

PANEL SUBMISSION



GREATER GEELONG PLANNING SCHEME AMENDMENT C372 AND PLANNING PERMITS 662/2017 & 663/2017

HAMS ROAD, WAURN PONDS REZONING AND SUBDIVISION

Part B Submission to the Independent Panel

Panel: Sarah Carlisle (Chair), Catherine Wilson

Date: 22 August 2019

Presented by: Peter Smith, Coordinator Strategic Implementation
and Erin Jones, Principal Statutory Planner
on behalf of City of Greater Geelong

Contents

- INTRODUCTION 3**
- THE AMENDMENT AND PERMITS 3
- SUMMARY OF COUNCIL’S SUBMISSION 3
- RECENT DEVELOPMENT OF THE AREA 5**
- SUMMARY OF KEY ISSUES RAISED IN SUBMISSIONS..... 10**
- TRAFFIC AND TRANSPORT 10
- HOUSING DENSITY 10
- OTHER ISSUES 10
- SUMMARY LIST OF KEY ISSUES RAISED 11
- COMPARISON OF ISSUES RAISED AND PERMIT CONDITIONS..... 12**
- TABLE OF ISSUES RAISED COMPARED TO PERMIT CONDITIONS 12
- RESPONSE TO EXPERT EVIDENCE 14**
- PLANNING EXPERT EVIDENCE - INSIGHT PLANNING CONSULTANTS 14
- ENVIRONMENTAL EXPERT EVIDENCE - PRACTICAL ECOLOGY 15
- DRAINAGE EXPERT EVIDENCE - TOMKINSON GROUP 15
- TRAFFIC EXPERT EVIDENCE - TRAFFIX GROUP 16
- TRANSPORT EXPERT EVIDENCE - GTA 17
- BUSHFIRE EXPERT EVIDENCE - BAL ASSESSMENT 18
- ACOUSTIC EXPERT EVIDENCE - MARSHALL DAY 19
- BORAL WORK AUTHORITY..... 20**
- COUNCIL’S FINAL POSITION ON THE AMENDMENT 23**
- NET COMMUNITY BENEFIT & SUSTAINABLE DEVELOPMENT 24**
- LAND FOR SETTLEMENT 24
- PROTECTION OF THE ENVIRONMENT AND WATERWAYS 25
- MANAGEMENT OF RESOURCES AND INFRASTRUCTURE 25
- SOCIAL WELLBEING AND NEEDS 26
- CONCLUSION 28**
- APPENDICES 29**
- APPENDIX 1 – PLAN OF BORAL WORK AUTHORITY (WA63) 30
- APPENDIX 2 – REVISED DRAFT PLANNING PERMIT 662/2017 (VERSION 4) 32
- APPENDIX 3 – REVISED DRAFT PLANNING PERMIT 663/2017 (VERSION 4) 33
- LIST OF FIGURES**
- Figure 1 - 2001 Aerial Photos 6
- Figure 2- 2012 Aerial Photos 7
- Figure 3 – 2018 Aerial Photos 8
- Figure 4 - Armstrong Creek West PSP Urban Structure Plan 9
- Figure 4 –Map of Special Use Zone 7 - Earth and Energy Resources Industry (SUZ7) 21
- Figure 5 –Map showing 220m buffer from Boral land 22
- Figure 6 –Buffer as shown on Proponent’s masterplan (Version MP19) 22

INTRODUCTION

1. This submission has been prepared by the Planning Authority, the City of Greater Geelong, and seeks the Panel's support for Amendment C372 and Planning Permits 662/2017 and 663/2017.

The Amendment and Permits

2. The land affected by the amendment is 35 & 69-93 Hams Road, Wauron Ponds and a Barwon Water reserve north of the railway line. The land affected by the permit application is only 35 & 69-93 Hams Road, Wauron Ponds. In this submission the "subject land" refers to 35 & 69-93 Hams Road.
3. The amendment proposes to rezone the subject land from the Farming Zone to the General Residential Zone with a Design and Development Overlay and rezones the Barwon Water reserve to Public Use Zone.
4. The two permit applications (662/2017 and 663/2017) seek approval for multi-lot subdivision, removal of native vegetation and variation to restrictions and easements.
5. The person who requested the amendment and permits is Taylors Development Strategists on behalf of the proponents, Wauron Ponds Trust and Echin Pty Ltd.

Summary of Council's submission

6. Council's Part A submission was circulated to the Panel and other parties on 14 August 2019 and posted on Council's website. We will briefly take the Panel through some of the matters in our Part A submission as they provide context for the matters addressed in our Part B submission.
7. The Panel has directed that Council's Part B submission includes: a summary of issues raised in submissions; how the issues raised relate to permit conditions; how the proposal provides net community benefit; a response to expert evidence; Council's final position on the amendment; and the Boral Work Authority for its quarry south of the site. These matters will be addressed in our submission although not always in the order outlined in the Panel directions.
8. We submit that the rezoning of the subject land is strategically justified. It is located within the urban boundary of Geelong and warrants a zone that will allow residential development that can capitalise on its location. The land is next to established residential areas, close to a bus stop and within walking distance of a train station. It is relatively close (a short drive or bus ride) to schools, a university, a major

hospital, a sub-regional activity/ shopping centre, a library and recreational facilities. It is also very close to major arterial roads and future facilities that will be developed in the nearby growth area.

9. We support the planning permit applications to subdivide the land into residential lots. This will provide additional residential lot supply, housing choices and an opportunity to improve drainage and creek management, open space provision and intersections and roads in the area.
10. We believe the revised set of masterplans, permit conditions, overlay schedule and Section 173 Agreement will address the key issues raised by authorities and local residents.

RECENT DEVELOPMENT OF THE AREA

11. Council's Part A submission provided a chronology of events relating to Amendment C372 and the associated planning permits. This section of our submission provides some recent historical context to the development of the surrounding area mainly through aerial photography.
12. The residential area north and north east of the subject land was approved for residential subdivision and developed under several permits issued in the late 1990's and early 2000's. Prior to that it was farmland similar to the subject land.
13. Figure 1 shows an aerial photo from 2001 at two different scales. Land to the north, in the now Grange Park Drive estate, has started developing with sections of the open grassed farming land remaining. Hams Road is unmade and connects directly to Anglesea Road and continues west.
14. Figure 2 is from 2012 showing the Geelong Ring Road under construction but no Baanip Boulevard as yet. Hams Road is truncated and the housing estate to the north almost complete. Conventional residential estates east of Ghazeepore Road are starting to develop. Boral's limestone extraction has moved further south but stays west of Anglesea Rd. The full extent of Boral's Work Authority is in **Appendix 1** which will be discussed later in this submission.
15. Figure 3 is from October 2018 with the Geelong Ring Road and Baanip Boulevard fully operational and the Waurm Ponds Railway Station complete and open. Housing has filled in west of Ghazeepore Road and major new housing estates developed in the Armstrong Creek West Precinct. The Waurm Ponds Shopping Centre to the far north east of the photo has been extended west to almost double its previous size. Additional bulky good retail has developed along Colac Road.
16. Of relevance to the area is the Armstrong Creek West Precinct Structure Plan which was approved in 2012 as part of Amendment C240. Figure 4 is a copy of the PSP Urban Structure Plan. The PSP shows future land uses that will benefit residents in the southern part of Waurm Ponds. These include a linear open space and environmental corridor along Armstrong Creek, regional sporting fields and a Local Activity Centre south of the railway station. It is expected that a large carpark will be provided south of the station and this should take some pressure off Ghazeepore Road and Sugragum Drive as commuters from Armstrong Creek and Torquay can choose to park south of the line to access the station (via a future pedestrian overpass).

Figure 1 - 2001 Aerial Photos

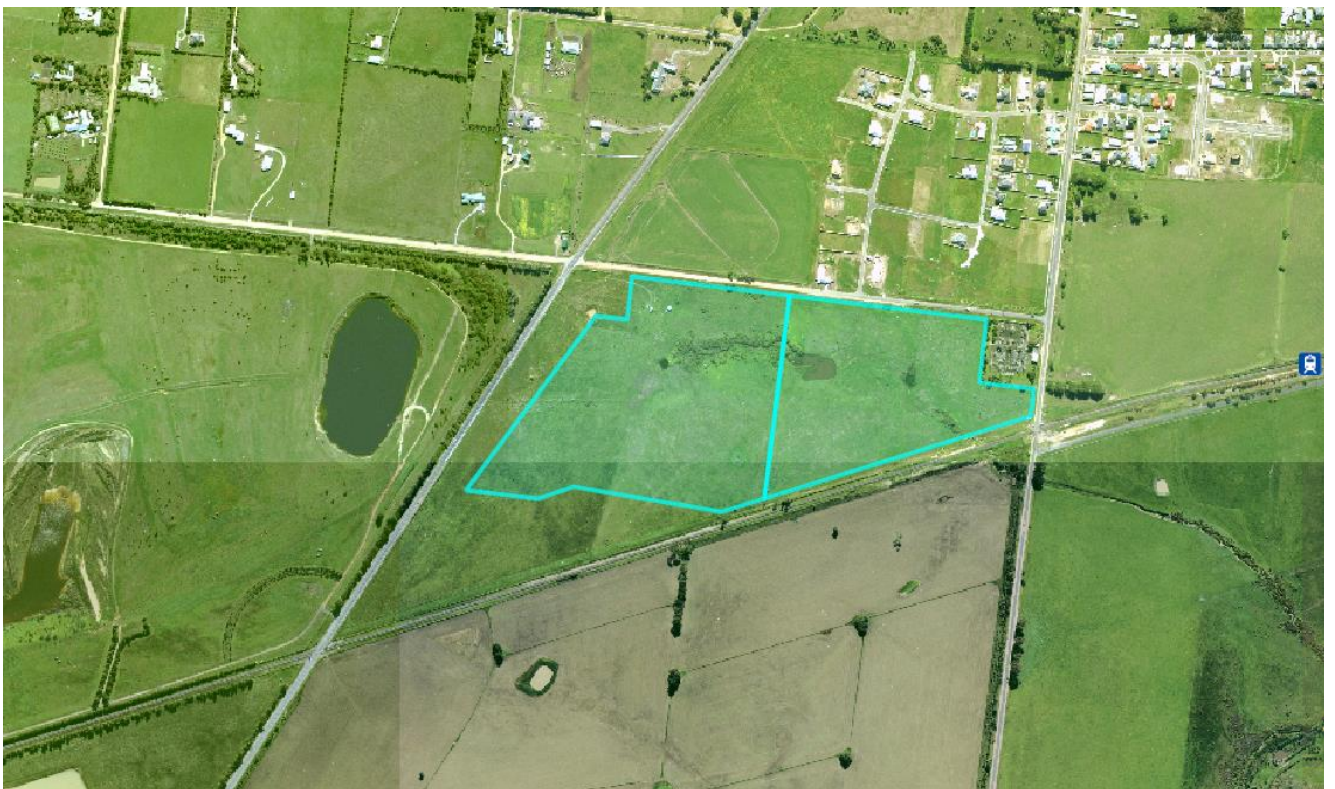


Figure 2- 2012 Aerial Photos

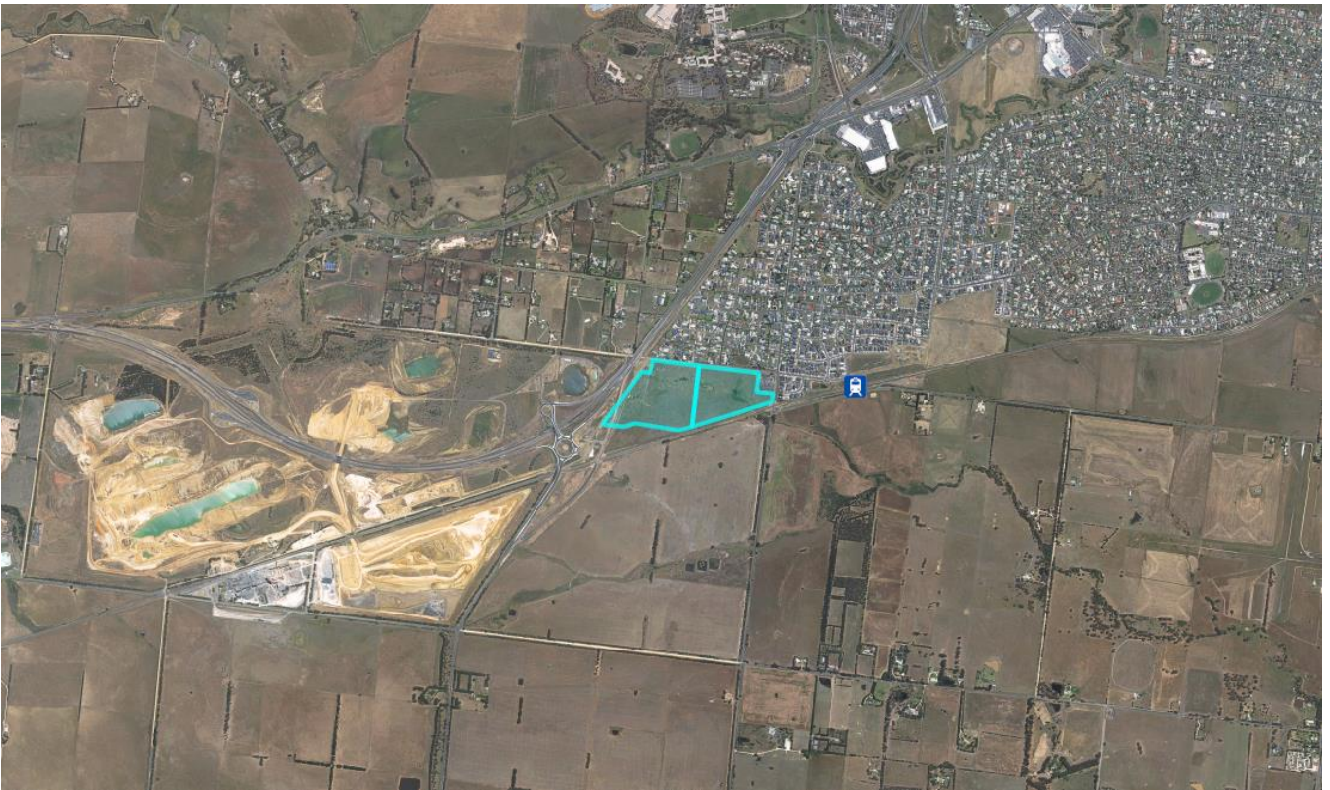
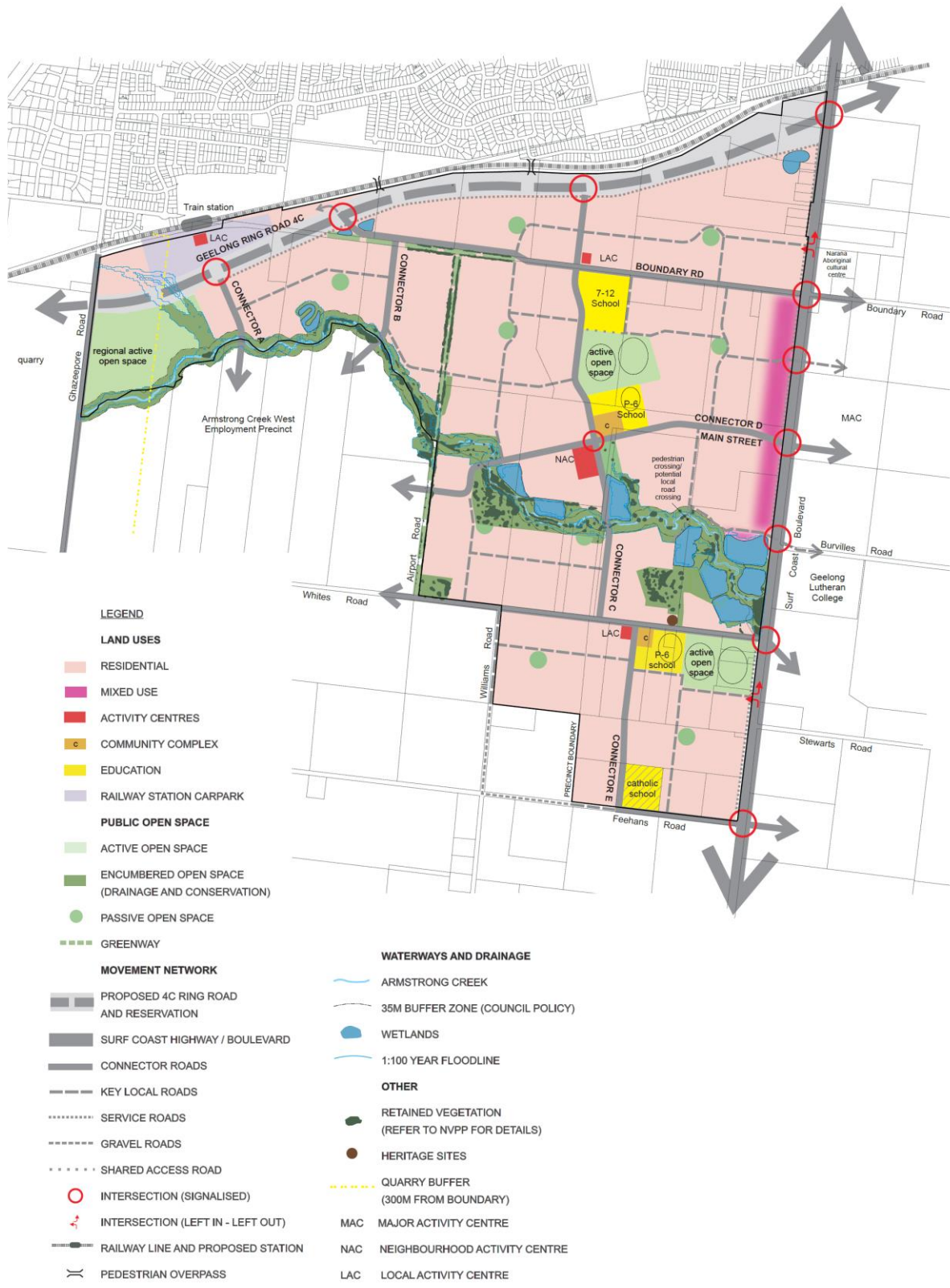


Figure 3 – 2018 Aerial Photos



Figure 4 - Armstrong Creek West PSP Urban Structure Plan



PLAN 3
URBAN STRUCTURE PLAN

SUMMARY OF KEY ISSUES RAISED IN SUBMISSIONS

17. The Panel has directed that Council provide a summary of the key issues raised in submissions.
18. The two key themes in issues raised in submissions are traffic/transport and housing density.

Traffic and Transport

19. Traffic and transport concerns include problems with the main road in the area – Ghazeepore Road. This connector road has, in recent years, seen increases in traffic volumes due to residential development of growth areas to the south at Armstrong Creek and Torquay, the opening up of Baanip Boulevard which connects the Geelong Ring Road and Torquay Road, and the development and opening of the Waurm Ponds Railway Station.
20. Concerns have also been raised about the intersection of Hams Road and Ghazeepore Road. Issues raised include its inability to cope with additional traffic, comments for and against a new roundabout and requests for traffic lights rather than a roundabout.
21. Residents along Grange Park Drive and feeder streets to the north of the subject land are also concerned about increased traffic volumes and associated amenity impacts on the relatively quiet neighbourhood.

Housing density

22. Many submissions were concerned at the density of the proposed subdivision, relatively small lot sizes and the two proposed medium density super lots. There is also widespread concern in submissions about the subdivision not being consistent with the character and density of the adjoining Grange Park Estate.
23. Related to housing density submitters have raised issues about the potential for student housing and perceived socio-economic and crime issues associated with what some submitters consider to be higher density development

Other issues

24. Other concerns raised in submissions include: open space, environmental impacts, flooding, drainage, noise and air quality, the buffer from the Boral quarry land and the consultation process.
25. It is important to note that a number of submitters did not oppose rezoning of the site or development but objected to the masterplan due to it being perceived as

high density and having small lot sizes. Effectively this means there are several submissions that don't object to the amendment but object to the planning permits.

26. A dot point list of the key issues raised is provided below. The Council meeting minutes of 25 June 2019 and section C of Council's Part A submission provide a full description of the issues raised and our response.
27. We will briefly take the Panel through section C of Council's Part A submission to highlight recent meetings and discussions that have occurred to resolve submissions.

Summary list of key issues raised

- Traffic
 - Ghazeepore Road
 - Intersection of Hams Road, Ghazeepore Road and Sugargum Drive
 - Grange Park Drive
 - Traffic report
 - Single point of entry / Emergency vehicle access
- Housing Density and Character
 - Lot sizes
 - Neighbourhood Character
 - Socio Economic/Crime
 - Student Housing
- Flooding and Drainage
- Servicing
- Environmental impacts, open space
- Noise Impacts
- Air Quality
- Boral Quarry Buffer
- Public Consultation

COMPARISON OF ISSUES RAISED AND PERMIT CONDITIONS

28. The Panel has directed that Council provide a comparison table showing issues raised in submissions with related permit conditions, this is provided below.
29. A copy of the latest version of the planning permits is in **Appendices 2 and 3**.
30. Some of the potential permit conditions that could follow from the proponent's statement such as a restriction on further subdivision have not been added to the permits. Typically a developer would do this by adding a restriction on title after certification and prior to statement of compliance.

Table of Issues Raised Compared to Permit Conditions

Issue	Raised By	Comment	Relevant Permit Conditions 662/2017	Relevant Permit Conditions 663/2017
Inadequate separation distance to the substation. Object to variation of the easement.	Powercor	Conditions relating to buffers and restrictions on titles have been included on the permit. The approval for the variation of the easement has been removed from the permit preamble.	6	N/A
Subdivision has not taken into account increase in train services from the proposed train stabling site	PTV	Conditions regarding noise attenuation measures required through restrictions on titles have been included on the permit for those lots along the train line.	6	6
Concerns with Hams Road/ Ghazepoore Road upgrade and bicycle path	TFV	Conditions regarding the construction of this have been included on the permit.	31-35	N/A
Concerns with Surface water Strategy	CCMA	Conditions recommended by the CCMA to address this have been included on both permits.	105-110	102-107
Concerns with stormwater discharge over VicTrack land	VicTrack	Further discussions with the applicant, VicTrack and Council will continue to ensure that flooding and stormwater discharge will not occur on VicTrack land as a result of the subdivision	111-115	108-112
Concerns with buffer to Quarry	Boral	Conditions have been placed on the require that development in stages within the 250m extractive industry	118	115

		buffer will need further written agreement of the Department of Jobs, Precincts and Regions.		
Housing Density/Lot sizes	Various Submitters	Master plan shows larger lot sizes along Hams Road to reflect lot sizes on North Side of Hams Road.	No applicable condition	No applicable condition
Neighbourhood character	Various Submitters	Master plan shows larger lot sizes along Hams Road to reflect lot sizes on North Side of Hams Road.	No applicable condition	No applicable condition
Student Housing	Various Submitters	Student Housing is not prohibited in the General Residential Zone. Any lots that have a development of over 10 habitable rooms would require additional planning permission.	No applicable condition	No applicable condition
Socio Economic/Crime	Various Submitters	It is not considered that the subdivision will result in any increased crime rates.	No applicable condition	No applicable condition
Flooding and Drainage	Various Submitters	A number of conditions have been placed on both permits relating to drainage.	1, 9, 15, 21, 28	1, 9, 15, 21, 28
Servicing	Various Submitters	The application was referred to all servicing authorities and required conditions have been included on the permits.	Barwon Water: 77-86 Powercor: 87-96 Telecom:116-117	Barwon Water: 74-83 Powercor: 84-93 Telecom:113-114
Traffic Concerns	Various Submitters	The subdivision has been assessed by Councils traffic department and appropriate conditions have been included on both permits regarding traffic control and traffic items.	1, 7, 16-17, 19, 20, 21, 26, 27, 30-35	1, 7, 16-17, 19, 20, 21, 26, 27
Environmental Impacts	Various Submitters	The proposed subdivision has taken into account the natural water course through both lots in terms of proposed layout, drainage and vegetation outcomes. Conditions have also been included on both permits in relation to vegetation protection. These conditions have been added after exhibition. This is due to an oversight in missing conditions prepared by Councils Environment Unit and comments made by DELWP.	37-49 (vegetation and construction management)	31-43 (vegetation and construction management)

RESPONSE TO EXPERT EVIDENCE

31. The Panel has directed that Council provide its response to evidence.

Planning Expert Evidence - Insight Planning Consultants

32. Council officers generally concur with Mr Black's assessment of the merits of the rezoning of the subject land and his comments on the support provided by Council's Settlement Strategy. One minor issue is on page 11 paragraph 39 Mr Black says "*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 Waurn Ponds train station) as being within an area where the Strategy seeks to 'Investigate Opportunities for higher density development in rail corridor'*". The Framework Plan does colour the land blue as a growth area, however we do not consider the Hams Road site as part of the Armstrong Creek Growth Area.

33. Mr Black generally supports the matters covered in DDO45 and proposes some further drafting changes 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.

34. We agree a medium density housing outcome may be a solution to this difficult part of the subject land. This conflicts with the proponent's post exhibition statement and plans which reduced density and provided larger lots. However, on the other hand it may result in a better solution to deal with noise from the electricity substation.

35. We disagree with paragraphs 81 and 82 of Mr Black's statement where he proposes deletion of condition 9 of Planning Permit No: 663 – 2017 (for the western site) which states:

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.

36. The intent of this condition is to ensure Hams Road is widened to its ultimate cross section in a sequential manner, essentially so that we don't end up with increased traffic loads on a substandard section between Grange Park Drive and Ghazeepore Road, which would be the case if only the western parcel were to develop first.

37. Council officers will provide further feedback on Mr Black's proposed changes to the planning permits during the "without prejudice" session at the Panel hearing.

Environmental Expert Evidence - Practical Ecology

38. This statement reiterates information previously submitted by Practical Ecology by the applicant in the original application, with minor changes (increases) to vegetation loss. Council's environmental planners cannot see how vegetation being shown as retained in Map 2 will be retained. Ecological impacts will occur in reality, particularly where vegetation is located in a small area between two areas that will be impacted by civil works (e.g. in between a road and waterway construction zones). Map 2 also shows vegetation to be retained where a shared path is to be located, as well as immediately abutting road reserves.
39. A detailed avoid and minimise statement under section 52.17 has previously been requested from the applicant, as what has been provided by Practical Ecology fails to describe how native vegetation has been avoided or minimised in the design of the subdivision. It is considered that native vegetation has not been truly considered in the design of the subdivision, something that Practical Ecology state in section 5.2 of their statement.
40. Our Environmental Planner advises the native vegetation removal figures do not match what was provided previously by Practical Ecology in their October 2018 report (6.289ha now, 6.194 ha previously out of a total of 6.77 ha). Environment anticipates that civil works will result in the removal of most, if not all of the vegetation nominated to be retained. This issue needs to be resolved further.
41. Otherwise Council agrees with the remainder of the recommendations listed in the Practical Ecology report, in addition to the conditions that were omitted from the draft permits and have subsequently been added.

Drainage Expert Evidence - Tomkinson Group

42. Council's Environment Planner notes that flora and fauna has not been considered in any potential drainage upgrade/extension into either the culverts or into Armstrong Creek. This will need to be considered prior works commencing.
43. Council's drainage engineers consider the two drainage reports are accurate, factual and cover off on discussions at the meeting convened by Council officers and held on 7 August 2019 to discuss drainage from the site. This included Council, the proponent, Vic Track, DoT, Vline, Boral and CCMA.
44. The focus of the meeting was on the section of waterway that drains under the railway line through a (blocked) culvert and then on to Boral's land. The result of the meeting was that the proponent's consulting drainage engineer from (John

Guise from Tomkinson) would prepare a report describing what works are required to improve the situation. This report has now been submitted as evidence.

45. We concur with Mr Guise's finding on p.4 of this statement that the proposed Section 173 agreement contains adequate provision for works required to further address the drainage, erosion and sedimentation concerns raised by VicTrack and DOT.

Traffic Expert Evidence - Traffix Group

46. Council's traffic engineer has reviewed the expert traffic evidence Mr Walsh and we provide the following comments.

47. Chapter 5.3

- Movement counts at the intersection were conducted by Traffix Group on 8 and 9 May 2019 (Fig. 8), Council's traffic engineer undertook his own counts on 5 September 2017. In less than 2 years, the traffic volumes in Ghazeepore Rd have increased by 30-35 %, and in Sugargum Dr by about 17 %.
- There is concern that adopted growth rate of 3 % is undervalued, however we are satisfied that the sensitivity analysis (Table 2) of the SIDRA output still presents a well performing roundabout.

48. Chapter 6.5

- Page 23: The 'left turn ban' into Grange Park Dr is not supported by our Traffic Engineer. The GTA evidence supports his view. Council will need to make a decision on this holistically.
- Page 23: The 'right turn ban' from Hams Rd into Grange Park Dr is not supported by our Traffic Engineer.
- Page 23: All internal Local Area Traffic Management treatments will be considered as part of the LATM plan development and will be Council driven.

49. Chapter 7 – Submissions

- Page 27: Council is expected to be responsible for the consultation, design and construction of road works in Ghazeepore Rd to be funded by the developer. Council will do a route review of Ghazeepore Rd to identify the issues, and to prioritise the works where required.

50. Chapter 8 - DDO Schedule and Draft Permit conditions

- Page 27: Our Traffic Engineer does not support the 3 m wide shared path on the southern side of Hams Rd, and therefore the Hams Rd cross section shown

in Appendix D is not supported. The dimensions of this cross section are incorrect, as the existing verge on the northern side is 5 m wide.

- 8.2 – Draft conditions PP-662-2017 Condition 1c should be retained.
- Condition 36 Condition to be reworded that the applicant provides a financial contribution to upgrades of Ghazeepore Rd (i.e. is not responsible for the consultation, design and construction).
- PP-663-2017 Condition 1c should be retained. Condition 7 can be deleted.

Transport Expert Evidence - GTA

51. Council's traffic engineer has reviewed the expert transport evidence of Mr De Young and we provide the following comments:

52. Chapter 2: Traffic Impacts

- Generally in agreement with the current traffic movement counts at the intersection and the 2029 growth scenario.
- The SIDRA analysis for the 2029 scenario shows a Degree of Saturation on all legs all in a good or excellent operating range.
- Future traffic volumes in Ghazeepore Rd in the 2029 scenario are well within the operating range of this road.
- The statement in the conclusion about there no being no clear need for improvement works in Ghazeepore Rd as a result of this development is arguable, as the development will be placing significantly more volume onto the road in addition to other contributing growth factors. With more volume comes more risk and safety implications to all road users. Safety concerns on the road have been subject to a previous council report, and sadly the recommendations were never followed through.

53. Chapter 3: Roundabout Design

- The roundabout will be subject to detailed design, and the additional recommendations presented by GTA will be considered.

54. Chapter 4: Subdivision Layout

- All road reserves will have to accommodate all services and allow for tree planting in the nature strips. Any reduction in road reserve widths will need proof that all services can be accommodated.

- All internal roads will be subject to the development of a Local Area Traffic Management plan that will be council driven. All traffic management devices will be considered at that time, and recommendations from the GTA report will not be considered.
- The 3.0 m wide shared path for the south side of Hams Rd is not supported. A 1.5 m footpath is sufficient.
- The report agrees with our traffic engineer's view that a left turn ban at Grange Park Drive is not necessary. A decision needs to be made as to whether this requirement should be deleted from the DDO schedule and masterplan.

55. Chapter 5: Response to Submissions

- Our traffic engineer doesn't agree with the DoT's recommendation to provide a 3 m wide shared path on the south side of Hams Rd. A 1.5 m wide footpath is sufficient and provided in the cross section showing the 10 m widened road. There must also be opportunities for indented parking bays, street trees and as much nature strip as possible to provide for a non-pervious surface, reduce the heat island effect and provide space for services. Provision of a shared path in the creek reserve is supported.
- In general, we agree with the other responses provided by GTA.

56. Chapter 6: Review of Draft DDO and Planning Permits

- Recommend the deletion of the reference to the shared path in Hams Rd, and replaced with a reference to a footpath along the southern side of Hams Rd.
- Inclusion of a reference to upgrade Ghazeepore Rd between the railway level crossing and Hams Rd
- 6.3 (Draft Planning Permit): The intent to construct the roundabout as part of Stage 1 for the 662/2017 permit is that Hams Rd will be constructed up to the western boundary of this site as part of Stage 1. The two components are interconnected, and will complement the development from Day 1, will address the pre-existing safety concerns and minimise inconvenience on residents (if it was to be built at a later and perhaps unknown date). The condition should remain.

Bushfire Expert Evidence - BAL Assessment

57. We generally support the evidence of Mr Burke of BAL Assessments. His assessment covers a gap in that new State policy has come in post lodgement of

the combined amendment and permit which now requires more comprehensive assessments of bushfire risk to be undertaken.

58. We will need to further consider Mr Burke's recommendation for a 1.8m colourbond fence to be built along all south and west boundaries of the subject land. This may be appropriate where house lots adjoin the boundaries but where a street adjoins the boundary we will have to consider visual impacts and ongoing maintenance responsibility.

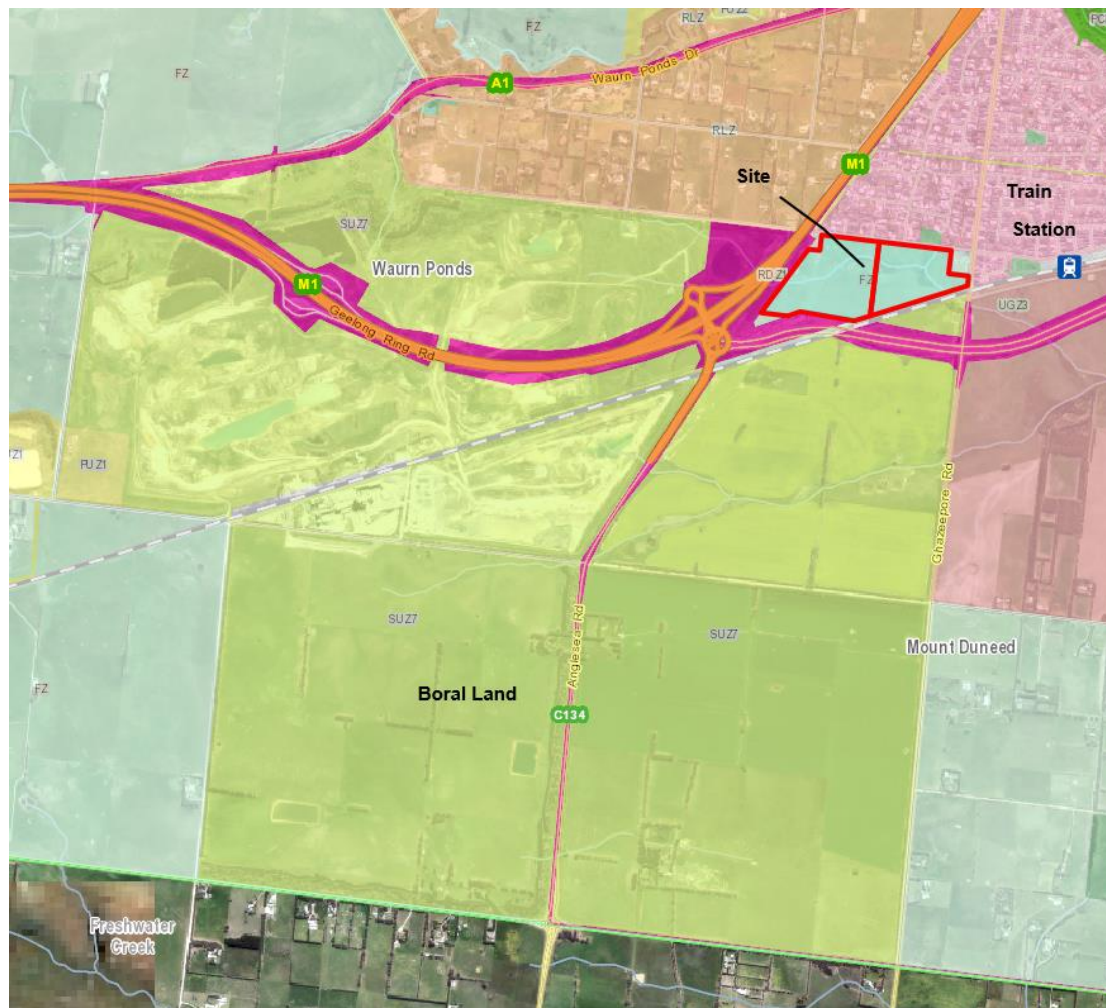
Acoustic Expert Evidence - Marshall Day

59. The acoustic evidence of Ms Lee of Marshall Day doesn't progress the options for dealing with noise from the sub station further than what has already been recommended by Watson Moss Growcott (Powercor's consultant).
60. We would have concerns about the visual impact of a 5m high wall around the west and south boundaries of the sub station.
61. A built form outcome such as medium density housing as proposed by Mr Black may be a valid option but this doesn't appear to have been explored in the acoustic evidence.

BORAL WORK AUTHORITY

62. The Panel has directed that Council include the Boral Work Authority for its quarry, south of the subject land. In response to the Panel direction Council officers contacted the Earth Resources Regulation Branch of Department of Jobs, Precincts and Regions (DJPR) requesting a copy of the Work Authority for the Boral land.
63. A copy of a plan showing the extent of Work Authority WA63 was provided but not a copy of the licence/works authority. The plan is in **Appendix 1**.
64. Council officers again requested a copy of WA63 and in an email of 8 August 2019 DJPR advised *“Unfortunately, I can’t provide you with a copy of the Work Authority conditions without the consent of the authority holder. You may wish to contact Boral directly to seek their consent.”*
65. Boral was contacted and the National Development Manager advised by email of 14 August 2019 *“In relation to your request, the Work Authority (WA63) is a confidential document and therefore we are not in a position to provide a copy. However, if have a particular point or issue of reference in relation to what is proposed in C372 then we may be in a position to provide feedback on a specific matter.”*
66. On 20 August 2019 by email Boral provided the following answers to questions put by Council:
- Q. What does the WA6 allow? (Even in general terms i.e. limestone extraction, quarrying)
- A. In terms of Quarrying activities, WA63 permits the excavation and processing of basalt, scoria and limestone for crushing and screening.
- Q. Is extraction allowed on all the land shown as SUZ7 on the map below? Particularly interested if you can extract up to the edge of the Railway line / Baanip Blvd.
- A. Extraction is allowed to all of the land shown as SUZ7 within WA63 (which includes the SUZ land shown on the attached plan except for the south-eastern parcel). However, for clarity, it includes the parcel adjacent to the Railway line/Baanip Blvd. The current buffer from the Railway/Baanip Blvd is 30m]
- Q. Is it current, is there an expiry date?
- A. WA63 is current and does not include an expiry date.

Figure 4 – Map of Special Use Zone 7 - Earth and Energy Resources Industry (SUZ7)

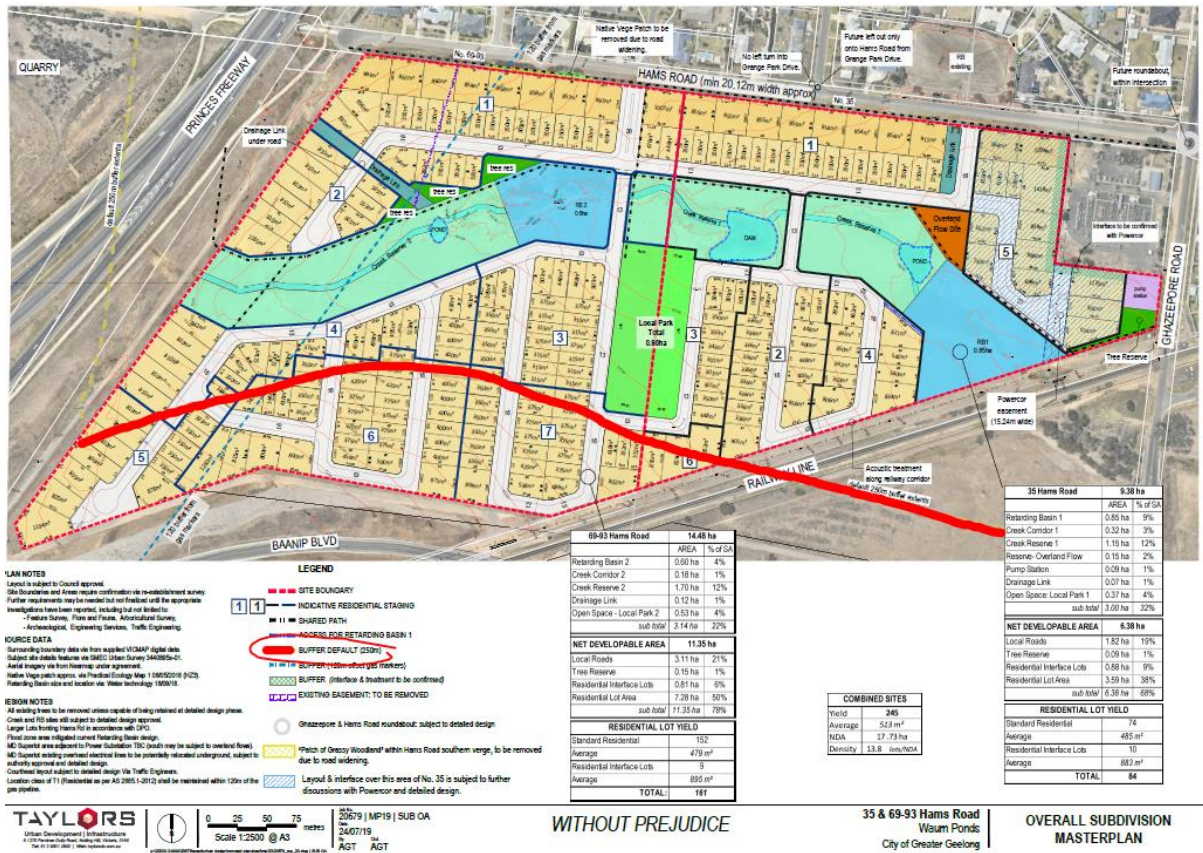


67. Figure 5 below is a map with a 220 metre buffer (shown as a red line) from the northern edge of the Boral land title boundary (shown as a black line). The 220m is based on the 250m separation distance minus the 30m buffer that Boral is required to accommodate.
68. In the lead up to Ministerial authorisation Council officers worked closely with the DJPR on the buffer issue and the following condition is in the draft permits:
- 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.*
69. Figure 6 below is a copy of the latest Masterplan from the proponent. The 250m buffer the proponent marked on their plan is highlighted red.
70. Boral has indicated it no longer intends to extract from the land north of the subject and we will discuss its plans and ambitions for the land later in this submission.

Figure 5 – Map showing 220m buffer from Boral land



Figure 6 – Buffer as shown on Proponent’s masterplan (Version MP 19)



COUNCIL'S FINAL POSITION ON THE AMENDMENT

71. The Panel has directed that Council provide its final position on the Amendment

72. We continue to support the amendment which:

- rezones land at 35 & 69-93 Hams Rd, Waurn 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, Waurn Ponds.

73. A revised DDO45 Schedule was included in Council's Part A submission containing changes proposed in response to submissions. An additional change has been requested by Council's Traffic Engineer to remove the reference to a shared path along Hams Road as highlighted below and replace with a 1.5 m footpath:

Version 2 1/8/19 CoGG
GREATER GEELONG PLANNING SCHEME
<p>Stormwater Management</p> <ul style="list-style-type: none">▪ 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:<ul style="list-style-type: none">- 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. <p>Traffic and Pedestrian Movements</p> <ul style="list-style-type: none">▪ 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, Ghazeepore Road and the Princes Freeway path.▪ Vehicle access to the site to be from Hams Road only with no direct access to Ghazeepore Road

74. We would be willing to consider rewording of the DDO provision relating to noise attenuation from the Powercor substation as suggested by the proponent's planning expert. We expect there may be other changes suggested as we fully review expert statements and during the course of the hearing which we can consider and comment on at closing.

NET COMMUNITY BENEFIT & SUSTAINABLE DEVELOPMENT

75. The Panel has directed that Council provide an explanation of how, in line with Clause 71.02 of the Planning Scheme, the proposal integrates *“the range of planning policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations”*
76. The Planning Scheme Clause 71.02-3 “Integrated decision making” states:
“Society has various needs and expectations such as land for settlement, protection of the environment, economic wellbeing, various social needs, proper management of resources and infrastructure. Planning aims to meet these needs and expectations by addressing aspects of economic, environmental and social wellbeing affected by land use and development.”
77. This statement describes perfectly the complex juggling of issues we are dealing with when considering the proposed residential rezoning and subdivision of land at Hams Road. In the following section of this submission we address some of the relevant themes from Clause 71.02.

Land for Settlement

78. In relation to the need and expectation of land, such as the subject land, being provided for settlement we have several planning policies and a proposed settlement strategy that nominate Geelong as a key regional growth location, promote growth near transport nodes and encourage land supply to be maintained.
79. For instance Clause 11.01S Settlement includes Geelong as a focus for growth in the state alongside Melbourne and other large regional centres. It also encourages us to “plan for development and investment opportunities along existing and planned transport infrastructure”. The Settlement Strategy which has been adopted by Council and is being implemented by Amendment C395ggee shows the site as a growth area and promotes future work to be undertaken to nominate the area within 800m walking distance of Waurin Ponds Railway Station as an Increased Housing Diversity Area.
80. Clause 11.01S also requires us to “Create and reinforce settlement boundaries”, “Encourage a form and density of settlements that supports sustainable transport to reduce greenhouse gas emissions” and “Limit urban sprawl and direct growth into existing settlements”. The rezoning of the last remaining piece of Farming Zone

land in this area for sustainable residential development close to major roads, public transport and other facilities achieves these goals.

81. At a local policy level Clause 21.06-2 Urban Growth seeks to “Maintain the Geelong Ring Road as the western boundary of urban Geelong”. We submit that this applies to the subject land which is at the southern extent of the western boundary of Geelong and inside the Ring Road. Amendment C395ggee goes further and clearly shows the land within the preferred settlement boundary and nominates it for growth.

Protection of the Environment and Waterways

82. Planning authorities are required to address environmental issues and protect the environment. Ecological assessments have been undertaken and show some native vegetation and habitat on the land. Clause 12.01-2S requires an avoid, minimise and offset approach and we believe this is covered by the additional permit conditions that have been inserted.
83. The subject land has a degraded and unmanaged section of waterway running through it which is part of Armstrong Creek. Clause 14.02-1S Catchment planning and management - requires us to: “Retain natural drainage corridors with vegetated buffer zones at least 30 metres wide along each side of a waterway...” This is achieved in the masterplan, in permit conditions and is also a requirement of the DDO schedule. We submit the development of the land will result in an improvement to the condition of the waterway which is currently unfenced and poorly managed. We believe the creek improvements will provide broad community and environmental benefits. The 60 metre corridor is similar to what is being achieved in the Armstrong Creek growth area with excellent quality, vegetated, linear open space being delivered. Open space and recreational benefits are further discussed later in this submission.

Management of resources and infrastructure

84. On the other hand we have a site that is constrained and impacted by surrounding infrastructure and management of resources. These include noise and visual impacts from the electricity substation, arterial roads and a railway line and the need to maintain buffers from future extractive industry to protect future residents from dust and noise associated with quarrying.
85. State policy such as Clause 13.05-1S Noise abatement - requires us to “Ensure that development is not prejudiced and community amenity is not reduced by noise

emissions, using a range of building design, urban design and land use separation techniques as appropriate to the land use functions and character of the area.”

86. This is exactly what is occurring as part of Amendment C372 and the associated subdivision permits. The relevant experts and authorities (e.g. EPA, Powercor) have been engaged and the proponent and Council have inserted permit conditions to deal with these matters and are looking at all options to address the impacts of noise on the proposed residential area.
87. In relation to the Boral WA63 buffer we have liaised with the relevant State Government department, Boral and the EPA to ensure appropriate buffers are maintained and protect the ability to extract form the area. This meets the policies of Clause 14.03-1S Resource exploration and extraction – which requires us to “Develop and maintain buffers around mining and quarrying activities” and “Ensure planning permit applications clearly define buffer areas appropriate to the nature of the proposed extractive uses, which are to be owned or controlled by the proponent of an extractive industry”.
88. We expect that the area within the 250m buffer that is partly sterilised and requires further approval will eventually be unconstrained. Boral has stated publicly in submissions to the Settlement Strategy and Amendment C395ggee that it no longer proposes to quarry the area and is seeking an urban zoning. Boral is moving its focus and operations to the Geelong Port. Boral is proposing a very large residential / urban development on its landholdings. A copy of the Boral submission to C395ggee and a supporting submission from the Victorian Planning Authority will be provided to the Panel.
89. Council's position on the Boral land is that it's not required for residential growth in the near future due to the land supply already planned for the Northern and Western Growth Areas and existing at Armstrong Creek and other areas.

Social wellbeing and needs

90. Social wellbeing and needs are not particularly well defined in policy in the planning scheme, however we consider that the amendment and subdivision address the needs of the current and future communities.
91. One of the big concerns of some members of the existing community to the north of the subject land is the perceived problems that may come with conventional sized housing lots and medium density development. However, this is exactly what the Planning Scheme requires us to try and achieve. Clause 16.01-3S Housing diversity has the objective “To provide for a range of housing types to meet diverse

needs.” Strategies include “Ensure housing stock matches changing demand by widening housing choice” and “Facilitate diverse housing that offers choice and meets changing household needs...” it also requires us to “Support opportunities for a range of income groups to choose housing in well-serviced locations.” The exhibited masterplan and associated DDO and permits included larger lots on Hams Road to compliment the existing character the north. Within the subdivision were areas of medium density housing and smaller conventional lots. The revised plans have moved away from medium density sites mainly in response to community pressure. Overall we believe the layout still achieves the housing diversity policies in set out in local and state policy.

92. We also submit that the proposed open space network, including the linear creek reserve, 0.9 hectare central park and extensive shared trails with footpath links to the railway station and ability to connect to future open space in Armstrong Creek, are an excellent outcome and add to the net community benefit of the proposal.
93. This will benefit the current residents in Waurm Ponds some of whom lack access to nearby quality open space, walking and cycling trails. It will also benefit future residents in the proposed subdivision and promote active and healthy lifestyles. This aspect of the proposal is consistent with the Clause 19.02-6S Open space which has the objective “To establish, manage and improve a diverse and integrated network of public open space that meets the needs of the community”. Strategies relevant to the C372 proposal include “Plan for regional and local open space networks for both recreation and conservation of natural and cultural environments” and “Ensure that open space networks:
 - Are linked, including through the provision of walking and cycling trails.
 - Are integrated with open space from abutting subdivisions.
 - Incorporate, where possible, links between major parks and activity areas, along waterways and natural drainage corridors, connecting places of natural and cultural interest.”

CONCLUSION

94. In conclusion we submit the amendment and subdivision permits will have an overall net community benefit by rezoning an underutilised piece of rural land for sustainable residential development. It is a strategically located site in proximity to a range of existing services, transport options and employment opportunities and future planned facilities in the Armstrong Creek growth area. We have demonstrated that the impacts on adjoining residents and road networks can be appropriately managed by planning permit conditions, the Design and Development Overlay and the Section 173 Agreement. On this basis we respectfully seek the Panel's support for the proposal.

APPENDICES

Appendix 1 – Plan of Boral Work Authority (WA63)

MINERAL RESOURCES (SUSTAINABLE DEVELOPMENT) ACT 1990

VARIATION OF WORK AUTHORITY (SECTION 77M)

WORK AUTHORITY NUMBER	63
HOLDER OF WORK AUTHORITY	Boral Cement Ltd
SUBJECT	Excision
LOCATION	Geelong map sheet
CURRENT AREA	856.30 hectares
EXCISED AREA	63.68 hectares
NEW AREA	792.62 hectares
RESOURCE	Limestone
RESPONSIBLE AUTHORITY	Greater Geelong City
RECOMMENDATION	1. Extractive Industry WA63 is varied as shown on the attached plan.

Signed by:



DAVID BOOTHROYD
Manager Earth Resources Tenements
Delegate of the Minister

Dated: 20/3/12

PLAN OF AREA

Work Authority No. 63

Mineral Resources (Sustainable Development) Act 1990



Department of
Primary Industries

Issued to: **Boral Cement Ltd**

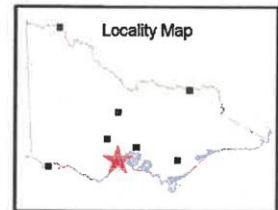
MUNICIPALITY OF Greater Geelong City
PARISH OF DUNED

TOTAL AREA ± 856.3 Hectares

NET AREA ± 792.62 Hectares



- Excised Area
- Private Land (sold no depth)
- Private Land (sold 15.24m depth)



ALL MEASUREMENTS ARE IN METRES

Prepared John ANASTASIOU
Checked Christy THIAGARAJAH

Date 02 March 2012

Record plan Geelong

Appendix 2 – Revised Draft Planning Permit 662/2017 (Version 4)

**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

Formatted: Right: 2.5 cm, Width: 21 cm,
Height: 29.7 cm

ADDRESS OF THE LAND: 35 Hams Road, WAURN PONDS

THE PERMIT ALLOWS: Multi Lot 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 following plan Overall Subdivision Masterplan (dated 24 July 2019 MP19)~~ but modified to show:

Formatted: Not Highlight

- 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)	

The roundabout at the Ghazeepore Road/Hams Road/Sugargum Drive intersection must be constructed as part of the Stage 1 roadworks for Hams Road.

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

Date issued:	Date permit comes into operation: <small>(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)</small>	Signature for the responsible authority:
_____	_____	_____

- c) ~~e)~~ 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.
- o

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

Formatted: Font: Times New Roman

Formatted: Indent: Left: 1 cm, Hanging: 1 cm

Formatted: Font: Times New Roman

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.:

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 24 July 2019 MPI9)~~ ~~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)
 - c) Provision of an 8.0 m wide lane for the rear-loaded medium density housing products

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.

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

10. Excavated material shall not be carted off the site except with the written approval 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:
_____	_____	_____

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.
 - 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.

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:
_____	_____	_____

- 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;

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)

- 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.

~~28~~9. 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.

~~29~~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.

~~30~~4. 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~~31. Unless otherwise approved in writing prior to Statement of Compliance of Stage 2 of the subdivision hereby approved 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.

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)

|

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.:

~~33~~32. 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 Ghazeeopore Road
- e) Drainage works
- f) Footpaths
- g) Pedestrian crossings
- h) Signage.

334. 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.

~~34~~5. Prior to the commencement of upgrade works to Ghazeeopore 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.

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

No Removal of Native Vegetation

367 No native vegetation shall be removed other than that marked on the endorsed plan, to the satisfaction of the Responsible Authority.

Commented [EJ3]: New vegetation conditions added

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 10 of 30

Vegetation Protection

378. Before works commence, a plan to the satisfaction of the Responsible Authority identifying all native vegetation to be retained and describing the measures to be used to protect the identified vegetation during construction, must be prepared and submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. All works constructed or carried out must be in accordance with the endorsed plan.

- a) Removal, including pruning, of native vegetation must be undertaken using a suitably qualified arborist and be carried out in accordance with AS4373 – 2007; ‘Pruning of Amenity Trees to the satisfaction of the Responsible Authority’. The use of an excavator, backhoe, bulldozer blade or loader to trim branches of trees is not permitted.
- b) Prior to any vegetation removal, vegetation to be removed must be clearly marked on site and accord with the endorsed plan. An inspection is required to be undertaken by the City’s Environment Unit.
- c) Prior to any native vegetation removal, all patches of native vegetation of native to be retained on site shall be protected by Native Vegetation Protection Fencing in accordance with AS4970-2009 Protection of Trees on Development Sites. An inspection is required to be undertaken by the Responsible Authority.
- d) No grazing must occur on native vegetation (including the wetlands and ponds) to be protected (unless permitted by a Management Plan approved by the Responsible Authority) to the satisfaction of the Responsible Authority.
- e) Water run-off must be designed to ensure that native vegetation to be protected is not compromised, to the satisfaction of the Responsible Authority.
- f) The Native Vegetation Protection Fencing must have signs attached around the fencing which clearly states - VEGETATION PROTECTION ZONE - No Access Permitted. An inspection is required once the Tree Protection Fencing has been erected. Please contact the City’s Environment Unit to arrange an inspection.
- g) Except with the written consent of the Responsible Authority, none of the following are permitted to occur within the Tree Protection Zone:
 - 1. vehicular or public pedestrian access.
 - 2. trenching or soil excavation.
 - 3. storage or dumping of tools, equipment, soil, stone or waste is to occur.
 - 4. construction of entry and exit pits for underground services.
 - 5. temporary or permanent installation of signs and utilities.

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)

Vegetation Management Plan

Formatted: Indent: Left: 0 cm, Hanging: 1 cm

389. Prior to the commencement of any works for any relevant stage of the subdivision that may impact the Creekline Grassy Woodland and Sedge Wetland vegetation, a Vegetation Management Plan must be submitted to and approved by the Responsible Authority. When approved this Vegetation Management Plan will form part of this permit. The plan must include:

- a) Measures to protect and enhance the existing vegetation and water quality within the existing wetlands and ponds that are being retained.
- b) Details about the proposed weed removal program for the areas of vegetation to be retained.

The approved -vegetation management plan must be implemented to the satisfaction of the Responsible Authority.

Weed Management Plan

4039. Prior to the commencement of works, a Weed Management Plan must be submitted to and approved by the Responsible Authority. When approved this Weed Management Plan will form part of this permit. The plan must detail:

- a) Species and extent of weed infestation.
- b) Current and/or proposed treatment methods.
- c) Timeframes.
- d) any other relevant information

The approved weed management plan must be fully implemented prior to the commencement of any on-ground earthworks to the satisfaction of the Council's Environment Unit.

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 12 of 30

Native Vegetation Offsets

40+. In order to offset the removal of 6.194 hectares of native vegetation as part of this permit, the applicant must provide a native vegetation offset that meets the following requirements, and is in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation (DELWP 2017)*

The general offset must:

- a) contribute gain of 0.876 general biodiversity equivalence units
- b) be located within the Corangamite Catchment Management Authority boundary or City of Greater Geelong municipal district
- c) have a strategic biodiversity score of at least 0.336.

41. Before any native vegetation is removed, evidence that an offset has been secured must be provided to the satisfaction of the Responsible Authority. This offset must meet the offset requirements set out in this permit. The offset evidence can be either:

- a) a security agreement, to the required standard, for the offset site or sites, including a 10 year offset management plan.
- b) a credit register extract from the Native Vegetation Credit Register.

Any credit register extract from the Native Vegetation Credit Register must be submitted to the Environment Unit as a formal record of the offset evidence.

At the conclusion of the subdivisional construction works, the overall native vegetation offset requirements must be reconciled with agreement by the Responsible Authority and DELWP and either credits are made available or further offsets are to be purchased.

Fauna Management Plan

42. Prior to the commencement of any works, a Fauna Management Plan must be submitted to and approved by the Responsible Authority. The plan must include:

- a) Details outlining the measures to protect the habitat and water quality for the frog population present within the wetland and ponds to be retained.

The approved -Fauna Management Plan must be implemented to the satisfaction of the Responsible Authority.

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)

Fauna Protection

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

44. Any dams or water bodies filled as part of the approved development must be drained at least 48 hours prior to works commencing to enable the relocation or translocation of fauna.

Formatted: Indent: Left: 0 cm, Hanging: 1 cm

Construction Environmental Management Plan

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

- a) The plan must address control of site emissions during construction and the defects liability period to the satisfaction of the Responsible Authority.
- b) The plans must include measures to be taken to ensure that no polluted water and/or sediment laden runoff is to be discharged directly or indirectly into stormwater drains, the existing watercourse through the site and/or existing wetlands and ponds to be retained, during the construction period.
- c) The CMP must be prepared in accordance with the EPA – Guideline for Environmental Management, Doing it Right on Subdivisions, Publication 960, September 2004 and CCF Environmental Guidelines for Civil Construction, 2010.

All development and works must be carried out in accordance with the Construction Management Plan, to the satisfaction of the Responsible Authority.

46. Prior to the commencement of any works (excluding works associated with removal of potentially contaminated material, such as fuel tanks and fill, which may be undertaken prior to or concurrent with the assessment) in areas identified, an Environmental Assessment must be submitted which must include an assessment of the land by a suitably qualified environmental professional detailing the level and location of any contamination. This assessment is to be peer reviewed by a suitably qualified environmental professional approved by Council. If the responsible authority is satisfied that significant levels of contamination have been found the following must be provided to the Responsible Authority, either:

- a) A Certificate of Environmental Audit must be issued for the land in accordance with Part 1XD of the Environment Protection Act 1970, or
- b) A Statement of Environmental Audit must be issued in accordance with Part 1XD of the Environment Protection Act 1970 stating that the environmental condition of the land are suitable for the sensitive use (with or without conditions on the use of the site).

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 14 of 30

Waterway Rehabilitation Plan

47. Prior to the commencement of works, a Waterway Rehabilitation Plan for the entire creek corridor must be submitted to and approved by the Responsible Authority. The Plan must detail the specific rehabilitation and revegetation of the creek corridor to an average width of 30 metres either side of the centreline of the creek. When approved the plan will be endorsed and then form part of this permit. The Plan must include:

- a) Details regarding the proposed works within the creek and its embankments. An extensive vegetated riparian corridor is to be established as part of the design. Cross-sections outlining the proposed treatment must be provided.
- b) Details regarding the protection and enhancement of the Creeklane Grassy Woodland and Sedge Wetland must be provided.
- c) Details of all revegetation works including the use of plants listed within the City’s Indigenous plants of the Geelong Region Zone 7 and those found as part of the flora survey, including densities and any specific treatments.
- d) The provision of habitat improvements (ie rocks, logs etc) for frogs and other fauna.
- e) The location of any stabilisation works (if required) such as rockwork and/or jute matting.
- f) Details of all weed control works.
- g) Details of the proposed maintenance program for a minimum of two years after Practical Completion is awarded by the Responsible Authority.

48. Prior to the transfer to Council of the creek corridor, all works identified within the approved Waterway Rehabilitation Plan must be fully completed by the developer and maintained for a period of two years after Practical Completion, unless otherwise agreed in writing by the Responsible Authority. A detailed inspection shall be undertaken by the Responsible Authority of all the required on-ground works before any transfer is undertaken.

49. If the creek rehabilitation works are undertaken in two stages and 35 Hams Road is completed first a separate agreement will need to be prepared between the developer and the Responsible Authority in respect to specifying a formal handover process of the partially completed asset.

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:
_____	_____	_____

Landscape Master Plan

~~3750.~~ 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 [EJ4]: Removal of reference to NVPP and PSP

- 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.
- j) The species list must not include species listed in *Environmental Weeds City of Greater Geelong, September 2008*.
- ~~k)~~ The species list must include species listed in *Indigenous Plants of the Geelong Region - Zone (7) Grovedale and Waurn Ponds Limestone Plains and Hills*.

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.

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:
_____	_____	_____

Detailed Landscape Plans

3851. 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) 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

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:
_____	_____	_____

is encouraged to help facilitate efficient approval processes.

No Utility Services on Public Open Space

~~39~~52. Utility service substations, kiosk sites and the like must not be located on any land identified as unencumbered open space unless otherwise agreed in writing by the responsible authority. Any existing or future easements affecting all land which is to be vested in council must be clearly identified on the detailed landscape plans as per the condition above.

Council Reserves — Vehicle Access Barriers

~~40~~53. 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, 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~~54. 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~~55. 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~~56. 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~~57. 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.

<p>Date issued:</p> <p>_____</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>_____</p>	<p>Signature for the responsible authority:</p> <p>_____</p>
--	---	--

~~45.58~~ 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.

~~46.59~~. 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

~~47.60~~. 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.

~~48.61~~. 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.

~~49.62~~. 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.

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)

~~50~~63. 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~~64. 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

~~52~~65. For any multi staged development a street tree master plan must be submitted to and approved by the Responsible Authority.

~~53~~66. 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.

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:
_____	_____	_____

• **Streetscape Works, Detailed Plans**

~~5467~~. 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.

~~5568~~. 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.

~~5669~~. 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
- 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

~~5770~~. 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.

~~5871~~. 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

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:
_____	_____	_____

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~~72. 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.
- ~~60~~73. 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~~74. 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~~75. 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~~76. 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.

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:
_____	_____	_____

Barwon Water Conditions

General

- 6477. 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.
- 6578. 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.
- 6679. 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

- 6780. 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.
- 6881. 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.
- 6982. 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

- 7083. 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.
- 7184. 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).
- 7285. 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

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:
_____	_____	_____

and constructed by a Barwon Water accredited Contractor following the "Developer Works" process.

7386. 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

7487. 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.

7588. 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.

7689. 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.

7790. Any buildings must comply with the clearances required by the Electricity Safety (Installations) Regulations.

7891. 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.

7992. 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.

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:
_____	_____	_____

- 8093. The applicant shall obtain for the use of Powercor Australia Ltd any other easement external to the subdivision required to service the lots.
- 8194. 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.
- 8295. 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.
- 8396. 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

- 8497. 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:
- 8598. Above or below ground operable hydrants must be provided. The maximum distance between these hydrants must be no more than 120 metres apart.
- 8699. 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

- 87100. 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.
- 88101. 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.
- 89102. Curves must have a minimum inner radius of 10 metres.
- 90103. Have a minimum trafficable width of 3.5 metres and be clear of encroachments for at least 4 metres above the access way.

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)

~~91~~104. 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.

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.:

CCMA Conditions

- 105. There is to be no loss of floodplain storage as a result of the **development**.
- 106. 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.
- 107. 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.
- 108. All streets, footpaths and cycle paths that are subject to flooding must meet the applicable flood hazard safety criteria.
- 109. All lots within the development shall be free from inundation from 1% AEP flood events.
- 110. 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.

Victrack Conditions

- 111. 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.
- 112. No waste, soil or other materials from the works are to be stored or deposited on VicTrack land.
- 113. All works including hoardings must be undertaken within the subject land and must not encroach onto VicTrack land.
- 114. No entry onto railway land is permitted without the written consent of the rail operator.
- 115. No permanent or temporary ground anchors are permitted within VicTrack land.

Telecommunication Conditions

- ~~92~~116. 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.
- ~~93~~117. Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:
 - a) a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider’s requirements and relevant legislation at the item; and

Commented [EJ5]: New CCMA conditions (92-97)

Formatted: Font: 11 pt

Formatted: Font: 11 pt

Formatted: Font: 11 pt

Formatted: Indent: Left: 0 cm, Hanging: 1 cm, Tab stops: Not at 2.25 cm

Commented [EJ6]: VicTrack Conditions added

Formatted: Font: 11 pt

Formatted: Font: 11 pt

Date issued:	Date permit comes into operation: <small>(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)</small>	Signature for the responsible authority:
_____	_____	_____

- 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

94118. 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.

Expiry

95119. 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.

[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:
_____	_____	_____

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

Appendix 3 – Revised Draft Planning Permit 663/2017 (Version 4)

**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 Vegetation and Multi Lot 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 [following plan Overall Subdivision Masterplan \(dated 24 July 2019 MP19\)](#) ~~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 ~~5~~7 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~~

Commented [EJ1]: Version 2 Updated 1 August 2019

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.

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.:

Page 1 of 25

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.

Commented [EJ2]: Reword condition to include removal of easements

~~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):
 - 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~~ 24 July 2019 MP19), but modified to show:

Formatted: Not Highlight

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) 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)
- c) Provision of an 8.0 m wide lane for the rear-loaded medium density housing products

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.

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.

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

- 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.

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)

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.
 - 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.

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:
_____	_____	_____

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;
 - 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:

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) 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.
- 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.

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:
_____	_____	_____

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.

No Removal of Native Vegetation

30 No native vegetation shall be removed other than that marked on the endorsed plan, to the satisfaction of the Responsible Authority.

Commented [EJ3]: New vegetation conditions added

Commented [EJ4]:

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.:

Vegetation Protection

31. Before works commence, a plan to the satisfaction of the Responsible Authority identifying all native vegetation to be retained and describing the measures to be used to protect the identified vegetation during construction, must be prepared and submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. All works constructed or carried out must be in accordance with the endorsed plan.

- a) Removal, including pruning, of native vegetation must be undertaken using a suitably qualified arborist and be carried out in accordance with AS4373 – 2007: ‘Pruning of Amenity Trees to the satisfaction of the Responsible Authority’. The use of an excavator, backhoe, bulldozer blade or loader to trim branches of trees is not permitted.
- b) Prior to any vegetation removal, vegetation to be removed must be clearly marked on site and accord with the endorsed plan. An inspection is required to be undertaken by the City’s Environment Unit.
- c) Prior to any native vegetation removal, all patches of native vegetation of native to be retained on site shall be protected by Native Vegetation Protection Fencing in accordance with AS4970-2009 Protection of Trees on Development Sites. An inspection is required to be undertaken by the Responsible Authority.
- d) No grazing must occur on native vegetation (including the wetlands and ponds) to be protected (unless permitted by a Management Plan approved by the Responsible Authority) to the satisfaction of the Responsible Authority.
- e) Water run-off must be designed to ensure that native vegetation to be protected is not compromised, to the satisfaction of the Responsible Authority.
- f) The Native Vegetation Protection Fencing must have signs attached around the fencing which clearly states - VEGETATION PROTECTION ZONE - No Access Permitted. An inspection is required once the Tree Protection Fencing has been erected. Please contact the City’s Environment Unit to arrange an inspection.
- g) Except with the written consent of the Responsible Authority, none of the following are permitted to occur within the Tree Protection Zone:
 - 1. vehicular or public pedestrian access.
 - 2. trenching or soil excavation.
 - 3. storage or dumping of tools, equipment, soil, stone or waste is to occur.
 - 4. construction of entry and exit pits for underground services.
 - 5. temporary or permanent installation of signs and utilities.

Date issued: <hr/>	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) <hr/>	Signature for the responsible authority: <hr/>
----------------------------------	--	--

Vegetation Management Plan

32. Prior to the commencement of any works for any relevant stage of the subdivision that may impact the Creekline Grassy Woodland and Sedge Wetland vegetation, a Vegetation Management Plan must be submitted to and approved by the Responsible Authority. When approved this Vegetation Management Plan will form part of this permit. The plan must include:

- a) Measures to protect and enhance the existing vegetation and water quality within the existing wetlands and ponds that are being retained.
- b) Details about the proposed weed removal program for the areas of vegetation to be retained.

The approved vegetation management plan must be implemented to the satisfaction of the Responsible Authority.

Weed Management Plan

33. Prior to the commencement of works, a Weed Management Plan must be submitted to and approved by the Responsible Authority. When approved this Weed Management Plan will form part of this permit. The plan must detail:

- a) Species and extent of weed infestation.
- b) Current and/or proposed treatment methods.
- c) Timeframes.
- d) any other relevant information

The approved weed management plan must be fully implemented prior to the commencement of any on-ground earthworks to the satisfaction of the Council’s Environment Unit.

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.:

Native Vegetation Offsets

34. In order to offset the removal of 6.194 hectares of native vegetation as part of this permit, the applicant must provide a native vegetation offset that meets the following requirements, and is in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation* (DELWP 2017)

The general offset must:

- a) contribute gain of 0.876 general biodiversity equivalence units
- b) be located within the Corangamite Catchment Management Authority boundary or City of Greater Geelong municipal district
- c) have a strategic biodiversity score of at least 0.336.

35. Before any native vegetation is removed, evidence that an offset has been secured must be provided to the satisfaction of the Responsible Authority. This offset must meet the offset requirements set out in this permit. The offset evidence can be either:

- a) a security agreement, to the required standard, for the offset site or sites, including a 10 year offset management plan.
- b) a credit register extract from the Native Vegetation Credit Register.

Any credit register extract from the Native Vegetation Credit Register must be submitted to the Environment Unit as a formal record of the offset evidence.

At the conclusion of the subdivisional construction works, the overall native vegetation offset requirements must be reconciled with agreement by the Responsible Authority and DELWP and either credits are made available or further offsets are to be purchased.

Fauna Management Plan

36. Prior to the commencement of any works, a Fauna Management Plan must be submitted to and approved by the Responsible Authority. The plan must include:

- a) Details outlining the measures to protect the habitat and water quality for the frog population present within the wetland and ponds to be retained.

The approved Fauna Management Plan must be implemented to the satisfaction of the Responsible Authority.

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)

Fauna Protection

- 37. Prior to the removal or lopping of any tree, the tree must be examined by a suitably qualified zoologist with relevant permits. If native fauna species are located, they must be salvaged and relocated to the closest suitable vegetation.
- 38. Any dams or water bodies filled as part of the approved development must be drained at least 48 hours prior to works commencing to enable the relocation or translocation of fauna.

Construction Environmental Management Plan

- 39. Prior to works commencing a Construction Environmental Management Plan (CEMP) must be submitted to and approved by the Responsible Authority. When approved this Construction Environmental Management Plan will form part of this permit. This plan must incorporate, but is not limited to, the following information:
 - a) The plan must address control of site emissions during construction and the defects liability period to the satisfaction of the Responsible Authority.
 - b) The plans must include measures to be taken to ensure that no polluted water and/or sediment laden runoff is to be discharged directly or indirectly into stormwater drains, the existing watercourse through the site and/or existing wetlands and ponds to be retained, during the construction period.
 - c) The CMP must be prepared in accordance with the EPA – Guideline for Environmental Management, Doing it Right on Subdivisions, Publication 960, September 2004 and CCF Environmental Guidelines for Civil Construction, 2010.

All development and works must be carried out in accordance with the Construction Management Plan, to the satisfaction of the Responsible Authority.

Formatted: Indent: First line: 0 cm

- 40. Prior to the commencement of any works (excluding works associated with removal of potentially contaminated material, such as fuel tanks and fill, which may be undertaken prior to or concurrent with the assessment) in areas identified, an Environmental Assessment must be submitted which must include an assessment of the land by a suitably qualified environmental professional detailing the level and location of any contamination. This assessment is to be peer reviewed by a suitably qualified environmental professional approved by Council. If the responsible authority is satisfied that significant levels of contamination have been found the following must be provided to the Responsible Authority, either:
 - a) A Certificate of Environmental Audit must be issued for the land in accordance with Part 1XD of the Environment Protection Act 1970, or
 - b) A Statement of Environmental Audit must be issued in accordance with Part 1XD of the Environment Protection Act 1970 stating that the environmental condition of the land are suitable for the sensitive use (with or without conditions on the use of the site).

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)

Waterway Rehabilitation Plan

- 41. Prior to the commencement of works, a Waterway Rehabilitation Plan for the entire creek corridor must be submitted to and approved by the Responsible Authority. The Plan must detail the specific rehabilitation and revegetation of the creek corridor to an average width of 30 metres either side of the centreline of the creek. When approved the plan will be endorsed and then form part of this permit. The Plan must include:
 - a) Details regarding the proposed works within the creek and its embankments. An extensive vegetated riparian corridor is to be established as part of the design. Cross-sections outlining the proposed treatment must be provided.
 - b) Details regarding the protection and enhancement of the Creeklane Grassy Woodland and Sedge Wetland must be provided.
 - c) Details of all revegetation works including the use of plants listed within the City’s Indigenous plants of the Geelong Region Zone 7 and those found as part of the flora survey, including densities and any specific treatments.
 - d) The provision of habitat improvements (ie rocks, logs etc) for frogs and other fauna.
 - e) The location of any stabilisation works (if required) such as rockwork and/or jute matting.
 - f) Details of all weed control works.
 - g) Details of the proposed maintenance program for a minimum of two years after Practical Completion is awarded by the Responsible Authority.
- 42. Prior to the transfer to Council of the creek corridor, all works identified within the approved Waterway Rehabilitation Plan must be fully completed by the developer and maintained for a period of two years after Practical Completion, unless otherwise agreed in writing by the Responsible Authority. A detailed inspection shall be undertaken by the Responsible Authority of all the required on-ground works before any transfer is undertaken.
- 43. If the creek rehabilitation works are undertaken in two stages and 35 Hams Road is completed first a separate agreement will need to be prepared between the developer and the Responsible Authority in respect to specifying a formal handover process of the partially completed asset.

Landscape Master Plan

- 3044. 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:
 - 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

Commented [EJ5]: Remove reference to NVPP and PSP

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:
_____	_____	_____

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

345. 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) 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

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:
_____	_____	_____

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

3246. 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

3347. 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, 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

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 satisfaction of the Responsible Authority. The location of these barriers shall be determined by the Responsible Authority.

Fencing of Council Reserves

3448. 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

3549. 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.

3650. 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.

3751. 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.

3852. 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.

3953. Unless otherwise agreed in writing by the Responsible Authority, a maintenance bond must be

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)

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

- 4054. 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.
- 4155. 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.
- 4256. 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.
- 4357. 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

4458. 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

4559. For any multi staged development a street tree master plan must be submitted to and approved by 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:
_____	_____	_____

4660. 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

4761. 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.

4862. 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.

4963. 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
- 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

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)

- 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~~64. 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~~65. 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~~70. 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.

~~53~~71. 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.

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)

~~54~~72. 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~~73. 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~~74. 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~~75. 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~~76. 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~~77. 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.

~~60~~78. 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.

~~61~~79. 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

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:
_____	_____	_____

and constructed by a Barwon Water accredited Contractor following the "Developer Works" process.

Sewer

- 6280. 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.
- 6381. 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).
- 6482. 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.
- 6583. 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

- 6684. 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.
- 6785. 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.
- 6886. 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.
- 6987. Any buildings must comply with the clearances required by the Electricity Safety (Installations) Regulations.
- 7088. 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

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:
_____	_____	_____

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.

- 7489. 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.
- 7290. The applicant shall obtain for the use of Powercor Australia Ltd any other easement external to the subdivision required to service the lots.
- 7391. 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.
- 7492. 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.
- 7593. 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

- 7694. 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:
- 7795. Above or below ground operable hydrants must be provided. The maximum distance between these hydrants must be no more than 120 metres apart.
- 7896. 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)

Field Code Changed

Roads

- 7997. 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.

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:
_____	_____	_____

~~8098~~. 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.

~~8499~~. Curves must have a minimum inner radius of 10 metres.

~~82100~~. Have a minimum trafficable width of 3.5 metres and be clear of encroachments for at least 4 metres above the access way.

~~83101~~. 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

102. There is to be no loss of floodplain storage as a result of the development.

103. 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.

104. 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.

105. All streets, footpaths and cycle paths that are subject to flooding must meet the applicable flood hazard safety criteria.

106. All lots within the development shall be free from inundation from 1% AEP flood events.

107. 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.

Victrack Conditions

108. 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.

109. No waste, soil or other materials from the works are to be stored or deposited on VicTrack land.

110. All works including hoardings must be undertaken within the subject land and must not encroach onto VicTrack land.

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

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

Commented [EJ6]: CCMA Conditions added

Commented [EJ7]: VicTrack Conditions added

Telecommunication Conditions

~~11384~~. 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

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)

- 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.

85114. Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:

- a) a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the item; and
- b) a suitably qualified person that fibre ready telecommunications facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

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

86115. 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

Expiry

87116. 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.

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:

[

<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.