

MINUTES

SECTION 86 DEVELOPMENT ASSESSMENT COMMITTEE MEETING

Wednesday 13 December, 2017
James Young Room, Lerderderg Library
Bacchus Marsh
at 4.00pm

1. MEETING OPENING

Mr Satwinder Sandhu, General Manager Growth & Development welcomed all and opened the meeting at 4.02pm.

ATTENDANCE

Cr. Paul Tatchell (Mayor)	Councillor – Central Moorabool Ward
Cr. Jarrod Bingham	Councillor – East Moorabool Ward
Cr. Tonia Dudzik	Councillor – East Moorabool Ward
Cr. John Keogh	Councillor – East Moorabool Ward
Cr. Pat Toohey	Councillor – Woodlands Moorabool Ward
Mr. Satwinder Sandhu	General Manager Growth & Development
Mr. Rob Fillisch	Manager Statutory Planning and Community Safety
Ms. Sam Romaszko	Manager Engineering Services
Mrs. Jacquie Younger	Minute taker

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. APPOINTMENT OF CHAIR

Resolution:

Moved: Cr. Bingham
Seconded: Cr. Keogh

That Cr. Tatchell be appointed as Chair of the Section 86 Development Assessment Committee until the next public council meeting where a permanent chair will be appointed.

CARRIED.

4. CONFIRMATION OF PREVIOUS MEETING MINUTES

Resolution:

Moved: Cr. Keogh
Seconded: Cr. Bingham

That the Minutes of the Section 86 Development Assessment Committee for 8 November, 2017 be confirmed as a true and correct record.

CARRIED.

5. CONFLICT OF INTEREST

No conflicts of interest were declared at the meeting.

6. GROWTH & DEVELOPMENT REPORTS

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| 6.1 | Planning Permit PA2017 168 – Development of Two (2) Sheds Ancillary to the Use of the land for Agriculture at 844 Yendon-Egerton Road Mt Egerton. | Page 3 |
| 6.2 | Planning Permit Application PA2016 256 –Two (2) Lot Subdivision at 1 Fahey Road, Gordon. | Page 6 |
| 6.3 | Planning Permit Application PA2016 257 - 22 Lot Staged Subdivision & Removal of Easements at Lot S2 on PS 312999Y, Leila Court, Bacchus Marsh VIC 3340. | Page 9 |
| 6.4 | Planning Permit Application PA2017 122 –Development and Use of a Medical Centre (Dental and Physiotherapy Practices) at 118 Gisborne Road, Darley. | Page 27 |

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
6.1	Planning Permit PA2017 168 – Development of Two (2) Sheds Ancillary to the Use of the land for Agriculture at 844 Yendon-Egerton Road Mt Egerton.	Kathleen Littlejohn	Objector
6.1	Planning Permit PA2017 168 – Development of Two (2) Sheds Ancillary to the Use of the land for Agriculture at 844 Yendon-Egerton Road Mt Egerton.	Charmaine Redford	Applicant
6.3	Planning Permit Application PA2016 257 - 22 Lot Staged Subdivision & Removal of Easements at Lot S2 on PS 312999Y, Leila Court, Bacchus Marsh VIC 3340.	Matilda Abey	Objector
6.3	Planning Permit Application PA2016 257 - 22 Lot Staged Subdivision & Removal of Easements at Lot S2 on PS 312999Y, Leila Court, Bacchus Marsh VIC 3340.	Wayne Daniel	Applicant and Supporter

GROWTH & DEVELOPMENT REPORTS

Consideration of Deputations – Planning Permit Application PA2017 168

Kathleen Littlejohn addressed Council as an objector to the granting of a planning permit for the application.

Charmaine Redford 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.

Item 6.1 Planning Permit Application PA2017 168 – Development of Two (2) Sheds Ancillary to the Use of the land for Agriculture at 844 Yendon-Egerton Road Mt Egerton.

Resolution:

Moved: Cr. Bingham

Seconded: Cr. Dudzik

That, having considered all matters as prescribed by the Planning and Environment Act, Council issue a Planning Permit for PA2017 168 subject to the following conditions:

That, having considered all relevant matters as required by the Planning and Environment Act 1987, Council issue a Notice of Decision to Grant a Permit for the *Development of Two (2) Sheds Ancillary to the Use of the Land for Agriculture* in accordance with Section 61 of the *Planning and Environment Act 1987*, subject to the following conditions:

Endorsed Plan

- 1. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority. All buildings and works must be constructed and or undertaken in accordance with the endorsed plans to the satisfaction of the Responsible Authority. All buildings and works must be located clear of any easements or water and sewer mains or septic tank and effluent lines unless written approval is provided by the relevant authority.**

Materials and Colours

- 2. 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.**

Operation

- 3. The sheds hereby permitted must only be used to store goods and machinery associated with agriculture.**
- 4. The sheds hereby permitted must not for any habitable purposes.**
- 5. No plumbing fixtures are to be installed in the sheds hereby approved to the satisfaction of the Responsible Authority.**

Infrastructure

- 6. 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.**
- 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.**

Barwon Water

- 10. The permitted buildings must not be used for any habitable purpose and must not be used for any commercial or industrial purpose, except in accordance with the provisions of the Moorabool Shire Planning Scheme.**
- 11. The existing effluent disposal areas must be kept free from stock, buildings, driveways and service trenching.**
- 12. Stormwater must not be released directly into any waterway and must be directed away from any existing or approved effluent fields.**
- 13. Sediment control measures outlined in the EPA's publication No 275, Sediment Pollution Control, shall be employed during construction and maintained until the disturbed area has been revegetated.**

Permit Expiry

- 14. This permit will expire if one of the following circumstances applies:**
 - a) The development is not started within two (2) years of the date of this permit; and**
 - b) The development is not completed within four (4) years of the date of this 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.

CARRIED.

Report Authorisation:

Authorised by:

Name: Satwinder Sandhu

Title: General Manager Growth and Development

Date: 13 December, 2017



Item 6.2 Planning Permit Application PA2016 256– Two (2) Lot Subdivision at 1 Fahey Road, Gordon.

Resolution:

Moved: Cr. Toohey

Seconded: Cr. Keogh

That, having considered all matters as prescribed by the Planning and Environment Act, Council issues a Notice of Decision to Grant a Permit for a two (2) lot subdivision, application number PA2016256 at Lot 2 on LP21363M, otherwise known as 1 Fahey Road, Gordon 3345 , with 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) The boundary line between Lots 1 and 2 straightened from the Faheys Road frontage to run parallel with the Corbetts Road alignment with resultant increase in the land area of Lot 1 at the expense of Lot 2.**

Subdivision

- 2. 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.**
- 3. 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.**
- 4. 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.**

Telecommunication conditions

- 5. 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.**

6. 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

- 7. Prior to the issue of a Statement of Compliance for the subdivision, proposed Lot 2 must be provided with a standard rural residential vehicle crossing to the satisfaction of the Responsible Authority. A vehicle crossing permit must be taken out for the construction of the vehicle crossing.**
- 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 legal point of discharge permit must be taken out prior to the construction of the stormwater drainage system.**
- 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:**
 - i. location of vehicle crossings;**
 - ii. details of the underground drainage;**
 - iii. location of drainage legal points of discharge;**
 - iv. standard details for vehicle crossings and legal points of discharge; and**
 - v. civil notes as required to ensure the proper construction of the works to Council.**

Permit Expiry:

14. 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: 13 December, 2017

Consideration of Deputations – Planning Permit Application PA2016 257

Matilda Abey addressed Council as an objector to the granting of a planning permit for the application.

Wayne Daniel 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.

Item 6.3 Planning Permit Application PA2016 257 - 22 Lot Staged Subdivision & Removal of Easements at Lot S2 on PS 312999Y, Leila Court, Bacchus Marsh VIC 3340

Recommendation:

That, having considered all matters as prescribed by the Planning and Environment Act, Council is to Grant a Permit for PA2016 257 for a twenty two (22) Lot Subdivision at Lot S2 on PS 312999Y, Leila Court Bacchus Marsh, subject to the following conditions:

Endorsed Plans

- 1. The subdivision on the endorsed plans must not be altered without 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 the 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 five (5) per cent of the site value of all the land in the subdivision.**

Telecommunications

- 4. 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.**
- 5. 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.

Infrastructure

- 6. Prior to the development commencing, a “Stormwater Management Strategy” must be prepared and submitted to the responsible authority for approval, based on the objectives and standards of the Moorabool Planning Scheme and the “Urban Stormwater Best Practice Environmental Management Guidelines – CSIRO 1999”. The Strategy must:

- a) Encompass the entire area of the development;
- b) Propose techniques to manage the quantity and quality of stormwater emanating from the site during construction and after completion of the development in accordance with the Best Practice Guidelines;
- c) Provide for outfall drainage from the site connecting to an approved discharge point; and
- d) Propose techniques to manage the overland flow paths within the development for the 1% AEP storm for the catchment.

Once approved, the stormwater strategy will form the basis for preparation of detail design documentation of a stormwater system for the development.

- 7. The subdivision must be provided with drainage system to a design approved by the Responsible Authority and must ensure that:

- a) The subdivision as a whole must be self draining;
- b) All drainage courses within the subdivision must pass through easements or reserves shown on the plan of subdivision;
- c) 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;
- d) 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;
- e) 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;
- f) The drainage system must be designed to include provision to intercept litter;
- g) All lots must be provided with a stormwater legal point of discharge at the low point of the lot, to the satisfaction of the Responsible Authority; and
- h) 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.

8. 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:
 - a) the requirements for drainage of the whole site;
 - b) if the existing drainage network has sufficient capacity to cater for the additional runoff from the ultimate development; and

If additional outfall drainage or upgrading of the existing drainage network is required.

9. The internal road network layout, including the unconstructed portion of Leila Court adjacent to the Western boundary of the subject land, must be designed and constructed to the standards detailed in the Infrastructure Design Manual, to the satisfaction of the Responsible Authority.
10. 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.
11. 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.
12. Prior to the issue of a statement of compliance for the relevant stage of the subdivision, the proponent must, at their cost, construct a 1.5 metre wide reinforced concrete footpath from the Western boundary of the subject land to Gisborne Road, to the satisfaction of the responsible authority.
13. 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.
14. 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.
15. 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).
16. Traffic management treatments must be provided in the form of linemarking, signage and pavement markers at intersections and vehicle turning areas, to the satisfaction of the Responsible Authority.
17. Prior to the issue of a Statement of Compliance for the subdivision, indented parking bays must be constructed along the internal roads as detailed in layout plan provided with the updated Traffic Impact Assessment Report prepared by Driscoll and Associates dated April 2017, to the satisfaction of the responsible authority.

- 18.** 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.
- 19.** The development must be provided with open access underground conduits to carry optical fibre at the development stage. (This may be waived if the responsible authority considers provision is unwarranted.) A development plan must show the conduit network for the subdivision, to the satisfaction of the responsible authority. Conduits must be provided in accordance with a plan approved by the responsible authority. Ownership of a conduit is to be vested in Council and may be transferred to another agency or telecommunications carrier at such time as it may be required. Where the conduit crosses private land an easement is required in favour of Moorabool Shire Council.
- 20.** Street names and street signs must be provided to the satisfaction of the responsible authority.
- 21.** Permanent survey marks must be provided at a maximum spacing of 200 metres and registered, to the satisfaction of the Responsible Authority.
- 22.** 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.
- 23.** 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.
- 24.** A security deposit equal to 150% of the cost of planting street trees 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.
- 25.** Landscaping within the development must be provided in accordance with an approved landscape plan, to the satisfaction of the responsible authority.
- 26.** Landscaping must be maintained for a minimum period of 18 months including watering, mulching, weeding and formative pruning, to the satisfaction of the responsible authority.
- 27.** A security deposit equal to 150% of the cost of the landscaping must be lodged with the Council. The deposit will be returned after the final inspection of landscaping, 18 months after the completion of landscaping, only if Council requires no further maintenance of the landscaping to be undertaken.

28. Prior to the issue of a Statement of compliance for each stage of the subdivision, the developer must pay:

- a) 0.75 % of the total estimated cost of works for the checking of engineering plans associated with that stage of the development; and**
- b) 2.50 % of the total estimated cost of works for the supervision of works associated with that stage of the development.**

29. 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:

- a) Drainage construction details in “D-Spec” format; and**
- b) Roadworks construction details in “R-Spec” format.**

30. 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.

31. Prior to the issue of a Statement of compliance for each stage of the subdivision, a security deposit of 5% of the total value of engineering works for that stage 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.

32. 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.

Melbourne Water

33. 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.

34. A stormwater management and drainage strategy must be submitted and approved by Melbourne Water. This strategy must provide details of the outfall/s for the development and calculate the appropriate flow volumes and flood levels for the 100-year ARI storm event and demonstrate how stormwater runoff from the subdivision will achieve State Environment Protection Policy (Waters of Victoria) objectives for environmental management of stormwater. The strategy should also include information regarding the future ownership and maintenance requirements of any proposed assets.

35. Prior to certification, the Plan of Subdivision must show building envelopes, as approved by Melbourne Water, on each new lot. The building envelopes must not be altered or moved in any way within the prior written consent of Melbourne Water.

36. Prior to the issue of a Statement of Compliance, all proposed building envelopes must be filled to a minimum height of 300mm above the applicable flood level.

37. All filling must be contained within the approved building envelope areas including any battering of fill.
38. Prior to the issue of a Statement of Compliance, a certified survey plan prepared by or under the supervision of a licensed land surveyor, showing levels reduced to the Australian Height Datum, must be submitted to Melbourne Water to demonstrate that the building envelopes have been filled in accordance with Melbourne Water's requirements.
39. A restrictive covenant must be recorded on the certificate of title requiring any future dwelling to be constructed with finished floor levels a minimum of 300mm above the applicable flood level and garages must be constructed with finished floor levels a minimum of 150mm above the applicable flood level.
40. A restrictive covenant must be recorded on the certificate of title requiring any external fencing to be constructed of an open-style design or wood paling style and any internal fencing must be constructed of an open-style.
41. Any road or access way intended to act as a stormwater overland flow path must be designed and constructed to comply with Melbourne Water's floodway safety criteria.
42. Prior to the commencement of works 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.
43. Prior to Certification, the Plan of Subdivision must be referred to Melbourne Water, in accordance with Section 8 of the Subdivision Act 1988.
44. Prior to the issue of Statement of Compliance, engineering plans of the subdivision (in electronic format) are to be forwarded to Melbourne Water for review.
45. Pollution and sediment laden runoff shall not be discharged directly or indirectly into Melbourne Water's drains or waterways.

Powercor

46. 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.
47. 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);
 - 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 construction work must comply with Energy Safe Victoria's "No Go Zone" rules;

- d) 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;
- e) Provide easements satisfactory to Powercor Australia Ltd, where easements have not been otherwise provided, for all existing Powercor Australia Ltd electric lines on the land and for any new powerlines required to service the lots and adjoining land, save for lines located, or to be located, on public roads set out on the plan. These easements shall show on the plan an easement(s) in favour of "Powercor Australia Ltd" for "Power Line" pursuant to Section 88 of the Electricity Industry Act 2000;
- f) Where buildings or other installations exist on the land to be subdivided connected to supply prior to 1992 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. The requirements for switchboard and cable labelling contained in the Electricity Safety (Installations) Regulations are to apply;
- 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; and
- 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.

Downer Utilities Australia Pty Ltd

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

Western Water

49.Payment of new customer contributions for each lot created by the development, such amount being determined by Western Water at the time of payment.

50.Provision of reticulated water mains and associated construction works to front each allotment within the development, at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of Western Water.

51.Any existing water service which crosses any of the proposed allotment boundaries within the proposed development must be disconnected and relocated at the developer's expense, to be wholly within one allotment only and to the satisfaction of Western Water.

52.Provision of reticulated sewerage and associated construction works to each allotment within the development, at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of Western Water.

53.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 2.5m wide for a dedicated sewerage easement.

54. Preparation of a digitised plan of subdivision and ancillary requirements in accordance with Western Water's drafting standards and practices.

55. 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.

56. 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:

- a) Own a metered hydrant approved by Western Water;**
- b) Meter and pay for all water taken;**
- c) Display a Western Water Permit Number Sticker on the tanker;**
- d) Only take water from nominated hydrants or standpipes;**
- e) Only use water for the purpose approved in the Water Carters Permit;**
- f) Avoid wastage of water on site; and**
- g) 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.

VicRoads

57. Before the plan of subdivision is submitted to the Responsible Authority for certification under the Subdivision Act 1988, a functional layout plan for Gisborne Road at its intersection with Leila Court Bacchus Marsh must be submitted and accepted by the Responsible Authority.

- a) Auxiliary Left Turn (AUL) lane on major road (two lane / two way road).**

Permit Expiry

58. This permit will expire if:

- a) The plan of subdivision is not certified with compliance within two (2) years of the date of this permit; and**
- b) The registration of the subdivision is not completed within five (5) years of the date of this permit.**

The Responsible Authority may extend the time if a request is made in writing before the permit expires or within six months afterwards.

Notes:

Melbourne Water

If further information is required in relation to Melbourne Water's permit conditions shown above, please contact Melbourne Water on 9679 7517, quoting Melbourne Water's reference 171678.

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.

Western Water

Where the land is to be developed in stages, the above conditions will, in general, apply to any subsequent stage of the estate development. However, as any future stages of the development will be connected to Western Water's water supply and sewerage systems independently of this stage, Western Water reserves the right to revise any conditions applicable to any subsequent stages lodged.

VicRoads

Noise assessment relating to potential freeway traffic noise impacts on the subdivision is encouraged.

Provision of footpath(s) to facilitate pedestrian access is strongly encouraged.

MOTION:

Moved: Cr. Keogh

Seconded: Cr. Bingham

That, having considered all matters as prescribed by the Planning and Environment Act, Council is to Grant a Permit for PA2016 257 for a Twenty two (22) Lot Subdivision at Lot S2 on PS 312999Y, Leila Court Bacchus Marsh, subject to the following conditions:

Endorsed Plans

1. The subdivision on the endorsed plans must not be altered without 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 the 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 five (5) per cent of the site value of all the land in the subdivision.

Telecommunications

4. 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.
5. 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.

Infrastructure

6. Prior to the development commencing, a "Stormwater Management Strategy" must be prepared and submitted to the responsible authority for approval, based on the objectives and standards of the Moorabool Planning Scheme and the "Urban Stormwater Best Practice Environmental Management Guidelines – CSIRO 1999". The Strategy must:
 - a) Encompass the entire area of the development;
 - b) Propose techniques to manage the quantity and quality of stormwater emanating from the site during construction and after completion of the development in accordance with the Best Practice Guidelines;
 - c) Provide for outfall drainage from the site connecting to an approved discharge point; and
 - d) Propose techniques to manage the overland flow paths within the development for the 1% AEP storm for the catchment.

Once approved, the stormwater strategy will form the basis for preparation of detail design documentation of a stormwater system for the development.

7. The subdivision must be provided with drainage system to a design approved by the Responsible Authority and must ensure that:
 - a) The subdivision as a whole must be self draining;
 - b) All drainage courses within the subdivision must pass through easements or reserves shown on the plan of subdivision;

- c) 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;
- d) 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;
- e) 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;
- f) The drainage system must be designed to include provision to intercept litter;
- g) All lots must be provided with a stormwater legal point of discharge at the low point of the lot, to the satisfaction of the Responsible Authority; and
- h) 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.

8. 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:
 - a) the requirements for drainage of the whole site;
 - b) if the existing drainage network has sufficient capacity to cater for the additional runoff from the ultimate development; and
 - c) If additional outfall drainage or upgrading of the existing drainage network is required.
9. The internal road network layout, including the unconstructed portion of Leila Court adjacent to the Western boundary of the subject land, must be designed and constructed to the standards detailed in the Infrastructure Design Manual, to the satisfaction of the Responsible Authority.
10. 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.
11. 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.
12. Prior to the issue of a statement of compliance for the relevant stage of the subdivision, the proponent must, at their cost, construct a 1.5 metre wide reinforced concrete footpath from the Western boundary of the subject land to Gisborne Road, to the satisfaction of the responsible authority.
13. 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.

- 14. 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.**
- 15. 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).**
- 16. Traffic management treatments must be provided in the form of linemarking, signage and pavement markers at intersections and vehicle turning areas, to the satisfaction of the Responsible Authority.**
- 17. Prior to the issue of a Statement of Compliance for the subdivision, indented parking bays must be constructed along the internal roads as detailed in layout plan provided with the updated Traffic Impact Assessment Report prepared by Driscoll and Associates dated April 2017, to the satisfaction of the responsible authority.**
- 18. 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.**
- 19. The development must be provided with open access underground conduits to carry optical fibre at the development stage. (This may be waived if the responsible authority considers provision is unwarranted.) A development plan must show the conduit network for the subdivision, to the satisfaction of the responsible authority. Conduits must be provided in accordance with a plan approved by the responsible authority. Ownership of a conduit is to be vested in Council and may be transferred to another agency or telecommunications carrier at such time as it may be required. Where the conduit crosses private land an easement is required in favour of Moorabool Shire Council.**
- 20. Street names and street signs must be provided to the satisfaction of the responsible authority.**
- 21. Permanent survey marks must be provided at a maximum spacing of 200 metres and registered, to the satisfaction of the Responsible Authority.**
- 22. 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.**
- 23. 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.**
- 24. A security deposit equal to 150% of the cost of planting street trees 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.**

25. Landscaping within the development must be provided in accordance with an approved landscape plan, to the satisfaction of the responsible authority.
26. Landscaping must be maintained for a minimum period of 18 months including watering, mulching, weeding and formative pruning, to the satisfaction of the responsible authority.
27. A security deposit equal to 150% of the cost of the landscaping must be lodged with the Council. The deposit will be returned after the final inspection of landscaping, 18 months after the completion of landscaping, only if Council requires no further maintenance of the landscaping to be undertaken.
28. Prior to the issue of a Statement of compliance for each stage of the subdivision, the developer must pay:
- a) 0.75 % of the total estimated cost of works for the checking of engineering plans associated with that stage of the development; and
 - b) 2.50 % of the total estimated cost of works for the supervision of works associated with that stage of the development.
29. 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:
- a) Drainage construction details in “D-Spec” format; and
 - b) Roadworks construction details in “R-Spec” format.
30. 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.
31. Prior to the issue of a Statement of compliance for each stage of the subdivision, a security deposit of 5% of the total value of engineering works for that stage 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.
32. 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.

Melbourne Water

33. 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.

- 34.A stormwater management and drainage strategy must be submitted and approved by Melbourne Water. This strategy must provide details of the outfall/s for the development and calculate the appropriate flow volumes and flood levels for the 100-year ARI storm event and demonstrate how stormwater runoff from the subdivision will achieve State Environment Protection Policy (Waters of Victoria) objectives for environmental management of stormwater. The strategy should also include information regarding the future ownership and maintenance requirements of any proposed assets.**
- 35.Prior to certification, the Plan of Subdivision must show building envelopes, as approved by Melbourne Water, on each new lot. The building envelopes must not be altered or moved in any way within the prior written consent of Melbourne Water.**
- 36.Prior to the issue of a Statement of Compliance, all proposed building envelopes must be filled to a minimum height of 300mm above the applicable flood level.**
- 37.All filling must be contained within the approved building envelope areas including any battering of fill.**
- 38.Prior to the issue of a Statement of Compliance, a certified survey plan prepared by or under the supervision of a licensed land surveyor, showing levels reduced to the Australian Height Datum, must be submitted to Melbourne Water to demonstrate that the building envelopes have been filled in accordance with Melbourne Water's requirements.**
- 39.A restrictive covenant must be recorded on the certificate of title requiring any future dwelling to be constructed with finished floor levels a minimum of 300mm above the applicable flood level and garages must be constructed with finished floor levels a minimum of 150mm above the applicable flood level.**
- 40.A restrictive covenant must be recorded on the certificate of title requiring any external fencing to be constructed of an open-style design or wood paling style and any internal fencing must be constructed of an open-style.**
- 41.Any road or access way intended to act as a stormwater overland flow path must be designed and constructed to comply with Melbourne Water's floodway safety criteria.**
- 42.Prior to the commencement of works 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.**
- 43.Prior to Certification, the Plan of Subdivision must be referred to Melbourne Water, in accordance with Section 8 of the Subdivision Act 1988.**
- 44.Prior to the issue of Statement of Compliance, engineering plans of the subdivision (in electronic format) are to be forwarded to Melbourne Water for review.**
- 45.Pollution and sediment laden runoff shall not be discharged directly or indirectly into Melbourne Water's drains or waterways.**

Powercor

46.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.

47.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);
- 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 construction work must comply with Energy Safe Victoria's "No Go Zone" rules;
- d) 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;
- e) Provide easements satisfactory to Powercor Australia Ltd, where easements have not been otherwise provided, for all existing Powercor Australia Ltd electric lines on the land and for any new powerlines required to service the lots and adjoining land, save for lines located, or to be located, on public roads set out on the plan. These easements shall show on the plan an easement(s) in favour of "Powercor Australia Ltd" for "Power Line" pursuant to Section 88 of the Electricity Industry Act 2000;
- f) Where buildings or other installations exist on the land to be subdivided connected to supply prior to 1992 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. The requirements for switchboard and cable labelling contained in the Electricity Safety (Installations) Regulations are to apply;
- 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; and
- 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.

Downer Utilities Australia Pty Ltd

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

Western Water

49.Payment of new customer contributions for each lot created by the development, such amount being determined by Western Water at the time of payment.

50. Provision of reticulated water mains and associated construction works to front each allotment within the development, at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of Western Water.
51. Any existing water service which crosses any of the proposed allotment boundaries within the proposed development must be disconnected and relocated at the developer's expense, to be wholly within one allotment only and to the satisfaction of Western Water.
52. Provision of reticulated sewerage and associated construction works to each allotment within the development, at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of Western Water.
53. 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 2.5m wide for a dedicated sewerage easement.
54. Preparation of a digitised plan of subdivision and ancillary requirements in accordance with Western Water's drafting standards and practices.
55. 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.
56. 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:
- a) Own a metered hydrant approved by Western Water;
 - b) Meter and pay for all water taken;
 - c) Display a Western Water Permit Number Sticker on the tanker;
 - d) Only take water from nominated hydrants or standpipes;
 - e) Only use water for the purpose approved in the Water Carters Permit;
 - f) Avoid wastage of water on site; and
 - g) 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.

VicRoads

57. Before the plan of subdivision is submitted to the Responsible Authority for certification under the Subdivision Act 1988, a functional layout plan for Gisborne Road at its intersection with Leila Court Bacchus Marsh must be submitted and accepted by the Responsible Authority.
- b) Auxiliary Left Turn (AUL) lane on major road (two lane / two way road).

Permit Expiry

58. This permit will expire if:

- a) The plan of subdivision is not certified with compliance within two (2) years of the date of this permit; and**
- b) The registration of the subdivision is not completed within five (5) years of the date of this permit.**

The Responsible Authority may extend the time if a request is made in writing before the permit expires or within six months afterwards.

Notes:

Melbourne Water

If further information is required in relation to Melbourne Water's permit conditions shown above, please contact Melbourne Water on 9679 7517, quoting Melbourne Water's reference 171678.

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.

Western Water

Where the land is to be developed in stages, the above conditions will, in general, apply to any subsequent stage of the estate development. However, as any future stages of the development will be connected to Western Water's water supply and sewerage systems independently of this stage, Western Water reserves the right to revise any conditions applicable to any subsequent stages lodged.

VicRoads

Noise assessment relating to potential freeway traffic noise impacts on the subdivision is encouraged.

Provision of footpath(s) to facilitate pedestrian access is strongly encouraged.

LOST.

Resolution:

Moved: Cr. Dudzik

Seconded: Cr. Toohey

That the Planning Application PA2016 257 be deferred to the next available S86 Development Assessment Committee meeting to obtain further advice on how the turning circle for trucks will impact on residents and the subdivision.

CARRIED.

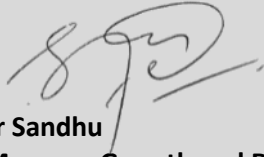
Report Authorisation:

Authorised by:

Name: Satwinder Sandhu

Title: General Manager Growth and Development

Date: 13 December, 2017



Item 6.4 Planning Permit Application PA2017 122 –Development and Use of a Medical Centre (Dental and Physiotherapy Practices) at 118 Gisborne Road, Darley.

Recommendation

That, having considered all matters as prescribed by the Planning and Environment Act, Council issue a Notice of Decision to Grant a Permit for PA2017 122 for Development and Use of a Medical Centre (Dental and Physiotherapy Practices) at Lot 1 on PS 134772, 118 Gisborne Road Darley, 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 A3 size copies must be provided. The plans must be generally in accordance with the plans identified as Drawing No.'s TP103, TP104 & TP105 prepared by Peter Thompson Architects, Project No. 17001, dated March 2017 but modified to show:
 - a. The building's setback from the east title boundary notated on the site plan.
 - b. Car spaces with a minimum width of 2.6m. This shall not result in the loss of any more than two (2) car spaces.
 - c. A landscape plan in accordance with Condition no. 12.
 - d. A notation that any landscaping or other feature around the proposed crossover and within the property shall not exceed 900mm height, in compliance with Design standard 1 under Clause 52.06-8 of the Moorabool Planning Scheme.
 - e. A publically accessible bicycle rail to accommodate parking for at least one (1) bicycle.

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

Amenity

2. No more than three (3) health practitioners may see patients on the premises at a given time.
3. The use may operate only between the hours of Monday to Friday, 8.00am – 8.00pm, and Saturday, 8.00am – 1.00pm, except with the written consent of the Responsible Authority.
4. Group classes shall have no more than five (5) participants (not including the practitioner).
5. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:
 - a. transport of materials, goods or commodities to or from the land;
 - b. appearance of any building, works or materials;
 - c. presence of vermin;
 - d. emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; and
 - e. Any other reason.

6. External lighting must be provided with suitable baffles and located so that no direct light is emitted outside the site.
7. All security alarms or similar devices installed on the land must be of a silent type.
8. All external plant and equipment must be acoustically treated or placed in soundproof housing to reduce noise to a level satisfactory to the Responsible Authority.
9. All pipes, fixtures, fittings and vents servicing any building on the site, other than storm water down pipes, must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
10. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building(s) without the written consent of the Responsible Authority.
11. Signage directing cyclists to the bicycle parking area must be displayed outside the building to the satisfaction of the Responsible Authority.

Landscaping

12. Before the development starts, a landscape plan to the satisfaction of the Responsible Authority 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 plan must show:
 - a. Details of surface finishes of pathways and driveways.
 - b. A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
 - c. Landscaping and planting within all open areas of the site.
 - d. Landscaping compliant with Clause 52.06-8 of the Moorabool Planning Scheme in relation to corner splays.

All species selected must be to the satisfaction of the Responsible Authority.

13. Before the occupation of the development starts or by such later date as is approved by the Responsible Authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
14. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority.

Infrastructure

15. The maximum number of practitioners at any time should be limited to three (3). Any increase in the number of practitioners will attract additional Infrastructure Conditions including but not limited to the requirement for the applicant to submit a Car Parking Demand Assessment Report.
16. The vehicle crossings on Holts Lane must be constructed to urban industrial standard to the satisfaction of the Responsible Authority. A vehicle crossing permit must be taken out for the construction of the vehicle crossings.

17. Prior to the development and use commencing, engineering drainage plans and computations must be submitted to the Responsible Authority for approval and shall incorporate the following:
- 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.
18. 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.
19. 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 Stormwater Point of Discharge permit must be obtained from the responsible authority prior to the commencement of the works associated with the permit.
20. 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).
21. 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.
22. 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.
23. Prior to the use commencing, the car park areas must be constructed with a sealed surface, line-marking and drainage to the satisfaction of the responsible authority, and shall incorporate the following:
- a. Parking bays and aisle widths of the car park shall comply with Australian Standard AS 2890.1:2004 Off-Street car parking. Disabled Parking bays shall comply with Australian Standard AS2890.1:2009 Off-Street Parking for People with Disabilities.
 - b. Designated loading areas shall be shown on layout plans.
 - c. The parking areas shall be provided with an asphalt or concrete surface and associated drainage.
 - d. Concrete kerb of a minimum height of 150mm must be provided between landscaped areas and areas provided for parking and the passage of vehicles.
 - e. The car park must provide sufficient space for a service truck to enter and exit the site in a forward direction. The service truck shall comply with the medium rigid vehicle detailed in AS2890.2 section 2.2. Turning templates shall be submitted for approval.
24. The building shall be provided with disabled access in accordance with the provisions of AS1428 – Design for Access and Mobility.

Advertising Signs

25. Unless no permit is required under the Moorabool Planning Scheme, advertising signs must not be constructed or displayed without a further permit.

Expiry condition

26. 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.**

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.

Resolution:

Moved: Cr. Keogh

Seconded: Cr. Bingham

That, having considered all matters as prescribed by the Planning and Environment Act, Council issue a Notice of Decision to Grant a Permit for PA2017 122 for Development and Use of a Medical Centre (Dental and Physiotherapy Practices) at Lot 1 on PS 134772, 118 Gisborne Road Darley, 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 A3 size copies must be provided. The plans must be generally in accordance with the plans identified as Drawing No.'s TP103, TP104 & TP105 prepared by Peter Thompson Architects, Project No. 17001, dated March 2017 but modified to show:**
 - a. The building's setback from the east title boundary notated on the site plan.**
 - b. Car spaces with a minimum width of 2.6m. This shall not result in the loss of any more than two (2) car spaces.**
 - c. A landscape plan in accordance with Condition no. 12.**
 - d. A notation that any landscaping or other feature around the proposed crossover and within the property shall not exceed 900mm height, in compliance with Design standard 1 under Clause 52.06-8 of the Moorabool Planning Scheme.**
 - e. A publically accessible bicycle rail to accommodate parking for at least one (1) bicycle.**

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

Amenity

- 2. No more than three (3) health practitioners may see patients on the premises at a given time.**

3. The use may operate only between the hours of Monday to Friday, 8.00am – 8.00pm, and Saturday, 8.00am – 1.00pm, except with the written consent of the Responsible Authority.
4. Group classes shall have no more than five (5) participants (not including the practitioner).
5. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:
 - a. transport of materials, goods or commodities to or from the land;
 - b. appearance of any building, works or materials;
 - c. presence of vermin;
 - d. emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; and
 - e. Any other reason.
6. External lighting must be provided with suitable baffles and located so that no direct light is emitted outside the site.
7. All security alarms or similar devices installed on the land must be of a silent type.
8. All external plant and equipment must be acoustically treated or placed in soundproof housing to reduce noise to a level satisfactory to the Responsible Authority.
9. All pipes, fixtures, fittings and vents servicing any building on the site, other than storm water down pipes, must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
10. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building(s) without the written consent of the Responsible Authority.
11. Signage directing cyclists to the bicycle parking area must be displayed outside the building to the satisfaction of the Responsible Authority.

Landscaping

12. Before the development starts, a landscape plan to the satisfaction of the Responsible Authority 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 plan must show:
 - a. Details of surface finishes of pathways and driveways.
 - b. A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
 - c. Landscaping and planting within all open areas of the site.
 - d. Landscaping compliant with Clause 52.06-8 of the Moorabool Planning Scheme in relation to corner splays.

All species selected must be to the satisfaction of the Responsible Authority.

13. Before the occupation of the development starts or by such later date as is approved by the Responsible Authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.

14. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority.

Infrastructure

15. The maximum number of practitioners at any time should be limited to three (3). Any increase in the number of practitioners will attract additional Infrastructure Conditions including but not limited to the requirement for the applicant to submit a Car Parking Demand Assessment Report.

16. The vehicle crossings on Holts Lane must be constructed to urban industrial standard to the satisfaction of the Responsible Authority. A vehicle crossing permit must be taken out for the construction of the vehicle crossings.

17. Prior to the development and use commencing, engineering drainage plans and computations must be submitted to the Responsible Authority for approval and shall incorporate the following:

- 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.**

18. 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.

19. 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 Stormwater Point of Discharge permit must be obtained from the responsible authority prior to the commencement of the works associated with the permit.

20. 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).

21. 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.

22. 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.

23. Prior to the use commencing, the car park areas must be constructed with a sealed surface, line-marking and drainage to the satisfaction of the responsible authority, and shall incorporate the following:

- a. Parking bays and aisle widths of the car park shall comply with Australian Standard AS 2890.1:2004 Off-Street car parking. Disabled Parking bays shall comply with Australian Standard AS2890.1:2009 Off-Street Parking for People with Disabilities.
- b. Designated loading areas shall be shown on layout plans.
- c. The parking areas shall be provided with an asphalt or concrete surface and associated drainage.
- d. Concrete kerb of a minimum height of 150mm must be provided between landscaped areas and areas provided for parking and the passage of vehicles.
- e. The car park must provide sufficient space for a service truck to enter and exit the site in a forward direction. The service truck shall comply with the medium rigid vehicle detailed in AS2890.2 section 2.2. Turning templates shall be submitted for approval.

24. The building shall be provided with disabled access in accordance with the provisions of AS1428 – Design for Access and Mobility.

25. Prior to the issue of Certificate of Occupancy, a 1.5 metre wide reinforced concrete footpath must be constructed along the Holts Lane property frontage to the satisfaction of the Responsible Authority.

Advertising Signs

26. Unless no permit is required under the Moorabool Planning Scheme, advertising signs must not be constructed or displayed without a further permit.

Expiry condition

27. 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.

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.

CARRIED.

Report Authorisation:

Authorised by:

Name: Satwinder Sandhu

Title: General Manager Growth and Development

Date: 13 December, 2017



UPDATE ON TRENDS, ISSUES AND OTHER MATTERS

Robert Fillisch, Manager Statutory Planning and Community Safety provided the Committee with a verbal update on various other Planning Permit Applications that are currently in the system.

DATE OF NEXT MEETING

Wednesday 21 February, 2018

5.00pm

North Wing Room 1 & 2

Darley Civic and Community Hub, 182 Halletts Way, Darley

MEETING CLOSURE

The Chair thanked all Committee members and attendees and closed the meeting at 5.15pm.

