

## **5 NINETEEN (19) LOT SUBDIVISION AND VARIATION TO EASEMENT AT 65 MOODY STREET, KOO WEE RUP**

FILE REFERENCE INT1764368

RESPONSIBLE GENERAL MANAGER Andrew Paxton

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### **RECOMMENDATION**

That Planning Permit Application T160108 for the subdivision of land into nineteen (19) lots and variation of an easement at 65 Moody Street, Koo Wee Rup be supported at the VCAT Application for Review P897/2017 subject to the conditions attached to this report.

### **Attachments**

- |   |   |          |
|---|---|----------|
| 1 | Locality plan                                       | 1 Page   |
| 2 | Subdivision plan                                    | 1 Page   |
| 3 | Copies of objections circulated to councillors only | 13 Pages |

### **EXECUTIVE SUMMARY:**

APPLICATION NO.: T160108

APPLICANT: Matt Fox

LAND: 65 Moody Street, Koo Wee Rup VIC 3981

PROPOSAL: Subdivision of land into nineteen (19) lots and variation of an easement.

PLANNING CONTROLS: Neighbourhood Residential Zone Schedule 1  
Land Subject to Inundation Overlay  
Clause 52.02 Easements, Restrictions and Reserves  
Clause 56 Residential Subdivision

NOTIFICATION & OBJECTIONS: The application has been advertised pursuant to Section 52 of the Planning and Environment Act 1987, by sending notices to adjoining land owners and occupiers and placing a sign on site.

Six (6) objections from two properties have been received to date

KEY PLANNING CONSIDERATIONS: Neighbourhood and township character, Impact on surrounding properties

RECOMMENDATION: Notice of Decision to Grant a Permit

### **BACKGROUND:**

The history of the site includes:

- Planning Permit T140275 was issued for Subdivision of land into two (2) lots, generally in accordance with the approved plans on 31 October 2014 with an extension of time granted on 24 November 2016.
- Planning Permit Application T150192 was lodged on 19 April 2015, further information was requested and not received as such the application lapsed on 15 July 2017.

The current application was lodged 22 February 2016 for a nineteen lot subdivision. Further information was requested in 22 March 2016 information provided on 8 September 2016. The application was notified to adjoining and adjacent properties through sending notices in September 2016. The application was delayed due to some enforcement issues including the removal of vegetation from the site.

An application for review with the Victorian Civil and Administrative Tribunal (VCAT) was lodged on 1 June 2017 for failure to determine the application within the statutory timeframe. The VCAT case is set to be heard on 18 October 2017.

#### **SUBJECT SITE:**

The site is located on the north west side of Moody Street approximately 290 metres south-west of Quinny Street in Koo Wee Rup, with north west boundary abutting Boundary Drain Road. The site is generally rectangular in shape with a frontage of 76.73 metres and depth of 227.5 metres with an overall area of 1.7 hectares.

The site is relatively flat. The site is burdened by a restrictive covenant restricting any quarrying operation from the site and is currently burdened by an easement along the north east boundary of the site.

The site is currently developed with a single dwelling and surrounding outbuildings in the south end of the site with remaining areas open grassland. The existing crossovers are located on the west side of the site.

The main characteristics of the surrounding area are:

- *North East:* The property to the north east is developed with a large single dwelling located in the southern portion of the site, open grazing land to the north west.
- *South West:* The property to the south west is developed with a single dwelling located in the southern portion of the site, open grazing land throughout the remainder of the site with a cluster of vegetation in the north west corner of the site.
- *North West:* The land to the north west includes a municipal reserve used for a children's playground and public open space with a number of trees located along the common boundary
- *South East:* The land to the south east includes the Moody Street road-reserve including a nature strip with open drains with overhead powerlines with a two-way roadway with on street parking and school located further south.

#### **PROPOSAL:**

The proposal is for the subdivision of land into nineteen (19) lots with the following a summary of the proposed subdivision:

- A central road is proposed with a width of 16 metres running north south with a 'T' intersection in the northern portion of the site allowing for connection to any future subdivision of land to the north east or south west.
- Three lots have frontage to Moody Street with remaining lots provided with access from the proposed road.
- Lots vary between 550m<sup>2</sup> and 911m<sup>2</sup> with an average lot size of 709 square metres
- Building envelopes are provided for each of the lots including minimum 7 metre setbacks from road frontages and 2.5 metres from common boundaries and secondary road frontages.

### **PLANNING SCHEME PROVISIONS:**

#### **State Planning Policy Framework (SPPF)**

The relevant clauses of the SPPF are:

- Clause 11 Settlement
- Clause 13.02 Floodplains
- Clause 15.01-3 Neighbourhood and subdivision design
- Clause 16 Housing
- Clause 16.01-2 Location of Residential Development
- Clause 16.01-4 Housing Diversity
- Clause 16.01-5 Housing Affordability

#### **Local Planning Policy Framework (LPPF)**

The relevant clauses of the LPPF are:

- Clause 21.03 Settlement and Housing
- Clause 21.03-1 Housing
- Clause 21.03-3 Rural Townships
- Clause 21.06-1 Design and Built form
- Clause 21.07-7 Local Areas - Koo Wee Rup
- Clause 21.09-2 Catchment Management

#### **Relevant Particular/ General Provisions and relevant incorporated or reference documents**

The relevant provisions/ documents are:

- Clause 52.01 Public Open Space Contribution and subdivision
- Clause 52.02 Easements, Restrictions and Reserves
- Clause 56 Residential Subdivision
- Clause 65 Decision guidelines
- Koo Wee Rup Township Strategy 2015

## Zone

The land is subject to the Neighbourhood Residential Zone Schedule 1

## Overlays

The land is subject to the following overlays:

- Land Subject to Inundation Overlay

## PLANNING PERMIT TRIGGERS

The proposal for the subdivision of land requires a planning permit under the following clauses of the Cardinia Planning Scheme:

- Pursuant to Clause 32.09-2 of the Neighbourhood Residential Zone (NRZ) a planning permit is required to subdivide land. Schedule 1 does not include any specified minimum subdivision area.
- Pursuant to Clause 44.04-2 of the Land Subject to Inundation overlay (LSIO) a planning permit is required to subdivide land.
- Pursuant to Clause 52.02 a planning permit is required to vary an easement.

## PUBLIC NOTIFICATION

The application has been advertised pursuant to Section 52 of the Planning and Environment Act 1987, by:

- *Sending notices to the owners and occupiers of adjoining land.*
- *Placing (a) sign on site*

Council has received six objections to date.

The key issues that were raised in the objections are:

- Entry opposite the school is a safety issue
- Impact on surrounding flora and fauna with easement between 65 and 73 Moody street running the length is bandicoot habitat with a number of ti-trees in this easement, no plan to retain these trees and not clear if dwarf galaxis fish have been found in the study area
- Inconsistent with Township Strategy including 80% of the lots are not over 700 square metres and four frontages for lot 8.9 and 17 do not have the minimum 18 metres, a maximum of 11 lots should be provided on the site.
- Flooding impacts on adjoining properties, taking way the drainage easement will impact on adjoining properties

## REFERRALS

### Ausnet

The application was referred to AusNet as a statutory referral. AusNet had no objection to the proposal subject to conditions.

*APA Group*

The application was referred to *APA Group* as a statutory referral. *APA Group* had no objection to the proposal subject to conditions

*Country Fire Authority (CFA)*

The application was referred to CFA as a statutory referral. CFA had no objection to the proposal subject to conditions

*Melbourne Water*

The application was referred to *Melbourne Water* as a statutory referral. *Melbourne Water* had no objection to the proposal subject to conditions

**DISCUSSION***State and Local Planning Policy Framework*

The proposal is consistent with State and Local Planning Policy Frameworks. In particular, the application meets State policies that encourage residential development within the designated urban growth boundary, within a close proximity to commercial centres and along public transport routes. The subdivision will increase the supply of residential land within a small township and therefore increasing housing diversity and improving housing affordability whilst providing a subdivision layout that can integrate well with the surrounding neighbourhood and township character.

Clause 21.07-7 Koo Wee Rup seeks to:

- *Ensure that any proposed use or development within or around the Koo Wee Rup Township is generally consistent with the Koo Wee Rup Township Strategy (October 2015), including the Koo Wee Rup Framework Plan (Figure 18).*

The Township Strategy notes the site is located within the New Residential Precinct 2, the subject site is noted as yielding 11 lots assuming 9 lots per hectare.

The subdivision is generally in accordance with the Koo Wee Rup Township Strategy with an average lot size of over 700 square metres and although 80% of lots are not over 700 square metres the subdivision achieves an appropriate balance between the need to provide a range of housing options to meet the needs of the community and recognising the existing rural township character of the area. The proposed subdivision results in lot areas and layout that is not uncharacteristic of the surrounds and provides appropriate lot widths combined with building envelopes that will ensure development on the site can ensure the township character is maintained, including appropriate front and side setbacks.

*Neighbourhood Residential Zone*

A subdivision within the Neighbourhood Residential Zone is to be consistent with the purpose of the zone and the relevant objectives and standards of Clause 56- Subdivision of the Cardinia Planning Scheme for subdivisions between 16 and 59 lots.

The proposed subdivision is consistent with the objectives of this zone as it provides for limited increased residential development that is respectful of the surrounding neighbourhood character. Further the application has been assessed against the relevant clauses of Clause 56 and it is considered that the subdivision generally complies.

### *Land Subject to Inundation Overlay*

The site is located within a Land Subject to Inundation Overlay, the subdivision has been referred to Melbourne Water whom had no objection to the proposal. Any development on the site would be subject to minimum floor levels in accordance with this overlay and it is considered that the subdivision will not detrimentally impact on the flood levels or flow velocity.

### *Environment Impacts*

The site contained a substantial strip of remnant vegetation abutting the eastern property boundary. This has been removed by the landowner without any planning permission. A biodiversity assessment was submitted with the subject planning permit application before the vegetation was removed. The report concluded that:

- The habitat zone has >25% cover of the indigenous shrub Swamp Paperbark *Melaleuca ericifolia*, with an understorey dominated by exotic species, including pasture grasses
- Remnant native vegetation in the study area is representative of one EVC: Swamp Scrub
- To clear the site, 0.044 hectares of native vegetation was required to be removed.
- The removal fell under the Low Risk-based pathway with an offset requirement of 0.006 General Biodiversity Equivalence Units (BEU)
- No Southern Brown Bandicoots or evidence thereof, including tracks, tunnels, diggings or scats were observed at the site.

Council are currently investigating the illegal works and enforcement action will be undertaken post any issuing of the permit.

The rest of the site is used for pasture and therefore has low environment value.

### *Variation to easement*

The proposal includes the removal of the easement along the north east boundary and replacement drainage easements between lots 9 and 10 with drainage likely to be incorporated in the road reserve. The application has been referred to Council's Engineers with no objection to the proposal subject to appropriate permit conditions.

### ***Objectors Concerns***

- *Detrimental impacts on traffic and safety for the area*

The objectors raised concerns that the proposal will result in increased traffic resulting in detrimental impacts for the surrounds and will impact on safety due to the location of the school.

The proposal has been referred to Council's Traffic Department with no objections or concerns raised in terms of the location of the new road in relationship to the school and the residential subdivision will not conflict with the school use rather will provide for new residential development well located in relation to the school.

- *Impact on Flora and Fauna*

The applicant has submitted a biodiversity report and has provided detailed information with regard to the potential impact on the threatened species in the area (bandicoot). The application has been referred to Council's Environment Department with no objection to the proposal.

- *Neighbourhood & Township character*

The subdivision is inconsistent with the township character and the Kooweerup Township Strategy, particularly Precinct 2 New Residential Area. The objectors noted that the subdivision is inconsistent with a number of design guidelines within the Koo Wee Rup Township Strategy including lots do not provide the minimum lot area or width.

It is noted that Koo Wee Rup Township Strategy is a reference document in the scheme and the noted minimum lot sizes and lot widths are not statutory requirements and have not be incorporated into the Neighbourhood Residential zone schedule, as such are considered guidelines, as established under previous applications at VCAT.

When assessing a proposal against the Township Strategy, Council must also consider the other objectives and requirements of the Scheme and carefully balance each, it is considered that although not all of the guidelines to the Koo Wee Rup Township Strategy are met, a majority are, along with the other provisions of the scheme.

It is considered that the proposal is consistent with the Local Planning Policy Framework in that the subdivision is generally consistent with the Koo Wee Rup Township Strategy.

- *Flooding*

The objectors expressed concerns with the removal of the drainage reserve will result in flooding to adjoining properties.

The application has been referred both to Council's Engineers and Melbourne Water both provided no objection to the proposal subject to conditions. It is considered that these conditions will address all flooding issues as such address the objector's concerns.

## CONCLUSION

The proposed application is consistent with State and Local Planning Policy, and the zone and overlay provisions that apply to the site. The application has been assessed against the relevant policy and it has been determined that the application satisfactorily complies with the vision for the area and should be supported at VCAT.

It is recommended that Council offers approval of Planning Permit Application T160108 for the subdivision of land into nineteen (19) lots and variation of an easement at 65 Moody Street, Koo Wee Rup subject to the following conditions.

## CONDITIONS

1. Prior to the certification of a plan of subdivision, the following must be submitted to and approved by the responsible authority. The plans must be generally in accordance with the submitted plans, but modified to show:
  - a) A detailed landscape plan and plant schedule prepared by a person suitably qualified and experienced in landscape design The plan must show the proposed landscape plan must show:
    - i. A plant schedule for the streetscapes. A street tree must be located in front of each proposed lot.
    - ii. Existing vegetation that is approved to be retained.



- iii. *A detailed plant schedule including all proposed tree, shrub, groundcover and climbing plant species.*
- iv. *The proposed location and final set out of paths and areas of pavement*
- v. *Detailed planting and construction drawings including site contours and any proposed changes to existing levels including any structural elements such as retaining walls.*
- vi. *Additional supporting information, such as certified structural designs or building forms.*

All species selected must be to the satisfaction of the Responsible Authority.

- b) A restriction on the plan of subdivision requiring that each lot created must contain the minimum garden area set out in Clause 32.09-4
2. The layout of the subdivision, and access as shown on the endorsed plan/s, may not be altered or modified without the prior written consent of the Responsible Authority.
  3. Building envelopes and minimum garden area requirement (condition 1b)) must be created as a restriction on the Plan of Subdivision submitted to the responsible authority for certification and lodged with the Titles Office for registration.
  4. Before a Statement of Compliance is issued under the *Subdivision Act 1988*, the applicant or owner of the land must pay to the Responsible Authority a cash payment equivalent to the value of the percentage of Net Developable Area of the land in lieu of the provision of land for Public Open Space in accordance with the Schedule to Clause 52.01 of the Cardinia Planning Scheme and the Precinct Structure Plan applying to the land.
  5. Prior to the issue of a Statement of Compliance, kerb and channel, underground drainage, concrete footpath and sealed road widening must be constructed across the Moody Street frontage of the site in accordance with plans and specifications approved by and to the satisfaction of the Responsible Authority.
  6. Before a statement of compliance is issued for the subdivision, the landscaping works shown on the approved landscape plan must be carried out and completed to the satisfaction of the Responsible Authority
  7. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority and used for no other purpose. Any dead, diseased or damaged plants are to be replaced.
  8. Before the submission and approval of detailed design construction plans (engineering plans) and the certification of the relevant plan of subdivision for each stage, a *functional layout plan* for the subdivision or stage of subdivision, generally in accordance with the standards nominated in the Cardinia Shire Council "Guidelines for the Development & Subdivision of Land", "Development Construction Specification" and the Water Sensitive Urban Design (WSUD) Guidelines, to the satisfaction of the Responsible Authority, must be submitted to and approved by the Responsible Authority.

When approved, the *functional layout plan* will be endorsed and will then form part of the permit. Three copies of the *functional layout plan* must be drawn to a scale of 1:500 to acceptable drafting standards and an electronic copy (pdf) must be provided.



The *functional layout plan* must show:

- a) A fully dimensioned subdivision layout, including proposed street names, approximate lot areas, lot numbers and widths of street reservations,
- b) Topography and existing features, including contours for the subject land and any affected adjacent land,
- c) Identification by survey of all trees (or group of trees) existing on the subject land, including dead trees and those that overhang the subject land from adjoining land,
- d) Details of tree protection zones (TPZs) for all trees to be retained on the subject land,
- e) All trees proposed for removal from the subject land clearly designated,
- f) Typical cross-sections for each street type, dimensioning individual elements, services offsets and any other spatial requirements identified in the Development Plan,
- g) Location and alignment of kerbs, indented parking spaces, footpaths, shared paths, bus stops and traffic controls,
- h) The proposed minor drainage network and any spatial features requiring access,
- i) The major drainage system, including any watercourse, lake, wetland, sediment pond rain gardens, bio-infiltration system and/or piped elements showing preliminary sizing,
- j) Overland flow paths (100 year ARI) to indicate how excess runoff will safely be conveyed to its destination,
- k) Drainage outfall system (both interim and ultimate), indicating legal point of discharge and any access requirements for the construction and maintenance,
- l) A table of offsets for all utility services and street trees,
- m) Preliminary location of reserves for electrical kiosks and
- n) Traffic management plan showing sufficient notional (unmarked) on-street car parking spaces, at the rate of one space per lot, traffic control devices and large vehicle turning overlays.
- o) The relationship between the subject subdivision stage and surrounding land,
- p) Proposed linkages to future streets, open space, regional path network and upstream drainage,
- q) Works external to the subdivision, including both interim and ultimate access requirements,
- r) Intersections with Category 1 roads showing interim and ultimate treatments,
- s) Drainage and sewerage outfalls including any easements required over other property.

9. Before the statement of compliance is issued, all road and drainage infrastructure must be designed and constructed in accordance with plans and specifications approved by the Responsible Authority. The works must comply with the standards nominated in the Cardinia Shire Council “Guidelines for the Development & Subdivision of Land”, “Development Construction Specification” and the “Water Sensitive Urban Design (WSUD) Guidelines”.

10. Before the Statement of Compliance is issued, the intersection of Moody Street and Road A (subdivision road) must be designed and constructed in accordance with plans and specifications approved by the Responsible Authority.

11. Before the Statement of Compliance is issued, outfall drainage for the subdivision must be designed and constructed to a satisfactory point of discharge in accordance with plans and specifications approved by the Responsible Authority.

12. Before a Statement of Compliance is issued under the *Subdivision Act 1988* the permit holder must provide:
- a) Provide survey enhanced “as constructed” GIS data for the drainage, road and footpath information components of the subdivision, in accordance with the current version of D-SPEC and R-SPEC. Council’s preferred format for the submission of the graphical data is in “MapInfo Native Format”. A secondary format is “MapInfo MID/MIF”. Grid Co-ordinates must be MGA zone 55 (GDA 94). Please refer to the A-SPEC website for further information: [www.a-specstandards.com.au](http://www.a-specstandards.com.au)
13. Before a Statement of Compliance is issued, all services, including drainage and/or sewerage, servicing any existing dwelling or building on the lot(s), must be relocated (if required) to the satisfaction of the Responsible Authority, to ensure that they do not cross the boundaries between the proposed lots.
14. Lighting of streets and pedestrian/cycle paths must be designed and provided (prior to the issue of a Statement of Compliance for the relevant stage) in accordance with Australian Standard 1158.1 to the satisfaction of the Responsible Authority.
15. At least 14 days before any works start, a site specific Construction Environmental Management Plan (CEMP) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved the CEMP will be endorsed and will then form part of the permit. All works must be undertaken in accordance with the approved CEMP.
- The CEMP must address all environmental risks and include:
- a) Temporary stormwater management including sedimentation control,
  - b) Provision of pollution and contamination controls including noise and dust,
  - c) Location of stockpiles and stockpile management,
  - d) Location of site office and facilities
  - e) Equipment, materials and goods management and
  - f) Tree protection zones, trees to be retained and trees to be removed.
16. All roads used for the purpose of haulage of imported or exported materials for construction must be:
- a) Approved in writing by the Responsible Authority for the submitted haulage strategy, at least seven days prior to the commencement of use,
  - b) Maintained in accordance with the Responsible Authority's maintenance intervention levels, or as requested by the Responsible Authority if the road deteriorates during the haulage period, and
  - c) Reinstated to the satisfaction of the Responsible Authority.
17. Before a certificate of practical completion is issued, CCTV results for the full length of all stormwater drainage pipes where Council is the responsibility authority, must be submitted for assessment. The submitted information is to be to the satisfaction of the Responsible Authority.
18. Before a certificate of practical completion is issued, “as constructed” digital road and drainage information in AutoCAD format with all Xrefs binded into the drawings and showing any amendments during construction, must be submitted for all civil works where Council is the Responsibility Authority

19. 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 approved plan in accordance with the authority's requirements and relevant legislation at the time.
20. 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.
21. 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.
22. The owner of the land must enter into an agreement with:
  - a. a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
  - b. a suitably qualified person for the provision of fibre ready telecommunication facilities
  - c. 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.
23. Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:
  - a. a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
  - b. a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

#### **AusNet conditions**

24. The applicant must –
  - a) Enter in an agreement with AUSNET ELECTRICITY SERVICES PTY LTD for supply of electricity to each lot on the endorsed plan.
  - a) Enter into an agreement with AUSNET ELECTRICITY SERVICES PTY LTD for the rearrangement of the existing electricity supply system.
  - b) Enter into an agreement with AUSNET ELECTRICITY SERVICES PTY LTD for rearrangement of the points of supply to any existing installations affected by any private electric power line which would cross a boundary created by the subdivision, or by such means as may be agreed by AUSNET ELECTRICITY SERVICES PTY LTD.
  - c) Provide easements satisfactory to AUSNET ELECTRICITY SERVICES PTY LTD for the purpose of "Power Line" in the favour of "AUSNET ELECTRICITY SERVICES PTY LTD" pursuant to Section 88 of the Electricity Industry Act 2000, where easements have not been otherwise provided, for all existing AUSNET ELECTRICITY SERVICES PTY LTD electric power lines and for any new power lines required to service the lots on the endorsed plan and/or abutting land.

- d) Obtain for the use of AUSNET ELECTRICITY SERVICES PTY LTD any other easement required to service the lots.
- e) Adjust the position of any existing AUSNET ELECTRICITY SERVICES PTY LTD easement to accord with the position of the electricity line(s) as determined by survey.
- f) Set aside on the plan of subdivision Reserves for the use of AUSNET ELECTRICITY SERVICES PTY LTD for electric substations.
- g) Provide survey plans for any electric substations required by AUSNET ELECTRICITY SERVICES PTY LTD and for associated power lines and cables and executes leases for a period of 30 years, at a nominal rental with a right to extend the lease for a further 30 years. AUSNET ELECTRICITY SERVICES PTY LTD requires that such leases are to be noted on the title by way of a caveat or a notification under Section 88 (2) of the Transfer of Land Act prior to the registration of the plan of subdivision.
- h) Provide to AUSNET ELECTRICITY SERVICES PTY LTD a copy of the plan of subdivision submitted for certification that shows any amendments that have been required.
- i) Agree to provide alternative electricity supply to lot owners and/or each lot until such time as permanent supply is available to the development by AUSNET ELECTRICITY SERVICES PTY LTD. Individual generators must be provided at each supply point. The generator for temporary supply must be installed in such a manner as to comply with the Electricity Safety Act 1998.
- j) Ensure that all necessary auditing is completed to the satisfaction of AUSNET ELECTRICITY SERVICES PTY LTD to allow the new network assets to be safely connected to the distribution network.

### **Country Fire Authority Conditions**

#### **Hydrants**

25. Operable hydrants, above or below ground must be provided to the satisfaction of CFA.

26. The maximum distance between these hydrants at the rear of all building envelopes (or in the absence of the building envelope, the rear of all lots) must be 120 metres and hydrants must be no more than 200 metres apart.

27. Hydrants must be identified as specified in 'Identification of Street Hydrants for Firefighting purposes' available publications on the Country Fire Authority web site ([www.cfa.vic.gov.au](http://www.cfa.vic.gov.au)).

#### **Roads**

28. Roads must be constructed to a standard so they are accessible in the all weather conditions and capable of accommodating a vehicle of 15 tonnes for the trafficable road width.

29. 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 metres. Dips must have no more than 1 in 8 (12%) (7.1 degree) entry and exit angle.

30. Roads must have a minimum trafficable width of:

- 5.5 metre if parking is prohibited on one or both sides of the road.
- 7.3 metres where parking is allowable on both sides of the road.

31. Roads more than 60 metre in length from the nearest intersection must have a turning circle with a minimum radius of 8 metres (including roll over kerbs if they area provided) T or Y heads of dimensions specified by the CFA must be used as alternatives.

### **Melbourne Water Conditions**

32. Prior to the issue of a Statement of Compliance, the owner' shall enter into and comply with an agreement with Melbourne Water Corporation for the acceptance of surface and storm water from the subject land directly or indirectly into Melbourne Water's drainage systems and waterways, the provision of drainage works and other matters in accordance with the statutory powers of Melbourne Water Corporation.
33. Prior to the certification of any stage of this subdivision, a drainage strategy for the entire subdivision must be submitted in an electronic format to Melbourne Water for acceptance.
34. The drainage strategy should include the following:
- a) The proposed alignments and flows of the minor (20% Annual Exceedance Probability AEP) and major (1% AEP) drainage systems and any proposed stormwater quality treatment systems.
  - b) Functional designs for any retarding basins, wetlands or constructed waterways within or adjoining the subdivision confirming adequate areas are being set aside for these assets.
  - c) Any proposed permanent and temporary (interim) outfall arrangements within and downstream of the subdivision.
  - d) Any staging of drainage works within the subdivision required to provide interim servicing.
  - e) Written approvals from affected landowners for any proposed works in neighbouring properties.
  - f) The subdivision layout must be in accordance with the approved drainage strategy.
35. Stormwater runoff from the subdivision must achieve State Environment Protection Policy (Waters of Victoria) objectives for environmental management of stormwater as set out in the 'Urban Stormwater Best Practice Environmental Management Guidelines (CSIRO) 1999'.
36. Prior to the issue of SOC of each Stage of Subdivision, engineering plans must be submitted to Melbourne Water for acceptance in an acceptable electronic format.
37. Filling will be required as per the Melbourne Water - Koo Wee Rup Flood Protection District Guidelines.
38. Prior to Statement of Compliance, a certified survey plan, showing levels reduced to the Australian Height Datum, must be submitted to Melbourne Water to demonstrate that Melbourne Water's conditions have been satisfied. Alignment of roads and reserves with any adjoining estates must ensure continuity and provide uninterrupted conveyance of overland flows.
39. The subdivision is to make provision for overland flows from the upstream catchment utilising roads and/or reserves.
40. Any vehicular and/or pedestrian access must be designed and constructed to comply with the following safety criteria associated with the applicable flood level. (A) Depth of flow does not exceed 0.35m; (B) Velocity of flow does not exceed 1.5m/s; (C) The Depth Velocity product does not exceed 0.35 m<sup>2</sup>/s.

41. Easements or reserves shall be created over existing and proposed Melbourne Water assets on the Plan of Subdivision to the satisfaction of Melbourne Water.
42. Prior to the issue of a Statement of Compliance for the subdivision, a separate application direct to Melbourne Water must be made for any new or modified storm water connection to Melbourne Water's drains or watercourses.
43. Prior to Certification, the Plan of Subdivision must be referred to Melbourne Water, in accordance with Section 8 of the Subdivision Act 1988.
44. Pollution and sediment laden runoff shall not be discharged directly or indirectly into Melbourne Water's drains or watercourses. Prior to the issue of a Statement of Compliance for the subdivision, a Site Management Plan detailing pollution and sediment control measures must be submitted to Melbourne Water.

### **South East Water Conditions**

#### *Potable Water*

45. The owner of the subject land must enter into an agreement with South East Water Limited for the provision of potable water supply and fulfill all requirements to its satisfaction.

#### *Sewer*

46. The owner of the subject land must enter into an agreement with South East Water Limited for the provision of sewerage and fulfill all requirements to its satisfaction.

#### *General*

47. All lots on the Plan of Subdivision are to be provided with separate connections to our potable water supply and sewerage systems.
48. Prior to certification, the Plan of Subdivision must be referred to South East Water, in accordance with Section 8 of the Subdivision Act 1988.

### **Expiry of permit:**

This permit will expire if:

- a. The subdivision is not commenced within two (2) years of the date of this permit; or
- b. The subdivision is not completed within five (5) years of the date of commencement.

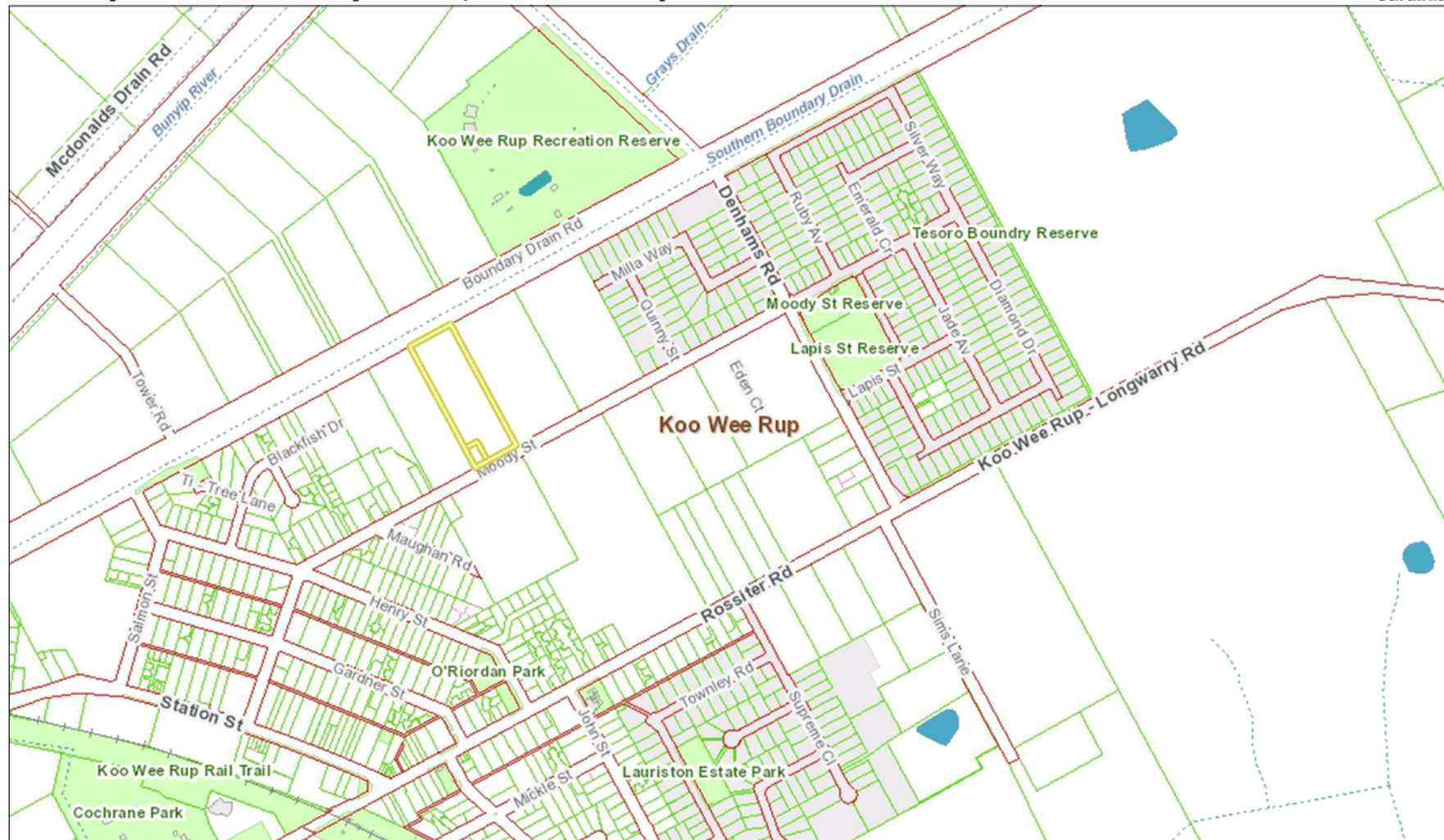
The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within three (3) months afterwards.

### **Permit Note:**

The starting of the subdivision is regarded by Section 68(3A) of the Planning and Environment Act 1987 as the certification of a plan, and completion is regarded as the registration of the plan. A 'Vehicle Crossing Permit' must be obtained from Council prior to the commencement of any works associated with the proposed vehicle crossing.



# Locality Plan - 65 Moody Street, Koo Wee Rup



430.2 0 215.09 430.2 Meters

1:8,468

Data Source: State & Local Government. © CARDINIA SHIRE COUNCIL

14-Sep-2017

Notes





