

## PLANNING PERMIT GRANTED UNDER SECTION 96I OF THE PLANNING AND ENVIRONMENT ACT 1987

<b>Permit No.:</b>	PA2302418
<b>Planning Scheme:</b>	Hepburn Planning Scheme
<b>Responsible authority:</b>	Minister for Planning
<b>ADDRESS OF THE LAND:</b>	9 Raglan Street, Daylesford VIC 3460 (Crown Allotment 35 Section 2 Parish of Wombat, Volume 10448 Folio 287)  Raglan Street Road Reserve

### THE PERMIT ALLOWS:

Planning scheme clause No.	Description of what is allowed
32.09-3	To subdivide land.
42.01-2	To subdivide land (for lots less than 40 hectares).
42.01-2	To remove, destroy or lop any vegetation, including dead vegetation.
42.01-2	To subdivide land.
43.01-1	To subdivide land.
43.01-1	To demolish or remove a building.
43.01-1	To construct or carry out road works.
43.01-1	To remove, destroy or lop a tree.
52.29-2	To subdivide land adjacent to a road in a Transport Zone 2.
52.29-2	To create or alter access to a road in a Transport Zone 2.

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**Signature for the responsible authority:**

**THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:**

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**Compliance with documents approved under this permit**

1. At all times what the permit allows must be carried out in accordance with the requirements of any document approved under this permit to the satisfaction of the responsible authority.

**Commencement**

2. This permit will operate from the issued date of this permit.

**Layout not altered**

3. The subdivision and development as shown on the endorsed plans must not be altered (unless the Hepburn Planning Scheme specifies that a permit is not required) without the prior written consent of the responsible authority.

**Amended Subdivision Plans Required**

4. Before the plan of subdivision is certified under the *Subdivision Act 1988*, amended plans must be approved and endorsed to the satisfaction of the responsible authority. The plans must be prepared to the satisfaction of the responsible authority, be drawn to scale with dimensions and be generally in accordance with the plan submitted and titled 'Preliminary Subdivision Layout Plan' (dated 23.01.2023) but modified to include the following:
  - a) Provision for pedestrian access between Raglan Street and the internal subdivision must be provided. The access must be of an appropriate width and include suitable sightlines to the satisfaction of the responsible authority.
  - b) Lots adjacent to Raglan Street must address Raglan Street.
  - c) Public open space areas and walkways including width and dimensions.
  - d) The location of all trees to be retained including their trees protection zones (TPZ).
  - e) To demonstrate the plans are generally in accordance with the Middleton Field Concept Master Plan (Revision I).
  - f) Any changes recommended by the updated Traffic Impact Assessment Report.
  - g) A notation along the lots fronting Raglan Street that an Access Restriction will be provided to prevent vehicular access from lots to Raglan Street and will be included in a plan of subdivision.
  - h) A minimum 5 metre side boundary setback between the existing dwelling (not the verandah) and the proposed lot boundaries for the lot on which that dwelling will be located.
  - i) Amended easement to align with revised easement on adjacent land at 7 Rosella Court.

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### Obligations and Agreements

5. Before the plan of subdivision is certified under the *Subdivision Act 1988*, the owner must enter into an agreement with the Hepburn Shire Council made pursuant to Section 173 of the *Planning and Environment Act 1987* and the agreement must be registered on the title/s to the land under Section 181 of the *Planning and Environment Act 1987*. The agreement must provide that:

- a) The Middleton Field Design Guidelines are endorsed.
- b) Dwellings on lots abutting Raglan Street must front Raglan Street and provide an active frontage.

The owner must pay the reasonable costs for the preparation, execution and registration of the Section 173 Agreement. Before the issue of a Statement of Compliance [for any stage of the subdivision] under the *Subdivision Act 1988*, a copy of the Titles Office registration number (dealing number) for the Section 173 Agreement must be provided to Council as proof of registration.

6. Before the plan of subdivision is certified under the *Subdivision Act 1988*, Housing Design Guidelines must be submitted to and approved by the Hepburn Shire Council. Once approved, the Housing Design Guidelines must be secured through an agreement made under Section 173 of the *Planning and Environment Act 1987* that is registered on the title to the land. The Housing Design Guidelines must apply to all lots, and must be generally in accordance with the Middleton Field Guidelines circulated August 2023.

Requirements other than those identified in this condition may be included within the Housing Design Guidelines however any additional requirements must not prevent or impede the use of sustainable energy technologies such as visible solar energy collectors on roofs or water tanks and must be to the satisfaction of the Hepburn Shire Council.

### Streetscape and Open Space Plan

7. Before the development starts, including demolition, bulk excavation and site preparation works, a streetscape and open space plan must be approved and endorsed by the Hepburn Shire Council. The streetscape and open space plan must be prepared to the satisfaction of the Hepburn Shire Council, be prepared by a person suitably qualified or experienced in landscape design and must be drawn to scale with dimensions. The plan must include the following:

- a) The provision of pedestrian access between Raglan Street and the subdivision. The access must be a of an appropriate width and include sufficient sightlines, a 1.5m wide footpath.
- b) The location of all pedestrian paths and construction materials proposed.
- c) Tree Protection Zones for trees in the Avenue of Honour.
- d) Planting of an avenue of trees along the internal road.
- e) The locations of all landscaping works to be provided in public open space areas.
- f) The locations of any trees to be retained or removed from the land (including details of species and size).

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- g) A detailed schedule of all proposed trees, shrubs and groundcovers, including botanical names, common names, pot sizes, sizes at maturity and quantities of each plant.
  - h) Details of the proposed surface finishes of pathways and driveways.
  - i) Details of an establishment and initial maintenance regime.
  - j) The location of all pedestrian paths and construction materials proposed.
  - k) The location and type of play, exercise equipment or furniture.
8. Before the issue of a Statement of Compliance of all streetscape and open space works as shown on the endorsed plan must be carried out and completed to the satisfaction of the Hepburn Shire Council. When the works have been completed, written confirmation must be provided to the satisfaction of the Hepburn Shire Council that the works on the land has been undertaken in accordance with the endorsed plan.
9. All streetscape and open space works as shown on the endorsed plans must be maintained including that any dead, diseased or damaged plants are to be replaced, to the satisfaction of the Hepburn Shire Council.
10. The streetscape and open space is to be maintained for a period of 24 months from practical completion of the landscaping. During this period, any dead, diseased or damaged plants or landscaped areas are to be replaced to the satisfaction of the Hepburn Shire Council.

#### **Avenue of Honour Tree Replacement**

11. The Avenue of Honour tree located within the Raglan Street road reserve to be removed must be replaced with a suitable species and container size in a location to the satisfaction of the responsible road manager and Hepburn Shire Council.

#### **Traffic Impact Assessment Report**

12. Before the plan of subdivision is certified under the *Subdivision Act 1988*, an updated Traffic Impact Assessment Report that addresses the whole of Middleton Field including 17 Smith Street, 29 Smith Street, 9 Raglan Street and 1 Raglan Street, Daylesford must be submitted to and approved to the satisfaction of by the Hepburn Shire Council.

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

13. Before any works associated with the subdivision start, including demolition, bulk excavation and site preparation works, a Construction Management Plan must be submitted to and approved by the Hepburn Shire Council. The Construction Management Plan must be prepared to the satisfaction of the Hepburn Shire Council must include details of:
- a) A Site Management and Safety Plan including, but not limited to, the following:
    - i. Locations of temporary on-site facilities such as equipment storage areas, litter control compounds, contractor rest and car parking areas and the likes;
    - ii. On-site safety procedures;
    - iii. Relevant service authority and emergency services contact details;
    - iv. Site access address for emergency vehicles;
    - v. Working hours and days;

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- vi. Site specific safety and risk analysis;
- b) An Environmental Management Plan including, but not limited to, the following:
  - i. Methods to contain dust, dirt and mud within the subject site, and the method and frequency of clean up procedures;
  - ii. Sediment control techniques to ensure that no mud, dirt, sand, soil, clay or stones are washed into or allowed to enter the storm water drainage system;
  - iii. Stormwater management and water quality control procedures;
  - iv. Methods to prevent and manage illegal dumping on the land;
  - v. Tree Protection Zones around the trees to be retained as shown on the endorsed plans;
  - vi. Machinery wash-down areas, clearly fenced and located in disturbed areas, which ensure that all machinery entering and exiting the land is weed and pathogen free;
  - vii. Methods to ensure that contractors working on the land are aware of the requirements of the Construction Management Plan and any other obligations of the planning permit.

#### **Geotechnical Assessment**

14. Prior to the approval of detailed engineering plans and certification of a plan of subdivision under the *Subdivision Act 1988*, a geotechnical assessment must be completed and endorsed to the satisfaction of the Hepburn Shire Council to determine if the shafts associated with the Defiance Tunnel will have any detrimental impacts upon the development including but not limited to the location of services.

Any assessment recommendations must be completed to the satisfaction of the Hepburn Shire Council prior to the approval of detailed engineering plans and certification of a plan of subdivision.

#### **Site Servicing Requirements**

15. The owner of the land must enter into an agreement with:
- a) telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
  - 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.
16. 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

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- 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.

### Engineering Conditions

17. Prior to Statement of Compliance, all underground and surface drainage works that are considered necessary by the Hepburn Shire Council shall be constructed in accordance with professionally prepared plans and computations to be provided by the developer and approved by the Hepburn Shire Council prior to the commencement of construction.

The drainage works shall include the provision of an onsite stormwater detention system designed to ensure that the post development runoff does not exceed pre-development runoff from the development. The drainage works shall be installed to transport stormwater runoff from the subject land and surrounding land and/or adjoining road(s) to an approved point of discharge. No concentrated stormwater shall drain or discharge from the land to adjoining properties. The drainage system must be constructed and completed prior to the issue of the statement of compliance

18. Return period for a Detention system is to be 20% AEP where there is overland escape path and 1% AEP if the failure of the detention system will cause property damage or inundation of freehold title. All allotments shall be provided with drainage outfall (house connection) connected to the underground drainage system to the satisfaction of the Hepburn Shire Council. House drainage connection shall be constructed in accordance with Infrastructure Design Manual Standard Drawing SD 510 or SD 505 with hot dip galvanised kerb adaptors.
19. Stormwater shall be connected to the legal point of discharge to the satisfaction of the Hepburn Shire Council.
20. Prior to Statement of Compliance, all drainage easements deemed necessary by the Hepburn Shire Council must be provided by the Permit Holder to protect and facilitate existing and future drainage infrastructure. Easements shall also be provided through properties between the development site and the nominated legal point of discharge. Minimum width of drainage easements shall be 2.0m for stormwater.
21. A new stormwater easement and pipe shall be created/constructed along the Eastern boundary for the purpose of draining new lots and overland flow.
22. Drainage easements shall be created to allow for gravity stormwater drainage to the satisfaction of the Hepburn Shire Council.
23. If the proposed stormwater drainage system includes any works to be undertaken during house construction stage, the Owner must enter into a Section 173 Agreement with the Hepburn Shire Council under section 173 and 174 of the Planning and Environment Act, requiring that such works shall be constructed and completed during house/building construction stage.
24. The Owner must pay all of the costs and expenses including the Hepburn Shire Council lawyers checking fees in relation to preparation, execution, registration, enforcement and cancellation of this Agreement including costs for obtaining necessary consents if required by

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the Land Titles Office before registration of this Agreement.

25. It is the responsibility of the developer, to prepare a Stormwater Strategy Plan to identify and record the manner by which the quantity and quality of stormwater shall be managed for the catchment. The stormwater strategy plan must demonstrate how to avoid adverse impact on neighbouring properties and surrounding road network due to the development. Drainage design plans and legal point of discharge will not be considered until the drainage strategy has been established.
26. Where stormwater detention is proposed on public land, including road reserve, the detention system shall be designed in such a way as to minimise the ongoing maintenance costs and maximise the public benefit of the area. No area used for stormwater detention shall be considered for the purposes of public open space.
27. It is the responsibility of the developer to meet the requirements for stormwater quality as stated in the BPEM (Best Practice Environmental Management) Guidelines  
**Note:** Additional information for requirements can be found at <https://www.epa.vic.gov.au/business-and-industry/guidelines/waterguidance/urban-stormwater-bpemg>
28. All Roads and drainage designs and constructions shall be based on sound engineering practice following the general principles of the Planning Scheme, the Austroads Guidelines, the Co-ordination of Streetworks Code of Practice, Relevant Australian Standards, VicRoads Road Design Guidelines, Infrastructure Design Manual [IDM] and to the satisfaction of the Hepburn Shire Council.
29. Professionally prepared plans are to be submitted to the Hepburn Shire Council for approval prior to construction.
30. A Traffic and Pedestrian Impact study shall be conducted for the new intersection to Raglan Street to the satisfaction of the Hepburn Shire Council.
31. All recommendations from the Traffic and Pedestrian Impact study, in particular provision for turning lanes, shall be implemented unless agreed to by the Hepburn Shire Council.
32. New roads shall include provisions for traffic calming in accordance with section 12.6 of IDM and to the satisfaction of the Hepburn Shire Council.
33. All internal roads within the development shall be in accordance with 'Table 2 – Urban Road / Street Characteristics' of IDM.
34. Minimum width of the road reserve shall be in accordance with 'Table 2 – Urban Road / Street Characteristics' of IDM. The road pavement at a minimum, shall include:
  - a) 200mm compacted depth class 3, 20mm FCR sub base and 100mm compacted depth class 2, 20mm FCR base pavement.
  - b) 2 coat spray seal, 10mm primer seal/7mm rubberised final seal, or 40mm Type H, 10mm asphalt
  - c) Kerb and channel
  - d) 1.5m wide concrete footpaths

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- e) Court Bowls must have a minimum radius of 12.5m and asphalt wearing course
35. All no through traffic roads must terminate with a court bowl.
36. The Supervising Consulting Engineer shall provide to the Hepburn Shire Council a report of hold points and inspections for the construction and verification that the roads and drains have been designed and constructed in compliance with the above standards, by providing a list verifying the results of all tests undertaken and corresponding results. The minimum tests required to be provided to the Hepburn Shire Council are:
- a) Road Sub-grade (Proof Roll)
  - b) Pavement sub-base and base (density test and proof roll)
  - c) Pavement prior to sealing or asphalt application
  - d) Drainage trench and bedding
  - e) Drainage infrastructure prior to backfill
  - f) Drainage pits
37. Vehicle access/crossing to the land is to be located, constructed and maintained to the satisfaction of the Hepburn Shire Council.
38. Prior to statement of compliance the following will be constructed for approval
- a) Vehicle access/crossing to all lots is to be constructed in accordance with Infrastructure Design Manual Standard Drawing SD 240 or to approval of the Hepburn Shire Council.
  - b) Vehicle access/crossing to the land shall be located so that adequate sight distance is achieved to comply with Australian Standard AS2890.1:2004 Section 3.2.4 and as specified in Austroad's Guide to Road Design Part 4A Section 3.4 - 'Sight Distance at Property Entrance'.
  - c) Minimum 10.0m and 9.0m clearance shall be maintained from any road intersection and between adjacent crossovers respectively.
  - d) Any proposed vehicular crossing shall have satisfactory clearance to any side entry pit, power or Telecommunications pole, manhole cover or marker, or street tree. Any relocation, alteration or replacement required shall be in accordance with the requirements of the relevant Authority and shall be at the applicant's expense.
39. The final location and construction of the vehicle crossing is to be approved by the Hepburn Shire Council via a "Consent to Work within the Road Reserve", prior to undertaking of works, unless shown on certified plans and constructed prior to statement of compliance.
40. All footpaths shall be designed and constructed in accordance with the relevant Australian Standards, Infrastructure Design Manual [IDM] and to the satisfaction of the Hepburn Shire Council.
41. Minimum width of the footpaths shall be 1.5m and are to be constructed in accordance with IDM Standard Drawings SD 205 – Typical Footpath Detail.
42. Footpaths shall be provided along one side of newly created roads within the development site and connect to the existing Council footpath network to the satisfaction of the Hepburn Shire Council.

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43. A new footpath connection shall be constructed from the development along the north side of Raglan Street frontage of the property.
44. Prior to construction, the Developer is to prepare and submit a landscaping plan for road reserves and other open spaces to the satisfaction of the Hepburn Shire Council for review and approval. These plans are to comply with the Code of Practice for Management of Infrastructure in Road Reserves and shall provide following information:
  - b) Plant selection, layout and planting density
  - c) Landscaping design intent
45. Street tree planting shall be designed to meet approximately 40% canopy coverage of new roads and must be selected and planted by a qualified horticulturist / arborist.
46. The developer shall prepare an arborist report for all street trees within the construction zone
47. The developer shall implement a construction plan showing how existing street trees shall be protected during construction works.
48. Any existing street trees must be bonded for a period of 24 months at a value determined by a registered arborist. All new landscaping shall be bonded for a period of 24 months at minimum value of \$400 per tree.
49. Where a lot has significant cross fall, retaining walls and associated cut and fill shall be constructed along the lot boundary line including provisions for boundary fencing.
50. All structural retaining walls shall have an engineering design and approval.
51. Appropriate signage and line marking shall be provided to the satisfaction of the Hepburn Shire Council.
52. Energy efficient LED street lighting shall be provided in accordance with the current issue of Australian standard AS/ANZ 1158 – Lighting for Roads and Public Spaces and to the satisfaction of the Hepburn Shire Council.
53. New lighting must be located outside the clear zones and meet the standards for category P lighting. Lighting requirements on arterial roads shall be included in the Traffic and Pedestrian Impact study.
54. Prior to Statement of Compliance it is the responsibility of the developer to meet the requirements and standards as set out in the IDM (Infrastructure Design Manual) version 5.20.
55. Before any road, drainage and associated with the subdivision start following 8. Before any road, drainage and associated with the subdivision start following items must be satisfied:
  - a) Approval of the constructions plans by the Hepburn Shire Council.
  - b) A pre-construction meeting shall be held with Hepburn Shire Council, the Contractor and the Developer/Developer's Consultant Engineer to discuss and agree on hold point inspections, roadside management, traffic management and any other construction related matters.
56. Prior to the issue of the Statement of Compliance for the relevant stage of the subdivision under the *Subdivision Act 1988*, the developer must construct and complete road works,

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drainage and other civil works in accordance with endorsed plans and specifications approved by the Hepburn Shire Council and in accordance with Infrastructure Design Manual. Road works, drainage and other civil works to be constructed must include:

- a) street and drainage in accordance with the approved construction drawings
  - b) construction of footpaths
  - c) underground drainage
  - d) intersection and traffic control/mitigation measures
  - e) signage and line marking; and
  - f) high stability permanent survey marks
  - g) Lot access
57. Prior to issue of statement of compliance, the Developer must provide as constructed plans for all infrastructure created by this development and vested to the ownership and control of the Hepburn Shire Council. Such plans shall be prepared by a registered surveyor and/or qualified Engineer and endorsed by the Developer's Consultant Engineer and the Contractor.
58. As-Constructed plans shall include:
- a) An asset statement of each street including costs
  - b) as constructed' information for the entire work in each development stage detailing information as listed in the Infrastructure Design Manual
58. Information to be presented in pdf. and dwg. formats, unless otherwise agreed in writing by the Hepburn Shire Council.
59. Prior to Statement of Compliance, the developer must enter into an agreement with the Hepburn Shire Council regarding responsibilities for maintenance and correction of defects of all infrastructure works. Agreement must include the defects liability period, the amount of bond and the date of practical completion occurs.
60. Prior to issue of Statement of Compliance, the developer must provide the Hepburn Shire Council with a maintenance bond(s) of \$5,000 or 5% of the total cost of infrastructure, whichever is greater.
61. The bond(s) shall be an unconditional bank guarantee or cash for the predetermined amount. The Hepburn Shire Council will hold the bond(s) until any and all defects notified to the developer before and/or during the liability period have been made good to the satisfaction of the Hepburn Shire Council. A request must be made to the Hepburn Shire Council for the release of maintenance bond(s) after the defect's maintenance period.
62. The Defects Liability Period for civil works shall be 12 months from the date of practical completion.
63. The Defects Liability Period for landscaping shall be 24 months from the date of acceptance at a minimum bond of \$400 per tree.
64. All costs incurred in complying with the above conditions shall be borne by the permit holder.

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65. In accordance with the *Subdivision Act 1988*, the Hepburn Shire Council requires the following fees for works undertaken on this Subdivision.

- a) Plan checking fee of 0.75% of the value of works.
- b) Supervision fee of 2.50% of the value of works.

### Heritage Conditions

66. Before the demolition of the outbuilding starts, an annotated photographic study of the outbuilding must be submitted and be to the satisfaction of the Hepburn Shire Council as a record of the outbuilding. The annotated photographic study must:

- a) Be prepared to the satisfaction of the responsible authority.
- b) Be prepared by a suitably qualified person.
- c) Include the following:
  - i. Each elevation of the outbuilding
  - ii. The interior of the outbuilding
  - iii. Any architectural design detailing of the building
  - iv. A Statement prepared by an architectural historian describing and explaining both the design and construction of the building and the photographs.

67. All works must cease, if historical archaeological artefacts or deposits are discovered during any excavation or subsurface works. The Hepburn Shire Council must be informed when the approved works have been completed.

### Powercor Conditions

68. 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.

69. 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.

70. 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.

71. 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

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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.

72. 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

**Central Highlands Water Conditions**

- 73. Any plan lodged for certification will be referred to the Central Highlands Region Water Corporation pursuant to Section 8(1)(a) of the *Subdivision Act 1988*.
- 74. Reticulated sewerage facilities must be provided to each lot by the owner of the land (or applicant, in anticipation of becoming the owner) to the satisfaction of the Central Highlands Region Water Corporation. This will include the construction of works and the payment of major works contributions by the applicant.
- 75. A reticulated water supply must be provided to each lot by the owner of the land (or applicant, in anticipation of becoming the owner) to the satisfaction of the Central Highlands Region Water Corporation. This will include the construction of works and the payment of major works contributions by the applicant.
- 76. The owner will provide easements to the satisfaction of the Central Highlands Region Water Corporation, which will include easements for pipelines or ancillary purposes in favour of the Central Highlands Region Water Corporation, over all existing and proposed sewerage facilities within the proposal.
- 77. If required the owner will provide easements to the satisfaction of Central Highlands Region Water Corporation for pipeline or ancillary purposes through other land in the vicinity, as it is considered by the Authority that such easements may be required for the economical and efficient subdivision or servicing of or access to land covered by the subdivision.
- 78. If the land is developed in stages, the above conditions will apply to any subsequent stage of the subdivision.

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### Goulburn Murray Water Conditions

79. Any Plan of Subdivision lodged for certification must be referred to Goulburn Murray Rural Water Corporation pursuant to Section 8(1)(a) of the Subdivision Act.
80. Each lot must be provided with connection to the reticulated sewerage system in accordance with the requirements of the relevant urban water authority.
81. All stormwater discharged from the site must meet the urban run-off objectives and Standard C25 as specified in Clause 56.07-4 of the Victorian Planning Provisions. All infrastructure and works to manage stormwater must be in accordance with the requirements of the Hepburn Shire Council.
82. Prior to any works commencing on site a plan must be submitted to and approved by Goulburn Murray Water which clearly shows the following:
- The overland flow path of where water will be directed through the relevant proposed allotment(s) into the roadside drainage (comparing Figure 6 within the Stormwater Management Plan and the Preliminary Subdivision Layout Plan.
  - Proposed easements over the relevant allotment(s) for the flow of water in relation to 4 a) above. The easements approved by Goulburn Murray Water must be shown on any plan of subdivision submitted for certification.

### CFA Conditions

84. Prior to the issue of a Statement of Compliance under the Subdivision Act 1988 the following requirements must be met to the satisfaction of the CFA
- Above or below ground operable hydrants must be provided. The maximum distance between these hydrants 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.
  - The hydrants must be identified with marker posts and road reflectors as applicable to the satisfaction of the Country Fire Authority.
85. Roads must be constructed to a standard so that they are accessible in all weather conditions and capable of accommodating a vehicle of 15 tonnes for the trafficable road width.
- The average grade must be no more than 1 in 7 (14.4%) (8.1 degrees) with a maximum of no more than 1 in 5 (20%) (11.3 degrees) for no more than 50 meters. Dips must have no more than a 1 in 8 (12%) (7.1 degree) entry and exit angle.
  - Curves must have a minimum inner radius of 10 metres.
  - Have a minimum trafficable width of 3.5 metres and be clear of encroachments for at least 0.5 metres on each side and 4 metres above the access way.
  - Roads more than 60m in length from the nearest intersection must have a turning circle with a minimum radius of 8m (including roll-over kerbs if they are provided) T or Y heads of dimensions specified by the CFA may be used as alternatives.

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**Signature for the responsible authority:**

**Date permit comes into operation: XX Month XXXX**

(or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)

**Department of Transport and Planning (Transport) Conditions**

86. Prior to the issue of Statement of Compliance, the following roadworks on Raglan Street (Midland Highway) must be completed to the satisfaction of and at no cost to the Head, Transport for Victoria:
- a) Intersection of local road generally in accordance with provided plan from Niche Planning Studio titled Preliminary Subdivision Layout Plan dated 23/01/2023.
  - b) Widening of shoulders on the north and south road reserve either side of intersection.
87. Prior to the issue of Statement of Compliance, the redundant vehicle crossing must be removed, and the area reinstated to the satisfaction of the Hepburn Shire Council and at no cost to the Head, Transport for Victoria.
88. Prior to the issue of Statement of Compliance footpath must be constructed east of the intersection to the property boundary along Raglan Street to the satisfaction of the Hepburn Shire Council and at no cost to the Head, Transport for Victoria
89. All waste collection must be via the local road.
90. During the construction of the internal local road and dwellings the developer must ensure the Midland Highway remains debris free and maintained in a fit and proper state so as not to compromise the ability of vehicles using the Midland Highway.

**Expiry – Staged subdivision**

91. This permit as it relates to development (subdivision) will expire if one of the following circumstances applies:
- a) The plan of subdivision for the first stage has not been certified under the *Subdivision Act 1988* within 2 years of the issued date of this permit.
  - b) A statement of compliance is not issued within 5 years of the date of certification of a particular stage of subdivision.

In accordance with Section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the responsible authority for an extension of the periods referred to in this condition.

**THIS PERMIT HAS BEEN AMENDED AS FOLLOWS:**

<i>Date of amendment</i>	<i>Brief description of amendment</i>	<i>Name of responsible authority that approved the amendment</i>

**THIS PERMIT HAS BEEN EXTENDED AS FOLLOWS:**

**Date issued: XX Month XXXX**

**Signature for the responsible authority:**

**Date permit comes into operation: XX Month XXXX**

(or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)

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Form 9

Sections 96

<i>Date of extension</i>	<i>Period of extension to commence use (specify date where possible)</i>	<i>Period of extension to commence development (specify date where possible)</i>	<i>Period of extension to complete development or any stage (specify date where possible)</i>	<i>Period of extension to certify plan of subdivision (specify date where possible)</i>

## IMPORTANT INFORMATION ABOUT THIS PERMIT

### WHAT HAS BEEN DECIDED?

The responsible authority has issued a permit. This permit was granted by the Minister under section 96I of the **Planning and Environment Act 1987** on approval of Amendment No. to the Hepburn Planning Scheme.

### WHEN DOES A PERMIT BEGIN?

The permit operates from a day specified in the permit being a day on or after the day on which the amendment to which the permit applies comes into operation.

### WHEN DOES A PERMIT EXPIRE?

1. A permit for the development of land expires if–
  - the development or any stage of it does not start within the time specified in the permit; or
  - the development requires the certification of a plan of subdivision or consolidation under the **Subdivision Act 1988** and the plan is not certified within two years of the issue of the permit, unless the permit contains a different provision; or
  - the development or any stage is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation, within five years of the certification of the plan of subdivision or consolidation under the **Subdivision Act 1988**.
2. A permit for the use of land expires if–
  - the use does not start within the time specified in the permit, or if no time is specified, within two years after the issue of the permit; or
  - the use is discontinued for a period of two years.
3. A permit for the development and use of land expires if–
  - the development or any stage of it does not start within the time specified in the permit; or
  - the development or any stage of it is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit; or
  - the use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development; or
  - the use is discontinued for a period of two years.
4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in section 6A(2) of the **Planning and Environment Act 1987**, or to any combination of use, development or any of those circumstances requires the certification of a plan under the **Subdivision Act 1988**, unless the permit contains a different provision–
  - the use or development of any stage is to be taken to have started when the plan is certified; and
  - the permit expires if the plan is not certified within two years of the issue of the permit.
5. The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

### WHAT ABOUT REVIEWS?

In accordance with section 96M of the **Planning and Environment Act 1987**, the applicant may not apply to the Victorian Administrative Tribunal for a review of any condition in this permit.

**Date issued: XX Month XXXX**

**Signature for the responsible authority:**

**Date permit comes into operation: XX Month XXXX**

(or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)