

MINUTES

ORDINARY MEETING OF COUNCIL

Tuesday, 10 May 2016

Held at the
Council Conference and Reception Centre
City Hall, Little Malop Street, Geelong
commencing at 7.00p.m.

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**MINUTES OF THE ORDINARY MEETING
OF THE GREATER GEELONG CITY COUNCIL
HELD AT THE COUNCIL CONFERENCE AND RECEPTION CENTRE
CITY HALL, LITTLE MALOP STREET, GEELONG
TUESDAY, 10 MAY 2016
COMMENCING AT 7.00P.M.**

PRESENT: Yehudi Blacher (Interim Administrator)

Also present: K Spiller (Chief Executive Officer), D Frost (General Manager Strategy & Performance), P Bettess (General Manager Planning and Tourism), W Tieppo (General Manager City Services), L Quinn (General Manager Community Life), B Luxford (General Manager Investment and Attraction), M Kelly (Manager Financial Services), A Grant (Property Advisor), D Lever (Corporate Internal Auditor), T McDonald (Manager Customer Service & Council Business), A Paterson (Executive Officer)

OPENING: The Interim Administrator declared the meeting open at 7.00pm

ACKNOWLEDGEMENTS:

Council acknowledged Wadawurrung Traditional Owners of this land and all Aboriginal and Torres Strait Islander People who are part of the Greater Geelong community today.

CONFIRMATION OF MINUTES:

Moved and declared carried by the Interim Administrator:

That the Minutes of the Ordinary Meeting held on 15 March 2016 and the Special Meeting held on 3 May 2016, be confirmed.

DECLARATIONS OF CONFLICTS OF INTEREST: Nil

QUESTION TIME:

Question Time is an opportunity for questions to be addressed to Council and while the minutes record the general content, they do not purport to be a transcript of what was said by individuals. Likewise, the Interim Administrator or Officer verbal responses are in summary form only. Views expressed may not be the views of Council.

Council's practice is to provide a separate document on its website setting out questions and responses including any more detailed written responses which may be provided subsequent to the meeting.

Colin Wallace addressed the Interim Administrator as follows:

- 1) Mr Administrator, because the only officer you can hold directly to account if you are not given a clear answer is the CEO, would you ask CEO Kelvin Spiller if the recommendation of 'and entry/threshold treatment of the First Street approach to Waratah Street' in 6.7.7. of the Panel Report for Greater Geelong Planning Scheme Amendment C96/Planning Application number 1629/2004 was, in accordance with the Planning and Environment Regulations of the time, submitted to the Minister with a reason or reasons for it not being adopted?
- 2) Mr Administrator, since on the face of it the relevant regulation was not complied with in this case, when considering the mechanism for obtaining an answer, would you note that responsibility for complying at that time – 2007 – lay with planners in the Department of City Development under the authority of the Manager of City Development, Joanne Van Slageren, that Joanne Van Slageren is still the Manager of City Development, reporting to the General Manager of Planning and Development, Peter Bettess who in turn reports to the CEO, Kelvin Spiller, who is the only officer you can hold directly to account if you are not given a clear answer?

Yehudi Blacher, Interim Administrator, responded Mr Wallace raised a series of complex statements and indicated a letter of response would be provided in due course.

Mary Wallace asked:

At the Ordinary Meeting of Council on 13 August 2013, Mayor Keith Fagg was not present when the meeting began. In the chair was Deputy Mayor Bruce Harwood who at the outset told the meeting that the Mayor would be an apology that night. It was customary then for the Governance Co ordinator, located beside the chairperson, to announce requests for leave and the dates for that leave.

Out of the ordinary, Cr Andy Richards with his own lips requested an extension of leave for Mayor Keith Fagg and gave dates, the effect of which was to conceal that Keith Fagg had resumed his mayoral duties. At the previous Council Meeting on 23 July Mayor Keith Fagg was granted leave, the last day of which was 9th August and on the 11th August he had attended a function in his role as Mayor at Geelong Trades Hall.

Dean Frost, currently General Manager of Strategy and Performance, was Acting CEO at the time and was seated next to the chairperson at the start of the Ordinary Meeting of Council on 13th August 2013. The next day, Keith Fagg went to the Premier's office to tell Premier Denis Napthine of his intention to resign and two days after that Keith Fagg announced his resignation.

Through you, Mr Administrator, I'm asking Dean Frost: was Keith Fagg here at City Hall, in this building on the evening of 13 August 2013?

Yehudi Blacher, Interim Administrator, responded he did not believe it was an appropriate forum for a Council Officer to be questioned, but would provide a response in writing.

Rob Threlfall addressed the Council in respect to a funding request for St Josephs Football and Netball Club.

Yehudi Blacher, Interim Administrator, responded it was an item that would be best dealt with in consideration of the Budget report this evening. Mr Blacher indicated he would be making some general comments in relation to a number of matters.

PETITIONS: Nil

5. ADOPTION OF AMENDMENT C329 - REZONING OF LAND ADJACENT TO THE MULTICULTURAL AGED CARE SERVICES FACILITY, DE STEFANO DRIVE, NORTH GEELONG

Source: Planning and Development - City Development
General Manager: Peter Bettess
Index Reference: Application: Amendment C329 and Planning Permit 108/2015

Purpose

This report considers the submissions received about Amendment C329 and Planning Permit 108/2015 and recommends adoption of the Amendment.

Summary

- Amendment C329 and Planning Permit 108/2015 affect a portion of an un-named drainage reserve abutting the southern boundary of De Stefano Drive, North Geelong, and to the balance (western portion) of De Stefano Drive abutting the southern side of the Multicultural Aged Care Services (MACS) Facility.
- MACS has negotiated to purchase the road and a small portion of the public land to consolidate with their title.
- The Amendment will rezone land from Public Park and Recreation Zone to General Residential Zone Schedule 1. The area to be rezoned is 1846m².
- The planning application is for a permit to subdivide a part of the land purchased (from the adjoining drainage reserve) and to consolidate it with the western portion of the De Stefano Road Reserve; to remove the Road Reservation from the title; to consolidate the newly acquired area into other MACS property to the north; to reconstruct De Stefano Drive, to provide of a controlled access to the MACS site; to construct a car park, and to undertake associated drainage and earthworks.
- The amendment and planning permit have been requested by Fadgyas Planning Associates on behalf of the Multicultural Aged Care Services Geelong Inc (MACS) of 100 Weddell Road, North Geelong.
- Public exhibition of the Amendment between 26 November 2015 and 11 January 2016 resulted in three submissions: 1 submission from Barwon Water offering no objections and 2 from adjoining landowners to the south seeking changes to the fencing and landscaping of the site to address visual amenity and privacy.
- Negotiations with the submitters and applicant have resulted in changes to the draft planning permit to include more screen planting and lighting control. The submitters have accepted that these changes address their concerns.
- As changes have been made to the proposed permit conditions, the submissions have been resolved and Council is able to adopt the Amendment and submit to the Minister for Planning seeking final approval.

Moved and declared carried by the Interim Administrator -

That Council:

- 1) Adopts Amendment C329 in the form outlined in Appendix 2 of this report;**
- 2) Submits the adopted Amendment with the prescribed information to the Minister for Planning requesting approval; and**
- 3) Recommends to the Minister that a Permit be granted pursuant to Section 96G of the Planning and environment Act 1987 (Planning Permit No, 108/2015 is contained in Appendix 3).**

Background

Amendment C329 resulted from an application made by Fadgyas Planning Associates on behalf of the Multicultural Aged Care Services Geelong Inc, operator of a large aged care facility in Weddell Road, North Geelong, to rezone adjoining land to the south from Public Park and Recreation Zone to General Residential Zone 1. The Amendment request was accompanied by a planning permit application for a two-lot subdivision and buildings and works for car parking. The amendment and planning permit will provide for the re-development of De Stefano Drive as a controlled accessway to the southern part of the site and a car park to support the MACS facility, providing an additional 60 spaces.

This facility currently supports 8 independent living units and 131 high and low care beds with associated on-site car parking comfortably providing for staff and visitors. Its popularity has seen on-going incremental expansions and upgrades in recent years. As the site has been developing it has become apparent that the accessibility to, and amenity of the site could be significantly enhanced by additional modest improvements including the provision of additional car parking on site. With the formal closure of De Stefano Drive and its acquisition by MACS from Council, it is proposed to redevelop the area comprising De Stefano Drive. The car park and road works require the additional excision of a small strip of land (576 square metres) from the public reservation abutting the southern alignment of De Stefano drive, to supplement the area of the current road and facilitate the construction of more than 60 additional car parking spaces.

Appendix 1 shows the subject land and surrounding area.

Works commenced prematurely on this project before this combined rezoning and planning permit were approved. Additionally, a stand of mature gums along the southern boundary of the site, within Council's drainage reserve, were removed without Council's consent. Enforcement action was necessary and all works were halted in May 2015.

Amendment C329 and draft Planning Permit 108/2015 were exhibited between 26 November 2015 and 11 January 2016. Council received three submissions in response: one from Barwon Water advising it had no objections and two from adjoining landowners to the south in Coxon Parade (Bill McCarty and Marc North & Chamelle Yates) requesting changes to the fencing and landscaping along the southern edge of the MACS site to provide for better visual amenity and privacy from MACS.

Discussion

The two submissions seeking change to the proposal have been received from the owners of 20 and 22 Coxon Parade North Geelong. The submissions are summarised as follows:

Bill McCarty – seeking that MACS will plant trees that grow to 4-5 metres high to screen off the buildings on the south side of their land.

Marc North and Chamelle Yates – express concern about the loss of established trees along the south side of De Stefano Drive as part of the re-development works impacting on their outlook and privacy from the MACS site. They also outlined that the use of grasses Lomandra and Dianella shown on the landscaping plan generally grow no higher than 1m, giving little to no screening. As an alternative, the submitters recommend screening shrubs and trees, with a minimum mature height of 4m, be used along the southern boundary of the property and especially in front of the carpark. They are also concerned about the proposed open metal ‘pool type’ fence along the southern boundary as it does not provide any sort of screening or privacy. They submit that effective screening is vital to their quality of life as it will act to buffer noise, car pollutants, dust and run-off but also will restore some of the privacy they enjoyed before the construction and before the mature trees were removed.

Negotiations have taken place between Council officers, submitters and the applicant to determine any scope for changes to the plans that would address the issues raised and avoid the need for an independent panel hearing. This included an on-site meeting. At this meeting the submitters accepted the explanation for installing an open style fence for the security and passive surveillance benefits this provides.

The negotiations have been successful with the submitters accepting changes to the draft planning permit to provide for more dense planting of landscaping, installation of higher growing trees and inclusion of the standard lighting condition to address light spill from the site. The draft planning permit has been circulated to the submitters and applicant and all have accepted the changes proposed. This has been a good negotiated outcome for all parties.

As the submissions have been addressed through changes to the draft planning permit Council is now able to adopt the Amendment and forward it to the Minister for Planning seeking approval.

The Amendment to be adopted is in Appendix 2.

The Planning Permit recommended to be issued is in Appendix 3.

Environmental Implications

There are no environmental implications arising from this amendment.

The planning permit application has been prepared to avoid development on the land affected by the SBO.

Financial Implications

Council has reached agreement to sell the land to MACS. Following completion of the rezoning, the sale can be enacted.

Policy/Legal/Statutory Implications

The amendment implements the objectives of Planning in Victoria by addressing the Planning and Environment Act 1987, the SPPF and the LPPF.

Alignment to City Plan

The Amendment supports the Community Wellbeing strategic direction of City Plan, in particular the properties of connected, creative and strong communities and through the ongoing provision of wellbeing services and activities.

Officer Direct or Indirect Interest

In accordance with section 80(c) of the local Government Act no Council officers have any direct or indirect interest in the matters to which this amendment relates.

Risk Assessment

There is no risk associated with this Amendment.

Social Considerations

The amendment is seen as being strongly positive in terms of social considerations. MACS operates a large aged care facility at the site. The additional car parking will enhance the operational efficiency of the site whilst also providing for improved accessibility and amenity of the site for visitors who are often elderly themselves.

Human Rights Charter

The Amendment will not impact on any basic rights, freedoms and responsibilities as set out in the Charter. Planning legislation ensures an open community consultation process occurs enabling people to freely express their views and if necessary obtain a fair hearing before an independent panel.

Consultation and Communication

The Amendment was exhibited in accordance with the Planning and Environment Act 1987, including notices in the City News section of the Geelong Advertiser and Geelong Independent, letters to adjoining landowners and occupiers, letters to prescribed Ministers and relevant authorities, online and hard copy Amendment documents at the Brougham Street Council offices.

APPENDIX 1 – SUBJECT LAND



APPENDIX 2 – AMENDMENT TO BE ADOPTED

Planning and Environment Act 1987

GREATER GEELONG PLANNING SCHEME

AMENDMENT C329

INSTRUCTION SHEET

The planning authority for this amendment is Greater Geelong Planning Scheme

The Greater Geelong Planning Scheme is amended as follows:

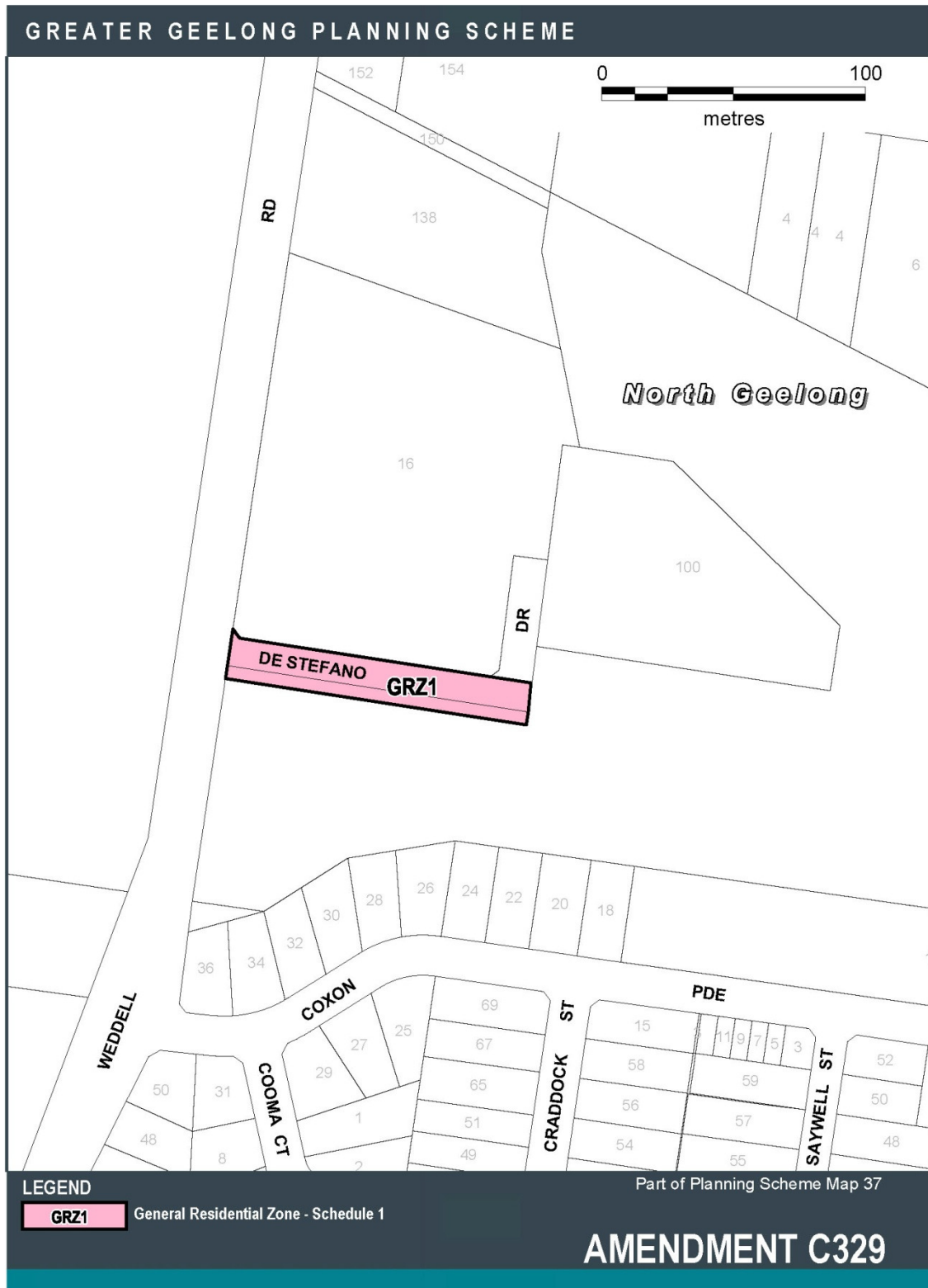
Planning Scheme Maps

The Planning Scheme Maps are amended by a total of 1 attached map sheet.

Zoning Maps

1. Amend Planning Scheme Map No.37 in the manner shown on the attached map marked “Greater Geelong Planning Scheme, Amendment C329”.

End of document



APPENDIX 3 – PLANNING PERMIT TO BE ISSUED

Page 1 of 7

**DRAFT
PLANNING
PERMIT**

Permit No.	108/2015
Planning Scheme	Greater Geelong Planning Scheme
Responsible Authority	Greater Geelong City Council

ADDRESS OF THE LAND	100 WEDDELL ROAD, NORTH GEELONG
THE PERMIT ALLOWS	TWO (2) LOT SUBDIVISION AND BUILDINGS AND WORKS ASSOCIATED WITH THE EXISTING AGED CARE FACILITY GENERALLY IN ACCORDANCE WITH THE ENDORSED PLANS

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Amended Plans

1. Prior to the commencement of the development, three (3) copies of amended plans to the satisfaction of the Responsible Authority must be submitted to and approved 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 and must be generally in accordance with the plans submitted 24 August but modified to show:
 - a) Remove the trees shown as being planted in the batter.
 - b) Inclusion of the following note on the drawings "All disturbed surfaces in the reserve will be made good with grading and grass hydromulching to council's satisfaction. All maintenance of disturbed reserve areas is the responsibility of the permit holder until handover is approved".
 - c) All fill batters, retaining structures and all other infrastructure located outside of the land covered by the Special Building Overlay. The Special Building Overlay layer is to be superimposed on the site plan to demonstrate that this condition is met.

DEVELOPMENT

Endorsed Plans

2. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
3. All development and works must be carried out in accordance with the Construction Management Plan endorsed under this permit, all to the satisfaction of the Responsible Authority.

Road and Drainage Plans

Date Issued:

Signature of the
Responsible Authority:

CONDITIONS OF PLANNING PERMIT NUMBER 108/2015 CONTINUED

4. Unless otherwise approved in writing by the Responsible Authority, prior to the commencement of site works, detailed, engineering designed road and drainage plans prepared by a suitably qualified person must be submitted to and approved by the Responsible Authority. The stormwater drainage system on the site must be designed such that stormwater runoff exiting the land meets current best practice performance objectives for stormwater quality, as detailed in Urban Stormwater: Best Practice Environmental Guidelines (CSIRO, 1999).

Construction Management Plan

5. Unless otherwise approved in writing by the Responsible Authority, prior to the commencement of site works, a Construction Management Plan shall be submitted and approved by the Responsible Authority and shall address items including (but not be limited to) the following:
- a) The protection of all existing vegetation and waterways;
 - b) Show access locations for construction vehicles;
 - c) All appropriate control of site emissions during construction and the defects liability period;
 - d) A staging plan for all construction phases including indicative dates for commencement and completion;
 - e) Intended access for construction vehicles;
 - f) Engineering assessment of assets that will be impacted on by construction and recommended techniques to minimise any adverse impact;
 - g) Details of actions to be implemented to in the event of damage to abutting assets;
 - h) Details of where construction personnel will park;
 - i) Hours/days of construction, including deliveries. (Note: These hours must be consistent with the Environment Protection Authority (EPA) legislation/guidelines);
 - j) Phone numbers of on-site personnel or other supervisory staff to be contactable in the event of issues arising on site;
 - k) Details of site cleanliness and clean up regimes;
 - l) Location of material storage;
 - m) Dust suppression management;
 - n) Details of measures to be maintained during the housing construction phase of development to prevent sediment entering downstream drainage infrastructure;
 - o) Any other measures that are consistent with the following Environmental Protection Authority publications: 'Environmental Management Guidelines for Major Construction Sites', 'Construction Techniques for Sediment and Pollution Control' and 'Doing it Right on Subdivisions'.
 - p) All development and works must be carried out in accordance with the Construction Management Plan endorsed under this permit, to the satisfaction of the Responsible Authority.

Landscape Plan

6. Unless otherwise approved in writing by the Responsible Authority, prior to the commencement of development, three (3) copies of a landscape plan prepared by a suitably qualified or experienced person must be submitted to and approved by the Responsible Authority. The plan(s) must be drawn to scale and show:

Date Issued:

Signature of the
Responsible Authority: _____

CONDITIONS OF PLANNING PERMIT NUMBER 108/2015 CONTINUED

- a) Offset planting within Council's Reserve (minimum of 27 new trees (using 45L stock or equivalent value) with the balance of the trees to be located to the north of the MACS site;
- b) The planting of Eucalyptus Cladicalyz (Sugar Gum) at 10m centres along the toe of the batter abutting the southern boundary of the site, located within Council's Reserve;
- c) The grassed planting of the batter slope with Kikuyu, located within Council's Reserve;
- d) Planting which provides adequate screening on the batter slope;
- e) The proposed Q10 and Q100 events extent;
- f) New plantings including their layout in any road reserves, municipal reserves and stormwater management elements;
- g) A detailed planting schedule of all proposed trees, shrubs and groundcovers including botanical names, common names, pot sizes, sizes at maturity, quantities and densities of each plant;
- h) Specifications for soil preparation, mulch etc;
- i) The proposed layout, materials and finishes of paths, areas of pavement, structures, fences, maintenance vehicle access crossovers maintenance access gates and street furniture;
- j) Detailed planting and construction drawings including site contours and any proposed changes to existing levels including any structural elements such as retaining walls;
- k) Detailed planting and construction drawings of any drainage and WSUD infrastructure within public reserves;
- l) Permeable fence design details for lots abutting open space reserves and Council reserves (except road reserves). Fencing detail must be to Council specifications;
- m) The maintenance schedule for all proposed landscaping, including hard and soft landscaping elements.

When approved, the plan will be endorsed and form part of the permit, all to the satisfaction of the Responsible Authority.

Prior to the Completion of the Development

7. Unless otherwise approved in writing by the Responsible Authority, prior to the completion of the development hereby approved, the developer must:
- a) Construct the site stormwater system including connection to the existing outfall to the adjoining Council land to the south of the site. Stormwater connection(s) must be in accordance with relevant standard drawings and endwalls and rock beaching must be installed to the satisfaction of the Responsible Authority.
 - b) Construct the car park and accessways, surfaced with an all-weather seal coat, and linemark the car park and accessways in accordance with the endorsed plans, to the satisfaction of the Responsible Authority.
 - c) Remove all temporary fill supporting the car park slab from Council land, to the satisfaction of the Responsible Authority.
 - d) Complete the landscaping works in accordance with the endorsed plans;
 - e) Complete all buildings and works in accordance with the endorsed plans.

Date Issued:

Signature of the
Responsible Authority: _____

CONDITIONS OF PLANNING PERMIT NUMBER 108/2015 CONTINUED

All to the satisfaction of the Responsible Authority.

Lighting of Car Park

8. Prior to the completion of the development, low intensity lighting must be provided to the satisfaction of the Responsible Authority to ensure that car park areas and pedestrian accessways are adequately illuminated during evening periods without any loss of amenity to occupiers of nearby land to the satisfaction of the Responsible Authority.

Maintenance of Landscaping Works

9. Unless otherwise approved in writing by the Responsible Authority, the permit holder must ensure that all works forming part of the endorsed landscaping plans are maintained for a minimum period of 24 months, to the satisfaction of the Responsible Authority. The maintenance period will commence on the date of Completion of the Development or issue of the Statement of Compliance (whichever occurs first) only where the landscaping works have been completed to the satisfaction of the Responsible Authority. Where the landscape works are bonded, the maintenance period will commence from the time that the landscape works have been inspected and completed to the satisfaction of the Responsible Authority. During this period, any dead, diseased or damaged plants, landscaped areas and hard landscape elements are to be repaired or replaced to the satisfaction of the Responsible Authority.

Landscape Maintenance Bond

10. Unless otherwise approved in writing by the Responsible Authority, prior to the completion of the development, a maintenance bond must be submitted to the responsible authority on application for practical completion of landscaping works.
11. The Landscape Maintenance Bond must be accompanied with the Landscape Maintenance Plan, a Schedule of Quantities showing financial value of all landscaping assets, to the satisfaction of the Responsible Authority.

Please Note:

The incomplete landscape works bond or bank guarantee must be 125 per cent of the estimated cost of incomplete landscape works; the maintenance bond or bank guarantee must be 100 per cent of the estimated cost of maintenance of landscape works for a two (2) year period. A practical completion inspection is required to satisfy this condition and must be organised by the permit holder with two weeks' notice given for onsite inspections. The incomplete landscape works bond will be returned on award of practical completion. Please contact Council's Recreation and Open Space Planning and Subdivisions Officer on 5272 4920

General

12. Excavated material shall not be carted off the site except with the written approval of the Responsible Authority.
13. No material shall be brought onto the site for use as filling within the subject area under this Permit, unless with the written approval of the Responsible Authority. Prior to any approval being issued by the Responsible Authority for imported filling to be used on the site, the applicant must submit for approval to the Responsible Authority, samples of proposed filling, details of the source of the filling, details of proposed

Date Issued:

Signature of the
Responsible Authority: _____

CONDITIONS OF PLANNING PERMIT NUMBER 108/2015 CONTINUED

traffic routes to be traversed, soil testing results and reports in regard to the presence of contaminants in the filling, and the suitability of filling to be placed on site.

14. All areas to be filled shall be stripped of vegetation and any top soil shall be removed and stockpiled for reuse over the filled areas. Only approved filling material shall be placed on the site. The filling shall be placed in maximum 150 mm layers, or as approved otherwise by the Responsible Authority, and compacted to the applicable level for filling on allotments and within future roadways in accordance with AS3798, to the satisfaction of the Responsible Authority.
15. At the completion of the bulk earthworks, and at completion of the works for each stage, all disturbed areas shall be hydro mulched with an approved seed and fertilizer mixture to the satisfaction of the Responsible Authority to suppress dust, and minimise erosion, unless approved otherwise by the Responsible Authority.
16. All works must be undertaken in accordance with the recommendations of any geotechnical reports.
17. No fill material may be placed within land covered by the Special Building Overlay (as shown on endorsed plans).

SUBDIVISION

Endorsed Plans

18. The layout and site dimensions of the proposed subdivision as shown on the endorsed plan shall not be altered or modified without the written consent of the Responsible Authority. There are no requirements to alter or modify the endorsed plan if a plan is certified under the provisions of the Subdivision Act 1988 that is generally in accordance with the endorsed plans.

Prior to Certification

19. The Plan of Subdivision submitted for certification must include all easements deemed necessary to protect existing or future drainage lines within the subject site, and any easements required between the subject site and the nominated legal point of discharge must be created to the satisfaction of the Responsible Authority.
20. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity, and gas services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.
21. 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.
22. 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.

Prior to Statement of Compliance

Date Issued:

Signature of the
Responsible Authority: _____

CONDITIONS OF PLANNING PERMIT NUMBER 108/2015 CONTINUED

23. Unless otherwise approved in writing by the Responsible Authority, prior to the issue of a statement of compliance for the subdivision, the subdivider must:
- a) Construct the site stormwater system including connection to the existing outfall to the adjoining Council land to the south of the site. Stormwater connection(s) must be in accordance with relevant standard drawings and endwalls and rock beaching must be installed to the satisfaction of the Responsible Authority;
 - b) Construct the car park and accessways, surfaced with an all-weather seal coat, and linemark the car park and accessways in accordance with the endorsed plans, to the satisfaction of the Responsible Authority;
 - c) Remove all temporary fill supporting the car park slab from Council land, to the satisfaction of the Responsible Authority;
 - d) Complete the landscaping works in accordance with the endorsed plans; and
 - e) Complete all buildings and works in accordance with the endorsed plans.

Maintenance of Landscaping Works

24. Unless otherwise approved in writing by the Responsible Authority, the permit holder must ensure that all works forming part of the endorsed landscaping plans are maintained for a minimum period of 24 months, to the satisfaction of the Responsible Authority. The maintenance period will commence on the date of Completion of the Development or issue of the Statement of Compliance (whichever occurs first) only where the landscaping works have been completed to the satisfaction of the Responsible Authority. Where the landscape works are bonded, the maintenance period will commence from the time that the landscape works have been inspected and completed to the satisfaction of the Responsible Authority. During this period, any dead, diseased or damaged plants, landscaped areas and hard landscape elements are to be repaired or replaced to the satisfaction of the Responsible Authority.

Landscape Maintenance Bond

25. Unless otherwise approved in writing by the Responsible Authority, prior to the issue of a Statement of Compliance, a maintenance bond must be submitted to the responsible authority on application for practical completion of landscaping works.
26. The Landscape Maintenance Bond must be accompanied with the Landscape Maintenance Plan, a Schedule of Quantities showing financial value of all landscaping assets, to the satisfaction of the Responsible Authority.

Please Note:

The incomplete landscape works bond or bank guarantee must be 125 per cent of the estimated cost of incomplete landscape works; the maintenance bond or bank guarantee must be 100 per cent of the estimated cost of maintenance of landscape works for a two (2) year period. A practical completion inspection is required to satisfy this condition and must be organised by the permit holder with two weeks' notice given for onsite inspections. The incomplete landscape works bond will be returned on award of practical completion. Please contact Council's Recreation and Open Space Planning and Subdivisions Officer on 5272 4920

EXPIRY

Development Expiry

Date Issued:

Signature of the
Responsible Authority: _____

CONDITIONS OF PLANNING PERMIT NUMBER 108/2015 CONTINUED

27. This permit as it relates to the development will expire if one of the following circumstances applies:

- a) The development hereby approved has not commenced within two (2) years of the date of this permit.
- b) The development hereby approved is not completed within four (4) years of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires; or

- a) Within six (6) months after the permit expires where the use or development has not yet started; or
- b) Within twelve (12) months after the permit expires, where the development allowed by the permit has lawfully commenced before the permit expiry.

Subdivision Expiry

28. This permit as it relates to subdivision will expire if one of the following circumstances applies:

- a) The plan of subdivision has not been certified within two (2) years of the date of this permit.
- b) A statement of compliance is not issued within five (5) years of the date of certification.

The Responsible Authority may extend the periods referred to at (a) if a request is made in writing before the permit expires or within six (6) months afterwards.

Engineering Notes:

1. *An inspection is required to satisfy conditions 7 and 20. A fee equivalent to 3.25% of the total cost of civil works, excluding GST, is payable to Council for inspection. A minimum fee of \$100 applies if the 3.25% amount is less than \$100. Relevant evidential documentation of the cost is to be provided.*
2. *All internal property drainage must be designed and constructed in accordance with AS/NZS 3500.*

Recreation and Open Space Notes:

1. *A Handover inspection is required to satisfy condition 4 and must be organised by the permit holder with two weeks notice given for onsite inspections. The landscape maintenance bond will be returned on award of handover.*
2. *No landscaping handovers will be accepted during the summer months from 1 December to 28 February inclusive.*

Date Issued:

Signature of the
Responsible Authority: _____

Moved and declared carried by the Interim Administrator -

That the meeting be closed to the public.

The Meeting was closed to the public at 7.52pm

A record of the proceedings of this section of the meeting is contained in a Confidential Minute Book.

The Meeting was opened to the public at 7.54pm

As there was no further business the meeting closed at 7.54pm. Tuesday, 10 May 2016.

Signed: _____
Interim Administrator

Date of Confirmation: _____