



**Planning  
Committee  
Unconfirmed  
Minutes**

**Linton Customer Service Centre**

**Tuesday 12 April 2016  
9.00am-9.32am**

# Committee Charter

1. To oversee the effective planning of the Shire in accordance with Council's Municipal Strategic Statement, policies and provisions of the Golden Plains Planning Scheme.
2. To work with the Development Unit to identify opportunities for the development of local planning policies and provide direction in the preparation of such policies and any relevant state policies.
3. To implement the provisions of the Golden Plains Planning Scheme, including the Municipal Strategic Statement, Local Planning Policies, State Planning Policies and Victorian Planning Provisions.
4. To consider the views of written submissions from the public; relevant Government and resource bodies and the Planning Officer's report and recommendations in the assessment of planning applications which attract objection(s) or are recommended for refusal.
5. To make recommendations to Council on planning applications and other planning matters, where appropriate.
6. To take all reasonable steps to improve our knowledge of matters relevant to our planning duties.

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### **3. DECLARATIONS & MINUTES**

#### **3.1. DECLARATIONS OF INTEREST**

File: 02-03-007

Councillors must disclose a conflict of interest in accordance with Section 79 of the *Local Government Act 1989*.

Nil

#### **3.2. CONFIRMATION OF MINUTES**

*Moved Crs Cameron/Kirby*

*That the Minutes of the Planning Committee meeting 8 March 2016, as circulated, be confirmed.*

*Carried*

## 4. REPORTS

### 4.1. KEY RESULT AREA: ENVIRONMENT & LAND USE PLANNING

#### 4.1.1 Planning Application P15-232 Development of the land for works associated with existing utility installation and removal of native vegetation

Directorate	Assets and Amenity
Unit	Development
Senior Manager	Greg Anders (Director, Assets and Amenity)
Responsible Manager	Tim Waller (Development Manager)
Responsible Team Leader and Author	Leigh Page (Planning Officer)
File References	P15-232
Relevant Policies & Legislative Frameworks	Golden Plains Planning Scheme Planning and Environment Act 1987
Proposal Summary	Development of the land for works associated with existing utility installation and removal of native vegetation
Land Address	Multiple Lots (Attachment 1)
Applicant	Entura Hydro Tasmania
Zone & Overlay Summary	<ul style="list-style-type: none"> <li>▪ Farming Zone</li> <li>▪ Rural Conservation Zone 3</li> <li>▪ Public Use Zone</li> <li>▪ Public Conservation and Resource Zone</li> <li>▪ Road Zone Category 1</li> <li>▪ Environmental Significance Overlay 1</li> <li>▪ Environmental Significance Overlay 2</li> <li>▪ Environmental Significance Overlay 3</li> <li>▪ Land Subject to Inundation Overlay</li> <li>▪ Bushfire Management Overlay</li> <li>▪ Salinity Management Overlay</li> </ul>
Attachments	<ol style="list-style-type: none"> <li>1. P15-232 Property Addresses</li> <li>2. P15-232 Locality Plan</li> <li>3. P15-232 Vegetation Plans</li> <li>4. P15-232 Objection</li> </ol>

#### *Declarations of Interest: Councillors & Officers*

Greg Anders: In providing this advice as the senior manager, I have no disclosable interests in this report.

Tim Waller: In providing this advice as the responsible manager, I have no disclosable interests in this report.

Leigh Page: In providing this advice as the responsible team leader and author, I have no disclosable interests in this report.

#### *Purpose*

This report relates to a planning permit application for the development of the land for works associated with an existing utility installation and removal of native vegetation associated with the development. The application has been referred to the Planning Committee for determination as one objection has been received. This report provides a background to the application, a summary of the relevant planning considerations and an officer recommendation.

### ***Proposal***

The application proposes the installation of three transmission lines onto existing transmission line towers and the removal of native vegetation to allow for this installation.

This proposed works are to be constructed across numerous properties located within Golden Plains Shire as well as City of Ballarat, Shire of Moorabool, and City of Greater Geelong. The application across all four shires proposes to remove a total of 9.22 hectares of native vegetation, including 73 scattered trees and 4.154 hectares of remnant native vegetation.

There will also be some additional minor works:

- Creation of a number of pads for the stringing machines in areas where the cable needs to be joined or where alignment changes direction, these pads will measure 15m x 7m in each location and will be located within the power easement.
- Access tracks may be required to each tower to allow access to the pads

### ***Site Description***

The proposed works transverse a large amount of titles across east of the Moorabool Valley, Maude, and Meredith.

The proposal follows the existing utility installation (main powerlines).

### ***History***

The application was received 12 October 2015. Further Information was requested to obtain copies of all covenants Once received the application was subsequently advertised.

The application was referred to Powercor, VicRoads, and the Department of Environment, Land, Water, and Planning (DELWP). DELWP required conditions be placed on any permit granted, these conditions assessed all native vegetation across the four shires and the conditions would be consistent with all four shires.

Both Powercor and VicRoads have advised that they do not object to the issuing of a planning permit and have not requested any conditions to be included in a permit.

### ***Community Communication***

Notice of the application was given to all land owners that contain any part of the utility installation pursuant to Section 52 (1)(a) of the Planning and Environment Act 1987 ("the Act").

One objection was received following notification of the proposal. A copy of the objection is provided at Attachment 4.

The grounds of objection were:

- The proposal will have a negative visual and aesthetic impact on their property.
- The reduction of value of their property
- The objector has requested compensation for the impact to their property.

The applicant declined Council's offer of conducting a consultation meeting.

### ***Golden Plains Planning Scheme***

#### ***Zones***

The allotments the existing towers are contained on are within numerous zones, being the Farming Zone, Rural Conservation Zone 3, Public Use Zone, Public Conservation and Resource Zone, and Road Zone Category 1.

The proposal is a Section 2 Use within all above mentioned zones, with the exception of Rural Conservation and Resource Zone which is a Section 3 Use. As the main structure is existing, the sites have existing use rights for all the zones and only require a planning permit for the works

associated with the installation of the three new transmission lines and removal of native vegetation.

### **Clause 35.07 – Farming Zone**

#### **General issues**

- *The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *Any Regional Catchment Strategy and associated plan applying to the land.*
- *The capability of the land to accommodate the proposed use or development, including the disposal of effluent.*
- *How the use or development relates to sustainable land management.*
- *Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.*
- *How the use and development makes use of existing infrastructure and services.*

#### **Agricultural issues and the impacts from non-agricultural uses**

- *Whether the use or development will support and enhance agricultural production.*
- *Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production.*
- *The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.*
- *The capacity of the site to sustain the agricultural use.*
- *The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.*
- *Any integrated land management plan prepared for the site.*

#### **Dwelling issues**

- *Whether the dwelling will result in the loss or fragmentation of productive agricultural land.*
- *Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.*
- *Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.*
- *The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.*

#### **Environmental issues**

- *The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.*
- *The impact of the use or development on the flora and fauna on the site and its surrounds.*
- *The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.*
- *The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.*

#### **Design and siting issues**

- *The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses and to minimise the loss of productive agricultural land.*
- *The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.*
- *The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.*
- *The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.*
- *Whether the use and development will require traffic management measures.*

**Clause 35.06 – Rural Conservation Zone****General issues**

- *The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *Any Regional Catchment Strategy and associated plan applying to the land.*
- *The capability of the land to accommodate the proposed use or development.*
- *How the use or development conserves the values identified for the land in a schedule.*
- *Whether use or development protects and enhances the environmental, agricultural and landscape qualities of the site and its surrounds.*
- *Whether the site is suitable for the use or development and the compatibility of the proposal with adjoining land uses.*

**Rural issues**

- *The environmental capacity of the site to sustain the rural enterprise.*
- *The need to prepare an integrated land management plan.*
- *The impact on the existing and proposed infrastructure.*
- *Whether the use or development will have an adverse impact on surrounding land uses.*

**Environmental issues**

- *An assessment of the likely environmental impact on the biodiversity and in particular the flora and fauna of the area.*
- *The protection and enhancement of the natural environment of the area, including the retention of vegetation and faunal habitats and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge areas.*
- *How the use and development relates to sustainable land management and the need to prepare an integrated land management plan which addresses the protection and enhancement of native vegetation and waterways, stabilisation of soil and pest plant and animal control.*
- *The location of onsite effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.*

**Dwelling issues**

- *Whether the dwelling will result in the loss or fragmentation of productive agricultural land.*
- *Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.*
- *Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.*

**Design and siting issues**

- *The need to minimise any adverse impacts of siting, design, height, bulk, and colours and materials to be used, on landscape features, major roads and vistas.*
- *The location and design of existing and proposed infrastructure services which minimises the visual impact on the landscape.*
- *The need to minimise adverse impacts on the character and appearance of the area or features of archaeological, historic or scientific significance or of natural scenic beauty or importance.*
- *The location and design of roads and existing and proposed infrastructure services to minimise the visual impact on the landscape.*

**Clause 36.01 – Public Use Zone**

- *The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *The comments of any Minister or public land manager having responsibility for the care or management of the land or adjacent land.*
- *Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.*

**Clause 36.03 – Public Conservation and Resource Zone**

- *The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *The comments of any public land manager or other relevant land manager having responsibility for the care or management of the land or adjacent land.*
- *Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.*

**Clause 36.04 – Road Zone**

- *The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *The views of the relevant road authority.*
- *The effect of the proposal on the operation of the road and on public safety.*

Given the proposal will only be installing three transmission lines onto the existing transmission towers, it has been determined that the proposal will be in keeping with the above zones and will not create any impacts to the existing use and operations on the land.

**Overlays**

The existing utility installation also covers a number of Overlays, including Environmental Significance Overlay 1, 2, & 3, Land Subject to Inundation Overlay, Bushfire Management Overlay, and Salinity Management Overlay.

The proposed alteration works are exempt from requiring a planning permit for the Land Subject to Inundation Overlay, Bushfire Management Overlay and the Salinity Management Overlay.

Within the Environmental Significance Overlays, Council should consider the following for each of the three schedules.

**Environmental Significance Overlay 1**

- The potential for the proposed development or subdivision to degrade water quality or quantity
- Any comment from the relevant water board or water supply authority pursuant to clause 66 of the Victoria Planning Provisions
- Appropriate measures to prevent:
  - erosion of banks, streambeds and adjoining land and the siltation of watercourses, drains and other features
  - pollution, increased nutrient levels and increased turbidity of water in watercourses, drains and other features
  - increased runoff of concentration of surface water leading to erosion, siltation, pollution of water in watercourses, drains and other features
- The need to maintain or plant vegetation along water ways in order to protect water quality
- Any management plan prepared by the relevant water board or water supply authority.

**Environmental Significance Overlay 2**

- existing use of land and the reason for the development in relation to that use;
- possible effect of the development on the quality and quantity of water;
- potential for flooding to occur;
- conservation of natural terrestrial and aquatic habitats;
- preservation of and the impact on soils and the need to prevent erosion;
- protection of the area for its recreational value;
- effect of any development on the flow of flood waters and flood control measures;
- need to prevent or reduce the concentration of diversion of floodwater or stormwater;
- conservation of natural habitats and the preservation of native fauna, fish and other aquatic life;
- proper management of the land as a watercourse area;
- the need for fencing off of waterways and other land management measures.

### **Environmental Significance Overlay 3**

- the preservation of the natural environment including natural environmental processes, any important landscape or conservation characteristics of the area;
- the need to protect the general environs of any natural vegetation or objects or features from development which would detract from their setting.
- existing use of land and the reason for the development in relation to that use;
- the suitability of the proposed development in relation to the environmental significance of the area.
- the necessity of undertaking landscaping works and retaining vegetation in the vicinity of natural features, watercourses, roads, property boundaries, buildings and natural habitats.
- the need to control the siting, shape and height of any buildings or extensions and the extent to which the materials, colours and external finishes of buildings conform in appearance and character with adjacent buildings and with the character and appearance of the area generally.
- The necessity of retaining a buffer strip of vegetation in the vicinity of watercourses, roads, property boundaries and natural habitats.

The proposed installation of the utility cables will have no impacts on any of the existing watercourses and will not impact on any of the overlays that are located over the proposed development areas.

#### ***Particular Provisions***

The removal of native vegetation requires a planning permit under Clause 52.17 of the planning scheme. In assessing this application Council should consider:

- The contribution that native vegetation to be removed makes to Victoria's biodiversity.

This is determined by:

- The extent and condition of the native vegetation.
- The biodiversity value of the native vegetation, including whether the native vegetation is important habitat for rare or threatened species.
- Whether the removal of native vegetation is defined as being in the low, moderate or high risk-based pathway, as defined in the Permitted clearing of native vegetation – Biodiversity assessment guidelines (Department of Environment and Primary Industries, September 2013) and apply the decision guidelines accordingly.
- Whether reasonable steps have been taken to minimise the impacts of the removal of native vegetation on biodiversity.
- That an offset that meets the offset requirements for the native vegetation that is to be removed as defined in the Permitted clearing of native vegetation – Biodiversity assessment guidelines (Department of Environment and Primary Industries, September 2013) has been identified.

It has been determined that the removal of this native vegetation is necessary for the installation of the three new transmission cables along the existing infrastructure. All alternatives of avoiding impacts on the native vegetation have been considered by the applicant before making this assessment.

The application was referred to the Department of Environment, Land, Water, & Planning (DELWP) for their consideration. The authority have advised that they do not object to the issuing of a planning permit subject to conditions being included in a permit.

DELWP have advised that they will require offsets to mitigate the permitted clearing of native vegetation. A minimum of 0.162 biodiversity score will be required to be offset as well as a specific offset of 3.227 biodiversity equivalence units for Melbourne Yellow-Gum.

**Clause 65.01 - Approval of an application or plan**

- The matters set out in Section 60 of the Act.
- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The purpose of the zone, overlay or other provision.
- Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the amenity of the area.
- The proximity of the land to any public land.
- Factors likely to cause or contribute to land degradation, salinity or reduce water quality.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.
- The extent and character of native vegetation and the likelihood of its destruction.
- Whether native vegetation is to be or can be protected, planted or allowed to regenerate.
- The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.

The proposal will be in keeping with Clause 65.01 as there will be no impact to the character or amenity of any of the areas.

The native vegetation has been addressed by DELWP who have no issues with this removal.

***Discussion***

The application is considered to satisfy the provisions of the State Planning Policy Framework, the Local Planning Policy Framework, Farming Zone, Rural Conservation Zone, Public Use Zone, Public Conservation and Resource Zone, Road Zone, Environmental Significance Overlay, Land Subject to Inundation Overlay, Bushfire Management Overlay, Salinity Management Overlay, Clause 52.17 (Native Vegetation) and Clause 65 of the Victoria Planning Provisions (VPPs).

No new towers will be installed as a result of the planning application, the proposal is to install three transmission lines along the side of the existing towers.

**Objections****Visual and Aesthetic Impacts**

The proposal will not be installing any new towers and is only for the installation of three additional cables along the existing towers. The existing bushland between the dwelling and the existing towers will completely screen any proposed works.

**Removal of Native Vegetation**

All vegetation to be removed on this site will be within the existing powerline easement registered on title. Any vegetation removed will be required to be offset in accordance with Department of Environment, Land, Water, and Planning's requirements

***Cultural Heritage Implications***

It is considered that there are no cultural heritage implications

***Financial & Risk Management Implications***

It is considered that there are no financial or risk management implications

***Economic, Social & Environmental Implications***

It is considered that the application does not present any economic, social or environmental implications.

***Conclusion***

The application satisfies the provisions of the State and Local Planning Policy Framework, the Farming Zone, the Rural Conservation Zone, the Public Use Zone, the Public Conservation and Resource Zone, Road Zone, the Environmental Significance Overlay Clause 52.17 (Native Vegetation), and the decision guidelines of the planning scheme (Clause 65). The proposal is considered appropriate for the proposed works associated with the existing utility installation and

removal of native vegetation as it will allow the three transmission lines to be connected to the existing power infrastructure. It is therefore considered that the grant of a permit will not cause material detriment to any person.

### ***Recommendation***

***That the Planning Committee resolves to Issue a Notice of Decision to Grant a Permit for the development of the land for works associated with the existing utility and removal of native vegetation in accordance with the endorsed plans at lots shown in Attachment 1 subject to the following conditions:***

- 1. The layout of the site and the size of the proposed buildings and works as shown on the endorsed plans must not be altered or modified without the written consent of the responsible authority.***

### ***Construction Management Plan***

- 2. Prior to the commencement of works, 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 operation***
  - b) Where necessary, management of each site 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 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) Measures to minimise noise and other amenity impacts from mechanical equipment, including idling trucks, and demolition/construction activities, especially outside of daytime hours***
  - g) The provision of adequate environmental awareness training for all on-site contractors and sub-contractors***
  - h) A liaison officer for contact by the public and the Responsible Authority in the event of relevant queries or problems experienced.***

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

### ***Amenity***

- 3. The development 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) appearance of any building, works or materials;***
  - (c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;***
  - (d) presence of vermin or otherwise;***

***In the event of any nuisance being caused to the neighbourhood by activities related to the use and development the Responsible Authority may direct, in writing, such actions or works, as deemed appropriate, to eliminate or mitigate such nuisance be undertaken.***

#### **4. DELWP Ref:SP452973**

##### **4.1 Notification of permit conditions**

**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.**

##### **4.2 Protection of vegetation to be retained**

**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.**

##### **4.3 Native vegetation offsets requirements**

**To offset the removal of 4.154 hectares of native vegetation and 73 scattered trees the permit holder must secure a native vegetation offset, in accordance with the Permitted clearing of native vegetation – Biodiversity assessment guidelines (DEPI 2013) and Native vegetation gain scoring manual (DEPI 2013) as specified below:**

###### **a) General offset**

**A general offset of 0.664 general biodiversity equivalence units with the following attributes:**

- i. be located within the Corangamite Catchment Management Authority boundary;**
- ii. have a strategic biodiversity score of at least 0.162**

###### **b) Specific offset**

**A specific offset(s) of 3.227 specific biodiversity equivalence units for 504484, Melbourne Yellow-Gum, *Eucalyptus leucoxyton* subsp. Connate.**

##### **4.4 Offset evidence and timing**

**Before any native vegetation is removed, evidence that the required offset for the project has been secured, as per the supplied offset strategy (Moorabool – Ballarat Transmission Line Upgrade Offset Strategy, 10 September 2015), must be provided to the satisfaction of the Responsible Authority. The offset evidence can be:**

- a) a security agreement signed by both parties, to the required standard, for the offset site**
- b) or sites, including a 10 year offset management plan and/or**
- c) an allocated credit extract from the Native Vegetation Credit Register.**

**A copy of the offset evidence with the endorsement of the Responsible Authority will form part of this permit. Within 30 days of endorsement, a copy of the endorsed offset evidence must be provided to the Department of Environment, Land, Water and Planning.**

##### **4.5 Monitoring and reporting on onsite offset implementation**

**In the event that a security agreement is entered into as per condition 3, the applicant must provide the annual offset site condition 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.**

**Barwon water**

5. **Sediment control measures outlined in the EPA's publication No. 275, Sediment Pollution Control, must be employed and maintained until the disturbed area has been permanently stabilised and/or revegetated.**
6. **This permit will expire if one of the following circumstances applies:**
  - a) **The development is not started within two years of the date of this permit;**
  - b) **The development is not completed within four years of the date of this permit.**

**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 (for a request to extend the time to commence the development) or twelve months after the permit expires (for a request to extend the time to complete the development).**

**Notes**

- **Third party offsets may be available from Bushbroker Over the Counter program. Please visit [www.depi.vic.gov.au/nativevegetation](http://www.depi.vic.gov.au/nativevegetation) for further information.**
- **Prior to the commencement of works, a Protected Flora Permit must be obtained from the Department of Environment, Land, Water and Planning to remove protected flora during works. Please contact the department's regional office.**
- **The adjoining Crown land is not to be used for access, storage of materials or rubbish.**
- **Any private use of Crown land requires consent and/or licensing from the Department of Environment, Land, Water and Planning.**
- **Works or other activities on public land, which may impact on protected plants, will require a Protected Flora Licence or Permit under the Flora and Fauna Guarantee Act 1988 (FFG). All native vegetation likely to be impacted should be checked against the Protected Flora List (DEPI 2014) to determine whether FFG approvals are required. Protected Flora Permits can be obtained from the department's regional office.**
- **To assist applicants meet permit condition requirements, Meeting permit conditions – third party offsets Fact sheet (DEPI 2013) and First party general offset kit (DEPI 2013) are available, Please visit [www.depi.vic.gov.au/nativevegetation](http://www.depi.vic.gov.au/nativevegetation) for further information.**

It is recorded that Council suspended Standing Orders at 9.07 am.

***Moved Crs Blake/Hansford***

***That standing orders be suspended to hear submissions.***

***Carried***

It is recorded that John Wheeler and Paul Ower addressed Council between 9.07am and 10.00am.

***Moved Crs Blake/Hansofrd***

***That standing orders resume.***

***Carried***

It is recorded that Council resumed Standing Orders at 10.00am.

***Moved Crs Blake/Phelan***

***That the Planning Committee resolves to Issue a Notice of Decision to Grant a Permit for the development of the land for works associated with the existing utility and removal of native vegetation in accordance with the endorsed plans at lots shown in Attachment 1 subject to the following conditions:***

- 1. The layout of the site and the size of the proposed buildings and works as shown on the endorsed plans must not be altered or modified without the written consent of the responsible authority.***

***Construction Management Plan***

- 2. Prior to the commencement of works, 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 operation***
- b) Where necessary, management of each site 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 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) Measures to minimise noise and other amenity impacts from mechanical equipment, including idling trucks, and demolition/construction activities, especially outside of daytime hours***
- g) The provision of adequate environmental awareness training for all on-site contractors and sub-contractors***
- h) A liaison officer for contact by the public and the Responsible Authority in the event of relevant queries or problems experienced.***

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

***Amenity***

- 3. The development 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) appearance of any building, works or materials;***
- (c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;***
- (d) presence of vermin or otherwise;***

***In the event of any nuisance being caused to the neighbourhood by activities related to the use and development the Responsible Authority may direct, in writing, such actions or works, as deemed appropriate, to eliminate or mitigate such nuisance be undertaken.***

**4. DELWP Ref:SP452973****4.1 Notification of permit conditions**

*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.*

**4.2 Protection of vegetation to be retained**

*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.*

**4.3 Native vegetation offsets requirements**

*To offset the removal of 4.154 hectares of native vegetation and 73 scattered trees the permit holder must secure a native vegetation offset, in accordance with the Permitted clearing of native vegetation – Biodiversity assessment guidelines (DEPI 2013) and Native vegetation gain scoring manual (DEPI 2013) as specified below:*

**a) General offset**

*A general offset of 0.664 general biodiversity equivalence units with the following attributes:*

- i. be located within the Corangamite Catchment Management Authority boundary;*
- ii. have a strategic biodiversity score of at least 0.162*

**b) Specific offset**

*A specific offset(s) of 3.227 specific biodiversity equivalence units for 504484, Melbourne Yellow-Gum, *Eucalyptus leucoxydon* subsp. *Connate*.*

**4.4 Offset evidence and timing**

*Before any native vegetation is removed, evidence that the required offset for the project has been secured, as per the supplied offset strategy (Moorabool – Ballarat Transmission Line Upgrade Offset Strategy, 10 September 2015), must be provided to the satisfaction of the Responsible Authority. The offset evidence can be:*

- a) a security agreement signed by both parties, to the required standard, for the offset site*
- b) or sites, including a 10 year offset management plan and/or*
- c) an allocated credit extract from the Native Vegetation Credit Register.*

*A copy of the offset evidence with the endorsement of the Responsible Authority will form part of this permit. Within 30 days of endorsement, a copy of the endorsed offset evidence must be provided to the Department of Environment, Land, Water and Planning.*

**4.5 Monitoring and reporting on onsite offset implementation**

*In the event that a security agreement is entered into as per condition 3, the applicant must provide the annual offset site condition 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.*

**Barwon Water**

- 7. Sediment control measures outlined in the EPA's publication No. 275, Sediment Pollution Control, must be employed and maintained until the disturbed area has been permanently stabilised and/or revegetated.**
- 8. This permit will expire if one of the following circumstances applies:**
  - a) The development is not started within two years of the date of this permit;**
  - b) The development is not completed within four years of the date of this permit.**

**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 (for a request to extend the time to commence the development) or twelve months after the permit expires (for a request to extend the time to complete the development).**

**Notes**

- Third party offsets may be available from Bushbroker Over the Counter program. Please visit [www.depi.vic.gov.au/nativevegetation](http://www.depi.vic.gov.au/nativevegetation) for further information.**
- Prior to the commencement of works, a Protected Flora Permit must be obtained from the Department of Environment, Land, Water and Planning to remove protected flora during works. Please contact the department's regional office.**
- The adjoining Crown land is not to be used for access, storage of materials or rubbish.**
- Any private use of Crown land requires consent and/or licensing from the Department of Environment, Land, Water and Planning.**
- Works or other activities on public land, which may impact on protected plants, will require a Protected Flora Licence or Permit under the Flora and Fauna Guarantee Act 1988 (FFG). All native vegetation likely to be impacted should be checked against the Protected Flora List (DEPI 2014) to determine whether FFG approvals are required. Protected Flora Permits can be obtained from the department's regional office.**
- To assist applicants meet permit condition requirements, Meeting permit conditions – third party offsets Fact sheet (DEPI 2013) and First party general offset kit (DEPI 2013) are available, Please visit [www.depi.vic.gov.au/nativevegetation](http://www.depi.vic.gov.au/nativevegetation) for further information.**

*Carried*

## 5. OTHER BUSINESS

Mr Tim Waller, Development Manager, responded to a request from the March meeting to provide an update on progress for the waste facility application in Stonehaven. He advised the following:

- The application was advertised for over 30 days from January 2016.
- Referral authorities have been contacted and some requirements have been raised but no objections. Officers are currently reviewing the objections.
- Council has received 85 objections to the application.
- A site meeting has taken place with the responsible authority for the work authority. This inspection has identified some issues which need to be addressed.
- A community information session will be held in May. This will be facilitated to ensure the best outcome for the applicant and the community.
- A report will be provided to Council following this meeting.

## 6. ATTACHMENTS

Attachment 1	Item 4.1.1	P15-232 property addresses
Attachment 2	Item 4.1.1	P15-232 locality plan
Attachment 3	Item 4.1.1	P15-232 vegetation plans
Attachment 4	Item 4.1.1	P15-232 objection

Attachments are available upon request.

## 7. DATE OF NEXT MEETING

To be advised.

**8. CLOSE OF MEETING**

The meeting closed at 9.32am.

**9. CERTIFICATION**

In accordance with Section 93(5) of the Local Government Act 1989, I hereby certify that the minutes of this Planning Committee meeting have been confirmed as a true and correct record.

\_\_\_\_\_

**Confirmed, Chair, Cr Bill McArthur**

\_\_\_\_\_

**Date**

Agendas (total printed) .....	TBC
Councillors.....	4
Gallery .....	TBC
Minutes (committee & ordinary).....	2
Soft copy (portal, intranet, box) .....	1
Attachments (total printed) .....	9
Councillors.....	7
Minutes (committee & ordinary).....	2
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Minutes (total printed).....	TBC
Councillors.....	7
Minutes file .....	1
Soft copy (portal, intranet, box) .....	1