

**Proposed Conditions**

A Notice of Decision to Grant a Planning Permit is recommended to be issued subject to the following conditions:

1. Prior to the certification of the Plan of Subdivision under the Subdivision Act 1988, the following must be undertaken to the satisfaction of the Responsible Authority:
  - a) Road plans must indicate that the width of the proposed extended carriage way is consistent with the existing section of Cornwall Park Drive
  - b) The proposed carriage way must be spray sealed.
2. The subdivision as shown on the endorsed plans must not be altered or modified without the written consent of the Responsible Authority.
3. Prior to certification of the plan of subdivision plan by Council, a Land Management Plan must be submitted to and approved by the Responsible Authority for each of Lot 5 and Lot 7. When approved the Land Management Plans will form part of this permit. The plans must incorporate, but not limited to, the following information:
  - a) Location, extent and quality of native vegetation;
  - b) Measures to protect native vegetation e.g. fencing;
  - c) Weed species present, location and extent of weed infestation;
  - d) Weed management program, including priority weed species for management, proposed control methods and timeframes;
  - e) Details of any proposal for revegetation or rehabilitation of degraded areas, including site preparation and species list.

All works must be carried out in accordance with the approved Land Management Plans, to the satisfaction of the Responsible Authority. Any non-compliance identified by the Responsible Authority must be rectified immediately at no cost to Council.

4. Before the plan of subdivision is certified under the Subdivision Act 1988, the owner must enter into an agreement with the Responsible Authority made pursuant to Section 173 of the Planning and Environment Act 1987, and make application to the Registrar of Titles to have the agreement registered on the title to the land under Section 181 of the Act which provides that the land will not be further subdivided.

The owner must pay the reasonable costs of the preparation, execution and registration of the Section 173 agreement.

5. The owner of the land must enter into an agreement with:
  - a) A telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
  - b) A suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

6. Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:
  - a) A telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
  - b) A suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
7. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity, gas and telecommunication services to each lot shown on the endorsed plan in accordance with that authority's requirements and relevant legislation at the time.
8. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.
9. The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.
10. Construction activities must be managed so that the amenity of the area is not detrimentally affected, through the:
  - a) Transport of materials, goods or commodities to or from the land.
  - b) Inappropriate storage of any works or construction materials.
  - c) Hours of construction activity.
  - d) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste and storm water runoff, waste products, grit or oil.
  - e) Presence of vermin.
  - f) Or in any other way.
  - g) All to the satisfaction of the Responsible Authority.

Council's Engineering Department (conditions 11 - 15)

11. A drainage management strategy detailing catchments both internal and external to the development, 1% AEP flow paths and flow volumes for the entire development and proposed outfall arrangements.
12. Road works and drainage works must be provided, in accordance with construction plans and specifications as approved by the Responsible Authority, prior to the issue of Statement of Compliance. Before any roads / drainage works associated with the subdivision start, detailed construction plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority.

The construction plans will not be approved until the plan of subdivision has been certified and the locations of other authorities' services have been provided to the satisfaction of the Responsible Authority.

13. The construction plans must be drawn to scale with dimensions and one copy must be provided in the initial submission and subsequent resubmissions. For the final submission, a set of A1 sized plans, two A3 sized plans and a CD/DVD set of plans in pdf and AutoCAD format shall be provided. The construction plans must include:
- a) All necessary computations and supporting documentation, including a Form 13 for any structure, traffic data, road safety audit and geotechnical investigation report.
  - b) Design for full construction of roads and drainage.
  - c) Provision for all services and conduits (underground), including alignments and offsets, on a separate services layout plan.
  - d) The road reserve and pavement width to be to the satisfaction of the Responsible Authority.
  - e) Verge widths around all bends to be a minimum of that provided at the mid block.
  - f) Vehicle crossings shall be provided to each lot in accordance with Council's Standards.
  - g) All permanent court heads to allow Council's waste collection vehicles to access and egress from the courts via a three-point turn.
  - h) Provision of public lighting and underground electricity supply for the road, The public lighting shall be designed in accordance with the current AS 1158 and Council's current Public Lighting policy. The lighting category shall be sought from Council.
  - i) Appropriate mechanisms for protecting environmental and heritage assets during the construction phase of the subdivision.
  - j) Permanent survey marks.
  - k) Details in relation to all filling on the site that must be compacted to specifications approved by the Responsible Authority.
  - l) The drainage system of the proposed development shall be designed to ensure that flows downstream of the site are restricted to pre-development levels unless increased flows are approved by the Responsible Authority
  - m) Drainage shall be provided to the satisfaction of the Responsible Authority including any other drainage works necessary for the transmission of drainage as required to the outfall. a drainage reserve will be required to convey overland flows to the outfall
  - n) Provision of drainage of sufficient capacity to serve all lots being created to a legal point of discharge and the provision of an inlet on each such lot.
  - o) Roads and allotments are to be designed such that the allotments are protected with a minimum 150mm freeboard against the 1 in 100 year flood levels.
  - p) Melbourne Water approval shall be required for the connection of drainage discharge from this subdivision into the current outfall.
14. Prior to the issuance of the Statement of Compliance or at a time specified by the Responsible Authority the following must be submitted to the satisfaction of the Responsible Authority:
- a) A complete set of 'as constructed plans' of site works, in hard copy and digital file format AutoCAD. The digital files must have a naming convention to enable identification of Council assets listed.
  - b) Asset information in digital format to include data as per "D-Spec" and "R-Spec".
15. Prior to the commencement of onsite works, a Construction Management Plan must be prepared and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The Construction Management Plan must include, but not limited to the following:

- a) Proposed working hours;
- b) Haulage routes to the site;
- c) Methods of dust suppression;
- d) Sediment control and gross pollutant management;
- e) Procedures to ensure that no significant adverse environmental impacts occur as a result of the development;
- f) Earthworks (Consistent with Construction Techniques for Sediment Pollution Control (EPA, 1991);
- g) Showing where stockpiling, machinery wash down, lay down, storage and personnel rest areas occur;
- h) Vehicle exclusion areas; and
- i) Weed management measures to be undertaken during and post construction. In addition, the construction management plan must ensure:
  - j) All machinery brought on site to be weed and pathogen free;
  - k) All machinery wash down, lay down and personnel rest areas to be clearly fenced and located in disturbed areas;
  - l) Contractors working on the site to be inducted into an environmental management program for construction work;
  - m) Best practice erosion and sediment control techniques to be used to protect any native flora and fauna.

Council's Environmental Services Department Environment (conditions 16 - 19)

- 16. Prior to the commencement of any works, the permit holder must advise all persons undertaking the works on site of all relevant conditions of this permit.
- 17. Prior to any works associated with the sub-division, a Construction Environment Management Plan must be prepared for any proposed works associated with the subdivision e.g. construction of roads, access and/or drainage. The CEMP must be submitted to and approved by the Responsible Authority prior to the commencement of works. The CEMP must include:
  - A site plan showing all native vegetation to be protected during the works;
  - A native vegetation protection fence must be erected around any patches of native vegetation and scattered trees to be retained. The protection fence must:
    - Be located at a distance of 2 m for patches of native vegetation that are treeless vegetation;
    - Any indigenous trees must be protected in accordance with Australian Standards 4970-2009: *Protection of trees on development sites*.
    - The fence must be constructed of star pickets/ chain mesh/ or similar to the satisfaction of the Responsible Authority.
    - The fence must remain in place until all works are completed to the satisfaction of the Responsible Authority.
  - The following is prohibited within the area of native vegetation to be protected and within Tree Protection Zones of trees: vehicular access; trenching or soil excavation; storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products; entry and exit pits for underground services and any other actions or activities that may result in adverse impacts to retained native vegetation.
  - Measures to manage weeds before, during and post construction. All declared noxious weeds must be controlled in accordance with the Catchment and Land Protection Act 1994 (CaLP Act). Any weed infestations resulting from soil disturbance and/or the importation of sand, gravel and other material used in the construction process must be controlled. All vehicles, earth-moving equipment

and other machinery must be cleaned of soil and plant material before entering and before leaving the site to prevent the spread of weeds and pathogens.

- Any construction stockpiles and machinery must be placed away from native vegetation and watercourses/drainage lines to the satisfaction of the Responsible Authority.
  - Measures must be taken to ensure that no polluted water and/or sediment laden runoff is to be discharged directly or indirectly into stormwater drains or watercourses during the construction period.
  - All earthworks must be undertaken in a manner that will minimise soil erosion and adhere to *Construction Techniques for Sediment Pollution Control* (EPA 1991) and *Environmental Guidelines for Major Construction Sites* (EPA 1995).
18. The approved CEMP must be implemented to the satisfaction of the Responsible Authority. Any non-compliance identified by the Responsible Authority must be rectified immediately at no cost to Council.
19. No environmental weeds are to be planted (refer to Melton City Council's *Sustainable Gardening in the Shire of Melton Handbook* (2005) and the Department of Sustainability and Environment's *Advisory list of Environmental Weeds of the Inland Plains Bioregions of Victoria* (DSE 2009).

CFA conditions (20 – 21)

20. **Hydrants**

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

- Above or below ground operable hydrants must be provided. The maximum distance between these hydrants must be no more than 200 metres apart.
- The hydrants must be identified with marker posts and road reflectors as applicable to the satisfaction of the Country Fire Authority.

21. **Roads**

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 as alternatives.

Western Water conditions (22 – 25)

22. Prior to Certification of the Plan of Subdivision building and effluent disposal envelopes must be located on Lots 1 and 2 which provide for suitable separation between the Water Treatment Plant and water mains traversing the land to the satisfaction of Western Water.

23. Any existing water service which crosses any of the proposed allotment boundaries within the proposed development must be disconnected and relocated at the developers expense, to be wholly within one allotment only and to the satisfaction of Western Water.
24. Provision of easements in favour of Western Water over all existing water mains located within private property to the satisfaction of Western Water.
25. Preparation of a digitised plan of subdivision and ancillary requirements in accordance with Western Water's drafting standards and practices.
26. This permit will expire if:
  - The plan of subdivision is not certified within two years of the date of this permit;  
or,
  - The registration of the subdivision is not completed within five years from the date of certification of the plan of subdivision.

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

#### 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))

The presence of native vegetation within the proposed subdivision, including remnant patches of native vegetation and scattered indigenous trees. Lots 5 and 7, in particular, support extensive areas of remnant native vegetation. The extent and condition of native vegetation varies between proposed Lots and some areas may be considered regrowth less than 10 years old (at the time of assessment; February 2017).

Future development proposals for any of the Lots must consider *Clause 52.17 of the Melton Planning Scheme: Native vegetation* and relevant overlays and schedules in the Melton Planning Scheme and other environmental legislation (such as the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*). New landowners should be aware of this requirement.