

ADVERTISED PLAN

Tract

10 June 2025

Senior Statutory Planner
Department of Transport & Planning
Development Approvals & Design
via email: [REDACTED]

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Dear [REDACTED]

Planning Permit Application PA.2403398 – Section 57a Amendment

Tract Consultants Pty Ltd continue to act on behalf of Hope and Autumn Pty Ltd in relation to the land at 51-53 Hope Street and 66-76 Autumn Street, Geelong West (the 'Site').

On behalf of our client, we seek to amend the application currently being considered by the Department of Transport and Planning (DTP) to include the removal of a restriction pursuant to Clause 52.02 (Easements, Restrictions and Reserves) of the Greater Geelong Planning Scheme.

Covenant PS426407T is listed on the Title for 68 - 72 Autumn Street and relates to Lots 1, 2A and 2B on Plan of Subdivision PS42640T, shown below. There are no beneficiaries of the restriction beyond the three lots identified.

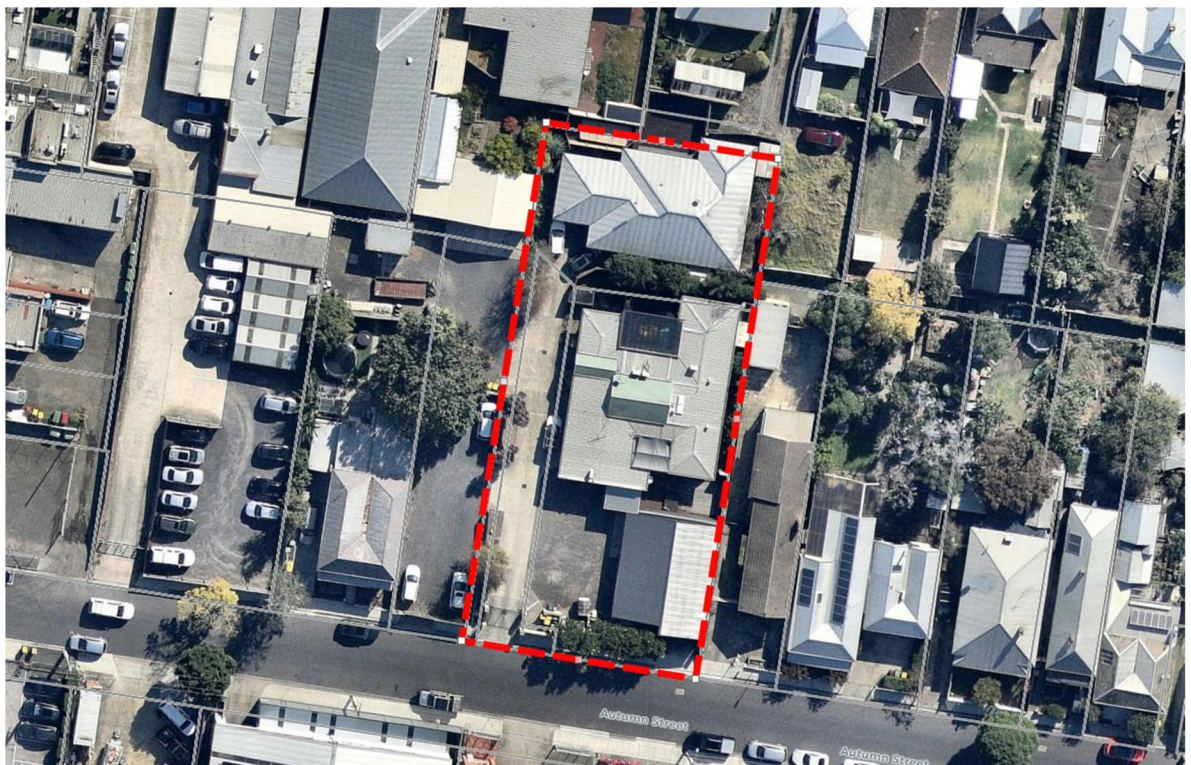


Figure 1 – Aerial Photo of 68 – 72 Autumn Street, Geelong West

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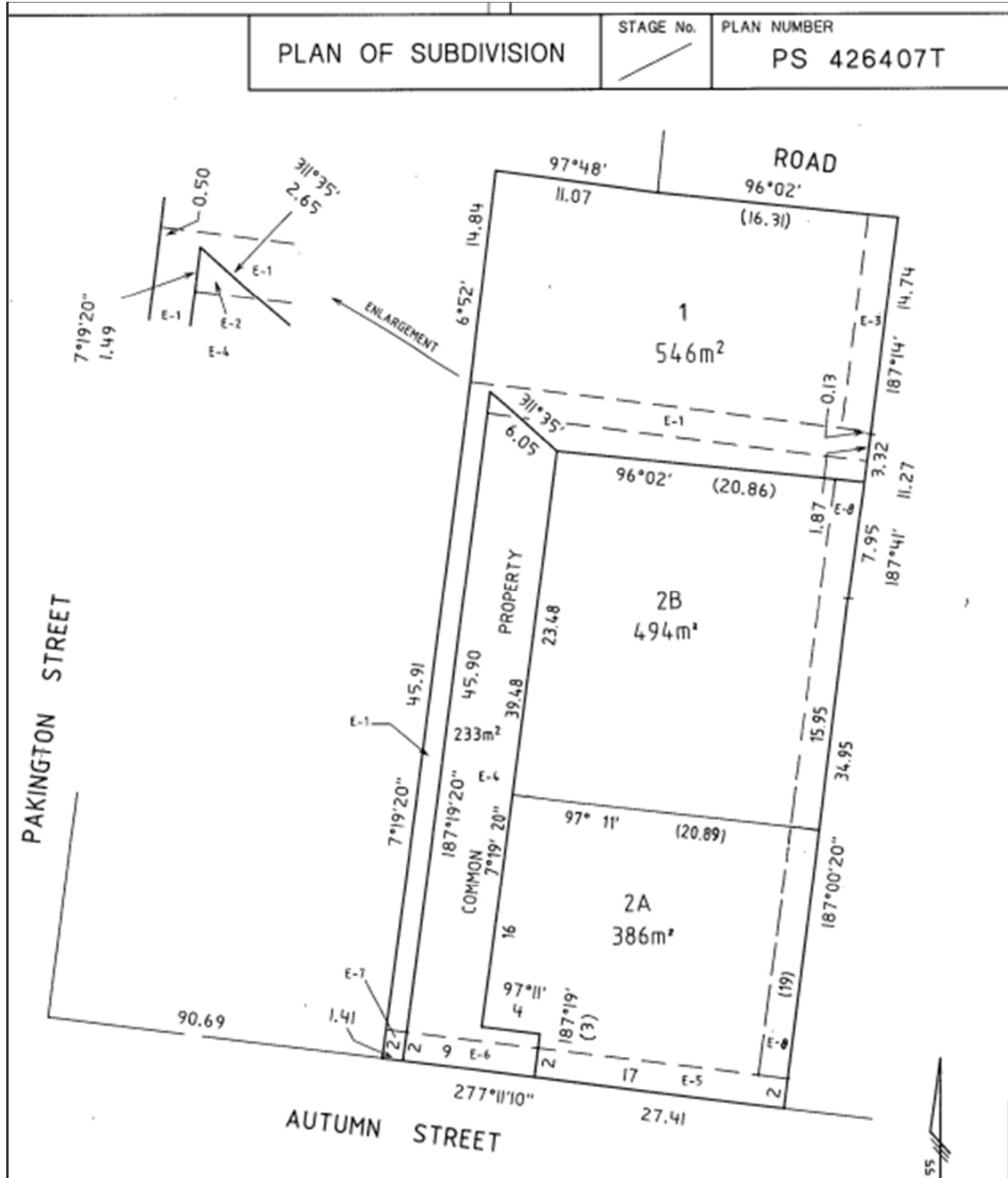


Figure 2 – Plan of Subdivision PS526407T

The restriction prevents to construction of more than one dwelling, or further subdivision of each of the three affected lots.

In support of this request, we attach the following document:

- *Legal of Advice prepared by Best Hooper Lawyers, dated 6 June 2025.*
- *Signed Consent from each of the register proprietors of Lots 1, 2A and 2B on Plan of Subdivision PS42640T.*

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Requirement for Notice

As outlined in the enclosed Letter of Advice prepared by Best Hooper Lawyers, the extent of notification can be limited to the lots which are benefited and burdened by the restriction.

In situations where the Responsible Authority require the Applicant give notice pursuant to Section 52 (1AA) of the *Planning and Environment Act 1987*, rather than undertaking the notice themselves, the extent and form of Notice can be defined by the Responsible Authority.

As each of the Lots burdened and benefited by the restriction have agreed to its removal, it is clear that:

1. Notice has been given the lots affected by the restriction.
2. There will be no detriment or perceived detriment to these lots as a result of the removal of the restriction.

We respectfully request that DTP formally amend Application for Planning Permit PA2403398 to include the removal of the restriction and proceed with seeking delegation to issue a planning permit.

Thank you for your assistance to date, and we look forward to continuing to work with you to secure a positive decision on the application.

Should you have any queries please contact the undersigned on 0431 464 799.

Yours sincerely



Associate Town Planner
Tract



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