

AMENDMENT C408ggee and Draft Planning Permit PP-1247-2019, CONSIDERATION OF SUBMISSIONS

To: Peter Smith – Coordinator Strategic Implementation
From: Barry Gough – Strategic Planner
Subject: Resolution to consider submissions to an amendment under delegation
File number: C408ggee

Purpose

This report considers submissions to Amendment C408ggee and draft Planning Permit PP-1247-2019 and recommends that Council resolves (under delegation) to refer the submissions to an Independent Panel.

Summary

- The amendment rezones land at 31 – 49 Mealuka Road, Leopold from Low Density Residential Zone – Schedule 1 to General Residential Zone – Schedule 1.
- The Council resolved under delegation on 14th May 2021, to exhibit a planning scheme amendment (C408ggee) to re-zone the land, together with draft Planning Permit PP-1247-2019 for the staged multi-lot subdivision of the land.
- Exhibition of Amendment C408ggee and Planning Permit PP- 1247-2019 commenced on 16 September 2021 and closed on 18 October 2021. Notice of the amendment appeared in local newspapers, the Geelong Australia website and letters were sent to prescribed Ministers and owners and occupiers of adjoining land.
- Ten submissions were received, including one from the proponent one from the Department of Environment, Land Water and Planning (DELWP), one from the Environment Protection Authority (EPA) and seven from adjoining property owners.
- It is recommended that all submissions be referred to an Independent Panel appointed by the Minister for Planning.

Recommendation

That Council having considered all submissions to Amendment C408ggee to the Greater Geelong Planning Scheme and Planning Permit Application PP- 1247-2019, resolves to:

- 1) Request the Minister for Planning to appoint an Independent Panel under Part 8 of the Planning and Environment Act, 1987;**
- 2) Refer all submissions to the Panel; and**
- 3) Submit to the Panel its response to the submissions generally as outlined in this report.**

**Approved as a resolution of Council by Council's delegate: P.Smith
Date: 17 November 2021**

Background

The subject land is located on the east side of Melaluka Road, immediately south of the Bellarine Rail Trail. The location is shown in Appendices 1 and 2. Over the past 20+ years land to the south of the subject site has been progressively developed for residential use, including the majority of the land fronting to Melaluka Road north of Stringers Lane having been re-zoned to GRZ1.

The exhibited amendment and draft Planning Permit propose to re-zone and subdivide the sole remaining LDRZ1 lot on this portion of Melaluka Road (see Appendix 3 for the subdivision plan and Appendix 4 for the draft Planning Permit).

Discussion

Ten submissions have been received following the exhibition of the Amendment and draft Planning Permit. This includes submissions from DELWP and the EPA, one on behalf of the proponent of the application and seven submissions from adjoining land owners and occupiers which raise concerns and objections.

DELWP Submission:

The submission by DELWP confirmed that the permit conditions contained in the draft Planning Permit, as exhibited, satisfied the advice provided by the Department prior to seeking authorisation of the Amendment.

EPA Submission:

A detailed submission was received from the EPA on 18th October, the date that exhibition closed.

Officer Response:

Council officers have discussed the contents of the submission with the proponent's planning consultant, who has indicated that the proponent believes the matters raised in the submission can be adequately considered at Panel.

A summary of the issues raised in the objecting submissions from adjoining landowners and occupiers and a Council officer response is provided below.

Issue:

Objection to proposed staged subdivision, due to likely time to complete development.

Officer Response:

The staging of subdivisions is an accepted method of development and as such is not a reason to require a change to the draft permit conditions.

Issue:

Potential for access to be required to the adjoining property.

Officer Response:

Unless a service easement exists on the adjoining property to which access is required, access to adjoining properties could only occur with the consent of the landowner.

Issue:

Objects to being required to pay for new fencing on the boundary.

Officer Response:

The developer has indicated in-principle agreement to pay for the construction of required boundary fencing, consistent with the nature of the proposed subdivision.

Issue:

Proximity of development to common boundary.

Officer Response:

The development of the proposed residential lots would be subject to all building controls with respect to setbacks from adjoining residential properties.

Issue:

Height of proposed new development.

Officer Response:

The development of the proposed residential lots would be subject to all relevant planning scheme zone and building controls with respect to building heights on lots adjoining residential properties.

Issue:

Adverse impact on rural outlook.

Officer Response:

In planning terms views are enjoyed, not owned and the loss of a view is not a reasonable basis to limit the development of land in a manner consistent with its zoning.

Both the subject land and the properties of the adjoining submitters are located in a Low Density Residential zone. (LDRZ) This is a residential zone, not a rural zone, and hence it is not reasonable to expect that the views available from lots in this zone will retain a rural aspect

Issue:

Use of existing drainage easements to service the proposed subdivision.

Officer Response:

Easements on land titles exist for the provision of a range of services as specified. It is appropriate for drainage easements to be utilised for their intended purpose.

Issue:

Increase in traffic on Melaluka Rd and exacerbation of existing pedestrian and road traffic concerns.

Officer Response:

The traffic report provided in support of the application indicates that the land can be developed in the proposed manner without adversely impacting on the role of Melaluka Rd within the road hierarchy. This, assessment together with permit conditions proposed by Council's engineers, indicates that the adjoining road network can adequately service the proposed subdivision.

Issue:

Proposes minimum setbacks and /or single dwelling covenants on specific lots adjoining existing developed properties in the LDRZ.

Officer Response:

As indicated above, single dwelling setbacks are a matter for consideration under building regulations.

If a planning permit application was received for a multi-unit development of any lots adjoining owners and occupiers would receive notice of the application and be provided with the opportunity to object.

Issue:

Density of lots.

Officer Response:

The proposed lot density is consistent with the provisions of the General Residential zone.

Issue:

Adverse impact on adjoining property values.

Officer Response:

No evidence has been provided to indicate that the re-zoning of land from one residential zone to another in accordance with local and state planning policy will adversely impact the value of adjoining residential land.

Issue:

Potential overlooking.

Officer Response:

The development of the proposed new lots will be required to comply with relevant building regulations with respect to avoiding the overlooking of the private open space of adjoining properties.

Issue:

Additional infrastructure would be required to service the new subdivision.

Officer Response:

The provision of the required infrastructure to service the proposed subdivision is addressed by conditions contained in the draft Planning Permit.

Financial Implications

There are no financial implications for Council which would arise from the adoption of the proposed amendment and issuing of the planning permit.

Stakeholder Consultation and Communication

The Amendment and Permit were exhibited in accordance with the provisions of the *Planning and Environment Act 1987*.

In accordance with Clause 4(2) of Ministerial Direction No. 15 the following panel hearing dates have been set for this Amendment:

- Directions Hearing: in the week commencing 6 December, 2021.
- Panel Hearing: in the week commencing 31 January, 2021.

Planning Panels Victoria will notify all submitters of the Panel dates and invite requests to be heard at the Panel Hearing.

Policy/Legal/Statutory Implications

The amendment is consistent with the State Planning Policy Framework as follows:

11 – Settlement – Planning is to anticipate and respond to the needs of existing and future communities, prevent environmental and amenity problems created by siting incompatible land uses close together and facilitate sustainable development that takes full advantage of existing settlement patterns and investment in transport, utility, social, community and commercial infrastructure and services. Clause 11.01, Victoria, aims to promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.

11.01-1R – Settlement – Geelong G21 – Relevant strategies to implement the above State policies within the region include:

- Support the growth of Bannockburn, Colac, Drysdale/Clifton Springs, Lara, Leopold, Ocean Grove and Torquay/Jan Juc as district towns by building on existing and planned infrastructure and focussing growth along key road and rail networks.
- Reinforce the role of district towns in providing services to surrounding areas.
- Provide for settlement breaks between towns to maintain their unique identities.
- Require a settlement boundary for all towns.
- Protect critical agricultural land by directing growth to towns.

11.02 – Managing Growth – Relevant policies include the supply of urban land and the sequencing of development. Objectives of which are to ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses and to manage the sequence of development in areas of growth so that services are available from early in the life of new communities.

11.03-2S – Growth Areas – The objective of which is to locate urban growth close to transport corridors and services and provide efficient and effective infrastructure to create sustainability benefits while protecting primary production, major sources of raw materials and valued environmental areas.

12.01 – Biodiversity – Contains policies relating to the protection of biodiversity and native vegetation management. Relevant objectives of these policies are:

- >To assist the protection and conservation of Victoria's biodiversity.
- To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation.

12.03 – Water Bodies and Wetlands – This policy aims to protect and enhance river corridors, waterways, lakes and wetlands by ensuring development responds to and respects the significant environmental, conservation, cultural, aesthetic, open space, recreation and tourism assets of water bodies and wetlands and is sensitively designed and sited to maintain and enhance environmental assets, significant views and landscapes along river corridors and waterways and adjacent to lakes and wetlands.

13.02 – Bushfire – This policy aims to strengthen the resilience of settlements and communities to bushfire through risk-based planning that

prioritises the protection of human life. This policy must be applied to all planning and decisionmaking under the Planning and Environment Act 1987 relating to land which is within a designated bushfire prone area.

15.01 – Built Environment – Policies relating to urban design, building design, subdivision design, healthy neighbourhoods and neighbourhood character. Objectives of which are to:

- Create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.
- Achieve building design outcomes that contribute positively to the local context and enhance the public realm.
- Ensure the design of subdivisions achieves attractive, safe, accessible, diverse and sustainable neighbourhoods.
- Achieve neighbourhoods that foster healthy and active living and community wellbeing.
- Recognise, support and protect neighbourhood character, cultural identity, and sense of place.

16.01 – Residential Development – Relevant policies relating to integrated housing, location of residential development, housing diversity and housing affordability. Objectives of which are:

- To promote a housing market that meets community needs.
- To locate new housing in designated locations that offer good access to jobs, services and transport.
- To provide for a range of housing types to meet diverse needs.
- To deliver more affordable housing closer to jobs, transport and services.

18.02 – Movement Networks – Relevant policies relating to sustainable personal transport, public transport,

- road systems and carparking.

19.03 – Development Infrastructure – Contains policies relating to development and infrastructure contributions plans, infrastructure design and provision, stormwater supply, sewerage and drainage, telecommunications.

Bellarine Peninsula Distinctive Area and Landscape

In addition to current State Policy, on 29 October 2019, the Bellarine Peninsula was declared a Distinctive Area and Landscape under the Planning and Environment Act 1987. The declaration triggers the requirement to prepare a Statement of Planning Policy (SPP).

The SPP will include a 50-year vision and land use strategies to better protect the unique features of the Bellarine Peninsula for current and future generations. It also provides the opportunity to designate long term settlement boundaries.

The SPP was informed by strategic planning work already undertaken, relevant technical studies and outcomes from community engagement.

And is consistent with the Draft SPP released for public consultation in mid-2021.

The amendment is consistent with the Local Planning Policy Framework as follows

21.04 – Municipal Framework Plan –Provides the strategic vision for the Geelong region.

Leopold is identified as a sub-regional centre in the Municipal Framework Plan.

21.14 – The Bellarine Peninsula –Contains objectives relating to facilitating the development of Leopold as hubs of development, specifically including the Leopold Structure Plan.

Relevant objectives include:

- Ensure the retention of Leopold as an urban island - supporting urban growth contained to the settlement boundary and preserving the surrounding rural hinterland.
- Support the development of the Ash Road / Mollers Lane Growth Area and other areas identified for residential development on the Structure Plan map. The subject land is shown as “Rezone Residential 1 in the Structure Plan map – see Appendix 4.
- Support increased housing densities around the Sub Regional Retail Activity Centre and neighbourhood shopping strips at Ash Road and Dorothy Street.
- Provide public open space within existing and proposed residential areas to cater for the passive and active recreation needs of the community.
- Provide an improved transport network which includes better traffic movements, pedestrian and cyclist linkages and public transport options.

Alignment to City Plan

The Amendment C408ggee and Draft Planning Permit PP1247-2019 support both the Growing our Economy and Sustainable Built and Natural Environment strategic directions of City Plan.

Conflict of Interest

No Council officers involved in the preparation of this report have any direct or indirect interest in the matter to which this report relates, in accordance with Section 80 (c) of the Local Government Act.

Risk Assessment

There are no notable risks associated with implementing the recommendation contained in this report. The site is identified as being bushfire prone however when developed in a manner consistent with the other developments on the east side of Melaluka Road this risk will be similarly mitigated, as it has been on those developed sites.

Environmental Implications

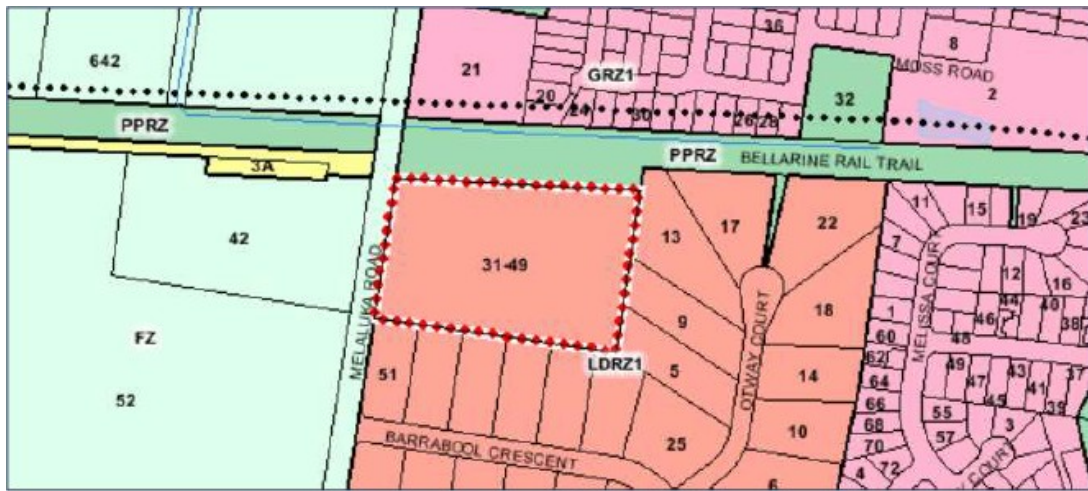
No environmental implications arise from the proposed re-zoning and subdivision of the land. The required off-sets have been provided for the native vegetation that is proposed to be removed from the land. Documentation submitted in support of the application indicates that

any potential for flooding of the land can be mitigated as part of the subdivision so as a level that will avoid any risk of a 1% ARI flood event on any of the proposed lots.

Appendix 1 – Location plan / aerial photo



Appendix 2 – Existing & Proposed zoning



Existing Zoning LDRZ1



Proposed Zoning - GRZ1

Appendix 3 – Proposed Staged Subdivision



Appendix 4 – Draft Planning Permit

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PLANNING
PERMIT

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

Permit No.: PP-1247-2019

Planning Scheme: Greater Geelong Planning Scheme

Responsible Authority: Greater Geelong City Council

ADDRESS OF THE LAND: 31-49 MELALUKA ROAD, LEOPOLD.

THE PERMIT ALLOWS: The Staged multi-lot subdivision of the land and removal of Native Vegetation from the land.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Endorsed Plans

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

Prior to Works Commencing

2. → Unless otherwise approved in writing by the Responsible Authority, prior to the commencement of works for each relevant stage of the Plan of Subdivision, a carriageway easement must be provided over any private property that is required to facilitate a vehicle turnaround area for waste services/fire services and to create the Temporary Hammerhead Turnaround at the dead end of a street or streets. The use of private property driveways to create a hammerhead is acceptable and must be approved by the Responsible Authority unless other options are agreed to and approved by the Responsible Authority. The Temporary Hammerhead Turnarounds of each stage must be maintained by the applicant until the connecting road network is completed and the kerbside collection trucks can undertake all collections in a forward motion. The easement must be created and registered with Land Victoria, or there must be an agreement in writing to the satisfaction of the Responsible Authority.

3. → Unless otherwise approved in writing by the Responsible Authority, prior to the commencement of works for each relevant stage of the Plan of Subdivision, a detailed Functional Layout Plan for each stage of the subdivision is to be submitted to and

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:

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approved by the Responsible Authority. The plan is to be in accordance with the design requirements of the City of Greater Geelong and in the Infrastructure Design Manual. The Functional layout plan must be submitted with the Design Engineers Checklist - Request for functional layout approval. Plans are to include locations of, footpath on Melaluka Road, street trees, sub-stations reserves, property/NBN services pits, all Local Area Traffic Management items along with maintenance vehicle access points, maintenance vehicle access tracks, tree protection measures, footpaths and utility installations on or adjacent to public reserves, all to the satisfaction of the Responsible Authority. ¶

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4. → Prior to the commencement of works for each relevant stage of the subdivision, engineer designed roadworks and drainage construction plans must be submitted to and approved by the Responsible Authority. The plan must be in accordance with the Infrastructure Design Manual and submitted with the Design Engineers Checklist - Request for detailed design approval. The Engineering construction plans must show with each stage, the extent of any proposed works associated with road, drainage or other infrastructure. Stage 1 must include Melaluka Road upgrades. The Engineering plans must detail the construction to a standard that achieves a functional design, with no adverse external impacts, to achieve an acceptable standard of aesthetics (including landscaping) which can be maintained in perpetuity, to the satisfaction of the Responsible Authority. ¶

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5. → Unless otherwise approved in writing by the Responsible Authority, prior to the commencement of works for each relevant stage of the subdivision, plans which outline the WSUD landscaping elements must be submitted to and approved by the Responsible Authority. The plans must include, but are not limited to: ¶

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- a) → Construction details of all water sensitive urban design elements including materials and plantings required for effective stormwater pollutant removal in accordance with the drainage design criteria specified in the conditions of this permit. ¶
- b) → Planting and establishment schedule for all water sensitive urban design planting, including species and densities in accordance with the drainage design criteria specified in this permit. ¶
- c) → Q10 and Q100 levels, and associated flow rates. ¶
- d) → Details of existing and finished surface levels; and, ¶
- e) → Construction and establishment methodology and associated staging of the WSUD works specific to the site, in accordance with relevant industry standards to the satisfaction of the Responsible Authority. (reference is made to Water By Design - Construction and Establishment Guidelines: Swales, Bioretention Systems and Wetlands, April 2010). ¶

all to the satisfaction of the Responsible Authority. ¶

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6. → Prior to the commencement of works, a Construction Environmental Management Plan 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, must be submitted to and approved by the Responsible Authority. The plan must address, but is not limited to, the following: ¶
- a) → Hours of works, demolition or construction; ¶
 - b) → A liaison personnel for contact by residents and the Responsible Authority in the event of relevant queries or problems experienced; ¶
 - c) → The movement of construction vehicles to and from the site must be regulated to ensure that no traffic hazards are created in and around the site; ¶
 - d) → Parking facilities for site visitors and construction workers; ¶
 - e) → Delivery and unloading points and expected frequency; ¶
 - f) → A dilapidation survey of other authority assets within and immediately adjoining the site must be documented (photos, video, notes, DBYD map etc); ¶
 - g) → Copies of relevant Insurance certificates ¶
 - h) → Methods to contain dirt and mud within the site, and the method and frequency of clean up procedures including but not limited to: ¶
 - a. → On site facilities for vehicle washing; ¶
 - b. → Street cleaning equipment ¶
 - c. → Measures to be taken to ensure that no polluted water and/or sediment laden runoff is to be discharged directly or indirectly into stormwater watercourses during the construction period; ¶
 - d. → Sand bags and filters to prevent sediment and pollutant laden stormwater leaving site ¶
 - i) → Methods used for to Dust suppression which must include but not limited to the following: ¶
 - a. → Water truck to be retained on site at all times; ¶
 - b. → Soil stockpiles to be retained on site must be seeded or provide a treatment to provide a crusted surface; ¶
 - c. → Cease all works on site during high wind incidences; ¶
 - d. → Vehicle/truck movements to be limited to a reduced speed to prevent dust emissions. ¶
 - j) → The protection measures for site features to be retained (e.g. drainage basins, vegetation, retaining walls, buildings, other structures and pathways, etc.); ¶
 - k) → Measures to prevent the introduction of new weeds into the area and the further spread of existing weeds. ¶
 - l) → Maps providing the location of the works zones including: ¶
 - a. → No Go zones; ¶
 - b. → Location of bunded and lined Hydrocarbon filling area designated and spill kit available; ¶
 - c. → Location of bunded and lined Concrete washout area. ¶
 - m) → Fencing of and establishing No Go Zones as required by Environmental or Cultural heritage management plans which are clearly designated on-site. ¶

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- n) → An outline of requests to occupy public footpaths or roads, and anticipated disruptions to traffic on Barwon Heads Road and utility services – updated regularly to include copies of Consents, Notifications or MOUs from Authorities. ¶
- o) → Any other condition as required by the Responsible Authority that addresses any other issues i.e. location of earth mound / soil stockpiles, rumble grids. ¶
- p) → Any other measures that are consistent with the following publications: 'Environmental Management Guidelines for Major Construction Sites' and 'Construction Techniques for Sediment and Pollution Control'. ¶

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Once the Construction Environmental Management Plan has been endorsed by the Responsible Authority under this permit it ~~must be implemented and complied with at all times~~ to the satisfaction of the Responsible Authority unless with the further written approval of the Responsible Authority. ¶

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- 7. → Prior to the works commencing, 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) → The use of indigenous plants of the Geelong Region. ¶

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When approved, the plan will be endorsed and form part of the permit, all to the satisfaction of the Responsible Authority. ¶

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Note: All completed landscaping works within the street and/or reserve must be inspected by Council's Parks Unit. To arrange an inspection please contact Ian Rogers on 5272 4827. ¶

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Prior to Certification ¶

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- 8. → Prior to certification of each relevant stage of the Plan of Subdivision, drainage and carriageway easements in favour of the City of Greater Geelong must be shown on the Plan on Subdivision to the satisfaction of the Responsible Authority. ¶
- 9. → Unless otherwise approved in writing by the Responsible Authority, prior to certification of Stage 1 of the subdivision the following must occur to the satisfaction of the Responsible Authority: ¶

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Date issued: ¶ ¶ ¶ ¶ ¶ □ → → → → □	Date permit comes into operation: ¶ (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation) ¶ □ → → → → □	Signature for the responsible authority: ¶ □ → → → □ □
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a) → A Local Area Traffic Management Plan must be developed with Council's Traffic Development Engineer and submitted to and approved by the Responsible Authority. The Local Area Traffic Management Plan treatments may include, but not limited to, traffic management devices, modified intersection priorities, indented car parking, signage, ~~line marking~~, and vehicle crossing locations. All treatments shown on the Local Area Traffic Management Plan on subsequent construction plans for each stage must be consistent with the approved Local Area Traffic Management Plan. ¶

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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 Local Area Traffic Management 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. ¶

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Prior to Statement of Compliance ¶

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10. → Unless otherwise approved in writing by the Responsible Authority, 3 months prior to the issuing of Statement of Compliance for each relevant stage of the subdivision, flood maps will need to be submitted to Council detailing the extent of flood-affected land both prior to and after the subdivision of land in order to allow Council to revoke the flood-prone status of the land. ¶

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11. → Prior to the issuing of a Statement of Compliance for Stage 1, the wetland and detention system works identified in the SWMS within the subject site must be constructed and operational. ¶

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12. → Prior to the issuing of a Statement of Compliance for each relevant stage of the subdivision, all disturbed surfaces on the land authorised by this permit except those areas set aside for roadways and footpaths shall be dressed with topsoil and, where appropriate, re-vegetated and stabilised to the satisfaction of the Responsible Authority to prevent any erosion or siltation either on or adjacent to the land. ¶

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13. → Prior to the issuing of a Statement of Compliance for Stage 1, ~~Melaluka~~ Road including kerb and channel, footpath and drainage must be constructed, to the satisfaction of the Responsible Authority. ¶

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14. → Prior to the issuing of a Statement of Compliance for each relevant stage of the subdivision, roadworks and drainage including any basins, slope stabilization works and

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any retaining structures must be constructed in accordance with the approved plans and specifications to the satisfaction of the Responsible Authority.

15. → Unless otherwise approved in writing by the Responsible Authority, prior to the issue of a Statement of Compliance for each stage of the subdivision, a fee of 3.25% of the cost of the works must be paid to the Responsible Authority for the checking and supervision of these works.

16. → Unless otherwise approved in writing by the Responsible Authority, prior to the issue of a Statement of Compliance for each stage of the subdivision, a maintenance bond of 5% of the cost of the works must be paid to Council and will be returned after successful completion of a one (1) year maintenance period, all to the satisfaction of the Responsible Authority.

17. → Prior to the issuing of a Statement of Compliance for each relevant stage of the subdivision, street lighting is to be provided within and abutting the subdivision to the satisfaction of the Responsible Authority and at the full cost of the subdivider.

18. → Prior to the issuing of a Statement of Compliance for each relevant stage of the subdivision, any vehicular crossovers which are redundant as a result of this subdivision shall be removed, and the kerb and channel, footpath and nature strip shall be reinstated as required, at the expense of the developer and to the satisfaction of the Responsible Authority.

19. → Prior to the issuing of a Statement of Compliance for each relevant stage of the subdivision, the subdivider shall erect a standard fence on the boundaries of all Council Reserves abutting allotments and where otherwise determined, to the satisfaction of the Responsible Authority and at no cost to Council.

20. → Prior to the issuing of a Statement of Compliance for each relevant stage of the subdivision, repair and reinstatement necessitated by any damage to Council assets caused by or as a result of the subdivision construction is required to be carried out at the developer's expense to the satisfaction of the Responsible Authority.

Telecommunications

21. → 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

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- 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.¶

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22. → 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.¶

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Public Open Space Contribution¶

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23. → The owner of the subject land must pay to the Council a sum equivalent to ten 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.¶

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Engineering Works¶

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24. → The design and construction of stormwater drainage connections and any new Council infrastructure must be approved and supervised by the Responsible Authority.¶

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Road Names and Signs¶

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25. → Prior to the development of the Road Naming Plan and lodgement of the Functional Layout Plan for Stage 1, the permit holder must provide a list of all proposed road names within the subdivision for approval by Council's Properties and Valuations unit. The permit holder 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.¶

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Corner Splay¶

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26. → The Plan of Subdivision submitted for certification for each relevant stage of the subdivision must include a splay for road purposes at all internal and external

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33. → A Practical Completion inspection will be required and must be arranged by the permit holder with a two week notice period provided prior to onsite inspections. Any incomplete landscape works bond for WSUD will be returned on award of Practical Completion.

Water Sensitive Urban Design (WSUD) Maintenance

34. → Unless otherwise approved by the Responsible Authority, Water Sensitive Urban Design works must be maintained in accordance with Council's Landscape Standards Manual (June 2013), or any replacement landscape standard guidelines or manual which may be adopted by the Council, to the satisfaction of the Responsible Authority until:

- a) → The end of 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; or,
- b) → Statement of Compliance is issued for the final stage of the development draining to that treatment device; whichever is the latter.

35. → A Handover inspection is required and must be organised by the permit holder with a two-week notice period provided prior to onsite inspections. No handovers will be accepted during summer months from 1 December to 29 February inclusive. Any landscape maintenance bond for WSUD will be returned on award of Handover.

Filling / Bulk Earthworks

36. → Excavated material, including topsoil, must not be carted off the site unless with the written approval of the Responsible Authority.

37. → Unless otherwise approved in writing by the Responsible Authority, the permit holder must provide written evidence that the site of the earthworks under this Permit does not contain contaminated material, to the satisfaction of the Responsible Authority. If the site does contain contaminated material, the applicant must submit for approval to the Responsible Authority, proposed method/s of treatment on site, or proposed removal in accordance with the requirements of the E.P.A. and to the satisfaction of the Responsible Authority.

38. → Unless otherwise approved in writing by the Responsible Authority, no material must be brought onto the site for use as filling within the subject area under this Permit without 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.

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39. → 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.¶

¶

40. → At the completion of the earthworks, all disturbed areas shall be hydromulched 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.¶

¶

41. → All works must be in accordance with the recommendations of any relevant geotechnical reports and previous advice for the site.¶

¶

Construction of Roadworks / Drainage¶

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42. → The underground site stormwater drainage system shall be constructed within easements and/or road reserves to cater for all lots, roads, streets and courts created by the subdivision and the surrounding developed and undeveloped area all to the satisfaction of the Responsible Authority.¶

- a) → Install the new drains in accordance with the approved plans.¶
- b) → Provide to Council 'as-built' Engineering plans in PDF, and GIS-ready AutoCAD (DXF) format plans, to the satisfaction of the Responsible Authority.¶
- c) → Submit a CCTV inspection report for all new Council underground drainage pipes and pits.¶

43. → All temporary road connections to existing roads must be maintained by the developer until the ultimate alignment is constructed, to the satisfaction of the Responsible Authority.¶

¶

Council Reserves¶

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44. → The subdivider shall construct a reinforced concrete footpath, loam and sow down, landscape, etc. within and abutting all Council Reserves to the satisfaction of the Responsible Authority.¶

¶

45. → Suitable vehicle barrier fencing shall be provided abutting all Council Reserves to the satisfaction of the Responsible Authority. Crossings with lockable swing gates shall be provided to allow access for Emergency and Council maintenance vehicles. The location of these crossings shall be determined by the Responsible Authority.¶

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and the location of the meter relative to the existing boundaries, and its number, is to be submitted. Private water service pipes are not permitted to cross allotment boundaries and must be plugged and abandoned at the boundaries of such allotments.

Sewer

47. → 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.

48. → 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).

49. → Reticulated sewer mains are required to service the proposed development. This work must be designed by a Barwon Water accredited Consulting Engineer and constructed by a Barwon Water accredited Contractor following the "Developer Works" process.

50. → Barwon Water's records indicate that a sewerage service connection is located on this property.

51. → Any existing sewer house connection point that is to be utilised for additional connections or altered to serve the development is to be CCTV inspected by a licensed plumber and the 'CCTV Inspection Form' with the video footage submitted to Barwon Water. If the property connection point is not deemed satisfactory for use or is no longer required, it is to be decommissioned in accordance with Barwon Water's "Property connection decommissioning process". Details of this process are available on Barwon Water's website under the business -> property connections section. Also, any existing house connection drain that traverses through the proposed allotments shall be relocated so not to inhibit future development. If the existing sewer house connection point is deemed satisfactory for use by Barwon Water and where branching after the connection point is permitted to service an additional allotment then this work can also be undertaken by a licensed plumber. If the sewer connection point being replaced is greater than 4.0 metres deep, a new sewer manhole is to be constructed with the new property connection point connected to this structure.

Advisory Notes:

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.

Citipower

52. → The plan of subdivision submitted for certification under the Subdivision Act 1988 shall be referred to the Distributor in accordance with Section 8 of that Act.

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53. → The applicant shall provide an electricity supply to all lots in the subdivision in accordance with the Distributor's requirements and standards. ¶

¶
Advisory Note ¶

¶
Extension, augmentation or rearrangement of the Distributor's electrical assets may be required to make such supplies available, with the cost of such works generally borne by the applicant. ¶

54. → The applicant shall ensure that existing and proposed buildings and electrical installations on the subject land are compliant with the Victorian Service and Installation Rules (VSIR). ¶

¶
Advisory Note ¶

¶
Where electrical works are required to achieve VSIR compliance, a registered electrical contractor must be engaged to undertake such works. ¶

57. → The applicant shall, when required by the Distributor, set aside areas with the subdivision for the purposes of establishing a substation or substations. ¶

¶
Advisory Note ¶

¶
Areas set aside for substations will be formalised to the Distributor's requirements under one of the following arrangements: ¶

- → *RESERVES established by the applicant in favour of the Distributor.* ¶
- → *SUBSTATION LEASE at nominal rental for a period of 30 years with rights to extend the lease for a further 30 years. The Distributor will register such leases on title by way of a caveat prior to the registration of the plan of subdivision.* ¶

58. → The applicant shall establish easements on the subdivision, for all existing Distributor electric lines where easements have not been otherwise provided on the land and for any new powerlines to service the lots or adjust the positioning existing easements. ¶

¶
Advisory Note ¶

- → *Existing easements may need to be amended to meet the Distributor's requirements* ¶
- → *Easements required by the Distributor shall be specified on the subdivision and show the Purpose, Origin and the In Favour of party as follows:* ¶

Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited / In Favour Of
	Power Lines		Section 88 - Electricity Industry Act 2000	Powercor Australia Ltd

¶

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AusNet¶

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59. → The plan of subdivision when submitted for certification must be referred to AusNet Gas Services in accordance with Section 8 of the Subdivision Act 1988.¶

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Advisory Note: ¶

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The owner / developer of the land may need to enter into an agreement or request a quote from a local gas retailer for provision or altering of gas services for each lot of endorsed plan. ¶

¶

CFA Conditions¶

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60. → 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.¶

¶

a) → Above or below ground operable hydrants must be provided. The maximum distance between these hydrants and the rear of all building envelopes (or in the absence of building envelopes, the rear of the lots) must be 120 metres and the hydrants must be no more than 200 metres apart. These distances must be measured around lot boundaries.¶

¶

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

¶

Advisory Note: ¶

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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)¶

¶

61. → 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.¶

¶

a) → Curves must have a minimum inner radius of 10 metres and have a minimum trafficable width of 3.5 metres and be clear of encroachments for at least 0.5 metres on each side and 4 metres above the access way.¶

¶

DELWP -- Native Vegetation¶

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62. → To offset the removal of 0.003 hectares of native vegetation, the permit holder must secure the following native vegetation offset in accordance with *Guidelines for the removal, destruction or lopping of native vegetation* (DELWP 2017): ¶

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a) → A general offset of 0.002 general habitat units. ¶

Date issued: ¶

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Signature for the responsible

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- i) located within the Corangamite Catchment Management boundary or City of Greater Geelong municipal area ¶
- ii) with a minimum strategic biodiversity value of at least 0.192 ¶

¶

64. → Before any native vegetation is removed, evidence that the required offset has been secured must be provided to the satisfaction of the responsible authority. This evidence must be one or both of the following: ¶
- a) → an established first party offset site including a security agreement signed by both parties, and a management plan detailing the 10-year management actions and ongoing management of the site; and/or ¶
 - b) → credit extract(s) allocated to the permit from the Native Vegetation Credit Register. ¶

¶

65. → A copy of the offset evidence will be endorsed by the responsible authority and form part of this permit. Within 30 days of endorsement of the offset evidence, a copy of the endorsed offset evidence must be provided to Planning Approvals at the Department of Environment, Land, Water and Planning Barwon South West regional office via BSW.planning@delwp.vic.gov.au. ¶

¶

66. → Where the offset includes a first party offset(s), the permit holder must provide an annual offset site report to the responsible authority by the anniversary date of the execution of the offset security agreement, for a period of 10 consecutive years. After the tenth year, the landowner must provide a report at the reasonable request of a statutory authority. ¶

¶

Monitoring and reporting for onsite offset implementation ¶

¶

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

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Fauna Protection ¶

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68. → Unless otherwise agreed in writing by the Responsible Authority, 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. ¶

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Expiry of Permit ¶

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69. → 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. ¶

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Planning and Environment Regulations 2015 - Form 9, Section 96.2

¶

- b) → All stages of the plan of subdivision have not been certified within four 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. ¶

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

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Section Break (Next Page)

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

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