

MINUTES

COUNCIL MEETING

Tuesday 27 May 2025
6:00 pm

City Hall
57 Little Malop Street, Geelong 3220

LIVE STREAMED ON THE CITY'S WEBSITE:

www.geelongaustralia.com.au/meetings

COUNCIL:

Cr S Kontelj (Kardinia Ward) - Mayor
Cr R Nelson (Barrabool Hills Ward) - Deputy Mayor
Cr E Sinclair (Charlemont Ward)
Cr M Cadwell (Cheetham Ward)
Cr E Wilkinson (Connewarre Ward)
Cr A Aitken (Corio Ward)
Cr A Katos (Deakin Ward)
Cr E Kontelj (Hamlyn Heights Ward)
Cr T Sullivan (Leopold Ward)
Cr R Story (Murradoc Ward)
Cr C Burson (You Yangs Ward)

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Present: Cr S Kontelj
Cr R Nelson
Cr T Sullivan
Cr A Aitken
Cr E Wilkinson
Cr E Sinclair
Cr A Katos
Cr M Cadwell
Cr R Story
Cr C Burson

LOA: Cr E Kontelj

Also Present: A Wastie (Chief Executive Officer), T Edwards (Executive Director, Corporate Services), T Bradley (Executive Director, Placemaking), S Nuttall (Acting Executive Director, City Infrastructure), A Basford (Executive Director City Life), A Martin (Chief Governance and Risk Officer) J Douglas (Manager Council & Corporate Governance) E Ryan (Senior Governance Advisor – Council Business) D Pangrazio (Governance Advisor – Council Business).

Opening: The Mayor declared the meeting open at 6.00pm.

2.10. Amendment C465ggee - Wathaurong Aboriginal Cooperative Hub Redevelopment, Norlane - Consideration of Submissions and Adoption of Amendment and Planning Permit PP-1013-2023

Source: Placemaking
Executive Director: Tennille Bradley

Purpose

1. To consider the submissions to Planning Scheme Amendment C465ggee and accompanying Planning Permit PP-1013-2023 and adopt the amendment.

Background

2. Amendment C465ggee proposes to rezone the land at 60-62 Morgan Street and the southeast portion of the land at 43 The Boulevard, Norlane from Public Park and Recreation Zone (PPRZ) to a new Special Use Zone Schedule 18 (SUZ18). Both sites will also have the Environmental Audit Overlay (EAO) applied.
3. The proposal was initially supported by the Council at its meeting on 25 June 2024 to prepare and exhibit the amendment and a draft planning permit.
4. The amendment is required to facilitate the redevelopment and use of the land by the Wathaurong Aboriginal Cooperative (WAC). A new facility will accommodate an increase in service demand and consolidate currently dispersed operations to one site.
5. The amendment is accompanied by a draft planning permit for use of the land as a function centre, buildings and works associated with the redevelopment, and associated car parking on the land at 60-62 Morgan Street, part of 43 The Boulevard and part of 21 Birdwood Avenue, Norlane.
6. The current zoning of the land at 60-62 Morgan Street, Norlane as PPRZ is an anomaly for privately-owned land that was acquired by the WAC in the mid-1980s.
7. Critical to achieving the vision and masterplan for the redevelopment of the WAC hub is the acquisition of part of the Council land at 43 The Boulevard. Council has previously resolved to subdivide and sell this land to the WAC which will be finalised when the amendment is approved.
8. The redevelopment relies on the extension of the current lease of a small portion of the adjoining VicRoads depot at 21 Birdwood Avenue for car parking and internal road linkage.
9. **Attachment 1** supplies a background summary of the amendment process and the submissions received.

Key Matters

10. The amendment and draft planning permit have been exhibited in accordance with the requirements of the *Planning and Environment Act 1987*.

11. Exhibition of the amendment in February and March 2025 resulted in four written submissions: (1) support from a nearby resident; (2) Transport for Victoria (TfV) generally accepting the proposal; and (3) from the Department of Energy, Environment, and Climate Action (DEECA) sought changes to the draft planning permit and reiterated previous referral comments about amending the crown land status for the current site access. The fourth submission from the applicant (WAC) sought changes to the SUZ18 Schedule and to the conditions in the draft planning permit.
12. Council officers met with the WAC and worked through their points of concern, reaching agreement on changes to the draft planning permit and the SUZ18 provisions.
13. Further consultation took place with DEECA, TfV and the Corangamite Catchment Management Authority (CCMA) about the impact of these changes on their areas of interest in the draft planning permit. Agreement has been reached with these agencies for the changes.
14. **Attachment 1** includes the City's response to the matters raised in the submissions.
15. With requested changes made and submissions resolved, referral of the amendment and draft permit to an Independent Planning Panel for review is not required.
16. Amendment C465ggee and the accompanying planning permit (**Attachment 2**) is now able to be adopted by Council.

RESOLUTION - Item 2.10

Cr A Katos moved, Cr A Aitken seconded -

That Council:

- 1. Adopts Amendment C465ggee (Wathaurong Aboriginal Cooperative Hub redevelopment) to the Greater Geelong Planning Scheme in the form contained in Attachment 2 of this report;**
- 2. Submits the adopted Amendment C465ggee together with the prescribed information to the Minister for Planning requesting approval; and**
- 3. Recommends to the Minister for Planning that Planning Permit PP-1013-2023 be approved in the form outlined in Attachment 2 of this report.**

Carried

Financial Sustainability

17. There are no significant financial implications to Council beyond that usually associated with a planning scheme amendment process.
18. A portion of the Council-owned land at 43 The Boulevard is to be sold under a separate sale of land process to the WAC for incorporation into the redevelopment site. Council resolved at its meeting on 27 August 2024 authorising the sale subject to successful rezoning and granting of a planning permit.

Community Engagement

19. The amendment was exhibited as required by the *Planning and Environment Act 1987*. Exhibition took place between 20 February and 24 March, 2025.
20. Direct notice was given to affected landowners and occupiers, relevant agencies, State Government departments and to prescribed Ministers. Notices were published in City News and on Council's webpage.
21. In response to this exhibition, four submissions were received. These submissions either supported the amendment, raised no objection or sought a change to the SUZ18 and the conditions in the draft planning permit. A summary of the submissions is included in **Attachment 1** to this report.

Social Equity and Sustainability

22. The WAC provides culturally appropriate programs, support and services for all Aboriginal and Torres Strait Islander peoples living within the wider Geelong, Bellarine, and Colac Regions on Wathaurong, Gulidjan and Gadabanud Country land. The WAC and its community have a sense of belonging and deep connection with this land and have helped build it to what exists there today.
23. The rezoning will facilitate the redevelopment of the WAC North Geelong Hub by introducing a schedule specifically for the WAC community, cultural, health, function centre and administrative uses. The accompanying draft planning permit allows the buildings and works for the new hub.
24. The subject land is mapped within an area of cultural heritage sensitivity. Cultural Heritage Management Plans have been prepared for the parcels subject of the draft planning permit.
25. Part of the City's land at 43 The Boulevard, Norlane is currently public open space and includes a shared pathway along the western perimeter, following Morgan Street. Approximately 5,000 m² of the land is proposed to be sold to the WAC, timed to coincide with the amendment and permit approval. This land is surplus to Council's open space needs and its sale will not diminish the availability of open space in the area.

Relevant Law/Policy/Legal Implications

26. The amendment is consistent with and gives effect to relevant objectives and strategies of the Municipal Planning Strategy contained in the Planning Scheme. Clause 02.03-1 Settlement policy acknowledges Corio Norlane's established residential, industrial, manufacturing communities and provides strategic direction for development in Corio Norlane, specifically to 'Facilitate an increase in commercial and

community activities.' The redeveloped WAC hub implements this strategic direction making a significant investment and contribution to the local and broader community.

27. The proposal appropriately responds to the overarching state and local planning policies which seek to ensure development enhances sense of place and identity and meets the relevant particular and general provisions of the Planning Scheme.
28. The process for dealing with the potential for contamination of the land has followed Planning Practice Note 30 (PPN30) Potentially Contaminated Land, July 2021 and Ministerial Direction Number 1.

Alignment to Community Plan and Vision

29. This report aligns with Our Community Plan 2021-2025 strategic priority:
Healthy, caring and inclusive community.
Strong local economy.
Sustainable growth and environment.
30. This report aligns with the Community led 30-year Vision, "Greater Geelong: A Clever and Creative Future" community aspiration:
A prosperous economy that supports jobs and education opportunities.
An inclusive, diverse, healthy and socially connected community.
Creative and diverse culture.
Development and implementation of sustainable solutions.
Sustainable development that supports population growth and protects the natural environment.

Conflict of Interest

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

Risk Assessment

32. There is a risk to the project if the subdivision and land sale do not proceed. Similarly, delays to the adoption and approval of the amendment and draft planning permit will cause delays to the tendering and ultimate development of the project.
33. Part of the land at 21 Birdwood Avenue is subject to a twenty-year lease with a 10-year extension from VicRoads to the WAC, effectively operational until 2055. The land is currently developed with car parking associated with the WAC hub. As there is a risk to the project and future functionality of the car parking and internal roadway access arrangements for the redevelopment if the lease is affected for any reason, inclusion of a section 173 condition in the draft planning has been negotiated with VicRoads to ensure the ongoing nature of this critical area of land for the redeveloped WAC hub.
34. The Council owned land is a former land fill site with high potential for contamination. The current WAC land and the leased VicRoads land, which itself includes fuel and bitumen storage, are both adjacent to the former landfill and themselves hold the medium potential for contamination.
35. The issue of contamination is most relevant to the conduct of sensitive uses on the land such as childcare, education, playground and residential. The amendment will apply the Environmental Audit Overlay to the land subject of the rezoning so that any future change of use or permits for sensitive land uses will require assessment of the

consequential risks and remediation. Refer to the environmental sustainability section for more detail.

Environmental Sustainability

36. Planning Practice Note 30 Potentially Contaminated Land, July 2021 (PPN30) sets out the process and options for Planning Authorities to follow to satisfy itself that the land is suitable for the proposed use. The City has followed the steps and has chosen the option of deferring the environmental audit requirement by the application of an EAO.
37. Application of the EAO ensures that any future applications for a sensitive use will require appropriate assessment of any risks due to the former landfill use. The Special Use Zone Schedule 18 has been drafted to prohibit agriculture and most outdoor leisure and recreation uses to further guard against inappropriate land uses being conducted on the land.
38. Two sensitive uses of 'Childcare' and 'Community care accommodation' are included in Section 2 *Permit required* of the new SUZ18 and would be subject of a future merits-based permit application and the requirements of the EAO. The new SUZ18 also contains requirements for a Certificate or Statement of Environmental Audit under the *Environment Protection Act 2017* for all sensitive uses including child care and community care accommodation.
39. Most of the balance of sensitive uses as defined in the Ministerial Direction No. 1 including primary and secondary schools, kindergarten, pre-school centre, accommodation (other than community care accommodation) and hospital are included in Section 3 *Prohibited use* in the new SUZ18. The remaining land use referred to in Ministerial Direction No.1, 'children's playground', is defined as 'Informal outdoor recreation' and this is a Section 1 *Permit not required* use in the new SUZ18. This has been structured this way to ensure that a permit is not required for casual use of the land for walking and shared paths (also covered by this land use definition). However, as the EAO applies to the land, before the use or construction of buildings and works associated with a 'playground' can occur a preliminary risk screen assessment statement, or an environmental audit statement, or a certificate of environmental audit or a statement of environmental audit must be issued. This provides adequate oversight for this sensitive use.
40. The draft planning permit contains site remediation conditions requiring assessments to be undertaken before development starts.
41. Landfill gas risk has been identified as a potential issue for the development. An assessment for 60-62 Morgan Street is included as a condition in the planning permit.
42. Acid Sulphate Soils (ASS) may be present at the overall site. Any potential risks posed by ASS are likely to eventuate during construction activities which may disturb them. If they are present and disturbed, the risks posed are likely to require mitigation as guided by a site-specific ASS management plan. This plan is conditioned in the draft planning permit.

Attachments

1. Attachment 1 D25 184110 [2.10.1 - 8 pages]
2. Attachment 2 [2.10.2 - 28 pages]

Attachment 1 – Consideration of Submissions

Background

1. Amendment C465ggee proposes to rezone land to facilitate the redevelopment of the Wathaurong Aboriginal Cooperative hub in North Geelong.
2. The amendment applies to land located at 60-62 Morgan Street, Norlane, and part of 43 The Boulevard, Norlane. The map below shows the subject land.



Figure 1 – Land affected by the amendment and planning permit application.

3. The amendment is a combined planning permit application and planning scheme amendment under section 96A of the Planning and Environment Act 1987 (the Act).
4. The planning permit application applies to land at 60-62 Morgan Street, Norlane, part of 43 The Boulevard, Norlane and part of 21 Birdwood Avenue, Norlane.
5. The amendment makes the following changes to the Greater Geelong Planning Scheme:
 - Amends Planning Scheme Map No. 33 to rezone land at 60-62 Morgan Street and 43 The Boulevard, Norlane from Public Park and Recreation Zone (PPRZ) and Transport Zone 2 (TRZ2) to Special Use Zone Schedule 18 (SUZ18).
 - Amends Planning Scheme Map No. 33EAO to apply the Environmental Audit Overlay (EAO) to land at 60-62 Morgan Street and part of the land at 43 The Boulevard, Norlane.
 - Inserts new Schedule 18 to Clause 37.01 (Special Use Zone) to provide for the use and development of the land for cultural and community programs, support, and services for Aboriginal and Torres Strait Island people.
6. The planning permit application seeks approval for:
 - Use of the land at 60-62 Morgan Street for a Function Centre.
 - Buildings and works for the construction of the Wathaurong Aboriginal Co-operative building and associated car parking at 60-62 Morgan Street, Norlane.
 - Development of a carpark in association with the Wathaurong Aboriginal Cooperative at 43 The Boulevard, Norlane.
 - Use and development of a carpark at 21 Birdwood Avenue, Norlane in association with the Wathaurong Aboriginal Cooperative.
 - Reduction in carparking.
 - Alteration of access to a road in a Transport Road Zone 2.
 - Removal of native vegetation.
 - Display of business identification sign.
7. The image below shows the impression of the proposed new building from the Morgan Street perspective.



Figure 2 - Perspective of new building from site roadway looking south - source: Wathaurong Aboriginal Cooperative Site context & design response plan (Woods Bagot, September 2023)

Discussion

8. Amendment C465ggee was exhibited between 20 February 2025 and 24 March 2025. As a result of this public exhibition of the amendment, four submissions were received.
9. The submissions are summarised and responded to in the table on the following pages. The City has extensively reviewed the applicant submission and held discussions with the Wathaurong and their consultant to resolve the points of submission. Where required, further consultation with DEECA, Transport for Victoria (TfV under the wider auspices of the Department of Transport and Planning) and the CCMA was undertaken to assist with resolving the points of submission. All agreed changes have been followed up in either email or letter confirmation.
10. At the time of authorisation, DTP added a permit trigger to the draft planning permit for business identification sign, advising the City that we would need to add in relevant conditions after exhibition. These have been added and advised to the applicant.
11. The amendment and draft planning permit for adoption are contained in track changes format in Attachment 2.
12. With all points of submission resolved, Council can progress to adopt the amendment. There is no need for referral to an independent panel.

NO.	SUBMITTER	SUBMISSION	OFFICER RESPONSE
1	Department of Energy, Environment & Climate Change	<p>Amendment No objection to the rezoning of the land to SUZ18 and application of the EAO.</p> <p>Planning Permit</p> <ol style="list-style-type: none"> Suggested conditions in pre-exhibition referrals mostly suitably captured in the draft permit Condition 52 is not attributable to DEECA – remove attribution to DEECA Suggests changes to condition 66 to ensure Construction Environment Management Plan addresses impacts to potential growing grass frog habitat in Cowie's Creek Requested the addition of a note at the end of the permit to address the honey myrtle tree. <p>Related matters</p> <ol style="list-style-type: none"> Recommends that applicant provide Council with the DEECA letter of consent from the Secretary to DEECA to exclude the mapped Current Wetland areas of patch vegetation from the Native Vegetation Removal Report Access for 60-62 Morgan Street – as previously advised Council in 2023 and 2024, DEECA recommends that the current bridge access is proclaimed as a road <p>No objection to the draft planning permit but suggests revisions to conditions 52 and 66.</p>	<p>Submission noted.</p> <p>Permit changed to delete condition 52. Condition 66 is amended as agreed with DEECA correspondence post- submission.</p> <p>Note added to the permit.</p> <p>The City has received a copy of the consent letter from the Secretary to DEECA to the WAC dated 14 May 2024 the consent</p> <p>The City continues to encourage and support the WAC to progress the proclamation of the current bridge access to the site as a road. WAC advises that this is being worked on.</p>
2	Department of Transport and Planning	<p>Amendment Generally supportive of the amendment. Amendment is consistent with the 'Clause 18 – Transport of the Planning Scheme and the future development is in accordance with Clause 18.01-1S Land use and transport integration</p> <p>Planning Permit Supports condition 6 for a s173 Agreement facilitating vehicular and pedestrian access to 21 Birdwood Avenue</p>	<p>The explanatory report accompanying the amendment did not reference clause 18.01-1S. This will be updated when the amendment is submitted to DTP for Ministerial approval. Resolved.</p> <p>Refer to submission 4 from the WAC for changes to the wording of condition 6. Further engagement with TfV post their submission has</p>

		Supports condition 20 for a section 173 agreement to maintain access to the strategic cycling corridor and the ongoing maintenance of the shared path following Cowies Creek.	resulted in an accepted change of wording to TFV, the applicant and the City. Submission noted on condition 20. Resolved
3	Ashish Shyam Shetty	Supports the amendment	Submission noted.
4	Wathaurong Aboriginal Cooperative (WAC)	Submission focussed on conditions of the draft permit PP-1013-2023 and the Special Use Zone 18 Amendment SUZ18 Title - The Title for the SUZ18 should be changed to Aboriginal Community Organisation.	Accepted and title changed. Resolved.
		Section 2 – Permit required. Employment training centre and Market are both listed as exclusions in Section 3 and should therefore be listed in Section 2- Permit required	An error in the original drafting and changed as requested. Resolved
		Clause 2.0 Use of Land The fourth dot point states 'an application for a sensitive land use including a childcare centre and community accommodation...'. This should be changed to read community care accommodation.	An error in the original drafting and changed as requested. Resolved
		Clause 4.0 Buildings and Works The proposed finished floor levels must be the same or greater than the ground floor finished floor level. This should state the ground floor finished floor level of an existing building.	Consulted with CCMA on this point of submission. CCMA recommended a simpler approach which has been accepted by the submitter and the City. Resolved
		Planning Permit	
		Condition 1 Condition (J) concerns the fire pumps and water tanks. The final plans are likely to show the fire pump enclosures and water tanks on either or both 60-62 Morgan Street and 43 The Boulevard.	Accepted and changed. Resolved
		Change condition (J) to read: <i>The fire pump enclosure and water tanks to be relocated from 21 Birdwood Avenue Norlane onto 60-62 Morgan Street and/or 43 The Boulevard Norlane.</i>	
		Condition 6 Section 173 Agreement The Victorian Land Registry prefer not to have plans in a Schedule of a Section 173 as directed by the current condition (a).	Consulted with TFV on this requested change. TFV does not support the change but recommended additional wording to the start of

	<p>Change condition (a) to read: <i>provide that the part of the land at 21 Birdwood Avenue that is shown on the plans endorsed under this permit will be provided with vehicular and pedestrian access, and car parking across the land at Lot A PS920593 and Lot 1 TP2679.</i></p> <p>Condition 7 Landscape Plans</p> <p>Condition (n), the shared paths may need to use types of surfaces other than concrete or asphalt to ensure there is protection of some tree protection zones.</p> <p>Change condition (n) to read: <i>The new and upgraded shared path must be constructed of an all weather surface and designed to match the existing surface and designed to avoid tree removal, where appropriate.</i></p> <p>Condition (p) contradicts with other conditions in this permit which prohibit fencing from abutting Cowies Creek and Morgan Street. Delete condition (p).</p> <p>Condition 10 Stormwater Management Plan</p> <p>As discussed with Council previously, this condition should aim to achieve Clause 53.18 rather than current best practice performance objectives for stormwater quality.</p> <p>Change condition 10 to read: <i>Before the endorsement of plans, a stormwater management plan that addresses Clause 53.18 of the Greater Geelong Planning Scheme must be submitted and approved to the satisfaction of the responsible authority. This should be demonstrated through a stormwater management report using MUSIC/STORM with appropriate treatment measures and an updated catchment diagram will need to be added to the plans. The MUSIC file (.sqz or equivalent) must also be submitted for validation if MUSIC tool is used.</i></p> <p>Condition 20 Section 173 Agreement</p> <p>Condition (d) puts an additional and unnecessary burden on both the Wathaurong Aboriginal Cooperative and Geelong City Council by needing to prepare an annual report to be approved by Council. The trees within the property are owned by the Wathaurong Aboriginal Cooperative are all planted and therefore do not require permission to prune or remove.</p> <p>Change condition (d) to read: <i>The landowner must annually assess its vegetation that overhangs or is immediately adjacent to the shared path (Cowies Creek</i></p>	<p>Condition 6a. The TfV change has been put to the submitter who is accepting of the TfV wording. Resolved.</p> <p>This was discussed with the submitter. With the agreement of the submitter, resolved to retain Condition 7(n). Resolved</p> <p>Condition 7(p) to be retained with concession made by the submitter. Resolved</p> <p>Agreed and changed Resolved</p> <p>Accepted to change the condition wording. Resolved</p>
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	<p><i>Bicycle Path) as to their risk to public safety. Any structurally compromised trees must be pruned, removed or rectified immediately.</i></p> <p>Condition 25 & 26 Noise Control</p> <p>Condition 25 is not needed as the noise generated by the use must comply with the requirements of Condition 24. The Wathaurong Aboriginal Cooperative may want to occasionally use external sound amplification and if it complies with Condition 24 then it should be allowed. Delete condition 25.</p> <p>Condition 26 requires security alarms to be silent. It is difficult to understand why this condition would be in the permit. If the Wathaurong Aboriginal Cooperative want to install loud security alarms to deter people, then they should be allowed to do this. Delete condition 26.</p> <p>Condition 28 & 29 Plant/equipment/soundproofing or features on roof</p> <p>This condition requires building plant to be hidden from 'view' but does not specify from what 'view' and is open to never being satisfied.</p> <p>Change condition 28 to read: <i>All pipes/fixtures, fittings, plant and equipment servicing any building on the site (excluding stormwater down pipes, guttering and rain heads) must be concealed or otherwise hidden from casual viewing to the satisfaction of the responsible authority.</i></p> <p>Condition 29 is not needed as the noise generated by the use must comply with the requirements of Condition 24. Delete condition 29.</p> <p>Condition 41 Stormwater Management</p> <p>Condition 41 requires a site stormwater system be designed in accordance with the Infrastructure Design Manual (IDM). The proposed raingarden and retarding basin will be a private asset and will not become Council's infrastructure therefore the infrastructure does not need to be designed in accordance. In terms of the Greater Geelong Planning Scheme, the development is to achieve the objectives of Clause 53.18.</p> <p>Change condition 41 to read: <i>Unless otherwise approved, the site stormwater system must be designed and installed in accordance with the approved Stormwater Management Plan.</i></p> <p>Condition 52 DEECA</p> <p>Condition 52 prevents the commencement of works until targeted surveys for Growling Grass Frog are undertaken. This condition has presumed the development will impact on the Cowies Creek corridor whereas the development</p>	<p>Condition 25</p> <p>Discussed with the submitter and agreed to amend the condition to require a secondary consent for external sound amplification. Resolved.</p> <p>Condition 26 retained. After discussion with the submitter, they accepted to retain. Resolved.</p> <p>Agreed to reword condition 28 with submitter accepted. Resolved</p> <p>Agreed to delete condition 29 Resolved</p> <p>Agreed and changed Resolved</p> <p>Agreed and condition deleted. This was added by DTP during the authorisation process. Consulted with DEECA about deletion. DEECA advised if condition 52 to be deleted, then</p>
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	<p>is not occurring in Cowies Creek or on the embankments of Cowies Creek. The condition is not relevant to the construction of the site and should be deleted. Delete condition 52.</p> <p>Condition 67 Department of Transport and Planning Condition 67 is written that no works can occur anywhere on the site until the primary access is created on 43 The Boulevard. Although the intention is to create the public access as early as possible, there may be demolition, and other pre-construction works that could occur prior to the primary access being created.</p> <p>Change the first paragraph of condition 67 to read: <i>Unless otherwise approved, prior to commencement of redevelopment works, the following works must be completed at no cost to and to the satisfaction of the Head, Transport for Victoria and the Responsible Authority.</i></p>	<p>additions to be made to condition 66 (Construction Environment Management Plan) to protect any growing grass frog habitat along Cowies Creek. Condition 66 amended in line with the subsequent advice received from DEECA. Resolved</p> <p>Consulted with TfV about the submitter request. TfV supported a change to this condition and suggested alternate wording. The submitter and the City accept the TfV alternate wording. Resolved.</p>
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Amendment and Planning Permit to be Adopted

Planning and Environment Act 1987

Greater Geelong Planning Scheme

Amendment C465ggee

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 Maps

The Planning Scheme Maps are amended by a total of 1 attached map sheets.

Zoning Maps

1. Amend Planning Scheme Map No.33 in the manner shown on the 1 attached map marked "Greater Geelong Planning Scheme, Amendment C465ggee".

Overlay Maps

2. Amend Planning Scheme Map No. 33EAO in the manner shown on the 1 attached map marked "Greater Geelong Planning Scheme, Amendment C465ggee".

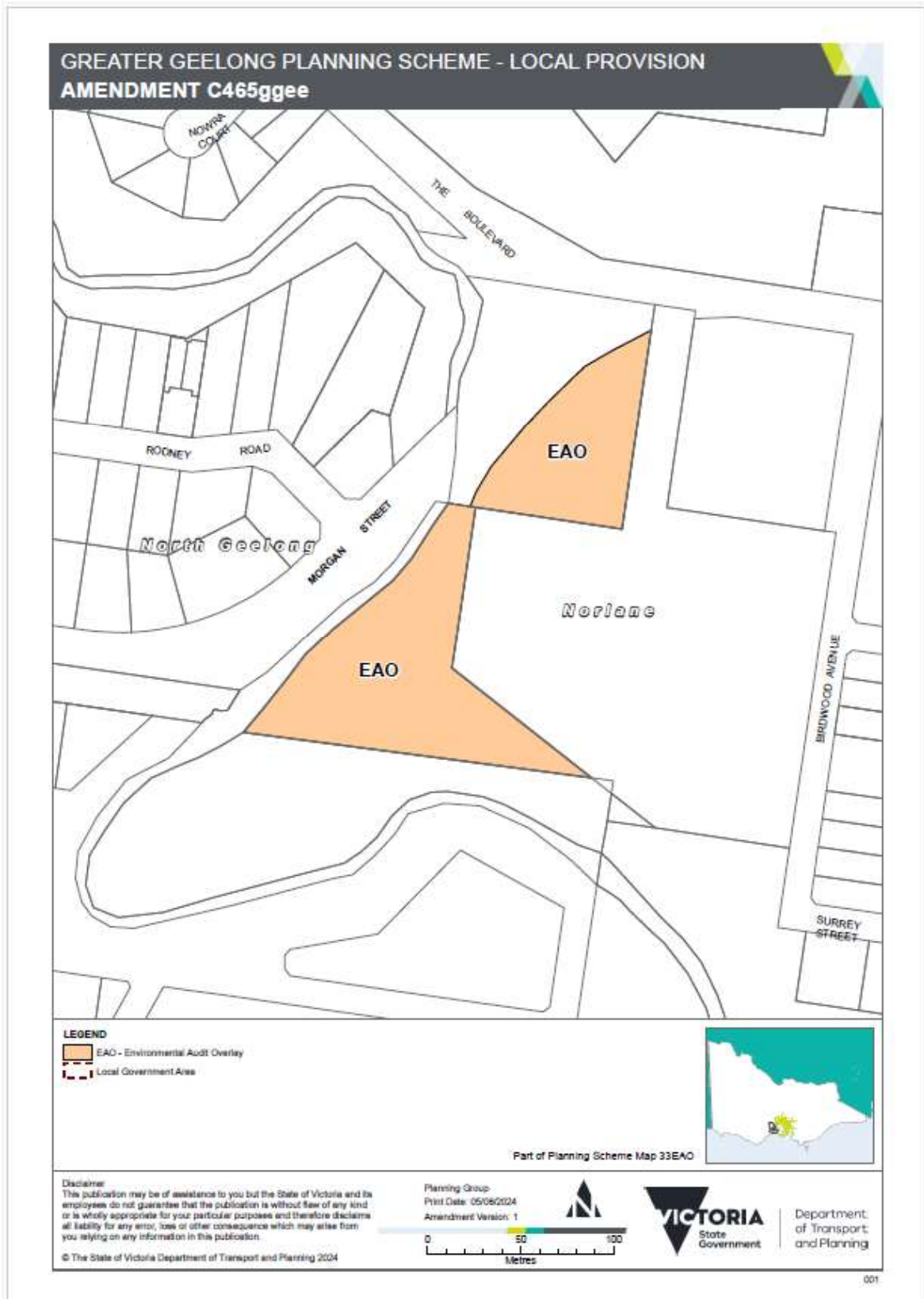
Planning Scheme Ordinance

The Planning Scheme Ordinance is amended as follows:

3. In **Zones** –Clause 37.01, insert a new Schedule 18 in the form of the attached document.

End of document





GREATER GEELONG PLANNING SCHEME

Proposed C405ggee

SCHEDULE 18 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as SUZ18.

~~NORTH GEELONG ABORIGINAL HUB~~ ABORIGINAL COMMUNITY ORGANISATION

Purpose

To provide for the use and development of the land for cultural and community facilities and support services for Aboriginal and Torres Strait Islander people.

To ensure that the use and development of the land is compatible with surrounding uses.

1.0

Proposed C405ggee

Table of uses

Section 1 - Permit not required

Use	Condition
Car park	Must be directly associated with the Aboriginal community organisation.
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Food and drink premises (other than Bar and Hotel)	Must be directly associated with the Aboriginal community organisation.
Employment training centre	
Informal outdoor recreation	
Interpretation centre	
Market	
Office	Must be directly associated with the Aboriginal community organisation.
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

Section 2 - Permit required

Use	Condition
Community care accommodation	Must be directly associated with the Aboriginal community organisation.
Place of Assembly (other than Amusement parlour, Carnival, Cinema, Cinema-based entertainment facility, Circus, Drive-in theatre and Nightclub)	
Restricted recreation facility	
Any other use not in Section 1 or 3	

Section 3 - Prohibited

Use
Accommodation (other than Community care accommodation)
Agriculture (other than Horticulture)
Amusement parlour
Bar

GREATER GEELONG PLANNING SCHEME

Use

Cemetery
 Cinema
 Cinema-based entertainment facility
 Crematorium
 Drive-in theatre
 Education centre (other than Child care centre and Employment training centre)
 Hotel
 Hospital
 Industry (other than Automated collection point)
 Leisure and recreation (other than Informal outdoor recreation, Indoor recreation facility and Restricted recreation facility)
 Nightclub
 Retail premises (other than Food and drink premises and Market)
 Saleyard
 Service station
 Veterinary centre
 Warehouse

2.0

Proposed C495999
 Proposed C495999

Use of land**Application requirements**

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A written description of how the proposed use is directly associated with, or, will complement the Aboriginal community organisation.
- The purpose of the use and the type of activities which will be carried out.
- The likely effects, if any, on adjoining uses.
- An application for a sensitive land use including a child care centre and community care accommodation must be accompanied by a Certificate or Statement of Environmental Audit prepared under the Environment Protection Act 2017 and must include a statement by a suitably qualified person:
 - Identifying all measures to give effect to any relevant conditions on a Statement of Environment Audit.
 - Identifying any remaining obligations under any statutory notice issued by the EPA under the *Environment Protection Act 2017*.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The purpose of this schedule.
- The connection between the proposed use and the Aboriginal community organisation.
- The effect that the proposed use may have on existing uses on nearby or adjoining land.
- The effect that existing uses on nearby or adjoining land may have on the proposed use.

GREATER GEELONG PLANNING SCHEME

- The effect of traffic generation and car parking.
- The provision of car parking and access to the site.

3.0 Subdivision

Proposed C465ggee

Exemption from notice and review

An application for the subdivision of land is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

4.0 Buildings and works

Proposed C465ggee

General requirement

The proposed finished floor levels must be ~~the same or greater than the ground floor finished floor level, or 300mm higher than the current~~ a minimum 6.85m AHD (1% Annual Exceedance Probability, whichever is the greater + 300mm freeboard).

No permit is required to construct a building or construct or carry out works for the following:

- Alteration to an existing building used in association with the Aboriginal community organisation, where the proposed finished floor level is the same or greater than the ground floor finished level of the existing building and the building is not extended towards Cowies Creek or Morgan Street.
- Construct or carry out any works associated with the remediation of the land in accordance with or for the purpose of obtaining a Certificate or Statement of Environmental Audit under the *Environment Protection Act 2017*.
- Construct or carry out works associated with any Geotechnical investigations related to the remediation of the land under the *Environment Protection Act 2017*.

Application requirements

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A site plan which shows:
 - The boundaries and dimensions of the site.
 - The siting and layout of existing and proposed buildings and works.
 - The setback and interface from adjoining land uses.
 - The siting, layout, surface finishes and gradients of vehicle accessways, bus and car parking areas, loading areas and pathways.
 - The location and design of any proposed fences.
 - The connectivity between the Aboriginal community organisation land and adjoining public land.
 - Wayfinding measures from car parking areas, pedestrian pathways and bike paths.
 - Visible building entrances and other destination points clearly marked.
 - Any other notable features, constraints or characteristics of the site.
- Elevation drawings to scale showing the height, colour and materials of all buildings and works and fences.

GREATER GEELONG PLANNING SCHEME**Exemption from notice and review**

An application to construct a building or construct or carry out works for uses in Section 1 is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The purpose of this schedule.
- The impact from potential flooding from Cowies Creek.
- Any cultural values on or near the land.
- Provision of car parking and site access.
- The movement of pedestrians and cyclists and vehicles including emergency services.
- The impact of development on the adjoining public bike path.
- The interface with adjoining land uses, specifically the relationship between the creek environment and surrounding industry.
- The visual appearance of building facades, car parking areas and landscaping particularly from public vista points on Morgan Street and from the public bike paths along Cowies Creek.

5.0

Proposed C465gpm

Signs

Sign requirements are at Clause 52.05. All land located within Schedule 18 is in Category 2.

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PLANNING PERMIT GRANTED UNDER SECTION 96J OF THE PLANNING AND ENVIRONMENT ACT 1987

Permit No.:	PP-1013-2023
Planning scheme:	Greater Geelong Planning Scheme
Responsible authority:	Greater Geelong City Council
ADDRESS OF THE LAND:	60-62 Morgan Street NORLANE (Lot 1 TP2679) 21 Birdwood Avenue NORLANE (Lot 1 TP24203) 43 The Boulevard NORLANE (Lot A PS920593)

THE PERMIT ALLOWS:

Planning Scheme Clause No.	Description of what is allowed
33.01-1	Use of the land at 21 Birdwood Avenue, Norlane for a carpark in association with the Wathaurong Aboriginal Cooperative Community Hub.
33.01-4	Construct or carry out works for a carpark at 21 Birdwood Avenue, Norlane in association with the Wathaurong Aboriginal Cooperative Community Hub.
37.01-1	Use of the land at 60-62 Morgan Street, Norlane for a Function Centre
37.01-4	Construct a building and construct or carry out works for: <ul style="list-style-type: none"> • The Wathaurong Aboriginal Co-operative Community Hub and associated car parking at 60-62 Morgan Street, Norlane; and • A carpark at 43 The Boulevard, Norlane in association with the Wathaurong Aboriginal Cooperative Community Hub.
43.02-2	Construct or carry out works for a carpark at 21 Birdwood Avenue, Norlane in association with the Wathaurong Aboriginal Cooperative Community Hub.
52.05	Display Business Identification Sign
52.06	Reduce the number of carparking spaces.

Date issued:	Signature for the responsible authority:
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.)	

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52.17	Remove native vegetation.
52.29-2	Create or alter access to a road in a Transport Zone 2.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

AMENDED PLANS

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and must be generally in accordance with the plans submitted with the application on 12 March 2024 but modified to show:
 - a) Compliance with any recommendations contained within the approved Cultural Heritage Management Plan.
 - b) Lot boundaries consistent with the [documents provided under condition 2, the certified plan of Lot A PS920593N](#)
 - c) The accurate title boundaries for 60-62 Morgan Street.
 - d) A solid fence along the development boundary interface with the non-leased part of 21 Birdwood Avenue to prevent access onto the non-leased area. .
 - e) Dimensions of the new and upgraded shared paths, with a minimum width of 2.5 metres.
 - f) Detail of wayfinding signage to identify the main entrance of the building.
 - g) Detail of any cut and fill (if any) associated with the construction of the carpark to inform the landfill gas risk assessment required in condition 11.
 - h) The landscape plan referred to in Condition 7.
 - i) The location and dimensions of outdoor function areas limited to the decking around the function centre on the ground floor and around the scar tree/dance circle.
 - ~~h) The location and elevation plan of the Business Identification Sign that demonstrates compliance with requirements and decision guidelines of Clause 52.06 Sign of the Greater Geelong Planning Scheme. All signage must be within the title boundary of the subject site.~~
 - ~~k) The Fire Pump enclosure and water tanks to be relocated from 21 Birdwood Avenue Norlane onto 60-62 Morgan Street Norlane.~~
 - ~~j) The fire pump enclosure and water tanks to be relocated from 21 Birdwood Avenue Norlane onto 60-62 Morgan Street and/or 43 The Boulevard, Norlane.~~
 - ~~k) Designated smoking areas.~~
 - ~~l) Initiatives contained within the Sustainability Management Plan prepared by GHD dated 20 February 2024 along with the proposed changes, including:

 - I. All major common areas shown on the plans and a preliminary sub-metering strategy provided to claim this credit in BESS report.
 - II. Internal Lighting details, including the maximum illumination power density, clearly annotated on the plans..~~

PRIOR TO THE COMMENCEMENT OF WORKS

Date issued:	Signature for the responsible authority:
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.)	

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~~2. Before the development starts, the permit holder must provide to the Responsible Authority a copy of the registered Certificate of Title, Plan of Subdivision and any Registered Restrictive Covenants for Lot A PS920593N (43 The Boulevard, Norlane) and a survey plan of the lot prepared after the release of the Titles. The Title documents submitted must be less than 30 days old and demonstrate boundaries consistent with the boundaries as shown on the endorsed plans forming part of this permit. Works may not commence until such time the Responsible Authority provides written confirmation it is satisfied that the boundaries created are consistent with the approved development and that any conditions of the Permit relating to access and drainage are still appropriate. If the Responsible Authority is not satisfied the plans are appropriately consistent, the permit conditions and/or endorsed plans must be amended, as appropriate, to the satisfaction of the Responsible Authority.~~

2. Before the development starts on Lot A PS920593, the permit holder must provide to the Responsible Authority a copy of the registered Certificate of Title, Plan of Subdivision and any Registered Restrictive Covenants of Lot A PS920593N (43 The Boulevard, Norlane) when the title has been released. The Title documents submitted must be less than 30 days old and demonstrate boundaries consistent with the boundaries as shown on the endorsed plans forming part of this permit. Works may not commence until such time the Responsible Authority provides written confirmation it is satisfied that the boundaries created are consistent with the approved development and that any conditions of the Permit relating to access and drainage are still appropriate. If the Responsible Authority is not satisfied the plans are appropriately consistent, the permit conditions and/or endorsed plans must be amended, as appropriate, to the satisfaction of the Responsible Authority.

3. APPROVED USE AND DEVELOPMENT NOT ALTERED

~~4.3.~~ The layout of the use and development must not be altered from the layout shown on the approved and endorsed plans without the written consent of the responsible authority.

~~5.4.~~ 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.

CONSOLIDATION

~~6.5.~~ Before the occupation of the development, 60-62 Morgan Street Norlane (Lot 1, TP2679) and 43 The Boulevard, Norlane (Lot A, PS920593N) must be consolidated into one lot to the satisfaction of the Responsible Authority.

SECTION 173 AGREEMENT

~~7.6.~~ Before the occupation of the development, the permit applicant and the land owner of 21 Birdwood Avenue, Norlane must enter into an agreement under section 173 of the *Planning and Environment Act* with the Responsible Authority concerning the land at 21 Birdwood Avenue, Norlane. The agreement must be in a form that is to the satisfaction of the Responsible Authority. The agreement must:

- a) Unless with the written consent of the Responsible Authority and Head, Transport for Victoria, provide for the vehicular and pedestrian access and car parking to part of the land at 21 Birdwood Avenue in accordance with the plan in Schedule 1 of the Agreement which includes the area of the land subject to this Agreement.

Date issued:	Signature for the responsible authority:
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.)	

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- b) Provide for the permit applicant management arrangements for the part of the land at 21 Birdwood Avenue including but not limited to maintenance, drainage and servicing infrastructure, contamination and public liability arrangements
- c) Provide that the applicant is responsible for the costs associated with all reasonable expenses (including legal expenses) for all parties subject to the agreement including the Responsible Authority and incidental to:
 - i. The negotiation and preparation, execution and recording of an agreement in accordance with the Act
 - ii. The assessment, negotiation, preparation, execution and recording of any proposed agreement in accordance with the Act
- d) Be registered on title in accordance with section 181 of the *Planning and Environment Act 1987*.

LANDSCAPE PLANS

8.7. Before the development starts, unless otherwise agreed in writing by the Responsible Authority, a detailed landscape plan must be prepared and submitted to the Responsible Authority for approval. When approved, the plan will be endorsed and form part of the permit. The landscape plan must be drawn to scale with dimensions and submitted electronically. The plan must address and be consistent with any endorsed landscape master plan applying to the site and show, but not be limited to:

- a) The ultimate 1% and 10% Annual Exceedance Probability storm event extents.
- b) A detailed planting schedule and proposed planting layout of all areas of open space, including proposed trees, shrubs, groundcovers and showing botanical names, common names, pot sizes, sizes at maturity, quantities and densities of each plant.
- c) Indication of mature tree sizes, shown to scale/75% to illustrate the extent of canopy coverage.
- d) Removal of *Acacia paradoxa* from the Cowies Creek infill planting schedule.
- e) The proposed layout, materials and finish of all finished surfaces, structures, fences abutting council reserves, vehicle access crossovers, maintenance access gates, furniture, play equipment, bicycle parking, signs and paths.
- f) Detailed drawing(s) of the interface with any adjoining properties.
- g) Detailed planting and construction drawings including site contours and any proposed changes to existing levels including any structural elements such as retaining walls.
- h) A detailed vegetation assessment showing vegetation to be retained, protected and/ or removed or lopped.
- i) Tree Protection Zones for trees to be retained.
- j) Location of all services, utilities or encumbrances (including drainage infrastructure/WSUD).
- k) Site contours and any proposed changes to existing levels including any structural elements such as retaining walls.
- l) Dimensions of the new and upgraded shared use paths, at a minimum width of 2.5 metres. The shared paths must be clearly delineated where it crosses an accessway.
- m) A clear distance of at least 1 metre must be established either side of the shared paths to enable Council to maintain the landscaping beside the paths.
- n) The new and upgraded shared paths must be constructed of concrete or asphalt to match the existing surface and designed to avoid tree removal, where appropriate.
- o) Wheel stops at the relevant parking bays that front onto the internal footpaths.
- p) Extent and type of fencing. Any fencing must be of permeable design abutting the Cowies Creek Reserve and Morgan Street.
- q) Culturally significant areas and associated restrictions for works having regard to the approved Cultural Heritage Management Plan.

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Species selection should refer to the indigenous plants list for Zone 17, which can be found here [Indigenous plants of the Geelong Region - Zone 17 Information Sheet - City of Greater Geelong \(geelongaustralia.com.au\)](http://www.geelongaustralia.com.au)

Species selection must not include species listed on the City of Greater Geelong Environmental Weeds list which can be found here

<https://www.geelongaustralia.com.au/weeds/documents/item/8d164ca100efeda.aspx>

COMPLETION OF LANDSCAPE WORKS

9.8. Unless otherwise approved in writing, before the occupation of the development, the works shown on the approved landscape plan must be completed to the satisfaction of the Responsible Authority and Practical Completion awarded.

LANDSCAPING MAINTENANCE

10.9. At all times the landscaping shown on the approved landscape plan must be maintained (including the replacement of any dead, diseased or damaged plants) to the satisfaction of the responsible authority.

STORMWATER MANAGEMENT PLAN

~~11. Before the endorsement of plans, a stormwater management plan that addresses Clause 53.18 of the Greater Geelong Planning Scheme must be submitted and approved to the satisfaction of the responsible authority. The plan must demonstrate compliance with current best practice performance objectives for stormwater quality as contained in the Urban Stormwater Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999). This should be demonstrated through:~~

~~a) Stormwater management report using MUSIC/STORM with appropriate treatment measures and an updated catchment diagram will need to be added to the plans. The MUSIC file (.sqz or equivalent) must also be submitted for validation if MUSIC tool is used.~~

10. Before the endorsement of plans, a stormwater management plan that addresses Clause 53.18 of the Greater Geelong Planning Scheme must be submitted and approved to the satisfaction of the responsible authority. This should be demonstrated through:

1. Stormwater management report using MUSIC/STORM with appropriate treatment measures and an updated catchment diagram will need to be added to the plans. The MUSIC file (.sqz or equivalent) must also be submitted for validation if MUSIC tool is used.

LANDFILL GAS RISK ASSESSMENT

11. Before works start (other than works required to comply with this condition), the owner of the land must to the satisfaction of the Responsible Authority:

a)b) Engage a suitably qualified consultant to undertake a site assessment on the potential presence of landfill gas beneath the land where the buildings and works are to be carried out and prepare and submit to the responsible authority a scope of the proposed risk assessment, which may

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comprise a desktop/literature based assessment and/or a site-specific intrusive landfill gas investigation.

- b)c) Upon approval of the scope of the risk assessment by the Responsible Authority, have the consultant conduct the risk assessment and prepare a report to be submitted to the Responsible Authority which contains the consultant's opinion as to any potential hazard associated with landfill gas beneath the land and any recommendations for the management or monitoring of the identified landfill gas. The consultant must also provide an opinion on whether an audit is required under Part 8.3 of the *Environment Protection Act 2017*.
- d) Implement any recommendations of the risk assessment report. If any recommendations require any ongoing management or monitoring, the owner must enter into an agreement under section 173 of the *Planning and Environment Act 1987* with the responsible authority requiring the implementation of any ongoing requirements.

SITE REMEDIATION CONDITIONS

- 12. Before the development starts, for the land at 60-62 Morgan Street, Norlane the owner / developer must submit to the Responsible Authority a completed Environmental Site Assessment prepared by a suitably qualified environmental expert to the satisfaction of the Responsible Authority. The Assessment must include site history and soil sampling to determine if soil contamination exceeds relevant human and ecological health investigation levels. The Assessment must clearly state that the land is currently or following remediation or other works, will be suitable for the intended future building occupation.
- 13. Before the occupation of the development, written confirmation of compliance with any requirements and recommendations of the Environmental Site Assessment must be provided to the Responsible Authority by a suitably qualified environmental professional who is a member of the Australian Contaminated Land Association or other person acceptable to the Responsible Authority.
- 14. If an Environmental Audit is recommended then before works starts, an Environmental Audit in accordance with the *Environment Protection Act 2017* must be submitted to, and be to the satisfaction of, the Responsible Authority. At a minimum, the scope of the Environmental Audit must include:
 - a) The identity of the site or activity the audit covers.
 - b) The elements of the environment the audit assesses, such as land, water, air and noise.
 - c) Consideration of the standards and reference documents in the audit.
 - d) Any exclusion from the audit and the reason known at the time of scoping the audit.

After the completion of the Environmental Audit, the auditor must prepare and provide to the Responsible Authority:

- a) An Environmental Audit Statement in accordance with the *Environment Protection Act 2017* that the environmental conditions of the land are suitable for the development that is the subject of this permit.
 - b) An Environmental Audit Report in accordance with the *Environment Protection Act 2017*.
15. Where an Environmental Audit Statement is issued for the land, and any condition of that Statement requires any maintenance or monitoring of an ongoing nature, the Owner(s) must enter into an Agreement with Council pursuant to Section 173 of the *Planning and Environment Act 1987*. Where a Section 173 Agreement is required, the Agreement must be executed and recorded on the title(s) to the land prior to the commencement of the use. All expenses involved in the drafting, negotiating, lodging, recording and execution of the Agreement, including those incurred by the Responsible Authority, must be met by the Owner(s).

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- 16. Prior to any remediation works (if required) being undertaken in association with the Environmental Audit Statement, a 'remediation works' plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The plan must detail all excavation works which may include bulk excavation as well as any proposed structures such as retaining walls required to facilitate the remediation works. Only those works detailed in the approved remediation works plan are permitted to be carried out prior to the issue of an Environmental Audit Statement.
- 17. Where an Environmental Audit Statement is issued for the land, the buildings and works and the uses of the land that are the subject of this permit must comply with all directions and conditions contained within the Statement.
- 18. Where an Environmental Audit Statement is issued for the land, prior to the commencement of the use and prior to the issue of an Occupancy Permit under the *Building Act 1993*, a letter prepared by an Environmental Auditor appointed under the *Environment Protection Act 2017* must be submitted to the Responsible Authority to verify that the directions and conditions contained within the Statement have been satisfied.

STORMWATER RUNOFF MANAGEMENT PLAN

- 19. Before works start, a stormwater quality monitoring plan must be prepared and submitted to the Responsible Authority. The plan must include:
 - a) The aims and objectives of the plan and a description of the receiving environment.
 - b) The scope of works, which must include the drilling of extra groundwater bores on the western boundary and two additional groundwater monitoring events (including the sampling of Cowies Creek at two locations up- and down-stream of the Site).
 - c) Further characterisation of groundwater and surface water (Cowies Creek) interaction to supplement and validate the existing data set and to screen for other CoPC, i.e. Per- and polyfluoroalkyl substances (PFAS), and other water quality indicators/parameters to be measured, informed by *The Detailed Site Investigation, 43 The Boulevard, Norlane*, prepared by OutTask Environmental 26 February 2024.
 - d) Locations and frequency of water quality monitoring.
 - e) Reporting frequency to the responsible authority, including an example of a report template.
 - f) Sampling procedures.
 - g) Identification of background levels of water quality indicators and nominated thresholds which if exceeded will result in the implementation of adaptive management practices should any elevated pollutant levels be found to be entering Cowies Creek from the development site.

The plan must be implemented for the duration of the construction. This plan can form a sub-plan to the Construction Environment Management Plan

SECTION 173 AGREEMENT

- 20. Unless otherwise approved in writing by the Responsible Authority, before the occupation of the development, the owner must enter into an agreement under Section 173 of the *Planning and Environment Act 1987* with the Responsible Authority. The agreement must be in a form to the

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satisfaction of the Responsible Authority, and the owner must be responsible for the expense of the preparation and registration of the agreement, including the Responsible Authority's reasonable costs and expense (including legal expenses) incidental to the preparation, registration and enforcement of the agreement. The agreement must contain covenants to be registered on the Title of the property so as to run with the land, and must provide for the following:

- a) The public must at all times be able to access the public path network that runs through the subject site (Cowies Creek Bicycle Path).
- b) Council will be responsible for maintenance work on the shared path and 1 metre either side of the shared path.
- c) The landowner will be responsible for maintaining the landscaping on their land in a neat and tidy manner to the satisfaction of the Responsible Authority.
- ~~d) The landowner must provide an annual report to Council's Parks Unit, prepared by a suitably qualified person, which assesses vegetation that overhangs the shared path (Cowies Creek Bicycle Path) to the Responsible Authority. The report must assess any dead, dying or structurally compromised trees that overhang the shared path and determine if they are a risk to public safety. If a risk is identified, the report must recommend management techniques, that may include pruning or removal, to rectify the public safety risk to the satisfaction of Council's Parks Units. Where required, the landowner must implement the recommendations in an agreed timeframe. Unless otherwise agreed, the report must be submitted on 30th June annually.~~
- d) The landowner must annually assess its vegetation that overhangs or is immediately adjacent to the shared path (Cowies Creek Bicycle Path) as to their risk to public safety. Any structurally compromised trees must be pruned, removed or rectified immediately.
- e) Unless otherwise approved by the Responsible Authority, no additional fencing must be erected on the interface between the creek (that runs along the south and west boundary of the subject site) and the building on the subject site.

The agreement will be registered on Title in accordance with Section 181 of the *Planning and Environment Act 1987*.

TRAFFIC AND PARKING MANAGEMENT PLAN

21. Before the occupation of the development, a Traffic and Parking Management Plan to the satisfaction of the Responsible Authority must be submitted to the Responsible Authority for approval. The Traffic and Parking Plan must detail arrangements in place for events and functions where the total number of people (including office, medical and café staff) on the land will exceed 200. When approved, the plan will be endorsed and will then form part of the permit. Traffic and parking operations on and off site must conform to this endorsed plan. The plan must include:
- a) the location of all areas on and/or off site to be used for staff and patron parking;
 - b) owner's permission and any required planning permission for parking on other land;
 - c) allocation of car spaces between uses;
 - d) disabled parking (if required);
 - e) loading areas and service zones;
 - f) pedestrian management and access;
 - g) arrangements in place for the use of buses to transport people to and from the site, including the location of pick up/drop off points on/near the land;
 - h) means to advise patrons of the arrangements in place.

COMPLETION OF DEVELOPMENT

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22. Before the occupation of the development, the developer must have:
- a) Completed all buildings and work as shown on the endorsed plans.
 - b) Completed the landscaping works as shown on the endorsed plans.
- to the satisfaction of the Responsible Authority.

AMENITY

GENERAL AMENITY

23. The use and development must be managed so that the amenity of the area is not detrimentally affected, 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, smell, 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.

NOISE CONTROL

24. At all times the noise generated by the use must comply with the requirements of 'Environment Protection Act, 'Environment Protection Regulations,' and Noise Limit and Assessment Protocol for the Control of Noise from Commercial, Industrial and Trade Premises and Entertainment Venues' to the satisfaction of the responsible authority.
25. Unless otherwise agreed to in writing by the Responsible Authority, no external sound amplification equipment, loudspeakers or public address system are to be used for the purpose of announcement, broadcast, playing of music or similar purpose.
26. 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.

WASTE MANAGEMENT AND COLLECTION

27. Waste management and collection must be carried out in accordance with the requirements of the approved and endorsed waste management plan to the satisfaction of the responsible authority.

PLANT/EQUIPMENT/SOUNDPROOFING OR FEATURES ON ROOF

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~~28. All pipes/ fixtures, fittings, vents, plant and equipment servicing any building on the site (excluding storm water down pipes, guttering and rainheads) must be concealed in service ducts or others hidden from view to the satisfaction of the responsible authority.~~

28. All pipes/fixtures, fittings, plant and equipment servicing any building on the site (excluding stormwater down pipes, guttering and rain heads) must be concealed or otherwise hidden from casual viewing to the satisfaction of the responsible authority.

~~29. All external plant and equipment must be acoustically treated or placed in soundproof housing to reduce noise to a level to the satisfaction of the responsible authority.~~

~~30.~~29. No plant, equipment, services or architectural features other than those shown on the approved plans are permitted above the roof level of the building(s).

CONTROL OF LIGHT SPILL

~~31.~~30. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the responsible authority

STORAGE

~~32.~~31. Materials or goods stored in the open on the site must be screened from view of adjoining properties, roads and reserves, to the satisfaction of the Responsible Authority.

LIMIT ON NUMBER OF PERSONS – CAR PARKING REQUIREMENT

~~33.~~32. No more than 21 medical practitioners and 13 support staff may work in the Medical Centre at any one time, unless with the further written approval by the Responsible Authority.

~~34.~~33. No more than 121 staff may work in the Office at any one time, unless with the further written approval of the Responsible Authority.

FUNCTION CENTRE

~~35.~~34. Prior to the commencement of the use, a Noise and Amenity Plan/Patron Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority for events and functions that exceed 200 patrons. When approved, the plan will be endorsed and will then form part of the permit. All activities forming part of the use must comply with the plan. The plan must include:

- a) Staffing and other measures which are designed to ensure the orderly arrival and departure of patrons;
- b) Signages to be used to encourage responsible off-site patron behaviour;
- c) The training of staff in the management of patron behaviour;
- d) Staff communication arrangements;

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- e) Measures to control noise emissions from the premises;
- f) The outdoor activity area associated with the function centre be limited the deking around the function centre on the ground floor and around the scar tree/ dance circle as shown the endorsed plans;
- g) A requirement that no outdoor activities associated with the function centre may occur after 10pm (save for smoking in any designated smoking area);
- h) Specify other requirements

HOURS OF OPERATION, PATRONS AND NUMBER OF EVENTS/FUNCTIONS

36.35. The function centre use must only operate between the following times:

- a) Monday to Thursday from 8am to 10pm
- b) Friday and Saturday 8am to 11pm
- c) Sundays and public holidays, from 9am to 10pm
- d) Sundays or a public holidays (if either proceeding a public holiday) from 9am to 11pm

During large sized functions, the outdoor patron areas are not to be used after 10pm on any night.

The responsible authority may consent in writing to vary these requirements.

37.36. The number of guests at the Function Centre must not exceed 420 at any one time, to the satisfaction of the Responsible Authority.

38.37. No more than ten (10) events or functions in a calendar year may occur on the land where the total number of people (including office, medical centre and café staff) on the land will exceed 200.

EVENT/FUNCTION REGISTER

39.38. The permit operator must maintain a register of events and/or functions held on the land to the satisfaction of the Responsible Authority. The register must include:

- a) date and time of the event/function;
- b) the number of:
 - i. staff on the land at the time of the function/event; and
 - ii. external guests attending the event/function

The register must be made available to the Responsible Authority upon a written request being made.

ENGINEERING

DRAINAGE & VEHICULAR ACCESS:

40.39. Before the occupation of the development, the developer must:

<p>Date issued:</p> <p>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.</p>	<p>Signature for the responsible authority:</p>
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- a) Construct the site stormwater system including separate connection for each building and carpark into the underground drain that outfalls to the existing LPOD being Cowie’s Creek, or other nominated point/s as approved by the Responsible Authority. The stormwater connection must be in accordance with City of Greater Geelong Standard Drawings.
- b) Construct vehicular crossings in accordance with the requirements and standards of the City of Greater Geelong.
- c) Remove any redundant vehicular crossings with kerb and channel and the footpath/nature strip area reinstated to match existing construction in the street;
- d) Construct and drain the access road within the development

all to the satisfaction of the Responsible Authority.

STORMWATER MANAGEMENT

- ~~41. 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 may be required;~~
- 40. Unless otherwise approved, the site stormwater system must be designed and installed in accordance with the approved Stormwater Management Plan.

PUMP SYSTEM

42.41. Before the development starts, unless otherwise approved by the Responsible Authority, the land owner must enter an agreement with the Responsible Authority pursuant to Section 173 of the Planning and Environment Act 1987. All costs associated with setting up the agreement must be borne by the land owner. The agreement is to be registered on title and run with the land, and is to provide to the satisfaction of the Responsible Authority:

- a) All storm water runoff is to be collected on site and discharged to the legal point of discharge using a pump system or as otherwise nominated by the responsible authority. The pump system is to be designed and constructed in accordance with Australian Standard 3500 Part 3.2 Section 9
- b) In the event of any operational difficulties with the pump system, it is the Responsibility of the land owner to rectify these difficulties;
- c) Any pump system is to be replaced by gravity discharge if and when available, and if directed by the Responsible Authority, at the land owner’s full cost.
- d) Provision is made (if appropriate) in any subdivision for Body Corporate drainage works, and access to those drainage works to be on common property or within an easement in favour of the Body Corporate

Note: Where the legal point of discharge is kerb and channel, discharge velocity at the kerb must be no greater than 1.5 m/s with a maximum discharge flow rate of 10 l/s and the outlet directed at an angle of 45° to the direction of flow in the kerb and channel.

ACCESS

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43.42. Bollards must be in place as shown on the endorsed plan to restrict access to the land from Morgan Street via the existing bridge at the southwest of the site.

PARKING

44.43. No fewer than 164 car space(s) must be provided on the land.

45.44. A minimum of 4 car space(s) must be provided for the exclusive use of disabled persons.

46.45. The car space(s) must be provided as close as practicable to a suitable entrance of the building and must be clearly marked with a sign to indicate that the space(s) must only be utilised by disabled persons to the satisfaction of the responsible authority.

47.46. The dimensions and layout of the car space(s) must be in accordance with Australian Standard AS2890.6-2009 (Accessible (Disabled) Car Parking Requirements) and the Building Code of Australia

BUS SIZE LIMIT

48.47. Except that may be nominated in the endorsed Traffic and Parking Management Plan at condition 21, no buses greater than 7 metres in length may enter the site except with the written consent of the Responsible Authority.

CAR PARK CONSTRUCTION

49.48. Before the occupation of the development, the area(s) set aside for the parking of vehicles and bicycles, and access lanes as shown on the endorsed plans must be:

- a) constructed
- b) properly formed to such levels that they can be used in accordance with the plans
- c) surfaced with an all-weather-seal coat
- d) drained
- e) line marked to indicate each car space and all access lanes
- f) clearly marked to show the direction of traffic along access lanes and driveways

to the satisfaction of the responsible authority.

At all times car spaces, access lanes and driveways must be kept available for these purposes.

Once constructed, these areas must be maintained to the satisfaction of the responsible authority

50.49. Before the occupation of the development, bollard lighting or other lighting that is approved in writing by the Responsible Authority must be erected in the car parking area and from the car park to the main building on the land. The lighting must be suitably baffled so as not to illuminate the area beyond its immediate surrounds to the satisfaction of the Responsible Authority.

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LOADING AND UNLOADING

54.50. The loading and unloading of goods from vehicles must only be carried out on the land within the designated loading bay(s) and must not disrupt the circulation and parking of vehicles on the land, to the satisfaction of the responsible authority.

DEECA

~~52. Prior to the commencement of works, targeted surveys are to be undertaken for the Growling Grass Frog *Litoria raniformis* (listed under the Environment Protection and Biodiversity Conservation Act 1999 (Cth)) species. Surveys should be undertaken in accordance with the Survey Guidelines for Australia's Threatened Frogs (DEWHA, 2010)~~

VEGETATION MANAGEMENT NOTIFICATION OF PERMIT

53.51. Before works start, the permit holder must advise all persons undertaking the vegetation removal or works on site of all relevant permit conditions and endorsed plans/documents.

NO REMOVAL OF NATIVE VEGETATION

54.52. No native vegetation shall be removed other than that marked on the endorsed plan, to the satisfaction of the Responsible Authority.

TREE PROTECTION MANAGEMENT PLAN

55.53. Before the development starts, a Tree Protection Management Plan must be submitted to and approved by the Responsible Authority. The Tree Protection Management Plan must be prepared by a suitably qualified arborist and must include all:

- a) Council-owned trees
- b) Privately owned trees and
- c) Trees owned by other parties that are located within 4 metres of the property boundary.

When approved the Tree Protection Management Plan and its recommendations will be endorsed and will then form part of the permit.

TREE PROTECTION ZONES

56.54. Before the development starts (including any demolition and excavation), Tree Protection Fencing must be installed and maintained until works are completed to the satisfaction of the Responsible Authority.

57.55. All works within the nominated Tree Protection Zones of any tree to be retained above or below ground must be:

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- a) Carried out in accordance with Australian Standard 4373–2007 *Pruning of amenity trees* and Australian Standard 4970–2009 *Protection of trees on development sites*
- b) Overseen by a suitably qualified, level-5 arborist
- c) 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.

~~58.56.~~ The vegetation to be retained on site shall be protected by fencing in accordance with AS4970-2009 Protection of Trees on Development Sites. The Vegetation Protection Fencing must have signs attached around the fencing which clearly states –VEGETATION PROTECTION ZONE - No Access Permitted. An inspection is required once the Vegetation Protection Fencing has been erected.

~~59.57.~~ Before the development starts (including demolition and excavation whether or not a planning permit is required), 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:

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

~~60.58.~~ Except with the written consent of the Responsible Authority, the following is not permitted to occur within the Tree or Vegetation Protection Zone:

- a) Vehicular or public pedestrian access.
- b) Trenching or soil excavation.
- c) Storage or dumping of tools, equipment, soil, stone or waste.
- d) Construction of entry and exit pits for underground services.
- e) Temporary or permanent installation of signs and utilities.
- f) Any other actions or activities that may result in adverse impacts to retained native vegetation.

~~64.59.~~ Water run-off must be designed to ensure that native vegetation to be protected is not compromised, to the satisfaction of the Responsible Authority.

REMOVAL

~~62.60.~~ Removal, including pruning, of native trees must be undertaken using a suitably qualified arborist and be carried out in accordance with AS4373 – 2007; ‘Pruning of Amenity Trees to the satisfaction of the Responsible Authority’. The use of an excavator, backhoe, bulldozer blade or loader to trim branches of trees is not permitted.

~~63.61.~~ Prior to any vegetation removal, vegetation to be removed must be clearly marked on site and accord with the endorsed plan.

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FAUNA PROTECTION

64.62. Before the removal of any tree or other potential fauna habitat, the permit holder must appoint an ecologist to conduct a pre-clearing survey to assess the presence of fauna. Where fauna is likely to be present in trees or vegetation proposed for removal, a suitably qualified wildlife handler must be present to ensure that native fauna is managed in accordance with the Department of Energy, Environment and Climate Action guidance and all necessary authorisations must be obtained prior to removing native fauna.

65.63. A brief letter style report must be submitted to the Responsible Authority to satisfy the condition. The report must include a description of the survey, any fauna found, and steps taken to protect fauna during the works. Any instances of harm or death to fauna need to be reported.

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

66.64. Before works start, a Construction Environmental Management Plan (CEMP) with a detailed site plan must be submitted to and approved by the Responsible Authority. When approved this CEMP will form part of this permit. This plan must incorporate, but is not limited to, the following information:

- a) The control of site emissions during construction and the defects liability period to the satisfaction of the Responsible Authority.
- b) The measures to be taken to ensure that no polluted water and/or sediment laden runoff is to be discharged directly or indirectly into stormwater drains or watercourses during the construction period.
- c) Ensure waste stockpiles, skips and personnel rest areas are located away from drainage areas to prevent accidental movement of rubbish and construction materials. The CEMP must be prepared in accordance with the EPA – Civil Construction, building and demolition guide Publication 1834.1, September 2023.
- d) Inform contractors that drainage lines are areas of ecological value or pathways to areas of ecological values;
- e) Measures to protect native vegetation and/or trees to be retained;
- f) Weed control measures including the identification of infestations and the proposed treatment measures for any species identified;
- g) Any imported soil or gravel must be weed free to prevent importation of weed seed into the study area;
- h) Plant and vehicle hygiene measures;
- i) Intended access for construction vehicles;
- j) Dust suppression measures;
- k) Stockpile locations and laydown areas;
- l) Parking locations for machinery and construction personnel.
- m) A detailed Acid Sulphate Soils assessment be undertaken on the subject site in accordance with the Victorian Best Practice Guidelines for Assessing and Managing Coastal Acid Sulphate Soils (DSE 2010), to determine the need for Acid Sulphate Soils management actions and to inform the construction methods for any proposed development; and management strategies that respond to a detailed Acid Sulfate Soils Hazard assessment.

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- n) Ensure the removal of any habitat trees or shrubs (particularly hollow-bearing trees or trees/shrubs with nests) is undertaken between February and September to avoid the breeding season for most fauna species. If any habitat trees or shrubs are proposed to be removed, this must be undertaken under the supervision of an appropriately qualified zoologist to salvage and translocate any displaced fauna.
- m)–
- o) Measures to mitigate impacts to Growling Grass Frog *Litoria raniformis*:
 - i. implementation of hygiene controls to reduce the potential introduction and spread of *Chytridiomycosis*.
 - ii. installation of frog exclusion fencing around the construction zone for the duration of the works
 - iii. works within 10 metres of the creek and wetland to occur outside the core active season (November to March).
 - iv. a qualified Zoologist must be present for any vegetation removal and the removal of topsoil within 30 metres of the creek and wetland to salvage and relocate tadpoles, metamorphs and adults deemed at risk
 - v. a stop works protocol when Growling Grass Frog *Litoria raniformis* are detected within the construction zone must be employed, until a qualified Zoologist is on site to identify, salvage and relocate the individual, unless coordinated in conjunction with a suitably trained environmental officer
 - vi. staff induction of all people working on site on Growling Grass Frog *Litoria raniformis* identification and the stop work protocol
 - vii. employment of sediment and pollution control measures consistent with relevant guidelines.

The CEMP must, amongst other things, have regard to the Detailed Site Investigation Report for 43 The Boulevard Norlane prepared by Outcast Environmental Final Report dated 26 February 2024.

All development and works must be carried out in accordance with the approved CEMP, to the satisfaction of the Responsible Authority. Any non-compliance identified by the Responsible Authority must be rectified immediately and at no cost to Council.

ADVERTISING SIGNAGE

65. 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.

66. The signage must not:

- a. Contain any flashing or intermittent light;
- b. Alter its message or move in part or whole;
- c. Not represent devices used by police or other emergency vehicles.

to the satisfaction of the Responsible Authority.

67. The signage lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining properties or roads to the satisfaction of the Responsible Authority.

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~~67.~~ DEPARTMENT OF TRANSPORT AND PLANNING

68. Prior to commencement of any of the new uses or occupation of the new development, whichever comes first, redevelopment works, the following works must be completed at no cost to, and to the satisfaction of the Head, Transport for Victoria and the Responsible Authority:

- b. Primary access to the site must be created via a new access point into 43 The Boulevard, and must:
 - i. Be located just south of the existing intersection of The Boulevard and Morgan Street;
 - ii. Include a channelised right-turn lane, and an auxiliary left-turn lane into 43 The Boulevard;
 - iii. Provide left-turn out only from 43 The Boulevard onto Morgan Street; noting that right turn movements from the site at this location will not be permitted.
 - iv. Include a crossover into 43 The Boulevard that provides safe pedestrian crossing and cyclist crossing infrastructure for the existing footpath along Morgan Street.

69. The existing single-lane bridge that accesses 60-62 Morgan Street must not be used for primary vehicle access to the site.

EXPIRY

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

- a) The development is not started within 2 years of the issued date of this permit.
- b) The development is not completed within 4 years of the issued date of this permit.
- c) The use does not start within 2 years of completion of the development.

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.

EXPIRY- SIGNAGE

71. This permit expires 15 years from the date of this permit. Before this permit expires, the signage and supporting structure must be removed and the land made good to the satisfaction of the Responsible Authority

USEFUL INFORMATION:

(the following information does not form part of this permit)

FURTHER APPROVALS

- 1. The permitted use or development may need to comply with, or obtain the following further approvals:
 - a. The recommendations of a cultural heritage management plan approved under the Aboriginal Heritage Act 2006

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- b. A building permit under the Building Act 1993

Engineering:

- c. 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.
- d. All internal property drainage must be designed and constructed to satisfy AS/NZS 3500.
- e. A Vehicle Crossing Permit must be obtained prior to commencement of works
- f. Flooding : As the site is subject to flooding, the applicant is advised that any new habitable floors must be set above the applicable site flood level as determined by the Building Surveyor.
- g. Flooding – Overland Flow Paths. The Applicant is also advised to seek comment from the building surveyor on the requirement, if any, for overland flow paths to be provided on the site to convey major flows through the site in accordance with Clause 5.4.2 of AS/NZS 3500.3
- h. 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.

Parks:

- i. 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) to lodge a request and provide adequate notice.

Barwon Water

- j. “The developer is to apply to Barwon Water for details relating to servicing requirements and costing for the provision of water supply and/or sewerage services to the proposal. It would be appreciated if all communication between the developer and Barwon Water quote Barwon Water reference number L020163”

Department of Transport

- k. Before the works start a separate consent for works within the road reserve and the specifications of these works is required under the Road Management Act 2004. When ready please submit your application on: <https://rapp.transport.vic.gov.au/>.

DEECA:

- i. Whilst planted, Giant Honey Myrtle *Melaleuca armillaris subsp. armillaris* identified in the Tree Survey Report (Johnny’s Tree Service, 2022) are threatened under the Flora and Fauna Guarantee (FFG) Act 1988. As such, before any works on public land start, a permit to take threatened flora under the FFG Act is required. To obtain an FFG permit or for more information please contact a Natural Environment Program officer at the Barwon South West regional office of the Department of Energy,

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[Environment and Climate Action at bsw.environment@deeca.vic.gov.au](mailto:bsw.environment@deeca.vic.gov.au) (Note: [Giant Honey Myrtle was identified as Honey Myrtle Melaleuca armillaris in the report.](#))

DRAFT

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IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The responsible authority has issued a permit. This permit was granted by the Minister under section 96I of the **Planning and Environment Act 1987** on approval of Amendment No. C465ggee to the Greater Geelong Planning Scheme.

WHEN DOES A 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 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?

- In accordance with section 96M of the **Planning and Environment Act 1987**, the applicant may not apply to the Victorian Administrative Tribunal for a review of any condition in this permit.

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