

10 Eastern Beach Road, Geelong

Section 72 Amendment Application
PA2201540



Officer Assessment Report
Development Assessment

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Executive Summary



Key information	Details				
Permit No.:	PA2201540-2				
Permit allows:	Use and development of a hotel, sale and consumption of liquor and a waiver of the provision of car parking for the restaurant use				
Land Address:	10 Eastern Beach Road Geelong				
Amendment Received:	22 November 2024				
Applicant:	Planning & Property Partners Pty Ltd				
Statutory Days:	155 days				
Planning Scheme:	Greater Geelong				
S72 proposal summary:	<ul style="list-style-type: none">Modification of exterior design detailInternal changes to several floorsA new parking level and resultant increase in car parking spacesRemoval of street tree #6.				
Development value:	\$31M (approved value) \$31M (amended value)				
Why is the Minister responsible?	<p>Under section 72(1) of the <i>Planning and Environment Act 1987</i>, a person who is entitled to use or develop land in accordance with a permit may apply to the responsible authority for an amendment to the permit.</p> <p>The Minister for Planning is identified as the responsible authority in the subject planning permit.</p>				
Planning Controls	<table><tr><th>Clause</th><th>Control</th></tr><tr><td>Clause 37.08</td><td>Activity Centre Zone, Schedule 1</td></tr></table>	Clause	Control	Clause 37.08	Activity Centre Zone, Schedule 1
Clause	Control				
Clause 37.08	Activity Centre Zone, Schedule 1				
Planning History	<p>A planning permit was issued on 21 October 2022 for the use and development of a hotel, sale and consumption of liquor and a waiver of the provision of car parking for the restaurant use.</p> <p>The planning permit was amended under Section 72 on 16 March 2023 as follows:</p> <ul style="list-style-type: none">Delete Condition 1a)Re word Condition 1d)Re word Condition 1e)Re place the word “land” with the word “restaurant” in Condition 6.Delete Condition 8c.Delete Condition 12b)Delete Condition 31 and 32 <p>Plans were endorsed to form part of the planning permit on 28 March 2024.</p> <p>An Extension of Time for the permit was issued on 8 July 2024, extending the commencement date of the permit until 21 October 2026 and the completion date for the permit until 21 October 2028.</p>				
Referral authorities	<ul style="list-style-type: none">Greater Geelong City Council (section 55 – recommending)Development Victoria (section 55 – recommending)				
Public Notice	Public notice of the application under section 52 of the Act was not required under the Activity Centre Zone, Schedule 1				
Delegates List	N/A				
Recommendation	The amendments to the permit and endorsed plans are recommended for approval, subject to conditions.				

Background



1. The key milestones in the process of the application were as follows:

Milestone	Date
Application lodgement	22 November 2024
Further information requested	20 December 2024
Further information received	17 January 2024
Proposal amended (formally under section 50 of the Act)	On 31 January an amendment was submitted to retain the wording of conditions 6 and 7 of the permit relating to patron numbers and sale and consumption of liquor.
Decision plans	Plans prepared by PACT Architects, titled 'Novotel Geelong Hotel Extension', Revision P14, dated 30 June 2025.
Other assessment documents	Traffic Engineering Report prepared by Traffix Group, dated March 2025 Arboricultural Impact Assessment prepared by Woodland Tree Reports, dated 19 November 2024 Sustainability Management Plan prepared by Lucid Consulting Australia, dated 14 February 2025 Façade Design Assessment prepared by Planning & Property Partners, dated 4 June 2025

2. The subject of this report is the decision plans (as described above).

3. Details of the application are as follows:

- Modification of exterior of hotel, with the Brougham Street façade the most prominent change.
- The changes primarily reduce the extent of fibre cement panels and modify the glazing configuration and colour scheme.
- Horizontal and vertical articulation of the upper-level southern façade is introduced through staggered, vertical fins and expressed slab edges.
- Change to the internal configuration, including reduced restaurant size and relocation of staff facilities
- Reduction parking spaces to level 1 and increase in parking spaces to level 3.
- A new parking level with 18 spaces, representing an overall increase in parking provision for the proposal.
- Removal of street tree #6 on Brougham Street.

4. The applicant has provided the following images of the proposal:



Figure 1: Render of Brougham Street facade



Figure 2: Render of Brougham Street facade



Figure 1: Detail of Brougham Street entry



Referrals

5. The application was referred to the following groups:

Provision/ Clause	Organisation	Response (including date)
Clause 66.04 (under Clause 37.08 of Activity Centre Zone) <i>Section 55 Referral - Recommending</i>	Greater Geelong City Council	On 14 April 2025, Greater Geelong Council advised that it did not object to the granting of an amended planning permit, and recommended conditions to be included should the amended permit be issued.
Clause 66.04 (under Clause 37.08 of Activity Centre Zone) <i>Section 55 Referral - Recommending</i>	Development Victoria	On 29 January 2025, Development Victoria advised that it did not object to the application. No conditions were recommended.

City of Greater Geelong Council referral

6. As noted above, the Greater Geelong City Council (the council) did not object; however, the following conditions were recommended:

Street Trees

- Unless with the prior written consent of the responsible authority, all street trees must be retained, with the exception of tree 6 which will be removed by the developer subject to compensation payable to the City of Greater Geelong based on the Tree Canopy Contribution Offset calculation method endorsed under the City of Greater Geelong Public Tree Management Council Policy.*
- Unless significant impact (as determined by a qualified arborist) of any other street tree is unavoidable, the tree can be removed by the developer subject to compensation payable to the City of Greater Geelong based on the Tree Canopy Contribution Offset calculation method endorsed under the City of Greater Geelong Public Tree Management Council Policy, to the satisfaction of the responsible authority.*

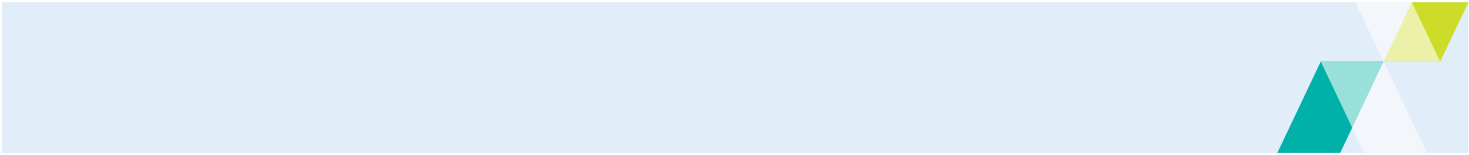
173 Agreement

- Prior to the commencement of the use, the applicant 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 applicant 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) All on-site car parking will be available for hotel patron use only via valet service.*

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

7. DTP supports the inclusion of the street tree conditions as they are relevant to the scope of the amendment and the changes proposed. However, it is recommended that the wording for the second street tree condition be modified to say "If significant impact (as determined by a qualified arborist) on any other street tree other than tree 6..." rather than "Unless significant impact (as determined by a qualified arborist) of any other street tree..." to ensure the condition is logical, as the intent of the condition is to prohibit removal of street trees other than tree 6, except where significant impact is unavoidable.
8. However, DTP does not support inclusion of a section 173 agreement for valet parking, given this is not condition of the current permit, the general arrangements for access to parking spaces are not changed. Further to this, the number of parking spaces provided in the proposal is increased under this amendment.

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9. Finally, while not part of the formal referral, updated renders of the proposal were informally submitted to the council via email post their formal response outlined above. In response, the council advised that they considered the revised design as a positive outcome and had no further comments regarding the application.

Informal referrals / advice

10. Internal referrals to DTP's urban design team were made throughout the application process, with a particular focus on the Brougham Street Facade. This advice was conveyed to the applicant, with multiple revisions of the plans made to address this feedback. Ultimately, this iterative process has resulted in a final design which DTP considers will be an appropriate built form outcome for the site.

Notice

11. Public notice of the application under section 52 of the Act was not required under the Clause 37.08-8 of the Greater Geelong Planning Scheme:

An application under Clauses 37.08-2, 37.08-4, 37.08-5 or 37.08-6 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 unless the schedule to this zone specifies otherwise.



Planning Policy

12. No consequential changes to policy or statutory planning controls within the Greater Geelong Planning Scheme, with respect to the nature of the amendments, have been made since the decision on the original application. Therefore, re-examination of these matters is not warranted.

Statutory Planning Controls

13. The zoning of the site has not changed since the decision on the original application was made.
14. The proposed amendments are relatively minor with respect to the already permitted development and will not compromise the objectives of the Activity Centre Zone. It is noted that there are no overlays on the site.

Amended Plans

15. Changes are proposed to the plans and assessed as follows:

Change	Assessment
Modification of the exterior design detail of the hotel extension.	<p>The modification of the exterior of the proposed hotel extension is the most significant and consequential of the requested amendments, particularly with respect to the Brougham Street façade and streetscape.</p> <p>The changes primarily remove the fibre cement panels which were integral to the previous design, along with modifying the glazing configuration and colour scheme. As a result, the glazed element of the upper level will now appear more prominent relative to the currently endorsed design.</p> <p>Horizontal and vertical articulation of the upper-level southern façade is introduced through staggered, vertical aluminium fins and expressed slab edges.</p> <p>As noted earlier in this report, the design detail of the exterior of the building has undergone multiple changes since lodgement of the section 72 amendment application and has involved substantial input from DTPs urban design team. As a result, the latest architectural drawing set has resolved DTP's concerns and is considered suitable for endorsement, without the necessity of further refinement via a permit condition.</p> <p>The proposed changes are also considered to be consistent with the relevant guidance under Schedule 1 of the Activity Centre Zone contained in the Greater Geelong Planning Scheme.</p>
Change to the internal configuration, including reduced restaurant size and relocation of staff facilities	<p>The internal changes proposed are of a minor nature and are generally inconsequential with respect to what the permit already allows. These are practical changes with commonly come about as part of the detailed design stage of substantial developments such as this.</p> <p>Notably, no additional parking demand will be generated as a result of the changes. Notwithstanding, additional parking will be provided as discussed below.</p> <p>The internal changes proposed are therefore supported.</p>
Reduction parking spaces to level 1 and increase in parking spaces to level 3.	<p>The current number of parking spaces in the overall development is 46, with the amendment proposing to increase this to 68 spaces. This will be split across 3 levels as follows:</p>



<p>A new parking level with 18 spaces, representing an overall increase in parking provision for the proposal.</p>	<ul style="list-style-type: none">• Level 1 - 34 spaces• Level 3 - 16 spaces• Level 4 - 18 spaces <p>The revised parking provision and layout is supported by a Traffic Engineering Report (Traffix Group, March 2025), noting that the existing access ramp from Brougham Street is to be retained. Swept path diagrams have also been provided for the new parking level on level 4, demonstrating ingress and egress to the new parking spaces can be achieved.</p> <p>Given the increase in the overall quantum of parking proposed, and the demonstrated functionality of the revised arrangements, DTP supports these changes.</p>
<p>Removal of street tree #6 on Brougham Street.</p>	<p>The removal of tree 6 is proposed to accommodate the tower crane required to facilitate the construction of the development from Brougham Street. An Arboricultural impact assessment was supplied in support of this removal. Notably, the council is supportive of removal of this tree subject to conditions, which DTP supports including on the amended permit.</p> <p>Based on the above, DTP considers the removal of tree 6 to be warranted out of practical necessity, noting that the owner of the street tree (the council) is supportive of its removal.</p>

Additional permit conditions

16. The following conditions are recommended to be included on the amendment permit

Condition	Assessment
<p><i>Unless with the prior written consent of the responsible authority, all street trees must be retained, with the exception of tree 6 which will be removed by the developer subject to compensation payable to the City of Greater Geelong based on the Tree Canopy Contribution Offset calculation method endorsed under the City of Greater Geelong Public Tree Management Council Policy.</i></p>	<p>As discussed under the referrals section of this report, this condition is considered appropriate given its direct connection to the proposal to remove tree 6 under this amendment.</p>
<p><i>If significant impact (as determined by a qualified arborist) on any other street tree other than tree 6 is unavoidable, the tree can be removed by the developer subject to compensation payable to the City of Greater Geelong based on the Tree Canopy Contribution Offset calculation method endorsed under the City of Greater Geelong Public Tree Management Council Policy, to the satisfaction of the responsible authority.</i></p>	<p>As above, this condition is considered appropriate given its direct connection to the proposal to remove tree 6 under this amendment.</p>

Conclusion and Recommendation



Conclusion

17. The proposed amendments are generally supported by the various formal and informal referral agencies.
18. It is recommended that Amended Planning Permit No. PA2201540-2 be issued.
19. It is recommended that the applicant be notified of the above in writing.

Recommendation

20. **It is recommended that a Delegate of the Minister for Planning** amend Planning Permit No. PA2201540-2, subject to conditions.

Prepared by:

I have considered whether there is a conflict of interest in assessing this application and I have determined that I have:

- ☒ **No Conflict**
- ☐ Conflict and have therefore undertaken the following actions:
- ☐ Completed the **Statutory Planning Services declaration of Conflict/Interest form**.
 - ☐ Attached the Statutory Planning Services declaration of Conflict/Interest form on to the hardcopy file.
 - ☐ Attached the Statutory Planning Services declaration of Conflict/Interest form into the relevant electronic workspace.

Name:

Signed:

Title:

Phone:

Dated: 4 July 2025

Reviewed / Approved by:

I have considered whether there is a conflict of interest in assessing this application and I have determined that I have:

- ☒ **No Conflict**
- ☐ Conflict and have therefore undertaken the following actions:
- ☐ Completed the **Statutory Planning Services declaration of Conflict/Interest form**.
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