

MINUTES

COMMUNITY FOCUS COUNCIL MEETING

TUESDAY 9 APRIL 2019

7.00PM

THE VINES ROAD COMMUNITY CENTRE
37-61 VINES ROAD
HAMLYN HEIGHTS

COUNCIL:

Cr B Harwood (Kardinia Ward)
Mayor

Cr S Asher (Bellarine Ward)
Cr J Mason (Bellarine Ward)
Cr T Sullivan (Bellarine Ward)
Cr E Kontelj (Brownbill Ward)
Cr S Mansfield (Brownbill Ward)
Cr P Murrthy (Brownbill Ward)
Cr R Nelson (Kardinia Ward)
Cr P Murnane (Kardinia Ward)
Cr A Aitken (Windermere Ward)
Cr K Grzybek (Windermere Ward)

1. AMENDMENT C366 AND PERMIT 6/2017 – 64 – 66 PRINCES HIGHWAY AND 1 DONNELLY AVENUE NORLANE – RESOLUTION TO EXHIBIT

Source: Planning and Development – Strategic Implementation
Director: Gareth Smith
Portfolio: Sustainable Development

Purpose

1. To seek Council support to exhibit a combined planning scheme amendment and planning permit to remove a restrictive covenant from land at 65 Princes Highway, Norlane to facilitate the construction of 12 dwellings and the subdivision of 64 – 66 Princes Highway and 1 Donnelly Avenue, Norlane.

Background

2. The land subject to the planning scheme amendment and planning permit application is located in the General Residential Zone Schedule 1. Both 64 and 66 Princes Highway are vacant lots, while 1 Donnelly Avenue contains a weatherboard dwelling constructed in the late 1920s / early 1930s. As 64 Princes Highway is subject to a single dwelling covenant an Amendment to the Planning Scheme is required in order for the Planning Permit to be issued.

Key Matters

3. The proposed amendment seeks to remove registered restrictive covenant 1693682 burdening land at 64 Princes Highway, Norlane, which prevents the construction of more than one dwelling on site to enable the planning permit application across land at 64-66 Princes Highway and 1 Donnelly Avenue, Norlane.
4. A planning permit is required under Clause 32.08-2 for the subdivision of land and Clause 32.08-4 for the construction of two or more dwellings.
5. If Council resolves to support exhibition and subject to Ministerial authorisation, the proposal will be exhibited and notice provided to all properties that benefit from the covenant.

Cr Mason moved, Cr Murrhy seconded -

6. That Council:

- 6.1 Supports the preparation and exhibition of Amendment C366 to the Greater Geelong Planning Scheme to amend the Schedule to clause 52.02 to remove the restrictive covenant from 64 Princes Highway, Norlane;**
- 6.2 Considers the application for a planning permit for the residential development and multi-lot subdivision of 64 – 66 Princes Highway and 1 Donnelly Avenue, Norlane; and**
- 6.3 Requests the Minister for Planning to authorise the preparation and exhibition of Amendment C366 and Planning Permit 6/2017.**

Carried.

Attachment 1

Financial Implications

1. There will be no financial implications for Council as a result of the adoption of this amendment.

Community Engagement

2. The amendment and draft planning permit will be exhibited in accordance with the provisions of the *Planning and Environment Act 1987 (Act)*.

Social Equity Considerations

3. The removal of the single dwelling covenant will have a positive social impact by facilitating the more efficient and effective use of the land by providing for a greater volume and mix of housing types.

Policy/Legal/Statutory Implications

4. The change proposed by this amendment and planning permit has minimal policy, legal or statutory implications for Council.
5. Consistent with the objectives set out in Section 4 of the Act, the amendment:
 - 5.1 Provides for the fair, orderly, economic and sustainable use and development of the land;
 - 5.2 Balances the continued appropriateness of a constraint on title in the context of the identified need for urban consolidation and re-development consistent with current planning policy and zone controls; and
 - 5.3 Uses appropriate planning provisions to resolve the conflict between the constraints of the existing covenant and current state and local planning policy.
6. The amendment is consistent with the following clauses of the *Greater Geelong Planning Scheme Planning Policy Framework*:
 - 6.1 Clause 11.01-1S Settlement - The amendment supports this policy as it will facilitate residential consolidation in an orderly manner within an established residential context.
 - 6.2 Clause 11.01-1R Settlement Geelong (G21) - The amendment supports this policy as it optimises the use of existing infrastructure and services.
 - 6.3 Clause 15.01-1S Urban Design – The proposed amendment, residential development, subdivision layout and open space are considered to meet the objective: “To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.”
 - 6.4 Clause 21.06 Settlement and Housing discusses the importance of urban consolidation. The proposal supports this policy by locating development in an area that is well serviced and has the capacity to accommodate sustainable development.

Alignment to Council Plan

7. The amendment supports the sustainable built and natural environment strategic direction of the *Council Plan 2018-22* and is consistent with the strategic direction of community wellbeing and the priority of connected, creative and strong communities.

Conflict of Interest

8. No Council Officers involved in the preparation of this report have any direct or indirect interest.

Risk Assessment

9. There are no notable risks associated with implementing the recommendations contained in this report. The land is not designated as bushfire prone and has a low fire hazard rating.

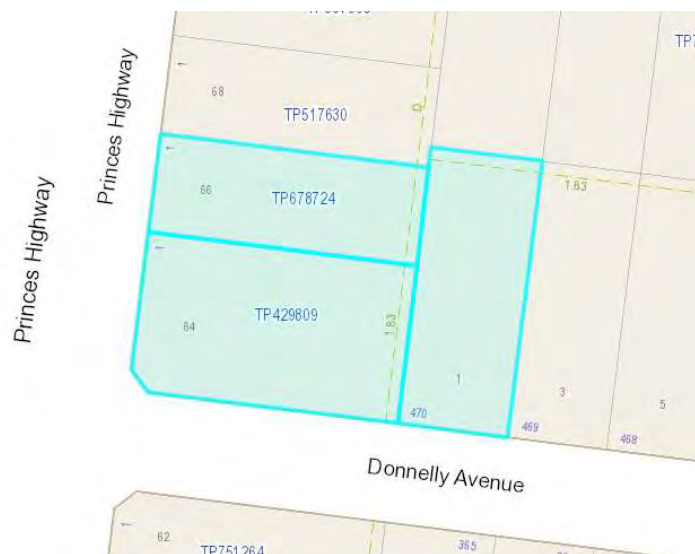
Environmental Implications

10. No environmental implications arise from the removal of the single dwelling covenant from the land and the proposed multi-unit development and subdivision.

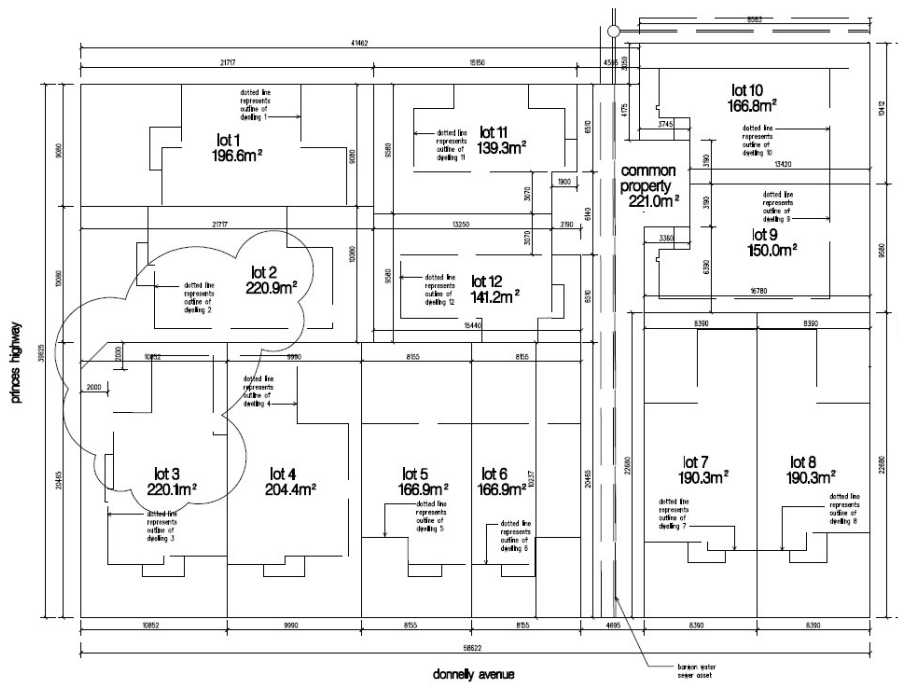
Attachment 2

Discussion

1. The subject site contains three parcels of land being 64 and 66 Princes Highway and 1 Donnelly Avenue, Norlane.



2. In combination the land will have a western boundary length along the Princes Highway of approximately 39 metres, a southern boundary length along Donnelly Avenue of approximately 58 metres, and an approximate total area of 2372 square metres.
3. 64 and 66 Princes Highway are vacant lots, with 1 Donnelly Avenue containing a single dwelling. All lots are burdened by an easement, being either along the eastern boundaries of 64 & 66 Princess Highway and the northern boundary of 1 Donnelly Avenue.
4. 64 Princes Highway is burdened by a Covenant which restricts development on the land to only one dwelling.
5. The land is located within a General Residential Zone Schedule 1 and is not affected by any overlays.
6. The surrounding area consists of typically single dwellings with very few multi dwelling developments within the immediate neighbourhood.
7. The proposal consists of the subdivision of land into 12 lots and the construction of 12 dwellings, the reduction of visitor car parking and the creation of two new access ways to a Road Zone Category 1 (Princes Highway).
8. The land is proposed to be subdivided into twelve lots with one common property access way to service four of the dwellings. The subdivision layout will follow the proposed development of the site.



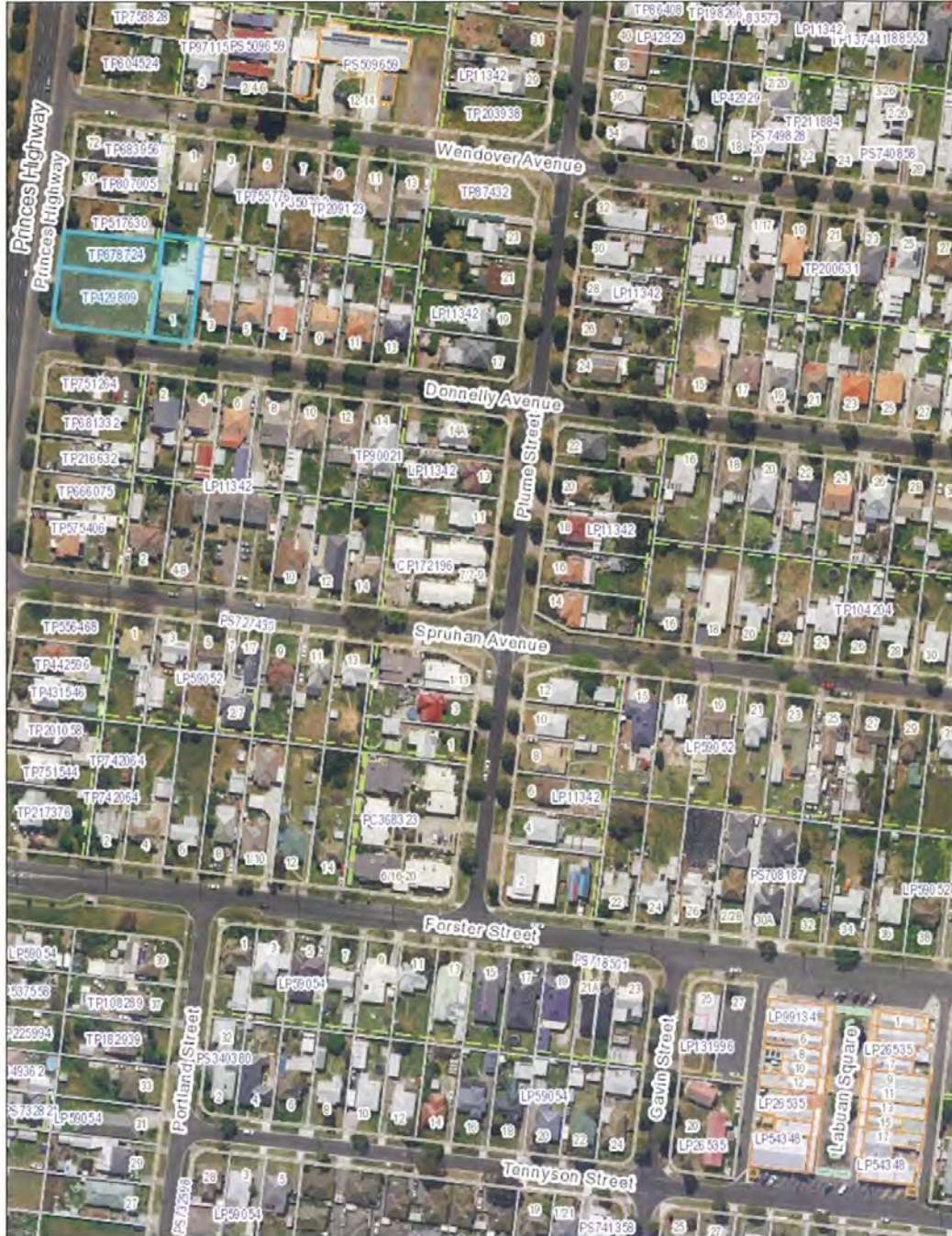
plan of sub-division

Lot	Area	Lot	Area	Lot	Area
1	196.6m ²	5	166.9m ²	9	150.0m ²
2	220.9m ²	6	166.9m ²	10	166.8m ²
3	220.1m ²	7	190.3m ²	11	139.3m ²
4	204.4m ²	8	190.3m ²	12	141.2m ²

9. An aerial photo, of the subject land outlined in blue, is provided at **Attachment 3**.
10. A zoning map at a larger scale, which includes locations of nearby public open space, and the North Shore Train Station, is included as **Attachment 4**.
11. The subject land and affected properties are identified on the plan at **Attachment 5**:
 - 11.1 The land which is the subject of the restrictive covenant is highlighted in **green**;
 - 11.2 The land which is the subject of the planning permit application is outlined in **red**;
 - 11.3 The sub-properties which benefit from the restrictive covenant are highlighted in **yellow**.
12. Notice of exhibition of the amendment and draft planning permit will be given to the owners and occupiers of all properties which benefit from the restrictive covenant, together with the owners and occupiers of all other properties, highlighted in **pink**, on the plan at **Attachment 5**, located on Donnelly Avenue, between the princes Highway and Plume Street and on the east side of the Princes Highway, between Wendover and Spruhan Avenues.
13. Notice of exhibition of the amendment and draft planning permit will also be published in the Geelong Advertiser and Geelong Independent.
14. The revised Schedule to Clause 52.02 is provided as **Attachment 6**.
15. The draft Planning Permit is included as **Attachment 7**.

Attachment 3

Aerial Photo - Subject land and surrounding area



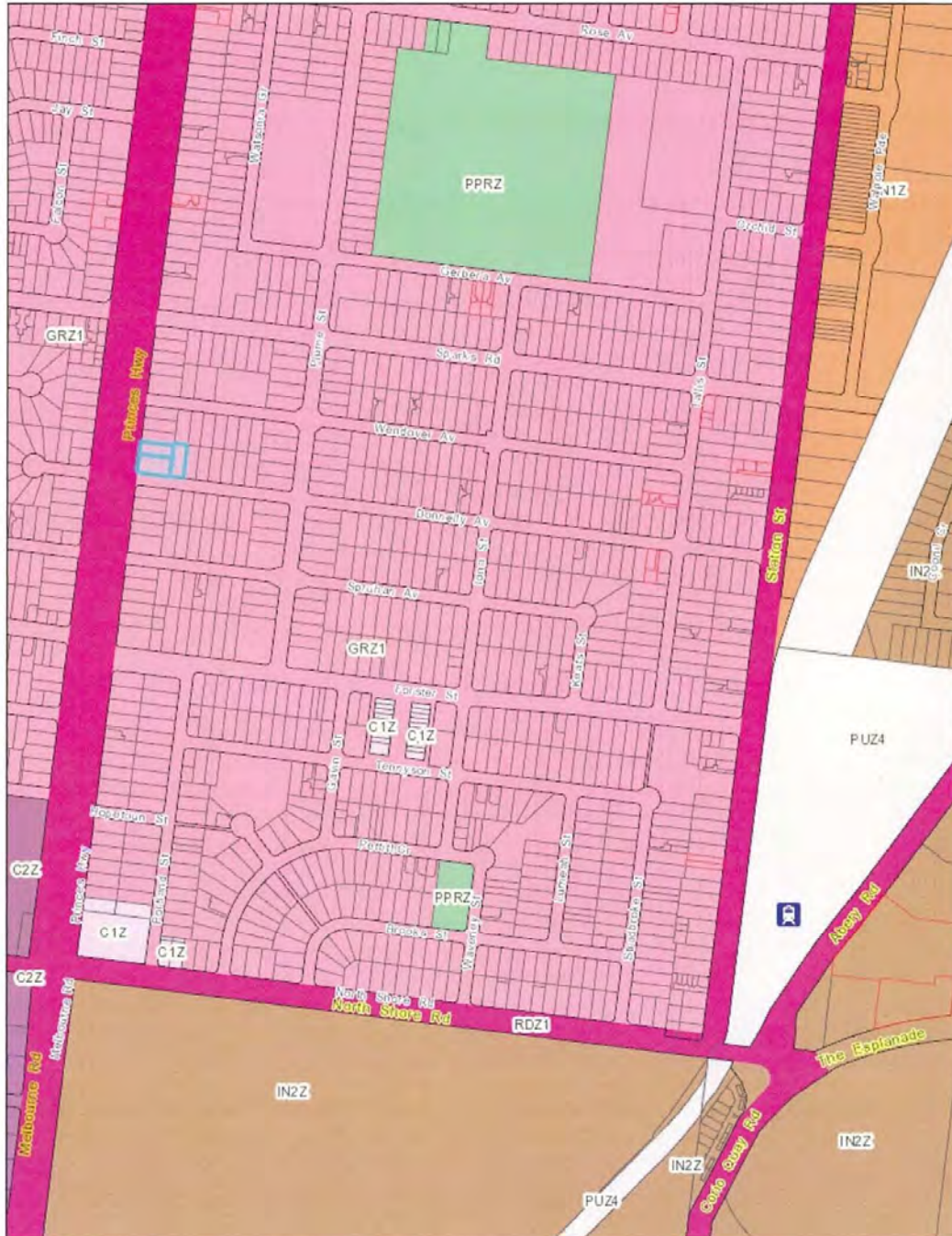
C366 & PP-6-2017
Subject land bordered in Blue

Although all due care has been taken to ensure that this document is correct, no warranty is expressed or implied by the City of Greater Geelong, Barwon Water or the State of Victoria in its use.



Attachment 4

Zoning - Subject land and surrounding area



C366 & PP-6-2017 - Zoning
 Subject land bordered in Blue

Although all due care has been taken to ensure that this document is correct, no warranty is expressed or implied by the City of Greater Geelong, Barwon Water or the State of Victoria in its use.



Attachment 5

Properties benefiting from the Restrictive Covenant.

FEIGL & NEWELL PTY. LTD. A.B.N. 91 155 526 195

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CROWN LANDS
SURVEY INFORMATION
CORPORATE AFFAIRS
ELECTORAL ROLLS

19th October 2015

CITY OF GREATER GEELONG
STATUTORY PLANNING

5 JAN 2017

RECEIVED

TO WHOM IT MAY CONCERN

RE PROPERTY: 64 PRINCES HIGHWAY, NORLANE

My name is Dinah Newell I am a Partner of the firm Feigl & Newell Pty Ltd, Title Searchers. Our firm is considered to be experts in the field of Covenant Beneficiaries and we are retained by Barristers to brief them in these matters.

After careful perusal of the Covenant in Instrument of Transfer Number 1693682, it would appear that the beneficiaries are all of the land highlighted yellow on the attached plans. The land highlighted green is the subject property, and has the burden of said Covenant.

My methodology for arriving at this conclusion is the Instrument of Transfer No.1693682 states that the Beneficiaries are the land remaining untransferred in V.5084 F.763, excepting the land in said transfer.

Please advise if any further information is required.

Yours Faithfully



Dinah Newell.

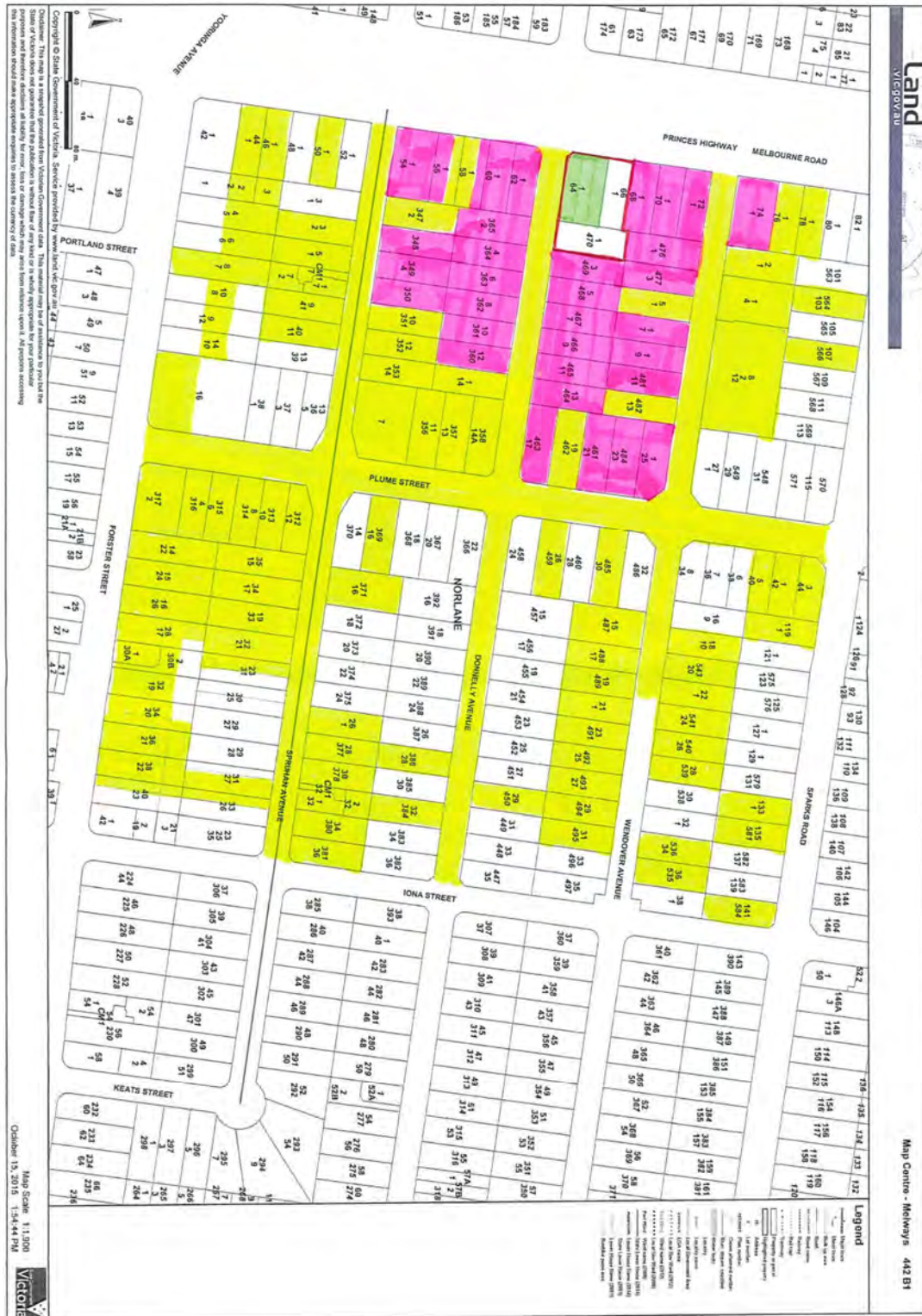
Office: Suite 812, Level 8, 530 Little Collins Street, Melbourne, 3000.

Postal Address: Box 2343, G.P.O. Melbourne, 3001.

DX301 Melbourne.

Telephone: 9629 3011, 9620 7022 Fax: 9649 7833

Email: info@feigl-newell.com.au Website: www.feigl-newell.com.au



Attachment 6

Draft revised Schedule 52.02

GREATER GEELONG PLANNING SCHEME

19/01/2006
Proposed C366

SCHEDULE TO CLAUSE 52.02

1.0
19/01/2006
Proposed C366

Under Section 23 of the Subdivision Act 1988

Land	Easement Or Restriction	Requirement
64 Princes Highway, Norlane (Lot 1 on Title Plan 429809S)	Restrictive covenant contained in Instrument 1693682.	Remove

2.0
19/01/2006
VC37

Under Section 24A of the Subdivision Act 1988

Land	Person	Action
None specified		

3.0
19/01/2006
VC37

Under Section 36 of the Subdivision Act 1988

Land	Easement or right of way	Requirement
None specified		

Attachment 7

Draft Planning Permit 6/2017

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

**PLANNING
PERMIT**

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

Permit No.: PP-6-2017

Planning scheme: Greater Geelong Planning
Scheme

Responsible authority: Greater Geelong City
Council

ADDRESS OF THE LAND: 64 & 66 PRINCES HIGHWAY, NORLANE AND 1
DONNELLY AVENUE NORLANE

THE PERMIT ALLOWS: TWELVE (12) LOT SUBDIVISION, CONSTRUCTION OF
TWELVE (12) DWELLINGS, REDUCTION OF VISITOR CAR
PARKING AND CREATION AND ALTERATION OF ACCESS
TO A ROAD IN A ROAD ZONE CATEGORY 1

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

DEVELOPMENT

Endorsed Plans

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

Removal of Restrictive Covenant

2. Prior to works commencing, Restrictive Covenant 1693682 on Lot 1 on TP429809S as must be removed from the title as approved by this permit and evidence of the removal must be provided to the Responsible Authority.

Drainage and Stormwater Quality/Management

3. The site must be drained to the satisfaction of the Responsible Authority and no concentrated storm water may drain or discharge from the land to adjoining properties.

Date Issued:

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

Signature for the Responsible
Authority

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

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

Prior to Works Commencing

5. Prior to works commencing, a Construction Management Plan must be submitted to and approved by the Responsible Authority and to the satisfaction of the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must show, but not be limited to:
 - a) Stages;
 - b) Duration of the construction stages;
 - c) Proposed access to the site for all construction stages;
 - d) Location of site huts and amenities for all construction stages;
 - e) Proposed materials hauling route;
 - f) Swept path diagrams for the longest vehicle expected to access the site;
 - g) Size, type and numbers of vehicles expected to be requiring access to the site during the different construction stages; and,
 - h) Location of parking facilities for construction vehicles
6. Prior to the works commencing, three (3) copies of a landscape plan prepared by a suitably qualified or experienced, person to the satisfaction of the Responsible Authority, must be submitted to and approved by the Responsible Authority. The plan(s) must be drawn to scale and show:
 - a) A survey (including botanical names) of all existing vegetation to be retained and/or removed;
 - b) Details of surface finishes of pathways and driveways;
 - c) A planting schedule of all proposed trees, shrubs and ground covers including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant;
 - d) Landscaping and planting within all open areas of the site;
 - e) Landscaping close to the road access to be a maximum of 0.9m high to facilitate line of sight for exiting vehicles.

When approved, the plan will be endorsed and form part of the permit, all to the satisfaction of the Responsible Authority. All completed landscaping works within the street and/or road reserve must be inspected by Council's Parks Unit.

Date Issued:	Date Permit comes into operation: (or if no date is specified, the permit comes into operation on the same day as the amendment, to which the permit applies, comes into operation)	Signature for the Responsible Authority
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Planning and Environment Regulations 2015 - Form 9, Section 96J

Prior to the Occupation of Dwellings

7. Prior to the occupation of the dwellings, the developer must:
- a) Construct the site stormwater system including connection for the common property drainage into the kerb & channel in Donnelly Avenue, or other nominated point/s as approved by the Responsible Authority. The stormwater connection must be in accordance with City of Greater Geelong Standard Drawings.
 - b) Construct vehicular crossings in accordance with the requirements and standards of the City of Greater Geelong.
 - c) Remove any redundant vehicular crossings with kerb and channel and the footpath/nature strip area reinstated to match existing construction in the street;
 - d) Construct and drain the common the access road within the development;
 - e) Complete all buildings and works including landscaping in accordance with the endorsed plans.
 - f) Clean and finish all wall on of facing external boundaries.

All to the satisfaction of the Responsible Authority.

STREET TREES

Protection of Existing Tree(s)

8. The existing street tree(s) must be suitably protected and not damaged above or below ground. Damage includes, but not limited to broken limbs / branches, open cut excavation within the drip line or under the tree, storing materials under the tree and parking vehicles or trailers on the naturestrip.

Unauthorised pruning works are a prohibited activity and must not be undertaken without the knowledge or consent of the Responsible Authority. In the instance that minor pruning is requested the applicant is advised to contact Council's Parks Unit to discuss the works and provide adequate notice of any such request.

Failure to adhere to this condition may result in Council's tree asset being considered lost with the applicant being held fully liable for all costs associated with the following items:

- a) Tree removal
- b) Stump removal
- c) Offset replanting and re-establishment of a number of trees to be determined by the Responsible Authority

An inspection is required to satisfy this condition, please contact Council's Parks Unit on 5272 5272 to discuss this requirement and provide adequate notice of any request.

Date Issued:	Date Permit comes into operation: (or if no date is specified, the permit comes into operation on the same day as the amendment, to which the permit applies, comes into operation)	Signature for the Responsible Authority
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Planning and Environment Regulations 2015 - Form 9, Section 96J

Tree removal and replacement

9. The street tree that will be removed to facilitate the construction of the proposed crossover must be offset using the nominated number of new trees to be replanted either at the site or a suitable location, to the satisfaction of the Responsible Authority, and maintained for an establishment period of two years at the developer's expense.

Council must be reimbursed the full costs associated with:

- a) Removing the existing tree and stump;
- b) Purchase of new replacement trees in minimum 40cm containers;
- c) Planting the replacement trees; and,
- d) Aftercare and maintenance of the replacement trees for a period of no less than two years.

As the street tree is a Council asset located within a road reserve, all works associated with tree removal and replacement must be undertaken by Council or its approved contractors, the applicant is advised to contact Council's Parks Unit to discuss the removal and replacement of the street tree. A written quote will be prepared and provided to the applicant and acceptance of the quote must be provided in writing to Council prior to any works to the street tree commencing.

SECTION 173 AGREEMENT – PUMP SYSTEM

10. Unless otherwise approved by the Responsible Authority, and prior to works commencing or prior to the issue of Statement of Compliance, whichever comes first, the land owner must enter an agreement with the Responsible Authority pursuant to Section 173 of the Planning and Environment Act 1987. All costs associated with setting up the agreement must be borne by the land owner. The agreement is to be registered on title and run with the land, and is to provide to the satisfaction of the Responsible Authority:

- a) All storm water runoff is to be collected on site and discharged to the legal point of discharge using a pump system or as otherwise nominated by the responsible authority. The pump system is to be designed and constructed in accordance with Australian Standard 3500 Part 3.2 Section 9
- b) In the event of any operational difficulties with the pump system, it is the Responsibility of the land owner to rectify these difficulties;
- c) Any pump system is to be replaced by gravity discharge if and when available, and if directed by the Responsible Authority, at the land owner's full cost.
- d) Provision is made (if appropriate) in any subdivision for Body Corporate drainage works, and access to those drainage works to be on common property or within an easement in favour of the Body Corporate

Note: Where the legal point of discharge is kerb and channel, discharge velocity at the kerb must be no greater than 1.5 m/s with a maximum discharge flow rate of 10 l/s and the outlet directed at an angle of 45° to the direction of flow in the kerb and channel.

Date Issued:	Date Permit comes into operation: (or if no date is specified, the permit comes into operation on the same day as the amendment, to which the permit applies, comes into operation)	Signature for the Responsible Authority
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Planning and Environment Regulations 2015 - Form 9, Section 96J

SUBDIVISION

Endorsed Plan

11. The layout and site dimensions of the proposed subdivision as shown on the endorsed plan(s) shall not be altered or modified without the written consent of the Responsible Authority. There are no requirements to alter or modify the endorsed plan if a plan is certified under the provisions of the Subdivision Act 1988 that is generally in accordance with the endorsed plans.

Telecommunications

12. 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.

Prior to Certification

13. The Plan of Subdivision submitted for certification must include a splay for road purposes at the intersection of Princes Highway and Donnelly Avenue to the satisfaction of the Responsible Authority.
14. 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.

Prior to Statement of Compliance

15. Prior to the statement of compliance, the developer must:
- a) Construct the site stormwater system including connection for the common property drainage into the kerb & channel in Donnelly Avenue, or other nominated point/s as approved by the Responsible Authority. The stormwater connection must be in accordance with City of Greater Geelong Standard Drawings.
 - b) Construct vehicular crossings in accordance with the requirements and standards of the City of Greater Geelong.
 - c) Remove any redundant vehicular crossings with kerb and channel and the footpath/nature strip area reinstated to match existing construction in the street;
 - d) Construct and drain the common property;
- all to the satisfaction of the Responsible Authority.

Date Issued:	Date Permit comes into operation: (or if no date is specified, the permit comes into operation on the same day as the amendment, to which the permit applies, comes into operation)	Signature for the Responsible Authority
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Planning and Environment Regulations 2015 - Form 9, Section 96J

16. The owner of the subject land must pay to the Council a sum equivalent to five (5) per cent of the site value of all of the land in the subdivision as a Public Open Space contribution pursuant to Section 18 of the Subdivision Act 1988. The contribution will be payable prior to the issue of a Statement of Compliance
17. Unless otherwise approved in writing by the Responsible Authority, prior to the issue of the Statement of Compliance:
- a) The development approved by Planning Permit **PP-6-2017** must be substantially completed (eg. lockup stage as a minimum) in accordance with the endorsed plans forming part of that Planning Permit (or any amendment to that permit) to the satisfaction of the Responsible Authority. Evidence must be submitted which demonstrates that the development is substantially completed to the satisfaction of the Responsible Authority; or,
 - b) The owner of the land must enter into an agreement with the Responsible Authority pursuant to Section 173 of the Planning and Environment Act 1987 which provides for all development to be in accordance with the endorsed plans forming part of the Planning Permit **PP-6-2017** (or any amendment to that permit) or any subsequent Planning Permit.
- The owner must pay the costs of preparation, review, execution and registration of the agreement and the agreement must be registered on the newly created title/s. The Section 173 Agreement may be ended by the Responsible Authority at the written request of the owner and at no cost to Council.
18. Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:
- a) a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the item; and
 - b) a suitably qualified person that fibre ready telecommunications facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

BARWON WATER

General

19. The certified plan must create implied easements under Section 12 (2) of the Subdivision Act, over all proposed existing water and sewerage works within the subdivision.
20. 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.

Date Issued:	Date Permit comes into operation: (or if no date is specified, the permit comes into operation on the same day as the amendment, to which the permit applies, comes into operation)	Signature for the Responsible Authority
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Planning and Environment Regulations 2015 - Form 9, Section 96J

21. The creation of an Owners Corporation to encumber all lots within the subdivision that show proposed dwellings 9, 10, 11 and 12.

Water

22. The provision and installation of individual water services including meters to all lots in the subdivision.
23. 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.
24. An additional tapping(s) is to be supplied to service the proposed development. A dimensioned plan showing location of all new tapplings relative to the allotment boundaries is to be submitted, where a meter is not being fitted. Note that tapplings and services are not to be located under existing or proposed driveways.

Sewer

25. The provision of sewerage services to all lots in the subdivision. Individual allotment house connection drains are to be provided for and extend into each allotment. Note that if any common drain or drain from another allotment crosses under a proposed dwelling, a "modification to consent" is to be obtained from the Victorian Building Association and presented to Barwon Water with the required drainage plan. It should be noted that the property service sewer drain remains the responsibility of the property owner(s).
26. 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).
27. 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.
28. The provision of a separate sewer connection branch to all lots within the subdivision is to be constructed by a certified/licensed plumber.

DOWNER UTILITIES

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

Date Issued:	Date Permit comes into operation: (or if no date is specified, the permit comes into operation on the same day as the amendment, to which the permit applies, comes into operation)	Signature for the Responsible Authority
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Planning and Environment Regulations 2015 - Form 9, Section 96J

POWERCOR

30. 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.
31. The applicant shall:
- a) 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.
 - b) 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 and provide to Powercor Australia Ltd a completed Electrical Safety Certificate in accordance with Electricity Safe Victoria's Electrical Safety System.
 - c) 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.
 - d) Any Buildings must comply with the clearances required by the Electricity Safety (Installations) Regulations.
 - e) Any construction work must comply with Energy Safe Victoria's "No Go Zone" rules.

VICROADS

32. Prior to the issuing of Statement of Compliance, the crossovers and driveway on Princes Highway must be constructed to the satisfaction of the Responsible Authority.

EXPIRY

Development

33. This permit as it relates to the development of buildings will expire if one of the following circumstances applies:
- a) The development of the building(s) hereby approved has not commenced within two (2) years of the date of this permit.
 - b) The development of the building(s) hereby approved is not completed within four (4) years of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires; or

- a) Within six (6) months after the permit expires where the use or development has not yet started; or
- b) Within twelve (12) months after the permit expires, where the development allowed by the permit has lawfully commenced before the permit expiry.

Date Issued:	Date Permit comes into operation: (or if no date is specified, the permit comes into operation on the same day as the amendment, to which the permit applies, comes into operation)	Signature for the Responsible Authority
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Planning and Environment Regulations 2015 - Form 9, Section 96J

Subdivision

34. This permit as it relates to subdivision will expire if one of the following circumstances applies:

- a) The plan of subdivision has not been certified within two (2) years of the date of this permit .
- b) A statement of compliance is not issued within five (5) years of the date of certification.

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

Notes:

- 1. Construction of the site stormwater connection/s is to be inspected by Council Representative at various stages. An appropriate fee equivalent to 3.25% of total cost of civil works, excluding GST (a minimum fee of \$100 applies if the 3.25% amount is less than \$100), is to be paid to Council for inspection. Relevant evidential documentation of the cost is to be provided.
- 2. All internal property drainage must be designed and constructed to satisfy AS/NZS 3500.
- 3. A Vehicle Crossing Permit must be obtained prior to commencement of works.
- 4. Any applicable Council permit(s) must be taken out prior to the commencement of works within the road reserve.
- 5. The applicant or their nominated representatives are not authorised to remove or arrange the removal of the Council tree without written consent of the Responsible Authority.
- 6. The developer is to apply to Barwon Water for details relating to costs and conditions required for the provision of water supply and sewerage services to the subdivision. It would be appreciated if all communication between the developer/agent and Barwon Water quote Barwon Water reference number L013903

Date Issued:	Date Permit comes into operation: (or if no date is specified, the permit comes into operation on the same day as the amendment, to which the permit applies, comes into operation)	Signature for the Responsible Authority
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Planning and Environment Regulations 2015 - Form 9, Section 96J

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. [C366] to the Greater Geelong 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.