

# **Planning Delegated Committee Meeting**

## **Minutes**

**13 April 2022 at 6:30pm**

**Council Chamber, Town Hall, Sturt Street,  
Ballarat**



**ORDER OF BUSINESS:**

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## 1. ACKNOWLEDGEMENT OF COUNTRY



The City of Ballarat acknowledges the Traditional Custodians of the land we live and work on, the Wadawurrung and Dja Dja Wurrung People, and recognises their continuing connection to the land and waterways. We pay our respects to their Elders past, present and emerging and extend this to all Aboriginal and Torres Strait Islander People.

## 2. APOLOGIES FOR ABSENCE

### 2.1 Present

Cr Ben Taylor  
Cr Samantha McIntosh  
Cr Belinda Coates  
Cr Mark Harris  
Cr Des Hudson  
Cr Amy Johnson  
Cr Peter Eddy  
Cr Tracey Hargreaves

Mr Evan King- Chief Executive Officer  
Ms Bridget Wetherall - Director Infrastructure and Environment  
Mr Matthew Wilson - Director Community Wellbeing  
Mr John Hausler - Director Corporate Services  
Ms Natalie Robertson - Director Development and Growth  
Mr Cameron Montgomery - Executive Manager Governance and Risk  
Ms Sarah Anstis - Statutory Compliance Officer

### 2.2 Apologies

Mayor Cr Daniel Moloney

### RESOLUTION:

**That the apology be accepted.**

**Moved: Cr Belinda Coates**  
**Seconded: Cr Samantha McIntosh**

**CARRIED**  
**(PDC3/22)**

### 3. DECLARATION OF CONFLICT OF INTERESTS

Nil

### 4. CONFIRMATION OF MINUTES

#### RESOLUTION:

**That the Minutes of the Council Meeting on 9 February 2022 as circulated be confirmed.**

**Moved: Cr Mark Harris**

**Seconded: Cr Belinda Coates**

**CARRIED**

**(PDC4/22)**

### 5. OFFICER BRIEFING

Nil

## 6. PLANNING DELEGATED COMMITTEE REPORTS

### 6.1. PLP/2021/566 - 17 PARK STREET WENDOUREE

**Division:** Development and Growth  
**Director:** Natalie Robertson  
**Author/Position** Peri Bowman – Senior Statutory Planner

Public representations were heard by Peter Berlyn, Lisa Howlett, Stephen Creelman, Helen Kline, Inez Sullivan, Patricia McLounglin.

#### PURPOSE

1. The purpose of this report is to determine a position on Planning Permit Application PLP/2021/566, 17 Park Street, Wendouree.

#### RESOLUTION:

**That the Planning Delegated Committee:**

**Having caused notice of the application to be given under Section 52 of the *Planning and Environment Act 1987* and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides to Grant a Notice of Decision to Grant a Permit under the provisions of the Ballarat Planning Scheme, subject to conditions.**

**Moved: Cr Mark Harris**

**LOST**

**Seconded: Cr Des Hudson**

**6.2. PLP2019/546 LOT 1 HEINZ LANE, INVERMAY PARK**

**Division:** Development and Growth  
**Director:** Natalie Robertson  
**Author/Position:** Katy Baker – Coordinator Statutory Planning

Public representations were heard by Darren Bandy, Carl Haintz, Daryl Haase, Julian Perez, Brad and Claire Wootton.

**PURPOSE**

1. The purpose of this report is to determine a position on Planning Permit Application PLP/2019/546.

**MOTION**

**57. That the Planning Delegated Committee:**

**57. Having considered all the matters required under Section 60 of the *Planning and Environment Act 1987*, it is recommended that the Responsible Authority grant a Notice of Decision to Grant a Planning Permit in accordance with the Ballarat Planning Scheme in respect of the land known and described as Lot A Heinz Lane, INVERMAY PARK VIC 3350, for a Staged multi lot subdivision.**

**58. Having caused notice of the application to be given under Section 52 of the *Planning and Environment Act 1987* and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides to Grant a Notice of Decision to Grant a Permit under the provisions of the Ballarat Planning Scheme, subject to the following conditions:**

**Amended Plans Required**

1. Prior to certification of the plan of subdivision, for each stage, 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 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 advertised plans but modified to show:
  - a. Completion of a functional layout plan, in accordance with condition 3 of this planning permit.
  - b. Completion of engineering and specification plans, in accordance with condition 4 of this planning permit.
  - c. Completion of drainage, stormwater detention and stormwater treatment plans and computations, in accordance with condition 12 of this planning permit.
  - d. Completion of a Construction Management Plan, in accordance with condition 55 of this permit.

**All to the satisfaction of the Responsible Authority.**

**No further changes**

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

**Functional layout plan**

3. Prior to certification of the plan of subdivision, a Functional Layout Plan for the subdivision must be submitted to and approved by the Responsible Authority. Once approved, the Functional Layout Plan will be endorsed and will then form part of the permit. The Functional Layout Plan must be in accordance with the Infrastructure Design Manual (IDM) and Council's Standard Cross-sections.

**Engineering Plans and Construction**

4. Prior to certification of the plan of subdivision, engineering plans and specifications of the subdivision to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Once approved, the engineering plans and specifications will be endorsed and will then form part of the permit. The engineering plans and specifications must accord with the Infrastructure Design Manual and Council's Standard Cross-sections and any further requirements specified by the Responsible Authority.
5. All engineering works must be constructed in accordance with the approved plans and specifications and shall be completed to a standard satisfactory to the Responsible Authority prior to the issue of Statement of Compliance for each stage.

The engineering plans must detail:

- a. Construction of all roads in line with approved functional layout plan.
  - b. Intersections with surrounding roads/streets.
  - c. Extension of Bogong Avenue.
  - d. Construction of kerb and channels
  - e. Construction of all footpaths and shared paths
  - f. Construction of drainage, nature strips and all other ancillary works as specified by the Responsible Authority.
6. At the completion of the works, one set of 'as constructed' civil plans shall be submitted to the Responsible Authority.

**Footpath Construction**

7. Prior to any works commencing, footpath plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the footpath plans will be endorsed and will then form part of the permit. The footpath plans must accord with the Infrastructure Design Manual and Council's Standard Drawings.
8. Prior to the issue of a Statement of Compliance for each stage, all footpath works must be constructed in accordance with the approved footpath plans and must be completed to the satisfaction of the Responsible Authority.

### Nature strips

9. Prior to the issue of a Statement of Compliance for each stage, the naturestrip fronting all lots and reserves in the development must be constructed in accordance with levels and specifications submitted to and approved by the Responsible Authority.

The nature strip works must include:

- a. The reshaping of the nature strip;
  - b. Topdressing the area with a 75 millimetre rolled depth of good quality loamy topsoil free of any weed or seed; and
  - c. Seeding the area with an appropriate seed mix.
10. Prior to the issue of a Statement of Compliance for each stage, all naturestrip works approved by the Responsible Authority must be completed in accordance with Council's Landscape Design Manual and to the satisfaction of the Responsible Authority.
11. Within six months following the completion of Statement of Compliance of the final stage, all dead plants and grasses must be replaced in accordance with the endorsed plans.

### Drainage Plans and Construction

12. Prior to certification of the plan of subdivision, drainage, stormwater detention and stormwater treatment plans and computations for the subdivision must be submitted to and approved by the Responsible Authority. Once approved, the drainage, stormwater detention and stormwater treatment plans and computations will be endorsed and will then form part of the permit. The drainage, stormwater detention and stormwater treatment plans must accord with the Infrastructure Design Manual and Water Sensitive Urban Design Guidelines.
13. Prior to the issue of a Statement of Compliance for each stage, all drainage works must be constructed in accordance with the approved drainage, stormwater detention and stormwater treatment plans and computations and must be completed to the satisfaction of the Responsible Authority.
14. At the completion of the works one set of 'as constructed' civil plans shall be submitted to the Responsible Authority.
15. Any proposed discharge of stormwater requiring a direct and/or modifying and existing connection to a designated waterway (as defined by the *Water Act 1989*) will require approval by the relevant Catchment Management Authority.

### Drainage Easements

16. All easements deemed necessary to protect existing or future drainage lines within the proposed development site and properties between the development site and the nominated point of discharge shall be created to the satisfaction of the Responsible Authority.

### Street Lighting

17. Prior to the issue of a Statement of Compliance for each stage, a Street Lighting Plan prepared to the satisfaction of the Responsible Authority and by a suitably qualified professional must be submitted to and approved by the Responsible Authority. Once approved, the Street Lighting Plan will be endorsed and will then

form part of the permit. The design of street lights must accord with the Infrastructure Design Manual, using energy efficient 18w LED globes in local streets, T5 fluorescent globes in street lighting managed by VicRoads and ensure compliance with AS1158 (or the AS at the time of installation). Fittings must comply with Council's street light service provider's standard fittings. Street lighting must be designed to be directed away from the Rail Reserve. Non-standard fittings will not be permitted.

18. Prior to the issue of a Statement of Compliance for each stage, all works detailed on the approved Street Lighting Plan must be installed to the satisfaction of the Responsible Authority.

#### **Street Naming and Numbering**

19. Prior to the issue of a Statement of Compliance for each stage, the permit holder must contact Council's Revenue Officer/Rates Office to arrange street numbering and naming requirements. All costs associated with the numbering of properties and naming of streets (including but not limited to supply and installation of street signs) must be borne by the permit holder.
20. Prior to the issue of a Statement of Compliance for each stage, all street number and naming requirements must be completed to the satisfaction of the Responsible Authority.

#### **Registration of Section 173 agreement**

21. Prior to the issue of a Statement of Compliance for any stage of the subdivision authorised by this permit, the permit holder must enter into an Agreement with the Responsible Authority and Boral Asphalt, pursuant to Section 173 of the *Planning and Environment Act 1987*. All costs associated with setting up the Agreement must be borne by the owner. The Agreement must be registered on Title and run with the land, and must provide to the satisfaction of the Responsible Authority:
  - a. That owner acknowledges and agrees:
    - i. The use and development of Asphalt Land has the potential to:
      - A. Emit and/or generate noise, dust, fumes, impacts on views and amenity, and all of the other effects associated with the conduct of asphalt batching plant; and
      - B. Increase traffic (including heavy vehicle movements) in and about the Asphalt Land; and
    - ii. The Asphalt Land may impact the local amenity and aesthetic enjoyment of properties in the vicinity of the Asphalt Land, including the Owner's land.
  - b. The Owner covenants and agrees with the Beneficial Owner and the Responsible Authority that the Owner:
    - i. Will do things necessary to register a memorandum of this Agreement on the Certificate of Title of the Land pursuant to Section 181 of the Act;
    - ii. Must not sell or enter into any contract to sell the Land until this Agreement has been registered on the titles of the Land.
    - iii. Must meet all costs of preparing and recording this agreement.

**Contamination Assessment**

22. Prior to certification of the Plan of Subdivision, a Preliminary Site Investigation Report prepared in accordance with AS4482.1-2005 must be submitted to the Responsible Authority for the whole site.
23. Should the Preliminary Site Investigation report indicate contaminating activities took place on the site or that contaminants are present, a Detailed Site Investigation in accordance with AS4482.1-2005 shall be undertaken. The Detailed Site Investigation Report must include any recommended remediation works.
24. If the report is accepted by the Responsible Authority, the remediation works must be completed to the satisfaction of the Responsible Authority prior to the issue of a Statement of Compliance for each stage.
25. If there are concerns about the nature and extent of the contamination found in the Preliminary and Detailed Site Investigation reports, the Responsible Authority reserves the right to require a statutory environmental audit to be undertaken. In this case either:
  - a. A certificate of environmental audit shall be issued for the land in accordance with Part IXD of the *Environment Protection Act 1970* prior to the issue of a Statement of Compliance for each stage; OR
  - b. An environmental auditor appointed under the *Environment Protection Act 1970* must make a statement in accordance with Part IXD of that Act that the environmental conditions of the land are suitable for the intended use prior to the issue of a Statement of Compliance for each stage; to the satisfaction of the Responsible Authority.
  - c. Where a Statement of Environmental Audit is issued for the land, the development including subdivision hereby approved must comply with all the directions and conditions contained within the Statement.
  - d. Where a Statement of Environmental Audit is issued for the land, before the issue of a Statement of Compliance for each stage, a letter prepared by an Environmental Auditor appointed under Section 53S of the *Environment Protection Act 1970* or such other qualified person to the satisfaction of the Responsible Authority must be submitted to the Responsible Authority to verify that the directions and conditions contained within the statement have been satisfied.
  - e. Unless otherwise approved in writing by the Responsible Authority, where a Statement of Environmental Audit is issued for the land, and any condition of that Statement requires any maintenance or monitoring of an ongoing nature, before the issue of a Statement of Compliance for any stage of the subdivision authorised by this permit, the permit holder must enter into an Agreement with the Responsible Authority pursuant to Section 173 of the *Planning and Environment Act 1987*. All costs associated with setting up the Agreement must be borne by the owner. The Agreement must be registered on Title and run with the land, and must provide to the satisfaction of the Responsible Authority:
    - i. That the registered proprietor will undertake all required maintenance and/or monitoring in accordance with the statement.
    - ii. Before development commences, application must be made to the Registrar of Titles to Register the Section 173 Agreement on the

title to the land under Section 181 of the *Planning and Environment Act 1987*.

#### Sediment on Roadways

26. No material shall be deposited on any road external to the site by any means including construction vehicles or associated plant entering or leaving the land subject to this permit. Any material deposited on the road shall be removed by mechanical or manual means to the satisfaction of the Responsible Authority.

Note 1: Depositing such material on Responsible Authority's Roads is an offence under the *Environment Protection (Resource Efficiency) Act 1970* and penalties may apply.

Note 2: Any costs associated with a clean up of road surfaces borne by the Responsible Authority must be met by the permit holder.

#### Sediment Control Measures

27. Prior to the commencement of any works on site, a Sediment Control Plan detailing sediment control measures during construction must be submitted to the Responsible Authority for approval. Control measures should be consistent with the EPA publication 480 'Environment Guidelines for Major Construction Sites'. When approved, the Sediment Control Plan shall form part of this permit. All sediment control measures shall be undertaken and remain in place until the completion of site works to the satisfaction of the Responsible Authority.

#### Filling of Lots

28. If lots are to be filled, details of the filling must be shown on the road and drainage construction plans before approval by the Responsible Authority.

- a. Details to be shown include:
  - i. Existing natural features
  - ii. Existing improvements
  - iii. Natural and finished surface levels

29. Once approved, the filling operation must be undertaken in accordance with the plan in the following way:

- a. Prior to the commencement of filling commencing on any particular area of the site, topsoil must be stripped and stockpiled on the site. Topsoil is not to be removed from the site but stored to be used and spread over the site on the completion of the filling operation, with additional soil if needed, to a depth of 100 millimetres.
- b. The land shall be shaped so as not to concentrate water onto adjoining land.
- c. Only clean inert filling must be deposited on the site.
- d. No material must be stored or dumped on any area not approved for filling or stockpiling.
- e. No damage must be caused to kerb and channel, road pavement, strip-strips, drainage infrastructure or any other Responsible Authority asset due to the filling operation. If any damage is caused, the damage must be repaired immediately to the satisfaction of the Responsible Authority.
- f. Deposited material must be shaped in accordance with the approved detailed plan or as directed by the Responsible Authority.
- g. Any land proposed to be further developed by the construction of buildings, roadways or drainage lines shall be compacted to 95% Modified

(In accordance with Australian Standard 1289.5-2.1). Test results must be submitted to the Responsible Authority.

- h. Appropriate dust suppression measures must be implemented to ensure that a nuisance is not caused to adjoining landowners or the general public to the satisfaction of the Responsible Authority.
- i. If the filling is not completed in accordance with the approved plan, an as constructed plan, showing natural and finished surface levels, must be submitted to the Responsible Authority.

30. Prior to the issue of a Statement of Compliance for each stage, all works required to comply with this condition must be carried out and completed to the satisfaction of the Responsible Authority.

#### Fees for Checking Engineering Plans

31. Prior to the issue of Statement of Compliance for each stage, a fee for checking engineering plans shall be paid to the Responsible Authority, pursuant to Section 43(2)(a)(iv) of the *Subdivision Act 1988* and Clause 9 of the Subdivision (Fees) Interim Regulations 2012. The fee shall be in accordance with the Infrastructure Design Manual and must be approved in writing by the Responsible Authority prior to payment.

#### Supervision Fee

32. Prior to the issue of Statement of Compliance for each stage, a supervision fee shall be paid to the Responsible Authority pursuant to Section 17(2)(b) of the *Subdivision Act 1988* and Clause 8 of the Subdivision (Fees) Interim Regulations 2012. The fee shall be in accordance with the Infrastructure Design Manual and must be approved in writing by the Responsible Authority prior to payment.

#### Guarantee of Works

33. Prior to the issue of Statement of Compliance for each stage, or unless otherwise agreed in writing by the Responsible Authority, the permit holder must provide a Guarantee of Work (bond) with the Responsible Authority in accordance with the Infrastructure Design Manual. The guarantee must be based on the same priced Bill of Quantities used to calculate the plan checking and supervision fees and must be approved in writing by the Responsible Authority prior to lodgement.

34. The guarantee shall be released at the termination of the Defects Liability Period, subject to the completion of all defect rectification works to the satisfaction of the Responsible Authority.

#### VicRoads REF: PPR 31028/19

35. Prior to Statement of Compliance of the subdivision the following works on Western Freeway road reserve must be completed at no cost to and to the satisfaction of the Head, Transport for Victoria:

- a. An acoustic earth mounding. Design details must be provided to the Head, Transport for Victoria for approval prior to the commencement of these works.

Note: Separate consent for works within the road reserve and the specifications of these works is required under the *Road Management Act 2004*. For the purposes of this application the works will include provision of:

- b. An acoustic earth mounding

**Central Highlands Water Authority REF:9/8258**

- 36. Any plan lodged for certification will be referred to the Central Highlands Region Water Corporation pursuant to Section 8(1)(a) of the *Subdivision Act 1988*.**
- 37. Reticulated sewerage facilities must be provided to each lot by the owner of the land (or applicant, in anticipation of becoming the owner) to the satisfaction of the Central Highlands Region Water Corporation. This will include the construction of works and the payment of major works contributions by the applicant.**
- 38. A reticulated water supply must be provided to each lot by the owner of the land (or applicant, in anticipation of becoming the owner) to the satisfaction of the Central Highlands Region Water Corporation. This will include the construction of works and the payment of major works contributions by the applicant.**
- 39. The owner will provide easements to the satisfaction of the Central Highlands Region Water Corporation, which will include easements for pipelines or ancillary purposes in favour of the Central Highlands Region Water Corporation, over all existing and proposed sewerage facilities within the proposal.**
- 40. If required the owner will provide easements to the satisfaction of Central Highlands Region Water Corporation for pipeline or ancillary purposes through other land in the vicinity, as it is considered by the Authority that such easements may be required for the economical and efficient subdivision or servicing of or access to land covered by the subdivision.**
- 41. The owner must demonstrate to the satisfaction of Central Highlands Region Water Corporation how the subdivision design incorporates the principles of water sensitive urban design (WSUD) and the integrated water management (IWM) requirements of the Ballarat City Integrated Water Management Plan to achieve the associated potable water reduction targets. Where this involves a requirement for future owners of the lots to install and maintain rainwater tanks the owner must enter into an agreement with Central Highlands Region Water Corporation (CHW) and City of Ballarat under Sections 173 and 174 of the *Planning and Environment Act 1987* to record this requirement, unless an alternative means of recording the requirement is agreed to Central Highlands Water's satisfaction. If the land is developed in stages, the above conditions will apply to any subsequent stage of the subdivision.**

**Department of Transport**

- 42. Prior to the issue of a Statement of Compliance for any stage abutting the railway land (Vic Track land) a 1.8 metre timber fence (in accordance with SAST-1 V/Line fencing Right of Way) must be installed along the boundary of the land and at no cost to and to the satisfaction of the Head, Transport for Victoria and Vic Track.**
- 43. The boundary of the land with railway land must be fenced at all times during the construction of the development to the satisfaction of the Head, Transport for Victoria and Vic Track.**
- 44. No drainage or effluent must enter railway land and must be connected to a legal point of discharge**

45. The permit holder must ensure that the operating of lights is directed away from the rail corridor to ensure no disruption to the operation of trains and visibility of train drivers to the satisfaction of the Head, Transport for Victoria.

**Country Fire Authority REF:15000-63165-93885**

**Subdivision plan not to be altered**

46. The subdivision as shown on the endorsed plans must not be altered without the consent of CFA.

**Hydrants**

47. Prior to the issue of a Statement of Compliance under the *Subdivision Act 1998* the following requirements must be met to the satisfaction of the CFA:
- Above or below ground operable hydrants must be provided. The maximum distance between these hydrants and the rear of all building envelopes (or in the absence of the building envelope, the rear of all lots) must be 120 metres and hydrants must be no more than 200m apart. These distances must be measured around lot boundaries.
  - The hydrants must be identified with marker posts and road reflectors as applicable to the satisfaction of the Country Fire Authority.  
Note: CFA's requirements for identification of hydrants are specified in 'Identification of Street Hydrants for Firefighting Purposes' available under publications on the CFA web site ([www.cfa.vic.gov.au](http://www.cfa.vic.gov.au)).

**Roads**

48. Roads must be constructed to a standard so that they are accessible in all weather conditions and capable of accommodating a vehicle of 15 tonnes for the trafficable road width.
- The average grade must be no more than 1 in 7 (14.4%) (8.1 degrees) with a maximum of no more than 1 in 5 (20%) (11.3 degrees) for no more than 50 meters. Dips must have no more than a 1 in 8 (12%) (7.1 degree) entry and exit angle.
  - Curves must have a minimum inner radius of 10 metres.
  - Have a minimum trafficable width of 3.5 metres and be clear of encroachments for at least 0.5 metres on each side and 4 metres above the access way.
  - Roads more than 60m in length from the nearest intersection must have a turning circle with a minimum radius of 8m (including roll-over kerbs if they are provided) T or Y heads of dimensions specified by the CFA may be used alternatives.

**Powercor Australia Ltd REF:307290595**

49. This letter shall be supplied to the applicant in its entirety.
50. The plan of subdivision submitted for certification under the *Subdivision Act 1988* shall be referred to the Distributor in accordance with Section 8 of that Act.
51. The applicant shall provide an electricity supply to all lots in the subdivision in accordance with the Distributor's requirements and standards.
52. Notes: Extension, augmentation or rearrangement of the Distributor's electrical assets may be required to make such supplies available, with the cost of such works generally borne by the applicant.

53. The applicant shall ensure that existing and proposed buildings and electrical installations on the subject land are compliant with the Victorian Service and Installation Rules (VSIR).

Notes: Where electrical works are required to achieve VSIR compliance, a registered electrical contractor must be engaged to undertake such works.

54. The applicant shall, when required by the Distributor, set aside areas with the subdivision for the purposes of establishing a substation or substations.

55. Notes: Areas set aside for substations will be formalised to the Distributor's requirements under one of the following arrangements:

- a. RESERVES established by the applicant in favour of the Distributor.
- b. SUBSTATION LEASE at nominal rental for a period of 30 years with rights to extend the lease for a further 30 years.

The Distributor will register such leases on title by way of a caveat prior to the registration of the plan of subdivision.

56. The applicant shall establish easements on the subdivision, for all existing Distributor electric lines where easements have not been otherwise provided on the land and for any new powerlines to service the lots or adjust the positioning existing easements.

57. Notes:

- a. Existing easements may need to be amended to meet the Distributor's requirements
- b. Easements required by the Distributor shall be specified on the subdivision and show the Purpose, Origin and the In Favour of party as follows:

Easement Ref	Purpose	Width (Metres)	Origin	Land Benefited / In Favour Of
	Power Line		Section 88 - Electricity Industry Act 2000	Powercor Australia Ltd

#### Construction Management Plan

58. Prior to the Statement of Compliance issued for Stage 2, a Construction Management Plan must be prepared to the satisfaction of the Responsible Authority and endorsed as part of this permit. The Plan must detail:

- a. Hours of demolition and construction to accord with Local Laws
- b. Management of adjoining roads, and roads within Stage 1, to ensure that they are kept free of parked or standing vehicles or any other obstruction, including building materials, equipment, etc. to maintain free vehicle passage to abutting benefitting properties at all times, unless with the written consent of the Responsible Authority
- c. Methods to contain dust, dirt and mud within the site and the method and frequency of clean up procedures, including the management of on-site storage waste construction bins and vehicle washing
- d. Management of parking of construction machinery and workers vehicles to prevent adverse impact on nearby properties
- e. Management of staging of heavy vehicles, site deliveries and unloading and lifting points with expected frequency, and traffic management in the vicinity, ensure routes to and from the site minimise disruption to residential properties

- f. Minimising disruption to pedestrian access along footpaths
- g. Measures to minimise noise and other amenity impacts from mechanical equipment, including idling trucks, and demolition/construction activities, especially outside of daytime hours
- h. The provision of adequate environmental awareness training for all on-site contractors and sub-contractors
- i. A liaison officer for contact by the public and the Responsible Authority in the event of relevant queries or problems experienced.

59. All works on the land must be undertaken in accordance with the endorsed Construction Management Plan to the satisfaction of the Responsible Authority.

**Expiry of Permit Staged Subdivision**

60. Where the subdivision is to be developed in stages, the time specified for the commencement of the first stage is two years from the date of this permit. The time specified for the commencement of any subsequent stage is five (5) years from the date of this permit and the time specified for the completion of each stage is five years from the date of its commencement.
61. The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within three months afterwards.

**Note: The starting of a subdivision is regarded by Section 68(3A) of the Planning and Environment Act 1987 as the certification of a plan under Section 6 of the Subdivision Act 1988. Completion is regarded as registration of the subdivision.**

Moved: Cr Ben Taylor  
Seconded: Cr Peter Eddy

LOST

**RESOLUTION:**

57. That the Planning Delegated Committee:

57. Having considered all the matters required under Section 60 of the *Planning and Environment Act 1987*, it is recommended that the Responsible Authority grant a Notice of Decision to Grant a Planning Permit in accordance with the Ballarat Planning Scheme in respect of the land known and described as Lot A Heinz Lane, INVERMAY PARK VIC 3350, for a Staged multi lot subdivision.

58. Having caused notice of the application to be given under Section 52 of the *Planning and Environment Act 1987* and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides to Grant a Notice of Decision to Grant a Permit under the provisions of the Ballarat Planning Scheme, subject to the following conditions:

**Amended Plans Required**

1. Prior to certification of the plan of subdivision, for each stage, 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 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 advertised plans but modified to show:
  - a. Increase of all road widths to 18m minimum, to the satisfaction of the Responsible Authority.
  - b. Completion of a functional layout plan, in accordance with condition 3 of this planning permit.
  - c. Completion of engineering and specification plans, in accordance with condition 4 of this planning permit.
  - d. Completion of drainage, stormwater detention and stormwater treatment plans and computations, in accordance with condition 12 of this planning permit.
  - e. Completion of a Construction Management Plan, in accordance with condition 55 of this permit.

All to the satisfaction of the Responsible Authority.

**No further changes**

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

**Functional layout plan**

3. Prior to certification of the plan of subdivision, a Functional Layout Plan for the subdivision must be submitted to and approved by the Responsible Authority. Once approved, the Functional Layout Plan will be endorsed and will then form part of the permit. The Functional Layout Plan must be in accordance with the Infrastructure Design Manual (IDM) and Council's Standard Cross-sections.

**Engineering Plans and Construction**

4. Prior to certification of the plan of subdivision, engineering plans and specifications of the subdivision to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Once

approved, the engineering plans and specifications will be endorsed and will then form part of the permit. The engineering plans and specifications must accord with the Infrastructure Design Manual and Council's Standard Cross-sections and any further requirements specified by the Responsible Authority.

5. All engineering works must be constructed in accordance with the approved plans and specifications and shall be completed to a standard satisfactory to the Responsible Authority prior to the issue of Statement of Compliance for each stage.

The engineering plans must detail:

- a. Construction of all roads internal to the subject site with the main north-south connection road specified as an 18-metre-wide road reserve inclusive of thru carriageways and a parking lane to be located on the western side of the road.
  - b. Intersections with surrounding roads/streets.
  - c. Extension of Bogong Avenue.
  - d. Construction of kerb and channels
  - e. Construction of all footpaths and shared paths
  - f. Construction of drainage, nature strips and all other ancillary works as specified by the Responsible Authority.
6. At the completion of the works, one set of 'as constructed' civil plans shall be submitted to the Responsible Authority.

#### Footpath Construction

7. Prior to any works commencing, footpath plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the footpath plans will be endorsed and will then form part of the permit. The footpath plans must accord with the Infrastructure Design Manual and Council's Standard Drawings.
8. Prior to the issue of a Statement of Compliance for each stage, all footpath works must be constructed in accordance with the approved footpath plans and must be completed to the satisfaction of the Responsible Authority.

#### Nature strips

9. Prior to the issue of a Statement of Compliance for each stage, the naturestrip fronting all lots and reserves in the development must be constructed in accordance with levels and specifications submitted to and approved by the Responsible Authority.

The nature strip works must include:

- a. The reshaping of the nature strip;
  - b. Topdressing the area with a 75 millimetre rolled depth of good quality loamy topsoil free of any weed or seed; and
  - c. Seeding the area with an appropriate seed mix.
10. Prior to the issue of a Statement of Compliance for each stage, all naturestrip works approved by the Responsible Authority must be completed in accordance with Council's Landscape Design Manual and to the satisfaction of the Responsible Authority.

11. Within six months following the completion of Statement of Compliance of the final stage, all dead plants and grasses must be replaced in accordance with the endorsed plans.

#### Drainage Plans and Construction

12. Prior to certification of the plan of subdivision, drainage, stormwater detention and stormwater treatment plans and computations for the subdivision must be submitted to and approved by the Responsible Authority. Once approved, the drainage, stormwater detention and stormwater treatment plans and computations will be endorsed and will then form part of the permit. The drainage, stormwater detention and stormwater treatment plans must accord with the Infrastructure Design Manual and Water Sensitive Urban Design Guidelines.
13. Prior to the issue of a Statement of Compliance for each stage, all drainage works must be constructed in accordance with the approved drainage, stormwater detention and stormwater treatment plans and computations and must be completed to the satisfaction of the Responsible Authority.
14. At the completion of the works one set of 'as constructed' civil plans shall be submitted to the Responsible Authority.
15. Any proposed discharge of stormwater requiring a direct and/or modifying and existing connection to a designated waterway (as defined by the *Water Act 1989*) will require approval by the relevant Catchment Management Authority.

#### Drainage Easements

16. All easements deemed necessary to protect existing or future drainage lines within the proposed development site and properties between the development site and the nominated point of discharge shall be created to the satisfaction of the Responsible Authority.

#### Street Lighting

17. Prior to the issue of a Statement of Compliance for each stage, a Street Lighting Plan prepared to the satisfaction of the Responsible Authority and by a suitably qualified professional must be submitted to and approved by the Responsible Authority. Once approved, the Street Lighting Plan will be endorsed and will then form part of the permit. The design of street lights must accord with the Infrastructure Design Manual, using energy efficient 18w LED globes in local streets, T5 fluorescent globes in street lighting managed by VicRoads and ensure compliance with AS1158 (or the AS at the time of installation). Fittings must comply with Council's street light service provider's standard fittings. Street lighting must be designed to be directed away from the Rail Reserve. Non-standard fittings will not be permitted.
18. Prior to the issue of a Statement of Compliance for each stage, all works detailed on the approved Street Lighting Plan must be installed to the satisfaction of the Responsible Authority.

#### Street Naming and Numbering

19. Prior to the issue of a Statement of Compliance for each stage, the permit holder must contact Council's Revenue Officer/Rates Office to arrange street numbering and naming requirements. All costs associated with the numbering of properties and naming of streets (including but not limited to supply and installation of street signs) must be borne by the permit holder.

20. Prior to the issue of a Statement of Compliance for each stage, all street number and naming requirements must be completed to the satisfaction of the Responsible Authority.

**Registration of Section 173 agreement**

21. Prior to the issue of a Statement of Compliance for any stage of the subdivision authorised by this permit, the permit holder must enter into an Agreement with the Responsible Authority and Boral Asphalt, pursuant to Section 173 of the *Planning and Environment Act 1987*. All costs associated with setting up the Agreement must be borne by the owner. The Agreement must be registered on Title and run with the land, and must provide to the satisfaction of the Responsible Authority:
- a. That owner acknowledges and agrees:
    - i. The use and development of Asphalt Land has the potential to:
      - A. Emit and/or generate noise, dust, fumes, impacts on views and amenity, and all of the other effects associated with the conduct of asphalt batching plant; and
      - B. Increase traffic (including heavy vehicle movements) in and about the Asphalt Land; and
    - ii. The Asphalt Land may impact the local amenity and aesthetic enjoyment of properties in the vicinity of the Asphalt Land, including the Owner's land.
  - b. The Owner covenants and agrees with the Beneficial Owner and the Responsible Authority that the Owner:
    - i. Will do things necessary to register a memorandum of this Agreement on the Certificate of Title of the Land pursuant to Section 181 of the Act;
    - ii. Must not sell or enter into any contract to sell the Land until this Agreement has been registered on the titles of the Land.
    - iii. Must meet all costs of preparing and recording this agreement.

**Contamination Assessment**

22. Prior to certification of the Plan of Subdivision, a Preliminary Site Investigation Report prepared in accordance with AS4482.1-2005 must be submitted to the Responsible Authority for the whole site.
23. Should the Preliminary Site Investigation report indicate contaminating activities took place on the site or that contaminants are present, a Detailed Site Investigation in accordance with AS4482.1-2005 shall be undertaken. The Detailed Site Investigation Report must include any recommended remediation works.
24. If the report is accepted by the Responsible Authority, the remediation works must be completed to the satisfaction of the Responsible Authority prior to the issue of a Statement of Compliance for each stage.
25. If there are concerns about the nature and extent of the contamination found in the Preliminary and Detailed Site Investigation reports, the Responsible Authority reserves the right to require a statutory environmental audit to be undertaken. In this case either:
- a. A certificate of environmental audit shall be issued for the land in accordance with Part IXD of the *Environment Protection Act 1970* prior to the issue of a Statement of Compliance for each stage; OR

- b. An environmental auditor appointed under the *Environmental Protection Act 1970* must make a statement in accordance with Part IXD of that Act that the environmental conditions of the land are suitable for the intended use prior to the issue of a Statement of Compliance for each stage; to the satisfaction of the Responsible Authority.
- c. Where a Statement of Environmental Audit is issued for the land, the development including subdivision hereby approved must comply with all the directions and conditions contained within the Statement.
- d. Where a Statement of Environmental Audit is issued for the land, before the issue of a Statement of Compliance for each stage, a letter prepared by an Environmental Auditor appointed under Section 53S of the *Environment Protection Act 1970* or such other qualified person to the satisfaction of the Responsible Authority must be submitted to the Responsible Authority to verify that the directions and conditions contained within the statement have been satisfied.
- e. Unless otherwise approved in writing by the Responsible Authority, where a Statement of Environmental Audit is issued for the land, and any condition of that Statement requires any maintenance or monitoring of an ongoing nature, before the issue of a Statement of Compliance for any stage of the subdivision authorised by this permit, the permit holder must enter into an Agreement with the Responsible Authority pursuant to Section 173 of the *Planning and Environment Act 1987*. All costs associated with setting up the Agreement must be borne by the owner. The Agreement must be registered on Title and run with the land, and must provide to the satisfaction of the Responsible Authority:
  - i. That the registered proprietor will undertake all required maintenance and/or monitoring in accordance with the statement.
  - ii. Before development commences, application must be made to the Registrar of Titles to Register the Section 173 Agreement on the title to the land under Section 181 of the *Planning and Environment Act 1987*.

#### **Sediment on Roadways**

26. No material shall be deposited on any road external to the site by any means including construction vehicles or associated plant entering or leaving the land subject to this permit. Any material deposited on the road shall be removed by mechanical or manual means to the satisfaction of the Responsible Authority.

Note 1: Depositing such material on Responsible Authority's Roads is an offence under the *Environment Protection (Resource Efficiency) Act 1970* and penalties may apply.

Note 2: Any costs associated with a clean up of road surfaces borne by the Responsible Authority must be met by the permit holder.

#### **Sediment Control Measures**

27. Prior to the commencement of any works on site, a Sediment Control Plan detailing sediment control measures during construction must be submitted to the Responsible Authority for approval. Control measures should be consistent with the EPA publication 480 'Environment Guidelines for Major Construction Sites'. When approved, the Sediment Control Plan shall form part of this permit. All sediment control measures shall be undertaken and remain in place until the completion of site works to the satisfaction of the Responsible Authority.

**Filling of Lots**

28. If lots are to be filled, details of the filling must be shown on the road and drainage construction plans before approval by the Responsible Authority.
- a. Details to be shown include:
    - i. Existing natural features
    - ii. Existing improvements
    - iii. Natural and finished surface levels
29. Once approved, the filling operation must be undertaken in accordance with the plan in the following way:
- a. Prior to the commencement of filling commencing on any particular area of the site, topsoil must be stripped and stockpiled on the site. Topsoil is not to be removed from the site but stored to be used and spread over the site on the completion of the filling operation, with additional soil if needed, to a depth of 100 millimetres.
  - b. The land shall be shaped so as not to concentrate water onto adjoining land.
  - c. Only clean inert filling must be deposited on the site.
  - d. No material must be stored or dumped on any area not approved for filling or stockpiling.
  - e. No damage must be caused to kerb and channel, road pavement, strip-strips, drainage infrastructure or any other Responsible Authority asset due to the filling operation. If any damage is caused, the damage must be repaired immediately to the satisfaction of the Responsible Authority.
  - f. Deposited material must be shaped in accordance with the approved detailed plan or as directed by the Responsible Authority.
  - g. Any land proposed to be further developed by the construction of buildings, roadways or drainage lines shall be compacted to 95% Modified (In accordance with Australian Standard 1289.5-2.1). Test results must be submitted to the Responsible Authority.
  - h. Appropriate dust suppression measures must be implemented to ensure that a nuisance is not caused to adjoining landowners or the general public to the satisfaction of the Responsible Authority.
  - i. If the filling is not completed in accordance with the approved plan, an as constructed plan, showing natural and finished surface levels, must be submitted to the Responsible Authority.
30. Prior to the issue of a Statement of Compliance for each stage, all works required to comply with this condition must be carried out and completed to the satisfaction of the Responsible Authority.

**Fees for Checking Engineering Plans**

31. Prior to the issue of Statement of Compliance for each stage, a fee for checking engineering plans shall be paid to the Responsible Authority, pursuant to Section 43(2)(a)(iv) of the *Subdivision Act 1988* and Clause 9 of the Subdivision (Fees) Interim Regulations 2012. The fee shall be in accordance with the Infrastructure Design Manual and must be approved in writing by the Responsible Authority prior to payment.

**Supervision Fee**

32. Prior to the issue of Statement of Compliance for each stage, a supervision fee shall be paid to the Responsible Authority pursuant to Section 17(2)(b) of the *Subdivision Act 1988* and Clause 8 of the Subdivision (Fees) Interim Regulations

2012. The fee shall be in accordance with the Infrastructure Design Manual and must be approved in writing by the Responsible Authority prior to payment.

### Guarantee of Works

33. Prior to the issue of Statement of Compliance for each stage, or unless otherwise agreed in writing by the Responsible Authority, the permit holder must provide a Guarantee of Work (bond) with the Responsible Authority in accordance with the Infrastructure Design Manual. The guarantee must be based on the same priced Bill of Quantities used to calculate the plan checking and supervision fees and must be approved in writing by the Responsible Authority prior to lodgement.
34. The guarantee shall be released at the termination of the Defects Liability Period, subject to the completion of all defect rectification works to the satisfaction of the Responsible Authority.

### Telecommunications

35. The owner of the land must enter into an agreement with:
- 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
  - 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.
36. 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 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
  - 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.

### VicRoads REF: PPR 31028/19

37. Prior to Statement of Compliance of the subdivision the following works on Western Freeway road reserve must be completed at no cost to and to the satisfaction of the Head, Transport for Victoria:
- a. An acoustic earth mounding. Design details must be provided to the Head, Transport for Victoria for approval prior to the commencement of these works.
- Note: Separate consent for works within the road reserve and the specifications of these works is required under the *Road Management Act 2004*. For the purposes of this application the works will include provision of:
- b. An acoustic earth mounding

**Central Highlands Water Authority REF:9/8258**

38. Any plan lodged for certification will be referred to the Central Highlands Region Water Corporation pursuant to Section 8(1)(a) of the *Subdivision Act 1988*.
39. Reticulated sewerage facilities must be provided to each lot by the owner of the land (or applicant, in anticipation of becoming the owner) to the satisfaction of the Central Highlands Region Water Corporation. This will include the construction of works and the payment of major works contributions by the applicant.
40. A reticulated water supply must be provided to each lot by the owner of the land (or applicant, in anticipation of becoming the owner) to the satisfaction of the Central Highlands Region Water Corporation. This will include the construction of works and the payment of major works contributions by the applicant.
41. The owner will provide easements to the satisfaction of the Central Highlands Region Water Corporation, which will include easements for pipelines or ancillary purposes in favour of the Central Highlands Region Water Corporation, over all existing and proposed sewerage facilities within the proposal.
42. If required the owner will provide easements to the satisfaction of Central Highlands Region Water Corporation for pipeline or ancillary purposes through other land in the vicinity, as it is considered by the Authority that such easements may be required for the economical and efficient subdivision or servicing of or access to land covered by the subdivision.
43. The owner must demonstrate to the satisfaction of Central Highlands Region Water Corporation how the subdivision design incorporates the principles of water sensitive urban design (WSUD) and the integrated water management (IWM) requirements of the Ballarat City Integrated Water Management Plan to achieve the associated potable water reduction targets. Where this involves a requirement for future owners of the lots to install and maintain rainwater tanks the owner must enter into an agreement with Central Highlands Region Water Corporation (CHW) and City of Ballarat under Sections 173 and 174 of the *Planning and Environment Act 1987* to record this requirement, unless an alternative means of recording the requirement is agreed to Central Highlands Water's satisfaction. If the land is developed in stages, the above conditions will apply to any subsequent stage of the subdivision.

**Department of Transport**

44. Prior to the issue of a Statement of Compliance for any stage abutting the railway land (Vic Track land) a 1.8 metre timber fence (in accordance with SAST-1 V/Line fencing Right of Way) must be installed along the boundary of the land and at no cost to and to the satisfaction of the Head, Transport for Victoria and Vic Track.
45. The boundary of the land with railway land must be fenced at all times during the construction of the development to the satisfaction of the Head, Transport for Victoria and Vic Track.
46. No drainage or effluent must enter railway land and must be connected to a legal point of discharge
47. The permit holder must ensure that the operating of lights is directed away from the rail corridor to ensure no disruption to the operation of trains and visibility of train drivers to the satisfaction of the Head, Transport for Victoria.

**Country Fire Authority REF:15000-63165-93885**

**Subdivision plan not to be altered**

48. The subdivision as shown on the endorsed plans must not be altered without the consent of CFA.

**Hydrants**

49. Prior to the issue of a Statement of Compliance under the *Subdivision Act 1998* the following requirements must be met to the satisfaction of the CFA:

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

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

**Roads**

50. Roads must be constructed to a standard so that they are accessible in all weather conditions and capable of accommodating a vehicle of 15 tonnes for the trafficable road width.
- a. The average grade must be no more than 1 in 7 (14.4%) (8.1 degrees) with a maximum of no more than 1 in 5 (20%) (11.3 degrees) for no more than 50 meters. Dips must have no more than a 1 in 8 (12%) (7.1 degree) entry and exit angle.
  - b. Curves must have a minimum inner radius of 10 metres.
  - c. Have a minimum trafficable width of 3.5 metres and be clear of encroachments for at least 0.5 metres on each side and 4 metres above the access way.
  - d. Roads more than 60m in length from the nearest intersection must have a turning circle with a minimum radius of 8m (including roll-over kerbs if they are provided) T or Y heads of dimensions specified by the CFA may be used alternatives.

**Powercor Australia Ltd REF:307290595**

51. This letter shall be supplied to the applicant in its entirety.
52. The plan of subdivision submitted for certification under the *Subdivision Act 1988* shall be referred to the Distributor in accordance with Section 8 of that Act.
53. The applicant shall provide an electricity supply to all lots in the subdivision in accordance with the Distributor's requirements and standards.
- Notes: Extension, augmentation or rearrangement of the Distributor's electrical assets may be required to make such supplies available, with the cost of such works generally borne by the applicant.
54. The applicant shall ensure that existing and proposed buildings and electrical installations on the subject land are compliant with the Victorian Service and Installation Rules (VSIR).
- Notes: Where electrical works are required to achieve VSIR compliance, a registered electrical contractor must be engaged to undertake such works.
55. The applicant shall, when required by the Distributor, set aside areas with the subdivision for the purposes of establishing a substation or substations.

**Notes: Areas set aside for substations will be formalised to the Distributor's requirements under one of the following arrangements:**

- a. **RESERVES** established by the applicant in favour of the Distributor.
- b. **SUBSTATION LEASE** at nominal rental for a period of 30 years with rights to extend the lease for a further 30 years.

The Distributor will register such leases on title by way of a caveat prior to the registration of the plan of subdivision.

56. The applicant shall establish easements on the subdivision, for all existing Distributor electric lines where easements have not been otherwise provided on the land and for any new powerlines to service the lots or adjust the positioning existing easements.

**Notes:**

- i. Existing easements may need to be amended to meet the Distributor's requirements
- ii. Easements required by the Distributor shall be specified on the subdivision and show the Purpose, Origin and the In Favour of party as follows:

Easement Ref	Purpose	Width (Metres)	Origin	Land Benefited / In Favour Of
	Power Line		Section 88 - Electricity Industry Act 2000	Powercor Australia Ltd

#### **Construction Management Plan**

57. Prior to the Statement of Compliance issued for Stage 2, a Construction Management Plan must be prepared to the satisfaction of the Responsible Authority and endorsed as part of this permit. The Plan must detail:

- a. Hours of demolition and construction to accord with Local Laws
- b. Management of adjoining roads, and roads within Stage 1, to ensure that they are kept free of parked or standing vehicles or any other obstruction, including building materials, equipment, etc. to maintain free vehicle passage to abutting benefitting properties at all times, unless with the written consent of the Responsible Authority
- c. Methods to contain dust, dirt and mud within the site and the method and frequency of clean up procedures, including the management of on-site storage waste construction bins and vehicle washing
- d. Management of parking of construction machinery and workers vehicles to prevent adverse impact on nearby properties
- e. Management of staging of heavy vehicles, site deliveries and unloading and lifting points with expected frequency, and traffic management in the vicinity, ensure routes to and from the site minimise disruption to residential properties
- f. Minimising disruption to pedestrian access along footpaths
- g. Measures to minimise noise and other amenity impacts from mechanical equipment, including idling trucks, and demolition/construction activities, especially outside of daytime hours
- h. The provision of adequate environmental awareness training for all on-site contractors and sub-contractors
- i. A liaison officer for contact by the public and the Responsible Authority in the event of relevant queries or problems experienced.

58. All works on the land must be undertaken in accordance with the endorsed Construction Management Plan to the satisfaction of the Responsible Authority.

**Expiry of Permit Staged Subdivision**

59. Where the subdivision is to be developed in stages, the time specified for the commencement of the first stage is two years from the date of this permit. The time specified for the commencement of any subsequent stage is five (5) years from the date of this permit and the time specified for the completion of each stage is five years from the date of its commencement.
60. The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within three months afterwards.

Note: The starting of a subdivision is regarded by Section 68(3A) of the Planning and Environment Act 1987 as the certification of a plan under Section 6 of the Subdivision Act 1988. Completion is regarded as registration of the subdivision.

Moved: Cr Des Hudson

Seconded: Cr Samantha McIntosh

CARRIED

(PDC5/22)

