

PLANNING PERMIT

Permit No.: PA2201869

Warrnambool Planning Scheme

Responsible Authority: Minister for Planning

ADDRESS OF THE LAND:

13 Crawley Street and 140-150 Botanic Road,
Warrnambool VIC 3280

THE PERMIT ALLOWS:

Use and development of the land for a secondary school, erect and display business identification signage, and a reduction to the statutory bicycle facility requirements, in accordance with the endorsed plans.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT

Amended plans

1. Before the use/development starts, including demolition, bulk excavation and site preparation works, amended plans must be submitted to and approved by the Responsible Authority. The plans must be generally in accordance with the plans prepared by Baldasso Cortese, Drawing No. 00 - 01 Rev B, Drawing No. 02 – 03 Rev A, Drawing No. 04 Rev B, Drawing No. 05 Rev A, Drawing No. 06 Rev B, Drawing No. 07- 08 Rev A, Drawing No. 09 – 015 Rev B, Drawing No. 016 Rev A and Drawing No. 017 - 019 Rev B dated 1 December 2022, but modified to show:
 - a) A development summary.
 - b) Details of the location of bicycle parking spaces in accordance with Clause 52.34 and Australian Standard AS 2890.3 1993 Parking facilities Part 3: Bicycle parking facilities to the satisfaction of the Responsible Authority.
 - c) Details (including dimensions) for proposed widening of the existing vehicle crossover to Crawley Street.
 - d) Details of height, location and materials of any retaining walls including proposed finished levels at the top and toe of such walls.
 - e) Details of internal and external plant and equipment area, including details of any acoustic screening.
 - f) A schedule of all proposed external finishes including the proposed aggregate concrete, any signage and fencing materials and accurate images of all proposed materials and finishes.
 - g) A sightline diagram showing any potential overlooking within a distance of 9m from the proposed building to the secluded private open space of the adjoining dwellings at units 19 & 20 / 20 Hopetoun Road and units 12 – 18 / 30 Hopetoun

Road, Warrnambool. Any identified overlooking opportunities must be minimised to the satisfaction of the Responsible Authority, including an offer to the occupants of the properties for a fence-top screen on the boundary fence, to be paid for by the permit holder.

- h) Details of all service utilities (including the substation) their location, dimensions and design.
- i) Any changes required from the environmental sustainable design statement in the corresponding condition below.
- j) Any changes required from the arborist report in the corresponding condition below.
- k) Any changes required from the amended landscape plan in the corresponding condition below.
- l) Any changes required from the amended acoustic report in the corresponding condition below.
- m) Any changes required from the stormwater management strategy and drainage report in the corresponding condition below.

Secondary Consent Provision

- 2. The use and development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.

Environmentally Sustainable Design

- 3. Concurrent with the endorsement of plans, an Environmentally Sustainable Design (ESD) statement must be submitted to and approved by the Responsible Authority.
- 4. Before the occupation of the development approved under this permit, the provisions, recommendations and requirements of the endorsed ESD statement must be implemented and complied with to the satisfaction of the Responsible Authority.

Arboricultural Impact Assessment Report and Tree Protection

- 5. Concurrent with the endorsement of plans, an Arboricultural Impact Assessment report must be submitted to and approved by the Responsible Authority. The report must be prepared by a suitably qualified Arborist (AQF level 5 or equivalent).
- 6. The project arborist must ascertain impacts and management criteria for any trees being retained, including Tree Protection Zones to be implemented in accordance with Australian Standard AS4970:2009 – Protection of Trees of Development Sites. All management measures recommended by the project arborist must be implemented to the satisfaction of Warrnambool City Council.
- 7. Before the development (including excavation and demolition) starts, tree protection fencing must be erected, compliant with Australian Standard AS4970: 2009 - Protection of Trees on Development Sites.
- 8. No vehicular or pedestrian access, trenching or soil excavation is to occur within TPZs without the written consent of the Responsible Authority. No storage or dumping of tools, equipment or waste is to occur within the TPZs.
- 9. No works are to occur within the Structural Root Zone of any retained tree.

Landscape Plans

- 10. Concurrent with the endorsement of plans, an updated landscape plan prepared by a suitably qualified landscape architect must be submitted and approved by the Responsible Authority. The landscape plans must be generally in accordance with

the landscape plan LDD01 – LDD04 prepared by Fraser Design Collaborative dated 1 December 2022, but modified to show:

- a) A survey (including botanical names) of all existing vegetation to be retained and/or removed.
 - b) A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
 - c) How the project responds to water sensitive urban design principles, including how stormwater will be mitigated, captured, cleaned and stored for onsite use and the location and type of irrigation systems to be used including the location of any rainwater tanks to be used for irrigation.
 - d) Visual screening treatments, such as plantings, on perimeter boundaries to minimise viewline impacts on neighbouring properties.
 - e) The extent of any cut, fill, embankments or retaining walls associated with the landscape treatment of the site.
11. Before the occupation of the development hereby approved, the landscaping works as shown on the endorsed landscape plans must be carried out and completed to the satisfaction of Responsible Authority. Landscaping must be maintained to the satisfaction of Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.

Acoustic Report

12. Concurrent with the endorsement of plans, an amended acoustic report must be submitted to and approved by the Responsible Authority. The acoustic report must be generally in accordance with the acoustic report prepared by SLR Consulting, dated 13 September 2022, but modified to show:
- a) Details of any dust extraction system (associated with the specialist tech room) and whether an acoustic enclosure is required.
 - b) Details of the mechanical equipment to be used in the external plant area and any associated noise attenuation measures.
13. Noise attenuation measures for the development must be in accordance with the acoustic report, to the satisfaction of the Responsible Authority.
14. Noise emanating from the subject land must not exceed the permissible noise levels when determined in accordance with State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1, to the satisfaction of the Responsible Authority. Any works required to ensure the noise levels from the plant and equipment are in compliance with this policy must be completed prior to the occupation of the building and maintained thereafter, all to the satisfaction of the Responsible Authority.

Stormwater Management Strategy and Drainage

15. Concurrent with the endorsement of plans, the Stormwater Management Strategy prepared by The CSE Group consulting engineers, dated 11 November 2022 and 28 October 2022 and the Emmanuel College Drainage Report prepared by Engeny Water Management dated 10 July 2014 must be approved by the Responsible Authority, in consultation with the Warrnambool City Council.
16. The stormwater treatment measures for the development must be implemented in accordance with the Stormwater Management Strategy prepared by The CSE Group consulting engineers, dated 11 November 2022 and 28 October 2022 and the

Emmanuel College Drainage Report prepared by Engeny Water Management dated 10 July 2014 to the satisfaction of Responsible Authority.

17. Provision must be made for the drainage for the proposed development including landscaped and paved areas, to the satisfaction of Warrnambool City Council.
18. The connection of the internal drainage infrastructure to the Legal Point of Discharge must be to the satisfaction of Warrnambool City Council. Collected stormwater must be retained onsite and discharged into the drainage system at predevelopment peak discharge rates, to the satisfaction of Warrnambool City Council.

Traffic Management and Car Parking

19. Concurrent with the endorsement of plans, the traffic impact assessment prepared by Transport and Traffic Solutions, dated 29 November 2022, must be approved by the Responsible Authority. Car parking, traffic management and waste collection for the development must be in accordance with the report, to the satisfaction of the Responsible Authority. The report must not be altered without the prior written consent of the Responsible Authority, in consultation with the Warrnambool City Council.
20. Car parking must be maintained in accordance with the Emmanuel College, Warrnambool - Masterplan Report Rev 04 (January 2023) to the satisfaction of the Warrnambool City Council.

Building Appurtenances

21. All building plant and equipment on roofs and public thoroughfares must be concealed to the satisfaction of the Responsible Authority. The construction of any additional plant machinery and equipment, including but not limited to all air-conditioning equipment, ducts, flues, all exhausts including car parking and communications equipment shall be to the satisfaction of the Responsible Authority.
22. Any satellite dishes, antennas or similar structures associated with the development must be designed and located at a single, unobtrusive area on each building in the development to the satisfaction of the Responsible Authority, unless otherwise approved by the Responsible Authority.

Lighting

23. Outdoor lighting must be designed, baffled and located such that no direct light is emitted outside the boundaries of the subject land to the satisfaction of the Responsible Authority.
24. Flashing or intermittent light must not be displayed on the subject land except with the prior written consent of the Responsible Authority.
25. Any security lighting is to be connected to a sensor so that illumination of the site is not continuous to the satisfaction of the Responsible Authority.

Signage

26. The location, size and material of construction of the sign shown on the endorsed plans must not be altered or modified without the written consent of the Responsible Authority.
27. The sign, including its structure and advertising material therein as shown on the endorsed plans, shall at all times be maintained in good order and condition to the satisfaction of the Responsible Authority.
28. The sign must only contain advertisement relating to the identification of the school, to the satisfaction of the Responsible Authority.

29. The sign hereby permitted shall not be animated or contain any flashing light.
30. This permit, in relation to the sign, expires 15 years from the date of issue, at which time the sign and all supporting structures must be removed, and the site made good to the satisfaction of the Responsible Authority.

Council Assets

31. Any new vehicle crossover or modification to an existing vehicle crossover must be constructed to the satisfaction of Warrnambool City Council.
32. The full cost of reinstatement of any Warrnambool City Council assets damaged as a result of demolition, building or construction works, must be met by the permit applicant or any other person responsible for such damage, to the satisfaction of the Responsible Authority.
33. Any works within the road reserve must ensure the footpath and nature strip are to be reinstated to Warrnambool City Council standards.

Permit Expiry

34. This permit will expire if:
 - a) The development is not commenced within two years of the date of this permit.
 - b) The development is not completed within four years of the date of this permit.

Pursuant to Section 69 of the Planning and Environment Act 1987, the Responsible Authority may extend:

- a) The commencement date referred to if a request is made in writing before the permit expires or within six months afterwards.
- b) The completion date referred to if a request is made in writing within twelve months after the permit expires and the development started lawfully before the permit expired.

Date Issued: 02/05/2023

Signature for the responsible authority

Note: Under Part 4, Division 1A of the Planning and Environment Act 1987, a permit may be amended. Please check with the responsible authority that this permit is the current permit and can be acted upon.



Notes:

- This permit does not authorise the commencement of any demolition or construction on the land. Before any demolition or construction may commence, the permit holder must apply for and obtain appropriate building approval from a Registered Building Surveyor.
- The permit holder/owner will provide a copy of this planning permit and endorsed plans to any appointed Building Surveyor. It is the responsibility of the permit holder/owner and the relevant Building Surveyor to ensure that all building (development) works approved by any building permit are consistent with this planning permit.

- Nothing in this permit or any plans or documents approved in accordance with the conditions of this permit should be taken to imply that the development meets the requirements of the *Building Act 1993* and its regulations.
- Advertising signs must not be erected, painted or displayed on the land without the permission of the Responsible Authority unless in accordance with the exemption provisions of the Warrnambool Planning Scheme.
- All tree removal/ pruning must be completed by a qualified arborist (min. Cert 3) adhering to the requirements of Australian Standard AS4373-2007 Pruning of Amenity Trees.

IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The responsible authority has issued a permit.

CAN THE RESPONSIBLE AUTHORITY AMEND THIS PERMIT?

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

WHEN DOES A PERMIT BEGIN?

A permit operates:

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

WHEN DOES A PERMIT EXPIRE?

1. A permit for the development of land expires if –
 - * the development or any stage of it does not start within the time specified in the permit; or
 - * the development requires the certification of a plan of subdivision or consolidation under the **Subdivision Act 1988** and a plan is not certified within two years of the issue of a permit, unless the permit contains a different provision; or
 - * the development or any stage 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 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 of the issue of the permit; or
 - * the use is discontinued for a period of two years.
3. A permit for the development and use of land expires if -
 - * the development or any stage of it does not start within the time specified in the permit; or
 - * the development or any stage of it is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit; or
 - * the use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development; or
 - * the use is discontinued for a period of two years.
4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in Section 6A(2) of the **Planning and Environment Act 1987**, or to any combination of use, development or any of those circumstances requires the certification of a plan under the **Subdivision Act 1988**, unless the permit contains a different provision-
 - * the use or development of any stage is to be taken to have started when the plan is certified; and
 - * the permit expires if the plan is not certified within two years of the issue of the permit.
5. The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

WHAT ABOUT REVIEWS?

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