

P22162 25 RED GUM DRIVE TEESDALE

SUBDIVISION OF THE LAND INTO FOUR (4) LOTS UNDER CLAUSES 32.03-3 (LDRZ) AND 43.02-3 (DDO5)

RECOMMENDED CONDITIONS: 36 + 6 NOTES

Endorsed Plans

1. The layout of the subdivision and the size and dimensions of the proposed lots must conform generally with the endorsed plan and each lot must be no less than 4000sqm.

Landscaping

2. Before certification under the Subdivision Act 1988, a landscape plan prepared by a suitably qualified and experienced person must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The landscaping plan must be drawn to scale with dimensions and generally in accordance with the plans submitted with the application but modified to show;
 - a. Dimensions of the proposed lots including access location and width, lot numbers and sizes etc.
 - b. Any trees (including botanical names) on neighbouring properties within five (5) metres of the boundary. The tree/s species must be identified and shown.
 - c. A minimum of two (2) rows of trees and shrubs along the southern boundary of the proposed common property
 - d. A minimum of two (2) rows of trees and shrubs along the entire length of the external boundaries of proposed Lots 2-4.
 - e. Details of all proposed surface finishes and pathways and driveways and access points.
 - f. A planting schedule of all proposed trees and shrubs including botanical names, common names, pot sizes, sizes at maturity and quantities of each plant;
 - g. Details of site preparation and planting regime detail including guarding, mulching etc.
 - h. Only the use of plant species indigenous to the locality.

All to the satisfaction of the responsible authority.

3. Before statement of compliance under the Subdivision Act 1988, landscaping as shown on the endorsed plans must be undertaken to the satisfaction of the responsible authority.

Deed Agreement

4. Before the commencement of works, the permit holder/developer must prepare a Deed Agreement that clearly authorises the permit holder/developer to conduct works on easement/s on councils behalf. This agreement is to be made between Council and the permit holder/developer and any other property owners where works will be undertaken and must clearly articulate:
 - a. The scope of works performed by the permit holder/developer.
 - b. The required standard of works
 - c. The required insurance to be provided by the permit holder/developer
 - d. Any fees by the permit holder/developer to council
 - e. The indemnities and releases that the permit holder will provide to council, in the event that the permit holder causes damages to the easement/s, the land, drainage assets or causes damage to any party as a result of the works.

All to the satisfaction of the responsible authority.

If works are not required on external easements, this condition is no longer applicable. This will become evident upon submission of the required drainage plans and information to council for assessment and approval.

General

5. 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.
6. 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.
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 the authority's requirements and relevant legislation at the time.
8. Before statement of compliance under the Subdivision Act 1988, any shedding on Lots 2-4 must be removed/demolished to the satisfaction of the responsible authority.

Telecommunications

9. The owner of 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.
10. 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 telecommunications 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.

Open Space

11. Before the statement of compliance is issued under the Subdivision Act 1988, a cash payment equivalent to 5% of the site value of all the land in the subdivision must be paid to the Responsible Authority in lieu of public open space in accordance with section 18 of the Subdivision Act 1988.

The applicant or owner must pay on demand to Council, the Council's reasonable costs and expenses to provide valuation for payment in lieu of open space.

Environmental Health

12. Before Certification, the following restriction must be placed on the plan of subdivision:
 - a. Any dwelling on lot 3 must not exceed 4 habitable bedrooms. Habitable bedrooms include any room that may be closed off with a door, such as a study, library or sunroom that could be used for the purposes of a bedroom. This requirement is at the owner's expense.
13. Before Statement of Compliance, the existing on-site wastewater management (septic tank) system must be altered / replaced and brought into compliance with the *Environment Protection Act 2017* and associated legislative framework to the satisfaction of the Responsible Authority.
14. A Permit to Install / Alter an On-Site Wastewater Management System must be obtained from Council's Environmental Health Unit before any works commence.

15. All wastewater must be treated and retained within the lots in accordance with the *Environment Protection Act 2017* and associated legislative framework to the satisfaction of the Responsible Authority.

Development Engineering

16. Before certification under the Subdivision Act 1988 and prior to the commencement of works, construction plans in accordance with Council standards and specifications in the Infrastructure Design Manual (IDM) must be submitted to and approved by the Responsible Authority:
17. Before certification under the Subdivision Act 1988 and prior to the commencement of works, drainage plans and computations must be submitted to and approved by the Responsible Authority showing:
 - a. Drainage computations and specifications for on site detention of stormwater to limit the post development 1% AEP rate of discharge so that it does not exceed the pre development 20% AEP rate of discharge or the capacity of the downstream network, whichever is lesser;
 - b. A point of discharge for each of the lots within the subdivision;
 - c. Cut off drains on the low side of each of the allotments to prevent runoff from entering the down slope allotment.
 - d. Any drainage through allotments required to convey water from other allotments to the point of discharge. Open drains conveying stormwater from other lots shall be contained within a minimum 5m drainage easement set aside on the Plan of Subdivision for this purpose.
 - e. Any drainage works outside of the property required to convey site discharge to a location where it can be responsibly discharged. Additional works may be required in the road reserves, drainage reserves or easement drains outside of the property.
18. Before statement of compliance under the Subdivision Act 1988, a vehicle crossing to the common driveway, and the existing vehicle crossing/s must be upgraded to the satisfaction of the Responsible Authority and in accordance with the Infrastructure Design Manual (IDM) standard drawing SD 255.
19. Before statement of compliance under the Subdivision Act 1988, the proposed common property access and drive entry must be constructed with minimum 5.5m wide crushed rock pavement, 3.5m wide seal and must be drained to the legal point of discharge in accordance with Golden Plains Shire Council requirements as contained in Infrastructure Design Manual (IDM) and to the satisfaction of Responsible Authority.
20. Before statement of compliance under the Subdivision Act 1988, the developer must construct all infrastructure for the site generally in accordance with the approved drainage and construction plans and to the satisfaction of the Responsible Authority.
21. Before statement of compliance under the Subdivision Act 1988, a rainwater tank must be plumbed into existing dwelling and ancillary buildings generally in accordance with approved drainage design and computations for the purpose of detention.
22. Before statement of compliance, the owner of the land 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 title to the land under Section 181 of the Act, which provides for the following:
 - a. The purchaser of Lots 2, 3 and 4 must install a rainwater tank plumbed into any dwelling and ancillary building constructed on the lot, both generally in accordance with approved drainage design and computations upon completion of the dwelling, for the purpose of detention.
 - b. Any open drains with in the property must be maintained in working order and must not be filled or altered an any way without consent from the Responsible Authority.

23. Before statement of compliance, 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 owner/operator must pay the Responsible Authority's reasonable costs for the preparation, review, execution and registration of the Section 173 agreement.

Barwon Water

24. The plan of subdivision must be referred to Barwon Water in accordance with the Subdivision Act 1988 and any subsequent amendments to the plan provided to Barwon Water.
25. The creation of a limited Owners Corporation to encumber Lots 2, 3 and 4 within the subdivision for the purpose of the common water service.
26. The developer is to apply to Barwon Water for details relating to servicing requirements and costing for the provision of a potable water supply and where applicable, recycled water and/ or sewerage services to the proposal. It would be appreciated if all communication between the developer/agent and Barwon Water quote Barwon Water reference number L020067.
27. The provision and installation of a potable water supply to the development.
28. An additional potable water connection(s) is to be provided to service the proposed development. A dimensioned plan showing location of all new connections relative to the allotment boundaries is to be submitted, where a meter is not being fitted. Note that tappings and service lines are not to be located under existing or proposed driveways.
IMPORTANT NOTE — where the existing potable water main is a cracked asbestos water pipe, Barwon Water will undertake the tapping of this pipeline, including excavation and spoil removal. Barwon Water requires your plumber to provide 5 clear working days notice for this work. Under no circumstances shall anyone excavate within the vicinity of this pipeline.
29. Individual potable water supply meters are required for each lot or building as part of water connection works.
30. Barwon Water's records indicate that an existing potable water service and meter is located on this property. A dimensioned plan showing the location of existing meters, and the location of the meter relative to the existing boundaries, and its number, is to be submitted. Private potable water service pipes are not permitted to cross allotment boundaries and must be plugged and abandoned at the boundaries of such allotments.
31. The payment of a standardised New Customer Contribution is required for any new connection or any upsize to an existing connection. The number of standardised charges applied will be determined on the basis of an equivalent lot calculation and is based on potable domestic water meter size or water service size (where a meter is not being fitted). An equivalent lot is a measure of the additional demand a connection will place on the infrastructure in terms of the water consumption and sewage discharge for an average connection utilising a 20mm tapping and/ or meter. If there is more than one meter within a single meter assembly, the size of the largest meter (excluding the fire service meter) will determine the number of equivalent connections. If there is a combined fire and domestic meter assembly proposed (incorporating a low flow meter), whereby the meter size is largely dictated by the pre service requirements, the developer is required to submit to Barwon Water the proposed peak flow (probable simultaneous demand) associated with the domestic supply in accord with AS/NZS 3500. Barwon Water will then assess the equivalent number of connections.

Powercor

32. 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.
33. 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.

34. 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.

35. 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.

36. 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:

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

Expiry

37. This permit will expire if one of the following circumstances applies:
- a. The plan of subdivision is not certified under the *Subdivision Act 1988* within two (2) years after the issue of the permit; or
 - b. The plan of subdivision is not registered within five (5) years after the certification of the plan of subdivision under the *Subdivision Act 1988*.

The Responsible Authority may extend the period to start the development if a request is made in writing before the permit expires or within six (6) months afterwards (or twelve (12) months after the permit expires for a request to extend the time to complete the development).

Note: Pursuant to section 17(2)(b) of the *Subdivision Act 1988* and Clause 5 of the *Subdivision (Permit and Certification Fees) Regulations 2000*, the prescribed maximum fee for supervision of works will be up to 2.5 percent of the cost of constructing those works, which are subject to supervision. Such a fee must be paid to the responsible authority prior to the issue of a statement of compliance.

Note: Pursuant to section 43(2)(a)(iv) of the *Subdivision Act 1988* and Clause 6 of the *Subdivision (Permit and Certification Fees) Regulations 2000*, the prescribed maximum fee for checking engineering plans will be 0.75 percent of the estimated cost of constructing the works proposed on the engineering plan. Such a fee must be paid to the responsible authority prior to the issue of a statement of compliance.

Note: Please be advised that Council has engaged Harwood Andrews to check these Agreements and register them to Title. A checking/review fee will be incurred if the

Agreement is drawn up by a firm other than Harwood Andrews. Alternatively, you may choose to use Harwood Andrews to draw up the Agreement and avoid the checking fee. Some information is available on Council's website.

Note: A works within road reserve permit must be obtained from the Responsible Authority prior to carrying out any vehicle crossing works.

Note: Before certification the responsible authority will require a plan showing the location of all existing and proposed vehicle crossings. The plan is required to show setback distances of existing and proposed crossovers from the closest property boundary to the satisfaction of the responsible authority. The plan is required to satisfy Regulation 29 of the Subdivision (Procedures) Regulations 2011, allowing the allocation of street numbers.

Note: Development Engineering will not consent to the issue of Statement of Compliance until such time as the applicant provides satisfactory evidence of compliance with conditions.