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

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**Permit No.: PP-1463-2016**

**Planning scheme: Greater Geelong Planning  
Scheme**

**Responsible authority: Greater Geelong City  
Council**

**ADDRESS OF THE LAND: 2-120 MOLLERS LANE, LEOPOLD**

**THE PERMIT ALLOWS: STAGED MULTI-LOT SUBDIVISION, REMOVAL OF NATIVE  
VEGETATION, REMOVAL OF EASEMENTS, AND ALTERATION OF ACCESS AND  
SUBDIVISION OF LAND ADJACENT A ROAD ZONE CATEGORY 1**

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

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**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.

**Staging**

2. Unless otherwise approved in writing by the Responsible Authority, the subdivision must be staged in accordance with the endorsed staging plan.

**DRAINAGE CONDITIONS**

Integrated Drainage, Vegetation and Open Space Framework Plan

3. Before the plan of subdivision for Stage 1 is certified, an Integrated Drainage, Vegetation and Open Space Framework Plan must be prepared, peer reviewed and then submitted to and approved by the Responsible Authority, in consultation with the Department of Environment, Land, Water and Planning. The plan must include the following:
  - a) Concept drainage design for on-site and off-site drainage works, that includes:
    - i. water sensitive urban design (WSUD) features that achieve environmental best practice
    - ii. stormwater retardation measures that respond to the requirements of this permit including conditions 6, 11(a)-(b), 39 and 40
    - iii. a footprint showing the extent of drainage works and associated WSUD.

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- b) Concept vegetation and landscape design plans for any on-site or off-site works, that:
  - i. demonstrate how impacts on native vegetation have been avoided and minimised with the subdivision layout;
  - ii. demonstrate how retained native vegetation and any offset areas will be integrated into and protected in any open space areas;
  - iii. include design and landscaping features to support and establish habitat for fauna species, such as the Growling Grass Frog; and
  - iv. responds to the requirements of conditions 39 and 40.
- c) Unless otherwise approved in writing by the Responsible Authority, the plan must outline access and management arrangements and responsibilities, including:
  - i. responsibility for the implementation, operation and maintenance of any infrastructure, WSUD features and other environmental mitigation measures on-site and off-site;
  - ii. mechanisms for securing ongoing access and management arrangements, such as easements or on-title agreements;
  - iii. ongoing monitoring and reporting, including any requirements relating to on-site native vegetation offset areas.
- d) The Integrated Drainage, Vegetation and Open Space Framework Plan must be prepared by suitably qualified and experienced consultant(s). The plan must be peer reviewed by a suitably qualified, independent and experienced consultant to confirm that the concept design, mitigation measures and ongoing management arrangements meet best practice environmental standards and the requirements of this permit, prior to being submitted to the Responsible Authority. A copy of the peer review comments must be provided to the Responsible Authority.

All of the above must be to the satisfaction of the Responsible Authority.

- 4. All plans prepared in accordance with the conditions on this permit must be consistent with the endorsed Integrated Drainage, Vegetation and Open Space Framework Plan, unless otherwise agreed in writing and to the satisfaction of the Responsible Authority.

**Department of Environment, Land, Water and Planning conditions**

- 5. Proposed on-site wetland areas should be designed in accord with WSUD best practice to:
  - a) Retard additional stormwater volumes and rates as close to pre-development levels as possible;
  - b) Retard additional water volumes and rates during summer months;
  - c) Meet stormwater quality requirements of the Greater Geelong Planning Scheme;
  - d) Incorporate design and landscaping features that facilitate the establishment of habitat suitable for Growling Grass Frog and other fauna species.
- 6. Mitigation measures should be put in place to appropriately retard water flows and volumes during construction.

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**CORANGAMITE CATCHMENT MANAGEMENT AUTHORITY CONDITIONS**

- 7. The development must demonstrate that site and access safety achieved in accordance with Australian Rainfall and Runoff Revision Project 10 Safety Criteria. Safety is defined in terms of the depth and velocity of water over the area in question during a 1% AEP flood event as follows:
  - a) Depth must be no greater than or equal to 0.3 metres; and
  - b) Velocity must be no greater than or equal to 3.0 m/s; and
  - c) The product of depth multiplied by velocity must be no greater than or equal to 0.3 m<sup>2</sup> per second.
- 8. Any alterations to the existing waterways must result in no loss of waterway stability, no loss in floodplain storage, no increase in flood levels, depth and velocity (hazard), duration of flooding or extents on other properties (adjacent, upstream and downstream) for a range of events up to and including the 1% AEP flood event.

**ENGINEERING CONDITIONS**

- 9. Prior to certification of the plan of subdivision, engineering plans for the construction of new council infrastructure must be submitted to the satisfaction of the Responsible Authority for approval.

**Engineering Plans Required for Roads and Drainage**

- 10. Prior to the commencement of site works for any stage of the subdivision, the developer is required to submit detailed road and drainage construction plans for that stage to the Responsible Authority for approval. The plans shall include details of pits and pipes sizes, finished and existing surface levels, location of appropriate easements, detention basin(s) including any required drainage reserves, water quality treatment and connection to the legal point of discharge. The Consulting Engineer must show that the design for the drainage system complies with the requirements of the Infrastructure Design Manual (Local Government Infrastructure Design Association, Version 5.20, March 2019, or as amended from time to time) and any other relevant standards.

The plans must include, but not limited to:

- a) The stormwater drainage system on the site must be designed such that stormwater run-off exiting the land meets the current best practice performance objectives for stormwater quality as follows:
  - i. 80% retention of the typical annual load of suspended solids;
  - ii. 45% retention of the typical annual load of total phosphorous;
  - iii. 45% retention of the typical annual load of total nitrogen; and
  - iv. 70% retention of the typical annual load of gross pollutants.
- b) Site run-off shall be limited to equivalent pre-developed levels for rainfall events up to and including the critical 100 year ARI event, to the satisfaction of the Responsible Authority.

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- c) Replacement and/or augmentation of the culverts in Mollers Lane
- d) Minimum finished surface levels on all lots must be 300mm above the relevant 1% AEP flood level.
- e) Detailed methodology for the removal of existing dams.
- f) Details of waterway remediation

Note:

- 1. Detailed Road and Drainage Design Plans for any stage that result in flood levels on existing properties being adversely affected by the proposed works will not be approved for construction.

**Easements – drainage**

- 11. Any 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 in favour of the City of Greater Geelong to the satisfaction of the Responsible Authority.
- 12. Unless otherwise agreed in writing by the Responsible Authority, before the plan of subdivision for Stage 1 is certified, an easement, or suitable equivalent arrangements, must be secured to enable off-site drainage works and any WSUD or environmental mitigation measures (as shown on the endorsed Integrated Drainage, Vegetation and Open Space Framework Plan required under condition 4) to be implemented and managed to the satisfaction of the Responsible Authority.
- 13. Prior to the commencement of works for each stage of the subdivision, construction plans must be submitted to and approved by the responsible authority for the full construction of roads including road reserves, design of all intersection treatments, traffic management devices, linemarking, signage, kerb and channel, vehicle crossing laybacks, road pavement and sealing and footpaths.

The plans must include the following, to the satisfaction of the Responsible Authority:

- a) Construction of Mollers Lane including concrete kerb and channel, footpath and sealed road pavement where it abuts the subject site, unless otherwise approved in writing by the Responsible Authority;
  - b) Footpaths on both sides of roads unless otherwise approved in writing by the Responsible Authority;
  - c) All footpath treatments showing DDA compliance at all designated crossing points;
  - d) Suitable road reserve cross sections to convey major drainage flows;
  - e) Turning areas suitable for the safe and efficient turning of service and emergency vehicles;
  - f) Vehicle access point(s) for the existing telecommunications facility(s), as agreed to by the facility operator.
- 14. Unless otherwise approved in writing by the Responsible Authority, prior to lodgement of Stage 1 construction plans, a Local Area Traffic Management (LATM) plan must be

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developed for the approved subdivision with Council's Traffic Development Engineer, and submitted to and approved by the Responsible Authority.

The LATM treatments may include, but are not limited to, vehicle crossing locations, parking restrictions, signage, linemarking, traffic management devices and modified intersection priorities. The LATM treatments may also include items identified in Mollers Lane referred to in condition 14(a).

A separate street naming plan must be provided that complements the approved LATM plan and is to assist with road naming and house numbering, and must be to the satisfaction of the Responsible Authority.

**Construction Environmental Management Plan**

15. Prior to works commencing a Construction Environmental Management Plan (CEMP) must be submitted to and approved by the Responsible Authority. When approved this CEMP will form part of this permit. This plan must incorporate, but is not limited to, the following information:

- a) Measures to protect all vegetation nominated to be retained and the two waterways;
- b) 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 in the event of damage to abutting assets;
- h) Details of where construction personnel will park;
- i) Hours/days of construction, including deliveries, that are consistent with applicable 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;

The CEMP must include measures to ensure the following requirements are met:

- a) No polluted water and/or sediment laden runoff is to be discharged directly or indirectly into stormwater drains or watercourses during the construction period.
- b) No polluted stormwater runoff from the development site shall impact upon the Lake Connewarre State Game Reserve Ramsar wetland.
- c) Any construction stockpiles, fill and machinery must be placed away from those areas supporting native vegetation and drainage lines.

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- d) All vehicles, earthmoving equipment and other machinery must be cleaned of soil and plant material before entering and leaving the site to prevent the spread of weeds and pathogens.
- e) Any other measures that are consistent with the following EPA publications: 'Environmental Management Guidelines for Major Construction Sites', 'Construction Techniques for Sediment and Pollution Control' and 'Doing it Right on Subdivisions'

The CEMP must be prepared in accordance with the EPA – Guideline for Environmental Management, Doing it Right on Subdivisions, Publication 960, September 2004 and CCF Environmental Guidelines for Civil Construction, 2010.

- 16. All development and works must be carried out in accordance with the approved CEMP, to the satisfaction of the Responsible Authority.
- 17. All sediment and erosion measures must be fully implemented prior to the commencement of earthworks on the development site.
- 18. At the completion of the bulk earthworks and at the completion of the works for each stage, all disturbed areas must be hydro mulched with an approved seed to the satisfaction of the Responsible Authority to suppress dust and minimise erosion, unless otherwise approved by the Responsible Authority.
- 19. During the construction phase of the development, the following conditions must be met to the satisfaction of the Responsible Authority:
  - a) only clean rainwater shall be discharged to the stormwater drainage system;
  - b) stormwater drainage system protection measures shall be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the premises enters the stormwater drainage system;
  - c) vehicle borne material from the premises shall not accumulate on the roads abutting the site;
  - d) all machinery and equipment must be cleaned (if required) on site and not on adjacent footpaths or roads;
  - e) fencing is to be fitted and installed so as to ensure safe access for pedestrians; and
  - f) all litter must be contained on site;

**Construction of Roadworks/ Drainage**

- 20. Vehicle and other access to the land to the south of the southern drainage and open space corridor (to be developed for residential purposes) must be designed and constructed to the satisfaction of the Responsible Authority prior to the commencement of development of that part of the land.
- 21. Prior to the issuing of a Statement of Compliance for any stage of the subdivision, all road and drainage works, including basin(s), must be constructed for that stage in

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accordance with the approved plans and specifications to the satisfaction of the Responsible Authority.

22. The design and construction of civil infrastructure to become council assets must be approved and supervised by council. A fee of 3.25% of the cost of the works is to be paid to council for the checking and supervision of these works.
23. A maintenance bond of 5% of the cost of the works is to be paid to council and will be returned after successful completion of a 12 month maintenance period for civil works.
24. For a period of 24 months following the issue of a Statement of Compliance for the final stage of the subdivision, the constructed stormwater basins, which have been fully planted as per the endorsed landscape plans, shall be maintained by the developer, to the satisfaction of the Responsible Authority.
25. Prior to the issue of a Statement of Compliance for the relevant stage of subdivision, relevant street sign/s must be erected to the satisfaction of the Responsible Authority.
26. Prior to the issue of a Statement of Compliance for the relevant stage of subdivision, street lighting must be provided within the site and along external frontages in accordance with the relevant Australian Standard(s), unless otherwise agreed in writing by the Responsible Authority and unless it can be demonstrated that existing street lighting is sufficient for public safety to the satisfaction of the Responsible Authority.

**Fill**

27. Excavated material shall not be carted off the site except with the written approval of the Responsible Authority.
28. 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 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.
29. 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 otherwise approved 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.
30. All works must be undertaken in accordance with the recommendations of any geotechnical reports.

**Provisions for Waste Collection Services**

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31. Prior to the issue of a Statement of Compliance for the relevant stage of the subdivision, street signs must be erected to the satisfaction of the Responsible Authority, to prevent parking on the street on days of recycling and waste kerbside collections to allow the collection contractor to service the courts and streets.
32. During construction of the development the waste and recycling kerbside collection trucks shall not be required to reverse a distance greater than 20 metres. Temporary Hammerhead Turnarounds must be provided in accordance with condition 34 at the end of each temporary dead end road of each stage where the reversing distance exceeds 20 metres. The temporary dead end turnaround of each stage must be maintained by the applicant until the connecting road network is completed and the kerbside collection trucks can undertake all collections in a forward motion.
33. A carriageway easement must be provided over any private property that is required to create the Temporary Hammerhead Turnaround at the dead end of a street or streets. The required hammerhead length is 26.5 metres and a width of 5.5 to 6 metres. The use of private property driveways to create a hammerhead is acceptable and must be approved by the Responsible Authority unless other options are agreed to and approved by the Responsible Authority. The carriageway easement over the private property must remain in place for the duration that the temporary turnaround is required.
34. Where culs de sac are to be created they must be a minimum of 21 metres from face of kerb to face of kerb with no parking signs to apply on the day of residential waste and recycling kerbside collection.
35. Unless otherwise agreed to in writing the developer must provide to the satisfaction of the Responsible Authority bin pads on the through street for properties which front onto a Place (a short cul de sac without a turning circle). Bin pads must also be provided for bins from the properties whose frontage is used for the bin pads.

## OPEN SPACE, STREETScape AND VEGETATION PROVISIONS

### Tree Retention and Removal Plan

36. Prior to commencement of works, a detailed Tree Retention and Removal Plan shall be submitted to and approved by the Responsible Authority which clearly documents vegetation to be retained and removed. The Tree Retention and Removal Plan shall, where possible, retain trees of high arboricultural value to provide landscape, amenity and biodiversity value consistent with the objectives of the South East Leopold Framework Plan, Tract, 2016.

### Arborist Report Required

37. All tree(s) proposed for retention within a road reserve or public open space (excluding conservation areas) for any stage of the development must be independently assessed by a suitably qualified Level 5 Arborist and be informed by AS4970 – 2009 Protection of Trees on Development Sites. The assessment must be submitted to, and be to the satisfaction of, the Responsible Authority. The assessment must have regard to the

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context of tree's location and the intended setting in which it sits. The assessment report may be summarised in table format and must include as a minimum:

- a) Tree number
- b) Species identification
- c) Estimated age (e.g. juvenile, semi-mature, mature, over mature)
- d) Useful life expectancy
- e) Health
- f) Structure
- g) Arboricultural significance
- h) Hazard ranking
- i) TPZ (Tree Protection Zone)
- j) Recommendation for retention or removal
- k) Comments / remedial actions required
- l) Recommended design response for surrounding areas proposed for landscaping

The assessment must include a plan which accurately records tree locations.

The detailed design response for the area in which the tree(s) are located must be informed by the recommendations contained within the arboricultural assessment report.

**Notes**

- 1. Trees within plantations may be assessed as a group but must be individually numbered
- 2. The arborist must be provided all relevant information that will inform the inspection/assessment, i.e. their intended location, vehicle crossovers, intersections etc.

**Landscape Master Plan**

38. Unless otherwise approved in writing by the Responsible Authority, prior to issue of Statement of Compliance for the first stage of the subdivision, a Landscape Master Plan (incorporating the Street Tree Master Plan) for the permit area must be developed with, and submitted to the Responsible Authority for approval. When approved, the plan will be endorsed and form part of the permit. This plan must address and be consistent with the endorsed Integrated Drainage, Vegetation and Open Space Framework Plan, be drawn to scale with dimensions and submitted (electronically and in hard copy) and be generally in accordance with the submitted landscape master plans (Mexted Rimmer, 23/01/2018) but modified to show:

- a) The Mexted Rimmer Northern Public Open Space Landscape Masterplan and associated cross-sections dated 23.01.2018 must be amended to:
  - i. Relocate the 2.5 metre shared path further away from the southern side of the waterway, to maintain a minimum 10 metre wide riparian/ecological corridor from the edge of the 1 in 100 contour;
  - ii. Increase the narrow riparian/ecological zone on the north side of the waterway to a minimum of 10 metres from the 1 in 100 contour;

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- iii. Use local indigenous species based on those listed within Zone 3 of the City's Indigenous Plants of the Geelong Region guidelines and the relevant EVC's.
- b) The Mexted Rimmer Southern Public Open Space Landscape Masterplan and associated cross-sections dated 23.01.2018 must be amended to:
  - i. Relocate the 1.5 metre wide pathway along the northern side of the waterway to within the road reserve;
  - ii. Relocate the 2.5 metre shared path further away from the southern side of the waterway, to maintain a minimum 10 metre wide riparian/ecological corridor from the edge of the 1 in 100 contour;
  - iii. Use local indigenous species based on those listed within Zone 3 Central Bellarine Hills of the City's Indigenous Plants of the Geelong Region guidelines and the relevant EVC's.

**Notes:**

- 1. Consultation with Council's Recreation and Open Space and Environment Units during early concept design is encouraged to help facilitate efficient approval processes.

**Detailed Landscape Plans**

39. Unless otherwise agreed in writing by the Responsible Authority, prior to the Statement of Compliance being issued for each applicable stage of the subdivision, a detailed landscape plan for the stage must be prepared and submitted to the Responsible Authority for approval. When approved, the plan will be endorsed and form part of the permit. The landscape plan must be drawn to scale with dimensions and submitted electronically.

The plans must address and be consistent with the endorsed Integrated Drainage, Vegetation and Open Space Framework Plan and the endorsed Landscape Master Plan applying to the site and show, but not be limited to:

- a) The ultimate 1% and 10% Annual Exceedance Probability storm event extents;
- b) Existing vegetation that is to be retained;
- c) A detailed planting schedule and proposed planting layout of all areas of and adjoining open space, including proposed trees, shrubs, groundcovers and aquatic planting if applicable (with zonation detail), and showing botanical names, common names, pot sizes, sizes at maturity, quantities and densities of each plant;
- d) The proposed layout, materials and finish of all finished surfaces, structures, fences abutting council reserves, maintenance vehicle access crossovers, maintenance access gates, play equipment, furniture and bike parking;
- e) Detailed planting and construction drawings including site contours and any proposed changes to existing levels including any structural elements such as retaining walls;
- f) Detailed planting and construction drawings of any drainage and WSUD infrastructure within public reserves;
- g) Permeable fence design details for lots abutting open space reserves and Council reserves (excluding road reserves). Fencing detail must be to the satisfaction of the Responsible Authority;

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- h) Proposed fencing detail along northern, western and southern boundaries of the public open space reserves which adjoin private properties (not in the subdivision);
- i) Additional supporting information, such as certified structural designs or building forms;
- j) The removal of existing disused structures, foundations, pipelines, farm dams or stockpiles and the eradication of weeds;
- k) The proposed landscaping treatment of any road reserve abutting public open space;
- l) A detailed schedule of quantities showing accurate cost estimates of each item included in the plan.

**Waterway Reinstatement Plan**

40. Prior to the issue of a Statement of Compliance for the first stage of the subdivision, a Waterway Reinstatement Plan for the two creek corridors must be submitted to and approved by the Responsible Authority. The plan must detail the specific rehabilitation and revegetation of these ecological corridors. When approved the plan will be endorsed and then form part of the permit. The plan must include:
- a) Details regarding the proposed works within the waterway and its embankments;
  - b) Details of all revegetation works including the use of plants listed within the City's guidelines- Indigenous plants of the Geelong Region Zone 3 Central Bellarine Hills including plant densities, supply sizes, quantities of each plant with a note that plants must be sourced from local provenance material and site treatments;
  - c) The location of any stabilisation works (if required) such as rockwork and/or jute matting;
  - d) Details of all proposed weed control works and
  - e) Details of the proposed maintenance program prior to the transfer of the reserves to the City.

**Completion of Landscape Works**

41. Unless otherwise approved in writing by the Responsible Authority, the landscaping works shown on the approved landscape plan for a particular stage must be completed to the satisfaction of the Responsible Authority, prior to the issue of a Statement of Compliance for that stage.
42. Prior to the transfer to Council of the waterway corridors, all the works documented within the approved Waterway Rehabilitation Plan must be fully implemented by the developer, unless otherwise agreed in writing by the Responsible Authority. A detailed inspection shall be undertaken by Council officers upon completion of all the required on-ground works.
43. If the Responsible Authority agrees to issue a Statement of Compliance prior to the landscaping works being completed, the entire landscaping works must be bonded to the satisfaction of the Responsible Authority. The landscape works bond or bank guarantee must be 125 per cent of the estimated cost of entire landscape works as shown in the approved schedule of quantities submitted as part of the landscape plans. Unless otherwise agreed in writing by the Responsible Authority the bonded works must be completed within one year of the date of the lodgement of the bond.

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- 44. A practical completion inspection must be arranged by the permit holder with two weeks' notice provided for the responsible authority. The landscape works bond will be returned on award of practical completion.
- 45. Unless otherwise approved in writing by the Responsible Authority, prior to the issue of practical completion of landscaping works, or any other time as agreed by the Responsible Authority, the following must be provided to the Responsible Authority:
  - a) Building permits and structural engineering compliance, as-built construction plans, and materials detail where necessary;
  - b) Landscaping maintenance plan
  - c) Schedule of Quantities showing the financial value of all hard assets
  - d) As-built landscaping plans in PDF and GIS-ready AutoCAD (DXF) format.

**Maintenance of Landscaping**

- 46. The landscaping shown on any endorsed landscape plan for a particular stage must be maintained to the satisfaction of the Responsible Authority for a period of no less than two (2) years from the date of practical completion of the landscaping unless otherwise agreed in writing by the Responsible Authority. During this period, any dead, diseased or damaged plants are to be replaced and any landscaped area and hard assets are to be repaired as required to ensure the landscaping is maintained to the same standard as when practical completion was awarded.
- 47. Should the permit holder default on landscape maintenance requirements which leads to a partial or full replanting, the responsible authority will consider the extension of the maintenance period as necessary to provide for establishment of replacements.
- 48. The developer and contractors who will construct and maintain the subject reserves and associated landscaping must obtain and maintain appropriate public liability insurance (with the responsible authority's interest noted on the certificate of insurance) over the entire reserve area for the duration of the maintenance period.
- 49. Unless otherwise agreed in writing by the Responsible Authority, a maintenance bond must be submitted to the Responsible Authority on application for practical completion of landscaping works. The maintenance bond or bank guarantee must be 125 per cent of the estimated cost of maintenance of landscape works for a two (2) year period.

Notes:

- 1. Unless otherwise agreed in writing, the responsible authority will not be responsible for the reserve and its assets or public liability until a handover inspection has taken place and written acceptance of handover has been issued,
- 2. No handovers will be accepted during the summer months from 01 December to 28 February inclusive.

**Fencing of Council Reserves**

- 50. Prior to the issue of Statement of Compliance for any relevant stage of the subdivision, the subdivider must erect a fence on any property boundary directly abutting a reserve

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(including drainage reserves, but excluding a road reserve) in accordance with the approved landscape plan to the satisfaction of the Responsible Authority and at no cost to Council. All new timber post and rail fencing shall be of a type and installed as per Council's standard drawings.

**Council Reserves – Vehicle Access Barriers**

51. Prior to the issue of a Statement of Compliance for any relevant stage, suitable vehicle access barriers across the entrance of any Council Reserves must be provided or otherwise bonded to the satisfaction of the Responsible Authority. These must be de-mountable to allow access for Council vehicles. The location of these barriers must be determined by the Responsible Authority.

**No Utility Services on Public Open Space**

52. Utility service substations, kiosk sites and the like must not be located on any land identified as unencumbered open space unless otherwise agreed in writing by the Responsible Authority. Any existing or future easements affecting all land which is to be vested in Council must be clearly identified on the detailed landscape plans.

**REMOVAL OF NATIVE VEGETATION CONDITIONS**

53. Before works commence, the permit holder must prepare a revised Biodiversity Assessment report that accounts for all native vegetation losses being approved by this permit and having regard to the endorsed Integrated Drainage, Vegetation and Open Space Framework Plan, to the satisfaction of the Responsible Authority. The revised Biodiversity Assessment report (or other document) must be submitted to and approved by the responsible authority. When approved the report will be endorsed and will then form part of the permit.

54. Prior to the issue of a Statement of Compliance for any stage of the subdivision, evidence that the required offset in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation* (DELWP 2017) for the relevant stage has been secured must be provided to the satisfaction of the Responsible Authority. Evidence is to be in the form of one or both of the following:

- a) an established first party offset site including a security agreement signed by both parties, and a management plan detailing the 10 year management actions and ongoing management of the site; and/or
- b) credit extract(s) allocated to the permit from the Native Vegetation Credit Register.

A copy of the offset evidence will be endorsed by the Responsible Authority and form part of this permit. Within 30 days of endorsement of the offset evidence by the Responsible Authority, a copy of the endorsed offset evidence must be provided to the Department of Environment, Land, Water and Planning.

55. In the event that a security agreement is entered into as per condition 4, the applicant must provide the annual offset site condition report to the responsible authority by the anniversary date of the execution of the offset security agreement, for a period of 10 consecutive years. After the tenth year, the landowner must provide a report at the reasonable request of a statutory authority.

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**Vegetation Protection and Removal**

- 56. Removal, including pruning, of native vegetation must be undertaken using a suitably qualified arborist and be carried out in accordance with AS4373 – 2007; ‘Pruning of Amenity Trees to the satisfaction of the Responsible Authority’. The use of an excavator, backhoe, bulldozer blade or loader to trim branches of trees is not permitted.
- 57. Prior to any vegetation removal, vegetation to be removed must be clearly marked on site and accord with the endorsed Tree Retention and Removal Plan. An inspection is required to be undertaken by the Responsible Authority prior to any removal being undertaken.

**Note:**

- 1. Please contact the City’s Environment (and /or Parks) Unit to discuss inspection requirements and provide adequate notice of any request arrange an inspection.
- 58. Prior to any vegetation removal, the vegetation to be retained on site shall be fully protected by Tree Protection Fencing in accordance with AS4970-2009 Protection of Trees on Development Sites. The Tree Protection Fencing must have signs attached around the fencing which clearly states - TREE PROTECTION ZONE - No Access Permitted. An inspection is required once the Tree Protection Fencing has been erected. Any requirements in the Arborist Report submitted under condition 38 must also be met.
- 59. Water run-off must be designed to ensure that native vegetation to be protected is not compromised, to the satisfaction of the Responsible Authority.
- 60. All work within the drip line of any tree to be retained above or below ground must be supervised by a suitably qualified level 5 arborist to ensure that the works are done in a manner which protects and minimises damage to those trees to the satisfaction of the Responsible Authority.
- 61. Except with the written consent of the Responsible Authority, none of the following are permitted to occur within the fenced Tree Protection Zone:
  - a) vehicular or public pedestrian access.
  - b) trenching or soil excavation.
  - c) storage or dumping of tools, equipment, soil, stone or waste is to occur.
  - d) construction of entry and exit pits for underground services; or
  - e) temporary or permanent installation of signs and utilities.
- 62. All recommended remedial actions being undertaken must be carried out in accordance with AS4373-2007 *Pruning of Amenity Trees* using suitably trained / qualified arboricultural staff to the satisfaction of the Responsible Authority and maintained as part of the streetscape works for all or that particular stage of the development for a period of no less than two (2) years.

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**Stag Relocation Plan**

- 63. Dead stags to be removed must be used as habitat for use as part of the ecological corridor rehabilitation and/or the stormwater treatment basins to the satisfaction of the Responsible Authority. Any Eucalypt tree that has a Diameter at Breast Height >70 centimetres should be considered for retention, subject to tree health, so that they can achieve maximum habitat value.
- 64. Prior to the commencement of works for any relevant stage containing trees to be removed, a Stag Relocation Plan must be submitted and approved by the Responsible Authority. The plan must include the following:
  - a) Identification of each tree proposed for relocation.
  - b) Species identification and size of each individual tree.
  - c) Identification of the relocation sites.
  - d) The proposed site preparation and protection measure to ensure each tree's structural integrity and protection after relocation is maximised.

**Fauna Protection**

- 65. Prior to the removal or lopping of any tree, the tree must be examined by a suitably qualified zoologist with relevant permits. If native fauna species are located, they must be salvaged and relocated to the closest suitable vegetation.

**STREETSCAPE WORKS**

**Streetscape plan**

- 66. Prior to the Statement of Compliance being issued for each relevant stage of the subdivision, a detailed streetscape plan, prepared by a person suitably qualified in landscape design, must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The streetscape plan must be drawn to scale with dimensions and three hard copies provided. Where applicable, the plan must be generally in accordance to the Street Tree Master Plan forming part of the endorsed Landscaping Master Plan, and show:
  - a) The layout of proposed new planting in all road reserves and traffic management devices (e.g. medians, islands, and roundabouts);
  - b) Details of all other infrastructure within the road reserve (e.g. underground services, street lights, stormwater pits, fire plugs etc);
  - c) A detailed planting schedule of all proposed trees and plants including botanical names, common names, pot sizes, sizes at maturity and quantities for each species, with street trees to be planted adjacent to the drainage/wetland reserves and the two waterway reserves to be local indigenous species or others as agreed by the Responsible Authority. ;
  - d) All proposed street tree planting using semi-advanced trees with a minimum container size of 45 litres;
  - e) Tree placement on secondary lot frontages using no more than two (2) trees that grow to an estimated size at maturity of no greater than 5 x 4m;
  - f) All proposed groundcover & shrub planting with a minimum container size of 150mm;

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| _____               | _____  | _____  |
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- g) The maintenance schedule for all proposed planting.

**Notes**

1. Streetscape plans must be submitted separately to plans for adjoining land nominated as Council reserves.
2. Proposed entry signage must not be located on public land.
3. Landscape treatments within traffic control devices such as medians and roundabouts are subject to specific control measures.
4. Street tree species selection within the master plan is subject to approval by Powercor in accordance with the requirements of the Distribution Construction Standard, Underground Trenching. Tree location and species type shall be determined, in consultation with CitiPower/Powercor, based on the specific site and the ability of the tree to both enhance the local amenity and co-exist with utility services infrastructure – with all trees to be identified on a ‘master services plan’ provided by the party planting the trees.
5. The applicant must obtain and provide evidence to the Responsible Authority that Powercor and Barwon Water have been consulted and have agreed with the proposed street tree species palette.

**Completion of Streetscape Works**

67. Unless otherwise approved in writing by the Responsible Authority, prior to the issue of Statement of Compliance for a particular stage of the subdivision all streetscape works shown on the endorsed streetscape plans for that stage must be completed to the satisfaction of the Responsible Authority.
68. Where streetscape works forming part of the endorsed plans are not completed to the satisfaction of the Responsible Authority prior to the applicant seeking a Statement of Compliance for all, or a particular stage of a subdivision, the developer may request the works in the approved Streetscape Plan to be appropriately bonded or covered by a bank guarantee. Estimates must be professionally costed and submitted to the Responsible Authority for approval. Once approved the bonds or bank guarantees must be submitted to the Responsible Authority separately prior to Statement of Compliance being awarded.
69. The incomplete streetscape works bond or bank guarantee must be 125 per cent of the estimated cost of incomplete streetscape works.

**Notes**

1. A practical completion is required to satisfy this condition and must be organised by the permit holder with two weeks’ notice given for onsite inspections. The incomplete works bond will be returned once practical completion has been awarded.
2. Works bonded as outstanding must be enacted within one (1) year of statement of compliance being awarded.

**Maintenance of Streetscape Works**

70. All streetscape works must be maintained to the satisfaction of the Responsible Authority for a period of two (2) years from the date of practical completion. During this period,

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any dead, diseased or damaged plants are to be repaired or replaced as required. The maintenance period will commence from the date that the works are awarded Practical Completion by the Responsible Authority.

71. A maintenance bond to the value of 100% of the cost of works must be submitted to the Responsible Authority on application for practical completion of landscaping works to be retained until such time that the works have been accepted by Council for handover.
72. Works that have achieved practical completion will be randomly inspected throughout the maintenance period. Works deemed by the Responsible Authority as being inappropriately maintained or established will not be accepted and will remain on maintenance until such time that the Responsible Authority deems it acceptable.

**Notes**

1. A handover inspection is required to satisfy this condition and must be organised by the permit holder with two weeks' notice given for onsite inspections. The maintenance bond will be returned on acceptance of handover.
2. No handovers will be accepted during the summer period, between 30 November and 1 March.

**TELECOMMUNICATION CONDITIONS**

73. 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.
74. 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.

**POWERCOR CONDITIONS**

75. 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.

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76. 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.
77. 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.
78. Any buildings must comply with the clearances required by the Electricity Safety (Installations) Regulations.
79. Any construction work must comply with Energy Safe Victoria’s “No Go Zone” rules.
80. 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.

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 a caveat prior to the registration of the plan of subdivision.

81. 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.
82. The applicant shall obtain for the use of Powercor Australia Ltd any other easement external to the subdivision required to service the lots.
83. 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.
84. 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.

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85. 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.

**BARWON WATER CONDITIONS**

**General**

86. The owner shall create easements for Pipelines or Ancillary Purposes and or reserves in favour of Barwon Region Water Corporation on the plan of subdivision in accordance with Barwon Water's Land Development Manual, without cost to Barwon Water, over existing and proposed water and sewerage infrastructure within the land. If further easements or reserves are required following design of water and sewerage infrastructure these must be added to the plan of subdivision prior to seeking Barwon Water's consent to the issue of a statement of compliance for the subdivision.
87. 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.
88. Existing strategic pipelines traverse the land. Barwon Water requires the location of these pipelines to be proven prior to any works. Any works proposed in the vicinity of the pipelines will only be permitted after approved civil works planned are presented to the satisfaction of Barwon Water. Through subdivision of the land these pipelines must be located within the road reserve and not private property.

**Water**

89. The provision and installation of individual water services to all lots in the subdivision.
90. Reticulated water mains are required to service the proposed development. This work must be designed by a Barwon Water accredited Consulting Engineer and constructed by a Barwon Water accredited Contractor following the "Developer Works" process.
91. Additional water assets are required to service the development, which include DN225mm water mains and a Pressure Reducing Valve. Under the current Essential Services Commission ("ESC") price determination these water assets are considered "shared" assets and to be funded by Barwon Water. Confirmation of these additional water asset requirements and funding will be determined at the time an "Offer of Conditions" is issued on the development, and in accordance with the ESC price determination applicable at the time.
92. 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.
93. Barwon Water's records indicate that existing water services and meters are located on land within this area. A dimensioned plan showing the location of existing meters, and the location of the meter relative to the existing boundaries, and its number, are to be

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submitted. Private water service pipes are not permitted to cross allotment boundaries and must be plugged and abandoned at the boundaries of such allotments.

**Sewer**

- 94. The provision of sewerage services to all lots in the subdivision.
- 95. Reticulated sewer mains are required to service the proposed development. This work must be designed by a Barwon Water accredited Consulting Engineer and constructed by a Barwon Water accredited Contractor following the "Developer Works" process.
- 96. Additional sewerage assets are required to service the development, which include sewer pump-stations and rising mains. These must be designed by a Barwon Water accredited Consulting Engineer and constructed by a Barwon Water accredited Contractor following the "Developer Works" process.
- 97. 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).

Note:

- 1. 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 quote Barwon Water reference number L009993.

**CFA CONDITIONS**

**Hydrants**

- 98. Prior to the issue of a Statement of Compliance under the *Subdivision Act 1988* for any stage of the subdivision, the following requirements must be met to the satisfaction of the CFA:
  - a) Above or below ground operable hydrants must be provided for the relevant stage. 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.
  - b) The hydrants must be identified with marker posts and road reflectors as applicable to the satisfaction of the Country Fire Authority.

Note

- 1. 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))

**Roads**

- 99. 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.

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- a) 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.
- b) Curves must have a minimum inner radius of 10 metres.
- c) Have a minimum trafficable width of 3.5 metres, be clear of encroachments 4 metres vertically to the satisfaction of the Responsible Authority.

**VICROADS CONDITIONS**

- 100. Before issue of statements of compliance for each stage of the subdivision, the following roadworks at the Bellarine Highway/Mollers Lane intersection must be completed at no cost to and to the satisfaction of the Roads Corporation (VicRoads):
  - a) Traffic signals (to be completed prior to the issue of the statement of compliance for the stage that includes the 160th lot)
  - b) Left turn deceleration lane (on Bellarine Highway) (to be completed prior to the issue of the statement of compliance for stage 1);
  - c) Bicycle lanes (to be completed prior to the issue of the statement of compliance for stage 1);
  - d) Bus stops (to be completed prior to the issue of the statement of compliance for stage 1);
  - e) Street lighting (to be completed prior to the issue of the statement of compliance for stage 1).
- 101. Prior to the roadworks commencing, the applicant must enter into a works agreement with VicRoads, confirming design plans and works approval processes, including the determination of fees and the level of VicRoads' service obligations.
- 102. Prior to the certification of the plan of subdivision, a scaled functional layout plan of the Bellarine Highway Road/Mollers Road intersection must be prepared to the satisfaction of VicRoads.
- 103. Direct access from the subdivisional lots to Bellarine Highway is not permitted. All subdivisional lot access shall be to the service/frontage road or internal subdivisional road.
- 104. The service/frontage road shall be sufficiently separated from Bellarine Highway roadway to provide enough verge width to accommodate landscaping, drainage, utility services and bus stops.
- 105. No drainage shall be discharged onto the Bellarine Highway reserve without the written approval of the Roads Corporation (VicRoads).
- 106. The applicant must take measures to ensure that vehicles leaving the site during construction of the subdivision do not deposit mud or other material onto Bellarine

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Highway. If mud or debris is deposited, the applicant must clean or sweep the roadway & shoulders on Bellarine Highway when required by VicRoads.

**TRANSPORT FOR VICTORIA CONDITIONS**

- 107. Before the certification of a plan of subdivision, or other time agreed in writing with the Head, Transport for Victoria, an amended Integration Plan to the satisfaction of the Head, Transport for Victoria, must be submitted to and approved by the Responsible Authority. When approved, the amended Integration Plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must be generally in accordance with the plan submitted with the plan prepared by TGM Group Pty Ltd dated 14 January 2017 but modified to show:
  - a. how the proposed development connects to the existing road network to the west of the site;
  - b. shared user path (off road) a minimum of 2.5 metres wide along Mollers Lane and the southern and northern connector roads;
  - c. shared user path (off road) a minimum of 2.5 metres wide through the northern basin creek reserve and connecting through Myuna Reserve to Myuna Street;
  - d. the shared user path in the southern basin creek reserve a minimum of 2.5 metres;
  - e. the provision of a pair of indented bus stops/shelters and associated infrastructure (on the departure sides) at the new signalised intersection of Mollers Lane and Bellarine Highway compliant with the Disability Standards for Accessible Public Transport 2002;
  - f. Road cross sections for Mollers Lane and the northern and southern connector roads and identified as bus capable roads.
- 108. Pursuant to Section 8 (1) (a) of the Subdivision Act 1988, all Plans of Subdivision must be referred to the Head, Transport for Victoria for Certification and consent to Statement of Compliance.
- 109. Prior to the operation of the traffic signals on Bellarine Highway, the bus stops/shelters and all associated infrastructure identified on the endorsed plans must be completed to the satisfaction of Public Transport Victoria at the full cost to the permit holder.
- 110. Unless otherwise agreed to in writing with the Head, Transport for Victoria, prior to the Certification of a Plan of Subdivision, construction engineering plans, for any subdivision stages which contain or abut a road nominated as a bus capable road must be submitted to Public Transport Victoria for approval. The plan must be to the satisfaction of Public Transport Victoria and the Responsible Authority and must depict the road cross section to be constructed, including shared user paths (off road), to be constructed as outlined in the endorsed plans.
- 111. Unless otherwise agreed to in writing with the Head, Transport for Victoria, prior to the issue of a Statement of Compliance for any subdivision stages that contain or abut a

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road nominated as bus capable, that portion of road must be constructed to accommodate public transport access for buses, in accordance with its corresponding Cross Sections and shared user paths (off road). This must be constructed to the satisfaction of and at no cost to Public Transport Victoria.

112. Any roundabouts constructed on roads designated as bus capable within the subdivision, must be designed to accommodate ultra-low floor buses, to the satisfaction of the Public Transport Victoria.
113. Intersections, slow points, splitter islands and any other local area traffic management treatments must be designed and constructed in accordance with the Public Transport Guidelines for Land Use and Development. The use of speed humps, raised platforms, one-way road narrowing and 'weave points' must not be constructed on any portion of a road identified as a potential bus route.

### **SUBDIVISION EXPIRY**

114. This permit will expire if one of the following circumstances applies:

- a) The first stage of the plan of subdivision has not been certified within five (5) years of the date of this permit.
- b) All stages of the plan of subdivision have not been certified within ten (10) years of the date of this permit.
- c) A statement of compliance is not issued within five (5) years of the date of certification of a particular stage of subdivision.

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

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**Signature for the Responsible Authority**

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## IMPORTANT INFORMATION ABOUT THIS PERMIT

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### WHAT HAS BEEN DECIDED?

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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. C367 to the Greater Geelong Planning Scheme.

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### WHEN DOES THE PERMIT BEGIN?

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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?

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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?

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- 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.