

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.)	

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.
 - 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.
 - j) The Fire Pump enclosure and water tanks to be relocated from 21 Birdwood Avenue Norlane onto 60-62 Morgan Street 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

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

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.	

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.

APPROVED USE AND DEVELOPMENT NOT ALTERED

- 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.
- 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

- 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

- 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) 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.
 - 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

- 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:

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.)	

- 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.

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/indigenous-plants-of-the-geelong-region-zone-17-information-sheet-city-of-greater-geelong)

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

- 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

- 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.

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.	

STORMWATER MANAGEMENT PLAN

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. 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.

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

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.	

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).
- 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).

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.	

- 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 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.
 - 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

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.	

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

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.

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.	

- 25. 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

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

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.)	

FUNCTION CENTRE

35. 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;
 - e) Measures to control noise emissions from the premises;
 - f) The outdoor activity area associated with the function centre be limited to the decking 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. 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. The number of guests at the Function Centre must not exceed 420 at any one time, to the satisfaction of the Responsible Authority.
38. 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. 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

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.)	

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

ENGINEERING

DRAINAGE & VEHICULAR ACCESS:

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

- 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;

PUMP SYSTEM

42. 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

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.	

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

- 43. 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. No fewer than 164 car space(s) must be provided on the land.
- 45. A minimum of 4 car space(s) must be provided for the exclusive use of disabled persons.
- 46. 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. 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. 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. 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

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.	

50. 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.

LOADING AND UNLOADING

51. 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. 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. 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. 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. 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.

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.)	

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

- 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. 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. 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. 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.

61. 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. 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.

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.)	

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

FAUNA PROTECTION

64. 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. 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. 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

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.	

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.

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.

DEPARTMENT OF TRANSPORT AND PLANNING

67. 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:

- a) 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.

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

EXPIRY

69. 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.

USEFUL INFORMATION:

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

FURTHER APPROVALS

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.)	

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
- 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/>.

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.	

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.

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.	