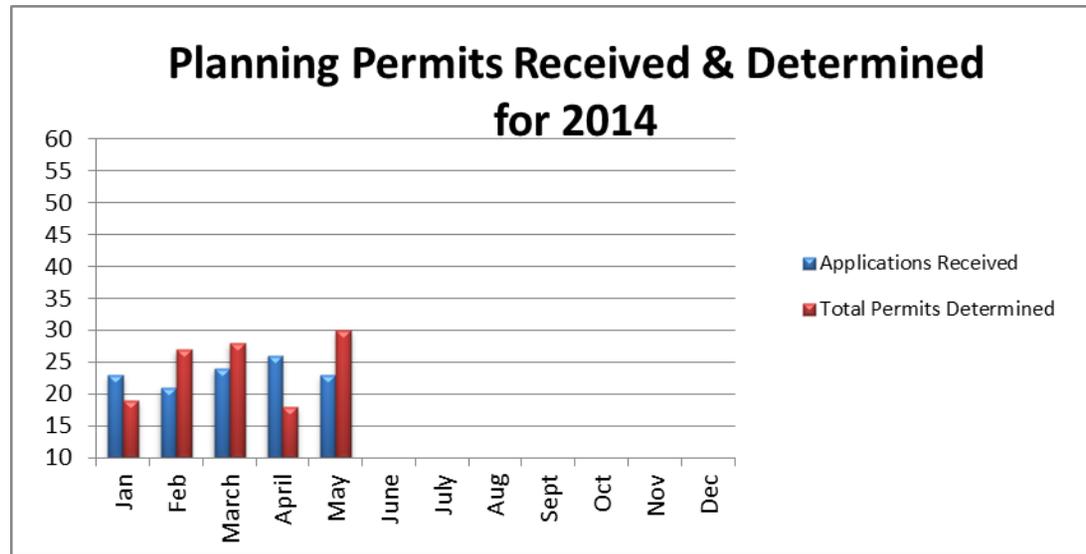
| APPLICATION NUMBER | DATE RECEIVED | LOCATION                                                                    | PROPOSAL                                                                                                                                        | STATUTORY DAYS | DATE DETERMINED | DETERMINATION & AUTHORITY   |
|--------------------|---------------|-----------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|----------------|-----------------|-----------------------------|
| 59/2001-3          | 12-MAY-14     | 155 EVANS TRACK JOHANNA                                                     | CONSTRUCTION OF A DWELLING                                                                                                                      | 15             | 27-MAY-14       | PERMIT ISSUED DELEGATE      |
| 281/2011-2         | 14-MAY-14     | 555 DEWINGS BRIDGE ROAD GERANGAMETE                                         | SINGLE DWELLING, SWIMMING POOL AND FARM SHED                                                                                                    | 14             | 28-MAY-14       | PERMIT ISSUED DELEGATE      |
| 125/2012-1         | 4-JUN-12      | 75 BOUNDARY ROAD FORREST                                                    | CONSTRUCTION OF A DAM, ACCESS TRACK AND REMOVAL OF VEGETATION (RETROSPECTIVE)                                                                   | 613            | 7-MAY-14        | REFUSAL TO GRANT - DELEGATE |
| 259/2012-1         | 4-DEC-12      | 15 CORUNNUN ROAD COROROOKE                                                  | SUBDIVISION OF THE LAND INTO FIVE (5) LOTS AND ASSOCIATED EARTHWORKS                                                                            | 153            | 22-MAY-14       | PERMIT ISSUED DELEGATE      |
| 52/2013-1          | 18-MAR-13     | 90-94 MURRAY STREET COLAC & 1 <sup>ST</sup> FLOOR 86-88 MURRAY STREET COLAC | INTERNAL AND EXTERNAL PAINTING                                                                                                                  | 280            | 9-MAY-14        | PERMIT ISSUED DELEGATE      |
| 167/2013-1         | 22-JUL-13     | 1 HARRISON STREET MARENGO                                                   | USE AND DEVELOPMENT OF TWO (2) HOLIDAY ACCOMMODATION UNITS, EXTENSIONS TO EXISTING DWELLING AND CONSTRUCTION OF SHED, AND REMOVAL OF VEGETATION | 148            | 15-MAY-14       | REFUSAL TO GRANT - COUNCIL  |
| 199/2013-2         | 10-APR-14     | 1599 BIRREGURRA FORREST ROAD BARWON DOWNS                                   | USE OF THE LAND AS A COMMUNITY CENTRE (PLACE OF ASSEMBLY) AND PROVISION OF CARPARKING ON ADJOINING LAND                                         | 3              | 1-MAY-14        | PERMIT ISSUED DELEGATE      |
| 245/2013-1         | 30-OCT-13     | 6 STURT COURT WYE RIVER                                                     | CONSTRUCTION OF A DWELLING AND ASSOCIATED WORKS & THE REMOVAL OF NATIVE VEGETATION                                                              | 70             | 14-MAY-14       | PERMIT ISSUED DELEGATE      |
| 284/2013-1         | 20-DEC-13     | 1 KEMP STREET COLAC                                                         | TWO (2) LOT SUBDIVISION                                                                                                                         | 81             | 5-MAY-14        | PERMIT ISSUED DELEGATE      |
| 6/2014-1           | 10-JAN-14     | 2-14 CLARK STREET COLAC EAST                                                | CONSTRUCTION OF A FIVE-HUNDRED (500) PALLET FREEZER STORE WITH A SEMI-AUTOMATIC PLATE FREEZER                                                   | 64             | 14-MAY-14       | PERMIT ISSUED COUNCIL       |
| 10/2014-1          | 17-JAN-14     | 1/6 JOYCE STREET APOLLO BAY                                                 | TWO (2) LOT SUBDIVISION                                                                                                                         | 35             | 22-MAY-14       | PERMIT ISSUED DELEGATE      |
| 16/2014-1          | 28-JAN-14     | 57B TULLOH STREET ELLIMINYT                                                 | CONSTRUCTION OF DWELLING AND SHED                                                                                                               | 39             | 20-MAY-14       | PERMIT ISSUED DELEGATE      |

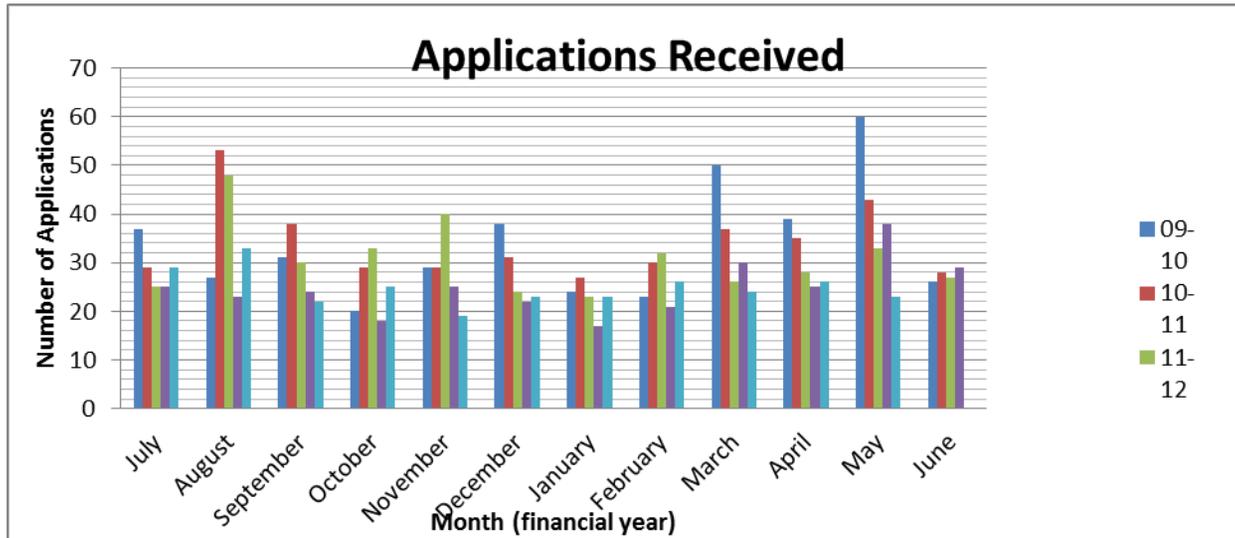
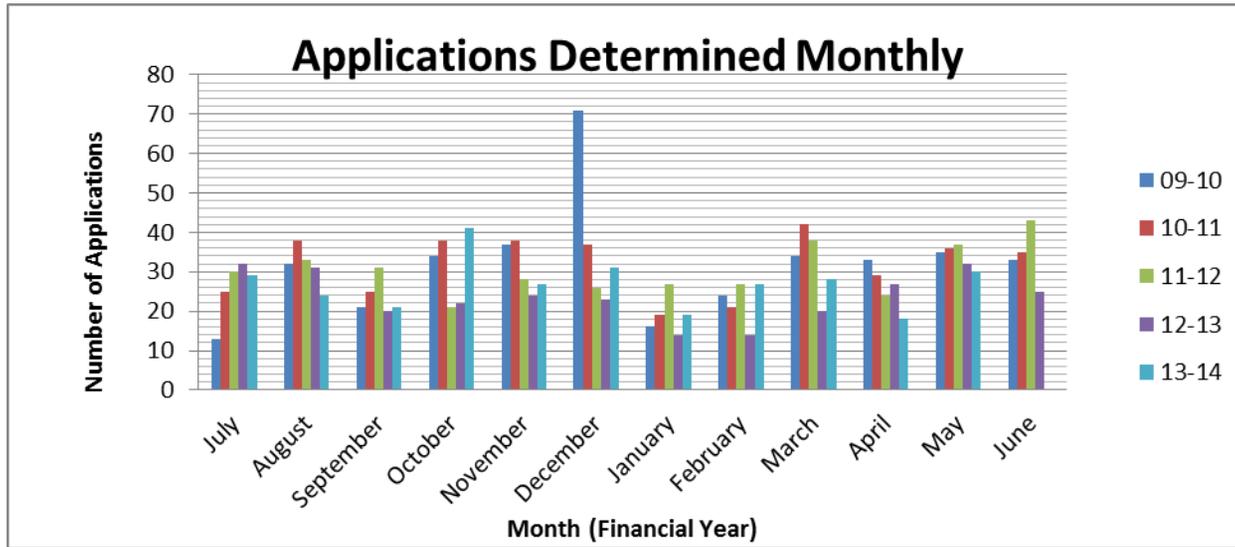
| APPLICATION NUMBER | DATE RECEIVED | LOCATION                                | PROPOSAL                                                                                             | STATUTORY DAYS | DATE DETERMINED | DETERMINATION & AUTHORITY |
|--------------------|---------------|-----------------------------------------|------------------------------------------------------------------------------------------------------|----------------|-----------------|---------------------------|
| 18/2014-1          | 28-JAN-14     | 18 HEARN STREET COLAC                   | BUILDINGS AND WORKS COMPRISING CONSTRUCTION OF SINGLE-STOREY DWELLING                                | 81             | 16-MAY-14       | PERMIT ISSUED DELEGATE    |
| 23/2014-1          | 31-JAN-14     | 17 POINT AVENUE SKENES CREEK            | BUILDINGS AND WORKS COMPRISING CONSTRUCTION OF BALCONY EXTENSION AND EXTERNAL STAIRCASE              | 36             | 9-MAY-14        | PERMIT ISSUED DELEGATE    |
| 25/2014-1          | 6-FEB-14      | 2380 COLAC FORREST ROAD GERANGAMETE     | BUILDINGS AND WORKS COMPRISING RELOCATION OF BUILDING FOR USE ANCILLARY TO EXISTING DWELLING         | 37             | 1-MAY-14        | PERMIT ISSUED DELEGATE    |
| 27/2014-1          | 7-FEB-14      | 51-53 HESSE STREET COLAC                | SIGNAGE                                                                                              | 27             | 29-MAY-14       | PERMIT ISSUED DELEGATE    |
| 28/2014-1          | 20-FEB-14     | 16 MAIN ROAD GELLIBRAND                 | PACKAGED LIQUOR LICENCE AND DISPLAY OF BUSINESS IDENTIFICATION SIGNAGE                               | 40             | 30-MAY-14       | PERMIT ISSUED DELEGATE    |
| 30/2014-1          | 11-FEB-14     | 2 HELEN COURT SKENES CREEK              | BUILDINGS AND WORKS COMPRISING CONSTRUCTION OF ROOF OVER EXISTING DECK                               | 28             | 5-MAY-14        | PERMIT ISSUED DELEGATE    |
| 34/2014-1          | 18-FEB-14     | 1 GIBSON AVENUE KENNET RIVER            | BUILDINGS AND WORKS COMPRISING CONSTRUCTION OF BALCONY ROOF AND REPLACEMENT OF SUNSHADES             | 49             | 5-MAY-14        | PERMIT ISSUED DELEGATE    |
| 38/2014-1          | 19-FEB-14     | 118-134 HEARN STREET COLAC              | REMOVAL OF NATIVE VEGETATION (ONE TREE)                                                              | 58             | 21-MAY-14       | PERMIT ISSUED DELEGATE    |
| 41/2014-1          | 24-FEB-14     | 1485 OLD BEECH FOREST ROAD BEECH FOREST | REMOVAL AND LOPPING OF NATIVE VEGETATION                                                             | 83             | 28-MAY-14       | PERMIT ISSUED DELEGATE    |
| 44/2014-1          | 24-FEB-14     | 355 KILLALA ROAD APOLLO BAY             | BUILDINGS AND WORKS COMPRISING EXTENSIONS AND ALTERATIONS TO DWELLING AND CONSTRUCTION OF DECK       | 60             | 13-MAY-14       | PERMIT ISSUED DELEGATE    |
| 47/2014-1          | 28-FEB-14     | 15-27 CALVERT STREET COLAC              | EXTENSION TO EXISTING BUILDING TO PROVIDE CLASSROOM SPACE, REMOVAL OF FENCE AND CONSTRUCTION OF WALL | 39             | 5-MAY-14        | PERMIT ISSUED DELEGATE    |
| 50/2014-1          | 5-MAR-14      | 620 LARPENT ROAD LARPENT                | DAM CONSTRUCTION                                                                                     | 47             | 13-MAY-14       | PERMIT ISSUED DELEGATE    |
| 55/2014-1          | 7-MAR-14      | 2-14 CLARK STREET COLAC                 | BUILDINGS AND WORKS COMPRISING ALTERATIONS TO BUILDING TO                                            | 2              | 8-MAY-14        | PERMIT ISSUED DELEGATE    |

| APPLICATION NUMBER                                        | DATE RECEIVED | LOCATION                             | PROPOSAL                                                                                                                   | STATUTORY DAYS | DATE DETERMINED | DETERMINATION & AUTHORITY |
|-----------------------------------------------------------|---------------|--------------------------------------|----------------------------------------------------------------------------------------------------------------------------|----------------|-----------------|---------------------------|
|                                                           |               | EAST                                 | PROVIDE ANCILLARY OFFICES AND ASSOCIATED FACILITIES                                                                        |                |                 |                           |
| 57/2014-1                                                 | 12-MAR-14     | 3813 COLAC LAVERS HILL ROAD FERGUSON | USE AND DEVELOPMENT OF THE LAND FOR A DWELLING AND ASSOCIATED OUTBUILDINGS AND CREATION OF ACCESS TO A ROAD IN A ROAD ZONE | 56             | 7-MAY-14        | PERMIT ISSUED DELEGATE    |
| 67/2014-1                                                 | 27-MAR-14     | 215 FACTORY ROAD COROROOKE           | CONSTRUCTION OF AGRICULTURAL BUILDING                                                                                      | 56             | 22-MAY-14       | PERMIT ISSUED DELEGATE    |
| 79/2014-1                                                 | 9-APR-14      | 2-14 CLARK STREET COLAC EAST         | BUILDINGS AND WORKS COMPRISING EXTENSIONS TO BUILDING                                                                      | 7              | 8-MAY-14        | PERMIT ISSUED DELEGATE    |
| 35/2014-1                                                 | 18-FEB-14     | 315 ARMSTRONG STREET ELLIMINYT       | USE AND DEVELOPMENT OF THE LAND FOR A DWELLING, SHED AND POOL AND ASSOCIATED EARTHWORKS                                    | 70             | 30-MAY-14       | PERMIT ISSUED DELEGATE    |
| AVERAGE STATUTORY DAYS TO DETERMINE PLANNING APPLICATIONS |               |                                      |                                                                                                                            | 79             |                 |                           |

**PLANNING STATISTICAL REPORT – MAY 2014 (PERMITS NOT REQUIRED, WITHDRAWN & LAPSED APPLICATIONS)**

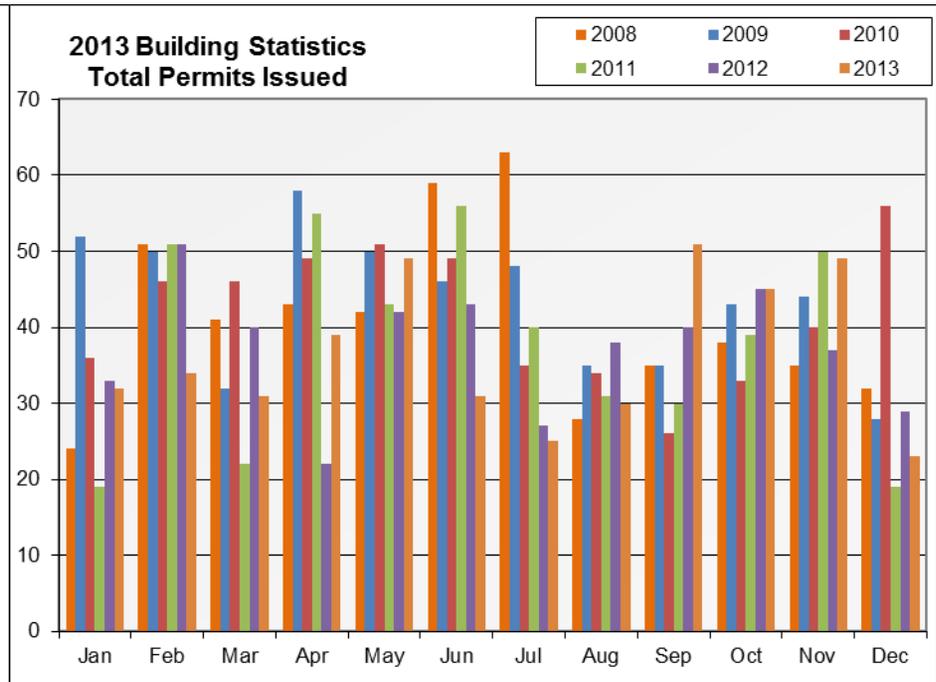
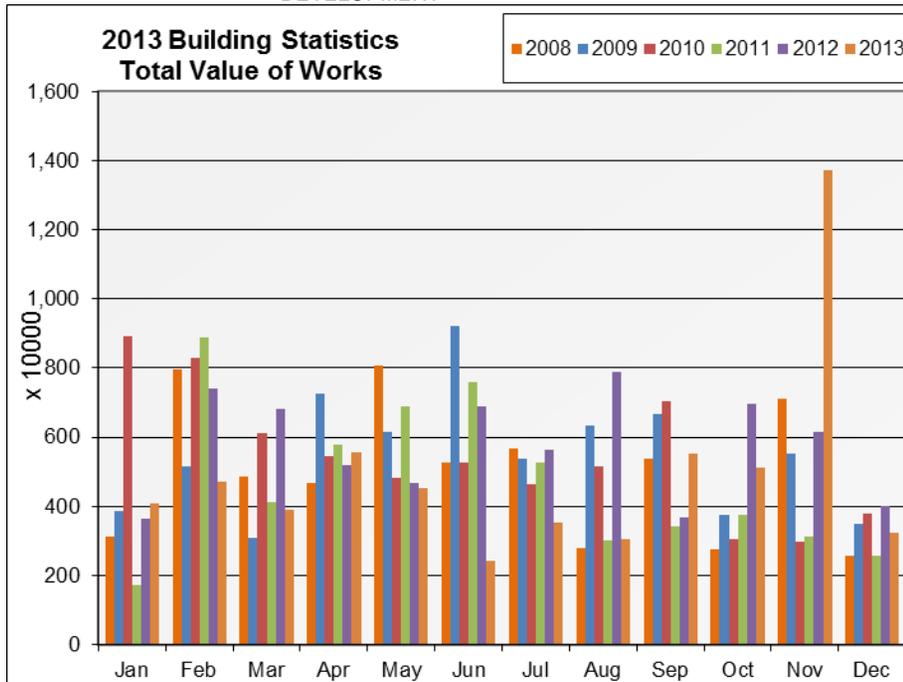
| APPLICATION NUMBER                                        | DATE RECEIVED | LOCATION                             | PROPOSAL                                                                                                            | STATUTORY DAYS | DATE DETERMINED | DETERMINATION & AUTHORITY |
|-----------------------------------------------------------|---------------|--------------------------------------|---------------------------------------------------------------------------------------------------------------------|----------------|-----------------|---------------------------|
| 281/2013-1                                                | 19-DEC-13     | 45 MARRINERS LOOKOUT ROAD APOLLO BAY | STAGED MULTI-LOT RESIDENTIAL SUBDIVISION (COMPLETION OF STAGE 1) AND CREATE, VARY OR REMOVE EASEMENTS (AS REQUIRED) | 0              | 26-MAY-14       | WITHDRAWN                 |
| AVERAGE STATUTORY DAYS TO DETERMINE PLANNING APPLICATIONS |               |                                      |                                                                                                                     | 76             |                 |                           |





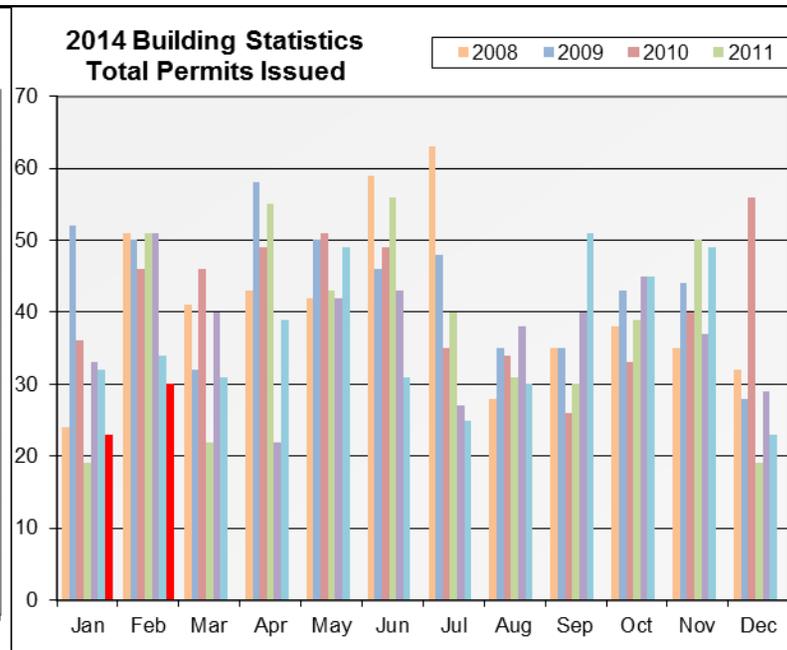
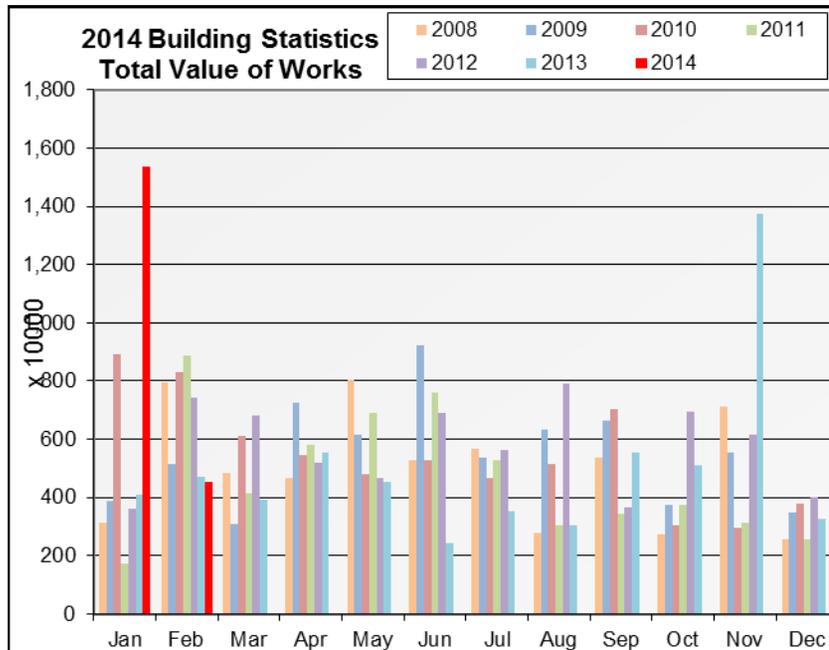
| 2013          | DOMESTIC   |                   | RESIDENTIAL* |                  | COMMERCIAL |                  | RETAIL   |                  | INDUSTRIAL |                  | HOSPITAL/HEALTHCARE |            | PUBLIC BUILDINGS |                   | MUNICIPAL TOTALS |                   |
|---------------|------------|-------------------|--------------|------------------|------------|------------------|----------|------------------|------------|------------------|---------------------|------------|------------------|-------------------|------------------|-------------------|
|               | NO OF BP   | VALUE (\$)        | NO OF BP     | VALUE (\$)       | NO OF BP   | VALUE (\$)       | NO OF BP | VALUE (\$)       | NO OF BP   | VALUE (\$)       | NO OF BP            | VALUE (\$) | NO OF BP         | VALUE (\$)        | NO OF BP         | VALUE (\$)        |
| JAN           | 21         | 3,757,719         | 0            | 0                | 5          | 117,068          | 1        | 2,000            | 1          | 39,745           | 0                   | 0          | 4                | 177,495           | 32               | 4,094,027         |
| FEB           | 31         | 4,341,165         | 1            | 280,929          | 1          | 10,000           | 1        | 69,000           | 0          | 0                | 0                   | 0          | 0                | 0                 | 34               | 4,701,094         |
| MAR           | 26         | 3,132,341         | 0            | 0                | 3          | 504,374          | 0        | 0                | 1          | 150,000          | 0                   | 0          | 1                | 118,320           | 31               | 3,905,035         |
| APR           | 31         | 3,658,781         | 1            | 1,400,419        | 3          | 256,200          | 1        | 29,000           | 1          | 150,000          | 0                   | 0          | 2                | 61,400            | 39               | 5,555,800         |
| MAY           | 38         | 3,559,921         | 2            | 463,410          | 6          | 228,823          | 0        | 0                | 0          | 0                | 0                   | 0          | 3                | 290,000           | 49               | 4,542,154         |
| JUN           | 20         | 1,578,822         | 2            | 353,483          | 6          | 214,810          | 2        | 246,420          | 0          | 0                | 0                   | 0          | 1                | 30,000            | 31               | 2,423,535         |
| JUL           | 21         | 2,399,630         | 1            | 55,000           | 3          | 1,060,000        | 0        | 0                | 0          | 0                | 0                   | 0          | 0                | 0                 | 25               | 3,514,630         |
| AUG           | 24         | 2,822,638         | 0            | 0                | 4          | 108,579          | 0        | 0                | 1          | 120,000          | 0                   | 0          | 1                | 6,610             | 30               | 3,057,827         |
| SEP           | 38         | 4,145,589         | 0            | 0                | 3          | 76,350           | 2        | 305,500          | 1          | 30,000           | 0                   | 0          | 7                | 980,624           | 51               | 5,538,063         |
| OCT           | 38         | 4,352,741         | 0            | 0                | 3          | 174,344          | 0        | 0                | 3          | 560,000          | 0                   | 0          | 1                | 17,200            | 45               | 5,104,285         |
| NOV           | 41         | 4,243,820         | 0            | 0                | 3          | 116,757          | 1        | 500,000          | 1          | 33,762           | 0                   | 0          | 3                | 8,834,626         | 49               | 13,728,965        |
| DEC           | 20         | 3,105,944         | 0            | 0                | 2          | 125,860          | 1        | 19,000           | 0          | 0                | 0                   | 0          | 0                | 0                 | 23               | 3,250,804         |
| <b>TOTALS</b> | <b>349</b> | <b>41,099,111</b> | <b>7</b>     | <b>2,553,241</b> | <b>42</b>  | <b>2,993,165</b> | <b>9</b> | <b>1,170,920</b> | <b>9</b>   | <b>1,083,507</b> | <b>0</b>            | <b>0</b>   | <b>23</b>        | <b>10,516,275</b> | <b>439</b>       | <b>59,416,219</b> |

\*MULTI-DEVELOPMENT



| 2014          | DOMESTIC  |                  | RESIDENTIAL* |            | COMMERCIAL |                  | RETAIL   |            | INDUSTRIAL |            | HOSPITAL/HEALTHCARE |                | PUBLIC BUILDINGS |                   | MUNICIPAL TOTALS |                   |
|---------------|-----------|------------------|--------------|------------|------------|------------------|----------|------------|------------|------------|---------------------|----------------|------------------|-------------------|------------------|-------------------|
|               | NO OF BP  | VALUE (\$)       | NO OF BP     | VALUE (\$) | NO OF BP   | VALUE (\$)       | NO OF BP | VALUE (\$) | NO OF BP   | VALUE (\$) | NO OF BP            | VALUE (\$)     | NO OF BP         | VALUE (\$)        | NO OF BP         | VALUE (\$)        |
| JAN           | 18        | 2,378,119        | 0            | 0          | 3          | 1,863,073        | 0        | 0          | 0          | 0          | 0                   | 0              | 2                | 11,108,934        | 23               | 15,350,126        |
| FEB           | 25        | 4,221,848        | 0            | 0          | 4          | 162,030          | 0        | 0          | 0          | 0          | 1                   | 168,273        | 0                | 0                 | 30               | 4,552,151         |
| MAR           |           |                  |              |            |            |                  |          |            |            |            |                     |                |                  |                   |                  |                   |
| APR           |           |                  |              |            |            |                  |          |            |            |            |                     |                |                  |                   |                  |                   |
| MAY           |           |                  |              |            |            |                  |          |            |            |            |                     |                |                  |                   |                  |                   |
| JUN           |           |                  |              |            |            |                  |          |            |            |            |                     |                |                  |                   |                  |                   |
| JUL           |           |                  |              |            |            |                  |          |            |            |            |                     |                |                  |                   |                  |                   |
| AUG           |           |                  |              |            |            |                  |          |            |            |            |                     |                |                  |                   |                  |                   |
| SEP           |           |                  |              |            |            |                  |          |            |            |            |                     |                |                  |                   |                  |                   |
| OCT           |           |                  |              |            |            |                  |          |            |            |            |                     |                |                  |                   |                  |                   |
| NOV           |           |                  |              |            |            |                  |          |            |            |            |                     |                |                  |                   |                  |                   |
| DEC           |           |                  |              |            |            |                  |          |            |            |            |                     |                |                  |                   |                  |                   |
| <b>TOTALS</b> | <b>43</b> | <b>6,599,967</b> | <b>0</b>     | <b>0</b>   | <b>7</b>   | <b>2,025,103</b> | <b>0</b> | <b>0</b>   | <b>0</b>   | <b>0</b>   | <b>1</b>            | <b>168,273</b> | <b>2</b>         | <b>11,108,934</b> | <b>53</b>        | <b>19,902,277</b> |

\*MULTI-DEVELOPMENT



## PLANNING STATISTICAL REPORT – JUNE 2014 – (DETERMINATIONS)

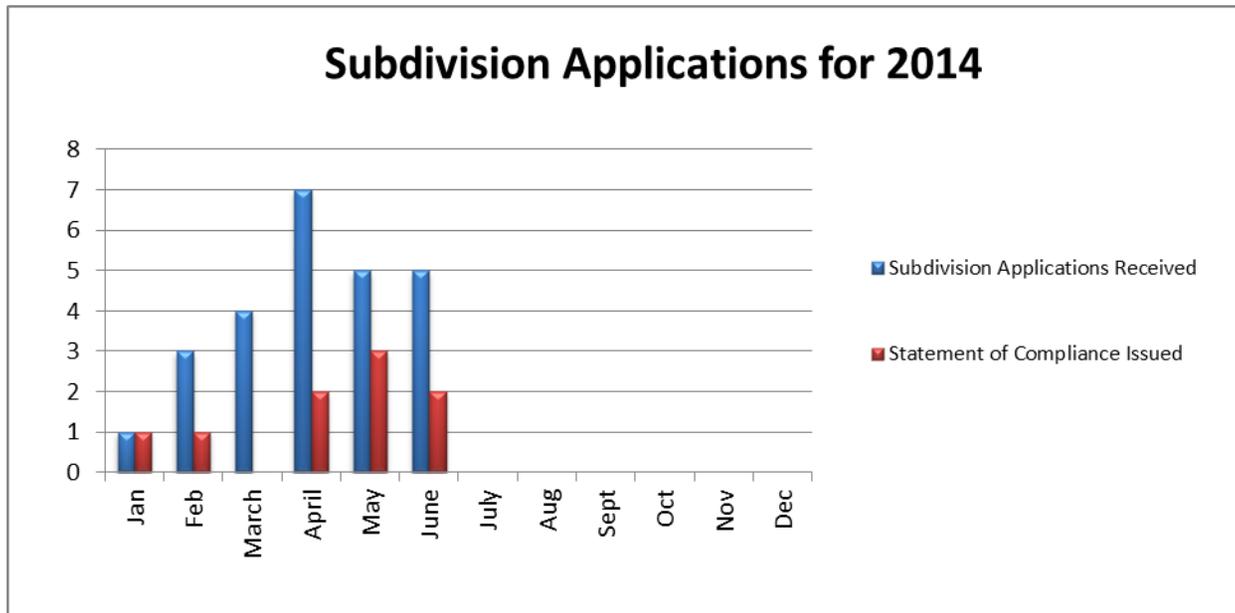
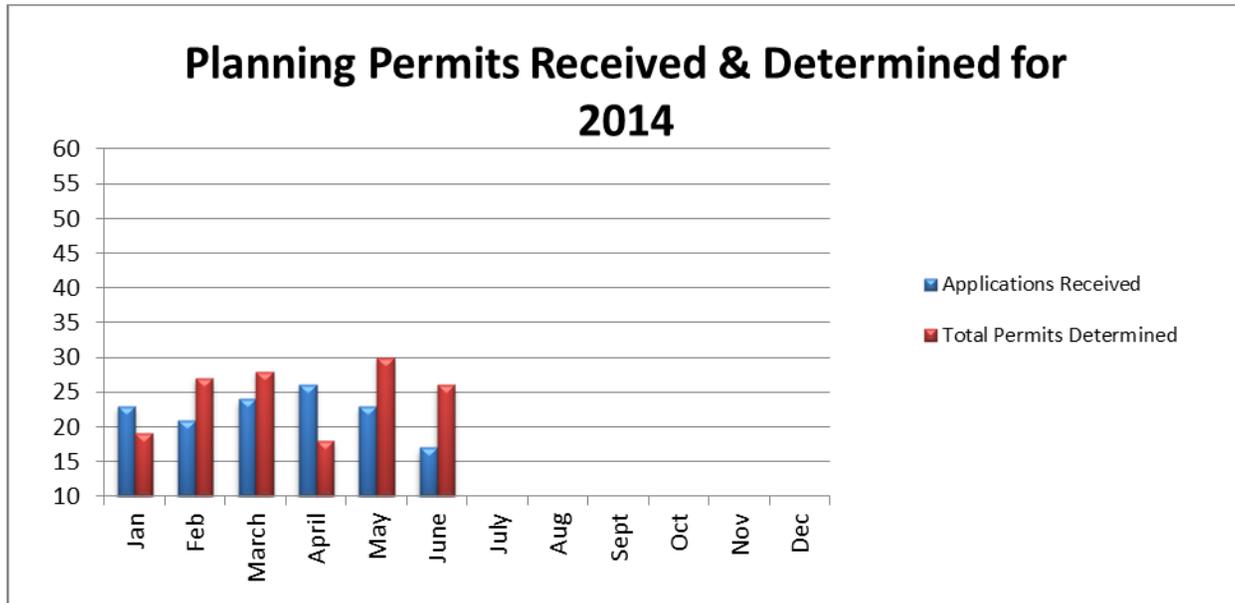
| APPLICATION NUMBER | DATE RECEIVED | LOCATION                                        | PROPOSAL                                                                                                                                                                            | STATUTORY DAYS | DATE DETERMINED | DETERMINATION & AUTHORITY     |
|--------------------|---------------|-------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|-----------------|-------------------------------|
| 59/2012            | 16 MAR 12     | 50 MAIN STREET<br>BIRREGURRA                    | TWO (2) LOT SUBDIVISION                                                                                                                                                             | 25             | 17 JUN 14       | PERMIT ISSUED<br>DELEGATE     |
| 54/2013            | 19 MAR 13     | 2415 BIRREGURRA<br>FORREST ROAD<br>FORREST      | TWO (2) LOT SUBDIVISION                                                                                                                                                             | 335            | 10 JUN 14       | PERMIT ISSUED<br>DELEGATE     |
| 58/2013            | 22 MAR 13     | 35 CORANGAMITE<br>LAKE ROAD COLAC<br>WEST       | CONSTRUCTION OF A<br>MACHINERY SHED, A BIRD<br>AVIARY (SHED), CUT & FILL<br>EARTHWORKS TO EXTEND TO<br>THE EASTERN BOUNDARY<br>AND INSTALL 3<br>UNDERGROUND CONCRETE<br>WATER TANKS | 305            | 13 JUN 14       | PERMIT ISSUED<br>DELEGATE     |
| 206/2013           | 2 SEP 13      | 1620 BIRREGURRA<br>FORREST ROAD<br>BARWON DOWNS | TWO (2) LOT SUBDIVISION AND<br>CREATION OF ACCESS TO A<br>ROAD IN A ROAD ZONE<br>CATEGORY 1                                                                                         | 118            | 3 JUN 14        | PERMIT ISSUED<br>DELEGATE     |
| 211/2013           | 11 SEP 13     | 18 CORUNNUN<br>ROAD COROROOKE                   | SUBDIVISION OF THE LAND<br>INTO FOUR (4) LOTS                                                                                                                                       | 28             | 10 JUN 14       | PERMIT ISSUED<br>DELEGATE     |
| 229/2013           | 14 OCT 13     | 30 AROONA COURT<br>FORREST                      | CHANGE OF USE OF HOLIDAY<br>ACCOMMODATION TO<br>DWELLING AND TWO (2) LOT<br>SUBDIVISION                                                                                             | 105            | 11 JUN 14       | REFUSAL<br>ISSUED<br>DELEGATE |
| 254/2013           | 13 NOV 13     | 314 ARMSTRONG<br>STREET ELLIMINYT               | BUILDINGS AND WORKS<br>COMPRISING CONSTRUCTION<br>OF SINGLE-STOREY<br>DWELLING AND OUTBUILDING                                                                                      | 45             | 23 JUN 14       | PERMIT ISSUED<br>DELEGATE     |
| 278/2013           | 18 DEC 13     | 24 MAIN STREET<br>BIRREGURRA                    | CONSTRUCTION OF A<br>DWELLING AND HENHOUSE,<br>CREATION OF ACCESS TO A<br>ROAD IN A ROAD ZONE<br>CATEGORY 1 AND USE OF THE<br>LAND FOR 'ANIMAL<br>HUSBANDRY' (5 HENS).              | 93             | 2 JUN 14        | PERMIT ISSUED<br>DELEGATE     |
| 1/2014             | 6 JAN 14      | 10 BARTON PLACE<br>MARENGO                      | BUILDINGS AND WORKS<br>COMPRISING CONSTRUCTION<br>OF SINGLE-STOREY<br>DWELLING                                                                                                      | 78             | 11 JUN 14       | PERMIT ISSUED<br>DELEGATE     |

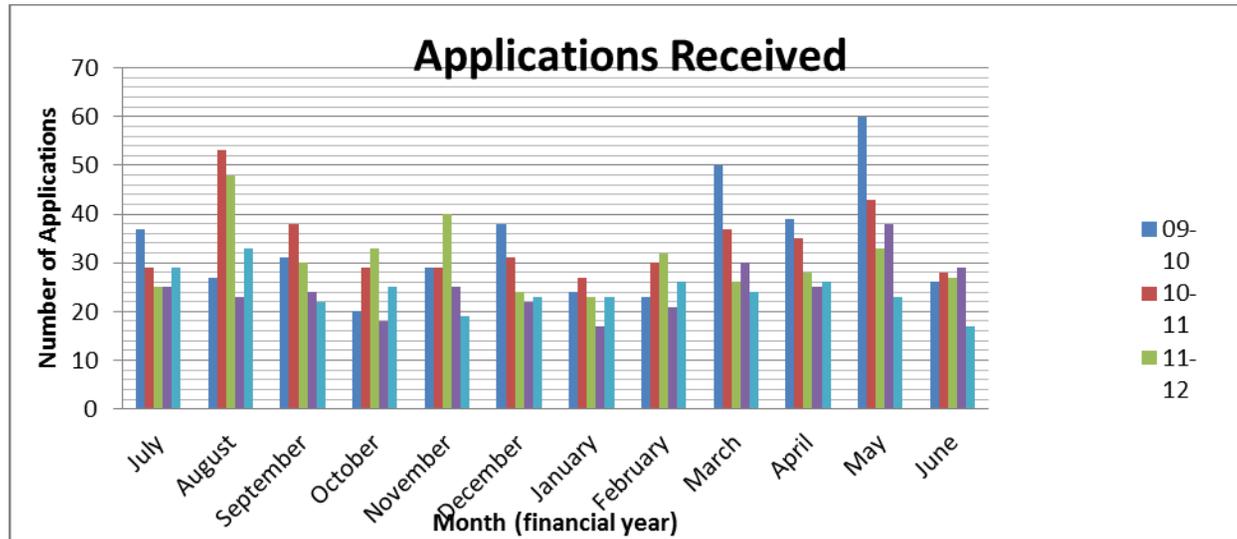
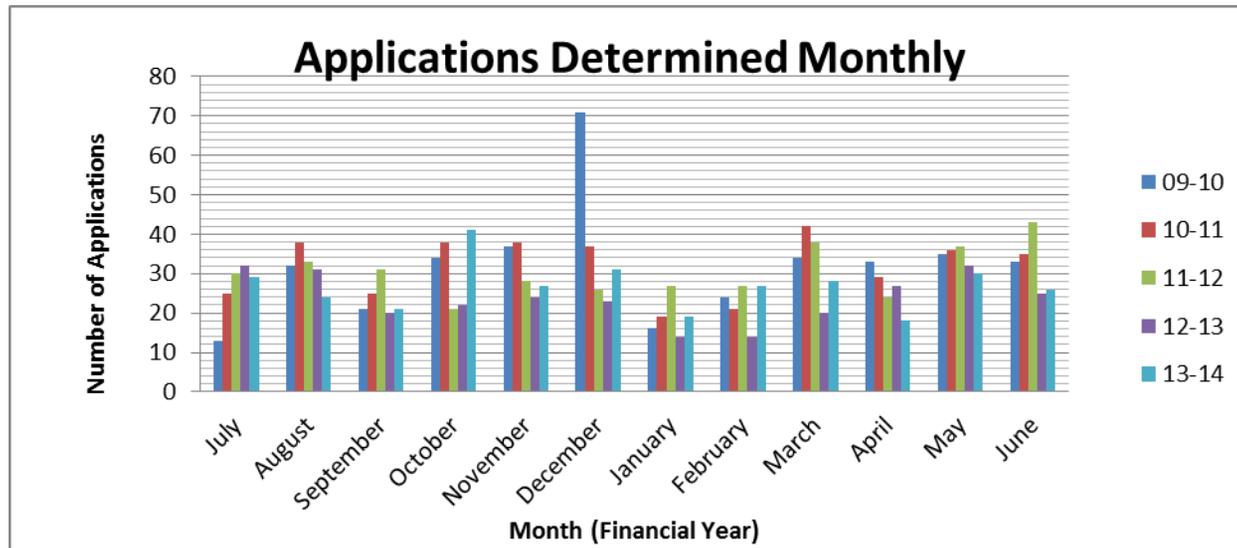
| APPLICATION NUMBER | DATE RECEIVED | LOCATION                               | PROPOSAL                                                                                                                                                                                    | STATUTORY DAYS | DATE DETERMINED | DETERMINATION & AUTHORITY |
|--------------------|---------------|----------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|-----------------|---------------------------|
| 3/2014             | 9 JAN 14      | 97-99 GRANT STREET FORREST             | TWO (2) LOT RE-SUBDIVISION                                                                                                                                                                  | 108            | 5 JUN 14        | PERMIT ISSUED DELEGATE    |
| 5/2014             | 10 JAN 14     | 68 MURRAY STREET EAST COLAC            | TWO (2) LOT SUBDIVISION AND CONSTRUCTION OF SINGLE-STOREY DWELLING                                                                                                                          | 104            | 27 JUN 14       | PERMIT ISSUED DELEGATE    |
| 17/2014            | 28 JAN 14     | 1-13 GREAT OCEAN ROAD KENNET RIVER     | BUILDINGS AND WORKS COMPRISING THE INSTALLATION OF TWO UNREGISTERED MOVABLE DWELLINGS ANCILLARY TO CAMPING AND CARAVAN PARK                                                                 | 102            | 6 JUN 14        | PERMIT ISSUED DELEGATE    |
| 39/2014            | 24 FEB 14     | 2095 COLACLAVERS HILL ROAD GELLIBRAND  | CONSTRUCTION OF TWO AGRICULTURAL BUILDINGS, ONE OUTBUILDING AND REMOVAL OF NATIVE VEGETATION (10 TREES)                                                                                     | 1              | 5 JUN 14        | PERMIT ISSUED DELEGATE    |
| 52/2014            | 5 MAR 14      | 1A MCLELLAN COURT WYE RIVER            | NATIVE VEGETATION REMOVAL                                                                                                                                                                   | 43             | 4 JUN 14        | PERMIT ISSUED DELEGATE    |
| 58/2014            | 13 MAR 14     | 650 LARPENT ROAD LARPENT               | BUILDINGS AND WORKS COMPRISING CONSTRUCTION OF REPLACEMENT SINGLE-STOREY DWELLING                                                                                                           | 106            | 27 JUN 14       | PERMIT ISSUED DELEGATE    |
| 63/2014            | 19 MAR 14     | 6 BLUNDY STREET FORREST                | USE AND DEVELOPMENT OF THE LAND AS A PLACE OF ASSEMBLY (MEN'S SHED), PROVISION OF TWO WATER TANKS, DISPLAY OF ONE BUSINESS IDENTIFICATION SIGN AND REDUCTION IN LOADING/UNLOADING PROVISION | 59             | 17 JUN 14       | PERMIT ISSUED DELEGATE    |
| 64/2014            | 20 MAR 14     | 57A TULLOH STREET ELLIMINYT            | BUILDINGS AND WORKS COMPRISING CONSTRUCTION OF OUTBUILDING                                                                                                                                  | 14             | 17 JUN 14       | PERMIT ISSUED DELEGATE    |
| 66/2014            | 25 MAR 14     | 41-45 GREAT OCEAN ROAD APOLLO BAY      | BUILDINGS AND WORKS COMPRISING CONSTRUCTION OF REPLACEMENT VERANDAH                                                                                                                         | 28             | 11 JUN 14       | PERMIT ISSUED DELEGATE    |
| 73/2014            | 4 APR 14      | 17 CARLISLE GELLIBRAND ROAD GELLIBRAND | TWO (2) LOT RE-SUBDIVISION (BOUNDARY REALIGNMENT)                                                                                                                                           | 63             | 13 JUN 14       | PERMIT ISSUED DELEGATE    |

| APPLICATION NUMBER                              | DATE RECEIVED | LOCATION                             | PROPOSAL                                                                           | STATUTORY DAYS | DATE DETERMINED | DETERMINATION & AUTHORITY |
|-------------------------------------------------|---------------|--------------------------------------|------------------------------------------------------------------------------------|----------------|-----------------|---------------------------|
| 80/2014                                         | 10 APR 14     | 150 LUCAS ROAD<br>CARLISLE RIVER     | CONSTRUCTION OF NEW<br>FARM SHED TO REPLACE<br>EXISTING SHED                       | 35             | 4 JUN 14        | PERMIT ISSUED<br>DELEGATE |
| 82/2014                                         | 14 APR 14     | 6 MONTROSE<br>AVENUE APOLLO<br>BAY   | TWO (2) LOT SUBDIVISION                                                            | 48             | 2 JUN 14        | PERMIT ISSUED<br>DELEGATE |
| 83/2014                                         | 15 APR 14     | 12 EDMUNDSON<br>STREET<br>BIRREGURRA | BUILDINGS AND WORKS<br>COMPRISING THE<br>CONSTRUCTION OF TWO (2)<br>DOUBLE CARPORT | 26             | 18 JUN 14       | PERMIT ISSUED<br>DELEGATE |
| 84/2014                                         | 15 APR 14     | 85 STRACHAN<br>STREET<br>BIRREGURRA  | BUILDINGS AND WORKS<br>COMPRISING THE<br>CONSTRUCTION OF A DOUBLE<br>CARPORT       | 19             | 11 JUN 14       | PERMIT ISSUED<br>DELEGATE |
| 100/2014                                        | 16 MAY 14     | 52-56 MURRAY<br>STREET EAST<br>COLAC | DISPLAY OF ILLUMINATED<br>BUSINESS IDENTIFICATION<br>SIGNAGE                       | 21             | 25 JUN 14       | PERMIT ISSUED<br>DELEGATE |
| TOTAL AVERAGE STATUTORY DAYS (ALL APPLICATIONS) |               |                                      |                                                                                    | 80             |                 |                           |

**PLANNING STATISTICAL REPORT – JUNE 2014 (PERMITS NOT REQUIRED, WITHDRAWN & LAPSED APPLICATIONS)**

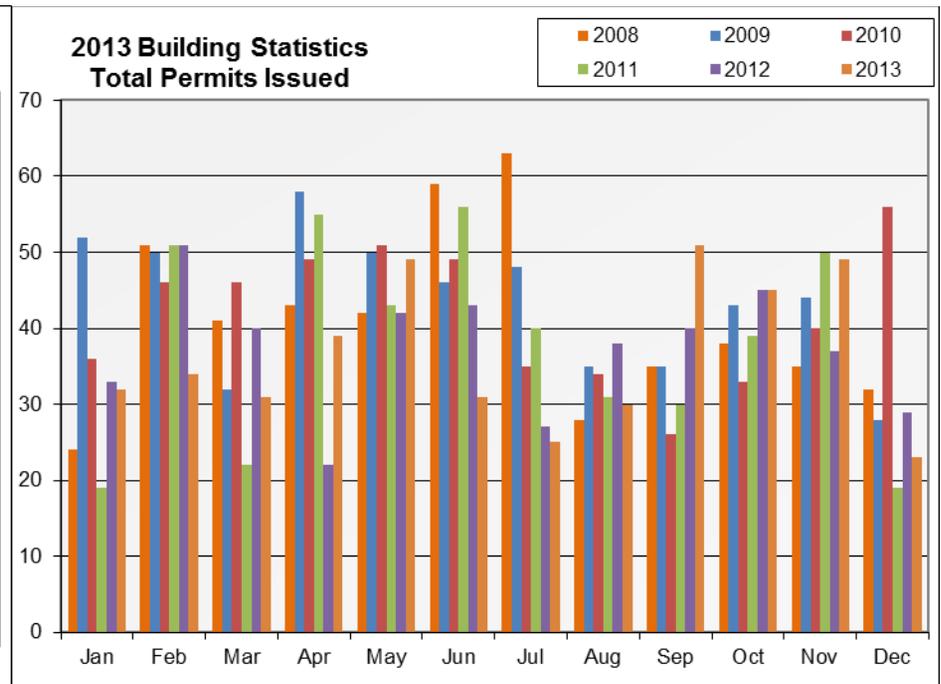
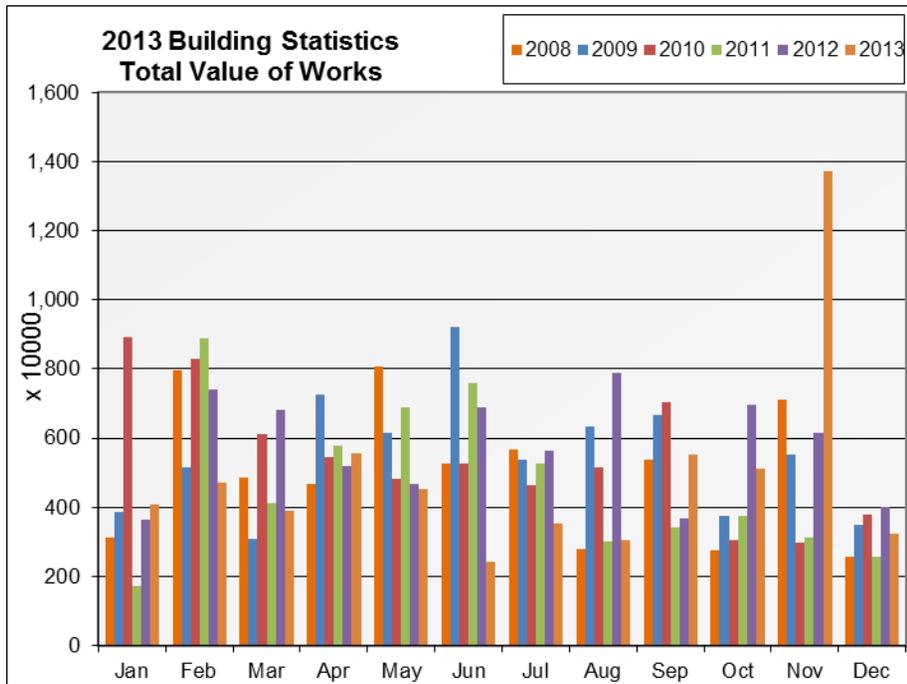
| APPLICATION NUMBER                              | DATE RECEIVED | LOCATION                             | PROPOSAL                                                                                   | STATUTORY DAYS | DATE DETERMINED | DETERMINATION & AUTHORITY |
|-------------------------------------------------|---------------|--------------------------------------|--------------------------------------------------------------------------------------------|----------------|-----------------|---------------------------|
| 15/2014                                         | 28 JAN 14     | 5 & 7 TENNANT<br>STREET CRESSY       | BUILDINGS AND WORKS<br>COMPRISING THE<br>CONSTRUCTION OF A<br>SHED/SHELTER AND BBQ<br>AREA | 0              | 5 JUN 14        | LAPSED                    |
| 108/2002-2                                      | 15 NOV 13     | 6/157 GREAT OCEAN<br>ROAD APOLLO BAY | CHANGE EXISTING CARPARKS<br>FROM PUBLIC USE TO<br>PRIVATE USE                              | 0              | 17 JUN 14       | LAPSED                    |
| TOTAL AVERAGE STATUTORY DAYS (ALL APPLICATIONS) |               |                                      |                                                                                            | 73             |                 |                           |





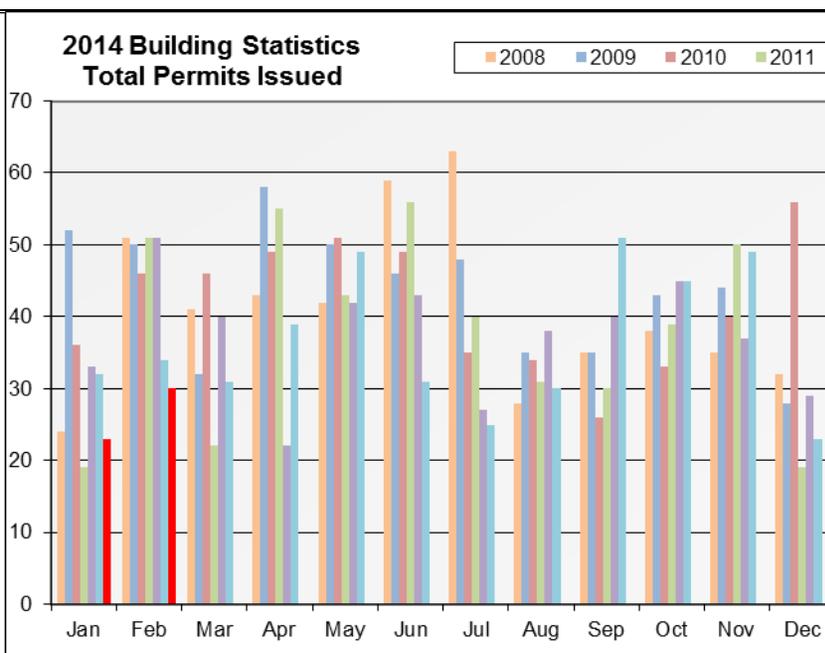
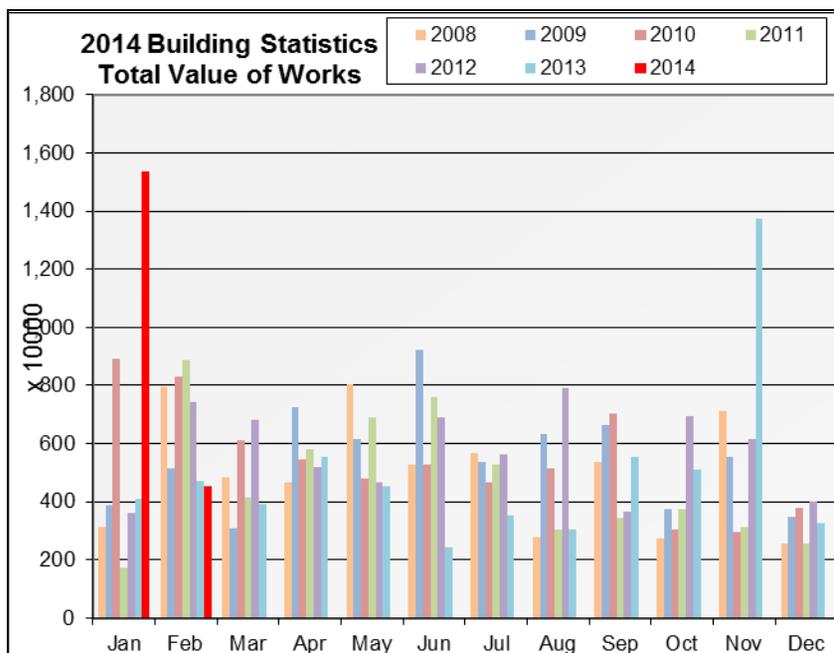
| 2013          | DOMESTIC   |                   | RESIDENTIAL* |                  | COMMERCIAL |                  | RETAIL   |                  | INDUSTRIAL |                  | HOSPITAL/HEALTHCARE |            | PUBLIC BUILDINGS |                   | MUNICIPAL TOTALS |                   |
|---------------|------------|-------------------|--------------|------------------|------------|------------------|----------|------------------|------------|------------------|---------------------|------------|------------------|-------------------|------------------|-------------------|
|               | NO OF BP   | VALUE (\$)        | NO OF BP     | VALUE (\$)       | NO OF BP   | VALUE (\$)       | NO OF BP | VALUE (\$)       | NO OF BP   | VALUE (\$)       | NO OF BP            | VALUE (\$) | NO OF BP         | VALUE (\$)        | NO OF BP         | VALUE (\$)        |
| JAN           | 21         | 3,757,719         | 0            | 0                | 5          | 117,068          | 1        | 2,000            | 1          | 39,745           | 0                   | 0          | 4                | 177,495           | 32               | 4,094,027         |
| FEB           | 31         | 4,341,165         | 1            | 280,929          | 1          | 10,000           | 1        | 69,000           | 0          | 0                | 0                   | 0          | 0                | 0                 | 34               | 4,701,094         |
| MAR           | 26         | 3,132,341         | 0            | 0                | 3          | 504,374          | 0        | 0                | 1          | 150,000          | 0                   | 0          | 1                | 118,320           | 31               | 3,905,035         |
| APR           | 31         | 3,658,781         | 1            | 1,400,419        | 3          | 256,200          | 1        | 29,000           | 1          | 150,000          | 0                   | 0          | 2                | 61,400            | 39               | 5,555,800         |
| MAY           | 38         | 3,559,921         | 2            | 463,410          | 6          | 228,823          | 0        | 0                | 0          | 0                | 0                   | 0          | 3                | 290,000           | 49               | 4,542,154         |
| JUN           | 20         | 1,578,822         | 2            | 353,483          | 6          | 214,810          | 2        | 246,420          | 0          | 0                | 0                   | 0          | 1                | 30,000            | 31               | 2,423,535         |
| JUL           | 21         | 2,399,630         | 1            | 55,000           | 3          | 1,060,000        | 0        | 0                | 0          | 0                | 0                   | 0          | 0                | 0                 | 25               | 3,514,630         |
| AUG           | 24         | 2,822,638         | 0            | 0                | 4          | 108,579          | 0        | 0                | 1          | 120,000          | 0                   | 0          | 1                | 6,610             | 30               | 3,057,827         |
| SEP           | 38         | 4,145,589         | 0            | 0                | 3          | 76,350           | 2        | 305,500          | 1          | 30,000           | 0                   | 0          | 7                | 980,624           | 51               | 5,538,063         |
| OCT           | 38         | 4,352,741         | 0            | 0                | 3          | 174,344          | 0        | 0                | 3          | 560,000          | 0                   | 0          | 1                | 17,200            | 45               | 5,104,285         |
| NOV           | 41         | 4,243,820         | 0            | 0                | 3          | 116,757          | 1        | 500,000          | 1          | 33,762           | 0                   | 0          | 3                | 8,834,626         | 49               | 13,728,965        |
| DEC           | 20         | 3,105,944         | 0            | 0                | 2          | 125,860          | 1        | 19,000           | 0          | 0                | 0                   | 0          | 0                | 0                 | 23               | 3,250,804         |
| <b>TOTALS</b> | <b>349</b> | <b>41,099,111</b> | <b>7</b>     | <b>2,553,241</b> | <b>42</b>  | <b>2,993,165</b> | <b>9</b> | <b>1,170,920</b> | <b>9</b>   | <b>1,083,507</b> | <b>0</b>            | <b>0</b>   | <b>23</b>        | <b>10,516,275</b> | <b>439</b>       | <b>59,416,219</b> |

\*MULTI-DEVELOPMENT



| 2014          | DOMESTIC  |                  | RESIDENTIAL* |            | COMMERCIAL |                  | RETAIL   |            | INDUSTRIAL |            | HOSPITAL/HEALTHCARE |                | PUBLIC BUILDINGS |                   | MUNICIPAL TOTALS |                   |
|---------------|-----------|------------------|--------------|------------|------------|------------------|----------|------------|------------|------------|---------------------|----------------|------------------|-------------------|------------------|-------------------|
|               | NO OF BP  | VALUE (\$)       | NO OF BP     | VALUE (\$) | NO OF BP   | VALUE (\$)       | NO OF BP | VALUE (\$) | NO OF BP   | VALUE (\$) | NO OF BP            | VALUE (\$)     | NO OF BP         | VALUE (\$)        | NO OF BP         | VALUE (\$)        |
| JAN           | 18        | 2,378,119        | 0            | 0          | 3          | 1,863,073        | 0        | 0          | 0          | 0          | 0                   | 0              | 2                | 11,108,934        | 23               | 15,350,126        |
| FEB           | 25        | 4,221,848        | 0            | 0          | 4          | 162,030          | 0        | 0          | 0          | 0          | 1                   | 168,273        | 0                | 0                 | 30               | 4,552,151         |
| MAR           |           |                  |              |            |            |                  |          |            |            |            |                     |                |                  |                   |                  |                   |
| APR           |           |                  |              |            |            |                  |          |            |            |            |                     |                |                  |                   |                  |                   |
| MAY           |           |                  |              |            |            |                  |          |            |            |            |                     |                |                  |                   |                  |                   |
| JUN           |           |                  |              |            |            |                  |          |            |            |            |                     |                |                  |                   |                  |                   |
| JUL           |           |                  |              |            |            |                  |          |            |            |            |                     |                |                  |                   |                  |                   |
| AUG           |           |                  |              |            |            |                  |          |            |            |            |                     |                |                  |                   |                  |                   |
| SEP           |           |                  |              |            |            |                  |          |            |            |            |                     |                |                  |                   |                  |                   |
| OCT           |           |                  |              |            |            |                  |          |            |            |            |                     |                |                  |                   |                  |                   |
| NOV           |           |                  |              |            |            |                  |          |            |            |            |                     |                |                  |                   |                  |                   |
| DEC           |           |                  |              |            |            |                  |          |            |            |            |                     |                |                  |                   |                  |                   |
| <b>TOTALS</b> | <b>43</b> | <b>6,599,967</b> | <b>0</b>     | <b>0</b>   | <b>7</b>   | <b>2,025,103</b> | <b>0</b> | <b>0</b>   | <b>0</b>   | <b>0</b>   | <b>1</b>            | <b>168,273</b> | <b>2</b>         | <b>11,108,934</b> | <b>53</b>        | <b>19,902,277</b> |

\*MULTI-DEVELOPMENT



PC140907-2

**SUBDIVISION OF THE LAND INTO TWENTY FIVE (25)  
LOTS AT 122 MAIN STREET ELLIMINYT (PP258/2013-1)**

|             |                                    |           |            |
|-------------|------------------------------------|-----------|------------|
| AUTHOR:     | Helen Evans                        | ENDORSED: | Jack Green |
| DEPARTMENT: | Sustainable Planning & Development | FILE REF: | F13/10667  |

**Location:** 122 Main Street, Elliminyt

**Zoning:** General Residential Zone (GRZ1), adjacent to RDZ1

**Overlay controls:** Nil

**Proposed Amendments:** Amendment C75 (Open Space Strategy)

**Purpose:**

This application seeks planning permission to subdivide the land into twenty-five (25) residential lots.

Consideration of this application by the Planning Committee is required as six (6) objections have been received.

**Declaration of Interests**

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

**Summary**

- A planning permit is sought for the subdivision of the land into twenty-five (25) lots. Access would be provided via a new road constructed off Aireys Street.
- The lot sizes would range in size from 789m<sup>2</sup> to 1253m<sup>2</sup>. The existing dwelling would be retained on the largest lot.
- At the time the application was submitted, the land was zoned Residential 1 Zone. On 13 June 2014, Amendment C79 was gazetted. This implemented the state-wide reformed residential zones, by rezoning land currently in the Residential 1 Zone to the General Residential Zone.
- The land is now zoned General Residential Zone 1 (GRZ1) and is not affected by any overlay controls.
- Six (6) objections have been received to the proposed subdivision, primarily based on the lack of physical provision of public open space within the subdivision.
- It is proposed that a monetary contribution is made for public open space, as opposed to a land contribution, given the preference to provide a larger and more accessible public open space reserve within unsubdivided land to the west of Main Road.
- The lot sizes and layout are considered acceptable in the General Residential Zone and in the context of the surrounding area. It is also considered that the proposed subdivision would meet the objectives of Clause 56, as required under the provisions of the zone.

- It is recommended that the application is allowed and a Notice of Decision to Grant a Permit is issued.

### **Background**

There is no relevant background on this site.

### **Issues / Options**

Council has the options of:

- a) Supporting the application subject to conditions;
- b) Supporting the application subject to conditions with changes;
- c) Refusing to grant a permit.

The key issues relating to the application are whether the proposal is acceptable in terms of the proposed lot sizes and layout, having regard to Clause 56 including the character of the area, and whether the provision of a monetary contribution rather than a land contribution for public open space is acceptable. It is recommended that Option a) is supported for the reasons outlined in the balance of this report.

### **Proposal**

The proposal seeks to subdivide the land into twenty-five (25) residential lots, accessed via a new court off Aireys Street. The lots would range in size from 789m<sup>2</sup> to 1253m<sup>2</sup>. The majority of the lots would be rectangular in shape, with three lots being irregular in shape to provide a court bowl. The layout of the subdivision would result in eight rectangular blocks with direct frontage to Main Street, four lots with direct frontage to Aireys Street and thirteen lots with frontage to the new access road and court bowl. It is proposed to retain the existing dwelling on the largest lot within the subdivision.

### **Site & Surrounds**

The land is currently contained on two titles, both 1.2 hectares in area, having a total area of 2.4 hectares. There are no encumbrances or restrictions on title.

The lots have existing road frontages to Main Street and Aireys Street, Elliminyt. The land is flat and currently used for grazing. A brick dwelling is also situated on the land, with frontage to Main Street. There were some scattered trees on the site as well as two rows of Cyprus trees that have been removed recently. Land to the north is used for a mix of residential purposes and shedding, and a recreational tennis centre. This land is zoned Commercial 2 Zone. Land to the east is zoned Rural Living Zone and contains shedding with grassland. To the south and west, the land is zoned General Residential Zone 1 and is used for residential purposes. Footpath, kerb and channel are established along Main Street, whilst Aireys Street has a grassed swale drain. Both roads are sealed pavement. Main Street is a Road Zone Category 1 road.

The site is not in an area of cultural heritage sensitivity.

### **Public Notice**

Public notice of the application was given in accordance with Section 52 of the Planning and Environment Act by sending letters to adjoining owners/occupiers and by placing a sign on site on both the Aireys Street and Main Street frontages. The public notice was undertaken by Council. At the conclusion of the notification period, one (1) objection had been received. The applicant provided a written response to address the objector's concerns and Council officers also corresponded with the objector. However the objection was not withdrawn and a further five objections were subsequently received.

In total, therefore, the application received six objections - from adjoining landholders to the south and west of the subject site and from another landholder in the Elliminyt area.

The objections are summarised as follows:

- a. *The acceptance of a monetary contribution to public open space rather than requiring land to be set aside for the purposes of open space.*

#### Comment

The Colac Otway Planning Scheme states that:

*'A person who proposes to subdivide land must make a contribution to the council for public open space in an amount specified in the schedule to this clause (being a percentage of the land intended to be used for residential, industrial or commercial purposes, or a percentage of the site value of such land, or a combination of both). If no amount is specified, a contribution for public open space may still be required under section 18 of the Subdivision Act 1988.'*

Currently there is no amount specified in the schedule to this Clause and therefore the contribution in this case is being required through the Subdivision Act. Under the Subdivision Act, it is at Council's discretion:

- whether the requirement will be imposed
- the form of the requirements as to land, cash or a combination of both, and
- if land is required, the form and siting of the open space.

As noted in the application documentation, in a pre-application discussion with Council officers it was agreed in principle to accept a cash contribution as opposed to a land contribution for the proposed subdivision, having regard to the specific circumstances of this case.

Amendment C75 to the Colac Otway Planning Scheme proposes to implement the planning outcomes of the Colac Otway Public Open Space Strategy and, in doing so, aims to introduce a sliding scale for contributions to public open space, dependent on the number of lots in the subdivision. For a subdivision of more than 10 lots, a 10% contribution would be required. Council received a Panel Report on Amendment C75 on 18 March 2014. The Panel Report was in support of the sliding scale of development contribution as exhibited. The final planning scheme amendment was adopted by Council on 28 May 2014. However, because the amendment has not yet been gazetted, the 10% contribution cannot be required for this proposal, and officers are seeking the maximum of 5% which can be applied under the Subdivision Act.

The Public Open Space Strategy (Background Report, October 2011) advises that "*the provision of open space should....provide a network of well distributed neighbourhood public open space that includes:*

- *Local parks within 400 metres safe walking distance of at least 95 per cent of all dwellings. Where not designed to include active open space, local parks should be generally 1 hectare in area and suitably dimensioned and designed to provide for their intended use and to allow easy adaption in response to changing community preferences.*

*Public open space should, among other things:*

- *Be linked to existing or proposed future public open spaces where appropriate.*
- *Be suitable for the intended use.*

- *Be of an area and dimensions to allow easy adaption to different uses in response to changing community active and passive recreation preferences.”*

Council's Public Open Space Strategy (POSS) notes that the existing form of the developed urban part of Colac-Elliminyt may make the 400 metre access distance requirement difficult to achieve in all cases. The POSS provides criteria for open space, which includes size, location and usability of the site. Its strategic direction in relation to planning the open space network is that *“all residents will have access to recreation and sports facilities within a reasonable distance of where they live”*.

In relation to this planning application, it is clear that if Council were to acquire land in this instance, it would not be of suitable size and would have limited usability. An area of 1200m<sup>2</sup> is not considered an appropriate size for public open space. Whilst Council may have accepted land of this size in the past (e.g. Inglis Court, Colac), it is not considered appropriate based on the guidance of the POSS. If land was taken in this instance, it would provide little benefit to new or existing residents as there is little residential housing nearby with the land to the east being in the Rural Living Zone. Small open space parcels, whilst providing little benefit, can also take up significant Council resources in terms of maintenance and upkeep. Furthermore, the POSS states that if subdivisions are small but a land contribution is required, consideration should be given to a land contribution on the edge of the subdivision that can be added to in future developments. Due to the land to the east being zoned Rural Living, it is unlikely that land will be developed and therefore further open space could not be acquired. As noted later in the report, there are current plans to establish a new public open space reserve west of Main Street which would benefit this subdivision.

*b. Reduced speed limit along Aireys Street*

Comment

This matter has been referred to Council's Infrastructure Department to undertake surveys and investigation, as speed limit control is a matter outside the control of the applicant.

*c. The serious safety risk due to the siting of the proposed court entry/exit opposite a driveway.*

Comment

In response to the objection, the applicant provided a plan showing the location of the proposed court entrance relative to the driveways on the opposite side of Aireys Street. The plan shows that the proposed court bowl would not be directly opposite to the objector's driveway. T-intersections are not uncommon in residential areas. Council's Infrastructure Department has not objected to the proposal.

**Referrals**

The application was referred internally to Council's Environment, Recreation and Infrastructure departments. No objections have been raised. Conditions were recommended should Council choose to allow this application.

The application was referred externally to Barwon Water, Powercor, CFA, Tenix and VicRoads, in accordance with the Clause 66 provisions. None of the authorities raised any objection to the proposal, subject to conditions being imposed on any permit issued.

It is noted the creation of accesses to Main Street would require a planning permit, as this is a road in a Road Zone Category 1 (RDZ1).

The current application does not include vehicle access from each lot to the RDZ1 and therefore, when the undeveloped lots fronting Main Street are developed, each lot would require a planning permit for vehicle access to the RDZ1. The current subdivision application was referred to VicRoads, which raised no objection to the proposal. VicRoads is satisfied with planning permits for the accesses being sought in the future by the individual lot owners, as it considers the provision of access and the development of the lots in a manner that allows cars to enter and exit in a forward direction would be influenced more at that stage.

### **Planning Controls**

On 13 June 2014, Amendment C79 implemented the reformed residential zones by rezoning land currently in the Residential 1 Zone to the General Residential Zone. At the time the application was submitted, the site was zoned Residential 1 Zone (R1Z); however the land is now zoned General Residential Zone Schedule 1 (GRZ1). It is also adjacent to a Road Zone Category 1 (RDZ1). No overlays apply to the site.

A permit is required under the following clauses of the Colac Otway Planning Scheme:

- Clause 32.08-2 Subdivision – GRZ1
- Clause 52.29 Subdivision – Adjacent to RDZ1

#### a. State and Local Planning Policy Frameworks

The State and Local Planning Policy Frameworks seek to ensure that the objectives of planning in Victoria are fostered through appropriate land use and development planning policies and practices which integrate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development. The following policies are considered relevant to the consideration of this application:

- Clause 11 Settlement
- Clause 15 Built Environment and Heritage
- Clause 16 Housing
- Clause 19 Infrastructure
- Clause 21.02-2 Land Use Vision
- Clause 21.03-1 General
- Clause 21.03-2 Settlement - Colac

The proposal is considered to be consistent with the broader principles of the State and Local Planning Policy Frameworks. It is accepted that the proposal would increase the supply of housing opportunities within an established serviced area and provide a diverse range of accommodation options accessible to all, whilst supporting the development of the Colac regional centre. The site is in close proximity to the activity centre of Colac. The Planning Scheme seeks to encourage medium density housing and ensure that proposals would assist in the consolidation of the urban area between Colac and Elliminyt, where the land is not encumbered by environmental constraints such as inundation.

The Municipal Strategic Statement, particularly Clause 21.03-1 (Settlement - General Overview) and 21.03-2 (Settlement – Colac), together with the Colac Structure Plan, outline a number of strategies. The key thrust of these strategies is to concentrate higher and medium densities closer to the commercial node and existing facilities of Colac.

The strategies also seek to provide a diversity of housing types with more traditional dwelling density in the residential areas further away from the town centre, whilst incorporating environmental sustainability initiatives and development integrated with the neighbourhood character.

b. Zoning

The purpose of the General Residential Zone is:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To encourage development that respects the neighbourhood character of the area.*
- *To implement neighbourhood character policy and adopted neighbourhood character guidelines*
- *To provide a diversity of housing types and moderate housing growth in locations offering good access to services and transport.*
- *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*

A planning permit is required to subdivide land pursuant to Clause 32.08-2 of the Colac Otway Planning Scheme.

An application to subdivide land must meet the requirements of Clause 56 and:

- Must meet all of the objectives and should meet all of the standards included in clause 56, except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.

Assessment

The proposal is considered consistent with the purpose of the General Residential Zone, which seeks to provide a variety of residential properties of varied size to meet the community's needs. The land is suitable for subdivision, with the proposed subdivision providing opportunity to infill a currently vacant area within the established town boundary. The proposed subdivision would be consistent with traditional residential development commonly found in Colac, in that the lot sizes would vary between 789m<sup>2</sup> and 1253m<sup>2</sup>. It is considered the proposed lot sizes would be of adequate size and acceptable shape for this location, being at a density appropriate for the area between Colac and Elliminyt. All services are available to the site and appropriate connections would be required as part of the subdivision process.

c. Overlays

No overlays affect this site.

d. Particular Provisions

i. **Clause 52.01 – Public Open Space Contribution and Subdivision**

Clause 52.01 provides that:

*“A person who proposes to subdivide land must make a contribution to the council for public open space in an amount specified in the schedule to this clause (being a percentage of the land intended to be used for residential, industrial or commercial purposes, or a percentage of the site value of such land, or a combination of both). If no amount is specified, a contribution for public open space may still be required under Section 18 of the Subdivision Act 1988.”*

A public open space contribution may be made only once for any of the land to be subdivided.

The schedule to this provision does not specify any amount of contribution and therefore the open space contribution is being sought under Section 18 of the Subdivision Act 1988. The Subdivision Act allows a 5% contribution to be sought. The Structure Plans for both Colac and Apollo Bay recommended a requirement of 10%; however the Planning Panel for Amendment C55 did not support the inclusion of this percentage in the Scheme at that point, recommending that further strategic justification in the form of a public open space strategy be done first. As noted earlier, a Public Open Space Strategy has been adopted by Council and Planning Scheme Amendment C75 is currently being progressed to amend the schedule to Clause 52.01 of the Planning Scheme. Council received a Panel Report on Amendment C75 on 18 March 2014. The Panel Report was in support of the sliding scale of development contribution as exhibited. The final planning scheme amendment was adopted by Council on 28 May 2014. Given that the Amendment has not yet received Ministerial approval, it is considered appropriate to seek a 5% contribution which is justifiable against the criteria of the Subdivision Act as opposed to the proposed schedule which is yet to be implemented into the Planning Scheme.

Council's premier recreation reserve, Central Reserve, is within 950m walking distance of the proposed subdivision. In addition, the South Colac Recreation Reserve is within 700m walking distance to the south.

The application has been referred internally to Council's Recreation Department, which raised no objection and made the recommendation to seek a financial contribution toward open space as opposed to a land contribution after consideration of the Public Open Space Strategy. The Recreation Department advised that it is more appropriate to plan for the provision of open space to the west of Main Street through the Development Plans currently on public exhibition for three precincts west of Main Street in the Development Plan Overlay (DPO). It is envisaged that this would provide a more suitably sized open space and benefit a greater proportion of the Colac-Elliminyt population.

This issue has also been discussed in detail in the public notice section of this report.

ii. Clause 52.29 Land Adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay for a Category 1 Road

The key purpose of this clause is:

- *To ensure appropriate access to identified roads.*
- *To ensure appropriate subdivision of land adjacent to identified roads.*

A permit is required to subdivide land adjacent to a RDZ1 and there is a statutory requirement to refer such applications to VicRoads, being the road authority for RDZ1. VicRoads has advised that vehicle access to the lots fronting Main Street (namely lots 1-3 and 5-8) should provide for all vehicle movements in and out of the lots to occur in a forward direction for road safety reasons.

Given the lot sizes proposed and the absence of overlays, once the land is subdivided planning permits would not be required in the future to develop the lots with single dwellings.

If the access for these lots is approved at this subdivision stage, no further planning approval would be required for a dwelling or crossover and therefore developers could not be encouraged to design the dwelling and lot layout in a manner that would allow cars to enter and exit in a forward direction as sought by VicRoads. Therefore in consultation with the applicant, it was agreed that this application would not include the provision of vehicle access onto RDZ1 (excluding lot 4 which already is provided with vehicle access). VicRoads has consented to the subdivision as proposed. Any future vehicle crossover onto Main Street Elliminyt would be subject to separate planning approval, which would provide opportunity for VicRoads to engage with the developer of the lot. It is recommended that, as requested by VicRoads, notes are included on any permit issued advising prospective purchasers of the future access requirements.

It is noted that Lot 8 would have frontages to Main Street and Aireys Street and that vehicle access could therefore be provided to either road. It is considered appropriate to require the construction of a vehicle crossover to Aireys Street as part of the subdivision, to reduce the number of access points onto the Road Zone Category 1. This would not prevent the submission of an application in the future for a vehicle access onto Main Road, which would be assessed on its merits if submitted.

iii. Clause 56 – Residential Subdivision

The application has been assessed against the requirements of Clause 56. In summary, the application is generally consistent with the provisions of Clause 56. The subdivision would provide a range of lots, ranging between 789m<sup>2</sup> and 1253m<sup>2</sup>. This subdivision would provide lots along the existing street frontages of Main Street and Aireys Street, with a new court also being created off Aireys Street. The court would provide vehicle access to the internal lots. All of the proposed lots are capable of containing a 10m x 15m rectangle; however given the lot sizes proposed, it is not considered necessary to require building envelopes, allowing for greater flexibility in dwelling design and placement in accordance with Clause 54 standards.

It is considered the proposed lots would be of a suitable shape and size for this location, being at a density appropriate for the area between Colac and Elliminyt. All services are available to the site and appropriate connections would be required as part of the permit. Should the application be allowed, permit conditions would require that each lot is serviced to comply with Clause 56 (i.e. drainage, road and footpath construction, open space provision, landscaping of public areas, water, sewer, power, gas and fire hydrants). Street trees would be required, on the basis of one per lot, and two where lots are on a corner. Whilst this would give a total of 28 street trees, it is noted that lots 16 and 18 would have very narrow frontages. It is therefore recommended that no street tree be required for these 2 lots, reducing the number of trees to 26. The bond is calculated at \$100 per tree x 50%, i.e. \$3900.

### **Consideration of the Proposal**

The various elements of the current application are considered below, and should be read in conjunction with the discussion about the proposed subdivision earlier in this report including the detailed discussions about the proposed open space provision.

Matters considered when assessing this proposal include the provision of public open space, drainage, lot size and orientation, landscaping and infrastructure services to each lot. Subdivision of this land into residential sized lots is considered consistent with the provisions of the General Residential Zone Schedule 1 and Clause 56.

It is considered that the proposed pattern of subdivision, lot sizes and orientation, and access provision would all be appropriate for this land within the General Residential Zone and in keeping with the character of the area.

It is noted that the objections raised to this proposal were not against the principle of the subdivision, but against traffic management issues beyond the control of the applicant and also the fact that the proposal does not incorporate the physical provision of public open space. As discussed earlier in this report, the public open space contribution being sought can be required through the Subdivision Act (as there is no amount specified in the schedule to Clause 52.01). Under the Subdivision Act, it is at Council's discretion whether the requirement will be imposed, the form of the requirement as to land, cash or a combination of both, and if land is required, the form and location of that land. As discussed in greater detail earlier in this report, officers consider that due to the small amount of land that would be contributed in this instance if a land contribution was sought, it would be more appropriate to require a cash contribution.

### **Council Plan / Other Strategies / Policy Planning for Growth**

Creates an attractive shire with quality buildings and spaces, accessible travel and transport, and a community that has the services and facilities it needs now and in the future; supports a prosperous economy where trade, manufacturing and business activity flourishes.

### **Our Goal**

Facilitate the growth, liveability and development of the shire and encourage innovation and efficiency in the local economy.

### **Financial & Other Resource Implications**

There are no financial implications arising from this report. If the Council was to require a physical land contribution for the purpose of public open space, there would be financial and other resource implications for the improvements and ongoing maintenance associated with the land reserve.

### **Risk Management & Compliance Issues**

There are no risk management or compliance implications arising from this report.

### **Environmental Consideration / Climate Change**

There are no environmental or climate change implications arising from this report.

### **Communication Strategy / Consultation Period**

Community consultation in the form of public notification has been undertaken as part of this assessment process.

### **Conclusion**

The proposal is considered acceptable, as the land is suitably zoned for this type of subdivision and is located within an established serviced area effectively consolidating the urban area between Colac and Elliminyt where the land is not encumbered by environmental constraints. It is not considered that the proposal would cause any significant detriment to the character of the area or the amenity of the surrounding properties.

### **Attachments**

Nil

**Recommendation(s)**

***That Council's Planning Committee resolves to issue a Notice of Decision to Grant a Planning Permit for the Subdivision of Land into Twenty-Five Lots at 122 Main Street Elliminyt 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/s 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, 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, outline 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. Run-off***
  - 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.***

***Street Name***

- 4. Prior to the certification of the plan of subdivision, a street name to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority.***

***Landscaping***

- 5. Prior to certification of the plan of subdivision, 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*
  - b. *One street tree provided for each lot, excluding lots 16 & 18, with two trees provided per lot where two boundaries of the lot front the street*
  - c. *Specific detail on the species to be planted, including numbers. All species selected must be to the satisfaction of the Responsible Authority.*
  - d. *Details of all surface works, including footpaths, paving, grass, mulch.*
  - e. *The promotion of the use of drought tolerant and low maintenance plants, and avoidance of species that is likely to spread into the surrounding environment.*
  - f. *Details of implementation and maintenance (two years) including the replacement of dead trees.*
6. *Prior to the issue of Statement of Compliance, the Landscape Master Plan must be implemented to the satisfaction of the Responsible Authority at the expense of the applicant.*
7. *The street trees and landscaping within the road reserve must be maintained for a period of two years at the applicant's expense. Prior to Statement of Compliance being issued, a landscaping bond of \$3900 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.*

*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 security deposit lodgement.*

#### **Construction Plans**

8. *Prior to 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. *Fully sealed asphalt pavement with kerb and channel profile for the full length of the Aireys Street frontage and the proposed road marked R1.*
  - b. *Concrete footpaths to a depth of 125mm for the Aireys Street frontage matching into the Main Street footpath and both sides of the proposed internal road marked R1.*
  - c. *Concrete footpaths to be constructed.*
  - d. *Underground drainage and water sensitive drainage features.*
  - e. *Underground power and telecommunication services throughout the subdivision*

- f. Street lighting and street signs.*
- g. All roads are to be designed to accommodate a standard service vehicle i.e. a fire truck or garbage truck.*
- h. A court bowl of radius 9 metres servicing the proposed internal road marked R1.*

*All construction, including road works and drainage must be undertaken in accordance with the endorsed plans and to the satisfaction of the Responsible Authority.*

- 9. Prior to commencement of construction of the subdivision, a Stormwater Management Plan must be submitted to and approved by the Responsible Authority. The Stormwater Management Plan must incorporate detail relating to the management and operation of the overall stormwater management system associated with the subdivision, and include Water Sensitive Urban Design (WSUD) principles and the Best Practice Environmental Management Guidelines. The Stormwater Management Plan is to identify land (if required) that is required to enable the plan to be implemented, and where land is required, it is to be set aside as a reserve for the purposes of drainage.*

*The Plan is to allow for underground stormwater conveyance capable of handling the 5 year (20% AEP) storm event. All roads are to be designed to effectively cater for the 1 year (1% AEP) storm event without causing flooding of private property. The Plan is to examine the capacity of the Main Street frontage kerb and channel and determine whether underground drainage is warranted as a result of this development. The Plan is to make suitable recommendations regarding the drainage discharge infrastructure to be provided to lots 1 to 8.*

#### *Open space provision*

- 10. Prior to the issue of a Statement of Compliance under the Subdivision Act 1988, the applicant or owner must pay to the Responsible Authority a cash contribution equivalent to five per cent of the site value of all land in the subdivision.*

#### *Removal of Buildings*

- 11. Prior to Statement of Compliance being issued, all buildings/structures located outside proposed Lot 4 must be removed to the satisfaction of the Responsible Authority.*

#### *Access*

- 12. Prior to Statement of Compliance being issued, lots 8-25 inclusive on the endorsed plan must be provided with access to the satisfaction of the Responsible Authority. Vehicle access to lot 8 must be provided from Aireys Street.*
- 13. Prior to Statement of Compliance being issued, the redundant vehicular crossing must be reinstated to kerb and channel, footpath and nature strip to the satisfaction of the Responsible Authority.*

#### *Submission of Drawings*

- 14. Prior to Statement of Compliance being issued, 'as constructed' drawings for all road and drainage works must be submitted to the Responsible Authority.*

15. **Prior to Statement of Compliance being issued, the following drawings and information must be submitted to Council by the developer/consultant:**
- a. **Copies of the engineering roads and drainage drawings (including assets associated with the reserves to be vested in Council) in the following format: one (1x) A3 print, one (1x) LandXML file with MGA co-ordinates.**
  - b. **Survey enhanced digital data for the drainage information component of the subdivision, in accordance with the current version of 0-Spec. The preferred formats are MIF/MID or shape file.**

#### **Inspection of Stormwater Pipes**

16. **Prior to Statement of Compliance being issued, CCTV inspection of all new underground stormwater pipes must be completed at the developer's expense and report forwarded to Council for review. Any identified defects are to be addressed to the satisfaction of the Responsible Authority. Upon satisfactory completion, final reporting is to be given to Council in hardcopy and digital formats suitable for integration with its existing systems.**

#### **Lot Drainage**

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

#### **Stormwater Contamination**

18. **The site must be developed and managed to ensure that no contaminants, including but not limited to chemicals, sediments, wastes or pollutants, are discharged off site or into the stormwater drainage system from the property, to the satisfaction of the Responsible Authority.**

#### **Country Fire Authority conditions**

##### **Hydrants**

19. **Operable hydrants, above or below ground must be provided to the satisfaction of CFA.**
20. **The maximum distance between these hydrants and the rear of all building envelopes (or in the absence of the building envelope, the rear of all lots) must be 120m and hydrants must be no more than 200m apart.**
21. **Hydrants must be identified as specified in 'Identification of Street Hydrants for Firefighting Purposes' available under publication on the Country Fire Authority web site ([www.cfa.vic.gov.au](http://www.cfa.vic.gov.au)).**

##### **Roads**

22. **Roads 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.**
23. **The average grade must be no more than 1 in 7 (14.4%) (8.1 degrees) with a maximum of no more than 1 in 5 (20%) (11.3 degrees) for no more than 50 metres. Dips must have no more than a 1 in 8 (12%) (7.1 degrees) entry and exit angle.**

24. **Roads must have a minimum trafficable width of:**
- a. **5.5m if parking is prohibited on one or both sides of the road,**
  - b. **7.3m where parking is allowable on both sides of the road.**
25. **Roads 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 dimension specified by the CFA may be used as alternatives.**

#### **Telecommunication conditions**

26. **The owner of the land must enter into an agreement with:**
- a. **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**
  - b. **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.**
27. **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. **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**
  - b. **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**

28. **The owner shall create easements for Pipelines or Ancillary Purposes and/or reserves in favour of Barwon Region Water Corporation on the plan of subdivision in accordance with Barwon Water's Land Development Manual, without cost to Barwon Water, over existing and proposed water and sewerage infrastructure within the land. If further easements or reserves are required following design of water and sewerage infrastructure these must be added to the plan of subdivision prior to seeking Barwon Water's consent to the issue of a statement of compliance for the subdivision.**

29. *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.*

**Water**

30. *The provision and installation of individual water services to all lots in the subdivision in accordance with Barwon Water's requirements and Victorian Plumbing Regulations. Note that tapplings and services are not to be located under existing or proposed driveways.*
31. *The payment of New Customer Contributions for each additional lot created and/or each additional metered connection for water supply within the subdivision.*
32. *Reticulated water mains are required to service the proposed development.*
33. *Barwon Water's records indicate that an existing water service and meter is located on this property. A dimensioned plan showing the location of existing meters, and the location of the meter relative to the existing boundaries, and its number, is to be submitted. Private water service pipes are not permitted to cross allotment boundaries and must be plugged and abandoned at the boundaries of such allotments.*

**Sewer**

34. *The provision of sewerage services to all lots in the subdivision in accordance with Barwon Water's requirements and Victorian Plumbing Regulations. Individual allotment house connection drains are to be provided for and extend into each allotment.*
35. *The payment of New Customer Contributions for sewer for each additional lot created and/or each additional metered connection within the subdivision.*
36. *Reticulated sewer mains are required to service the proposed development.*

**Powercor conditions**

37. *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.*
38. *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 (Network Assets) 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 as easement(s) in favour of 'Powercor Australia Ltd' for 'Powerline Purposes' 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 with 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.***

#### **Tenix condition**

39. ***The plan of subdivision for certification must be referred to SP Ausnet (Gas) in accordance with Section 8 of the Subdivisions Act 1988.***

#### **Expiry**

40. ***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 periods referred to if a request is made in writing before the permit expires, or within six months afterwards.***

**Notes**

- 1. No work is to take place within the road reserve without obtaining a works within the road reserve permit from the Council. Any works affecting traffic or pedestrian movements will require a traffic management plan to be submitted as part of the works within the road reserve application.***
- 2. Future access from lots 1-3 and 5-8 to Main Street will require a separate planning permit for the creation of access to a road in a Road Zone Category 1 and any planning application will require approval from VicRoads as a statutory referral authority. It is recommended that consultation be undertaken with VicRoads on this matter prior to the submission of a planning application. VicRoads has advised that access should be designed to allow all vehicular movements into and out of each property to be undertaken in a forward direction.***
- 3. All access and crossover works must be constructed to a standard approved in writing by the Responsible Authority and VicRoads.***
- 4. Reference should be made to the 'Best Practice Environmental Management Guidelines for Stormwater Management and Construction Techniques for Sediment Pollution Control' (EPA) when addressing the requirements of condition 18 of this permit (Stormwater Contamination).***
- 5. The developer is to apply to Barwon Water for details relating to costs and conditions required for the provision of water supply and sewerage services to the subdivision. It would be appreciated if all communication between the developer/agent and Barwon Water quote Barwon Water reference number L010824.***
- 6. 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 details, 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.***

~~~~~\ ~~~~~