

# MINUTES

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## COUNCIL MEETING

**Tuesday 23 May 2023**  
**6.00pm**

**City Hall**  
**57 Little Malop Street, Geelong 3220**

**LIVE STREAMED ON THE CITY'S WEBSITE:**

[www.geelongaustralia.com.au/meetings](http://www.geelongaustralia.com.au/meetings)

**COUNCIL:**

Cr T Sullivan (Bellarine Ward) - Mayor  
Cr A Aitken (Windermere Ward) - Deputy Mayor  
Cr S Asher (Bellarine Ward)  
Cr J Mason (Bellarine Ward)  
Cr M Cadwell (Brownbill Ward)  
Cr E Kontelj (Brownbill Ward)  
Cr P Murrhy (Brownbill Ward)  
Cr B Harwood (Kardinia Ward)  
Cr B Moloney (Kardinia Ward)  
Cr R Nelson (Kardinia Ward)  
Cr K Grzybek (Windermere Ward)

## **2.3. Consideration of Submissions and Adoption of Amendment C443ggee and Planning Permit PP-750-2022 - Norlane Community Initiatives 4-8 Spruhan Avenue, Norlane**

**Source:** Planning and Design  
**Executive Director:** Gareth Smith

### **Purpose**

1. To consider the submissions and adopt Amendment C443ggee and Planning Permit PP-750-2023 – Norlane Community Initiatives (NCI) at 4-8 Spruhan Avenue, Norlane.

### **Background**

2. Amendment C443ggee affects the land at 4-8 Spruhan Avenue, Norlane. This land is home to the not-for-profit NCI which provides community services to the local area.
3. The amendment proposes to change the Greater Geelong Planning Scheme to allow the removal of two restrictive covenants from the land which prevent the construction of more than one dwelling on the land.
4. A concurrent planning permit seeks to permit the renovations and expansions of the existing building, continued use of the land for community services (place of assembly), display of business identification signs, and waiver of some on-site car parking spaces.
5. Attachment 1 supplies a background summary of the amendment process and the submissions received.

### **Key Matters**

6. Exhibition of the amendment in February and March 2023 resulted in twelve (12) written submissions. All submissions supported the amendment, with one submission seeking a change to the proposed planning permit to provide five more on-site car parking spaces.
7. The City and the applicant met with the submitter to discuss their submission and tendered a small revision to the plans that provided for one additional on-site car parking space.
8. The submitter has advised that the change to the planning permit is accepted and satisfies their submission.
9. As the planning permit has been changed to address the submission, there has been no need to refer the amendment to an independent planning panel for review.
10. The amendment and planning permit with changes is now able to be adopted by Council.

**RESOLUTION - Item 2.3**

**Cr Aitken moved, Cr Mason seconded -**

**That Council:**

- 1. Adopt Amendment C443ggee to the Greater Geelong Planning Scheme for 4-8 Spruhan Avenue, Norlane as contained in Attachment 1 of this report;**
- 2. Submit the adopted Amendment C443ggee together with the prescribed information to the Minister for Planning requesting approval; and**
- 3. Recommend to the Minister for Planning that Planning Permit PP-750-2022 be approved in the form outlined in Attachment 1 of this report.**

*Cr Moloney left the meeting room at 7.32pm  
Cr Moloney rejoined the meeting at 7.34*

**Carried**

### ***Financial Sustainability***

11. The City has previously advised the applicant that it will grant a waiver of the modest adoption fee for this planning scheme amendment.

### ***Community Engagement***

12. Amendment C443ggee and the accompanying Planning Permit PP-750-2022 were on exhibition with notices given to prescribed ministers, relevant agencies/authorities, adjoining owner/occupiers and to all parties affected by the same restrictive covenant. Notice was also published in the local newspaper, government gazette and on Council's and the Department of Transport and Planning websites. A notice was also displayed on the subject land as required by the *Planning and Environment Act 1987*.
13. Submitters will be notified of the final decision of Council and the Minister for Planning.

### ***Social Equity and Sustainability***

14. The amendment and planning permit will make a positive contribution to the local Norlane community by facilitating the continued use of the land for community services. This is reflected by the positive and supportive submissions about the amendment and the value and impact of the work of NCI.

### ***Relevant Law/Policy/Legal Implications***

15. Amendment C443ggee is consistent with the planning policy framework of the planning scheme and uses the appropriate planning tools to facilitate the use and redevelopment of the site.
16. The amendment is consistent with the objectives of planning in Victoria outlined in the *Planning and Environment Act 1987*:
  - 16.1. to provide for the fair, orderly, economic, and sustainable use, and development of land;
  - 16.2. to secure a pleasant, efficient, and safe working, living and recreational environment for all Victorians and visitors to Victoria;
  - 16.3. to protect public utilities and other assets and enable the orderly provision and coordination of public utilities and other facilities for the benefit of the community; and
  - 16.4. to balance the present and future interests of all Victorians.

### ***Alignment to Community Plan and Vision***

17. This report aligns with Our Community Plan 2021-2025 strategic priority:  
Healthy, caring and inclusive community.  
Sustainable growth and environment.
18. This report aligns with the community led 30-year vision, "Greater Geelong: A Clever and Creative Future" community aspiration:  
An inclusive, diverse, healthy and socially connected community.  
Sustainable development that supports population growth and protects the natural environment.

***Conflict of Interest***

19. No officer involved in the preparation of this report declared a general or material conflict of interest.

***Risk Assessment***

20. Not proceeding with this planning scheme amendment will result in the NCI service no longer being able to operate and serve the local Norlane community.

***Environmental Sustainability***

21. The amendment will not have an environmental impact on the area.

**Attachments**

1. Attachment for C443ggee Adoption Report D23 181421 [2.3.1 - 18 pages]

### Background

1. Amendment C443ggee and permit application PP-750-2022 is a combined planning permit application and planning scheme amendment under section 96A of the *Planning and Environment Act 1987*.
2. The land subject to the amendment and the concurrent planning permit is at 4-8 Spruhan Avenue, Norlane as shown on the plan below:



3. The land included in the application comprises the following lots and is owned by the Baptist Union of Victoria:
  - 3.1 Lots 348 and 349 plan of subdivision 113342, within Certificate of Title Volume 6100 Folio 946; and
  - 3.2 Lot 350 on plan of subdivision 113342, within Certificate of Title Volume 5084 Folio 763.
4. Two restrictive covenants are registered against the subject site, being:
  - 4.1 Restrictive covenant 1641285 created on 12 February 1937 in respect of lots 348 and 349; and
  - 4.2 Restrictive covenant 1445490 created on 31 January 1930 in respect of lot 350.
5. The restrictive covenants provide that the proprietor of the land will not, amongst other things:
  - 5.1 Excavate on or in the subject site or remove or permit to be removed any soil or other material therefrom except such as building construction or the layout of a garden may necessitate;

- 5.2 Erect or construct or allow to be erected or constructed any building or erection other than one dwelling house with usual outbuildings and fences to cost not less than five hundred pounds (including outbuildings and fences); or
- 5.3 Carry on or permit to be carried on upon the land any trade or business and not to erect not permit to be erected or to remain erected thereon any sign hoarding or other erection used or intended to be used for advertisement.
6. The combined application has been made by Ratio Consultants on behalf Norlane Community Initiatives (NCI). NCI is a not-for-profit community organisation that provides community services from the subject site.
7. The amendment proposes to amend the schedule to Clause 52.02 to remove the registered restrictive covenants 1641285 and 1445490 burdening the subject site, which prevent the construction of more than one dwelling on the site.
8. The planning permit application is sought to facilitate the use and development of the subject site. Specifically, it proposes to allow, subject to conditions:
  - 8.1 Buildings and works associated with the existing building on site;
  - 8.2 A technical change of use from place of worship to a place of assembly;
  - 8.3 Removal of an easement, pursuant to Clause 52.02 (note that the planning scheme amendment deals with this matter);
  - 8.4 A waiver of car parking spaces; and
  - 8.5 Business identification signage.
9. The land is owned by the Baptist Union of Victoria. NCI has been operating at the subject site for the past five years. Urban Seed had been operating from the site for the twelve years prior to this. There was a direct handover of the lease to NCI when Urban Seed ceased operations. The historical operations undertaken by NCI on the land comprise community related uses with typical activities including:
  - 9.1 Monday neighbourhood meal (50 participants);
  - 9.2 Monday peoples pantry (20 participants);
  - 9.3 Private music lessons (5 participants); and
  - 9.4 Sunday congregation (15 participants).
10. At present all programs at the subject site have temporarily ceased until the redevelopment can occur.

#### ***Discussion***

11. Amendment C443ggee was exhibited between 9 February and 13 March 2023. As a result of this public exhibition of the proposal, 12 submissions were received.
12. These submissions are summarised and responded to in the table on the following pages.
13. All submissions have either supported or offered no objection (submission from Powercor) with many highlighting the value and impact of the NCI services for them personally and for their local community.

14. Only one submission sought a change to the planning permit seeking the provision of five additional on-site (also referred to as off-street) car parking spaces in the walkway/garden area on the eastern side of the site.
15. Whilst not considered necessary based on the proposed usage of the redeveloped site and the ample on-street parking availability in the area, the applicant has proposed a small change to the plans to provide one additional parking space on-site. This was discussed with the submitter in a meeting held on 5 April 2023. The submitter was accepting of this change and advised that it addressed their submission. This has been confirmed in writing.
16. As the only submission seeking a change to the planning permit has been resolved with a small change to the plans, there has been no need to refer the combined amendment and planning permit to an independent planning panel for review. Council can now adopt the amendment inclusive of the change to the planning permit.
17. The amended site plan showing the additional one-on-site car parking space is shown in the following image:





**Summary of Submissions and Officer Response**

<b>No.</b>	<b>Name</b>	<b>Type</b>	<b>Submission</b>	<b>Officer Response</b>
1	T. Allen	Supports	Registers wholehearted endorsement of the proposal. Lived close to the site for four years and had many interactions with the work of Norlane Community Initiatives at that site. When first moved to the area a few years ago NCI was a major community hub and an important place for the submitter to build connections. Has been involved in community development work across Victoria for over a decade and has have never witnessed such an incredibly mixed crowd of people coming together to share meals, supplies and stories. The site has hosted unforgettable community meals, the weddings of several dear friends, and the album launch of their band. It brings together people of so many different walks of life, and that kind of intimate connection to our neighbours is something our city, country and world sorely needs. Believes the proposed developments will only serve to strengthen NCI's ability to facilitate such flourishing and deserves special consideration on these grounds.	Strong support welcomed and noted
2	Local landowner	Supports amendment – seeks change to planning permit	Approves of the amendments and upgrade of the premises. It is the submitters recommendation that there should be more off-street parking provided. The garden/walkway to the right should be reconfigured and utilized for 5 more spaces. The submitter considered that this will future -proof the development for future growth and parking demand.	Support for the amendment and premises upgrade welcomed and noted. The request to change the plans to provide 5 more on-site parking spaces has been reviewed by the City and the applicant. It is considered that this is an excessive request as there are ample street parking spaces in the area to adequately meet the demand for parking in the peak times of Monday afternoon and early evening. This is supported by the detailed traffic report and assessment accompanying the application.

No.	Name	Type	Submission	Officer Response
				<p>In consideration of the submission though, the applicant has been able to amend the plans to provide for one additional on-site parking space. This change necessitates the removal of an existing on-site tree. This was discussed in a meeting between the submitter, applicant, and the City on 5<sup>th</sup> April. The submitter considered this proposed compromise and agreed to accept this as addressing their submission. This has been confirmed in writing on 12<sup>th</sup> April.</p>
3	Uniting (VicTas) Ltd	Supports	<p>Supports the proposed redevelopment of the Spruhan Ave Baptist Church into a Neighbourhood Hub. Unfortunately, at the end of March Uniting will need to cease services from its Wendover Avenue location due to the impending sale of the site. The proposed redevelopment will offer a great community hub to some of the most disadvantaged community members in the state. The opportunity for the hub to develop it's dining hall, community cafe and kitchen as well as its urban farm will go some way towards supporting food security in the area, as well as providing space for the community to interact and connect. If the redevelopment is successful, would look to support their future programs where possible.</p>	<p>Strong support welcomed and noted</p>
4	Local resident	Supports	<p>Happy to support the amendment for the removal of the restricted covenant. The Norlane Community Initiative proved a vital and most important service to the community and its people. Has lived in home for over 50 years and personally knows some of the people who are involved with the NCI and knows how beneficial it would be to the program moving forward to be able to provide their service from the one site.</p>	<p>Strong support welcomed and noted</p>
5	S. Duncan	Supports	<p>This will be such a great development for the Norlane and northern suburbs. Having lots of involvement as a volunteer in the northern suburbs, this development will transform an unusable location into a community hub that all will be welcome to use and engage with. It looks amazing and believes it will provide</p>	<p>Strong support welcomed and noted</p>

No.	Name	Type	Submission	Officer Response
			another pivotal environment to develop a sense of community and mutual support for those in Norlane.	
6	A. Irwin	Supports	Is a Chaplain working within the Norlane area. Supports the amendment. The development of this facility will continue the work that has already started, providing social networks for the local community. It will be a place where life skills and values are reinforced and modelled, and relationships built.	Strong support welcomed and noted
7	L.Bisinella Developments Pty Ltd		<p>The work undertaken by NCI in the north of Geelong is of critical importance to the community as it provides a valuable asset for the local community to use. NCI is building a network of relationships and creating spaces for belonging and enhancing social capital, investing in people's strengths and skills while building community resilience.</p> <p>Across these communities, there are spaces that play an important role in helping people in our community connect with each other and access vital services. Because of this, NCI is seeking to improve and invest in these spaces and activate them so that they benefit the needs of the people who live there.</p> <p>Company has been a long-term supporter of NCI's work and various programs including its meals programs and during the COVID period.</p> <p>With the help of the community, the company put together a team of partners and supporters who are helping realise this dream.</p> <p>Supports the amendment and planning permit as exhibited.</p>	Strong support welcomed and noted
8	A. Paterson	Supports	Has been an enthusiastic supporter of NCI for many years, as an advisor to the Percy Baxter Charitable Trust, has seen firsthand the amazing contribution that this organisation plays in the community of Norlane. The facilities that are planned on the Spruhan Avenue site will provide a very valuable resource for the local community along with an important base from where the community workers will be able to operate. Both Council and the Norlane community are very fortunate to have this organisation and its team of community leaders along with the professional and volunteer staff working to improve the life and wellbeing of the community. Strongly encourages the relevant authorities to award whatever planning permissions are required for this capital project to proceed.	Strong support welcomed and noted
9	Powercor	No objection	Does not object to the amendment or the permit and provides 4 conditions for the planning permit	The conditions required by Powercor are incorporated into the final planning permit.
10	J. Solis	Supports	Fully supports the amendment and planning permit to allow for renovations and new development at 4-8 Spruhan Avenue, Norlane where NCI operates. Has lived nearby (short walking distance) for many years. As a proud Norlane resident and	Strong support and personal connection stories welcomed and noted

No.	Name	Type	Submission	Officer Response
			<p>community member, appreciates and values the presence and initiatives available to them and my community through NCI. Is also hopeful and excited about NCI's vision coming to light through its future initiatives. Discovered the presence of NCI after meeting other Norlane community members in an open garden organised by a close neighbour. The submitter and partner are avid urban farmers and had established their garden to a point where a number of neighbours (most not known to them at the time) were interested in seeing what they had achieved in their backyard. Their attraction to Norlane and reasons for buying a property there were housing affordability, the size of the block - to serve their urban farming vision, and connection with the Norlane community. Even though had connected with a few neighbours before the open garden, it was the connection with NCI that made the submitter feel as though their dream to live in connection with their community started to become a bigger reality. Attended their first Monday night community dinner at the Spruhan Avenue site in early 2019 and since then have been involved in a variety of initiatives facilitated by NCI. Has had the opportunity to both receive and give back - through volunteering. This has given the submitter both a sense of belonging and purpose. The submitter has made genuine and strong friendships and feels valued as a friend by others. The property/building at Spruhan Avenue is not only a physical hub for NCI initiatives, but it's a place also where we belong, meet each other and new people, share, learn to make bread from scratch, make music, take our children to play and learn, make and grow healthy food. Basically, a place where we do life together. Hopes the renovations and new development can be realised in the near future. Has missed being able to walk around the corner to meet and join in on activities - while the building has not been fit for purpose. Has also missed being able to invite new people along. The current state of the property/building does not represent the heart and soul of NCI and more importantly the people of our community and what they deserve. Understands that the proposed amendment and planning permit are only part of the journey to make the plan come to life. Cannot think of any contemporary or common-sense reasons to oppose these, or any negative impacts the amendment would present on the submitter or their community. Hopes that common sense will prevail, and this part of the NCI's journey will be promptly marked as 'completed' on the to do list.</p>	
11	B. Uppill	Supports	<p>Supports this amendment. Previously, the site and building has been an integral part of the local community, providing spaces to be, eat, create and grow. Since its closure, and the closure of other services in the area, the need for such spaces for community gathering, building and resilience has not gone away. The accessibility</p>	<p>Strong support welcomed and noted</p>

No.	Name	Type	Submission	Officer Response
			to the building and services is vital to those in the local community who are on their own and less able to go further. Abandoned lots and buildings attract stigma and anti-social behaviour so renovating this space will also spruce up the look and feel of Norlane - not just aesthetically but communally.	
12	Local residents	Supports	Supports the amendment because the continued use of the site for community-related services is important. There is a need for more community support services in this area and too many blocks of land are being sold to landlords and estate agents for commercial gain. The proposals for future initiatives are excellent. Please keep the land at 4-8 Spruhan Avenue for the community.	Strong support welcomed and noted

**Amendment to be Adopted**

*Planning and Environment Act 1987*

**GREATER GEELONG PLANNING SCHEME**

**AMENDMENT C443ggee**

**INSTRUCTION SHEET**

The planning authority for this amendment is the City of Greater Geelong.

The Greater Geelong Planning Scheme is amended as follows:

**Planning Scheme Ordinance**

The Planning Scheme Ordinance is amended as follows:

1. In **Particular Provisions** – Clause 52.02, replace the Schedule with a new Schedule in the form of the attached document.

End of document

GREATER GEELONG PLANNING SCHEME

19/01/2006  
VC37

**SCHEDULE TO CLAUSE 52.02 EASEMENTS, RESTRICTIONS AND RESERVES**

**1.0 Under Section 23 of the Subdivision Act 1988**

95429924  
63969999 Proposed C443 gges

Land	Easement Or Restriction	Requirement
64 Princes Highway, Norlane (Lot 1 on Title Plan 429809S)	Restrictive covenant contained in Instrument 1693682	Remove
4-8 Spruhan Avenue, Norlane (Lots 348 and 349 within Certificate of Title Volume 6100 Folio 946, and Lot 350 on Plan of Subdivision 011342 within Certificate of Title Volume 5084 Folio 763)	Restrictive covenants contained in Instrument 1641285 and Instrument 1445490	Remove

**2.0 Under Section 24A of the Subdivision Act 1988**

19/01/2006  
VC37

Land	Person	Action
None specified		

**3.0 Under Section 36 of the Subdivision Act 1988**

19/01/2006  
VC37

Land	Easement or right of way	Requirement
None specified		

**Planning Permit to be Adopted**

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-750-2022

Planning scheme: Greater Geelong Planning Scheme

Responsible authority: Greater Geelong City Council

ADDRESS OF THE LAND: 4-8 SPRUHAN AVENUE, NORLANE

THE PERMIT ALLOWS: USE AND DEVELOPMENT OF A PLACE OF ASSEMBLY, REDUCTION OF CARPARKING AND CONSTRUCT AND DISPLAY BUSINESS IDENTIFICATION SIGNAGE

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

**Endorsed Plans**

1. The use and development as shown on the endorsed plan(s) must not be altered without the written consent of the Responsible Authority.
2. The location and details of the signage, including those of the supporting structure, as shown on the endorsed plans, must not be altered without the written consent of the Responsible Authority.

**Amended Waste Management Plan**

3. Before the use commences, an amended Waste Management Plan must be submitted to and approved by the responsible authority. The amended Waste Management Plan must appropriately demonstrate how private waste collection vehicles can service this development.

**Landscaping**

4. 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. When approved, the plan will be endorsed and form part of the permit. 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 generally in accordance with the plans submitted dated 11/04/2023.

all to the satisfaction of the Responsible Authority.

**Date issued:**

N/A

**Date permit comes into operation:**

N/A

**Signature for the responsible authority:**

Permit No.: PP-750-2022

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

**Stormwater Management**

- 5. The site stormwater system must be designed and installed such that 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 is required, to the satisfaction of the Responsible Authority

**Prior to Use Commencing**

- 6. Prior to the use commencing, the developer must:
  - a) Construct the site stormwater system including a single connection to kerb & channel in Spruhan 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 vehicle crossing in accordance with the requirements and standards of the City of Greater Geelong;
  - c) Construct vehicle crossing of 5.5 metres wide and centred on the parking aisle;
  - d) Remove any redundant vehicle crossings with kerb and channel and the footpath/nature strip area reinstated to match existing construction in the street;
  - e) Construct the car park including accessways, surface with an all-weather sealed coat and linemark the car and accessways;
  - f) Complete all buildings and works including landscaping works in accordance with the endorsed plans.

all to the satisfaction of the Responsible Authority.

**Landscaping**

- 7. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority.

**Hours of Operation**

- 8. Unless otherwise approved in writing by the Responsible Authority, the use hereby approved must only operate during the following times:
  - Monday to Sunday – 9am to 9pm.

**Pump System**

- 9. Unless otherwise approved by the Responsible Authority and prior to the commencement of the development, the land owner must enter into 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.

<b>Date issued:</b> N/A	<b>Date permit comes into operation:</b> N/A	<b>Signature for the responsible authority:</b>
_____	_____	_____

**Planning and Environment Regulations 2015 - Form 9. Section 96J**

- 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.

**Tree Protection Management Plan**

- 10. The Tree Assessment Management Plan by Let's Talk About Trees (August 2022) and its recommendations are endorsed as the Tree Protection Management Plan for this site and form part of the permit.

The approved Tree Protection Management Plan must not be amended or altered without the consent of the Responsible Authority.

Prior to the commencement of any works at the site (including demolition and excavation whether or not a planning permit is required), a letter of engagement must be provided to us (as the Responsible Authority) from the Project Arborist selected to oversee all relevant tree protection works. In accordance with Australian Standard 4970-2009 Protection of trees on development sites the Project Arborist must be an appropriately experienced and qualified professional (minimum AQF Level 5 Arborist).

**Tree Protection Zones**

- 11. Prior to the works commencing (including any demolition works), Tree Protection Fencing must be installed and maintained until works are completed to the satisfaction of the Responsible Authority.

All works within the nominated Tree Protection Zones must be:

- Carried out in accordance with Australian Standard 4373-2007 Pruning of amenity trees and Australian Standard 4970-2009 Protection of trees on development sites;
- Overseen by a suitably qualified, level-5 arborist;
- Carried out to the satisfaction of the Responsible Authority by suitably trained and qualified arboricultural staff.

Works encroaching within the nominated Tree Protection Zones must not be undertaken without the written consent of the Responsible Authority.

- 12. Prior to occupation of the development, a written statement from the Project Arborist must be submitted to the Responsible Authority that certifies that the following items have been addressed as part of the works:

- Installation and correct placement of tree protection fencing 2 weeks prior to works commencing and for the duration of works;
- Attendance during Tree Protection Zone incursions;
- Adherence to Australian Standard 4970-2009 Protection of trees on development sites.

**No Amplified Music**

- 13. No amplified music, including live amplified music, must be played or piped to external areas without the further written consent of the Responsible Authority.

**Security Alarms**

- 14. All security alarms or similar devices installed on the land must be of a silent type in accordance with any current standard published by Standards Australia International Limited and be connected to a monitored security service.

<b>Date issued:</b> N/A	<b>Date permit comes into operation:</b> N/A	<b>Signature for the responsible authority:</b>
Permit No.: PP-750-2022		Page 3 of 6

**Planning and Environment Regulations 2015 - Form 9. Section 96J**

**Deliveries to the Site**

15. All deliveries to the property and truck movements offsite must be in adherence with the EPA Noise Control Guidelines (publication 1245) which are:
- 7am – 10pm Monday to Saturday
  - 9am – 10pm Sundays and public holidays.

**Plant and Equipment Insulation**

16. All external plant and equipment must be acoustically treated or placed in soundproof housing to reduce noise to a level satisfactory to the Responsible Authority.

**General Amenity**

17. The amenity of the area must not be detrimentally affected by the use or development through the:
- a) Transport of materials, goods or commodities to or from the land;
  - b) Appearance of any building, works or materials;
  - c) Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;
  - d) Presence of vermin;
- to the satisfaction of the Responsible Authority.

**Signage**

18. The signage must be constructed and maintained to the satisfaction of the Responsible Authority.

**Garbage Storage**

19. Provision must be made on the land for the storage and collection of garbage and other solid waste. This area must be graded, drained and screened from public view to the satisfaction of the Responsible Authority.
20. The storage, removal and disposal of such/garbage refuse must be undertaken in such a manner so as to avoid any nuisance, pollution or loss amenity to the surrounding area and must at all times be to the satisfaction of the Responsible Authority.

**Regular Waste Removal**

21. All waste material must be regularly removed from the site to the satisfaction of the Responsible Authority in accordance with the Waste Management Plan.

**Powercor conditions**

22. 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). Notes: Where electrical works are required to achieve VSIR compliance, a registered electrical contractor must be engaged to undertake such works.
23. Any buildings/structures must comply with the clearances required by the Electricity Safety (Installations) Regulations.

<b>Date issued:</b> N/A	<b>Date permit comes into operation:</b> N/A	<b>Signature for the responsible authority:</b>
_____	_____	_____
Permit No.: PP-750-2022		Page 4 of 6

**Planning and Environment Regulations 2015 - Form 9. Section 96J**

- 24. Any construction work must comply with the Energy Safe Victoria's "No Go Zone" rules. Notes:  
To apply for a permit to work go to our website:  
<https://customer.portal.powercor.com.au/mysupply/CIAWQuickCalculator> and apply on line through the No Go Zone Assessment.
- 25. Any access entrances/crossovers must be at least a minimum distance of 1m from any Powercor assets.

**Expiry of Permit**

- 26. This permit will expire if one of the following circumstances applies:
  - a) The use and/or development is not commenced within two (2) years of the date of this permit.
  - b) The development 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.
- 27. This permit, as it relates to signage, will also expire 15 years from the date of issue, at which time the signage and all supporting structures must be removed and the site made good to the satisfaction of the Responsible Authority.

**Notes**

- 1. In the instance that minor pruning is anticipated the applicant must contact Council's Parks Planning Officers on 5272 5272 ([treeplanning@geelongcity.vic.gov.au](mailto:treeplanning@geelongcity.vic.gov.au)) to lodge a request and provide adequate notice.
- 2. Construction of the site stormwater connection/s is to be inspected by Council Representative prior to any backfilling. 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.
- 3. All internal property drainage must be designed and constructed to satisfy AS/NZS 3500.
- 4. A Vehicle Crossing Permit must be obtained prior to commencement of works.
- 5. 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 45o to the direction of flow in the kerb and channel.
- 6. A pre-commencement meeting with Council's engineering department is required to be undertaken prior to works starting. To organise this meeting please contact 5272 4426

<b>Date issued:</b> N/A	<b>Date permit comes into operation:</b> N/A	<b>Signature for the responsible authority:</b>
_____	_____	_____
<b>Permit No.: PP-750-2022</b>		<b>Page 5 of 6</b>

## 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.C443ggee 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.

OFFICIAL