
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.

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Authority

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.

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.

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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.

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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.

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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.

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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.

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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.

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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.

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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

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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.