

## **27. AMENDMENT C356 AND PP1027/2016 PONDS DRIVE LARA - CONSIDERATION OF PANEL REPORT AND ADOPTION OF AMENDMENT**

**Source:** Planning & Development  
**Acting Director:** Geoff Lawler  
**Index Reference:** Application C356, PP1027/2016

### **Purpose**

To consider the Independent Panel report and seek adoption of Planning Scheme Amendment C356 and Planning Permit 1027/2016.

### **Background**

Amendment C356 seeks to rezone part of land at 42-44 Ponds Drive and 60 Forest Road North, Lara from Urban Floodway Zone (UFZ) to General Residential Zone Schedule 1 (GRZ1) and apply a Special Building Overlay (SBO) to part of the site. The accompanying permit application is seeking a 5 lot subdivision and construction of 4 two storey dwellings at 42-44 Ponds Drive. It also seeks the removal of a restrictive covenant from the Titles of both properties.

Amendment C356 and accompanying permit were exhibited between 9 February 2017 and 13 March 2017. Three submissions were received including one objecting submission from an adjoining neighbour.

The submissions were referred to an Independent Panel which conducted a hearing on 27 July 2017 and has provided a report supporting the amendment.

### **Key Issues**

- The issues raised in the submission from the adjoining neighbour included concerns about garbage collection arrangements, increased traffic, access and parking arrangement for the additional dwellings, easement restrictions and loss of property values.
- The Independent Panel concludes
  - the amendment is consistent with State and Council planning policies;
  - the proposed development is appropriate for the site;
  - the Council and applicant have satisfactorily resolved garbage collection issues; and
  - traffic, parking, access and easement restrictions have all been adequately addressed and there is no evidence about adverse impact on property values.
- Council officers recommend Amendment be adopted and some additional conditions be applied to the accompanying permit, as recommended by the Panel.

**L Gardner moved, P Dorling seconded -**

**That Council**

- 1) Adopts Amendment C356 in the form as outlined in Attachment 6 of this report;**
- 2) Submits the adopted Amendment together with the prescribed information to the Minister for Planning requesting approval; and**
- 3) Recommends to the Minister for Planning that Planning Permit 1027/2016 be approved in the form outlined in Attachment 6 of this report.**

**Carried.**

## **Attachment 1**

### ***Discussion***

Amendment C356 is a combined Planning Scheme Amendment and Planning Permit resulting from an application made by Tract Consultants on behalf of Angelo Martucci, the owner of 42-44 Ponds Drive, Lara.

The Amendment proposes to rezone land at both 42-44 Ponds Drive and 60 Forest Road North, Lara from Urban Floodway Zone (UFZ) to General Residential Zone 1 (GRZ1) and apply a Special Building Overlay (SBO) to part of the site. The owner of 60 Forest Road North has provided written support for the proposal.

The accompanying permit is for approval for a 5 lot subdivision and construction of 4 two storey townhouses at 42-44 Ponds Drive. It also seeks removal of a restrictive covenant applying to the Titles of both properties which prevents the development of the land "other than in accordance with an approved neighbourhood design plan". The current restriction on Title prohibits the subdivision and development being proposed.

Each of the two properties are occupied by an existing detached house which are located outside the portion of the sites being rezoned by this Amendment.

Attachment 2 shows the two properties subject of this Amendment superimposed on an existing zoning plan. 42-44 Ponds Drive has a total area of 2070 sq m, approximately half of which currently falls within the UFZ. 60 Forest Road North has a total area of 7201 sq m of which approximately a quarter falls within the UFZ.

Attachment 3 is an aerial photo of the subject land and the surrounding area. Land to the south and east is a well established residential area, whilst the Hovells Creek reserve containing an existing levee bank forms the northern boundary. On the west side of Forest Road North is the site of an ex-limestone processing plant and quarry currently being rehabilitated and subject to a current rezoning proposal (Am C320).

Attachment 4 shows the exhibited subdivision and 4 dwelling development site layout proposed at 42-44 Ponds Drive.

The adopted 2011 Lara Structure Plan has identified the subject land as a future residential development opportunity subject to augmentation of the adjoining levee bank to enable the site to be declared flood free. The applicant has negotiated with Council's Engineering Services Department regarding the design and funding of the levee upgrade and these works will be completed before the Amendment/permit is sent to the Minister for approval.

All of the requirements of Council's Engineering Services Department and the Corangamite Catchment Management Authority have been included as conditions on the permit.

Amendment C356 and accompanying permit were exhibited between 9 February 2017 and 13 March 2017. Notices appeared in the Geelong Independent on 3 February 2017 and the Geelong Advertiser on 4 February 2017, with all adjoining and nearby properties individually notified.

As a result of exhibition of the Amendment a total of 3 submissions were received. One from the adjoining neighbour at 46 Ponds Drive raised issues of concern. The submissions received were from:-

- 1) Tract Consultants on behalf of the applicant setting out reasons why Council should support the proposal;
- 2) Barwon Water offering no objection to the Amendment, its requirements having being included as conditions on the permit; and

3) the owner of 46 Ponds Drive raising a number of issues of concern about unsatisfactory arrangements for garbage collection, safety issues resulting from the additional traffic generated by the proposed additional 4 dwellings, impact of the existing easement on the proposed development, suitability of driveway access arrangements to cater for 5 dwellings & potential negative impact on his property valuation.

On 2 June 2017 Council's delegate considered a report on the submissions and resolved to refer them to an Independent Panel appointed by the Minister for Planning.

The Independent Panel conducted a hearing on 27 July 2017 and has provided a report supporting the amendment. A copy of the Executive Summary is in Attachment 5. A full copy of the Panel Report has been placed on Council's amendment webpage and submitters have been notified of its release.

The Panel has addressed all of the issues raised in the concerns of the adjoining neighbour as outlined above and has concluded.

- The amendment and accompanying permit are consistent with State and Council policies.
- Ponds Drive can accommodate the traffic generated by the development and there is no reason to suggest residents' safety will be compromised by additional traffic.
- Adequate on site provision has been made for car parking.
- Council's proposed arrangements to cater for garbage bin collection, to be implemented by additional permit conditions, will address the concerns of the submitter.
- There is no evidence to suggest an adverse impact on amenity or property value of neighbours.
- Clarification of wording of "what the Permit allows" and work requirements of the adjoining levee bank (as agreed by parties at the hearing).

Based on the above, the Panel makes the following recommendations:-

1. Amendment C356 be adopted as exhibited.
2. Planning Permit Application PP1027/2016 be approved and the permit issue subject to the conditions outlined in its report.

Council officers support the Panel recommendations and recommend that Council now adopt the Amendment and permit documents in Attachment 6.

#### ***Financial Implications***

The Amendment and permit will result in no future financial implications for Council. Agreement has been reached between the applicant and Council re: funding the upgrading of the levee. Any modification of the Ponds Drive court-head to facilitate garbage collection will be funded by the applicant.

#### ***Stakeholder Consultation and Communication***

All affected persons have been notified at the time of exhibition of this Amendment to enable them to make a submission and appear before an independent Panel appointed by the Minister for Planning if they so wish. Submitters have been notified of the Panel recommendations.

***Policy/Legal/Statutory Implications***

The Amendment is consistent with the broad thrust of State and Council planning policies which support urban consolidation/infill housing in locations which have good access to existing community services and facilities.

The Amendment specifically implements recommendations contained in Council's adopted Lara Structure Plan referred to in Clause 21.13 of the Planning Scheme.

The Independent Panel agrees that the amendment and permit are consistent with State and Council policies.

***Alignment to City Plan***

The Amendment supports the overall thrust of Growing our Economy and Sustainable Built and Natural Environment Strategic Directions in that it facilitates the development of land identified as being suitable for future residential development.

***Conflict of Interest***

No Council officers involved in the preparation of this report have a direct or indirect interest, in accordance with Section 80(c) of the Local Government Act, to which this Amendment relates.

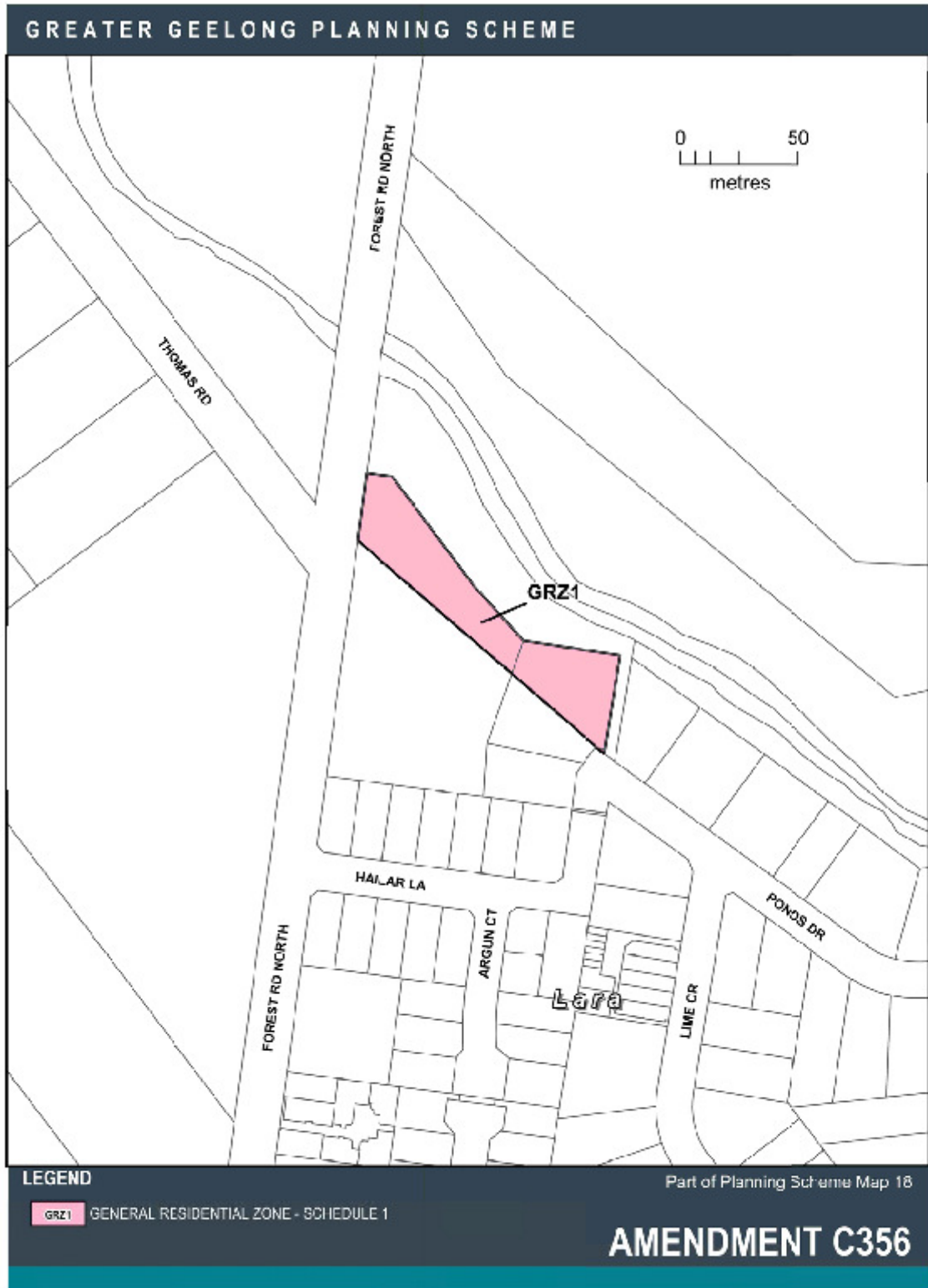
***Risk Assessment***

No risks have been identified in processing Amendment C356 and accompanying permit as being recommended by this report.

***Environmental Implications***


The Amendment and accompanying permit will result in no adverse environmental implications.

**Attachment 2 - Zoning Map**

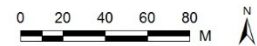


**Attachment 3 – Aerial Image**



 SUBJECT LAND

Prepared by City of Greater Geelong - 7 November 2016 (Aerial Imagery - January 2016)  
Although all due care has been taken to ensure that this document is correct, no warranty  
is expressed or implied by the City of Greater Geelong or Barwon Water in its use.





## Attachment 5 – Executive Summary of Panel Report

Greater Geelong Planning Scheme Amendment C356 and Planning Permit Application PP-1027-2016  
Panel Report | 18 August 2017

### Executive Summary

#### (i) Summary

Greater Geelong Planning Scheme Amendment C356 (the Amendment) seeks to amend the zoning of that part of 60 Forest Road North and 42 – 44 Ponds Drive, Lara, currently in the Urban Floodway Zone (UFZ), to General Residential Zone - Schedule 1 (GRZ1). The Amendment also applies the Special Building Overlay (SBO) over that part of the land that is subject to overland flows.

The Planning Permit Application accompanying the Amendment seeks to:

- remove the restriction applying to 60 Forest Road North (Lot 1) and Lot 2, 42 – 44 Ponds Drive, that requires any development to be in accordance with an approved neighbourhood design plan and that only one dwelling can be erected on Lot 2, 42 – 44 Ponds Drive.
- build four two storey dwellings on Lot 2 and re-subdivide the existing two lots (Lots 2 and 3) into five lots.

The submitter questioned why the land was not rezoned at the time he showed interest in purchasing it. Key issues raised in relation to the planning permit application were ones of safety arising from additional traffic associated with the proposed dwellings and whether existing vehicle access to the site was acceptable. A further matter referred to was the existing difficulties associated with waste collection from his and the subject land which he believed would be exasperated when additional bins would have to be collected from four additional dwellings at 42 – 44 Ponds Drive, Lara.

The submitter was also concerned that the value of his property would be affected by the development.

The submitter is not a beneficiary of the restriction that applies to 60 Forest Road North and 42 – 44 Ponds Drive and this was not referred to in his submission. There were no objections to the removal of the restrictive covenant from these sites.

The Panel has considered the written submission and those made to it by Council and the proponent at the Hearing. The Panel believes that the Amendment is in accordance with State and Local Planning Policy. The Lara Structure Plan identifies 60 Forest Road North and 42 – 44 Ponds Drive as suitable for 'Conventional residential' and the Panel believes the proposal the subject of the application is an appropriate design solution for Lot 2, 42 – 44 Ponds Drive.

The Panel does not believe that the vehicle movements associated with four additional dwellings at 42 – 44 Ponds Drive will create a safety hazard for existing residents in this street and agrees with Council that drivers are more likely to be travelling at lower speeds as they access and leave the site.

In response to refuse collection, the Panel believes the Council has addressed what it recognised as legitimate concerns of the submitter.

The Panel concludes the Amendment is strategically sound and should be approved. Based on the inclusion of the land in the GRZ1 the Panel supports the application to remove the

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Greater Geelong Planning Scheme Amendment C356 and Planning Permit Application PP-1027-2016  
Panel Report | 18 August 2017

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restrictive covenant to build four two storey dwellings in accordance with the conditions on the modified permit at Appendix C of this Report.

**(ii) Recommendations**

Based on the reasons set out in this Report, the Panel recommends that:

- 1. Amendment C356 to the Greater Geelong Planning Scheme be adopted as exhibited.**
- 2. Planning Permit Application PP-1027-2016 be issued subject to the conditions included in Appendix C of this Report.**

**Attachment 6 –Amendment & Permit for Adoption**

*Planning and Environment Act 1987*

**GREATER GEELONG PLANNING SCHEME**

**AMENDMENT C356**

**INSTRUCTION SHEET**

The planning authority for this amendment is the City of Greater Geelong.

The Greater Geelong Planning Scheme is amended as follows:

**Planning Scheme Maps**

The Planning Scheme Maps are amended by a total of two attached map sheets.

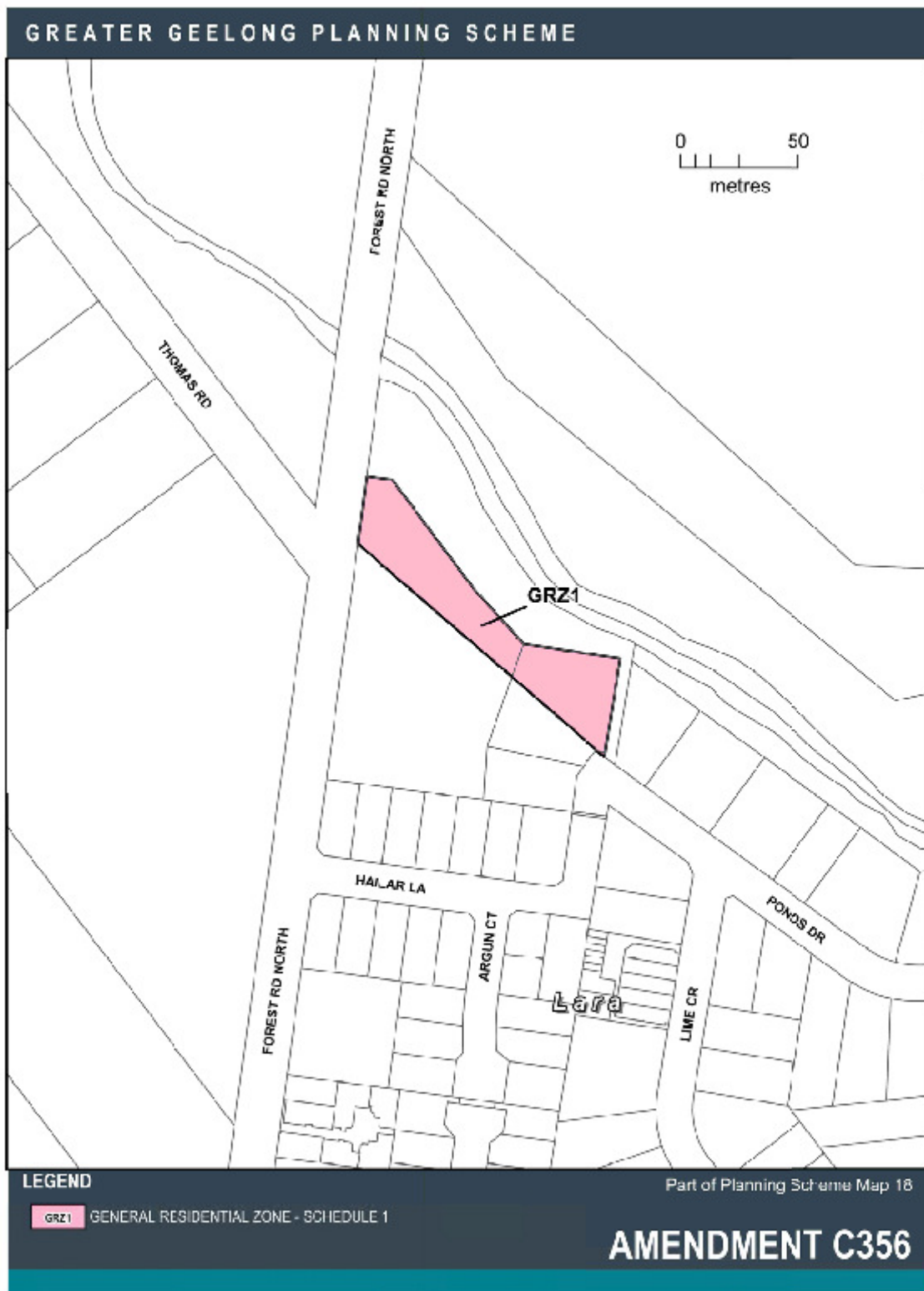
***Zoning Maps***

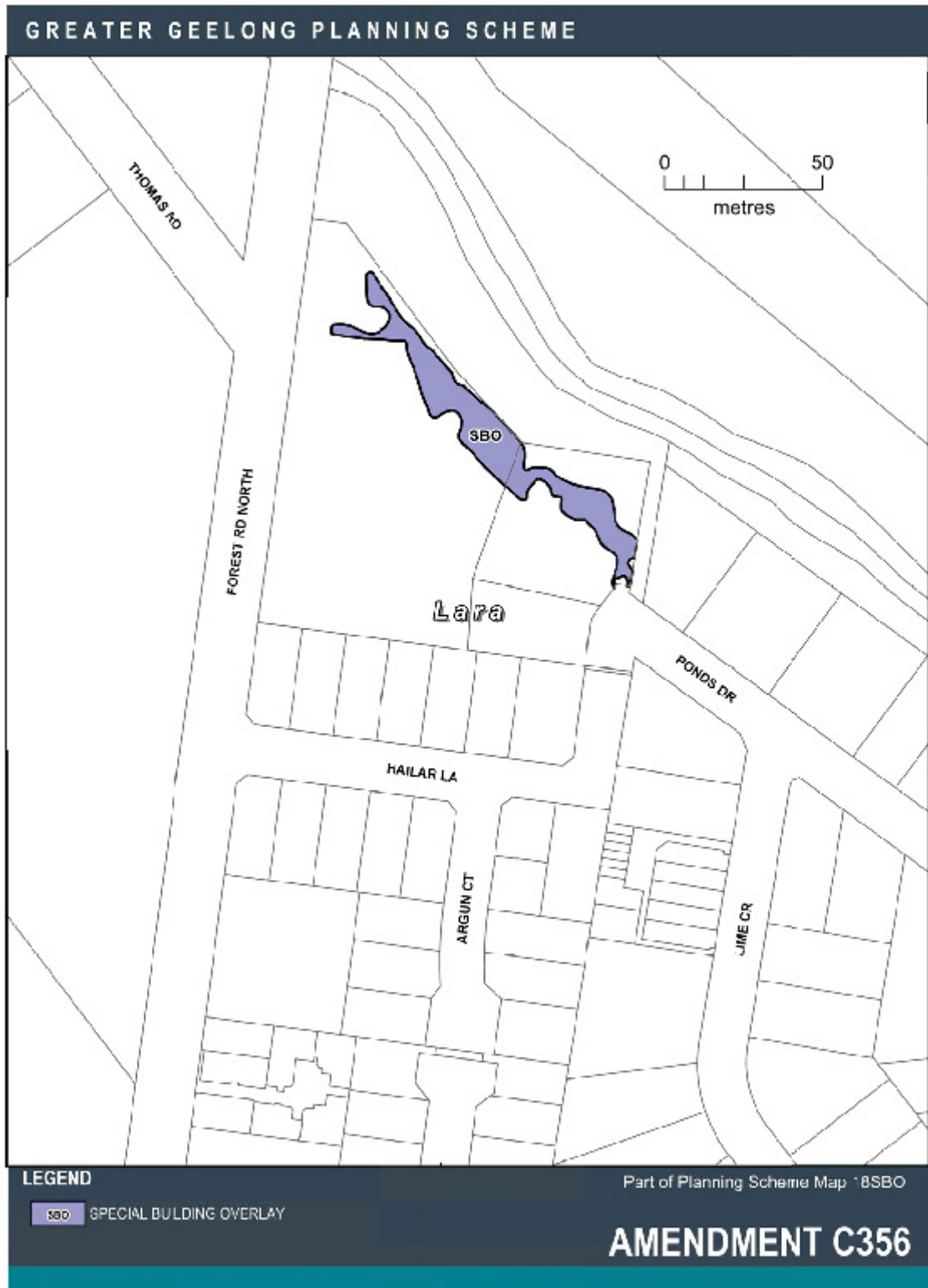
1. Amend Planning Scheme Map No 18 in the manner shown on the attached maps marked Greater Geelong Planning Scheme, Amendment C356”.

***Overlay Maps***

2. Insert new Planning Scheme Map No 18SBO in the manner shown on the attached map marked Greater Geelong Planning Scheme, Amendment C356”.

End of document





# [DRAFT] PLANNING PERMIT

Permit No. PP-1027-2016

Planning Scheme Greater Geelong Planning Scheme

Responsible Authority Greater Geelong City Council

ADDRESS OF THE LAND 42-44 PONDS DRIVE, LARA  
60 FOREST ROAD NORTH, LARA

THE PERMIT ALLOWS CONSTRUCTION OF FOUR (4) DWELLINGS AND FIVE (5) LOT SUBDIVISION AT 42-44 PONDS DRIVE LARA, AND REMOVAL OF RESTRICTION PS431989M FROM LOTS 1 & 2 ON PS431989 GENERALLY IN ACCORDANCE WITH THE ENDORSED PLANS

## THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

### DEVELOPMENT

#### Endorsed Plans

1. The development as shown on the endorsed plan(s) must not be altered without the written consent of the Responsible Authority.

#### Levee Remediation

2. Prior to the commencement of the development, the earth levee remediation along Hovells Creek south bank must have a minimum freeboard of 600mm above the applicable 1% AEP flood level, and generally in accordance with the plan prepared by PM Design Group, drawing nos. C01 to C08 (REV 0 DATE 23.02.15), inclusive.

#### Landscape Plans

3. Prior to the works commencing, three (3) copies of a landscape plan prepared by a suitably qualified or experienced, person to the satisfaction of the Responsible Authority, must be submitted to and approved by the Responsible Authority. The plan(s) must be drawn to scale and show:
  - a) Details of surface finishes of pathways and driveways;
  - b) A planting schedule of all proposed trees, shrubs and ground covers including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant;
  - c) Landscaping and planting within all open areas of the site;
  - d) The use of indigenous plants of the Geelong Region, Zone 14.

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

Date Issued: [DRAFT 4/8/17]

Signature of the  
Responsible Authority:

**CONDITIONS OF PLANNING PERMIT NUMBER PP-1027-2016 CONTINUED**

**Engineering Plans Required**

4. Prior to the commencement of the development engineer designed plans must be submitted to and approved by the Responsible Authority. The plans must be generally in accordance with the Waste Collection Vehicle Swept Paths prepared by Traffix Group and submitted with the application, and show:
- a) An extension to the road surface at the west end of Ponds Drive to accommodate the change of direction of Council garbage removal vehicles; and
  - b) A 'bin pad' to be located in the road reserve on the south side of Ponds Drive at the north west corner of 23 Lime Crescent Lara;
- to the satisfaction of the Responsible Authority.

**Stormwater Quality / Management:**

5. The site stormwater system must be designed and installed such that;
- a) The site stormwater discharge is not increased by the proposed development. An appropriate on site detention system designed in accordance with the Infrastructure Design Manual may be required;
  - b) Runoff is to be treated to achieve current best practice pollutant removal targets by connection to an appropriate Water Treatment Facility, with capacity to treat at least a 3 month ARI storm event, unless approved otherwise by the Responsible Authority. The Water Treatment Facility must be maintained to the satisfaction of the Responsible Authority.
- all to the satisfaction of the Responsible Authority.

**Common Property**

6. Prior to the occupation of the dwellings, the driveway within the development shall be constructed and drained to the satisfaction of the Responsible Authority.

**Floor Levels**

7. The applicable flood level for the site is RL 9.35 m AHD. The minimum floor level for habitable buildings is RL 9.65 m AHD, and the minimum floor level for garages is RL 9.50 m AHD.

**Prior to Occupation of the Dwellings**

8. Prior to the occupation of the dwellings, the developer must :
- a) Construct the site stormwater system including connections for each unit / lot into the underground drain located within the easement on site, or other nominated point/s as approved by the Responsible Authority. The stormwater connection must be in accordance with City of Greater Geelong Standard Drawings;
  - b) Construct vehicular crossings in accordance with the requirements and standards of the City of Greater Geelong;
  - c) Remove any redundant vehicular crossings with kerb and channel reinstated and the footpath/nature strip area reinstated to match existing construction in the street;
  - d) Complete and maintain the landscaping works as shown on the endorsed plans;
  - e) Construct the alterations to the Ponds Drive road reserve in accordance with the plans approved pursuant to Condition 4 of this permit.
- all to the satisfaction of the Responsible Authority.

Date Issued: [DRAFT 4/8/17]

Signature of the  
Responsible Authority:

**CONDITIONS OF PLANNING PERMIT NUMBER PP-1027-2016 CONTINUED**

**SUBDIVISION**

**Endorsed Plans**

9. 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.

**Creation of Easements**

10. 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.

**Telecommunications Condition**

11. The owner of the land must enter into agreements 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 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 (NBN) will not be provided by optical fibre.

**Stormwater Quality / Management**

12. The site stormwater system must be designed and installed such that;
- a) The site stormwater discharge is not increased by the proposed development. An appropriate on site detention system designed in accordance with the Infrastructure Design Manual may be required;
  - b) Runoff is to be treated to achieve current best practice pollutant removal targets by connection to an appropriate Water Treatment Facility, with capacity to treat at least a 3 month ARI storm event, unless approved otherwise by the Responsible Authority. The Water Treatment Facility must be maintained to the satisfaction of the Responsible Authority;
- all to the satisfaction of the Responsible Authority.

**Prior to Statement of Compliance**

13. Prior to the commencement of the development engineer designed plans must be submitted to and approved by the Responsible Authority. The plans must be generally in accordance with the Waste Collection Vehicle Swept Paths prepared by Traffix Group submitted with the application, and show:
- a) An extension to the road surface at the west end of Ponds Drive to accommodate the change of direction of Council garbage removal vehicles; and
  - b) A 'bin pad' to be located within the road reserve to the south of Ponds Drive at the north west corner of 23 Lime Crescent Lara;
- to the satisfaction of the Responsible Authority.
14. Prior to the issue of a statement of compliance, the developer must:
- a) Construct the site stormwater system including connections for each unit / lot into the underground drain located within the easement on site, or other nominated point/s as approved by the Responsible Authority. The stormwater connection must be in accordance with City of Greater Geelong Standard Drawings;

Date Issued: [DRAFT 4/8/17]

Signature of the  
Responsible Authority:

**CONDITIONS OF PLANNING PERMIT NUMBER PP-1027-2016 CONTINUED**

- b) Construct vehicular crossings in accordance with the requirements and standards of the City of Greater Geelong;
  - c) Remove any redundant vehicular crossings with kerb and channel reinstated and the footpath/nature strip area reinstated to match existing construction in the street.
  - d) Construct the alterations to the Ponds Drive road reserve in accordance with the plans approved pursuant to Condition 13 of this permit.
- all to the satisfaction of the Responsible Authority.

**Public Open Space Contribution**

15. The owner of the subject land must pay to the Council a sum equivalent to four (4) per cent of the site value of all of the land in the subdivision as a Public Open Space contribution pursuant to Section 18 of the Subdivision Act 1988. The contribution will be payable prior to the issue of a Statement of Compliance.

**Common Property**

16. Prior to the issue of a statement of compliance, the common property within the subdivision shall be constructed and drained to the satisfaction of the Responsible Authority.
17. Unless otherwise approved in writing by the Responsible Authority, prior to the issue of the Statement of Compliance:
- a) The development approved by Planning Permit 1027-2016 must be substantially completed (eg. lockup stage as a minimum) in accordance with the endorsed plans forming part of that Planning Permit (or any amendment to that permit) to the satisfaction of the Responsible Authority. Evidence must be submitted which demonstrates that the development is substantially completed to the satisfaction of the Responsible Authority;

**or**

- b) The owner of the land must enter into an agreement with the Responsible Authority pursuant to Section 173 of the Planning and Environment Act 1987 which provides for all development to be in accordance with the endorsed plans forming part of the Planning Permit 1027-2016 (or any amendment to that permit) or any subsequent Planning Permit.

The owner must pay the costs of preparation, review, execution and registration of the agreement and the agreement must be registered on the newly created title/s. The Section 173 Agreement may be ended by the Responsible Authority at the written request of the owner and at no cost to Council.

18. 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 item; and
  - b) a suitably qualified person that fibre ready telecommunications 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.

Date Issued: [DRAFT 4/8/17]

Signature of the  
Responsible Authority:

**CONDITIONS OF PLANNING PERMIT NUMBER PP-1027-2016 CONTINUED**

**Levee Remediation**

19. Prior to the issue of Statement of Compliance, the earth levee remediation along Hovells Creek south bank must have a minimum freeboard of 600mm above the applicable 1% AEP flood level, and generally in accordance with the plan prepared by PM Design Group, drawing nos. C01 to C08 (REV 0 DATE 23.02.15), inclusive.

**Barwon Water Conditions**

**General**

20. The certified plan must create implied easements under Section 12 (2) of the Subdivision Act, over all proposed existing water and sewerage works within the subdivision.
21. The plan of subdivision must be referred to Barwon Water in accordance with the Subdivision Act 1988 and any subsequent amendments to the plan provided to Barwon Water.
22. The creation of an Owners Corporation to encumber all lots within the subdivision.

**Water**

23. The provision and installation of individual water services including meters to all lots in the subdivision. A dimensioned plan showing location of all meters relative to the allotment boundaries, and its number(s), is to be submitted.
24. The payment of New Customer Contributions for water for each additional connection which includes any new lot on a plan of subdivision and/ or any apartment, unit, or premises within the development that is or can be separately metered for water supply.
25. An additional tapping is to be supplied to service the proposed development. Note that tapplings and services are not to be located under existing or proposed driveways.

**Sewer**

26. The provision of sewerage services to all lots in the subdivision. Individual allotment house connection drains are to be provided for and extend into each allotment. Note that if any common drain or drain from another allotment crosses under a proposed dwelling, a "modification to consent" is to be obtained from the Victorian Building Association and presented to Barwon Water with the required drainage plan. It should be noted that the property service sewer drain remains the responsibility of the property owner(s).
27. The payment of New Customer Contributions for sewer for each additional connection which includes any new lot on a plan of subdivision and/ or any apartment, unit, or premises within the development that is or can be separately metered (for water supply).
28. The provision of a separate sewer connection branch to all lots within the subdivision. Note that the sewer branch is to be constructed by a certified/licensed plumber. A list of certified/licensed plumbers can be provided upon request.

**Note:** The developer is to apply to Barwon Water for details relating to costs and conditions required for the provision of water supply and sewerage services to the subdivision. It would be appreciated if all communication between the developer/agent and Barwon Water quote Barwon Water reference number **L013556**.

**Downer/Tenix Conditions**

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

Date Issued: [DRAFT 4/8/17]

Signature of the  
Responsible Authority:

**CONDITIONS OF PLANNING PERMIT NUMBER PP-1027-2016 CONTINUED**

**Powercor Conditions**

30. The plan of subdivision submitted for certification under the Subdivision Act 1988 shall be referred to Powercor Australia Limited in accordance with Section 8 of that Act.
31. 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).
32. The applicant shall 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.
33. Any construction work must comply with Energy Safe Victoria's "No Go Zone" rules.
34. The applicant shall 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.
35. The applicant shall 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.
36. The applicant shall where buildings or other installations exist on the land to be subdivided connected to supply prior to 1992 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 and provide to Powercor Australia Ltd a completed Electrical Safety Certificate in accordance with Electricity Safe Victoria's Electrical Safety System. The requirements for switchboard and cable labelling contained in the Electricity Safety (Installations) Regulations are to apply.
37. The applicant shall obtain for the use of Powercor Australia Ltd any other easement external to the subdivision required to service the lots.
38. The applicant shall adjust the position of any existing easement(s) for powerlines to accord with the position of the line(s) as determined by survey.
39. The applicant shall 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.
40. The applicant shall 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.

Date Issued: [DRAFT 4/8/17]

Signature of the  
Responsible Authority:

**CONDITIONS OF PLANNING PERMIT NUMBER PP-1027-2016 CONTINUED**

**EXPIRY**

**Development Expiry**

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

- a) The development of the building(s) hereby approved has not commenced within two (2) years of the date of this permit.
- b) The development of the building(s) 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**

42. 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 if a request is made in writing before the permit expires or within six (6) months afterwards.

**Restriction Expiry**

43. This permit as it relates to the removal of restriction will expire if the documentation required is not lodged with the Land Victoria (Titles Office) within twelve (12) months of the date of issue of this permit.

**Note:**

1. Construction of the site stormwater connection/s is to be inspected by Council Representative at various stages. An appropriate fee equivalent to 3.25% of total cost of civil works, excluding GST (a minimum fee of \$100 applies if the 3.25% amount is less than \$100), is to be paid to Council for inspection. Relevant evidential documentation of the cost is to be provided.
2. All internal property drainage must be designed and constructed to satisfy AS/NZS 3500.
3. A Vehicle Crossing Permit must be obtained prior to commencement of works.
4. Prior to the commencement of works, an Application for Permission to Build Over a Drainage Easement must be lodged with Council.

Date Issued: [DRAFT 4/8/17]

Signature of the  
Responsible Authority: