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# PLANNING PERMIT

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

Permit No.: 5.2022.7.1

Planning scheme: Northern Grampians Planning  
Scheme

Responsible authority: Northern Grampians Shire  
Council

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ADDRESS OF THE LAND: ARARAT ROAD, STAWELL (LOT 11 ON TITLE PLAN 898109C)

THE PERMIT ALLOWS FOR: STAGED MULTI LOT SUBDIVISION, CREATION/REMOVAL OF  
EASEMENTS AND ASSOCIATED WORKS ON LAND ADJOINING A ROAD IN A TRANSPORT  
ZONE 2

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

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## Amended Plans

1. Before the commencement of any works for the subdivision, amended plans to the satisfaction of the Responsible Authority, must be submitted for approval by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions. The plans must be of a high quality, be professionally drawn, and be generally in accordance with the plans submitted with the application, except where modified to include the following requirement:
  - a.) Amended subdivision plan to show all stages of the development together with the adjoining land.
  - b.) Amended subdivision plan to remove the current zone boundary (diagonal line).

## Endorsed Plans

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2. The layout and the size of the lots for the subdivision and works hereby permitted must be generally in accordance with the plans endorsed under the permit.
3. The development of each stage must be in accordance with the Bushfire Management Plan prepared by Okologie Consulting dated 28/10/2020

**Layout not to be altered - Subdivision**

4. The layout of the subdivision and the size of the lots as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.

**Landscape Plans**

5. Prior to the commencement of any works or certification of the plan of subdivision, a detailed landscape plan must be prepared for the site and be approved by the Responsible Authority. When approved, the plan will form part of the permit.

The landscape plan must include relevant details for:

- (a) All proposed landscape works within the drainage reserve including; plantings, vegetation offset areas, garden beds and lawn areas, paths, fencing, park furniture, boardwalks, bridges, etc...
- (b) All proposed drainage infrastructure within public reserves including; earthworks retention basins, underground pipes, stormwater outlets and water sensitive urban design treatments
- (c) Street tree plantings and landscaping in road reserves including naturestrips
- (d) Planting schedules of all proposed plantings within the public reserves and road reserves including details of botanical names, common names, supply sizes, and plant numbers.

All landscaping works must be carried out in accordance with the approved landscape plan and must be completed to the satisfaction of the Responsible Authority prior to the issue of Statement of Compliance.

**Public Open Space Contribution for Subdivision**

6. Before the issue of a Statement of Compliance under the Subdivision Act 1988, the owner/permit holder must pay a Public Open Space Contribution of 5% of the site value of all land to the Responsible Authority, unless otherwise already satisfied for the land.

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**Mandatory conditions for subdivision permits**

7. 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
  - 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.
8. 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 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
  - 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.

**Council’s Infrastructure Conditions**

**Construction Phase:**

9. Before the development starts, a construction management plan must be submitted to the satisfaction of the Responsible Authority and be approved by the Responsible Authority. The plan must outline how issues such as mud on roads, dust generation and erosion and sediment control will be managed, on site, during the construction phase. Details of a contact person/site manger must also be provided to ensure the relevant person can be easily contacted should any issues arise. Management measures are to be in accordance with EPA guidelines for Environment Management.

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**Internal Road Infrastructure:**

10. Before any road, drainage or landscaping works associated with the development or subdivision starts, detailed construction plans to the satisfaction of the Responsible Authority must be submitted to the satisfaction of the Responsible Authority and be approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must show 3D contour levels and must include:

- a) Details of what Infrastructure will be constructed in each stage of the subdivision.
- b) Details of landscaping works to be delivered in each stage of the subdivision
- c) The road reserves to have a minimum width of 20m for the access connector road to connect to the 20.12m wide unmade road reserve to the south and a minimum width of 16m for the access streets;
- d) Fully sealed road pavement with kerb and channel;
- e) Road pavement design;
- f) Concrete footpaths;
- g) Underground drains;
- h) Vehicle turning templates on internal roads and access points to ensure emergency and service vehicles can manoeuvre the site appropriately
- i) Street Lighting; and
- j) Traffic control devices.

All works constructed or carried out must be in accordance with those plans.

11. Before the issue of a Statement of Compliance for each stage of the subdivision, the permit holder or owner must construct road works, drainage and other civil works, in accordance with plans and specifications approved by the Responsible Authority and in accordance with the Infrastructure Design Manual to the satisfaction of the Responsible Authority including the upgrade of the Government Road.

12. The permit holder must be responsible for all internal road infrastructure maintenance and landscaping for the first 12 months following the construction of the infrastructure and landscaping works for each stage of the subdivision. Following an onsite inspection after the 12 month defect liability period Council will take over these assets once any necessary rectification works are complete and the assets are to the satisfaction of the Responsible Authority.

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**Entry Works:**

13. Access to the estate must be provided from Sloane Street with dimensions adequate to accommodate emergency vehicles and expected service vehicles to the satisfaction of the Responsible Authority.
14. No tree(s) or significant vegetation shall be felled, lopped, topped, ring-barked, uprooted, or otherwise wilfully destroyed or removed from the Road Reserve, without the written consent of the Responsible Authority.
15. Before the subdivision is completed vehicular crossings to each lot must be constructed in accordance with the endorsed plans to the satisfaction of the Responsible Authority, and must comply with the following:
  - a. standard vehicular crossings must be constructed at right angles to the road to suit the proposed driveways, and any existing redundant crossing shall be removed and replaced with concrete (kerb and channel);
  - b. any proposed vehicular crossing must 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;
  - c. constructed in reinforced concrete; and
  - d. be the responsibility of the owner to maintain.

**Line Marking and Signage:**

16. Any existing road line marking, parking, regulatory or advisory signs that are required to be shifted, renewed or altered, plus any new signs or line marking as a result of the development must be at the owner's cost to the satisfaction of the Responsible Authority.

**General Conditions:**

17. Pedestrian safe walk zones must be clearly delineated on the road and parking pavement areas at all times to the satisfaction of the Responsible Authority.

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18. All vehicular access roads, loading and unloading areas, car parking bays and entry and exit areas to and from the site must be illuminated to the satisfaction of the Responsible Authority.

**Stormwater Drainage:**

19. Before any construction works commence onsite, a properly prepared drainage plan with computations to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. This plan must show the stages of construction as per the staged subdivision plan. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and contain the 3D design levels.

The information and plan must include:

- a. details of how the works on the land are to be drained;
  - b. computations for the proposed drainage as directed by Responsible Authority;
  - c. underground pipe drains and pits conveying stormwater through the site;
  - d. any necessary drainage easements;
  - e. stormwater retention systems; and
  - f. the legal point of discharge for each dwelling/unit .
20. Before the issue of a Statement of Compliance for any lot approved under this permit, all works constructed or carried out must be in accordance with those plans approved by the Responsible Authority to the satisfaction of the Responsible Authority.

**Councils Existing Assets:**

21. Before the development starts or subdivision works commence, the owner or developer or permit holder must submit to the Responsible Authority a written report and photos of any prior damage to public infrastructure to the satisfaction of the Responsible Authority.

Listed in the report must be the condition of footpaths, road seal, street lights, signs, nature strips and other public infrastructure fronting the property and abutting at least one property either side of the development. Unless identified with the written report, any damage to infrastructure post construction will be attributed to the development.

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The owner or developer or permit holder of the subject land must pay for any damage caused to the Council's assets/Public infrastructure caused as a result of the development for the subdivision permitted by this permit.

**Emissions and Discharges during Construction:**

- 22. The developer must restrict emissions and discharges from any construction sites within the land in accordance with the best practice environmental management techniques and guidelines contained in the Environment Protection Authority publications for sediment pollution control and Environmental Guidelines for major construction sites to the satisfaction of the Responsible Authority.

**Powercor Conditions**

- 23. 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.
- 24. The applicant shall provide an electricity supply to all lots in the subdivision in accordance with the Distributor's requirements and standards.
- 25. 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).
- 26. The applicant shall, when required by the Distributor, set aside areas with the subdivision for the purposes of establishing a substation or substations.

**GWM Water Conditions**

- 27. The owner/applicant must install water mains and associated works to serve each lot of the subdivision, at the owner's cost, and in accordance with GWMWater's specification and requirements.
- 28. The owner/applicant must provide plans and estimates of all proposed water supply works prior to commencement, for GWMWater's approval.

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29. The owner/applicant must install sewerage mains and associated works to individually serve each lot of the proposed development, at the owner's cost, in accordance with GWMWater's specifications and requirements.
30. The owner/applicant must provide plans and estimates of all proposed sewerage works prior to commencement for GWMWater's approval.
31. The owner/applicant must pay to GWMWater a fee of 3.25% of the total cost of construction (including design and supervision) for its review of design documentation and supervision of works. This fee relates to checking that the works are designed and constructed in accordance with GWM Water's requirements and does not relieve the developer from ensuring proper design and appropriate supervision.
32. The owner/applicant must provide three metre wide easements in favour of GWMWater over all existing and proposed sewers located within private land.
33. The owner/applicant must provide written notification of commencement of the works to enable GWMWater to organise inspections and coordinate with its staff.
34. The owner/ applicant must ensure all infrastructure is tested in accordance with the relevant WSA and GWMWater standards. This includes water quality, compaction, air and hydrostatic pressure testing as directed by GWMWater.
35. The owner/applicant must provide "as constructed" plans and a schedule of final asset costs at the level identified in GWMWater's asset register for all water and sewerage works upon completion.
36. The plan of subdivision submitted for certification must be referred to GWMWater in accordance with Section 8 of the Subdivision Act.

**CFA Conditions**

37. Hydrants
  - a) 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:
  - b) 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.

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- c) The hydrants must be identified with marker posts and road reflectors as applicable to the satisfaction of the Country Fire Authority.

38. Roads

- a) 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.
- b) 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.
- c) Curves must have a minimum inner radius of 10 metres.
- d) 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.
- e) 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.

**Department of Transport (for Head, Transport Victoria) Condition**

- 39. All access to the subdivision shall be from Sloane Street, with no access from Ararat Road.

**Expiry of Permit**

- 40. In accordance with Section 68 of the Planning and Environment Act 1987, this permit will expire if:
  - a. a plan in accordance with this permit is not certified under the Subdivision Act 1988 within two (2) years of the issue of the permit; or
  - b. subdivision or any stage is not completed within 5 years of the certification of the plan of subdivision or consolidation under the Subdivision Act 1988.
  - c. The development is not started within two (2) years of the date of this permit.
  - d. The development is not completed within four (4) years of this permit.

In accordance with Section 69 of the Planning and Environment Act 1987, the Responsible Authority may extend the period for certification if a request is made in writing.

**End of Conditions**

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**Permit Notes:**

**CFA**

CFA's requirements for identification of hydrants are specified in 'Identification of Street Hydrants for Firefighting Purposes' available under publications on the CFA web site ([www.cfa.vic.gov.au](http://www.cfa.vic.gov.au))

**Powercor**

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.

Where electrical works are required to achieve VSIR compliance, a registered electrical contractor must be engaged to undertake such works.

Areas set aside for substations will be formalised to the Distributor's requirements under one of the following arrangements:

- RESERVES established by the applicant in favour of the Distributor.
- SUBSTATION LEASE at nominal rental for a period of 30 years with rights to extend the lease for a further 30 years.

The Distributor will register such leases on title by way of a caveat prior to the registration of the plan of subdivision.

It is recommended that applications for electricity supply to each lot be submitted at the earliest opportunity so that the precise requirements of the Distributor can then be determined and accommodated. Applications for electricity supply shall be submitted via the Distributor's web portal, "mySupply" which can be accessed via the following link: <https://customer.portal.powercor.com.au/mysupply/CIAWQuickCalculator>

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## IMPORTANT INFORMATION ABOUT THIS PERMIT

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### WHAT HAS BEEN DECIDED?

The Responsible Authority has issued a permit. The permit was granted by the Minister under section 96I of the **Planning and Environment Act 1987** on approval of Amendment No. C63ngra to the Northern Grampians Planning Scheme.

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### WHEN DOES THE 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.

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### 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 a 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 5 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.

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### WHAT ABOUT REVIEWS?

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