

MINUTES of the *PLANNING COMMITTEE MEETING OF THE COLAC-OTWAY SHIRE COUNCIL* held at COPACC Meeting Rooms on 9 July 2014 at 10.30am.

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

Cr Lyn Russell (Mayor)
Cr Frank Buchanan
Cr Brian Crook
Cr Michael Delahunty
Cr Stephen Hart
Cr Chris Smith
Cr Terry Woodcroft
Phil Corluka, (Acting) Chief Executive Officer
Doug McNeill, (Acting) General Manager Sustainable Planning and Development
Colin Hayman, General Manager Corporate & Community Services
Paula Gardner, (Acting) General Manager Infrastructure & Services
Blaithin Butler, Statutory Planning Coordinator
Jane Preston-Smith, Executive Officer Sustainable Planning & Development

3. APOLOGIES

Jack Green, General Manager Sustainable Planning and Development

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 active community input and participation in Council decisions. Council meetings provide one of these opportunities as members of the community may ask questions to Council either verbally at the meeting or in writing.

Please note that some questions may not be able to be answered at the meeting, these questions will be taken on notice. Council meetings also enable Councillors to debate matters prior to decisions being taken.

I ask that we all show respect to each other and respect for the office of an elected representative.

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

PC140907-2	Objector	Peter Mahoney
PC140907-2	Objector	Shellie Harty
PC140907-2	Objector	Roger Gurrie
PC140907-2	Applicant	A E Bright

7. CONFIRMATION OF MINUTES

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

Resolution

MOVED Cr Stephen Hart seconded Cr Frank Buchanan that Council confirm the above minutes.

CARRIED 7 : 0

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

Recommendation(s)

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

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**Resolution**

***MOVED Cr Frank Buchanan seconded Cr Terry Woodcroft***

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

**CARRIED 7 : 0**

**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<br>& Development | FILE REF: | F13/10667  |

**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.*

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Amended Resolution

MOVED Cr Frank Buchanan seconded Cr Terry Woodcroft

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:

Condition

1. **Prior to certification of the plan of subdivision under the Subdivision Act 1988, amendment plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted with the application, but modified to show:**
 - a. **A visibility splay of 5 x 5 metre at the south-west corner of Lot 8, to provide appropriate visibility at the junction of Main Street and Aireys Street.**

Endorsed plan

2. ***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

3. ***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

4. **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

5. **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

6. **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.**

7. ***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.***
8. ***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

9. ***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.***
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 - 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.

10. ***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.

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Open space provision

- 11. 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

- 12. 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

- 13. 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.***
- 14. 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

- 15. Prior to Statement of Compliance being issued, 'as constructed' drawings for all road and drainage works must be submitted to the Responsible Authority.***
- 16. 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 O-Spec. The preferred formats are MIF/MID or shape file.*

Inspection of Stormwater Pipes

- 17. 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

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

Stormwater Contamination

- 19. 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

- 20. Operable hydrants, above or below ground must be provided to the satisfaction of CFA.**
- 21. 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.**
- 22. 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).**

Roads

- 23. 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.**
- 24. 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.**
- 25. 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.**

26. **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

27. **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.**
28. **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

29. **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.**
30. **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

31. *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.*
32. *The payment of New Customer Contributions for each additional lot created and/or each additional metered connection for water supply within the subdivision.*
33. *Reticulated water mains are required to service the proposed development.*
34. *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

35. *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.*
36. *The payment of New Customer Contributions for sewer for each additional lot created and/or each additional metered connection within the subdivision.*
37. *Reticulated sewer mains are required to service the proposed development.*

Powercor conditions

38. *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.*
39. *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

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

Expiry

41. ***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.***

CARRIED 5 : 2