

Appendix 6 – Notice of Decision to Grant a Permit conditions

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

1. Before the plan of subdivision is certified under the *Subdivision Act 1988*, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
 - a. The width of the proposed road along the northern boundary of the land increased to a minimum of 16 metres in accordance with Council's Engineering Standards.
2. Before the plan of subdivision is certified under the *Subdivision Act 1988*, the permit holder must enter into an agreement pursuant to Section 173 of the *Planning and Environment Act 1987* or any alternative restriction deemed satisfactory by the Responsible Authority which addresses the following:
 - (a) A building envelope for each lot comprising a minimum front setback of 10 metres. A minimum setback of 1 metre from one side boundary and a minimum setback of 3 metres from the other side boundary and a minimum set back of 3 metres from the rear boundary in accordance with Council's Housing Character and Assessment Guidelines (2015).
 - (b) All buildings and works must be constructed within the approved building envelope for each lot unless with the written consent of the Responsible Authority.
 - (c) No more than one single dwelling on each lot.
 - (d) Open style front boundary fencing with a height not exceeding 1.2 metres.
 - (e) Any side fencing forward of a dwelling to be a 1.2 metre high paling or open type fencing.
 - (f) Details of materials, colours and finishes for dwellings and associated structures and outbuildings.

An 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 Act. The landowner under this permit must pay the reasonable costs of the preparation, execution and registration of the Section 173 agreement.
3. The layout of the subdivision as shown on the endorsed plan must not be altered or modified (whether or not in order to comply with any statute, statutory rule or Local Law, or for any other reason) without the prior written consent of the Responsible Authority.

Landscaping

4. Prior to the Certification of Plan of Subdivision under the *Subdivisions Act 1988* for the subdivision, an amended landscape master plan must be submitted to the Responsible Authority. When it is to the satisfaction of the Responsible Authority, the amended landscape master plan will be endorsed and form part of the permit. The amended plan must be drawn to scale with dimensions and three copies must be provided. The amended plan must show:
 - (a) An increased landscape buffer on the northern side of the roadway to avoid the removal of existing native vegetation;

- (b) Location of existing vegetation to be retained;
- (c) Top of the embankment;
- (d) The shared path shifted closer to the roadway to avoid the removal of existing native vegetation.
- (e) A minimum of two kerb ramps and north-south pedestrian connections between the lots on the southern side of the proposed east-west road with the proposed shared path.

5. For landscape plans associated with streetscape works, a detailed landscape plan prepared by a person suitably qualified or experienced in landscape design must be submitted to and approved by the Responsible Authority prior to the issue of a Statement of Compliance under the *Subdivision Act 1988* for each stage of the subdivision.

The landscape plan must be drawn to scale with dimensions and three copies must be provided. The plan must be consistent with any endorsed landscape master plan and must show:

- a) Location of landscape works.
- b) Location and identification of all proposed plants.
- c) A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity and quantities of each plant.
- d) Any existing street trees to be removed.

The landscape stage plans must be consistent with the most current staging plan for the development.

6. For landscape plans associated with works in reserves or other open space areas, a detailed landscape plan prepared by a person suitably qualified or experienced in landscape design must be submitted to the Responsible Authority prior to the Engineering Plans being approved. Approval of the landscape plans by the Responsible Authority must be done prior to the issue of a Statement of Compliance under the *Subdivision Act 1988* for each stage of the subdivision.

The landscape plan must be drawn to scale with dimensions and three copies must be provided. The plan must be consistent with any endorsed landscape master plan and must show:

- a) Location of any reserve.
- b) Location and identification of all proposed plants.
- c) A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity and quantities of each plant.
- d) Any existing trees or infrastructure assets to be retained.
- e) Any existing trees to be removed.
- f) Details of shelters, barbecues, play equipment and other structures.
- g) Details of surface finishes of pathways, details of paths to be DDA compliant and to Council standards and standard drawings.
- h) Details of boundary fencing to be provided.

The landscape stage plans must be consistent with the most current staging plan for the development.

7. Prior to the issuing of Statement of Compliance for each stage, the following fees must be paid to the Responsible Authority:
 - Plan Checking fee equating to 0.75% of the value of works.
 - Supervision fee equating to 2.5% of the value of works.
 - Lighting fee in accordance with Council current lighting policy.
8. A Certification of Compliance (Design) must be provided to the Responsible Authority by a suitably qualified practitioner for all structural works to verify they have been designed in accordance with relevant Australian Standards.
9. A Certification of Compliance (Construction) must be provided to the Responsible Authority by a suitably qualified practitioner for all structural works to verify they have been completed in accordance with relevant Australian Standards.
10. Prior to the issuance of practical completion 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 landscape works in hardcopy (2 x A3 size), softcopy (.pdf) and AutoCAD (.dwg) format. The digital files must have naming conventions to enable identification of Council assets listed.
 - b) Asset information in digital format to include data as per "A-Spec".
11. Prior to the issue of a Statement of Compliance for the subdivision, the landscaping works shown on the approved landscape plan must be carried out and completed to the satisfaction of the Responsible Authority, or bonded (if agreed to in writing by the Responsible Authority).

If the Responsible Authority agrees to bonding the outstanding works, the works must be completed by the date specified on the letter of agreement. Where it is not completed by that date, the developer shall waive any rights to obstruct Council's claim on the bond to undertake the works and bill the developer for any above costs unless an extension of time is consented to by the Responsible Authority in writing.
12. Prior to the issue of Statement of Compliance for each stage of subdivision, a bond for maintenance of landscape works must be provided to and be to the satisfaction of the Responsible Authority.
13. Maintenance of landscape works, including but not limited to planting, park furniture, paths, lighting and payment of utilities must be undertaken by the developer for a period of 2 years plus additional time up to the next quarterly inspections for handover to Council (quarterly handover inspections conducted on 1 March, 1 June, 1 September, 1 December). The maintenance period must commence only after the issue of Practical Completion and end when the Final Completion (handover) letter is issued. Landscape maintenance works must be done to the satisfaction of the Responsible Authority. Otherwise rectification works must be undertaken by the developer and the maintenance period extended until it is to the satisfaction of the Responsible Authority.

Any maintenance works must be done on a regular basis or greater frequency as directed by the Responsible Authority.
14. As directed by and to the satisfaction of the Responsible Authority, utility meters including but not limited water meters for the purpose of irrigation, must be decommissioned and removed prior to the final inspection of landscape works. All costs associated with these works must be borne by the developer.
15. Transfer of billing from the developer name to the Responsible Authority must be done just prior to the Final Completion letter being issued. All costs associated with transferring the bills to the Responsible Authority must be borne by the developer.

16. Locks and associated keys used for landscape works must be handed over to the Responsible Authority prior to the off-maintenance letter being issued. The locks and associated keys must be to the satisfaction of the Responsible Authority and fully paid for by the developer.
17. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas services to each lot shown on the approved plan in accordance with the authority's requirements and relevant legislation at the time.
18. 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.
19. 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.
20. 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.
21. 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.

City Environment and Sustainability Unit

22. Before works start, the permit holder must advise all persons undertaking the vegetation removal or works on site of all relevant permit conditions and associated statutory requirements or approvals.
23. Before works start, a plan to the satisfaction of the responsible authority, identifying all native vegetation to be retained and describing the measures to be used to protect the identified vegetation during construction, must be prepared and submitted to and approved by the responsible authority. When approved, the plan will be endorsed and will form part of this permit. All works constructed or carried out must be in accordance with the endorsed plan.
24. To offset the removal of [2.890] hectares of native vegetation the permit holder must secure a native vegetation offset, in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (DELWP 2017) as specified below:

(a) A general offset of [0.425] general habitat units:

- Located within the Port Philip and Westernport Catchment Management boundary or Melton City Council municipal district
- With a minimum strategic biodiversity score of at least [0.174]

The offset(s) secured must provide protection of at least [1] large trees.

25. Before any native vegetation is removed, evidence that the required offset [for the project] has been secured must be provided to the satisfaction of responsible authority. This evidence is one or both of the following:

- An established first party offset site including a security agreement signed by both parties, and a management plan detailing the 10 year management actions and ongoing management of the site and/or
- Credit extract(s) allocated to the permit from the native vegetation credit register.

A copy of the offset evidence will be endorsed by the responsible authority and form part of this permit.

26. Within 30 days of endorsement of the offset evidence by the responsible authority, a copy of the endorsed offset evidence must be provided to the Department of Environment, Land, Water and Planning.

27. Before works start, an Environmental Management Plan (CEMP) must be prepared and the CEMP must be endorsed by the Responsible Authority. The CEMP must be implemented to the satisfaction of the Responsible Authority. The CEMP must include:

- Contractors working on the site must be inducted into an environmental management program for construction work;
- Any native vegetation permitted to be removed must be clearly marked on site;
- A Vegetation Protection Plan;
- Proposed working hours;
- Haulage routes to the site;
- Methods of dust suppression;
- Sediment control and gross pollutant management;
- Procedures to ensure that no significant adverse environmental impacts occur as a result of the development;
- Location of stockpiling, machinery wash down, lay down, storage and personnel rest areas and vehicle exclusion areas;
- A Weed Management Plan, which outlines measures to manage weeds before, during and post works to the satisfaction of the Responsible Authority. The Weed Management Plan must be implemented to the satisfaction of the Responsible Authority. This plan must include (not limited to):
 - Protocols for management of weeds before, during and post works.
 - All vehicles, earth-moving equipment and other machinery must be cleaned of soil and plant material before entering and leaving the site to prevent the spread of weeds and pathogens.
 - Location of a designated wash down area to achieve the above.

- All declared noxious weeds must be controlled
 - All weed infestations resulting from soil disturbance and/or the importation of sand, gravel and other material must be controlled
 - All construction stockpiles and machinery must be placed away from areas supporting native vegetation to be retained 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 works (including the removal of native vegetation);
 - 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);
 - Water run-off must be designed to ensure that native vegetation to be protected on adjacent sites and watercourses are not compromised; and
 - Non-compliance must be rectified immediately to the satisfaction of the Responsible Authority and at no cost to Council.
28. No environmental weeds are to be planted (refer to Melton City Council's *Gardens for Wildlife Booklet* (2018) and the Department of Environment, Land, Water and Planning's *Advisory list of Environmental Weeds in Victoria* (DELWP 2018; Arthur Rylah Institute for Environmental Research technical Series Report Number 287).
29. Removal of trees, including pruning, must be undertaken by a suitably qualified arborist (Level 5) and be carried out in accordance with Australian Standard 4373 – 2007 Pruning of Amenity Trees to the satisfaction of the Responsible Authority. The use of an excavator, backhoe, bulldozer blade or loader to trim branches of trees is not permitted.
30. Prior to the removal or lopping of any tree, the tree must be examined by a suitably qualified zoologist with relevant permits. If native fauna species are located, they must be salvaged and relocated on site.

Infrastructure Planning Unit

31. Prior to the issue of Statement of Compliance, Outlook Ride from the extents of the subdivision must be designed and constructed to an urban standard to the satisfaction of the Responsible Authority.
32. Prior to the issue of Statement of Compliance, the intersection of Outlook Ride and Thrice Lane must be designed and constructed to an urban standard to the satisfaction of the Responsible Authority.
33. Prior to the issue of Statement of Compliance, a 3m wide concrete shared path above the 1 in 10 year flood level and extent of the development abutting the water course must be designed and constructed to the satisfaction of the Responsible Authority. The shared path must connect to existing path network and footpaths within the development.
34. Prior to the plan of subdivision being certified, a functional layout plan for the subdivision or stage of the subdivision must be submitted to and approved by the Responsible Authority. The plan must incorporate the following:
- A traffic management strategy and traffic engineering report identifying street classification, design traffic volumes, intersection treatments and any associated

SIDRA electronic files, and traffic management devices to be incorporated into the development.

- A drainage management strategy detailing catchments both internal and external to the development, 1% AEP flow paths and flow volumes for the entire development. This strategy must include on-site stormwater quality improvement, and any stormwater and rainwater harvesting measures.
 - A Services Infrastructure report identifying how the development will be serviced by all utility services including but not limited to water reticulation (potable and recycled), electrical, sewer, gas, telecommunications and gas.
 - A mobility plan detailing pedestrian access, bike & hike paths, public transport routes within the development and all interconnections to adjacent existing and future developments.
 - Identification by survey of all trees or groups of trees existing on the site, including dead trees and those that overhang the site from adjoining land.
 - Details of tree protection zones (TPZs) for all trees to be retained.
 - All proposed works, and services (except pedestrian paths) must be clear of all TPZs.
 - Identification of all trees to be removed from the site.
35. 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 functional layout plan(s) has been approved by the Responsible Authority and landscape plans submitted, the plan of subdivision has been certified and the locations of other authorities' services have been provided to the satisfaction of the Responsible Authority.

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) All details of works consistent with the approved functional layout plan, submitted landscape plan and certified plan of subdivision.
- c) Design for full construction of streets and underground drainage, including measures to control / capture pollutants and silt.
- d) Provision for all services and conduits (underground), including alignments and offsets, on a separate services layout plan.
- e) All road reserve and pavement widths to be in accordance with the current Clause 56 of the Melton Planning Scheme to the satisfaction of the Responsible Authority.
- f) All intersection treatments to comply with all turning movements of Council's waste collection vehicles. Turning templates will need to be submitted for verification.

- g) Where an intersection, bend or junction is part of a designated bus route or one proposed in the Precinct Structure Plan, the design shall allow for the movement of a Design Ultra Low Floor Bus (12.5m) [Austroads Design Vehicles and Turning Path Templates, 1995 (AP34-95/HB 72-1995)].
- h) Verge widths around all bends and intersections to be a minimum of that provided at the mid-block.
- i) Priority treatments shall be provided at intersections of Access Streets, Access Places and Access Lanes unless specified by the Responsible Authority. The priority treatment at intersections shall comprise of an open invert channel across the entrance to the minor street and a low profile splitter island, line-markings and raised reflective pavement markers (RRPMs) on the minor street.
- j) Low profile splitter islands, line-markings and raised reflective pavement markers (RRPM's) on all 90-degree bends on through roads.
- k) Vehicle crossings shall be provided to each lot in accordance with Council's Residential Standards.
- l) Provision of concrete footpaths in all streets and reserves. All footpaths shall be a minimum 1.5 metres in width and be in accordance with Council Standards.
- m) Provision of pits and conduits associated with the National Broadband Network.
- n) Provision of public lighting and underground electricity supply to all streets, footpaths, bus stops and to major pedestrian and bicycle links likely to be well used at night.
- o) 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.
- p) Access to all public properties, pathways and road crossings shall comply with the Disability Discrimination Act.
- q) A hike & bike path shall be provided along the length of the development abutting the water course and be located above the 10% AEP water levels.
- r) Provision of street name plates to the Council standard design including a schedule of individual signs and associated street numbers.
- s) The location and provision of vehicle exclusion mechanisms abutting reserves.
- t) Details of the proposed treatment and provision for lot boundary fencing adjoining all reserves other than road reserves.
- u) Appropriate mechanisms for protecting environmental and heritage assets during the construction phase of the subdivision.
- v) Provision for the utilisation of any surplus topsoil from this stage.
- w) Permanent survey marks.
- x) Survey details of the canopy trunk location and size of trees to be retained and associated tree protection zones.
- y) Details in relation to all filling on the site that must be compacted to specifications approved by the Responsible Authority.
- z) The relocation underground of all existing aerial services, on the services layout plan.

- aa) The location of any earthworks (cut or fill) or service provision in a location outside the designated tree protection zone which does not adversely impact on the health and integrity of any trees to be retained.

Drainage

- bb) 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.
 - cc) Underground drainage shall be provided and any other drainage works necessary for the transmission of drainage as required to the outfall.
 - dd) All drainage works shall be designed to meet the following current best practice performance objectives for stormwater quality as contained in the Urban Stormwater – Best Practice Environmental Management Guidelines (1999):
 - 80% retention of the typical annual load of total suspended solids;
 - 45% retention of the typical annual load of total phosphorus; and
 - 45% retention of the typical annual load of total nitrogen.
 - ee) Provision of underground drains 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.
 - ff) All lots within the proposed development abutting or adjoining a watercourse or water body shall have a minimum 600mm freeboard above the 1 in 100 year flood levels of the water course or water body.
 - gg) 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.
 - hh) Melbourne Water approval shall be required for the connection of drainage discharge from this development into the current outfall.
36. 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".
37. 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:

- All machinery brought on site to be weed and pathogen free
 - All machinery wash down, lay down and personnel rest areas to be clearly fenced and located in disturbed areas
 - Contractors working on the site to be inducted into an environmental management program for construction work
 - Best practice erosion and sediment control techniques to be used to protect any native flora and fauna.
38. Construction works must not be undertaken outside the development boundaries unless consent is given by the adjoining land owner and/or an easement is located over the works in favour of the service authority. A copy of the consent letter from the adjoining land owner must be provided to the Responsible Authority before any works commences on that land. Also any ensuing requirement for a creation of an easement must be undertaken and completed to the satisfaction of the Responsible Authority before any works commences on that land.
39. Unless there is written consent from the Responsible Authority, all existing infrastructure and assets affected by the development must be reinstated at no cost to and to the satisfaction of the Responsible Authority. Omission of existing infrastructure or assets on a plan cannot be taken as consent from the Responsible Authority.

Open Space Planning

40. Before the Statement of Compliance is issued under the *Subdivision Act 1988*, the applicant or owner must pay to the Responsible Authority a cash payment equivalent to 5 % of the site value of all the land in the subdivision in lieu of the provision of land for Public Open Space. The value of land set aside for public open space on the plan of subdivision/and public open space provided in earlier stages of the estate may be deducted from the amount to be paid.
41. The landscaping (except for grass in nature strips of streets) shown on the approved landscape plans must be maintained to the satisfaction of the Responsible Authority for a period of two years from the issue of a Certificate of Practical Completion of landscaping. Any dead, diseased or damaged plants are to be replaced during the period of maintenance and must not be deferred until the completion of the maintenance period.
42. A shared path is to be provided in Little Blind Creek Linear Reserve from the north-east corner of the development to the existing shared path on the northern boundary of the development.
43. No later than 21 days after issue of certificate of practical completion for landscaping the following must be submitted:
- a) A complete set of 'as constructed plans' (which will be the landscape plan amended if necessary to show any changes that may have occurred during construction);
 - b) An 'as constructed landscape plan', in digital file format to the satisfaction of the Responsible Authority.

Powercor

44. The plan of subdivision submitted for certification under the Subdivision Act 1988 shall be referred to Powercor Australia Ltd in accordance with Section 8 of that Act.

45. The applicant shall:-

- Provide an electricity supply to all lots in the subdivision in accordance with Powercor's requirements and standards, including the extension, augmentation or re-arrangement of any existing electricity supply system, as required by Powercor (A payment to cover the cost of such work will be required). In the event that a supply is not provided the applicant shall provide a written undertaking to Powercor Australia Ltd that prospective purchasers will be so informed.
- Where buildings or other installations exist on the land to be subdivided and are connected to the electricity supply, they shall be brought into compliance with the Service and Installation Rules issued by the Victorian Electricity Supply Industry. You shall arrange compliance through a Registered Electrical Contractor.
- Any buildings must comply with the clearances required by the Electricity Safety (Installations) Regulations.
- Any construction work must comply with Energy Safe Victoria's "No Go Zone" rules.
- Set aside on the plan of subdivision for the use of Powercor Australia Ltd reserves and/or easements satisfactory to Powercor Australia Ltd where any electric substation (other than a pole mounted type) is required to service the subdivision.

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

- Provide easements satisfactory to Powercor Australia Ltd, where easements have not been otherwise provided, for all existing Powercor Australia Ltd electric lines on the land and for any new powerlines required to service the lots and adjoining land, save for lines located, or to be located, on public roads set out on the plan. These easements shall show on the plan an easement(s) in favour of "Powercor Australia Ltd" for "Power Line" pursuant to Section 88 of the Electricity Industry Act 2000.
- Obtain for the use of Powercor Australia Ltd any other easement external to the subdivision required to service the lots.
- Adjust the position of any existing easement(s) for powerlines to accord with the position of the line(s) as determined by survey.
- Obtain Powercor Australia Ltd's approval for lot boundaries within any area affected by an easement for a powerline and for the construction of any works in such an area.
- Provide to Powercor Australia Ltd, a copy of the version of the plan of subdivision submitted for certification, which shows any amendments which have been required.

Downer

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

Melbourne Water

47. Prior to the issue of a Statement of Compliance, the Owner shall enter into and comply with an agreement with Melbourne Water Corporation for the acceptance of surface and storm water from the subject land directly or indirectly into Melbourne Water's drainage systems and waterways, the provision of drainage works and other matters in accordance with the statutory powers of Melbourne Water Corporation.
48. Prior to the commencement of works, a separate application direct to Melbourne Water must be made for any new or modified storm water connection to Melbourne Water's drains or watercourses. Prior to accepting an application, evidence must be provided demonstrating that Council considers that it is not feasible to connect to the local drainage system.
49. Contact Asset Services on telephone 9679 6614 for Melbourne Water's connection requirements, including payment of appropriate fees.
50. Applications to undertake works on or near a Melbourne Water asset (i.e. pipes or waterways) or easement must be made online via the Planning and Building section of our website.
51. Prior to Certification, the Plan of Subdivision must be referred to Melbourne Water, in accordance with Section 8 of the Subdivision Act 1988.

Department of Environment, Land, Water and Planning

52. Before works start, the permit holder must advise all persons undertaking the vegetation removal or works on site of all relevant permit conditions and associated statutory requirements or approvals.
53. The total area of native vegetation proposed to be removed totals 2.890 hectares, comprised of:
 - a) 2 patches of native vegetation with a total area of 2.890 hectares,
 - b) 1 large scattered tree.
54. To offset the permitted clearing in accordance with *Guidelines for the removal, destruction or lopping of native vegetation* (DELWP 2017), the permit holder must secure general offset of 0.425 general habitat units:
 - a) located within the Port Phillip and Westernport Catchment Management boundary or Melton municipal area,
 - b) with a minimum strategic biodiversity score of at least 0.174, andThe offset(s) secured must also protect 1 large tree.
55. Before any native vegetation is removed evidence that the offset required by this permit has been secured must be provided to the satisfaction of the responsible authority. This evidence must be one or both of the following:
 - a) an established first party offset site including a security agreement signed by both parties, and a management plan detailing the 10-year management actions and ongoing management of the site, and/or
 - b) credit extract(s) allocated to the permit from the Native Vegetation Credit Register.
56. A copy of the offset evidence will be endorsed by the responsible authority and form part of this permit.
57. Where the offset includes a first party offset(s), the permit holder must provide an annual offset site report to the responsible authority by the anniversary date of the execution of the offset security agreement, for a period of 10 consecutive years. After the tenth year, the landowner must provide a report at the reasonable request of a statutory authority.

58. Within 6 months of the conclusion of the permitted clearing of native vegetation under this permit, the offset requirements can be reconciled with the written agreement of the responsible authority and the Department of Environment, Land, Water and Planning.

Country Fire Authority

59. 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 Country Fire Authority:

- 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 building envelopes, the rear of the lots) must be 120 metres and the hydrants must be no more than 200 metres apart. These distances must be measured around lot boundaries.
- b) The hydrants must be identified with marker posts and road reflectors as applicable to the satisfaction of the Country Fire Authority.

60. 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.
- (a) Hours of construction activity.
- (b) 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.

61. This permit will expire if:

- a) The plan of subdivision is not certified within two years of the date of this permit; or,
- b) 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 time if a request is made in writing before the permit expires or within six months afterwards.

Notes

City Sustainability and Environment

- The applicant should note that Melton City Council does not enter into section 173 agreements under the *Planning and Environment Act 1987* with landholders to secure offset sites. The offset site must be secured through an agreement with Trust for Nature or the Department of Environment, Land, Water and Planning (DELWP).

Department of Environment, Land, Water and Planning (DELWP)

- Within the area of native vegetation to be retained and any tree protection zone associated with the permitted use and/or development, the following is prohibited:
 - (a) Any vehicle or pedestrian access, trenching or soil excavation, and
 - (b) Storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products, and
 - (c) Entry or exit pits for underground services, and

ORDINARY MEETING OF COUNCIL 2 APRIL 2020; ADJOURNED FROM 26 MARCH 2020

Item 12.14 Planning Application PA 2017/5572 - Subdivision of land into 20 lots and associated removal of native vegetation At 6-8, 24 and 26 Outlook Ride Kurunjang

Appendix 6 Notice of Decision to Grant a Permit - undated

(d) Any other actions or activities that may result in adverse impacts to retained native vegetation.

- Before any works on public land start, a permit to take protected flora under the *Flora and Fauna Guarantee (FFG) Act 1988* may be required. To obtain an FFG permit or further information, please contact a Natural Environment Program officer (Sue Hadden) at the Knoxfield regional office of the Department of Environment, Land, Water and Planning on (03) 9210 9222.

Engineering

- Relevant Council consents, including but not limited to a 'Consent to Work within a Road Reserve' will be required from Council prior to commencement of the subdivision.