MINUTES
SECTION 86 DEVELOPMENT ASSESSMENT
COMMITTEE MEETING

Wednesday 11 May, 2016
James Young Room, Lerderderg Library
215 Main Street, Bacchus Marsh
4.00pm

MEETING OPENING

Councillor David Edwards as the Chair welcomed all and opened the meeting at 4.15pm.

ATTENDANCE

Cr. David Edwards (Chair) Councillor – East Moorabool Ward
Cr. Paul Tatchell Councillor – Central Moorabool Ward
Cr. Tonia Dudzik Councillor – East Moorabool Ward
Mr. Robert Fillisch Acting Manager Statutory Planning
Mr. Mark Lovell Senior Statutory Planner
Ms. Tom Tonkin Statutory Planner
Ms. Sharon Duff Minute Taker

APOLOGIES

Cr. Allan Comrie (Mayor) Councillor – East Moorabool Ward
Mr. Satwinder Sandhu General Manager Growth and Development

CONFIRMATION OF PREVIOUS MEETING MINUTES

Resolution:

Moved: Cr. Tatchell
Seconded: Cr. Dudzik

That the Minutes of the Section 86 Development Assessment Committee for Wednesday 13 April, 2016 be confirmed as a true and correct record.

CARRIED.

CONFLICT OF INTEREST

No conflicts of interest were declared at the meeting.
### Application Summary:

<table>
<thead>
<tr>
<th>Permit No:</th>
<th>PA2015 208</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lodgement Date:</td>
<td>9 September, 2015</td>
</tr>
<tr>
<td>Planning Officer:</td>
<td>Tom Tonkin</td>
</tr>
<tr>
<td>Address of the land:</td>
<td>Lot 1 on TP 136518M, 3 McFarland Street, Bacchus Marsh VIC 3340</td>
</tr>
<tr>
<td>Proposal:</td>
<td>Development of Two (2) Dwellings</td>
</tr>
<tr>
<td>Lot size:</td>
<td>754sq m</td>
</tr>
<tr>
<td>Why is a permit required?</td>
<td>Clause 32.08-4 – General Residential Zone – to construct two or more dwellings on a lot.</td>
</tr>
<tr>
<td>Restrictions registered on title</td>
<td>None.</td>
</tr>
</tbody>
</table>

### Public Consultation:

<table>
<thead>
<tr>
<th>Was the application advertised?</th>
<th>The application was advertised due to the proposal's potential to cause material detriment.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of notices to properties?</td>
<td>Six (6)</td>
</tr>
<tr>
<td>Notices on site?</td>
<td>One (1)</td>
</tr>
<tr>
<td>Notice in Moorabool Newspaper?</td>
<td>None</td>
</tr>
<tr>
<td>Number of Objections?</td>
<td>Two (2), but one (1) withdrawn.</td>
</tr>
<tr>
<td>Consultation meeting?</td>
<td>An informal consultation meeting was held on 19 February 2016 with the remaining objector to discuss the application and objections raised.</td>
</tr>
</tbody>
</table>
Policy Implications:

<table>
<thead>
<tr>
<th>Key Result Area</th>
<th>Enhanced Infrastructure and Natural Built Environment.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Objective</td>
<td>Effective and efficient land use planning and building controls.</td>
</tr>
<tr>
<td>Strategy</td>
<td>Implement high quality, responsive, and efficient processing systems for planning and building applications. Ensure that development is sustainable, resilient to change and respects the existing character.</td>
</tr>
</tbody>
</table>


In developing this report to Council, the officer considered whether the subject matter raised any human rights issues. In particular, whether the scope of any human right established by the Victorian Charter of Human Rights and Responsibilities is in any way limited restricted or interfered with by the recommendations contained in the report. It is considered that the subject matter does not raise any human rights issues.

Officer's Declaration of Conflict of Interests

Under section 80C of the Local Government Act 1989 (as amended), officers providing advice to Council must disclose any interests, including the type of interest.

Manager – Robert Fillisch
In providing this advice to Council as the Manager, I have no interests to disclose in this report.

Author – Tom Tonkin
In providing this advice to Council as the Author, I have no interests to disclose in this report.

Executive Summary:

<table>
<thead>
<tr>
<th>Application referred?</th>
<th>The application was referred to Western Water and internally to Council’s Infrastructure unit.</th>
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</thead>
<tbody>
<tr>
<td>Any issues raised in referral responses?</td>
<td>None raised, subject to conditions being placed on a permit.</td>
</tr>
<tr>
<td>Preliminary Concerns?</td>
<td>Council wrote to the applicant before the application was advertised suggesting changes to the plans, but those changes were not made.</td>
</tr>
<tr>
<td>Any discussions with applicant regarding concerns?</td>
<td>The applicant spoke to Council before the application was advertised to explain their reasons for not making changes to the plans. Council advised that changes to the plans may be recommended as conditions on a permit, if granted.</td>
</tr>
<tr>
<td>Any changes made to the application since being lodged?</td>
<td>Yes. On 23 November 2015 the applicant submitted amended plans in response to Council’s request for further information dated 10 November 2015.</td>
</tr>
<tr>
<td>VCAT history?</td>
<td>None</td>
</tr>
<tr>
<td>Previous applications for the site?</td>
<td>None</td>
</tr>
</tbody>
</table>
General summary

The application is for the development of two (2) semi-detached double storey dwellings. Both dwellings would front McFarland Street, comprise four (4) bedrooms and the usual utilities.

Vehicle access to the site would be via a two (2) crossovers and both dwellings provided with two (2) car spaces utilising a single garage and tandem car space.

The objection to the development relates to overlooking and loss of privacy, traffic safety, loss of daylight to living areas, impacts of a replacement fence on existing trees and the visual impact of the fence, and impacts on neighbourhood character.

The proposal meets the relevant objectives of State and local planning policy, and all ResCode requirements.

Overall, the proposal is an acceptable response to the character and amenity of the area.

Summary Recommendation:

It is recommended that Council issue a Notice of Decision to Grant a Permit for this application in accordance with Section 61 of the Planning and Environment Act 1987, subject to conditions detailed at the end of this report.

Public Notice

The application was advertised to adjoining landowners by mail on 24 November 2015 and a sign placed on site from 19 December 2015 to 21 January 2016. Two (2) objections were received, one (1) of which was later withdrawn.

Summary of Objection

The objection received is detailed below with officer’s accompanying comments:

<table>
<thead>
<tr>
<th>Objection</th>
<th>Any relevant requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Overlooking and loss of privacy.</td>
<td>Clause 55.04-6</td>
</tr>
<tr>
<td><strong>Officer’s response -</strong></td>
<td></td>
</tr>
<tr>
<td>Overlooking from ground floor windows would be limited by the provision of a 1.8m high boundary fence, and from the upper storey by screening of the windows to a height of 1.7m above the proposed finished floor level. This is in accordance with the Standard B22 at Clause 55.04-6 of the Moorabool Planning Scheme.</td>
<td></td>
</tr>
<tr>
<td>Morning sunlight to living areas would be lost and views obstructed by the proposed development.</td>
<td>Clauses 55.03-5 and 55.04-3</td>
</tr>
<tr>
<td><strong>Officer’s response -</strong></td>
<td></td>
</tr>
<tr>
<td>The proposed development is sufficiently set back from adjoining dwellings to allow adequate daylight into existing windows in accordance with Standard B19 at Clause 55.04-3 of the Moorabool Planning Scheme. This is discussed in more detail below. Loss of views is not usually considered when assessing planning permit applications. The proposal would not obstruct any significant views.</td>
<td></td>
</tr>
<tr>
<td>The proposed west boundary wall would obstruct drivers’ visibility when exiting 1 McFarland Street creating a hazard.</td>
<td>Clause 52.06-8</td>
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<td>---</td>
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</tbody>
</table>
| **Officer’s response**  
The position of the west boundary wall in respect of vehicles exiting 1 McFarland Street would not create any traffic hazard or unreasonably restrict drivers’ visibility or that of pedestrians using the public footpath. | Clauses 15.01-5, 21.03-4, 55.02-1 and 55.06-1. |
| The proposal is not in keeping with the streetscape which is an older area with a distinctive character reflecting Bacchus Marsh’s built heritage. |  
| **Officer’s response**  
The proposal is considered to be an acceptable response to the character of the area and is discussed in more detail below. | N/A |
| The proposed Colorbond fence on the west boundary would require removal of numerous fruit trees on the adjoining property and would not be aesthetically appealing. |  
| **Officer’s response**  
Existing small to medium sized fruit trees are planted near the adjoining boundary and include some trees which overhang the existing boundary fence. It is not considered that the proximity of the proposed fence to these trees would be detrimental to the health of these trees given their size. Further to discussion with the objector it is recommended that a condition of approval require a timber paling fence be erected in place of the proposed Colorbond fence. |  |

**Proposal**

It is proposed to develop the land for two (2) double storey semi-detached dwellings.

Both dwellings would front McFarland Street, with vehicle access via two (2) crossovers including the existing crossover. Both dwellings would have identical ‘mirror image’ floor plans comprising the following:

- **Ground floor:** Single garage, front verandah, three (3) bedrooms including one (1) with ensuite, laundry, central bathroom, separate toilet, powder room, and open plan kitchen, meals and family room leading to private open space at the rear including a covered verandah and al fresco area.
- **Upper storey:** master bedroom with ensuite and parent’s retreat.

Both dwellings would be provided with a tandem car space in the front setback.

The dwellings would adopt design elements such as low pitched hipped and gabled roofs, weatherboard cladding and muted exterior colours generally in keeping with surrounding development.
The dwellings would be partly constructed to the side title boundaries at ground level for a length of approximately 6.35m. Ground floor side and rear setbacks from the boundaries would vary from 1.1m-10.4m and upper storey setbacks from 2.8m-20.4m. The maximum height of the development would be approximately 7.36m above natural ground level; site coverage is stated to be 53% and permeability 27%. Side and rear boundary fences constructed of Colorbond or timber palings and 1.6m-1.8m high are proposed. There would be no front fence.

All reticulated services are available to the site.

The proposed plans are included at Attachment 1.

Site Description

The subject site is at 3 McFarland Street, Bacchus Marsh, approximately 60 metres east of Gisborne Road and 147 metres west of George Street. The site is rectangular in shape, with a 16.5 metre width and 45.72 metre depth, yielding an area of 754 sqm.

A sewer line diagonally crosses the width of the site between approximately 6.6 metres and 7.3 metres from the rear boundary.

The site is currently vacant, contains no significant vegetation and experiences a slight fall from north to south. Existing access is via a crossover to McFarland Street adjacent to the east boundary.

A sewer line runs for the width of the site and on a diagonal of between 6.7m and 7.4m from the rear title boundary however there is no associated easement.

The subject site and surrounding land is in the General Residential Zone and characterised by predominantly single dwellings with only occasional examples of medium density housing development. Dwellings are typically single storey but reflect the history of the township with examples of mid-Victorian, Federation, mid-20th century and more recent styles evident nearby.

Nearby dwellings are constructed of either brick or weatherboard, with low pitched hipped roofs finished with tiles, Colorbond or galvanized iron. Older dwellings feature front verandahs. Garages and carports are generally inconspicuous in the streetscape, being mostly located in the side or rear setback of any given dwelling.

Front setbacks are mostly landscaped with lawn, shrubs and small canopy trees. Boundary wall construction is uncommon, and side setbacks are usually between 1.0-5.0m.

Most dwellings are served by a single crossover. Street trees are common but not prominent landscape element. The surrounding area is characterised by gently sloping land.
To the east of the site is a 1960’s single storey brick dwelling with a hipped tile roof and attached garage constructed to the common boundary. The dwelling has a 10.8m front setback.

To the south are the backyards of dwellings fronting Lerderderg Street.

To the west is a single storey Victorian-era brick dwelling with a hipped galvanized iron roof and front verandah. The dwelling has a 7.2m front setback.

To the north, across McFarland Street, are post WW2-era single storey brick or weatherboard dwellings with hipped tile roofs and front setbacks of 5.6m and 8.5m.

The site is proximate to a range of services and facilities and has convenient access to the Western Freeway via the Gisborne Road interchange.
Locality Map

The map below shows the location of the subject site and the zoning of the surrounding area.

Planning Scheme Provisions

Council is required to consider the Victoria Planning Provisions and give particular attention to the State Planning Policy Framework (SPPF), the Local Planning Policy Framework (LPPF) and the Municipal Strategic Statement (MSS).

The relevant clauses are:

- 11 – Settlement
- 11.05-2 – Melbourne’s hinterland areas
- 11.06-1 – Planning for growth
- 15.01-5 – Cultural identity and neighbourhood character
- 16.01-1 – Integrated housing
- 16.01-2 – Location of residential development
- 16.01-4 – Housing diversity
- 21.03-2 – Urban Growth Management
- 21.03-3 – Residential Development
- 21.03-4 – Landscape and Neighbourhood Character
- 21.07 – Bacchus Marsh

The proposal generally complies with the relevant sections of the SPPF and LPPF.
Zone

General Residential Zone

The subject site is in the General Residential Zone, Schedule 1 (GRZ1), and the provisions of Clause 32.08 apply.

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

A permit is required to construct two or more dwellings on a lot under Clause 32.08-4 of the Moorabool Planning Scheme. Pursuant to this clause the development must meet the requirements of Clause 55 (Two or More Dwellings on a Lot and Residential Buildings).

Before deciding on an application to develop two or more dwellings on a lot, in addition to the decision guidelines in Clause 65, the Responsible Authority must consider the following relevant decision guidelines:
- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The purpose of this zone.
- The objectives, standards and decision guidelines of Clause 55.

Overall, the proposed development is considered to be consistent with the purpose and decision guidelines of the GRZ1, as discussed below.

Overlays

The subject site is not affected by any Overlays.

Relevant Policies

Council adopted the Urban Growth Policy Statement at the Ordinary Meeting of Council on 19 September, 2012. Council can give weight to this document under the provisions of section 60(1A) (g) of the Planning and Environment Act 1987.

The policy states that:

*The Moorabool Growth Strategy 2041 aims to provide a vision for the type of community Moorabool Shire will be in 2041 and to outline how Council can facilitate an outcome that both allows for growth and keeps the community connectedness, character and sense of place so valued by our current residents.*
The urban strategy is about planning and managing the pressures of growth in a proactive manner so that a sustainable environment where people can live, work, access retail, social and recreational services and be involved and connected. The strategy looks at what our future population will be and what employment, services and infrastructure will be required to meet their needs so that Council can identify what growth options will meet these needs in a sustainable and cost effective manner.

Particular Provisions

Clause 52.06 Car Parking

The proposal includes the required number of resident car spaces, being two (2) spaces for each dwelling with three (3) or more bedrooms. On-site visitor car spaces are not required given fewer than five (5) dwellings are proposed.

The approximate 2.4m width of the proposed crossover does not satisfy the required minimum width of 3.0m and the 4.0m width of the existing crossover exceeds the requirement for a minimum 3.0m. It is recommended that a condition of approval require both crossover to be 3.0m to meet the standard. Reducing the width of the existing crossover would ensure that on street parking in front of the property can be maintained. The garage dimensions of 6.0m length x 3.5m width and allowance for tandem spaces of 4.9m length x 2.6m width meet the standard.

It is recommended that a condition of approval require the provision of splays around the crossovers clear of obstructions in accordance with the requirements of Clause 52.06-8.

Clause 55 Two or More Dwellings on a Lot

Clause 55 provides objectives and standards for residential development of two or more dwellings on a lot. This clause requires the submission of detailed information. Residential development must meet all of the objectives and should meet all of the standards of this clause.

The proposal complies with the objectives and standards of ResCode (Clause 55).

Discussion

Overall, the proposed development of two (2) dwellings is generally consistent with State and local planning policy. The Central Highlands Regional Growth Plan (Victorian Government 2014) identifies Bacchus Marsh as regionally significant in terms of its role as a key service centre and location for increased population growth. The proposal would facilitate consolidated growth within the existing township, take advantage of existing infrastructure and services and reduce pressure on outward growth. In an area dominated by single detached dwellings on larger allotments the proposal would also contribute to housing affordability. Growth must be balanced with the need for new development to respond positively to neighbourhood character.

The subject site and surrounding land is in the General Residential Zone, Schedule 1 (GRZ1). Surrounding land is mostly developed with single dwellings although occasional examples of medium density development are evident nearby.

The purpose of the GRZ includes the following:
- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To encourage development that respects the neighbourhood character of the area.
- To provide a diversity of housing types and moderate housing growth in locations offering good access to services and transport.
The purpose of the GRZ indicates that a balance must be achieved in responding to the range of applicable policies.

The key aspects of the proposal for discussion are considered to be:

- The proposed development’s response to neighbourhood character;
- The impact of the proposed development on the amenity of neighbouring properties.

**Neighbourhood Character**

The subject site is in a long established area of Bacchus Marsh characterised by mostly single dwelling development from several eras reflecting the incremental growth of the township. The underlying landscape character is gently undulating but generally sloping from north to south. Residential lot sizes in the area are generally uniform, being approximately 750sqm. Existing dwellings are usually either brick or weatherboard with low pitched hipped roofs. Most dwellings incorporate eaves. Dwellings are generally of a conventional appearance but differentiated by variations in façade articulation, including porch and verandah design, window forms, and roof design and materials. Double storey development is uncommon with few examples evident in the neighbourhood. Dwellings are typically served by a single width crossover, with garages and carports located in the side or rear setback.

The proposal is for two (2) semi-detached double storey dwellings (Units 1 and 2) fronting McFarland Street with identical ‘mirror image’ floor plans. The dwellings would have a minimum front setback of 7.0m at ground level, with the upper storey set back between 3.95m and 6.25m from the ground floor front façade. The garages would be sited marginally forward of the front verandas, with two (2) crossovers providing vehicle access to the site. Landscaping would comprise canopy trees and shrubs planted in the front and rear setbacks. The dwellings would be clad with weatherboard and incorporate rendered elements. Roofing would be low pitched and clad with Colorbond, incorporating gabled elements on the front façade and 300mm wide eaves on the upper storey. Window and door proportions, and the attached garages, would be in scale with the host dwellings. Ground floor and upper storey side setbacks would be, respectively, 1.1m and 2.8m., and ground floor and upper storey rear setbacks respectively 10.4m and 20.4m. The overall form, scale and appearance of double storey development would be respectful of the surrounding built form, although relatively prominent given the prevalence of surrounding single storey dwellings. It is acknowledged that whilst double storey development in the area is uncommon, the site and surrounding land is zoned for residential purposes, and there are no overlays or neighbourhood character guidelines giving direction to a preferred built form.

The upper storey is an acceptable response to the character of the area being recessed from the ground floor on all sides, with no sheer two storey walls. Building bulk would be modulated by the light coloured paint scheme, articulation of the façade through varied setbacks and use of weatherboards. Given the site context, it is considered that the proposal is an acceptable response to neighbourhood character.

With regard to the boundary to boundary construction, it is acknowledged that this is not in keeping with the character of the area and results in more prominent building bulk when viewed from the street. As previously noted, there is an existing sewer line running the width of the site and positioned on a diagonal of between 6.7m and 7.4m from the rear title boundary. Given that no dwelling can be built over the sewer line this imposes a substantial impediment to the development of the rear of the site, which would have generally been considered a more favourable option in the context of neighbourhood character. However, given the zoning of the land, strategic context of the site in Bacchus Marsh, proximity to existing infrastructure and services and compliance with Clause 55, the proposal is considered an acceptable design response in this instance.
**Amenity**

The key amenity considerations of the proposal are considered to be daylight to existing habitable room windows and overlooking.

As previously noted, the proposal complies with standard B22 at Clause 55.04-6 of the Moorabool Planning Scheme for limiting overlooking of habitable room windows. The proposal is generally acceptable with regard to overlooking and loss of privacy, however it is recommended that a condition of approval require the screening of the upper storey windows to be changed from obscure glazing to external screens which comply with the requirements of Standard B22. This change would improve the internal amenity for future residents of the development whilst adequately limiting overlooking of adjoining properties.

Also as previously noted, the proposal complies with standard B19 at Clause 55.04-3 of the Moorabool Planning Scheme for allowing daylight into existing habitable room windows. The ground floor setback of 6.42m meets the minimum requirement of 1.0m and the upper storey setback of 8.1m meets the minimum requirement of 2.95m. The proposal is considered acceptable having regard for daylight to existing windows.

In addition, the objector has indicated a preference for the proposed common boundary fence to be timber paling instead of Colorbond, and it is recommended that this be imposed as a condition on the permit.

**General Provisions**

Clause 65 – Decision Guidelines have been considered by officers in assessing this application.

**Referrals**

The following referrals were made pursuant to s.52 of the Planning and Environment Act 1987 and Council departments were provided with an opportunity to make comment on the proposed development plan.

<table>
<thead>
<tr>
<th>Authority</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Western Water</td>
<td>No objection subject to conditions</td>
</tr>
<tr>
<td>Infrastructure</td>
<td>No objection subject to conditions</td>
</tr>
</tbody>
</table>

**Financial Implications**

The recommendation of an approval of this development would not represent any financial implications to Council.

**Risk and Occupational Health and Safety Issues**

The recommendation of an approval of this development does not implicate any risk or OH & S issues to Council.
Communications Strategy

Notice was undertaken for the application, in accordance with s.52 of the Planning and Environment Act 1987, and further correspondence is required to all interested parties to the application as a result of a decision in this matter. The submitter and the applicant were invited to attend this meeting and address Council if desired.

Options

An alternative recommendation would be to refuse the application on the grounds that the proposal is an unacceptable design response to the neighbourhood character and amenity of the area.

Refusing the application may result in the proponent lodging an application for review of Council’s decision with VCAT.

Conclusion

It is considered that the application is generally consistent with relevant State and local planning policy, the General Residential Zone, and the relevant Particular and General Provisions of the Moorabool Planning Scheme.

It is therefore recommended that the application be supported by Council.

Resolution:

Moved: Cr. Tatchell
Seconded: Cr. Dudzik

That, having considered all relevant matters as required by the Planning and Environment Act 1987, under Section 60 Council issue a Notice of Decision to Grant Permit PA2015 208; Development of Two (2) Dwellings at Lot 1 on TP 136518M, 3 McFarland Street, Bacchus Marsh VIC 3340 subject to the following conditions:

Endorsed Plans:

1. Before the 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 prepared by Catania Designs P/L being ground and first floor plans, colours and finishes and landscape plan submitted with the application, and the design response and elevations identified as Rev. A dated 21/11/2015, but modified to show:

   a) Compliance with the requirements of Clause 52.06-8, being that landscaping and letterboxes must be no higher than 900mm within the designated areas.
   b) Both crossovers with a width of 3.0m.
   c) The setback of the upper storey from the front and side title boundaries.
   d) The obscure glazing of Unit 1 and 2’s master bedroom windows replaced by external screens. The plans must be notated as follows:

      i. Screening shall be permanently fixed to 1.7 metres above floor level and be no more than 25 percent transparent, designed and coloured to blend with the development and comprise perforated or solid translucent panels.
e) Unit 2’s Colorbond west side boundary fence replaced with a timber paling fence.

f) Unit 2’s rendered west boundary wall replaced with face brick to generally match the
dwelling at 1 McFarland Street.

g) The landscape plan amended as follows:
   I. Both Eucalyptus leucoxylon replaced with two (2) Eucalyptus platypus.
   II. All Acacia melanoxylon replaced with eight (8) Callistemon Endeavour.
   III. Any consequential changes in accordance with the requirements of Condition 1a).

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

Amenity:

2. 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.

3. External lights must be directed away from residential areas to prevent light spill and glare to
the satisfaction of the responsible authority.

4. The walls on the boundary of the adjoining properties must be cleaned and finished to the
satisfaction of the responsible authority.

Landscaping:

5. Before the development is occupied 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.

Infrastructure conditions:

6. A standard urban residential vehicle crossing must be provided to each dwelling on McFarland
Street to the satisfaction of the Responsible Authority. Any redundant vehicle crossings must
be removed, and the kerb and channel 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 crossing.

7. 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) All units must be provided with a stormwater legal point of discharge at the low point of
each potential lot, to the satisfaction of the Responsible Authority.

8. Stormwater runoff must meet the “Urban Stormwater Best Practice Environmental
Management Guidelines (CSIRO 1999)”. 
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. 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.

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. 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).

13. A landscape plan must be prepared and submitted to the responsible authority for approval detailing all proposed landscaping, ensuring that no trees are planted over existing or proposed drainage infrastructure and easements.

14. Prior to the commencement of the development, notification including photographic evidence must be sent to Council’s Asset Services department identifying any existing change 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.

15. 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 crossing and legal point of discharge; and
   e) Civil notes as required to ensure the proper construction of the works to the satisfaction of the responsible authority.

Western Water conditions:

16. Each allotment must be independently and directly connected to a sewer and water main of Western Water.

17. At the time of subdivision a 2.5 metre wide sewerage easement in favour of Western Water must be created over the existing sewer main.

18. 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.
Expiry condition:

19. This permit will expire if one the following circumstances apply:

   a) The development is not started within two years of the date of this permit; or
   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.

Report Authorisation:

Authorised by:

Name: Satwinder Sandhu
Title: General Manager Growth and Development
Date: Friday 15 April, 2016

CARRIED.

UPDATE ON TRENDS, ISSUES AND OTHER MATTERS

Robert Fillisch, Acting 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 8 June, 2016
4.00pm
Council Chambers,
15 Stead Street, Ballan

MEETING CLOSURE

The Chair thanked all Committee members and attendees and closed the meeting at 4:29pm.