



Amendment C372 to the Greater Geelong Planning Scheme

Expert Evidence Statement: Jason Black

35 and 69-93 Hams Road, Waurin Ponds

15 August 2019

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1 INTRODUCTION

1. My name is Jason Robert Black of 48 Gala Supreme Close, Mordialloc and I am the Managing Director of Insight Planning Consultants Pty Ltd.
2. I hold a Bachelor in Applied Science (Planning) from the Royal Melbourne Institute of Technology (RMIT). I have twenty years planning practice experience in local government and private consultancy.
3. I am a Fellow of the Planning Institute of Australia, a Member of the Victorian Planning & Environmental Law Association, a Member of the Urban Development Institute of Australia and I am a Registered Planner as recognised by the Planning Institute of Australia.
4. My experience as a planning consultant providing advice to both local government and private sector clients in relation to numerous residential subdivisions, development plans, precinct structure plans and development contributions plans provides me with the necessary background to carry out a review of a range of planning documents including Plans of Subdivision, Development Plans, Precinct Structure Plans, Open Space Strategies, Planning Scheme Provisions, Planning Permits, Section 173 Agreements and other relevant planning documents.
5. I have been instructed by Norton Rose Fulbright Lawyers to review the Amendment material and extensive list of supporting technical reports and prepare an expert report considering town planning matters arising from the Amendment and appear at the Panel hearing for this matter.
6. In undertaking my review, I have assessed the:
 - Strategic planning merits associated with the proposed rezoning of the land to General Residential and the application of Schedule 45 to the Design and Development Overlay; and
 - Specific requirements of the exhibited planning permits and Section 173 Agreements.
7. In forming my opinion, I have made the necessary enquiries and reviewed the exhibited and supporting documents, including:
 - *Overall Subdivision Masterplan prepared by Taylors, July 2019 (refer Appendix 1);*
 - *Surface Water Management Strategy (Version 3) prepared by Neil Craigie Pty Ltd dated 19 September 2013;*
 - *Safety Management Study for SP Ausnet T23 Gas Pipeline dated 17 April 2014;*
 - *Growling Grass Frog, Natural Spring and Bird Habitat Surveys prepared by Practical Ecology dated 2015;*
 - *Preliminary Site Investigation prepared by Tonkin & Taylor dated January 2018;*
 - *Waurm Ponds Buffer Study prepared by GHD dated March 2018;*
 - *Powercor Substation Acoustic Report prepared by Watson Moss Growcott Acoustics dated 9 April 2018;*
 - *Updated addendum to Flora and Fauna Assessment and Native Vegetation Impact Analysis prepared by Practical Ecology dated October 2018;*
 - *Traffic Engineering Assessment prepared by Traffix Group dated October 2018;*
 - *Traffic Noise Assessment prepared by Marshall Day Acoustics dated 11 October 2018;*
 - *Waurm Ponds Substation – Noise Mitigation Review prepared by Marshall Day Acoustics dated 31 July 2019;*

- *Cultural Heritage Management Plan prepared by Benchmark Heritage Management dated 31 October 2018;*
- *Town Planning Report prepared by Taylors dated November 2018;*
- *Urban Design Masterplan prepared by Taylors dated 19 February 2019; and*
- *Submissions to Amendment C372 of the Greater Geelong Planning Scheme.*

2 SITE CONTEXT

8. Consideration and understanding of the site context is an important step in planning for the future residential subdivision of an area. Appendix 2 shows the general site context.
9. The land subject to this Amendment is bounded by Hams Road (north), Ghazeeapore Road (east), Warrnambool – Geelong railway line and Baanip Boulevard (south) and the Geelong Bypass (west) and could be described as a ‘Green Fill’ site whereby the subject land is the last piece of land within the area that is yet to be zoned General Residential and spatially is bounded by significant barriers that will restrict further residential expansion.

2.1 SITE DESCRIPTION

10. The land subject to this Amendment is known as 35 Hams Road, Waurn Ponds (Lot 1, TP77822) and 69-93 Hams Road, Waurn Ponds (Lot 4, PS644553).
11. The majority of the land falls within an Area of Aboriginal Cultural Heritage Sensitivity and is within a Designated Bushfire Prone Area. The Area of Aboriginal Cultural Heritage Sensitivity applies to land along the Armstrong Creek corridor which traverses through the site.

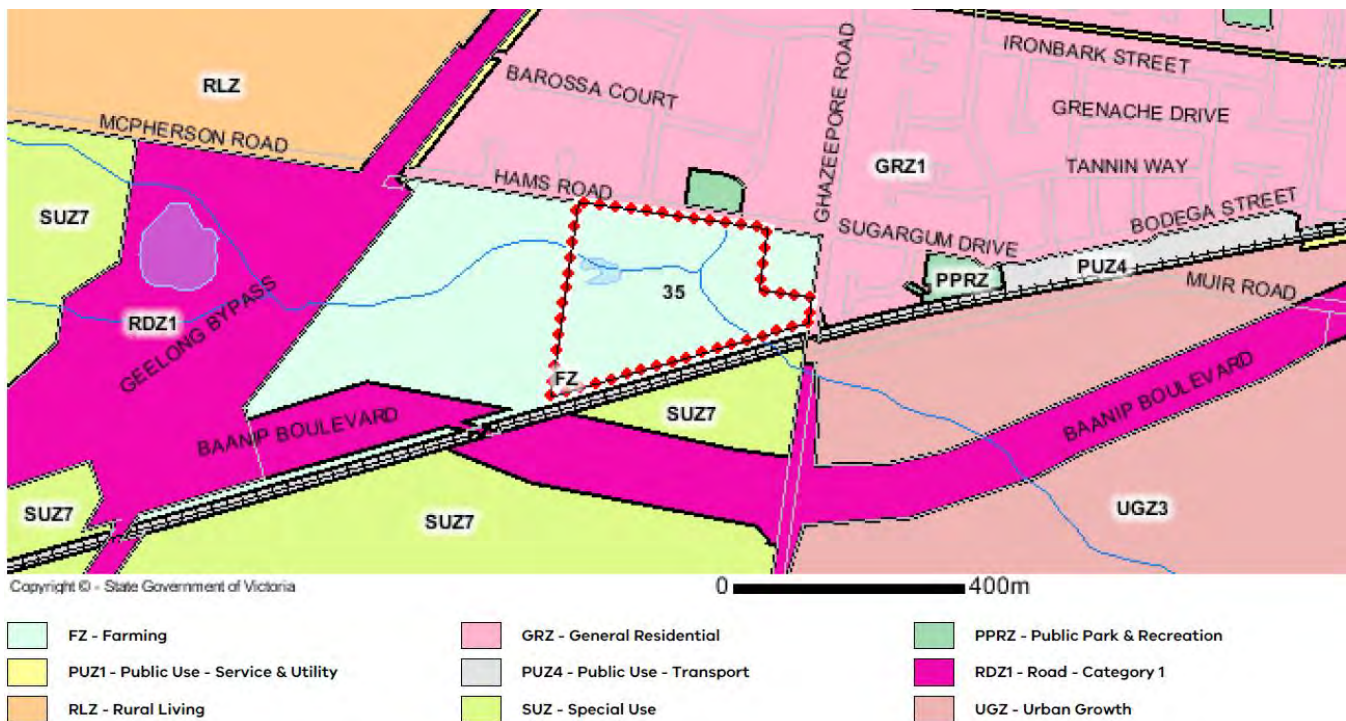


Figure 1 – Planning Property Report: 35 Hams Road, Waurn Ponds (DELWP, 5 July 2019)

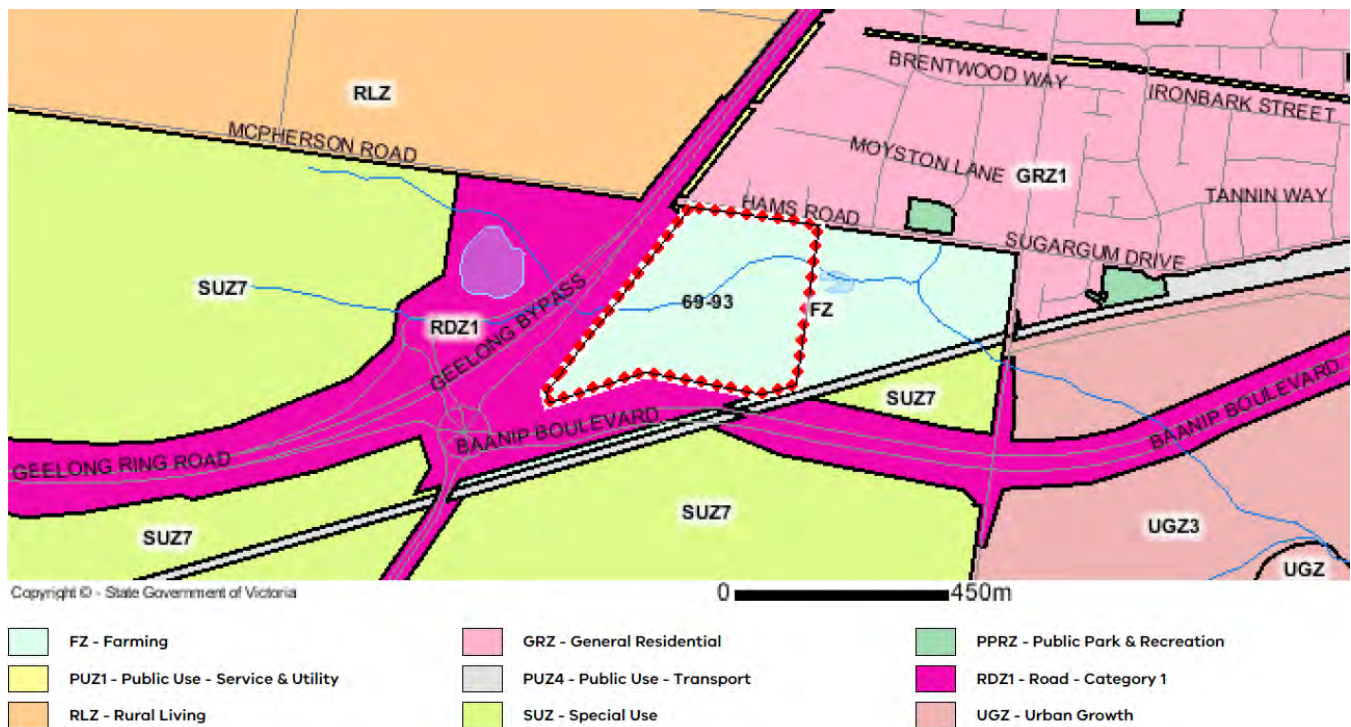


Figure 2 – Planning Property Report: 69-93 Hams Road, Waurn Ponds (DELWP, 5 July 2019)

2.2 SURROUNDS

12. The land immediately to the north and east is zoned General Residential 1 and Baanip Boulevard and the Geelong Bypass are designated Road Zone – Category 1 to the south and west. 69-93 Hams Road abuts these Road Zones.
13. Figure 3 provides an aerial image of the surrounding area.
14. The Waurn Ponds train station is located approximately 500 metres east of the site on Sugar Gum Drive (continuation of Hams Road).
15. The Waurn Ponds Shopping Centre and Deakin University campus are located to the north of the site.
16. There is a bus stop in proximity to the north east corner of the subject land that connects to Bus Route 14 which links the site to Deakin University, the Waurn Ponds and Geelong Central station.
17. The Armstrong Creek Growth Area is located to the south east to the south of Baanip Boulevard.
18. There is a large Boral quarry and associated uses operating to the south west of the site across the Geelong Bypass.

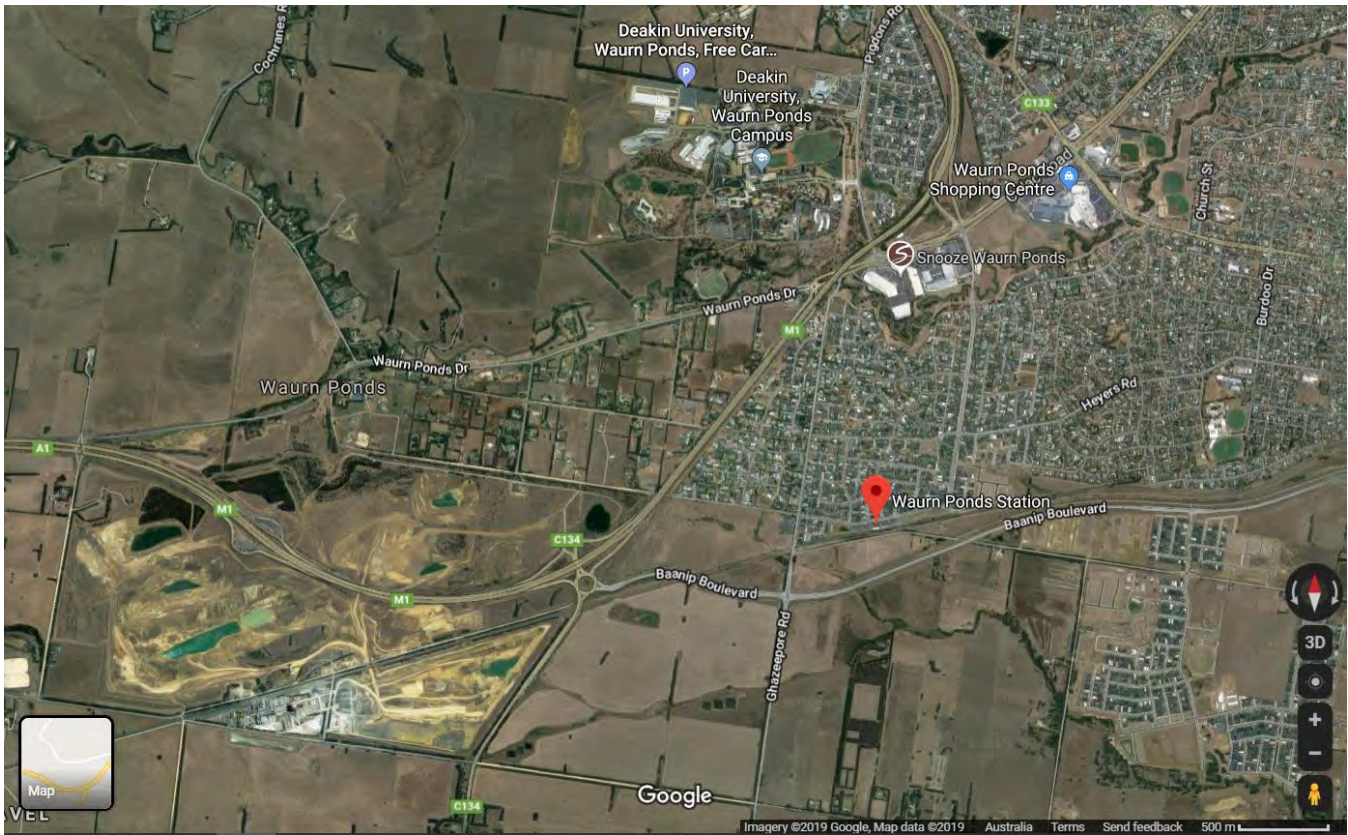


Figure 3 – Surrounding land (Google Maps date 2019)

19. Figure 4 provides an aerial image of the residential area to north of Hams Road, which is categorized as having larger residential allotments and, in many cases, substantial size dwellings and associated outbuildings / amenities have been constructed. The pattern of subdivision includes a central spine road (Grange Park Drive) with a series of courts branching off in an east and west direction. There are no foot paths within this subdivision.



Figure 4 – Grange Park estate north of Hams Road (Google Maps date 2019)

20. Figure 5 provides an aerial image of the land east of Ghazepore Road which accommodates a more contemporary subdivision layout and dwelling type. The subdivision layout follows a more grid pattern (in proximity to the train station) that is connected to Sugar Gum Drive and the lot sizes are relatively small and generally accommodate larger volume builder homes.
21. There are footpaths on both sides of the Sugar Gum Drive connecting Ghazepore Road to the train station and beyond.

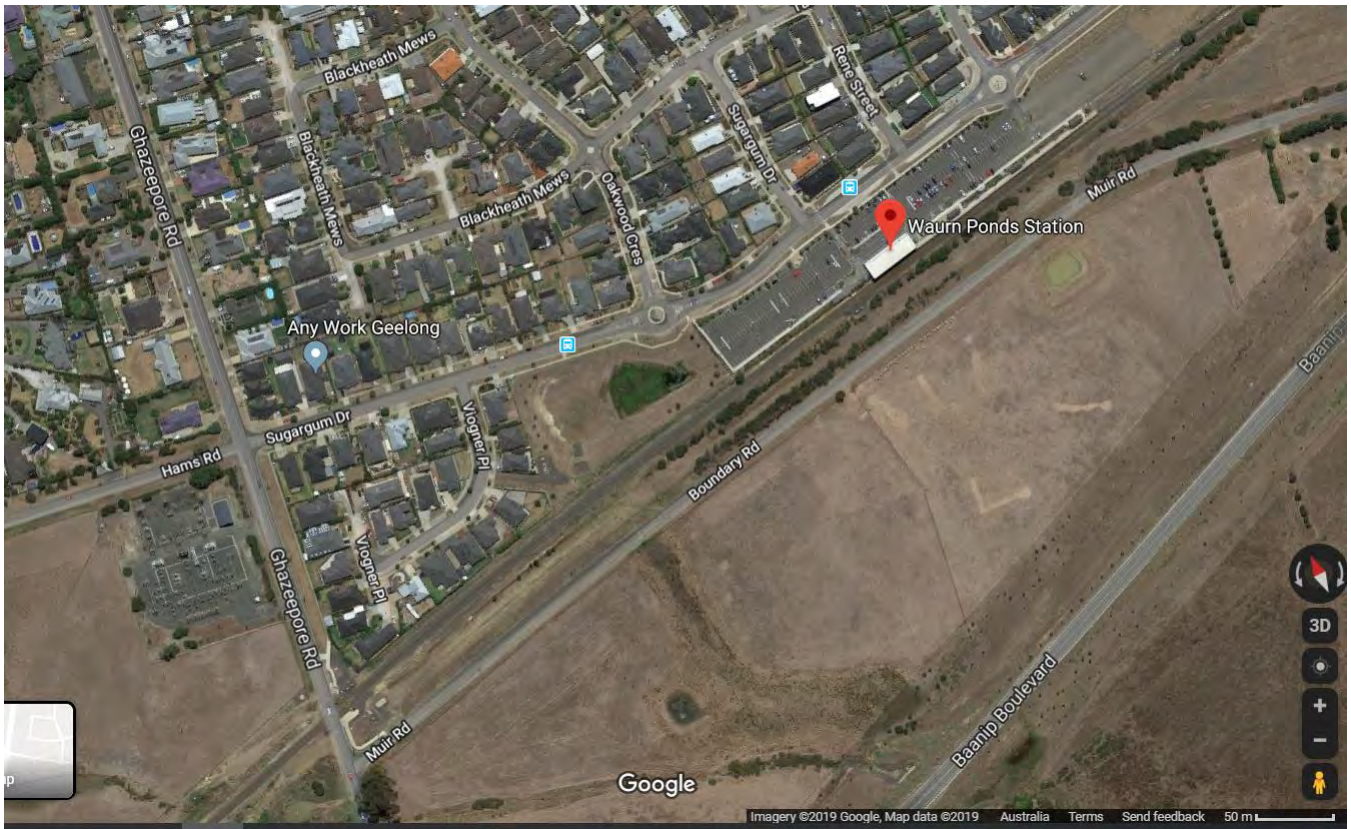


Figure 5 – Grange Park estate north of Hams Road (Google Maps date 2019)

3 GREATER GEELONG PLANNING SCHEME PROVISIONS

22. The land is within the City of Greater Geelong where the Greater Geelong Planning Scheme applies.
23. Both land parcels are currently zoned Farming and are within Areas of Aboriginal Cultural Heritage Sensitivity and Designated Bushfire Prone Area.
24. The land is the last parcel of Farming zoned land in the area and hence council has supported the rezoning to General Residential.

3.1 FARMING ZONE

25. The Purpose of the Farming Zone is:
 - To provide for the use of land for agriculture.
 - To encourage the retention of productive agricultural land.
 - To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.
 - To encourage the retention of employment and population to support rural communities.
 - To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.
26. Prior to the construction of the Geelong Bypass and Baanip Boulevard and the designation of the Armstrong Creek Growth Area and the recent urban development of the land to the east, the subject land may have been considered suitable farming land that could achieve the purpose of the zone or it 'may' have formed part of a larger farming operation that connected with other land in the area. However, this is clearly no longer the case as the land has essentially become land locked between the recent road upgrades and the surrounding residential areas.
27. Whilst the current land use is relatively passive with minor stock levels grazing the paddocks, the potential use of this land for permitted intensive farming uses, such as a Cattle Feedlot, Cropping or Rural Industry, is no longer appropriate and would have a significant impact on the residential areas to the north and east. Such farming uses often have off-site amenity impacts such as odour, dust, noise and heavy vehicle movements that would greatly impact the residential amenity of the surrounding areas.
28. Given the ongoing change in site context it is no longer appropriate for the land to be used for farming purposes.

3.2 AREAS OF ABORIGINAL CULTURAL HERITAGE SENSITIVITY

29. 'Areas of cultural heritage sensitivity' are defined under the Aboriginal Heritage Regulations 2018 and include registered Aboriginal cultural heritage places and landform types that are generally regarded as more likely to contain Aboriginal cultural heritage.
30. Under the Aboriginal Heritage Regulations 2018, 'areas of cultural heritage sensitivity' are one part of a two-part trigger which require a 'cultural heritage management plan' (CHMP) be prepared where a listed 'high impact activity' is proposed.

31. If a significant land use change is proposed (for example, a subdivision into 3 or more lots), a cultural heritage management plan may be triggered.
32. Under the Aboriginal Heritage Act 2006, where a cultural heritage management plan is required, planning permits, licenses and work authorities cannot be issued unless the cultural heritage management plan has been approved for the activity.
33. Given the Section 96A combined amendment and planning permit pathway has been adopted a significant land use change, by way of subdivision, requires that a Cultural Heritage Management Plan be prepared. It is understood that a CHMP has been prepared and approved by the Wathaurung Aboriginal Corporation on 29 November 2018.
34. The CHMP outlines the necessary management steps that must be applied during the development of the land, which includes supporting the proposed construction method to be applied to the central waterway corridor.

4 GEELONG SETTLEMENT STRATEGY 2018

35. The Geelong Settlement Strategy states that:
36. *The purpose of the strategy is:*
- *to analyse future housing needs and trends*
 - *to develop a clear policy framework that will guide planning and decision-making and*
 - *to help us meet Greater Geelong's future housing needs.*
37. This strategy is intended to address municipal housing needs until 2036. This meets the requirement of the State Planning Policy Framework that all Victorian councils must plan to accommodate projected population growth over a 15-year period. A key question for the strategy is whether the current policy framework can accommodate forecast growth out to 2051.
38. The settlement strategy did not start with a 'blank canvas'. Our existing policies and strategic directions have been developed over many years, through detailed investigation and consultative processes. They are a solid foundation from which to build and have shaped community expectations regarding the management of Geelong's future growth.
39. The *Greater Geelong Housing Framework Plan – 2036* (See Appendix 3) shows the land subject to this Amendment as being designated as a part of the Armstrong Creek Growth Area and the eastern part of the land (within 800 metres of the Waurin Ponds train station) as being within an area where the Strategy seeks to 'Investigate Opportunities for higher density development in rail corridor'.
40. The 'urban consolidation' position is reinforced in Table 12 – Development Opportunities Around Train Stations which acknowledges that 'As with other stations, an 800 metre boundary has merit from a policy perspective, which would include part of the Hams Road future rezoning'.
41. It is clear from the directions contained within the *Geelong Settlement Strategy* that relate to the subject land that the rezoning to General Residential is supported and residential growth of varying densities is envisaged.

5 PLANNING SCHEME AMENDMENT

42. The *Explanatory Report* accompanying the Amendment documentation prepared by Taylors Development Strategists on behalf of the proponents, Wauron Ponds Trust and Echin Pty Ltd states that:

“The Amendment proposes to rezone land at 35 and 69-73 Hams Road, Wauron Ponds from the Farming Zone to the General Residential Zone with a Design and Development Overlay and rezones an adjoining Barwon Water reserve to the Public Use Zone”.

43. Specifically, the Amendment:

- rezones land at 35 & 69-93 Hams Rd, Wauron Ponds from Farming Zone (FZ) to General Residential Zone – Schedule 1 (GRZ1);
- rezones the land within the Barwon Water reserve (north of the railway line) from Farming Zone (FZ) to Public Use Zone (PUZ1);
- introduces and applies a new Design and Development Overlay Schedule 45 (DDO45) to 35 & 69-93 Hams Rd, Wauron Ponds;

44. The planning permit applications seek approval for: multi-lot subdivision, removal of native vegetation and variations to restrictions and easements.

5.1 GENERAL RESIDENTIAL ZONE

45. The Purpose of the General Residential zone is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To encourage development that respects the neighbourhood character of the area.*
- *To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.*
- *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations*

46. The application of the General Residential zone will result in the land having the same zone as the land to the immediate north and east of the site.

47. Rezoning the land to General Residential will ensure that the current zone conflict between Farming and General Residential is addressed and apply a zone which is consistent with the direction envisaged in the *Geelong Settlement Strategy*.

48. The application of the General Residential zone will ensure that future subdivision and development respects the neighbourhood (residential) character of the area and will encourage a diversity of housing types and housing growth in a location that is offering good access to services and transport.

49. The subdivision plans prepared by Taylors Development Strategists and subject to the planning permit applications will result in a development outcome that is consistent with the purpose of the General Residential zone and directions set out in the *Geelong Settlement Strategy*.

5.2 DESIGN AND DEVELOPMENT OVERLAY – SCHEDULE 45

50. The Amendment documents include a draft Schedule 45 to the Design and Development Overlay (DDO45), which seeks to cover matters relating to Urban Design, Stormwater Management, Traffic and Pedestrian Movements and Public Open Space to ensure a consistent and integrated development approach is achieved across the two land parcels.
51. The application of the Design and Development Overlay is a common approach within the City of Greater Geelong and other municipalities across Victoria.
52. A revised Version of the DDO45 was provided to me on the 2 August 2019, which included amongst other things specific guidance in relation to noise attenuation on lots abutting the power substation, clarification of the Ghazeeopore Road upgrade location and increased lot sizes around the perimeter of the land.
53. It has been established by Watson Moss Growcott and Marshall Day acoustic consultants that the power substation is currently emitting noise that exceeds the acceptable residential noise levels and have proposed a number of noise attenuation options, including development setback, construction of a noise wall and in -building construction measures (E.g. materials, windows, seals).
54. Currently, the revised DDO45 requires a minimum lot size of 700sqm around the perimeter of the site, however if applied this would limit the ability to use the built form to incorporate the noise attenuation measures. For Example, a medium density townhouse development around the power substation site could incorporate a wall abutting the power substation site that doubles as the noise attenuation response.
55. This type of built form noise attenuation response has been adopted across Melbourne along a number of freeway corridors and in high noise areas and provides the opportunity to enhance the visual outcome of the noise barrier through the use of varied materials, colours, artwork or the like.
56. The matters covered in the DDO45 are generally supported subject to some further drafting changes which are outlined in Appendix 4, which seek to simplify the noise attenuation matters relating to the power substation and allowing for a medium density built form response to be considered.

6 PLANNING PERMITS

57. The Amendment includes two planning permits being Planning Permit No: 662 – 2017 and Planning Permit No: 663 – 2017 which have been submitted in accordance with Section 96A of the Planning and Environment Act and are to be considered concurrently with the rezoning request.
58. The benefit of the Section 96A process is that it allows all parties to clearly understand how the land will be developed, if rezoned, and generally allow for more detailed consideration of any site specific matters, such as (amongst other things) drainage, traffic, native vegetation, open space and noise.
59. Revised draft Planning Permits were provided to me on 2 August 2019 and are the basis of my review.

6.1 PLANNING PERMIT 662 – 2017

60. Planning Permit No: 662 – 2017 applies to the land at 35 Hams Road, Waurin Ponds.
61. 35 Hams Road is located in the eastern part of the rezoning area and is generally bounded by Hams Road to the north, Ghazeepore Road and the power substation to the east, the Geelong – Warrnambool railway line to the south and the abutting land at 69-93 Hams Road to the west.
62. The planning permit description is 'Multi lot subdivision and removal of native vegetation'.
63. The conditions included in Planning Permit No: 662 - 2017 are generally consistent with other planning permits that are issued for residential greenfield development that include Condition 1 plan changes, prior to certification requirements, prior to statement of compliance requirements and a number of referral authority requirements.
64. I support the issuing of the planning permit subject to some further drafting changes which are outlined in detail in Appendix 5.
65. It is my opinion that what the 'Permit Allows for' should be amended to include the word 'staged' to allow for the permit to operate on a stage by stage basis. Staging the planning permit assists greatly in ensuring not all matters have to be addressed prior to development commencing.
66. The proposed changes to the planning permit conditions I have made mainly focus on the delivery timing of the Hams Road / Ghazeepore Road intersection.
67. The Traffic Engineering Assessment report prepared by Traffix Group dated October 2018 reviews the need for the Hams Road / Ghazeepore Road intersection and concludes that there is no traffic engineering reason that supports the construction of a roundabout or other intersection treatment. However, I am instructed that in response to matters raised during the Amendment process the proponents have agreed to construct a roundabout.
68. Given there is no specific traffic management or impact mitigation need for the intersection I believe the timing of the intersection works should be at a point in time when the development of the land has generated funds for the construction. As such, I propose that rather than the planning permit(s) referencing a specific Stage of development that a lot trigger should be applied.

69. Therefore, I propose that the planning permit condition relating to the construction of the roundabout be reworded as follows:
- *The roundabout at the Ghazepore Road/Hams Road/Sugar Gum Drive intersection must be constructed prior to the issue of a Statement of Compliance for the 100th lot within the Design and Development Overlay Schedule 45 area.*
70. This condition should be applied to both planning permits and will encourage a shared funding approach to the construction of the roundabout between the two developments. The risk of the development(s) not reaching the 100th lot trigger is considered extremely low and hence the roundabout construction will occur in a reasonably timely manner.

6.2 PLANNING PERMIT 663 – 2017

71. Planning Permit No: 663 – 2017 applies to the land at 69-93 Hams Road, Waurnd Ponds.
72. This site is located in the western part of the area and is generally bounded by Hams Road to the north, the abutting land at 69-93 Hams Road to the east, the Geelong – Warrnambool railway line and Baanip Boulevard to the south and the Geelong Bypass to the west.
73. The planning permit description is 'Multi lot subdivision and removal of native vegetation'.
74. The conditions included in Planning Permit No: 662 - 2017 are generally consistent with other planning permits that are issued for residential greenfield development that include Condition 1 plan changes, prior to certification requirements, prior to statement of compliance requirements and a number of referral authority requirements.
75. I support the issuing of the planning permit subject to some further drafting changes which are outlined in detail in Appendix 6.
76. It is my opinion that what the 'Permit Allows for' should be amended to include the word 'staged' to allow for the permit to operate on a stage by stage basis. Staging the planning permit assists greatly by ensuring that not all matters have to be addressed prior to development commencing.
77. The proposed changes to the planning permit conditions that I have made mainly focus on the shared delivery opportunity of the Hams Road / Ghazepore Road intersection. Currently, the permit does not include any conditions in relation to the intersection and therefore it could be assumed that only the developer of the land at 35 Hams Road can or is required to construct the intersection.
78. Although there are no specific traffic management or mitigation need for the intersection and given the intersection works will benefit all future residents within the development area it is appropriate for the conditions relating to the intersection to apply to both planning permits.
79. As outlined above in relation to the Planning Permit No: 662 – 2017 the timing of the intersection works would be better linked to the development of the 100th lot across the two development sites rather than a certain Stage of any one development.

80. Importantly, I note that either developer should be able to deliver the intersection works but cost sharing of the works will ensure a fair and equitable outcome.
81. Condition 9 on the revised planning permit states that prior to commencement of works:
 - *Unless otherwise approved in writing Works for stage 1 of development may not commence unless stage 1 of PP-662-2017 is complete, or the works are completed concurrently, to the satisfaction of the Responsible Authority.*
82. The intent of this condition is somewhat unclear however I believe that this condition inappropriately restricts the development of the land at 69-93 Hams Road by making it a pre-condition that the developer of the land at 35 Hams Road has started and completed Stage 1 of its development.
83. It is my opinion that Condition 9 should be removed from Planning Permit No: 663 – 2017.

7 SECTION 173 AGREEMENTS

84. A draft Section 173 Agreement dated 19 March 2019 was exhibited as part of the Amendment documents. It is common practice for the City of Greater Geelong to exhibit Amendments with a draft Section 173 Agreement.
85. The key matters included in the Agreement that is proposed to apply to both land parcels are:
- Intersection works at the Hams Road and Ghazeeopore Road junction – as required by permit conditions;
 - Upgrades to Hams Road – as required by permit conditions;
 - Upgrades to Ghazeeopore Road – as required by permit conditions;
 - External Drainage Works – upgrade of culverts as required by permit conditions;
 - Community Infrastructure Contribution - \$2670 per lot;
 - Public Open Contribution - 10% contribution cash and land contribution; and
 - Public Open Space Improvements – as per landscape master plan and detailed design.
86. The matters covered within the Section 173 Agreement are consistent with standard greenfield development practices and particularly the approach adopted by the City of Greater Geelong.
87. I am instructed that the land owners have agreed to enter into the Section 173 Agreement with council however a separate Deed of Agreement between the land owners that focuses on the coordination of road works and utility connections should also be entered into to ensure the timely and cost-effective development of the land.

8 PLANNING REVIEW

8.1 SUBDIVISION LAYOUT

88. I have been asked to review the *Without Prejudice Overall Subdivision Masterplan* prepared by Taylors dated the 24 July 2019.
89. I am instructed that this Masterplan has been prepared following discussions with council officers after the public exhibition process was undertaken and therefore has sought to respond to issues raised by submitters.
90. I have reviewed this Masterplan and in summary generally support the layout presented subject to a potential change abutting the power substation in the north east part of the land at 35 Hams Road and the implementation of traffic calming / management measures outlined in the *Traffic Engineering Assessment* prepared by Traffix Group dated October 2018 in support of the Amendment.

Low Density and Diversity

91. The overall lot yield is 245 lots at a proposed density is 13.8 lots per net developable hectare with an average lot size of 513sqm. Whilst the density is slightly lower than what is currently being delivered in greenfields sites the layout includes larger lots around the perimeter of the site, which I understand to be in direct response to matters raised by submitters. The lots along Hams Road have a minimum width of 25 metres and area of 855sqm, which is considered to be large in the context of residential greenfield development.
92. The broader spread of lots sizes from 300 – 1260sqm ensures that there is a high level of diversity in lot sizes which will attract a range of future residents from single households through to large families.
93. The layout has sought to adopt a grid pattern which will promote regular lot shapes, a high level of connectivity and encourage active transport options (particularly linking to the Waurm Ponds train station).

Noise Attenuation

94. Currently the subdivision layout in the north eastern part of 35 Hamms Road provides for residential lots that range in area from 389 – 1170sqm with all lots on the perimeter being greater than 859sqm. Whilst it is appreciated that minimizing the lot density in this location potentially limits the number of lots impacted by noise that is emitting from the power substation, I believe there are a number of noise attenuation options, such as a noise wall, noise source enclosure and built form treatments that can respond to the current circumstances and therefore flexibility should remain in the DDO Schedule and planning permits to ensure the best treatment is applied.
95. Watson Moss Growcott and Marshall Day acoustic consultants have both noted that a noise wall treatment could result in the need for a high wall that may not be supported by council and therefore other treatments or a combination of treatments may result in the best outcome.
96. In a memo dated 31 July 2109 Marshall Day note that the following noise attenuation measures may be best applied:

- *Provision of a suitable chiller enclosure to attenuate noise, in conjunction with other mitigation treatments to the transformers;*
 - *Localized screening around the transformers and chiller on site;*
 - *Building forms on the proposed development site could be used to provide screening to the subject site from their built form, provided they are at least two storeys high, constructed as terraces with no space between, and utilized closed facades which do not include any openable elements...*
97. They also note that the 'noise mitigation treatment will need to be decided in conjunction with Powercor and Urban Quarter, should the mitigation involve changes to the Powercor site (e.g. replacement of plant, or construction of screening devices)'.
98. Given an onsite noise attenuation treatment has a heavy reliance on reaching an agreement with Powercor (adjoining land owner and operator of the substation) it would be prudent to ensure the DDO Schedule and planning permits allow for a range of noise attenuation options to be considered and controlled by the developer of the subject land.
99. In an earlier version of the Masterplan this part of the land was designated as a medium density site and I would recommend that this designation be reinstated to ensure the built form noise attenuation response remains a clear option.
100. It is noted that the *Geelong Settlement Strategy* identifies this part of the site as being suitable for medium density housing given its proximity (within the walkable catchment) to the Waurn Ponds train station. Encouraging medium density housing within walkable distance of the train station is based on sound planning principles and is often used as a built form response to noise mitigation.

Traffic

101. The *Traffic Engineering Assessment* prepared by Traffix Group dated October 2019 included a review of the subdivision layout and identified that there was a need for traffic calming measures in specific locations where there is either a cross intersection or the length of road exceeds 240 metres. Traffix Group also identifies the need to accommodate emergency vehicles within the cul-de-sacs shown on the plan.
102. I support the recommendations made by Traffix Group in their report, which can be incorporated into the detailed design process.

Open Space

103. The central local park has been evenly (4%) spread across both land parcels in a way that will deliver a key feature within the future development. The local park is located on the key entry road to the land at 69-93 Hams Road and appropriately abuts the drainage corridor to further enhance the open space looks and feel within the subdivision.
104. The local park and open waterway will provide a key focal point for future and existing residents as there is no public open space within the Grange Park Estate to the north of Hams Road. This contemporary form of subdivision will positively contribute to the neighbourhood.

105. The majority of lots will be located within 400 metres for the central local park and all lots will be located within close proximity to the central waterway corridor, which connects to the local park. The future subdivision will have a strong open space character.

Waterway

106. I am instructed that the Catchment Management Authority and council support the open constructed waterway approach to addressing the existing and future drainage flows through the site and that the use of online retention ponds is appropriate in this case.

107. The use of the open waterway approach is consistent with contemporary subdivision practices across Victoria's growth areas and adds significantly to the amenity of the future development.

108. I am instructed that the proponents are working closely with the CMA, VicTrack and council to ensure that the drainage outfall in the south east corner of the site appropriately responds to the existing railway and road conditions (i.e. culverts levels and flow management requirements).

109. The layout of the waterway has sought to ensure that vegetation (grasslands) that is proposed to be retained on Map 2 of the Practical Ecology's *Updated Addendum to Flora and Fauna Assessment and Native Vegetation Impact Assessment* dated October 2018 is incorporated into the layout of the waterway.

110. Furthermore, the approved Cultural Heritage Management Plan specifically acknowledges the construction method that will be employed and details the necessary management approach to the works within the waterway.

111. A shared path has been incorporated into the edge of the corridor which will promote active living and connection to the Waurn Ponds train station.

112. The integrated approach to the design that has been adopted to the waterway corridor is appropriate.

113. Subject to the traffic calming / management and waterway detail being incorporated in the detailed design process I support the subdivision layout that has been applied across both sites and believe it will ensure an appropriately integrated residential subdivision outcome.

114. As detailed in the Town Planning Report prepared by Taylors in support of the planning permit applications the subdivision design achieves a high level of compliance when assessed against Clause 56 of the Greater Geelong Planning Scheme.

8.2 KEY ISSUES RAISED BY SUBMITTORS

115. I have been provided with a copy of submissions received during the exhibition of Amendment C372 to the Greater Geelong Planning Scheme, which can be categorized into two (2) key themes being traffic and housing character / density.

Traffic

116. A number of the submissions raised concerns relating to the increase in traffic that has occurred in the area since Baanip Boulevard and the Waurm Ponds train station were opened.
117. Although the *Traffic Engineering Assessment* prepared by Traffix Group dated October 2018 does not identify a need for any specific road upgrades the submissions suggest that the changes to the road network and opening of the train station has led to an increase in traffic risk around the intersection of Hams Road and Ghazeeopore Road and are worried that the development of the land will result in further issues.
118. Specifically, the submitters have raised concerns regarding delays entering Ghazeeopore Road, traffic 'near misses' and risk to cars parked on-street.
119. In response to this matter the proponents have proposed to undertake road upgrades to Ghazeeopore Road between Hams Road and Burgundy Road and construct a roundabout at the intersection of Hams Road and Ghazeeopore Road.
120. Having visited the site and surrounds in the afternoon peak hour, I understand the issues raised by the submitters when there is a peak in traffic volumes after a train arrives at Waurm Ponds train station and numerous passengers alight. However, a review of the data collected by Traffix Group suggests that at most other times there is substantially less traffic in the area.
121. I believe that the proposed road and intersection works will significantly improve the operation of the road network at the peak times, particularly in the periods when traffic leaving the train station is entering Ghazeeopore Road from Sugar Gum Drive (eastern extension of Hams Road).

Housing Character / Density

122. A number of submitters displayed concern regarding the density that was originally proposed on the site and the proponents responded by reducing the lot yield by approximately 50 lots.
123. A key point made was that the Grange Park estate to the north of Hams Road has an average lot size in excess of 800sqm and therefore any new subdivision should be similar.
124. I do not support the position put forward by the submitters as it is contrary to current planning policy and the general growth area approach that seeks to utilize land more efficiently.
125. Furthermore, a large percentage of the site is within the walkable catchment (800 metres) of the Waurm Ponds train station and a Route 14 bus stop that connects to Deakin University and the Waurm Ponds shopping centre. Given the existence of strong public transport links the housing density on the site should be maximized.
126. Notwithstanding the above, it is noted that in consultation with council the proponents have agreed to increase the size of lots along Hams Road and around the perimeter of the site. I generally support this outcome as being a reasonable way to respond to specific concerns raised by the submitters and minimize the number of lots that may be affected by various noise sources.

9 CONCLUSION

127. Having reviewed the range of documents associated with the Amendment C372 to the Greater Geelong Planning Scheme, the various specialist technical reports supporting the planning permit applications and the Overall Subdivision Masterplan I support the approval of the Amendment and Section 96A planning permits requests.

128. I am of the opinion that the changes outlined in Appendices 4 -6 of this report should be made to the draft Schedule 45 of the Design and Development Overlay and draft Planning Permits No: 662 – 2017 and 663 – 2017, including:

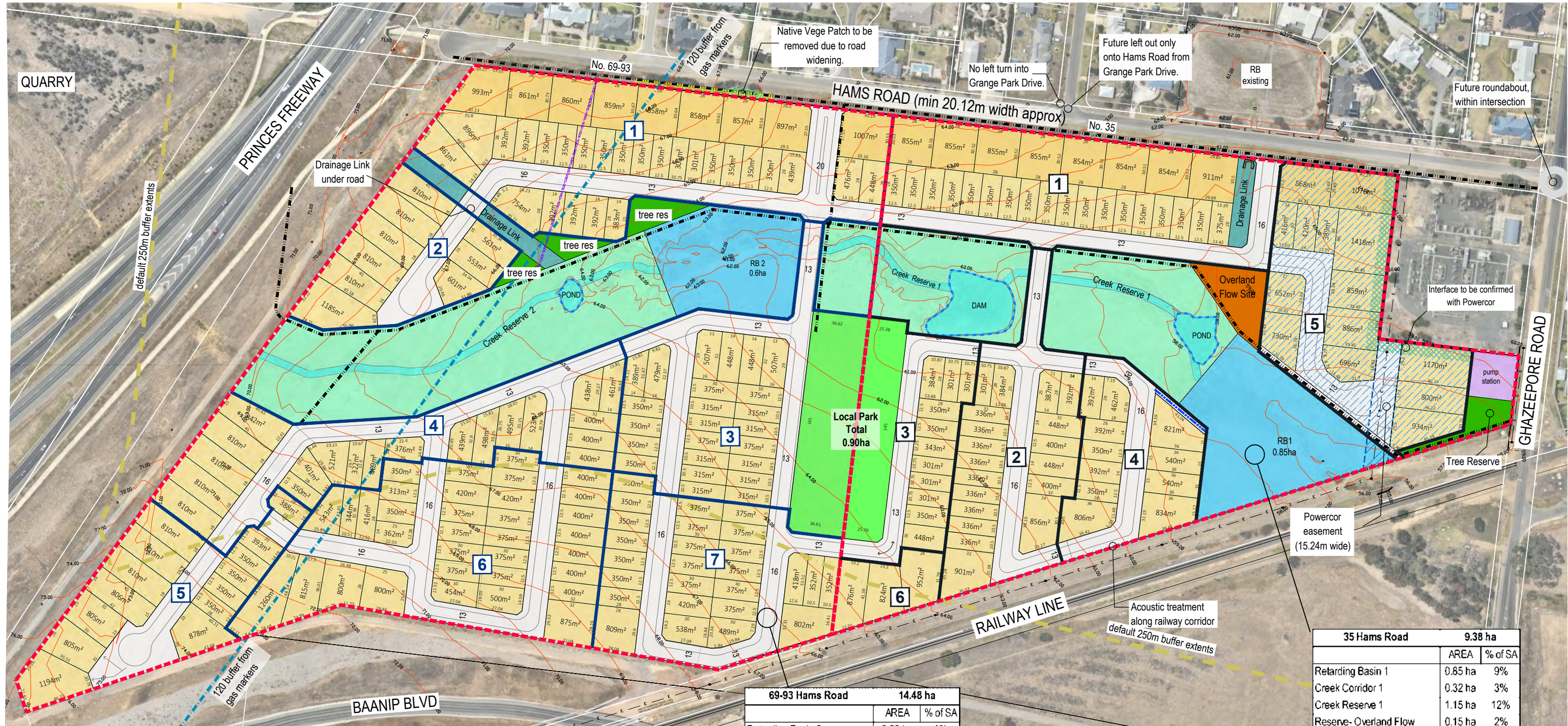
- Allowance for medium density development abutting the power substation;
- Ensuring the planning permits allow for the 'Multi-lot staged subdivision...';
- The trigger for the construction of the intersection of Hams Road and Ghazepore Road is revised to be prior to the statement of compliance of the 100th residential lot; and
- Planning Permit No: 663 – 2017 is amended so the development of the land at 69-93 Hams Road can develop at the same time or prior to the land at 35 Hams Road.

JASON BLACK

MANAGING DIRECTOR

INSIGHT PLANNING CONSULTANTS

APPENDIX 1 – OVERALL SUBDIVISION MASTERPLAN, TAYLORS 24/07/19



PLAN NOTES

- Layout is subject to Council approval.
- Site Boundaries and Areas require confirmation via re-establishment survey.
- Further requirements may be needed but not finalized until the appropriate investigations have been reported, including but not limited to:
 - Feature Survey, Flora and Fauna, Arboricultural Survey,
 - Archaeological, Engineering Services, Traffic Engineering.

SOURCE DATA

- Surrounding boundary data via from supplied VICMAP digital data.
- Subject site details features via SMEC Urban Survey 3440895s-01.
- Aerial imagery via from Nearmap under agreement.
- Native Vege patch approx. via Practical Ecology Map 1 08/05/2018 (HZ3).
- Retarding Basin size and location via: Water technology 18/09/18.

DESIGN NOTES

- All existing trees to be removed unless capable of being retained at detailed design phase.
- Creek and RB sites still subject to detailed design approval.
- Larger Lots fronting Hams Rd in accordance with DPO.
- Flood zone area mitigated current Retarding Basin design.
- MD Superlot area adjacent to Power Substation TBC (south may be subject to overland flows).
- MD Superlot existing overhead electrical lines to be potentially relocated underground, subject to authority approval and detailed design.
- Courtyard layout subject to detailed design Via Traffic Engineers.
- Location class of T1 (Residential as per AS 2885.1-2012) shall be maintained within 120m of the gas pipeline.

LEGEND

- SITE BOUNDARY
- INDICATIVE RESIDENTIAL STAGING
- SHARED PATH
- ACCESS FOR RETARDING BASIN 1
- BUFFER DEFAULT (250m)
- BUFFER (120m offset gas markers)
- BUFFER (interface & treatment to be confirmed)
- EXISTING EASEMENT: TO BE REMOVED
- Ghazeepore & Hams Road roundabout: subject to detailed design
- "Patch of Grassy Woodland" within Hams Road southern verge, to be removed due to road widening.
- Layout & interface over this area of No. 35 is subject to further discussions with Powercor and detailed design.

69-93 Hams Road		14.48 ha	
	AREA		% of SA
Retarding Basin 2	0.60 ha		4%
Creek Corridor 2	0.18 ha		1%
Creek Reserve 2	1.70 ha		12%
Drainage Link	0.12 ha		1%
Open Space - Local Park 2	0.53 ha		4%
sub total	3.14 ha		22%

NET DEVELOPABLE AREA		11.35 ha	
Local Roads	3.11 ha		21%
Tree Reserve	0.15 ha		1%
Residential Interface Lots	0.81 ha		6%
Residential Lot Area	7.28 ha		50%
sub total	11.35 ha		78%

RESIDENTIAL LOT YIELD	
Standard Residential	152
Average	479 m ²
Residential Interface Lots	9
Average	895 m ²
TOTAL:	161

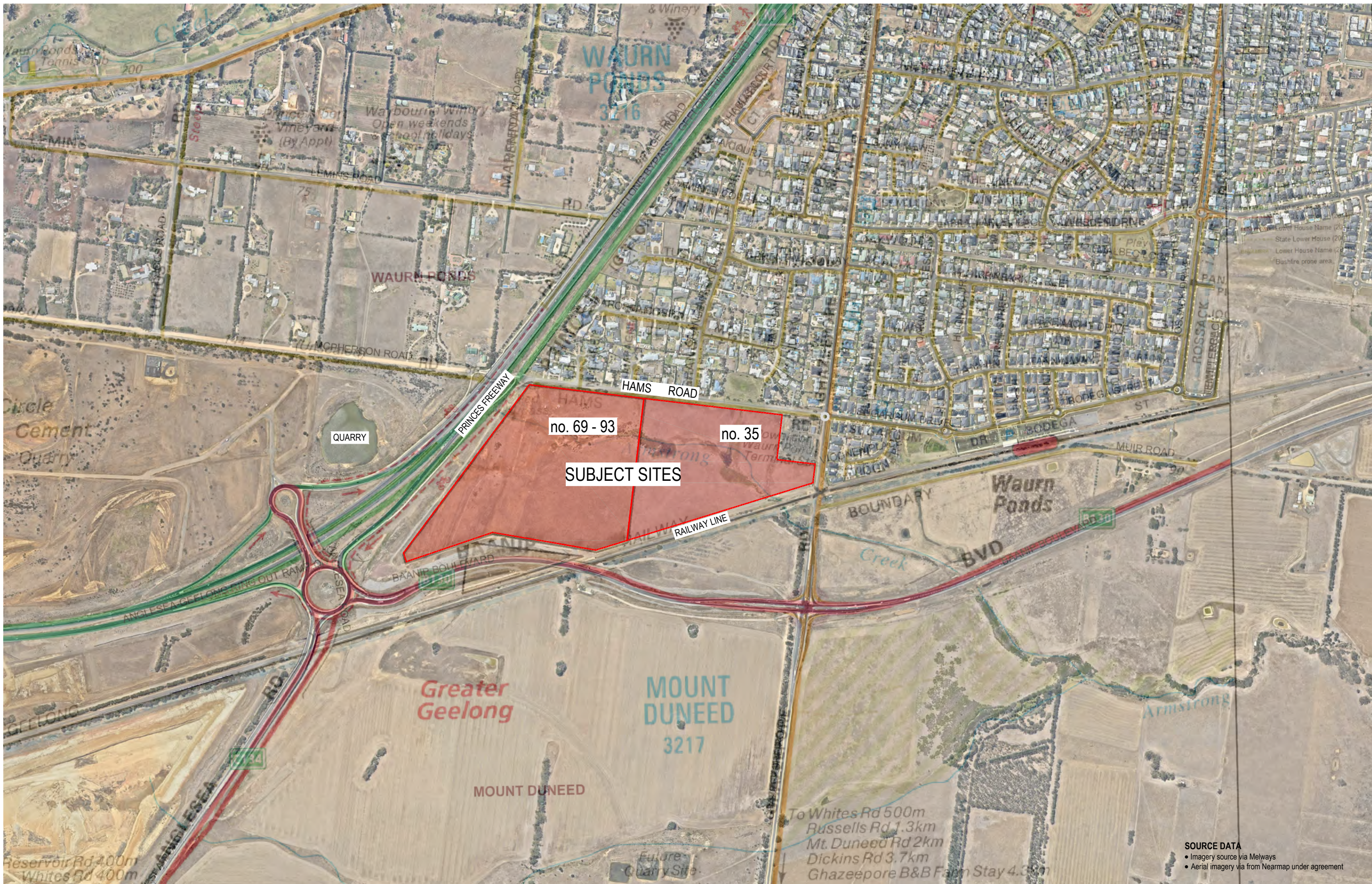
COMBINED SITES	
Yield	245
Average	513 m ²
NDA	17.73 ha
Density	13.8 lots/NDA

35 Hams Road		9.38 ha	
	AREA		% of SA
Retarding Basin 1	0.85 ha		9%
Creek Corridor 1	0.32 ha		3%
Creek Reserve 1	1.15 ha		12%
Reserve - Overland Flow	0.15 ha		2%
Pump Station	0.09 ha		1%
Drainage Link	0.07 ha		1%
Open Space: Local Park 1	0.37 ha		4%
sub total	3.00 ha		32%

NET DEVELOPABLE AREA		6.38 ha	
Local Roads	1.82 ha		19%
Tree Reserve	0.09 ha		1%
Residential Interface Lots	0.88 ha		9%
Residential Lot Area	3.59 ha		38%
sub total	6.38 ha		68%

RESIDENTIAL LOT YIELD	
Standard Residential	74
Average	485 m ²
Residential Interface Lots	10
Average	883 m ²
TOTAL	84

APPENDIX 2 – CONTEXT PLAN



SOURCE DATA
 • Imagery source via Melways
 • Aerial imagery via from Nearmap under agreement



KEY POINTS

- A1 Existing site access off Hams Rd for No 69-93.
- A2 Existing site access off Hams Road for No. 35
- A3 Adjoining access track

■ ■ ■ Princes Freeway

Boundaries & Interfaces

West: defined by Princes Freeway.
North: defined by post & wire fencing along Hams Road.
 Lower density Residential dwellings along Hams Road and further north.
East: defined by electrical substation reserve, Ghazeeopore Road, and a railway crossing
South: defined by railway line and Baanip Boulevard. Open Paddocks are further south.

Topography:

Both site are low lying, open, grassed paddocks, with small patches of vegetation in proximity to the creek environs.
 Armstrong Creek transverse the site, from the north west to the south east.

H Site High **L** Low point

Existing Buildings:

There are currently two existing sheds on site.

Railway Infrastructure;

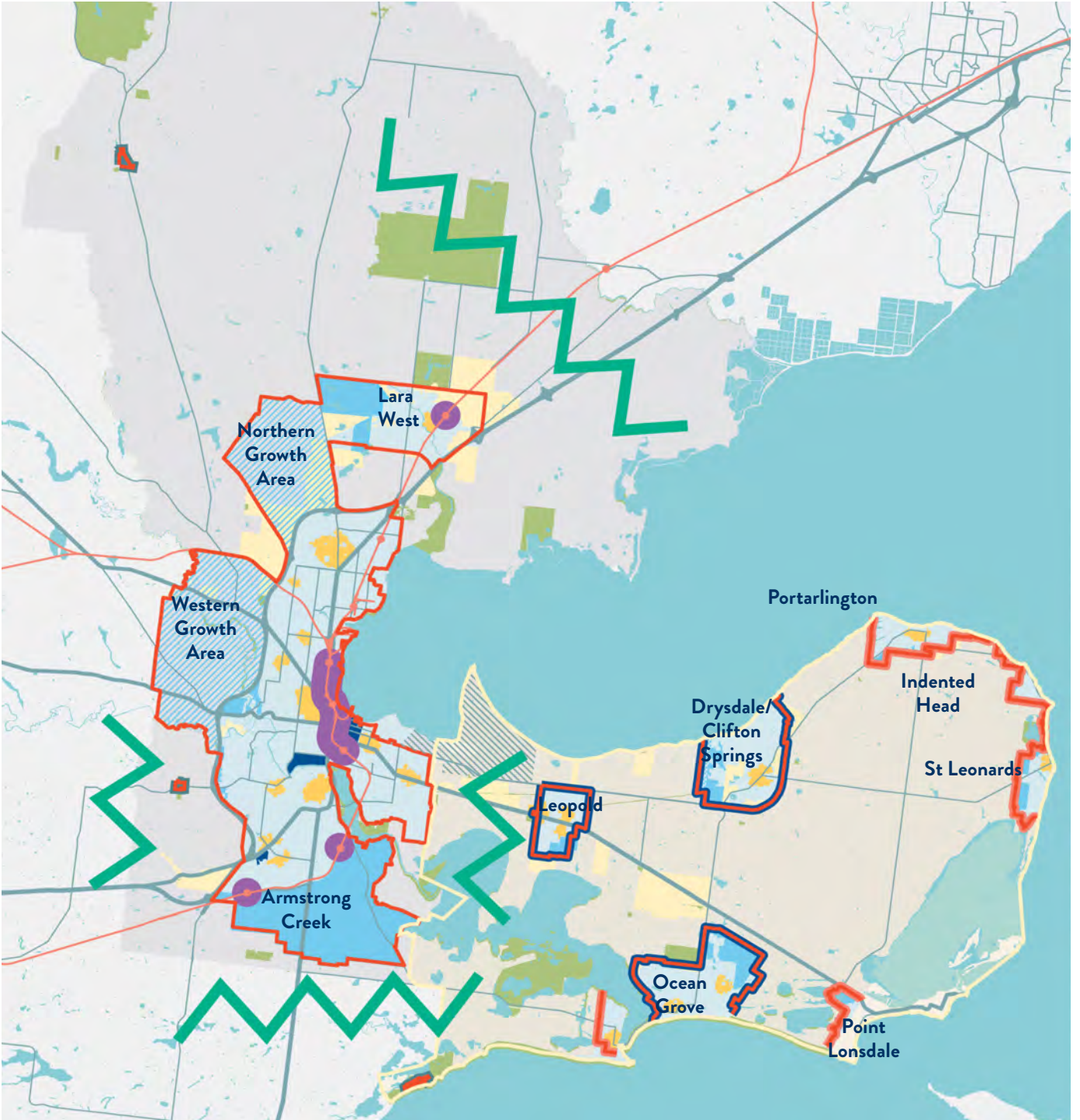
Waurm Ponds Railway station is 400m east of Ghazeeopore Rd along Sugargum Drive.
 New Pedestrian Crossing at Ghazeeopore Rd grade crossing

Hams Rd;

Bitumen Seal. Concrete kerb and channel on north side, open swale drain on south side.
 No footpaths evident, overhead powerlines, concrete driveway crossovers and a variety of existing fencing.
 Hams Rd terminates in a courtbowl at the Freeway Reserve. A pedestrian underpass provides pedestrian link to McPherson Rd west of the Freeway.

APPENDIX 3 – GEELONG SETTLEMENT STRATEGY HOUSING FRAMEWORK PLAN 2018

OVERALL FRAMEWORK PLAN



CITY OF GREATER GEELONG

HOUSING FRAMEWORK PLAN - 2036



- ESTABLISHED AREAS
MODEST INFILL HOUSING
- INCREASED HOUSING DIVERSITY AREAS
HIGH AND MEDIUM DENSITY HOUSING
- KEY DEVELOPMENT AREAS
MAJOR REDEVELOPMENT - HIGH DENSITY HOUSING
- GROWTH AREAS
- FUTURE GROWTH AREAS
- RURAL LIVING AREAS
- NO EXPANSION
- INDICATIVE PERMANENT SETTLEMENT BOUNDARY
- INVESTIGATION AREA

- DISTRICT TOWNS -
MODERATE HOUSING
(WITHIN EXISTING SETTLEMENT BOUNDARIES)
- LIMITED HOUSING GROWTH
(WITHIN EXISTING SETTLEMENT BOUNDARIES)
- STRENGTHEN LOCAL POLICY
TO PRESERVE NON-URBAN BREAKS, RURAL
FARMED LANDSCAPE AND GUIDE NEW DEVELOPMENT
- INVESTIGATE OPPORTUNITIES
FOR HIGHER DENSITY DEVELOPMENT
IN RAIL CORRIDOR

- HIGHWAYS
- MAJOR ROADS
- RAIL NETWORK
- STATIONS
- NON-URBAN BREAK

**APPENDIX 4 – SCHEDULE 45 OF THE DESIGN AND DEVELOPMENT OVERLAY
(TRACKED CHANGES)**

--/120--
C372**SCHEDULE 45 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY**Shown on the planning scheme map as **DDO45****HAMS ROAD, WAURN PONDS RESIDENTIAL SUBDIVISION**

Commented [JB1]: May be worth inserting description of the land

1.0 Design objectives--/120--
C372

To ensure an appropriate transition of housing density and interface between the subject land and the residential area to the north of Hams Road.

To reinstate the natural east-west waterway and make it a central feature of the development including opportunities for environmental restoration, open space and stormwater management.

To provide a safe and interconnected transport network that includes opportunities for walking and cycling, minimises impacts on adjoining streets and directs car traffic to an upgraded Hams Road / Ghazepore Road intersection.

2.0 Buildings and works--/120--
C372

A permit is not required to construct a building or a fence or to construct or carry out works not associated with the subdivision of the land.

3.0 Subdivision--/120--
C372

A permit to subdivide land must meet the following requirements:

Urban Design

- Subdivision design should provide a range of lot sizes and densities to encourage a variety of housing types including larger lots of a minimum 700 square metres adjacent the western and southern boundaries around the perimeter of the site and conventional lots of a minimum 300 square metres towards the core of the site and medium density housing abutting the electrical substation site.
- Residential lots fronting Hams Road must have a minimum lot size of 800 square metres and a minimum frontage to Hams Road of 25 metres.
- All residential lots fronting Hams Road must include a restriction on title preventing them from containing more than one dwelling and being further subdivided.
- Subdivision design must incorporate the reinstatement of the creek system as a key drainage, environmental and open space feature.
- Open space and drainage reserves should be interfaced by roads on at least three sides.
- Appropriate buffer treatments, interfaces, setbacks and acoustic treatments (where required) must be provided to: the Powercor electrical substation utility; Princes Freeway and Baanip Boulevard; Geelong-Warnambool Railway Line and the land south of the railway line which may be subject to future extractive industry.
- Residential lots impacted by noise from the electricity substation must include a restriction on title that requires dwellings is to be designed, constructed and maintained to include noise attenuation measures. These noise attenuation measures must ensure that all industrial noise received at new residential or other noise-sensitive uses complies with the requirement of EPA Publication 1411, Noise from Industry in Regional Victoria (NIRV), and associated recommended maximum noise levels, at all external locations (if fixed glazing precludes external measurements, internal measurements must comply with inferred internal noise limits specified under SEPP N-1).

Commented [JB2]: Don't agree with restricting all lots from further future subdivision. E.g. locations along central drainage reserve may suit medium density development in the future.

Commented [JB3]: Condition should be simplified to refer to specific Australian Standard that must be met.

Stormwater Management

- Land must be set aside for drainage purposes to meet peak discharge limits and water sensitive urban design elements in accordance with performance objectives of Urban Stormwater: Best Practice Environmental Management Guidelines (CSIRO,1999), Infrastructure Design Manual, and CoGG Design Notes.
- The design of retarding basins must have sufficient land area set aside for heavy vehicle access and sediment drying; as well as measures to mitigate mosquito breeding in accordance with best practice guidelines.
- A stormwater management system must be designed to ensure that:
 - peak discharge rates and pollutant loads of all stormwater leaving the site post development are regulated to integrate with downstream infrastructure, at no greater than pre-development rates.
 - no adverse impacts to any surrounding land, upstream or downstream.

Traffic and Pedestrian Movements

- An integrated and continuous network of safe and convenient footpaths and shared paths including a shared pathway along Hams Road and the full length of the creek reserve with connections to Hams Rd, Ghazeeopore Road and the Princes Freeway path.
- Vehicle access to the site to be from Hams Road only with no direct access to Ghazeeopore Road.
- Upgrading of the intersection at Hams Road and Ghazeeopore Road including a safe pedestrian and cycle crossing of Ghazeeopore Road.
- Upgrading and widening of Hams Road between the Hams Road court bowl and the intersection at Ghazeeopore Road.
- ~~A contribution towards Upgrading and widening of Ghazeeopore Road between the Hams Road and Ghazeeopore Road intersection and Burgundy Drive, the Geelong-Warrnambool Railway Reserve.~~
- Local area traffic management treatments to discourage and minimise vehicle movements from the development into Grange Park Drive.

Commented [JB4]: This is very open ended and relates to a reasonably long length of road. Upgrades should be specified to help contain the scope of works.

Public Open Space

- A creek reserve of approximately 30 metres either side of the reinstated east-west waterway.
- One centrally located 0.9ha local park ~~of approximately one hectare~~, of regular shape and in close proximity to the creek reserve.
- An open space contribution (in cash or land or a combination of both) to a minimum of 10% of the developable residential land not including encumbered land such as buffer treatments, drainage reserves and land within the creek reserve.

An application to subdivide land is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

4.0 Signs

~~---/20---~~
C372 None specified

5.0 Application requirements

~~---/20---~~
C372 None specified

6.0 Decision guidelines

~~---/20---~~
C372 The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

GREATER GEELONG PLANNING SCHEME

- The need to ensure the coordinaton, sequencing and efficient delivery of service infrastructure, road connections and open space across the properties subject to this overlay.

APPENDIX 5 – PLANNING PERMIT 662 – 2017 (TRACKED CHANGES)

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

Permit No.: 662/2017

Planning scheme: Greater Geelong

Responsible authority: City of Greater Geelong

ADDRESS OF THE LAND: 35 Hams Road, WAURN PONDS

THE PERMIT ALLOWS: Multi Lot Staged Subdivision, ~~Variation of Restriction (Remove Electricity Easement)~~ and Removal of Native Vegetation

Commented [EJ1]: Version 2 Updated 1 August 2019

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Amended Plans

1. Prior to the commencement of the development, three (3) copies of amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and must be generally in accordance with the plans submitted with the application but modified to show:
 - a) The staging plan amended to include construction of RB1 in stage 1 of development.
 - b) All corner lots at intersections must have a minimum width of 14.0 m. All corner lots of the medium density lots must have a minimum width of 9.0 m.
 - c) Road reserve boundaries and splays are sufficient to accommodate a roundabout at the internal four-legged intersection (within Stage 2)
 - ~~d) Provision of an 8.0 m wide lane for the rear loaded medium density housing products in Stage 6~~
 - ~~e) Provision of an 8.0 m wide lane for the rear loaded medium density housing products with part Stage 5~~
 - ~~f) Provision of a Functional Layout Plan or cross section for the proposed 10 m wide road reserve adjacent to the medium density lots in Stage 5. The plan or cross section must provide for the proposed location of all services, footpath and two on street car spaces.~~
 - g)d) A Functional Layout Plan must be provided to show the retention of the private school bus parking location in Hams Rd (outside of the western boundary of the substation) and all associated car parking provision
 - h)e) A Functional Layout Plan of the proposed roundabout at the Ghazeepore Road/Hams Road/Sugargum Drive intersection must be provided, including swept path diagrams prepared by a suitably qualified Traffic Engineering consultant using recognised software to show all movements for a 12 m long bus (primary design vehicle) and a semi-trailer (secondary design vehicle).

Date issued:

Date permit comes into operation:

Signature for the responsible authority:

(or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)

Permit No.:

Page 1 of 21

3(f) The roundabout at the Ghazeeopore Road/Hams Road/Sugargum Drive intersection must be constructed ~~as part of the Stage 1 roadworks for Hams Road~~ prior to the issue of a Statement of Compliance for the 100th lot within the Design and Development Overlay Schedule 45 area.

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Endorsed Plans

2. The layout and site dimensions of the subdivision as shown on the endorsed plan(s) must 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 plan(s).
3. The staging of the subdivision must be generally in accordance with the staging plan endorsed as part of this planning permit except with the prior written consent of the Responsible Authority.

Prior to Certification

4. 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.
5. 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.
6. Prior to the certification of any plan of subdivision (or any relevant stage of a subdivision), any restrictions on the plan of subdivision including relevant “Design Guidelines”, “Restrictions” and/or “Memorandum of Common Provisions” must be submitted to the Responsible Authority for approval and applied to affected lots to the satisfaction of the Responsible Authority. Once approved, the restrictions and associated documentation will be endorsed and form part of the permit. The restrictions / Design Guidelines / Memorandum of Common Provisions must include:
 - a) A restriction applying to any lot directly opposite the Warrnambool Railway Line / Baanip Boulevard (as shown on the Hams Road Development Plan), that does not allow the construction of any dwelling on the burdened lot unless it complies with the following noise attenuation treatments (or otherwise agreed to by VicTrack and the Responsible Authority):
 - o Façades/a wall directly opposite the railway: 110 mm brick, 90 mm timber stud with insulation, 1 x 10 mm standard plasterboard;
 - o Glazing to habitable rooms with line of sight to the railway: 6/12/10.76 mm laminated glass;
 - o Roof: metal deck with insulation and ceiling comprised of 2 x 10 mm standard plasterboard.
 - b) A restriction applying to any lot directly opposite the Geelong Ring Road (as shown on the Hams Road Development Plan), that does not allow the construction of any dwelling on the burdened lot unless it complies with the following noise attenuation treatments (or otherwise agreed to by VicRoads and the Responsible Authority):

Date issued:	Date permit comes into operation: (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	Signature for the responsible authority:
_____	_____	_____

o Wall/façade treatments to achieve the requirements of AS2107 for sleeping and living areas.

c) A restriction applying to any lot within close proximity to the Powercor WPZS that details of suitable noise attenuate treatments to protect dwellings from noise associated from the operations of the Powercor utility in accordance with the NIRV must be provided to the satisfaction of Powercor and the Responsible Authority. Any such additional requirement should refer to EPANIRV and associated recommended maximum noise levels applicable to the site.

Commented [EJ2]: New restriction to ensure dwellings close to powercor WPZS are not adversely impacted

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7. ~~Prior to the certification of the Plan of Subdivision, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the Overall Subdivision Masterplan (dated 31 October 2018), but modified to show:~~

Commented [JB3]: Duplicates Condition 1 requirements

- a) ~~All corner lots at intersections must have a minimum width of 14.0 m~~
- b) ~~Road reserve boundaries and splays are sufficient to accommodate a roundabout at the internal four legged intersection (within Stage 3)~~
- e) ~~Provision of an 8.0 m wide lane for the rear loaded medium density housing products~~

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Garden Area Requirement

8. Unless otherwise approved in writing by the Responsible Authority, prior to the issue of the Statement of Compliance, the owner must enter into an agreement under Section 173 of the Planning and Environment Act 1987 with the Responsible Authority. The agreement must be in a form to the satisfaction of the Responsible Authority, and the owner must be responsible for the expense of the preparation and registration of the agreement, including the Responsible Authority’s reasonable costs and expense (including legal expenses) incidental to the preparation, registration and enforcement of the agreement. The agreement must contain covenants to be registered on the Title of the property so as to run with the land, and must provide for the following:

- a) any future development of a lot of less than 400 square metres in area for a dwelling or residential building must include a ‘garden area’ at ground level as set out at Clause 32.08-3 of the Greater Geelong Planning Scheme. ‘Garden area’ is defined at Clause 73.01 of the Greater Geelong Planning Scheme.

Commented [LS4]: Amendment to reflect change in policy under VC143

Commented [LS5]: Amendment to reflect change in clause number under VC148

The agreement will be registered on Title in accordance with Section 181 of the Planning and Environment Act 1987.

Easements – Drainage

9. Prior to certification of the Plan of Subdivision for each stage, easements for the purpose of ‘Drainage’ must be set aside in favour of the City of Greater Geelong, to the satisfaction of the Responsible Authority.

Fill

Date issued:	Date permit comes into operation: (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	Signature for the responsible authority:
_____	_____	_____

10. Excavated material shall not be carted off the site except with the written approval of the Responsible Authority.
11. 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.
12. All areas to be filled shall be stripped of vegetation and any top soil shall be removed and stockpiled for reuse over the filled areas. Only approved filling material shall be placed on the site. The filling shall be placed in maximum 150 mm layers, or as approved otherwise by the Responsible Authority, and compacted to the applicable level for filling on allotments and within future roadways in accordance with AS3798, to the satisfaction of the Responsible Authority.
13. At the completion of the bulk earthworks, and at completion of the works for each stage, all disturbed areas shall be hydro mulched with an approved seed and fertilizer mixture to the satisfaction of the Responsible Authority to suppress dust, and minimise erosion, unless approved otherwise by the Responsible Authority.
14. All works must be undertaken in accordance with the recommendations of any geotechnical reports.

Engineering Plans

15. 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 to the Responsible Authority for approval. The plans shall include details of pits and pipes sizes, finished and existing surface levels, creation 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 includes recommendations of the report *35 & 69-93 Hams Road PSA Flood Modelling (Water Technology)* and complies with the requirements of the Infrastructure Design Manual and any other relevant standards. Site run-off shall be limited to equivalent pre-developed levels for rainfall events up to and including the critical 1% AEP event, to the satisfaction of the Responsible Authority. 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.

Date issued:	Date permit comes into operation: (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	Signature for the responsible authority:
_____	_____	_____

- b) Upgrade of the existing outlet and culvert from the retarding basin on the north side of Hams Rd;
- c) Minimum finished surface levels on all lots must be 300mm above the relevant 1% AEP flood level.
- d) Details of waterway remediation.
- e) Details of remediation to existing dams / permanent water bodies. A risk assessment must be provided in accordance with Royal Lifesaving Society guidelines.

Note: 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.

- 16. 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.
- 17. The plans must include;
 - a) Construction of abutting roads including concrete kerb and channel, footpath and sealed road pavement;
 - b) Footpaths on both sides of roads unless otherwise approved;
 - 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
 To the satisfaction of the Responsible Authority

Construction Management Plan

- 18. A Construction Management Plan shall be submitted and approved by the Responsible Authority and shall address items including (but not be limited to) the following:
 - a) The protection of all existing vegetation and waterways;
 - b) Show access locations for construction vehicles;
 - c) All appropriate control of site emissions during construction and the defects liability period;
 - d) A staging plan for all construction phases including indicative dates for commencement and completion;
 - e) Intended access for construction vehicles;
 - f) Engineering assessment of assets that will be impacted on by construction and recommended techniques to minimise any adverse impact;
 - g) Details of actions to be implemented to in the event of damage to abutting assets;
 - h) Details of where construction personnel will park;
 - i) Hours/days of construction, including deliveries. (Note: These hours must be consistent with the Environment Protection Authority (EPA) legislation/guidelines);
 - j) Phone numbers of on-site personnel or other supervisory staff to be contactable in the event of issues arising on site;
 - k) Details of site cleanliness and clean up regimes;

Date issued:	Date permit comes into operation: (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	Signature for the responsible authority:
_____	_____	_____

- l) Location of material storage;
- m) Dust suppression management;
- n) Details of measures to be maintained during the housing construction phase of development to prevent sediment entering downstream drainage infrastructure;
- o) Any other measures that are consistent with the following Environmental Protection Authority publications: 'Environmental Management Guidelines for Major Construction Sites', 'Construction Techniques for Sediment and Pollution Control' and 'Doing it Right on Subdivisions'

Local Area Traffic Management and Road Name Plan

19. Unless otherwise approved in writing by the Responsible Authority, prior to the lodgement of the Stage 1 Functional Layout Plans:
- a) A Local Area Traffic Management (LATM) Plan for PP-662-2017 and PP-663-2017 must be developed with Council's Traffic Development Engineer, and submitted to and approved by the Responsible Authority. The LATM treatments may include, but not limited to: traffic management devices internal and external to the site, modified intersection priorities, indented car parking, signage, linemarking, and vehicle crossing locations. All treatments shown on the LATM Plan on subsequent construction plans for each stage must be consistent with the approved LATM Plan.
 - b) When the LATM plan has been finalised, a Road Naming Plan must be developed with Council's Traffic Development Engineer, and submitted to and approved by the Responsible Authority. The Road Naming Plan must respect the LATM plan and the *Naming Rules For Places in Victoria* document. Pre-approved road names and descriptors shall be applied to a color-coded length of road on the Road Naming Plan. All road naming on subsequent plans of subdivision for each stage must be consistent with the approved Road Naming Plan.

all to the satisfaction of the Responsible Authority.

Road Names and Signs

20. Prior to the development of the Road Naming Plan and lodgement of the Functional Layout Plan for Stage 1, the subdivider must provide a list of all proposed road names within the subdivision for approval by Council's Properties and Valuations unit. The subdivider must provide and place all relevant street signs, and are consistent with the road names shown on all approved plans, to the satisfaction of the Responsible Authority.

Construction of Roadworks/ Drainage

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 in accordance with the approved plans and specifications to the satisfaction of the Responsible Authority.
22. All development and works must be carried out in accordance with the Construction Management Plan endorsed under this permit, all to the satisfaction of the Responsible Authority.

Date issued:	Date permit comes into operation: (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	Signature for the responsible authority:
_____	_____	_____

- 23. 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.
- 24. 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.
- 25. Following Practical Completion, wetlands shall be maintained by the developer for a period of 24 months, to the satisfaction of the Responsible Authority.
- 26. 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.
- 27. 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.

29. During the construction phase of the development, the following conditions must be met:

- 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;

All to the satisfaction of the Responsible Authority.

30. The developer is responsible for all external drainage works within the VicRoads reserve (Geelong Ring Road Section 4B) to connect and channel the existing drainage network extending from the Ring Road/shared path, to the open waterway reserve in the land. The external drainage works include but are not limited to cleaning and upgrading, where necessary, to the Ghazeepore Road culvert and Geelong - Warnambool railway culvert. This is to be undertaken to the satisfaction of the Responsible Authority and VicRoads.

31. Prior to the commencement of improvement works within ~~at the~~ Hams Road a scaled functional layout plan for the works must be prepared to the satisfaction of the Responsible Authority.

32. Unless otherwise approved in writing prior to Statement of Compliance of the 100th lot within the Design and Development Overlay Schedule 45 area Stage 2 of the subdivision hereby approved

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Date issued:	Date permit comes into operation: (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	Signature for the responsible authority:
_____	_____	_____

the intersection works at the Hams Road and Ghazeepore Road junction must be completed in accordance with the endorsed plans to the satisfaction of the Responsible Authority.

33. Prior to the commencement of upgrade works to Hams Road a scaled functional layout plan for the works must be prepared to the satisfaction of the Responsible Authority. The plan must include but not be limited to:
- a) Asphaltting
 - b) Line marking
 - c) Kerb and channel
 - d) Connection to the intersection to the intersection at Ghazeepore Road
 - e) Drainage works
 - f) Footpaths
 - g) Pedestrian crossings
 - h) Signage.
34. Unless otherwise approved in writing prior to Statement of Compliance of Stage 2 of the subdivision hereby approved the upgrade to Hams Road must be completed along the length of the subdivision boundary in accordance with the endorsed plans to the satisfaction of the Responsible Authority.
35. Prior to the commencement of upgrade works to Ghazeepore Road a scaled functional layout plan for the works must be prepared to the satisfaction of the Responsible Authority. The plan must include but not be limited to:
- a) Asphaltting
 - b) Line marking
 - c) Kerb and channel
 - d) Connection to the intersection to the intersection at Hams Road
 - e) Drainage works
 - f) Footpaths
 - g) Pedestrian crossings
 - h) Signage.

~~36. Unless otherwise approved in writing prior to Statement of Compliance of Stage 2 of the subdivision hereby approved the upgrade to Ghazeepore must be completed along the length of the subdivision boundary in accordance with the endorsed plans to the satisfaction of the Responsible Authority.~~

Commented [JB6]: Condition 1 appears to have been amended to remove upgrades south of Hams Road

Landscape Master Plan

37. 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 a street tree master plan) for the permit area must be developed 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 Precinct Structure Plan and Native Vegetation Precinct Plan applying to the land.~~ It must be drawn to scale with dimensions and submitted electronically. The landscape master plan must show and include, but not be limited to:

Commented [JB7]: Not applicable

Date issued:	Date permit comes into operation: (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	Signature for the responsible authority:
_____	_____	_____

- a) The location, size and title designation of all land to be developed as reserves, including Public Open Space Reserves, Conservation Reserves, Greenways, Road Reserves and Drainage Reserves;
- b) A survey (including the location, size and botanical name) of all existing vegetation proposed to be retained on the land; and show details of tree protection zones. This survey must also show what vegetation is approved for retention, removal and/or lopping, ~~in accordance with the Native Vegetation Precinct Plan, highlighting any changes between the two.~~
- c) The ultimate 1% and 10% Annual Exceedance Probability storm event extents;
- d) A general indication of what recreation infrastructure is proposed and its location, including but not limited to: playgrounds, furniture, and exercise equipment, kick about areas, paths, shelters, vehicle exclusion barriers and maintenance access points;
- e) The style and location of permeable fencing for all lots abutting reserves (excluding road reserves);
- f) The proposed species to be used for and general layout of street tree planting in various stages of the subdivision including the proposed planting theme for all secondary frontages of corner allotments. Tree placement on secondary lot frontages must use no more than two trees that grow to an estimated size of no greater than 5 x 4 metres at maturity;
- g) All proposed street tree planting using semi-advanced trees with a minimum container size of 45 litres, in compliance with AS2303-2015 *Tree Stock for Landscape Use*;
- h) The principles and graphical concepts of Public Art which complies with the requirements of Council's Art and Culture Department;
- i) The location and size of any water sensitive urban design assets.

Notes:

- 1. Consultation with Council's Recreation and Open Space Unit during early concept design is encouraged to help facilitate efficient approval processes.
- 2. Any pathway within the open space reserves should be located having regard to the protection of existing vegetation worthy of retention.

Detailed Landscape Plans

38. 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 plan must address and be consistent with 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) Vegetation that is approved to be retained, removed and/or lopped, ~~in accordance with the Native Vegetation Precinct Plan (NVPP)~~, as well as any other practical retention tree(s)

Date issued:	Date permit comes into operation: (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	Signature for the responsible authority:
_____	_____	_____

within a reserve (excluding conservation reserves) for any stage of the development. ~~The tree(s) not included in the NVPP must be assessed by a suitably qualified arborist to determine suitability for retention and ongoing management recommendations.~~ The detailed landscape plan for the area in which the tree(s) are located must be informed by this arboriculture assessment and show details of tree protection zones. This assessment must be submitted to council as part of the approval process;

- 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 (except road reserves). Fencing detail must be to Council specifications;
- h) Additional supporting information, such as certified structural designs or building forms;
- i) The removal of existing disused structures, foundations, pipelines, farm dams or stockpiles and the eradication of weeds;
- j) The proposed landscaping treatment of any road reserve abutting public open space;
- k) A detailed schedule of quantities showing accurate cost estimates of each item included in the plan.

Notes:

- 1. Hard copy/copies of the landscape plan must be provided at the reasonable request of the responsible authority.
- 2. Consultation with Council's Recreation and Open Space Unit during early concept design is encouraged to help facilitate efficient approval processes.

No Utility Services on Public Open Space

- 39. 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 as per the condition above.

Council Reserves — Vehicle Access Barriers

- 40. Unless otherwise approved in writing by the Responsible Authority, prior to the issuing of a Statement of Compliance for any relevant stage of the subdivision which includes a Council

Date issued:	Date permit comes into operation:	Signature for the responsible authority:
	(or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	

reserve, suitable vehicle access barriers must be provided across the entrance of the Council Reserve, one of these shall be de-mountable to allow access to Council maintenance vehicles to the satisfaction of the Responsible Authority. The location of these barriers shall be determined by the Responsible Authority.

Fencing of Council Reserves

- 41. Unless otherwise approved in writing by the Responsible Authority, prior to the issuing of a Statement of Compliance for any relevant stage of the subdivision which includes a Council reserve, the subdivider must erect an appropriate fence on the boundaries of the Council Reserve to the satisfaction of the Responsible Authority and at no cost to Council.

Completion of Landscape Works

- 42. 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.
- 43. If the Responsible Authority agrees to issue 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.
- 44. A practical completion inspection is required and must be arranged by the permit holder with two weeks' notice provided for the responsible authority. The practical delivery of the endorsed plans must be at a standard to the satisfaction of the responsible authority to pass this inspection. If applicable, 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) The vesting of the reserve to Council, at no cost to Council;
 - b) Building permits and structural engineering compliance, as-built construction plans, and materials detail where necessary;
 - c) Landscaping maintenance plan
 - d) Schedule of Quantities showing the financial value of all hard assets
 - e) As-built landscaping plans in PDF and GIS-ready AutoCAD (DXF) format.
 - f) —An independent playground auditors report with evidence of rectification of any identified defects. The report must relate to all playground equipment, fitness equipment, natural play area, soft fall areas and edging to ensure that all aspects of playground construction meet Playground Standards AS/NZ4422 1996 and AS4685 parts 1-6 2004 and is in good working order and safe for use.

Date issued:	Date permit comes into operation: (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	Signature for the responsible authority:
_____	_____	_____

46. 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.

Maintenance of Landscaping

47. 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.
48. 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.
49. A handover inspection is required and must be arranged by the permit holder with two weeks' notice provided for the responsible authority. The maintenance of the completed works must be at a standard to the satisfaction of the responsible authority to pass this inspection. The maintenance bond will be returned on award of Handover.
50. 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.

Notes:

1. 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. At the conclusion of the maintenance period all maintenance responsibilities will be transferred to the responsible authority.
3. No handovers will be accepted during the summer months from 01 December to 28 February inclusive.

Public Open Space Contributions

51. The owner of the subject land must provide Public Open Space in part by land and the balance by cash-in-lieu equivalent to ten (10) per cent of the site value of all developable land in the subdivision pursuant to Section 18 of the Subdivision Act 1988. The contribution will be payable prior to the issue of a Statement of Compliance for each stage.

Street Tree Master Plan

Date issued:	Date permit comes into operation: (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	Signature for the responsible authority:
_____	_____	_____

52. For any multi staged development a street tree master plan must be submitted to and approved by the Responsible Authority.
53. The master plan must be developed to include the following:
 - a) All proposed street tree planting using semi-advanced trees with a minimum container size of 45 litres that comply with AS2303 *Tree Stock for Landscape Use*
 - b) 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

Notes:

1. The master plan must be developed in accordance with the principles of the PSP where one applies.
2. 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.
3. The applicant must obtain and provide evidence to the Responsible Authority that Powercor has been consulted and has agreed with the proposed street tree species palette.

- Streetscape Works, Detailed Plans

54. 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.
55. 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.
56. Where applicable, the plan must be generally in accordance to the street tree master plan and show:
 - a) The name and stage of the estate and the Planning Permit Number
 - b) The layout of proposed new planting in all road reserves and traffic management devices (e.g. medians, islands, and roundabouts)
 - c) Details of all other infrastructure within the road reserve (e.g. underground services, street lights, stormwater pits, fire plugs etc)
 - d) 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
 - e) All proposed groundcover & shrub planting with a minimum container size of 150mm
 - f) —The maintenance schedule for all proposed planting

Date issued:

Date permit comes into operation:

Signature for the responsible authority:

(or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)

Permit No.:

- g) Plan view indicating mature tree sizes, shown to scale to illustrate the extent of canopy coverage
- h) All road cross sections applicable to the site
- i) —TPZ on all plans (where applicable)

Notes:

1. Proposed entry signage must not be located on public land.
2. Landscape treatments within traffic control devices such as medians and roundabouts are subject to specific control measures.
3. Where applicable in multi-staged developments the Street Tree Master Plan may form part of the Landscape Master Plan

Completion of Streetscape Works

57. Unless otherwise approved in writing by the responsible authority, prior to the issue of Statement of Compliance for a particular stage of development all streetscape works shown on the endorsed streetscape plans for that stage must be completed to the satisfaction of the responsible authority.
58. 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 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.
 - a) The incomplete streetscape works bond or bank guarantee must be 125 per cent of the estimated cost of incomplete streetscape works.
 - b) The maintenance bond or bank guarantee must be 125% of the estimated cost of maintenance activities for a two (2) year period.

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

59. All 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, any dead, diseased or damaged plants are to be repaired or replaced as required.

<p>Date issued:</p>	<p>Date permit comes into operation: (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)</p>	<p>Signature for the responsible authority:</p>
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- 60. Where the landscape works are bonded, the maintenance period will commence from the date that the works are awarded Practical Completion by the Responsible Authority.
- 61. A maintenance bond to the value of 125% 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.
- 62. 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.

Section 173 Agreements

- 63. Development Contributions, Infrastructure Items, public open space contributions and any other relevant requirement of the section 173 Agreement applying to the land must be satisfied in accordance with the Agreement to the satisfaction of the Responsible Authority. Detail, to the satisfaction of the Responsible Authority, must be provided detailing the method of calculation of the contribution or requirement to be satisfied.

Commented [JB8]: Very broad condition. I think there should be another condition requiring the land owner to enter into a Section 173 Agreement to pay a development contribution levy.

The permit condition does not need to replicate the Agreement. What contributions are required?

Barwon Water Conditions

General

- 64. 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.
- 65. 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.
- 66. Barwon Water has two strategic mains surrounding the above mentioned sites, being the 1000mm Grovedale Feeder Main to the south and the 1400mm Pettavel-Montpellier Transfer Main to the West. Both mains are critical to the region and they are to be protected to the satisfaction of Barwon Water.

Water

Date issued:	Date permit comes into operation: (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	Signature for the responsible authority:
_____	_____	_____

- 67. The provision and installation of individual water services to all lots in the subdivision. Note, that tapplings and services are not to be located under existing or proposed driveways.
- 68. 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.
- 69. Reticulated water mains or a water main extension are/ is 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.

Sewer

- 70. 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.
- 71. 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).
- 72. Reticulated sewer mains or a sewer main extension are/ is 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.
- 73. Additional sewerage assets are required to service this development. The creation of assets is additional to the internal works required for which the developer will be responsible to provide. The assets required are a Sewerage Pump Station (SPS) and Rising Main (RM).

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 Land Development reference number **L014521**.

Powercor Conditions

- 74. 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.
- 75. 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.

Date issued:	Date permit comes into operation: (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	Signature for the responsible authority:
_____	_____	_____

76. 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.
77. Any buildings must comply with the clearances required by the Electricity Safety (Installations) Regulations.
78. 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.
79. 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 'Powerline Purposes' pursuant to Section 88 of the Electricity Industry Act 2000.
80. The applicant shall obtain for the use of Powercor Australia Ltd any other easement external to the subdivision required to service the lots.
81. 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.
82. The applicant shall obtain Powercor Australia Ltd's approval for a lot boundaries within any area affected by an easement for a powerline and for the construction of any works in such an area.
83. 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.

CFA Conditions

Hydrants

84. Prior to the issue of a Statement of Compliance under the Subdivision Act 1988 the following requirements must be met to the satisfaction of the CFA:
85. Above or below ground operable hydrants must be provided. The maximum distance between these hydrants must be no more than 120 metres apart.

Date issued:	Date permit comes into operation: (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	Signature for the responsible authority:
_____	_____	_____

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

Note – 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)

Roads

- 87. 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.
- 88. 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.
- 89. Curves must have a minimum inner radius of 10 metres.
- 90. Have a minimum trafficable width of 3.5 metres and be clear of encroachments for at least 4 metres above the access way.
- 91. Roads more than 60m in length from the nearest intersection must have a turning circle with a minimum radius of 8m (including roll-over kerbs if they are provided) T or Y heads of dimensions specified by the CFA may be used as alternatives.

CCMA Conditions

- 92. There is to be no loss of floodplain storage as a result of the development.
- 93. The final stormwater management design ensures that flows discharging from the subdivision site are restricted to, or below, pre-development levels for all events up to and including the 1% AEP flood event.
- 94. The stormwater drainage system must ensure a design philosophy of ‘zero adverse impacts’ to surrounding areas for up to and including the 1% AEP flood event.
- 95. All streets, footpaths and cycle paths that are subject to flooding must meet the applicable flood hazard safety criteria.
- 96. All lots within the development shall be free from inundation from 1% AEP flood events.
- 97. A Works on Waterways Permit is required from the Corangamite Catchment Management Authority prior to any works on or within the bed and banks of the waterway.

Commented [EJ9]: New CCMA conditions (92-97)

Victrack Conditions

- 98. Except with the written consent of VicTrack, no drainage or effluent must enter or be directed to VicTrack land and must be connected to the legal point of discharge.
- 99. No waste, soil or other materials from the works are to be stored or deposited on VicTrack land.
- 100. All works including hoardings must be undertaken within the subject land and must not encroach onto VicTrack land.

Commented [EJ10]: VicTrack Conditions added

Date issued:	Date permit comes into operation: (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	Signature for the responsible authority:
_____	_____	_____

101. No entry onto railway land is permitted without the written consent of the rail operator.

102. No permanent or temporary ground anchors are permitted within VicTrack land.

Telecommunication Conditions

92103. 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.

93104. 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 time; 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.

Department of Jobs, Precincts and Regions – Earth Resources Regulation Branch

94105. All Lots contained within stages 6,7,8 & ~~9~~ (whether wholly or partially) affected by the 250m extractive industry buffer as shown on the endorsed plan shall not be developed without the further written agreement of the Department of Jobs, Precincts and Regions.

Commented [JB11]: Stage Numbering appears to be incorrect. Latest plan does not include Stage 8 and 9.

Note: any variation or alteration to the stages referred to above must be submitted to the Earth Resources Regulation Branch within the Department of Jobs, Precincts and Regions.

Expiry

95106. 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 two years of the date of this permit.
- b) All stages of the plan of subdivision have not been certified within five years of the date of this permit.
- c) A statement of compliance is not issued within five years of the date of certification of a particular stage of subdivision.

Date issued:	Date permit comes into operation: (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	Signature for the responsible authority:
_____	_____	_____

Planning and Environment Regulations 2015 - Form 9, Section 96J

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.

[If the permit has been amended, include the following table indicating the date and nature of amendments included in the amended permit, and the name of the responsible authority that approved the amendment —]

<i>Date of amendment</i>	<i>Brief description of amendment</i>	<i>Name of responsible authority that approved the amendment</i>

Date issued:	Date permit comes into operation: (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	Signature for the responsible authority:
_____	_____	_____

Permit No.:

IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The Responsible Authority has issued a permit. The permit was granted by the Minister under section 96I of the **Planning and Environment Act 1987** on approval of Amendment No. *[insert amendment number]* to the *[insert name of planning scheme]*.

WHEN DOES THE PERMIT BEGIN?

The permit operates from a day specified in the permit being a day on or after the day on which the amendment to which the permit applies comes into operation.

WHEN DOES A PERMIT EXPIRE?

1. A permit for the development of land expires if—
 - the development or any stage of it does not start within the time specified in the permit; or
 - the development requires the certification of a plan of subdivision or consolidation under the **Subdivision Act 1988** and the plan is not certified within two years of the issue of a permit, unless the permit contains a different provision; or
 - the development or any stage is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation within 5 years of the certification of the plan of subdivision or consolidation under the **Subdivision Act 1988**.
2. A permit for the use of land expires if—
 - the use does not start within the time specified in the permit, or if no time is specified, within two years after the issue of the permit; or
 - the use is discontinued for a period of two years.
3. A permit for the development and use of land expires if—
 - the development or any stage of it does not start within the time specified in the permit; or
 - the development or any stage of it is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit; or
 - the use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development: or
 - the use is discontinued for a period of two years.
4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in section 6A(2) of the **Planning and Environment Act 1987**, or to any combination of use, development or any of those circumstances requires the certification of a plan under the **Subdivision Act 1988**, unless the permit contains a different provision—
 - the use or development of any stage is to be taken to have started when the plan is certified; and
 - the permit expires if the plan is not certified within two years of the issue of the permit.
5. The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

WHAT ABOUT REVIEWS?

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

APPENDIX 6 – PLANNING PERMIT 663 – 2017 (TRACKED CHANGES)

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

Permit No.: 663/2017

Planning scheme: Greater Geelong

Responsible authority: City of Greater Geelong

ADDRESS OF THE LAND: 69-93 HAMS ROAD, WAURN PONDS

THE PERMIT ALLOWS: Variation of Covenant (Gas Easement), Removal of Native Vegetation and Multi Lot Staged Subdivision

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Amended Plans

1. Prior to the commencement of the development, three (3) copies of amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and must be generally in accordance with the plans submitted with the application but modified to show:

- a) The staging plan amended to include construction of RB2 in stage 1 of development.
- b) All corner lots at intersections must have a minimum width of 14.0 m. ~~All corner lots of the medium density lots must have a minimum width of 9.0 m.~~
- c) Road reserve boundaries and splays are sufficient to accommodate a roundabout at the internal four-legged intersection contained in Stage 1.
- d) Provision of a court bowl at the dead end roads contained in Stage 2 and Stage 57 respectively with provision of a 21.0 m diameter between Face of Kerbs
- e) ~~An indicative vehicle access point to the superlot contained in Stage 2~~
- f) ~~Provision of an 8.0 m wide lane for the rear loaded medium density housing product contained in part Stage 3~~
- g) ~~Provision of an 8.0 m wide lane for the rear loaded medium density housing product contained in Stage 4~~
- e) A Functional Layout Plan of the proposed roundabout at the Ghazeepore Road/Hams Road/Sugargum Drive intersection must be provided, including swept path diagrams prepared by a suitably qualified Traffic Engineering consultant using recognised software to show all movements for a 12 m long bus (primary design vehicle) and a semi-trailer (secondary design vehicle).
- f) The roundabout at the Ghazeepore Road/Hams Road/Sugargum Drive intersection must be constructed prior to the issue of a Statement of Compliance for the 100th lot within the Design and Development Overlay Schedule 45 area.

Commented [EJ1]: Version 2 Updated 1 August 2019

Commented [JB2]: There may be a better way to reference the development area?

Condition included to ensure that this permit can act in the same way as the land at 35 Hams Road.

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Endorsed Plans

Date issued:	Date permit comes into operation: (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	Signature for the responsible authority:
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Permit No.:

2. The layout and site dimensions of the subdivision as shown on the endorsed plan(s) must 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 plan(s).
3. The staging of the subdivision must be generally in accordance with the staging plan endorsed as part of this planning permit except with the prior written consent of the Responsible Authority.

Prior to Certification

4. ~~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, and any easement no longer required or approved to be removed as part of this permit must not be shown on the plan to the satisfaction of the Responsible Authority.~~
~~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.~~

Commented [EJ3]: Reword condition to include removal of easements

5. 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.
6. Prior to the certification of any plan of subdivision (or any relevant stage of a subdivision), any restrictions on the plan of subdivision including relevant "Design Guidelines", "Restrictions" and/or "Memorandum of Common Provisions" must be submitted to the Responsible Authority for approval and applied to affected lots to the satisfaction of the Responsible Authority. Once approved, the restrictions and associated documentation will be endorsed and form part of the permit. The restrictions / Design Guidelines / Memorandum of Common Provisions must include:
 - a) A restriction applying to any lot directly opposite the Warrnambool Railway Line / Baanip Boulevard (as shown on the Hams Road Development Plan), that does not allow the construction of any dwelling on the burdened lot unless it complies with the following noise attenuation treatments (or otherwise agreed to by VicTrack and the Responsible Authority):
 - o Façades/a wall directly opposite the railway: 110 mm brick, 90 mm timber stud with insulation, 1 x 10 mm standard plasterboard;
 - o Glazing to habitable rooms with line of sight to the railway: 6/12/10.76 mm laminated glass;
 - o Roof: metal deck with insulation and ceiling comprised of 2 x 10 mm standard plasterboard.
 - b) A restriction applying to any lot directly opposite the Geelong Ring Road (as shown on the Hams Road Development Plan), that does not allow the construction of any dwelling on the burdened lot unless it complies with the following noise attenuation treatments (or otherwise agreed to by VicRoads and the Responsible Authority):

Commented [JB4]: What plan is this specifically?

<p>Date issued:</p>	<p>Date permit comes into operation: (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)</p>	<p>Signature for the responsible authority:</p>
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- o Wall/façade treatments to achieve the requirements of AS2107 for sleeping and living areas.

~~7. Prior to the certification of the Plan of Subdivision, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the Overall Subdivision Masterplan (dated 31 October 2018), but modified to show:~~

- ~~a) All corner lots at intersections must have a minimum width of 14.0 m~~
- ~~b) Road reserve boundaries and splays are sufficient to accommodate a roundabout at the internal four legged intersection (within Stage 3)~~
- ~~e) Provision of an 8.0 m wide lane for the rear loaded medium density housing products~~

Commented [JB5]: Duplicates Condition 1

Garden Area Requirement

8. Unless otherwise approved in writing by the Responsible Authority, prior to the issue of the Statement of Compliance, the owner must enter into an agreement under Section 173 of the Planning and Environment Act 1987 with the Responsible Authority. The agreement must be in a form to the satisfaction of the Responsible Authority, and the owner must be responsible for the expense of the preparation and registration of the agreement, including the Responsible Authority’s reasonable costs and expense (including legal expenses) incidental to the preparation, registration and enforcement of the agreement. The agreement must contain covenants to be registered on the Title of the property so as to run with the land, and must provide for the following:

- a) any future development of a lot of less than 400 square metres in area for a dwelling or residential building must include a ‘garden area’ at ground level as set out at Clause 32.08-3 of the Greater Geelong Planning Scheme. ‘Garden area’ is defined at Clause 73.01 of the Greater Geelong Planning Scheme.

Commented [LS6]: Amendment to reflect change in policy under VC143

Commented [LS7]: Amendment to reflect change in clause number under VC148

The agreement will be registered on Title in accordance with Section 181 of the Planning and Environment Act 1987.

Prior to commencement of works

9. Unless otherwise approved in writing Works for stage 1 of development may not commence unless stage 1 of PP-662-2017 is complete, or the works are completed concurrently, to the satisfaction of the Responsible Authority.

Commented [JB8]: Why is this Condition included? The condition should not restrict the timing of commencement.

Is it about the upgrade of Hams Road?

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Easements – Drainage

9. Prior to certification of the Plan of Subdivision for each stage, easements for the purpose of ‘Drainage’ must be set aside in favour of the City of Greater Geelong, to the satisfaction of the Responsible Authority.

Fill

Date issued:	Date permit comes into operation: (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	Signature for the responsible authority:
_____	_____	_____

10. Excavated material shall not be carted off the site except with the written approval of the Responsible Authority.
11. 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.
12. All areas to be filled shall be stripped of vegetation and any top soil shall be removed and stockpiled for reuse over the filled areas. Only approved filling material shall be placed on the site. The filling shall be placed in maximum 150 mm layers, or as approved otherwise by the Responsible Authority, and compacted to the applicable level for filling on allotments and within future roadways in accordance with AS3798, to the satisfaction of the Responsible Authority.
13. At the completion of the bulk earthworks, and at completion of the works for each stage, all disturbed areas shall be hydro mulched with an approved seed and fertilizer mixture to the satisfaction of the Responsible Authority to suppress dust, and minimise erosion, unless approved otherwise by the Responsible Authority.
14. All works must be undertaken in accordance with the recommendations of any geotechnical reports.

Engineering Plans

15. 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 to the Responsible Authority for approval. The plans shall include details of pits and pipes sizes, finished and existing surface levels, creation 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 includes recommendations of the report *35 & 69-93 Hams Road PSA Flood Modelling* (Water Technology) and complies with the requirements of the Infrastructure Design Manual and any other relevant standards. Site run-off shall be limited to equivalent pre-developed levels for rainfall events up to and including the critical 1% AEP event, to the satisfaction of the Responsible Authority. 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.

<p>Date issued:</p>	<p>Date permit comes into operation: (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)</p>	<p>Signature for the responsible authority:</p>
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- b) Upgrade of the existing outlet and culvert from the retarding basin on the north side of Hams Rd;
- c) Minimum finished surface levels on all lots must be 300mm above the relevant 1% AEP flood level.
- d) Details of waterway remediation.
- e) Details of remediation to existing dams / permanent water bodies. A risk assessment must be provided in accordance with Royal Lifesaving Society guidelines.

Note: 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.

- 16. 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.
- 17. The plans must include;
 - a) Construction of abutting roads including concrete kerb and channel, footpath and sealed road pavement;
 - b) Footpaths on both sides of roads unless otherwise approved;
 - 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
 To the satisfaction of the Responsible Authority

Construction Management Plan

- 18. A Construction Management Plan shall be submitted and approved by the Responsible Authority and shall address items including (but not be limited to) the following:
 - a) The protection of all existing vegetation and waterways;
 - b) Show access locations for construction vehicles;
 - c) All appropriate control of site emissions during construction and the defects liability period;
 - d) A staging plan for all construction phases including indicative dates for commencement and completion;
 - e) Intended access for construction vehicles;
 - f) —Engineering assessment of assets that will be impacted on by construction and recommended techniques to minimise any adverse impact;
 - g) Details of actions to be implemented to in the event of damage to abutting assets;
 - h) Details of where construction personnel will park;
 - i) —Hours/days of construction, including deliveries. (Note: These hours must be consistent with the Environment Protection Authority (EPA) legislation/guidelines);
 - j) —Phone numbers of on-site personnel or other supervisory staff to be contactable in the event of issues arising on site;
 - k) Details of site cleanliness and clean up regimes;
 - l) —Location of material storage;
 - m) Dust suppression management;

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_____	_____	_____

- n) Details of measures to be maintained during the housing construction phase of development to prevent sediment entering downstream drainage infrastructure;
- o) Any other measures that are consistent with the following Environmental Protection Authority publications: 'Environmental Management Guidelines for Major Construction Sites', 'Construction Techniques for Sediment and Pollution Control' and 'Doing it Right on Subdivisions'

Local Area Traffic Management and Road Name Plan

19. Unless otherwise approved in writing by the Responsible Authority, prior to the lodgement of the Stage 1 Functional Layout Plans:
- a) A Local Area Traffic Management (LATM) Plan for PP-662-2017 and PP-663-2017 must be developed with Council's Traffic Development Engineer, and submitted to and approved by the Responsible Authority. The LATM treatments may include, but not limited to: traffic management devices internal and external to the site, modified intersection priorities, indented car parking, signage, linemarking, and vehicle crossing locations. All treatments shown on the LATM Plan on subsequent construction plans for each stage must be consistent with the approved LATM Plan.
 - b) When the LATM plan has been finalised, a Road Naming Plan must be developed with Council's Traffic Development Engineer, and submitted to and approved by the Responsible Authority. The Road Naming Plan must respect the LATM plan and the *Naming Rules For Places in Victoria* document. Pre-approved road names and descriptors shall be applied to a color-coded length of road on the Road Naming Plan. All road naming on subsequent plans of subdivision for each stage must be consistent with the approved Road Naming Plan.

all to the satisfaction of the Responsible Authority.

Road Names and Signs

20. Prior to the development of the Road Naming Plan and lodgement of the Functional Layout Plan for Stage 1, the subdivider must provide a list of all proposed road names within the subdivision for approval by Council's Properties and Valuations unit. The subdivider must provide and place all relevant street signs, and are consistent with the road names shown on all approved plans, to the satisfaction of the Responsible Authority.

Construction of Roadworks/ Drainage

- 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 in accordance with the approved plans and specifications to the satisfaction of the Responsible Authority.
- 22. All development and works must be carried out in accordance with the Construction Management Plan endorsed under this permit, all to the satisfaction of the Responsible Authority.
- 23. 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.

Date issued:	Date permit comes into operation: (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	Signature for the responsible authority:
_____	_____	_____

- 24. 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.
- 25. Following Practical Completion, wetlands shall be maintained by the developer for a period of 24 months, to the satisfaction of the Responsible Authority.
- 26. 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.
- 27. 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.

29. During the construction phase of the development, the following conditions must be met:

- 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;

All to the satisfaction of the Responsible Authority.

30. Prior to the commencement of improvement works within Hams Road a scaled functional layout plan for the works must be prepared to the satisfaction of the Responsible Authority.

31. Unless otherwise approved in writing prior to Statement of Compliance of the 100th lot within the Design and Development Overlay Schedule 45 area the intersection works at the Hams Road and Ghazeeopore Road junction must be completed in accordance with the endorsed plans to the satisfaction of the Responsible Authority.

Commented [JB9]: There may be a better way to reference the development area?

Condition included to ensure that this permit can act in the same way as the land at 35 Hams Road.

Landscape Master Plan

30. 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 a street tree master plan) for the permit area must be developed 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 Precinct Structure Plan and Native Vegetation Precinct Plan applying to the land.~~ It must be drawn to scale with dimensions and submitted electronically. The landscape master plan must show and include, but not be limited to:

Date issued:	Date permit comes into operation: (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	Signature for the responsible authority:
_____	_____	_____

- a) The location, size and title designation of all land to be developed as reserves, including Public Open Space Reserves, Conservation Reserves, Greenways, Road Reserves and Drainage Reserves;
- b) A survey (including the location, size and botanical name) of all existing vegetation proposed to be retained on the land; and show details of tree protection zones. This survey must also show what vegetation is approved for retention, removal and/or lopping, ~~in accordance with the Native Vegetation Precinct Plan, highlighting any changes between the two.~~
- c) The ultimate 1% and 10% Annual Exceedance Probability storm event extents;
- d) A general indication of what recreation infrastructure is proposed and its location, including but not limited to: playgrounds, furniture, and exercise equipment, kick about areas, paths, shelters, vehicle exclusion barriers and maintenance access points;
- e) The style and location of permeable fencing for all lots abutting reserves (excluding road reserves);
- f) The proposed species to be used for and general layout of street tree planting in various stages of the subdivision including the proposed planting theme for all secondary frontages of corner allotments. Tree placement on secondary lot frontages must use no more than two trees that grow to an estimated size of no greater than 5 x 4 metres at maturity;
- g) All proposed street tree planting using semi-advanced trees with a minimum container size of 45 litres, in compliance with AS2303-2015 *Tree Stock for Landscape Use*;
- h) The principles and graphical concepts of Public Art which complies with the requirements of Council's Art and Culture Department;
- i) ~~—~~The location and size of any water sensitive urban design assets.

Notes:

- 1. Consultation with Council's Recreation and Open Space Unit during early concept design is encouraged to help facilitate efficient approval processes.
- 2. Any pathway within the open space reserves should be located having regard to the protection of existing vegetation worthy of retention.

Detailed Landscape Plans

31. 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 plan must address and be consistent with 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) Vegetation that is approved to be retained, removed and/or lopped, ~~in accordance with the Native Vegetation Precinct Plan (NVPP), as well as any other practical retention~~

Commented [JB10]: Not applicable.

Date issued:	Date permit comes into operation: (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	Signature for the responsible authority:
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tree(s) within a reserve (excluding conservation reserves) for any stage of the development. ~~The tree(s) not included in the NVPP must be assessed by a suitably qualified arborist to determine suitability for retention and ongoing management recommendations.~~ The detailed landscape plan for the area in which the tree(s) are located must be informed by this arboriculture assessment and show details of tree protection zones. This assessment must be submitted to council as part of the approval process;

- 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 (except road reserves). Fencing detail must be to Council specifications;
- h) Additional supporting information, such as certified structural designs or building forms;
- i) ~~—~~The removal of existing disused structures, foundations, pipelines, farm dams or stockpiles and the eradication of weeds;
- j) ~~—~~The proposed landscaping treatment of any road reserve abutting public open space;
- k) A detailed schedule of quantities showing accurate cost estimates of each item included in the plan.

Notes:

- 1. Hard copy/copies of the landscape plan must be provided at the reasonable request of the responsible authority.
- 2. Consultation with Council’s Recreation and Open Space Unit during early concept design is encouraged to help facilitate efficient approval processes.

No Utility Services on Public Open Space

- 32. 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 as per the condition above.

Council Reserves — Vehicle Access Barriers

- 33. Unless otherwise approved in writing by the Responsible Authority, prior to the issuing of a

Date issued:	Date permit comes into operation: (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	Signature for the responsible authority:
_____	_____	_____

Statement of Compliance for any relevant stage of the subdivision which includes a Council reserve, suitable vehicle access barriers must be provided across the entrance of the Council Reserve, one of these shall be de-mountable to allow access to Council maintenance vehicles to the satisfaction of the Responsible Authority. The location of these barriers shall be determined by the Responsible Authority.

Fencing of Council Reserves

- 34. Unless otherwise approved in writing by the Responsible Authority, prior to the issuing of a Statement of Compliance for any relevant stage of the subdivision which includes a Council reserve, the subdivider must erect an appropriate fence on the boundaries of the Council Reserve to the satisfaction of the Responsible Authority and at no cost to Council.

Completion of Landscape Works

- 35. 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.
- 36. If the Responsible Authority agrees to issue 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.
- 37. A practical completion inspection is required and must be arranged by the permit holder with two weeks' notice provided for the responsible authority. The practical delivery of the endorsed plans must be at a standard to the satisfaction of the responsible authority to pass this inspection. If applicable, the landscape works bond will be returned on award of practical completion.
- 38. 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) The vesting of the reserve to Council, at no cost to Council;
 - b) Building permits and structural engineering compliance, as-built construction plans, and materials detail where necessary;
 - c) Landscaping maintenance plan
 - d) Schedule of Quantities showing the financial value of all hard assets
 - e) As-built landscaping plans in PDF and GIS-ready AutoCAD (DXF) format.
 - f) An independent playground auditors report with evidence of rectification of any identified defects. The report must relate to all playground equipment, fitness equipment, natural play area, soft fall areas and edging to ensure that all aspects of playground construction meet Playground Standards AS/NZ4422 1996 and AS4685 parts 1-6 2004

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and is in good working order and safe for use.

39. 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.

Maintenance of Landscaping

40. 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.
41. 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.
42. A handover inspection is required and must be arranged by the permit holder with two weeks' notice provided for the responsible authority. The maintenance of the completed works must be at a standard to the satisfaction of the responsible authority to pass this inspection. The maintenance bond will be returned on award of Handover.
43. 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.

Notes:

1. 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. At the conclusion of the maintenance period all maintenance responsibilities will be transferred to the responsible authority.
3. No handovers will be accepted during the summer months from 01 December to 28 February inclusive.

Public Open Space Contributions

44. The owner of the subject land must provide Public Open Space in part by land and the balance by cash-in-lieu equivalent to ten (10) per cent of the site value of all developable land in the subdivision pursuant to Section 18 of the Subdivision Act 1988. The contribution will be payable prior to the issue of a Statement of Compliance.

- Street Tree Master Plan

<p>Date issued:</p>	<p>Date permit comes into operation: (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)</p>	<p>Signature for the responsible authority:</p>
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45. For any multi staged development a street tree master plan must be submitted to and approved by the Responsible Authority.
46. The master plan must be developed to include the following:
 - a) All proposed street tree planting using semi-advanced trees with a minimum container size of 45 litres that comply with AS2303 *Tree Stock for Landscape Use*
 - b) 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

Notes:

1. The master plan must be developed in accordance with the principles of the PSP where one applies.
2. 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.
3. The applicant must obtain and provide evidence to the Responsible Authority that Powercor has been consulted and has agreed with the proposed street tree species palette.

• Streetscape Works, Detailed Plans

47. 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.
48. 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.
49. Where applicable, the plan must be generally in accordance to the street tree master plan and show:
 - a) The name and stage of the estate and the Planning Permit Number
 - b) The layout of proposed new planting in all road reserves and traffic management devices (e.g. medians, islands, and roundabouts)
 - c) Details of all other infrastructure within the road reserve (e.g. underground services, street lights, stormwater pits, fire plugs etc)
 - d) 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
 - e) All proposed groundcover & shrub planting with a minimum container size of 150mm
 - f) —The maintenance schedule for all proposed planting

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- g) Plan view indicating mature tree sizes, shown to scale to illustrate the extent of canopy coverage
- h) All road cross sections applicable to the site
- i) —TPZ on all plans (where applicable)

Notes:

1. Proposed entry signage must not be located on public land.
2. Landscape treatments within traffic control devices such as medians and roundabouts are subject to specific control measures.
3. Where applicable in multi-staged developments the Street Tree Master Plan may form part of the Landscape Master Plan

Completion of Streetscape Works

50. Unless otherwise approved in writing by the responsible authority, prior to the issue of Statement of Compliance for a particular stage of development all streetscape works shown on the endorsed streetscape plans for that stage must be completed to the satisfaction of the responsible authority.
51. 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 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.
 - a) The incomplete streetscape works bond or bank guarantee must be 125 per cent of the estimated cost of incomplete streetscape works.
 - b) The maintenance bond or bank guarantee must be 125% of the estimated cost of maintenance activities for a two (2) year period.

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

52. All 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, any dead, diseased or damaged plants are to be repaired or replaced as required.

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53. Where the landscape works are bonded, the maintenance period will commence from the date that the works are awarded Practical Completion by the Responsible Authority.
54. A maintenance bond to the value of 125% 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.
55. 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.

Barwon Water Conditions

General

56. 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.
57. 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.
58. Barwon Water has two strategic mains surrounding the above mentioned sites, being the 1000mm Grovedale Feeder Main to the south and the 1400mm Pettavel-Montpellier Transfer Main to the West. Both mains are critical to the region and they are to be protected to the satisfaction of Barwon Water.

Water

59. The provision and installation of individual water services to all lots in the subdivision. Note, that tappings and services are not to be located under existing or proposed driveways.
60. 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.

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61. Reticulated water mains or a water main extension are/ is 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.

Sewer

62. 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.
63. 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).
64. Reticulated sewer mains or a sewer main extension are/ is 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.
65. Additional sewerage assets are required to service this development. The creation of assets is additional to the internal works required for which the developer will be responsible to provide. The assets required are a Sewerage Pump Station (SPS) and Rising Main (RM).

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 Land Development reference number **L014521**.

66. 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.
67. 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.
68. 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.
69. Any buildings must comply with the clearances required by the Electricity Safety (Installations) Regulations.

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70. 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.
71. 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 'Powerline Purposes' pursuant to Section 88 of the Electricity Industry Act 2000.
72. The applicant shall obtain for the use of Powercor Australia Ltd any other easement external to the subdivision required to service the lots.
73. 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.
74. The applicant shall obtain Powercor Australia Ltd's approval for a lot boundaries within any area affected by an easement for a powerline and for the construction of any works in such an area.
75. 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.

CFA Conditions

Hydrants

76. Prior to the issue of a Statement of Compliance under the Subdivision Act 1988 the following requirements must be met to the satisfaction of the CFA:
77. Above or below ground operable hydrants must be provided. The maximum distance between these hydrants must be no more than 120 metres apart.
78. The hydrants must be identified with marker posts and road reflectors as applicable to the satisfaction of the Country Fire Authority.

Note – 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)

Roads

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79. 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.
80. 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.
81. Curves must have a minimum inner radius of 10 metres.
82. Have a minimum trafficable width of 3.5 metres and be clear of encroachments for at least 4 metres above the access way.
83. Roads more than 60m in length from the nearest intersection must have a turning circle with a minimum radius of 8m (including roll-over kerbs if they are provided) T or Y heads of dimensions specified by the CFA may be used as alternatives.

CCMA Conditions

84. There is to be no loss of floodplain storage as a result of the development.
85. The final stormwater management design ensures that flows discharging from the subdivision site are restricted to, or below, pre-development levels for all events up to and including the 1% AEP flood event.
86. The stormwater drainage system must ensure a design philosophy of 'zero adverse impacts' to surrounding areas for up to and including the 1% AEP flood event.
87. All streets, footpaths and cycle paths that are subject to flooding must meet the applicable flood hazard safety criteria.
88. All lots within the development shall be free from inundation from 1% AEP flood events.
89. A Works on Waterways Permit is required from the Corangamite Catchment Management Authority prior to any works on or within the bed and banks of the waterway.

Commented [EJ11]: CCMA Conditions added

Victrack Conditions

90. Except with the written consent of VicTrack, no drainage or effluent must enter or be directed to VicTrack land and must be connected to the legal point of discharge.
91. No waste, soil or other materials from the works are to be stored or deposited on VicTrack land.
92. All works including hoardings must be undertaken within the subject land and must not encroach onto VicTrack land.
93. No entry onto railway land is permitted without the written consent of the rail operator.
94. No permanent or temporary ground anchors are permitted within VicTrack land.

Commented [EJ12]: VicTrack Conditions added

Telecommunication Conditions

95~~84~~. The owner of the land must enter into agreements with

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- 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.

8596. 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 time; 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.

Department of Jobs, Precincts and Regions – Earth Resources Regulation Branch

8697. All Lots contained within stages 6,7,8 & 9 (whether wholly or partially) affected by the 250m extractive industry buffer as shown on the endorsed plan shall not be developed without the further written agreement of the Department of Jobs, Precincts and Regions.

Note: any variation or alteration to the stages referred to above must be submitted to the Earth Resources Regulation Branch within the Department of Jobs, Precincts and Regions

Commented [JB13]: These Stages no longer exist.

Expiry

8798. 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 two years of the date of this permit.
- b) All stages of the plan of subdivision have not been certified within five years of the date of this permit.
- c) A statement of compliance is not issued within five 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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Planning and Environment Regulations 2015 - Form 9, Section 96J

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<i>Date of amendment</i>	<i>Brief description of amendment</i>	<i>Name of responsible authority that approved the amendment</i>

Date issued:	Date permit comes into operation: (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	Signature for the responsible authority:
_____	_____	_____

Permit No.: _____

IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The Responsible Authority has issued a permit. The permit was granted by the Minister under section 96I of the **Planning and Environment Act 1987** on approval of Amendment No. *[insert amendment number]* to the *[insert name of planning scheme]*.

WHEN DOES THE PERMIT BEGIN?

The permit operates from a day specified in the permit being a day on or after the day on which the amendment to which the permit applies comes into operation.

WHEN DOES A PERMIT EXPIRE?

1. A permit for the development of land expires if—
 - the development or any stage of it does not start within the time specified in the permit; or
 - the development requires the certification of a plan of subdivision or consolidation under the **Subdivision Act 1988** and the plan is not certified within two years of the issue of a permit, unless the permit contains a different provision; or
 - the development or any stage is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation within 5 years of the certification of the plan of subdivision or consolidation under the **Subdivision Act 1988**.
2. A permit for the use of land expires if—
 - the use does not start within the time specified in the permit, or if no time is specified, within two years after the issue of the permit; or
 - the use is discontinued for a period of two years.
3. A permit for the development and use of land expires if—
 - the development or any stage of it does not start within the time specified in the permit; or
 - the development or any stage of it is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit; or
 - the use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development: or
 - the use is discontinued for a period of two years.
4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in section 6A(2) of the **Planning and Environment Act 1987**, or to any combination of use, development or any of those circumstances requires the certification of a plan under the **Subdivision Act 1988**, unless the permit contains a different provision—
 - the use or development of any stage is to be taken to have started when the plan is certified; and
 - the permit expires if the plan is not certified within two years of the issue of the permit.
5. The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

WHAT ABOUT REVIEWS?

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