

MINUTES

SECTION 86 DEVELOPMENT ASSESSMENT COMMITTEE MEETING

Wednesday 20 March, 2019
North Wing Room 2 & 3
Darley Civic and Community Hub,
182 Halletts Way, Darley
6.00pm

MEETING OPENING

Councillor Cr Tatchell as the Chair welcomed all and opened the meeting at 5.58pm.

ATTENDANCE

Cr. Paul Tatchell	Councillor – Central Moorabool Ward
Cr. John Keogh (Deputy Mayor)	Councillor – East Moorabool Ward
Cr. Jarrod Bingham	Councillor – East Moorabool Ward
Cr. Tonia Dudzik	Councillor – East Moorabool Ward
Cr. David Edwards	Councillor – East Moorabool Ward
Cr. Derek Madden	CEO
Mr. Satwinder Sandhu	General Manager Growth & Development
Mr. Robert Fillisch	Manager Statutory Planning and Community Safety
Mr. Mark Lovell	Senior Statutory Planner
Mr. Peter Cuddy	Senior Development Engineer
Mrs. Jacquie Younger	Minute Taker

APOLOGIES

Mr. Ewen Nevett	Manager Engineering Services
Ms. Bronwyn Southee	Coordinator Statutory Planning

2. RECORDING OF MEETING

As well as the Council for its minute taking purposes, the following organisations have been granted permission to make an audio recording of this meeting:

- **The Moorabool News; and**
- **The Star Weekly.**

3. CONFIRMATION OF PREVIOUS MEETING MINUTES

Resolution:

Moved: Cr. Bingham
Seconded: Cr. Keogh

That the Minutes of the Section 86 Development Assessment Committee for Wednesday 20 February, 2019 be confirmed as a true and correct record.

CARRIED

4. CONFLICT OF INTEREST

Cr Sullivan declared an indirect conflict in relation to item 5.6 of the agenda.

5. GROWTH & DEVELOPMENT REPORTS

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| 5.1 | Planning Permit Number PA2018 217 – Use of the Land for Animal Keeping (5 Dogs) at 15 Duncan Street, Ballan. | Page 4 |
| 5.2 | Planning Permit Number PA2018 201 – Three (3) Lot Subdivision at 5 Flack Street, Ballan. | Page 5 |
| 5.3 | Amendment to Planning Permit PA2017 099 – Five (5) lot subdivision at 3 Corbetts Road Gordon. | Page 9 |
| 5.4 | Planning Permit Number PA2018 339 – Waiver of car parking associated with the use and development of the land as a display home at 6 Cosgrove Drive, Maddingley. | Page 10 |
| 5.5 | Planning Permit Number PA2018 340 – Waiver of car parking associated with the use and development of the land as a display home at 8 Cosgrove Drive, Maddingley. | Page 12 |
| 5.6 | Planning Permit Number PA2018 200 – Two (2) Lot Re-Subdivision and Development and Use of a Dwelling at 1343 Glenmore Road, Glenmore. | Page 16 |
| 5.7 | Planning Permit Number PA2018 141 – Two (2) Lot Subdivision at 112 Tramway Lane, Darley. | Page 19 |

6. UPDATE ON TRENDS, ISSUES AND OTHER MATTERS

- | | | |
|-----|--|---------|
| 6.1 | Item 6.1 VCAT Consent Order Reference No. P2448/2018. Planning Permit PA2018 242 – Fifty Seven (57) lot subdivision and Construction of Three (3) Dwellings on lots less than 300m ² at McCormack Road, Maddingley (Stage 20A of Stonehill Estate). | Page 22 |
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PRESENTATIONS/DEPUTATIONS

List of Persons making Presentations/Deputations to a planning item listed on the agenda:

Individuals seeking to make a presentation to the Council on a planning item listed on the agenda for consideration at the meeting will be heard by the Council immediately preceding consideration of the Council Officer's report on the planning item.

Item No	Description	Name	Applicant/Objector
5.2	Planning Permit Number PA2018 201 – Three (3) Lot Subdivision at 5 Flack Street, Ballan.	Rachael Conroy	Applicant
5.3	Amendment to Planning Permit PA2017 099 – Five (5) lot subdivision at 3 Corbetts Road Gordon.	Katherine Martin	Applicant/Supporter
5.6	Planning Permit Number PA2018 200 – Two (2) Lot Re-Subdivision and Development and Use of a Dwelling at 1343 Glenmore Road, Glenmore.	Deirdre Davey and Toni Davey	Applicants
5.7	Planning Permit Number PA2018 141 – Two (2) Lot Subdivision at 112 Tramway Lane, Darley.	Neil Haydon	Representing the Applicant
5.7	Planning Permit Number PA2018 141 – Two (2) Lot Subdivision at 112 Tramway Lane, Darley.	Ian, Davina and Joel Cabrie	Applicants

GROWTH & DEVELOPMENT REPORTS

Item 5.1 Planning Permit Number PA2018 217 – Use of the Land for Animal Keeping (5 Dogs) at 15 Duncan Street, Ballan

Recommendation

That, having considered all matters as prescribed by the Planning and Environment Act, Council issues a refusal to grant a planning permit for the Use of the Land for Animal Keeping (5 Dogs) at the land known as Lot 1 on TP 209194, located at 15 Duncan Street, Ballan on the following grounds:

1. The proposal is inconsistent with the purposes of the General Residential Zone.
2. The proposal does not accord with the relevant Planning Policy Framework or the Local Planning Policy Framework of the Moorabool Planning Scheme, particularly Clause 22.04
3. There is insufficient information to assess the application.
4. The proposal does not represent the proper and orderly planning of the area.

Resolution:

Moved: Cr. Bingham

Seconded: Cr. Keogh

That Item 5.1 – Planning Permit Number PA2018 217 be deferred to the next available S86 Development Assessment Committee meeting to allow for further discussions to be held between the applicant and Council officers.

CARRIED.

Report Authorisation:

Authorised by:

Name: Satwinder Sandhu

Title: General Manager Growth and Development

Date: 20 March, 2019



Item 5.2 Planning Permit Number PA2018 201 – Three (3) Lot Subdivision at 5 Flack Street, Ballan

Consideration of Deputations – Planning Permit Application No. PA2018 201.

Rachael Conroy addressed Council as the applicant to the granting of a planning permit for the application.

The business of the meeting then returned to the agenda.

Resolution:

Moved: Cr. Bingham

Seconded: Cr. Dudzik

That, having considered all matters as prescribed by the Planning and Environment Act, Council issues a Notice of Decision to Grant Planning Permit PA2018 201 for a Three (3) Lot Subdivision at Crown Allotment 6, Section A, Parish of Ballan, 5 Flack Street, Ballan 3342, subject to the following conditions:

Endorsed Plans:

- 1. The formal plan of subdivision lodged for certification must be generally in accordance with the endorsed plan and must not be modified except to comply with statutory requirements or with the written consent of the Responsible Authority.**

Subdivision:

- 2. The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.**
- 3. Before the statement of compliance is issued under the Subdivision Act 1988, the applicant or owner must pay to the responsible authority a sum equivalent to 5 per cent of the site value of all the land in the subdivision for public open space purposes. The permit holder/developer must pay the reasonable costs of Council in having the land valued for this purpose.**

Telecommunications:

- 4. The owner of the land must enter into agreements with:**
 - a) A telecommunications network or service provider for the provision of telecommunication service 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.**

5. Before the issue of 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 an area where the National Broadband Network will not be provided by optical fibre.

Infrastructure:

6. Prior to the issue of a Statement of Compliance for the subdivision, each lot must be provided with a standard rural residential vehicle crossing with culvert on Flack Street to the satisfaction of the Responsible Authority. Any redundant vehicle crossings must be removed, and nature strip reinstated to the satisfaction of the Responsible Authority. A vehicle crossing permit must be taken out for the construction of the vehicle crossings.
7. Prior to the issue of a Statement of Compliance for the subdivision, the development must be provided with a drainage system constructed to a design approved by the Responsible Authority, and must ensure that:
 - a. The development as a whole must be self draining.
 - b. Volume of water discharging from the development in a 10% AEP storm shall not exceed the 20% AEP storm prior to development. Peak flow must be controlled by the use of a detention system located and constructed to the satisfaction of the Responsible Authority.
 - c. Each lot must be provided with a stormwater legal point of discharge at the low point of the lot, to the satisfaction of the Responsible Authority.
 - d. Stormwater runoff must meet the "Urban Stormwater Best Practice Environmental Management Guidelines (CSIRO 1999)".
8. Prior to the commencement of the development design computations for drainage of the whole site must be prepared and submitted to the Responsible Authority for approval.
9. Storm water drainage from the development must be directed to a legal point of discharge to the satisfaction of the Responsible Authority. A Stormwater Point of Discharge permit must be obtained from the responsible authority prior to the commencement of the works associated with the permit.
10. Sediment discharges must be restricted from any construction activities within the property in accordance with relevant Guidelines including Construction Techniques for Sediment Control (EPA 1991).
11. Unless otherwise approved by the Responsible Authority there must be no buildings, structures, or improvements located over proposed drainage pipes and easements on the property.

- 12. Prior to the commencement of the development and post completion, notification including photographic evidence must be sent to Council's Asset Services department identifying any existing damage to council assets. Any existing works affected by the development must be fully reinstated at no cost to and to the satisfaction of the Responsible Authority.**
- 13. Prior to the commencement of the development, plans and specifications of all road and drainage works must be prepared and submitted to the responsible authority for approval, detailing but not limited to the following:**
 - a. Location of vehicle crossings**
 - b. Details of the underground drainage**
 - c. Location of drainage legal points of discharge**
 - d. Standard details for vehicle crossings and legal points of discharge**
 - e. Civil notes as required to ensure the proper construction of the works to Council standard.**

Powercor:

- 14. 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.**

15. 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.**
- 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 and provide to Powercor Australia Ltd a completed Electrical Safety Certificate in accordance with Electricity Safe Victoria's Electrical Safety System.**
- c. The applicant shall 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.**
- d. Any buildings must comply with the clearances required by the Electricity Safety (Installations) Regulations.**
- e. Any construction work must comply with Energy Safe Victoria's "No Go Zone" rules.**

Southern Rural Water:

- 16. The plan of subdivision submitted for certification must be referred to the relevant Water Authority in accordance with Section 8 of the Subdivision Act 1988.**
- 17. Each allotment must be connected to the reticulated sewerage system and stormwater infrastructure.**
- 18. The owner of the land must enter into an agreement with the relevant authority for the provision of water in accordance with the authorities' requirements and relevant legislation.**

Central Highlands Water:

19. Any plan lodged for certification will be referred to the Central Highlands Region Water Corporation pursuant to Section 8(1)(a) of the Subdivision Act.
20. Reticulated sewerage facilities must be provided to each lot by the owner of the land (or applicant, in anticipation of becoming the owner) to the satisfaction of the Central Highlands Region Water Corporation. This will include the construction of works and the payment of major works contributions by the applicant.
21. A reticulated water supply must be provided to each lot by the owner of the land (or applicant, in anticipation of becoming the owner) to the satisfaction of the Central Highlands Region Water Corporation. This will include the construction of works and the payment of major works contributions by the applicant.
22. The owner will provide easements to the satisfaction of the Central Highlands Region Water Corporation, which will include easements for pipelines or ancillary purposes in favour of the Central Highlands Region Water Corporation, over all existing and proposed sewerage facilities within the proposal.
23. If the land is developed in stages, the above conditions will apply to any subsequent stage of the subdivision.

Downer Utilities:

24. The plan of subdivision submitted for certification must be referred to AusNet Gas Services in accordance with Section 8 of the Subdivision Act 1988.

Permit Expiry:

25. This permit will expire if the plan of subdivision is not certified within two (2) years of the date of issue of the permit.

Statement of Compliance must be achieved and certified plans registered at Titles office within five (5) years from the date of certification.

Permit Note:

Powercor

It is recommended that, at an early date, the applicant commences negotiations with Powercor for supply of electricity in order that supply arrangements can be worked out in detail, so prescribed information can be issued once all electricity works are completed (the release to the municipality enabling a Statement of Compliance to be issued).

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

CARRIED.

Report Authorisation:

Authorised by:

Name: Satwinder Sandhu

Title: General Manager Growth and Development

Date: 20 March, 2019

Item 5.3 Amendment to Planning Permit PA2017 099 – 3 Corbetts Road Gordon: Five (5) Lot Subdivision

Consideration of Deputations – Planning Permit Application No. PA2017 099

Katherine Martin addressed Council as on behalf of the applicant to the granting of a planning permit for the application.

The business of the meeting then returned to the agenda.

Recommendation

That, having considered all matters as prescribed by the Planning and Environment Act, Council issue a refusal to amend a permit for a five (5) lot subdivision:

1. The proposed amendments to remove trees including native trees is inconsistent with the objectives and purpose of the Significant Landscape Overlay Schedule 2.
2. The proposed amendments to remove infrastructure conditions will not provide adequate services to future occupants and surrounding users.
3. The proposed amendments to remove building setbacks is inconsistent with Rescode standard C6, Neighbourhood Character.
4. The proposed amendments do not represent the orderly subdivision of land that seeks to create vacant lots.

Resolution:

Moved: Cr. Edwards

Seconded: Cr. Keogh

That Item 5.3 – Planning Permit Number PA2017 099 be deferred to the next available S86 Development Assessment Committee meeting to allow for further discussions to be held between the applicant and Council officers.

CARRIED.

Report Authorisation:

Authorised by:

Name: Satwinder Sandhu

Title: General Manager Growth and Development

Date: 20 March, 2019

Item 5.4 Planning Permit Number PA2018 339 – Waiver of car parking associated with the use and development of the land as a display home at 6 Cosgrove Drive, Maddingley

Resolution:

Moved: Cr. Edwards

Seconded: Cr. Keogh

That, having considered all matters as prescribed by the Planning and Environment Act, Council issue a Planning Permit for the waiver of car parking associated with the use and development of the land as a display home at Lot 1628 on Plan of Subdivision 810903P otherwise known as 6 Cosgrove Drive, Maddingley, subject to the following conditions

Endorsed Plan

- 1. The use and development as shown on the endorsed plans must not be altered without the written approval of the Responsible Authority.**

Amenity

- 2. The amenity of the area must not be detrimentally affected by the use or development, through the:
 - a) Transport of materials, goods or commodities to or from the land;**
 - b) Appearance of any building, works or materials;**
 - c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;**
 - d) Presence of vermin;**
 - e) Any other way.****
- 3. Should complaints be received regarding unnecessary congestion caused by the lack of on-site carparking provided, the use shall cease until alternative arrangements are made.**

Infrastructure

- 4. Storm water drainage from the proposed buildings and impervious surfaces must be directed to the legal point of discharge to the satisfaction of the Responsible Authority. A legal point of discharge permit must be taken out prior to the construction of a stormwater drainage system.**
- 5. Sediment discharges must be restricted from any construction activities within the property in accordance with relevant Guidelines including Construction Techniques for Sediment Control (EPA 1991).**
- 6. Unless otherwise approved by the Responsible Authority there must be no buildings, structures, or improvements located over proposed drainage pipes and easements on the property.**

7. Prior to the commencement of the development and post completion, notification including photographic evidence must be sent to Council's Asset Services department identifying any existing damage to council assets. Any existing works affected by the development must be fully reinstated at no cost to and to the satisfaction of the Responsible Authority.

Permit Expiry

8. This permit will expire if one of the following circumstances applies:
- a) The development and the use are not started within two years of the date of this permit;
 - b) The development is not completed within four years of the date of this permit.

Permit Note:

Unless a permit is not required in accordance with the provisions of Clause 52.05, no advertising signs maybe displayed without planning approval.

CARRIED.

Report Authorisation:

Authorised by:

Name: Satwinder Sandhu

Title: General Manager Growth and Development

Date: 20 March, 2019

Item 5.5 Planning Permit Number PA2018 340 – Waiver of car parking associated with the use and development of the land as a display home at 8 Cosgrove Drive, Maddingley

Resolution:

Moved: Cr. Edwards

Seconded: Cr. Keogh

That, having considered all matters as prescribed by the Planning and Environment Act, Council issue a Planning Permit for the waiver of car parking associated with the use and development of the land as a display home at Lot 1627 on Plan of Subdivision 810903P otherwise known as 8 Cosgrove Drive, Maddingley, subject to the following conditions:

Endorsed Plan

- 1. The use and development as shown on the endorsed plans must not be altered without the written approval of the Responsible Authority.**

Amenity

- 2. The amenity of the area must not be detrimentally affected by the use or development, through the:**
 - a) Transport of materials, goods or commodities to or from the land;**
 - b) Appearance of any building, works or materials;**
 - c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;**
 - d) Presence of vermin;**
 - e) Any other way.**
- 3. Should complaints be received regarding unnecessary congestion caused by the lack of on-site carparking provided, the use shall cease until alternative arrangements are made.**

Infrastructure

- 4. Storm water drainage from the proposed buildings and impervious surfaces must be directed to the legal point of discharge to the satisfaction of the Responsible Authority. A legal point of discharge permit must be taken out prior to the construction of a stormwater drainage system.**
- 5. Sediment discharges must be restricted from any construction activities within the property in accordance with relevant Guidelines including Construction Techniques for Sediment Control (EPA 1991).**
- 6. Unless otherwise approved by the Responsible Authority there must be no buildings, structures, or improvements located over proposed drainage pipes and easements on the property.**

7. Prior to the commencement of the development and post completion, notification including photographic evidence must be sent to Council's Asset Services department identifying any existing damage to council assets. Any existing works affected by the development must be fully reinstated at no cost to and to the satisfaction of the Responsible Authority.

Permit Expiry

8. This permit will expire if one of the following circumstances applies:
- a. The development and the use are not started within two years of the date of this permit;
 - b. The development is not completed within four years of the date of this permit.

Permit Note:

Unless a permit is not required in accordance with the provisions of Clause 52.05, no advertising signs maybe displayed without planning approval.

CARRIED.

Report Authorisation:

Authorised by: 

Name: Satwinder Sandhu

Title: General Manager Growth and Development

Date: 20 March, 2019

Cr Sullivan declared an indirect Conflict of Interest (section 78A) in relation to Item 5.6 - Planning Permit Number PA2018 200 – Two (2) Lot Re-Subdivision and Development and Use of a Dwelling at 1343 Glenmore Road, Glenmore. The nature of the Conflict of Interest is due to assisting the owners in their attempt to obtain a planning permit as his role as a surveyor.

Cr. Sullivan was not present and had no involvement at this meeting.

Item 5.6 Planning Permit Number PA2018 200 – Two (2) Lot Re-Subdivision and Development and Use of a Dwelling at 1343 Glenmore Road, Glenmore

Consideration of Deputations – Planning Permit Application No. PA2018 200.

Deirdre Davey and Toni Davey addressed Council as the applicants to the granting of a planning permit for the application.

The business of the meeting then returned to the agenda.

Recommendation

That, having considered all matters as prescribed by the Planning and Environment Act, Council issues a Refusal to Grant Planning Permit PA2018200 for Two (2) Lot Re-Subdivision and Development and Use of a Dwelling at Crown Allotment 5F, Section 4, Parish of Bungeeltap & Lot 1 on PS 128444, 1343 Glenmore Road, Glenmore 3340, on the following grounds:

1. The proposal is inconsistent with the purpose of the Farming Zone.
2. The proposal does not comply with the Planning Policy Framework or Local Planning Policy Framework of the Moorabool Planning Scheme relevant to the use and development of rural land.

Resolution:

**Moved: Cr. Dudzik
Seconded: Cr. Bingham**

That, having considered all matters as prescribed by the Planning and Environment Act, Council issues Planning Permit PA2018200 for Two (2) Lot Re-Subdivision and Development and Use of a Dwelling at Crown Allotment 5F, Section 4, Parish of Bungeeltap & Lot 1 on PS 128444, 1343 Glenmore Road, Glenmore 3340, subject to the following conditions:

Endorsed plans:

1. **Before the use and development starts, amended 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 and in response to Council's request for further information but modified to show:**
 - a. **Elevation drawings of the proposed dwelling;**

- b. Setbacks of the proposed dwelling to the title boundaries of proposed Lot 1.**

Unless otherwise approved in writing by the Responsible Authority, all buildings and works are to be constructed or undertaken in accordance with the endorsed plans to the satisfaction of the Responsible Authority.

Farm Management Plan:

- 2. A Farm Management Plan to the satisfaction of the Responsible Authority must be endorsed as part of this permit and cannot be varied without the written consent of the Responsible Authority.**

Section 173 Agreements:

- 3. Before the issue of a Building Permit for the dwelling the owner/s of both approved lots must enter into an agreement with the Responsible Authority made pursuant to Section 173 of the Planning and Environment Act 1987 to the satisfaction of the Responsible Authority:**
 - a. The owner/s of the land must acknowledge that while the land remains zoned as Farming Zone or its equivalent successor the primary use of the land is for agricultural activities and the use of the dwelling must be in conjunction with an approved agricultural activity.**
 - b. Agricultural activities and environmental management identified in the endorsed Farm Management Plan must be undertaken on the land and must be in accordance with the Farm Management Plan endorsed under Condition No. 2 of the Planning Permit and cannot be varied without the written consent of the Responsible Authority.**
 - c. Before a Building Permit is issued for the dwelling, application must be made to the Register of Titles to register the Section 173 Agreement on the title to the land under Section 181 of the Act and the owner must provide evidence of that registration of the Agreement to the Responsible Authority.**
 - d. The owner/s must pay the reasonable costs for the preparation, execution and registration of the Section 173 Agreement.**

Dwelling requirements:

- 4. The dwelling must be connected to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.**
- 5. The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for firefighting purposes.**
- 6. The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.**
- 7. Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.**

Telecommunications:

- 8. 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.**
- 9. 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.**

Subdivision:

- 10. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.**
- 11. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.**
- 12. The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.**

Materials and Colour:

- 13. All external walls and roof areas of the proposed building/s are to be clad with non-reflective materials (zincalume prohibited) to the satisfaction of the Responsible Authority.**

Environmental Health:

- 14. An onsite waste water management system must be installed for the proposed dwelling.**

15. The land application area and all conditions must be in accordance with the Land Capability Assessment prepared by Provincial Geotechnical Pty Ltd, ref number 10366D dated 23rd May, 2018 or any approved amendment.
16. The wastewater management system including all effluent must be wholly contained within the lot boundaries at all times.
17. The effluent disposal area must be kept free of buildings, driveways, vehicular traffic and services trenching.
18. All setback distances must be adhered to as dictated by Table 5 of the Code of Practice, Onsite Wastewater Management, EPA Publication Number 891.4.
19. The owner will maintain all drainage lines at all times to divert surface water and subsurface water clear of the effluent disposal field.

Infrastructure:

20. Prior to the issue of a Statement of Compliance for the subdivision, a rural standard vehicle crossing must be provided to the proposed Lot 1 on Glenmore Road to the satisfaction of the Responsible Authority. A vehicle crossing permit must be taken out for the construction of the vehicle crossing.
21. Storm water drainage from the proposed buildings and impervious surfaces must be retained and disposed of within the boundaries of the subject land to the satisfaction of the Responsible Authority. Overflows from on-site storage systems must be directed away from any waste water disposal areas.
22. Sediment discharges must be restricted from any construction activities within the property in accordance with relevant Guidelines including Construction Techniques for Sediment Control (EPA 1991).
23. Unless otherwise approved by the Responsible Authority there must be no buildings, structures, or improvements located over proposed drainage pipes and easements on the property.
24. Prior to the commencement of the development and post completion, notification including photographic evidence must be sent to Council's Asset Services department identifying any existing damage to council assets. Any existing works affected by the development must be fully reinstated at no cost to and to the satisfaction of the Responsible Authority.

Permit expiry:

25. This permit will expire if one of the following circumstances applies:
 - a. The development and the use are not started within two years of the date of this permit;
 - b. The development is not completed within four years of the date of this permit;
 - c. The plan of subdivision is not certified within two (2) years of the date of issue of the permit.

Statement of Compliance must be achieved, and certified plans registered at Titles office within five (5) years from the date of certification.

Permit Note:

26. A permit to install an onsite wastewater management system must be submitted to Environment Health.

CARRIED.

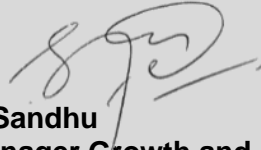
Report Authorisation:

Authorised by:

Name: Satwinder Sandhu

Title: General Manager Growth and Development

Date: 20 March, 2019



SUSPENSION OF STANDING ORDERS 6.40pm

Resolution:

Moved: Cr Keogh

Seconded: Cr Dudzik

That Standing Orders be suspended to facilitate a discussion on Item 5.6 Planning Permit Number PA2018 200 – Two (2) Lot Re-Subdivision and Development and Use of a Dwelling at 1343 Glenmore Road, Glenmore.

CARRIED

RESUMPTION OF STANDING ORDERS 6.44pm

Resolution:

Moved: Cr Edwards

Seconded: Cr Keogh

That Standing Orders now be resumed to facilitate a return to the business of the Agenda.

CARRIED

The business of the meeting then returned to the Agenda. Item 5.6 Planning Permit Number PA2018 200 – Two (2) Lot Re-Subdivision and Development and Use of a Dwelling at 1343 Glenmore Road, Glenmore.

Item 5.7 Planning Permit Number PA2018 141 – Two (2) Lot Subdivision at 112 Tramway Lane, Darley

Consideration of Deputations – Planning Permit Application No. PA2018 141.

Neil Haydon addressed Council as the representative of the applicant to the granting of a planning permit for the application.

The business of the meeting then returned to the agenda.

Recommendation

That, having considered all matters as prescribed by the Planning and Environment Act, Council issues a refusal to grant Planning Permit PA2018141 for a Two (2) Lot Subdivision at Lot 1 on PS 307493N alternatively known as 112 Tramway Lane, Darley.

1. The proposed lot size of the homestead lot (7.98ha) does not comply with the maximum lot size of 2ha requirements of 22.03 - Houses and House Lot Excisions in Rural Areas of the Moorabool Planning Scheme.
2. The proposal does not comply with the Planning Policy Framework or Local Planning Policy Framework of the Moorabool Planning Scheme relevant to Farming Zoned land.
3. The proposed subdivision is contrary to the minimum lot areas as specified under Clause 35.07-3 of the Moorabool Planning Scheme.
4. The proposed subdivision would result in the fragmentation of Farming Zoned land.

Resolution:

**Moved: Cr. Dudzik
Seconded: Cr. Edwards**

That Planning Permit Application Number PA2018141 be determined pursuant to Section 60(1) of the Planning and Environment Act 1987 by issuing a planning permit for the Two (2) Lot Subdivision on Lot 1 on PS 307493N alternatively known as 112 Tramway Lane, Darley 3340, subject to the following conditions:

Endorsed plans

1. **Before the plan of subdivision is certified under the Subdivision Act 1988, amended 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 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/other specified plans but modified to show:**
 - a. **Submission of a plan clearly identifying all areas for both lots where no development or livestock access is permitted in accordance with the submitted Land Management Plan.**

Subdivision

- 2. The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.**

Land Management Plan

- 3. A Land Management Plan to the satisfaction of the Responsible Authority must be endorsed as part of this permit, and cannot be varied without the written consent of the Responsible Authority.**
- 4. Before the issue of a Statement of Compliance the owner must enter into an agreement with the Responsible Authority made pursuant to Section 173 of the Planning and Environment Act 1987 to the satisfaction of the Responsible Authority:**
 - a. The owner of the land must acknowledge that while the land remains zoned as Farming Zone or its equivalent successor the primary use of the land is for agricultural activities.**
 - b. Environmental management identified in the endorsed Land Management Plan must be undertaken on the land and must be in accordance with the Land Management Plan endorsed under Condition 3 of the Planning Permit and cannot be varied without the written consent of the Responsible Authority**
 - c. No further subdivision is permitted of proposed Lots 1 and 2.**
 - d. Before the issue of a Statement of Compliance, application must be made to the Register of Titles to register the Section 173 Agreement on the title to the land under Section 181 of the Act and the owner must provide evidence of that registration of the Agreement to the Responsible Authority.**

Servicing

- 5. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.**
- 6. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.**

Infrastructure conditions

- 7. Sediment discharges must be restricted from any construction activities within the property in accordance with relevant Guidelines including Construction Techniques for Sediment Control (EPA 1991).**
- 8. Unless otherwise approved by the Responsible Authority there must be no buildings, structures, or improvements located over proposed drainage pipes and easements on the property.**

9. Prior to the commencement of the development and post completion, notification including photographic evidence must be sent to Council's Asset Services department identifying any existing damage to council assets. Any existing works affected by the development must be fully reinstated at no cost to and to the satisfaction of the Responsible Authority.

Permit Expiry

10. This permit will expire if the plan of subdivision is not certified within two (2) years of the date of issue of the permit.

Council may extend the periods referred to if a request is made in writing before the permit expires or in accordance with the timeframes as specified in Section 69 of the Planning and Environment Act 1987.

Statement of Compliance must be achieved and certified plans registered at Titles office within five (5) years from the date of certification.

CARRIED.

Report Authorisation:

Authorised by: 
Name: Satwinder Sandhu
Title: General Manager Growth and Development
Date: 20 March, 2019

UPDATE ON TRENDS, ISSUES AND OTHER MATTERS

Item 6.1 VCAT Consent Order Reference No. P2448/2018. Planning Permit PA2018 242– Fifty Seven (57) lot subdivision and Construction of Three (3) Dwellings on lots less than 300m² at McCormack Road, Maddingley (Stage 20A of Stonehill Estate).

Resolution:

**Moved: Cr. Edwards
Seconded: Cr. Keogh**

That, having considered all relevant matters as required by the Planning and Environment Act 1987, Council approve signing the Consent Orders, thereby support approving a permit for a Fifty Seven (57) lot subdivision and Construction of Three (3) Dwellings on lot less than 300m² at Crown Allotment 3, Block 1, Parish of Parwan, otherwise known as Stage 20A, Stonehill Estate, McCormacks Road, Maddingley subject to the following conditions:

Endorsed Plans:

- 1. Before the plan of subdivision is certified under the Subdivision Act 1988, amended 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 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/other specified plans but modified to show:
 - a) Changes set out in the subdivision concept plan (SCP) prepared by SMEC amended in accordance with the SMEC plan dated 1 March 2019.**
 - b) Details of temporary Cul De Sac treatments for the southern ends of the road to be connected to future roads.****

Subdivision/Development:

- 2. Before the plan of subdivision is certified under the Subdivision Act 1988, a Memorandum of Common Provisions (MCP) must be submitted to and approved by the Responsible Authority which provides design guidelines for:
 - a) Lots less than 300m² which demonstrates compliance with Clause 54 of the Moorabool Planning Scheme and requires that corner lots be developed with two storey dwellings.**
 - b) Lots less than 350 square metres that addresses front setbacks, garage design, dwelling entry design, roof forms, dwelling separation, window design, materials and colours, fencing and driveways.****
- 3. Prior to the issue of Statement of Compliance, the permit holder will enter into a Memorandum of Understanding with Council detailing the location of open space in the vicinity of stage 20A generally in accordance with Open Space Network plan by SMEC date 15 November 2018 to the satisfaction of the Responsible Authority.**
- 4. The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.**

5. Prior to any works commencing on the land a "Construction Management Plan" (CMP) must be prepared to the satisfaction and approval of the Responsible Authority, detailing how the developer will manage the environmental and construction issues associated with the development. The plan must address, but not be limited to the following:
 - How the land is to be accessed during the construction period;
 - All measures to be introduced to ensure that construction on the land does not impact on any vegetation to be retained;
 - All measures to be introduced to minimise soil erosion and runoff; and
 - Details relating to the storage of all plant and equipment during the construction period.
6. Measures to be implemented to ensure the containment of dust, dirt and mud within the site and method and frequency of clean up procedures in the event of buildup of matter outside of the site. Developer contributions are required for the provision of infrastructure on the developable land, and also where the development impacts on infrastructure demand beyond the developable area, including social and road network infrastructure based on the Community Infrastructure Report and Traffic Impact Assessment Report, and must be provided for within an agreement made with Moorabool Shire Council under Section 173 of The Act.
7. Prior to the construction of a dwelling on each lot less than 300m², the land owner must submit a developer approved site plan with setbacks, floor plan with dimensions and elevation plans with heights in accordance with the endorsed Memorandum of Common Provisions and obtain written consent from the Responsible Authority that plans are to the satisfaction of Council.
8. The temporary Cul De Sac must be permanently constructed within three years of the issue of this permit unless the subdivision to the South is approved with a connecting road network or with the prior written consent of the Responsible Authority.
9. A security deposit equal to 150% of the cost of construction of the permanent Cul De Sac as required by condition 8 must be lodged with the Council. The deposit will be returned either through practical completion of the roadway to the satisfaction of the Responsible Authority or alternative roadways are approved by the Responsible Authority.

Telecommunications:

10. The owner of the land must enter into agreements with:
 - a. A telecommunications network or service provider for the provision of telecommunication service 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 provide by optical fibre.

11. Before the issue of 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 an area where the National Broadband Network will not be provided by optical fibre.**

Infrastructure:

12. The internal road network layout must be designed and constructed to be generally in accordance with the Approved West Maddingley Development Plan, to the standard detailed in the Infrastructure Design Manual, to the satisfaction of the Responsible Authority.

13. Prior to Statement of Compliance being issued the temporary Cul De Sac identified in Condition 1c) must be fully constructed.

14. Prior to the Statement of Compliance, the subdivision must be provided with drainage system to a design approved by the Responsible Authority and must ensure that:

- i. The subdivision as a whole must be self draining.**
- ii. All drainage courses within the subdivision must pass through easements or reserves shown on the plan of subdivision.**
- iii. All outfall drainage passing through other land must be provided at the cost of the developer and be constructed within easements shown on the plan of subdivision.**
- iv. Volume of water discharging from the subdivision in a 10% AEP storm shall not exceed the 20% AEP storm prior to development. Peak flow must be controlled by the use of retardation basin(s) located and constructed to the satisfaction of the Responsible Authority.**
- v. Flow paths of the 1% AEP storm must be determined and the subdivision designed so that no property is inundated by such a storm. The flow paths must be indicated on the engineering plans.**
- vi. The drainage system must be designed to include provision to intercept litter.**
- vii. All lots must be provided with a stormwater legal point of discharge at the lot point of the lot, to the satisfaction of the Responsible Authority.**
- viii. The drainage design must take into account any applicable drainage or flood management strategy.**

If required, the layout of the subdivision must be modified based on the approved stormwater design.

- 15. Prior to the commencement of any works, design computations for drainage of the whole site must be prepared and submitted to the Responsible Authority for approval, and must include analysis of the existing stormwater drainage system in the area to determine:
 - i. The requirements for drainage of the whole site.**
 - ii. If the existing drainage network has sufficient capacity to cater for the additional runoff from the ultimate development.**
 - iii. If additional outfall drainage or upgrading of the existing drainage network is required.****
- 16. Prior to the commencement of any works, design computations for all road pavement construction, based on a geotechnical investigation of the site, must be prepared and submitted to the Responsible Authority for approval.**
- 17. Prior to the commencement of any works, plans and specifications of all road, traffic and drainage works must be prepared and submitted to the responsible authority for approval prior to the commencement of such works and all such works must be carried out in accordance with the approved plans to the satisfaction of the Responsible Authority.**
- 18. Telecommunications “fibre to premises” (FTTP) network (including all pipes, conduits, active equipment, equipment shelters and optical fibre cables) shall be provided to the lots to the satisfaction of the Responsible Authority.**
- 19. Unless otherwise approved by the Responsible Authority there must be no buildings, structures, or improvements located over proposed drainage pipes and easements on the property.**
- 20. An Environmental Management Plan for the road construction works must be submitted to the Responsible Authority for approval prior to the commencement of construction. All works must be performed in accordance with the approved Environmental Management Plan.**
- 21. Sediment discharges must be restricted from any construction activities within the property in accordance with the relevant Guidelines including “Construction Techniques for Sediment Control” (EPA 1991) and “Environmental Guidelines for Major Construction Sites” (EPA 1995).**
- 22. Traffic management treatments must be provided in the form of line-marking, signage and pavement markers at intersections and vehicle turning areas, to the satisfaction of the Responsible Authority.**
- 23. Prior to the issue of Statement of Compliance for each stage, street lighting must be provided in accordance with the requirements of AS1158 – Lighting for Roads and Public Places, to the satisfaction of the Responsible Authority. All lighting fittings must be “Standard” fittings maintained by the electricity network provider at no additional cost to Council. All lights must utilise LED type luminaires where available.**
- 24. Prior to the issue of Statement of Compliance for each stage, street names and street signs must be provided to the satisfaction of the responsible authority.**

- 25. Prior to the issue of a Statement of Compliance, permanent survey marks must be provided at a maximum spacing of 200 metres and registered, to the satisfaction of the Responsible Authority.**
- 26. Prior to the issue of a Statement of Compliance, Street trees must be provided at approved locations in all internal roads of the subdivision at a rate of one tree per lot frontage and one tree per lot sideage, with an approved species to the satisfaction of the responsible authority. All street trees must have an existing height of 1.5 metres upon planting, must be planted to an approved standard incorporating two hardwood stakes, tree ties, Ag pipe, water crystals, 100 mm of mulch and initial watering, to the satisfaction of the responsible authority.**
- 27. Prior to the issue of Statement of Compliance, landscaping within the development must be undertaken in accordance with an approved Landscape Plan, to the satisfaction of the Responsible Authority.**
- 28. Landscaping (including street trees) must be maintained for a minimum period of 18 months including watering, mulching, weeding and formative pruning, to the satisfaction of the responsible authority.**
- 29. If a Statement of Compliance is sought prior to the landscape works being undertaken, then a security deposit of 150% of the cost of the landscaping must be lodged with the responsible authority. The landscape work must then be completed within 6 months form the issue of the Statement of Compliance (Practical Completion). Once the landscaping works are “Practically Compete”, the security deposited may be returned.**
- 30. Prior to the issue of a Statement of Compliance, a security deposit equal to 25% of the cost of landscaping must be lodged with the Council. The deposit will be returned after the final inspection of street trees, 18 months after the completion of planting of the trees, only if Council requires no further maintenance of the trees to be undertaken.**
- 31. The developer must pay:**
 - i. 0.75 % of the total estimated cost of works for the checking of engineering plans associated with that stage of the development.**
 - ii. 2.50 % of the total estimated cost of works for the supervision of works associated with that stage of the development.**
- 32. After all engineering works pertaining to each stage of the subdivision have been completed, the following “as constructed” details must be submitted in the specified format to the Responsible Authority:**
 - i. Drainage construction details in “D-Spec” format.**
 - ii. Roadworks construction details in “R-Spec” format.**
- 33. All road and drainage works must be maintained in good condition and repair for a minimum of 3 months after completion of the works, to the satisfaction of the Responsible Authority.**

34. A security deposit of 5% of the total value of engineering works as approved by the Responsible Authority must be lodged with the Responsible Authority, to cover the maintenance of all works. The deposit will be returned after the final inspection of works, 3 months after the completion of works, subject to the satisfactory completion of all required maintenance and rectification works.

35. Any existing works affected by the development must be fully reinstated at no cost to and to the satisfaction of the Responsible Authority.

Downer Utilities:

36. The plan of subdivision submitted for certification must be referred to AusNet Services (Gas) in accordance with Section 8 of the Subdivision Act 1988.

Powercor:

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 (Installations) Regulations.**
- d. Any construction work must comply with Energy Safe Victoria's "No Go Zone" rules.**
- e. Set aside on the plan of subdivision for the use of Powercor Australia Ltd reserves and/or easements satisfactory to Powercor Australia Ltd where any electric substation (other than a pole mounted type) is required to service the subdivision.**

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

- f. Provide easements satisfactory to Powercor Australia Ltd, where easements have not been otherwise provided, for all existing Powercor Australia Ltd electric lines on save for lines located, or to be located, on public roads set out on the plan. These easements shall show on the plan an easement(s) in favour of "Powercor Australia Ltd" for "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 within any area affected by an easement for a powerline and for the construction of any works in such an area.**
- j. Provide to Powercor Australia Ltd, a copy of the version of the plan of subdivision submitted for certification, which shows any amendments which have been required.**

Melbourne Water:

- 39. Prior to the issue of a Statement of Compliance, the Owner shall enter into and comply with an agreement with Melbourne Water Corporation for the acceptance of surface and storm water from the subject land directly or indirectly into Melbourne Water's drainage systems and waterways, the provision of drainage works and other matters in accordance with the statutory powers of Melbourne Water Corporation.**
- 40. Pollution and/or sediment laden runoff shall not be discharged directly or indirectly into Melbourne Water's drains or waterways.**
- 41. Prior to Certification, the Plan of Subdivision must be referred to Melbourne Water, in accordance with Section 8 of the Subdivision Act 1988.**
- 42. Prior to Certification, the Developer must ensure adequate outfall from the site. A copy of written approval from the relevant affected parties to the satisfaction of Council for the arrangement of appropriate drainage outfall for the subdivision must be provided to Melbourne Water. Copy of Council's acceptance of the SWMS for any assets under Council's maintenance shall be provided to Melbourne Water for our records.**
- 43. Stormwater runoff from the subdivision must achieve State Environment Protection Policy (Waters of Victoria) objectives for environmental management of stormwater as set out in the 'Urban Stormwater Best Practice Environmental Management Guidelines (CSIRO) 1999'.**
- 44. Prior to the commencement of works, the proposed Wetland treatment works to be constructed for treatment of stormwater runoff is to be designed and built to Council's requirements. Council's approval to the design and acceptance of ownership and all future maintenance responsibilities of the Wetland shall be submitted to Melbourne Water prior to the commencement of works.**

- 45. Prior to the issue of a Statement of Compliance for the subdivision, engineering plans of the subdivision (in electronic format) must be submitted to Melbourne Water for our records. These plans must show road and drainage details and any overland flow paths for the 100 year ARI storm event.**
- 46. Prior to the issue of a Statement of Compliance for the subdivision, a certified survey plan prepared by or under the supervision of a licensed land surveyor, showing finished lot levels reduced to the Australian Height Datum, must be submitted to Melbourne Water for our records.**
- 47. Prior to the issue of a Statement of Compliance for the subdivision, a Site Management Plan detailing pollution and sediment control measures must be submitted to Melbourne Water.**
- 48. Alignment of roads and reserves with any adjoining estates must ensure continuity and provide uninterrupted conveyance of overland flows.**
- 49. The subdivision is to make provision for overland flows from the upstream catchment utilising roads and/or reserves.**
- 50. Any road or access way intended to act as a stormwater overland flow path must be designed and constructed to comply with the floodway safety criteria outlined within Melbourne Water's Land Development Manual.**
- 51. Easements or reserves shall be created over existing and proposed Melbourne Water assets on the Plan of Subdivision to the satisfaction of Melbourne Water.**
- 52. Any temporary outfall is to be arranged to the satisfaction of Melbourne Water, Council and the affected downstream property owner(s).**
- 53. Prior to the issue of a Statement of Compliance for the subdivision, a separate application direct to Melbourne Water must be made for any new or modified storm water connection to Melbourne Water's drains or watercourses.**
- 54. Prior to the issue of a Statement of Compliance, the drainage outfall must be to the satisfaction of Council. Written confirmation of the acceptance of the drainage outfall by Council must be sent to Melbourne Water for our records.**

Western Water:

- 55. Payment of new customer contributions for each lot created by the development such amount being determined by Western Water at the time of payment.**
- 56. Reach agreement with Western Water for the provision and funding of potable water supply and sewerage services necessary to service the subdivision/development.**
- 57. Provision of reticulated water mains and associated construction works to front each allotment, at the developer's expense in accordance with the standards of construction adopted by and to the satisfaction of Western Water.**
- 58. Provision of reticulated sewerage services and associated construction works to each allotment within the subdivision/development, at the developer's expense, in accordance with the standards of construction adopted by and to the satisfaction of Western Water.**

59. The owner shall reach an agreement with Western Water regarding the construction of any Shared Assets (water mains that are greater than 150mm diameter and gravity sewerage mains that are greater than 225mm diameter) required to service the subdivision/development. The construction of Shared Assets reimbursable by Western Water shall comply with Western Water Procurement and Guide to New Customer Contributions.
60. Provision of easements in favour of Western Water over all existing and proposed sewer mains located within private property. The easement shall be 3.0 metres wide for combined sewer and drainage easements and 2.0m wide for a dedicated sewerage easement.
61. Preparation of a digitised plan of subdivision and ancillary requirements in accordance with Western Water's drafting standards and practices.
62. The operator under this permit shall be obliged to enter into an Agreement with Western Water relating to the design and construction of any sewerage or water works required. The form of such Agreement shall be to the satisfaction of Western Water. The owner/applicant shall make a written request to Western Water for the terms and conditions of the agreement.
63. Prior to the issue of a Statement of Compliance, evidence must be provided in a form satisfactory to Western Water that will ensure all future lot owners are made aware that they must undertake water efficiency measures to limit the amount of potable water used.
64. The developer must produce for approval by Western water an Integrated Water Management Plan that incorporates water efficiency measures and water sensitive urban design techniques that reduce reliance on potable water by increasing utilisation of fit for purpose alternative water such as stormwater, rainwater and recycled water. This plan must set out subdivision outcomes that appropriately respond to the site and its context for integrated water management to the satisfaction of Western Water, when approved by Western Water, the Integrated Water Management Plan must be implemented before the issue of a statement of compliance.
65. All contractors engaged on construction of Subdivision Infrastructure obtain a Water Carters Permit from Western Water and comply with that permit at all times. The permit will include a requirement for the Water Carter Permit holder to:
- Own a metered hydrant approved by Western Water;
 - Meter and pay for all water taken;
 - Display a Western Water Permit Number Sticker on the tanker;
 - Only take water from nominated hydrants or standpipes;
 - Only use water for the purpose approved in the Water Carters Permit;
 - Avoid wastage of water on site; and
 - Comply with any water restrictions imposed by Western Water at the time water is used.

For the purpose of this condition, Subdivision Infrastructure includes new and alterations to existing: roads, drains, water mains, sewer mains, power supply, telephone, gas and any other service infrastructure required by this permit and dust suppression during construction of the same. Notwithstanding the above, a Water Carters Permit is not required if the permit holder and contractors engaged by the permit holder can demonstrate to the satisfaction of Western Water that

water is not required from Western Water's town water supply systems to construct Subdivision Infrastructure as defined above.

Country Fire Authority

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

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

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

67. 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:

- i. 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 degree) entry and exit angle.**
- ii. Curves must have a minimum inner radius of 10 metres.**
- iii. Have a minimum trafficable width of 3.5 metres and be clear of encroachments for at least 0.5 metres on each side and 4 metres above the access way.**
- iv. Roads more than 60 metres in length from the nearest intersection must have a turning circle with a minimum radius of 8 metres (including roll-over kerbs if they are provided) T or Y heads of dimensions specified by the CFA may be used as alternatives.**

Department of Environment, Land, Water and Planning

68. Before the issue of a Statement of Compliance evidence that the offset required under all previous stages of this subdivision project has been secured must be provided to the satisfaction of the Responsible Authority in consultation with the Department of Environment, Land, Water and Planning. This evidence must be one or both of the following:

- a. an established first party offset site including a security agreement signed by both parties, and a management plan detailing the 10-year management actions and ongoing management of the site; and/or**
- b. credit extract(s) allocated to the permit from the Native Vegetation Credit Register.**

69. A copy of the offset evidence will be endorsed by the Responsible Authority and form part of this permit. Within 30 days of endorsement of the offset evidence, a copy of the endorsed offset evidence must be provided to the Department of Environment, Land, Water and Planning Ballarat regional office.

Operational:

70. Sediment discharges must be restricted from any construction activity to within the property boundaries and any truck movements beyond the site associated with the activity that creates sediment discharges must comply with the Environmental Guidelines for Major Construction Sites (EPA 1995) to the satisfaction of the Responsible Authority.

Permit Expiry:

71. This permit will expire if one (1) of the following circumstances applies:

- a. The development is not started within two (2) years of the date of this permit;**
- b. The development is not completed within four (4) years of the date of this permit; and**
- c. The plan of subdivision is not certified within two (2) years of the date of issue of the permit.**

Statement of Compliance must be achieved and certified plans registered at Titles Office within five (5) years from the date of certification.

CARRIED.

Report Authorisation:

Authorised by:

Name: Satwinder Sandhu

Title: General Manager Growth and Development

Date: 20 March, 2019



DATE OF NEXT MEETING

Wednesday 17 April, 2019

6.00pm

North Wing Room 2 & 3

Darley Civic and Community Hub, 182 Halletts Way, Darley

MEETING CLOSURE

The Chair thanked all Committee members and attendees and closed the meeting at 6.56pm.

