



**Business Centre:**  
 Brown Street, Hamilton 3300  
 Telephone: (03) 5573 0444  
 Facsimile: (03) 5572 2910  
 TTY: (03) 5573 0458

**Address all correspondence to:**  
 Locked Bag 685, Hamilton, Vic, 3300  
[council@sthgrampians.vic.gov.au](mailto:council@sthgrampians.vic.gov.au)  
[www.sthgrampians.vic.gov.au](http://www.sthgrampians.vic.gov.au)

**PLANNING PERMIT**

**Granted under Section 96I of the Planning and Environment Act 1987**

**Permit No:**  
 Planning Scheme:  
 Responsible Authority:

**TP/32/2018**  
 Southern Grampians  
 Southern Grampians Shire Council

**ADDRESS OF THE LAND:**

170 Rippon Road HAMILTON; Lot: 9 LP98061 and Lot 1 TP131200X Par: HAMILTON SOUTH

**THE PERMIT ALLOWS:**

Subdivision Land (subdivision of Lot 9 LP98061 into 6 lots and subdivision of Lot 1 TP131200X into 3 Lots)

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

**Endorsed Plan**

1. The layout and site dimensions of the proposed subdivision as shown on the endorsed plan(s) 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.

**Stormwater Management Plan**

2. Before the Plan of Subdivision is certified under the *Subdivision Act 1988*, a Stormwater Management Plan must be prepared and submitted to the satisfaction of the responsible authority.

**Drainage**

3. Before the Plan of Subdivision is certified under the *Subdivision Act 1988*, 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 and show any required drainage easements on the plan to the satisfaction of the responsible authority.
4. Before the issue of a Statement of Compliance for this subdivision all drainage requirements must be completed to the satisfaction of the Responsible Authority.

**Open Space Levy**

5. Before the issue of a Statement of Compliance under the *Subdivision Act 1988*, the applicant or owner must pay to the Responsible Authority a public open space contribution of five per cent of the site value in accordance with the requirements of Clause 53.01 of the Southern Grampians Planning Scheme and Section 18 of the *Subdivision Act 1988*.

**Access**

6. Before the issue of a Statement of Compliance under the *Subdivision Act 1988*, a Works within Road Reserve Permit must be obtained from the Engineering Department for vehicular access from the roadway to the

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property boundary must be constructed to the satisfaction of the Responsible Authority.

**Telecommunications Mandatory Conditions (Clause 66.01-1)**

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.

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.

**Referral Authority Conditions:**

**Wannon Water**

8. The provision, at the developers cost, of the required water supply works necessary to serve each of the lots created by the Plan of Subdivision.  
The works are to be constructed and acceptance tested under the supervision of a consulting engineer in accordance with the plans and specifications approved by Wannon Water.
9. The provision, at the developers cost, of the required sewerage works necessary to serve each of the lots created by the Plan of Subdivision.  
The works are to be constructed and acceptance tested under the supervision of a consulting engineer in accordance with the plans and specifications approved by Wannon Water.
10. The developer is to enter into an agreement with Wannon Water for payment of the new customer contributions and subdivision fees applicable to the lots created.
11. Easements and/or other notations are to be shown on the endorsed plan to the satisfaction of Wannon Water for the provision of both existing and proposed water and/or sewerage services.
12. The plans of Subdivision submitted for certification must be referred to Wannon Water in accordance with Section 8 of the *Subdivision Act 1988*.

**Powercor**

13. The plan of subdivision submitted for certification under the *Subdivision Act 1988* shall be referred to Powercor Australia Ltd in accordance with Section 8 of that Act.
14. The applicant shall:-
  - Provide an electricity supply to all lots in the subdivision in accordance with Powercor’s requirements and standards, including the extension, augmentation or re-arrangement of any existing electricity supply system, as required by Powercor (A payment to cover the cost of such work will be required). In the event that a supply is not provided the applicant shall provide a written undertaking to Powercor Australia Ltd that prospective purchasers will be so informed.
  - Where buildings or other installations exist on the land to be subdivided and are connected to the electricity supply, they shall be brought into compliance with the Service and Installation Rules issued by the Victorian Electricity Supply Industry. You shall arrange compliance through a Registered Electrical Contractor
  - Any buildings must comply with the clearances required by the Electricity Safety (Installations) Regulations.
  - Any construction work must comply with Energy Safe Victoria’s “No Go Zone” rules.

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- Set aside on the plan of subdivision for the use of Powercor Australia Ltd reserves and/or easements satisfactory to Powercor Australia Ltd where any electric substation (other than a pole mounted type) is required to service the subdivision.  
Alternatively, at the discretion of Powercor Australia Ltd a lease(s) of the site(s) and for easements for associated powerlines, cables and access ways shall be provided. Such a lease shall be for a period of 30 years at a nominal rental with a right to extend the lease for a further 30 years. Powercor Australia Ltd will register such leases on the title by way of caveat to the registration of the plan of subdivision.
- Provide easements satisfactory to Powercor Australia Ltd, where easements have not been otherwise provided, for all existing Powercor Australia Ltd electric lines on the land and for any new powerlines required to service the lots and adjoining land, save for lines located, or to be located, on public roads set out on the plan. These easements shall show on the plan an easement(s) in favour of "Powercor Australia Ltd" for "Power Line" pursuant to Section 88 of the Electricity Industry Act 2000.
- Obtain for the use of Powercor Australia Ltd any other easement external to the subdivision required to service the lots.
- Adjust the position of any existing easement(s) for powerlines to accord with the position of the line(s) as determined by survey.
- Obtain Powercor Australia Ltd's approval for lot boundaries within any area affected by an easement for a powerline and for the construction of any works in such an area.
- Provide to Powercor Australia Ltd, a copy of the version of the plan of subdivision submitted for certification, which shows any amendments which have been required.

**Downer Tenix (AusNet)**

15. The plan of subdivision submitted for certification must be referred to AusNet Gas Services in accordance with Section 8 of the *Subdivision Act 1988*.

**Expiry of Permit – Subdivision**

16. This permit will expire if:
- 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 if a request is made in writing before the permit expires or within six (6) months afterwards.

**Notes:**

- a) The starting of a subdivision is regarded by Section 68(3A) of the *Planning and Environment Act 1987* as the certification of a plan under Section 6 of the *Subdivision Act 1988*. Completion is regarded as registration of the subdivision.
- b) It is recommended that, at an early date, the applicant commences negotiations with Powercor for supply of electricity in order that supply arrangements can be worked out in detail, so prescribed information can be issued once all electricity works are completed (the release to the municipality enabling a Statement of Compliance to be issued).
- c) Prospective purchasers of lots in the subdivision should contact Powercor Australia Ltd. to determine the availability of a supply of electricity. Financial contributions may be required.

**IMPORTANT INFORMATION AND NOTES ARE CONTAINED ON THE NEXT PAGE**

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## IMPORTANT INFORMATION ABOUT THIS PERMIT

### 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. **C51sgra** to the **Southern Grampians Planning Scheme**.

### WHEN DOES A PERMIT EXPIRE?

1. A permit for the development of land expires if-
  - the development or any stage of it does not start within the time specified in the permit; or
  - the development requires the certification of a plan of subdivision or consolidation under the **Subdivision Act 1988** and the plan is not certified within two years of the issue of the permit, unless the permit contains a different provision; or
  - the development or any stage is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation within 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.

### 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.