

PLANNING PERMIT

Permit No.:	PA2504006
Planning scheme:	Moyne Planning Scheme
Responsible authority:	Minister for Planning
ADDRESS OF THE LAND:	1154 Connewarren Lane, Mortlake, VIC 3272 Formally known as: <ul style="list-style-type: none">• Lot 1 of PS620663• Lot 2 of PS620663

THE PERMIT ALLOWS:

Planning scheme clause No.	Description of what is allowed:
	<i>Subdivision of land to re-align the boundary of two lots and creation of carriageway easement.</i>
37.01-3	Subdivide land
44.06-2	Subdivide land
52.02	Create, vary or remove an easement

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

COMPLIANCE WITH DOCUMENTS APPROVED UNDER THIS PERMIT

1. At all times what the permit allows must be carried out in accordance with the requirements of any document approved under this permit to the satisfaction of the responsible authority.

COMMENCEMENT

2. This permit will operate from the issued date of this permit.

LAYOUT NOT ALTERED

3. The layout of the subdivision as shown on the endorsed plans must not be altered (unless the Moyne Planning Scheme specifies that a permit is not required) without the prior written consent of the responsible authority.

EASEMENTS

4. All existing and/or proposed easements and sites for existing and required utility services and roads on the land must be set aside in favour of the relevant authority for which the easement or site is to be created on the plan of subdivision submitted for certification under the Subdivision Act 1988.

RETICULATED SERVICES

5. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas (where it is proposed to be connected) services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.

GENERAL CONDITION

6. The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.

AUTHORITY CONDITIONS

Powercor Australia (not a referral authority)

7. 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.
8. The applicant shall, when required by the Distributor, set aside areas with the subdivision for the purpose of establishing a substation or substations.
9. 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 power lines to service the lots or adjust the positioning existing easements.

Wannon Water (not a referral authority)

10. The plan of subdivision submitted for certification must be referred to Wannon Water in accordance with Section 8 of the Subdivision Act 1988.
11. Easements and/or other notations are to be shown on the endorsed plan to the satisfaction of Wannon Water for the provision of both existing and proposed water and/or sewerage services.

EXPIRY

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Sections 63, 64, 64A and 86

12. This permit will expire if one of the following circumstances applies:

- a. The plan of subdivision has not been certified under the *Subdivision Act 1988* within two years of the issued date of this permit.
- b. A statement of compliance is not issued within five years of the date of certification.

In accordance with Section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the responsible authority for an extension of the periods referred to in this condition.

PERMIT NOTES:

- I. The granting of this permit does not obviate the necessity for compliance with the requirements of any other authority, under this Act, Regulation or Local Law.
- II. The starting of a subdivision is regarded by section 68(3A) of the *Planning and Environment Act 1987* as the certification of a plan under section 6 of the *Subdivision Act 1988*. Completion is regarded as registration of the subdivision.

POWERCOR AUSTRALIA PERMIT NOTES

- I. Areas set aside for substations will be formalised to the Distributor's requirements under one of the following arrangements:
 - a. RESERVES established by the applicant in favour of the Distributor
 - b. 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 caveat prior to the registration of the plan of subdivision.
- II. Existing easements may need to be amended to meet the Distributor's requirements
- III. Easements required by the Distributor shall be specified on the subdivision and show the Purpose, Origin and the In Favour party as follows:
 - a. Purpose: Power Line
 - b. Origin: This Plan (Section 88 – Electricity Industry Act 2000)
 - c. Land Benefited / In Favour Of: Powercor Australia Ltd

WANNON WATER PERMIT NOTES

- I. The existing water supply easements should be amended to be central to the water mains.

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IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The responsible authority has issued a permit.

(Note: This is not a permit granted under Division 5 or 6 of Part 4 of the **Planning and Environment Act 1987**.)

CAN THE RESPONSIBLE AUTHORITY AMEND THIS PERMIT?

The responsible authority may amend this permit under Division 1A of Part 4 of the **Planning and Environment Act 1987**.

WHEN DOES A PERMIT BEGIN?

A permit operates:

- from the date specified in the permit; or
- if no date is specified, from—
 - i. the date of the decision of the Victorian Civil and Administrative Tribunal, if the permit was issued at the direction of the Tribunal; or
 - ii. the date on which it was issued, in any other case.

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 the 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 five 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?

- The person who applied for the permit may apply for a review of any condition in the permit unless it was granted at the direction of the Victorian Civil and Administrative Tribunal, in which case no right of review exists.
- An application for review must be lodged within 60 days after the permit was issued, unless a notice of decision to grant a permit has been issued previously, in which case the application for review must be lodged within 60 days after the giving of that notice.
- An application for review is lodged with the Victorian Civil and Administrative Tribunal.
- An application for review must be made on the relevant form which can be obtained from the Victorian Civil and Administrative Tribunal, and be accompanied by the applicable fee.
- An application for review must state the grounds upon which it is based.
- A copy of an application for review must also be served on the responsible authority.
- Details about applications for review and the fees payable can be obtained from the Victorian Civil and Administrative Tribunal.