

Planning and Environment  
Regulations 2015

Form 4

Sections 63, 64, 64A and 86

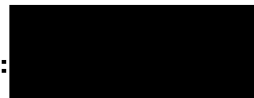
## PLANNING PERMIT

<b>Application No.:</b>	PA2302682
<b>Planning scheme:</b>	Greater Geelong Planning Scheme
<b>Responsible authority:</b>	Minister for Planning
<b>ADDRESS OF THE LAND:</b>	23-35 Bellerine Street, Geelong
	Title particulars: Lots 1, 2, 3 and 4 on Title Plan 958394T Lots 1 and 2 on Title Plan 960542S Lot 1 on Title Plan 021595J Lot 1 on Title Plan 850026B Lot 1 on Title Plan 022482S

### THE PERMIT ALLOWS:

<b>Planning scheme clause No.</b>	<b>Description of what is allowed</b>
32.08-2	To use land as a medical centre and retail premises (other than Adult sex product shop)
32.08-5	To construct a building or construct or carry out works
43.02-2	To construct a building or to construct or carry out works with a constructed height that is more than 25.0 metres above ground level
52.06-3	Reduce the number of car parking spaces

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**THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:**

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**Amended Plans**

1. Before the development starts, including demolition, bulk excavation, site preparation, soil removal and site remediation, amended plans to the satisfaction of the Responsible Authority must be submitted to and be 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 be submitted in a digital pdf form. The plans must generally be in accordance with the plans prepared by Cera Stribley dated September 2024 but modified to show the following:
  - a) The development, including terraces and other protrusions contained within the site's title boundaries.
  - b) The development at the ground level provided pedestrian access into the tenancy from Little Malop Street.
  - c) The tenancy located at the corner of Little Malop Street and Board Place provided with an operable façade / window or servery at the corner or with a secondary public entrance from Board Place.
  - d) Indicative cross-sections for each commercial and retail tenancy (as appropriate) showing finished floor levels to AHD of both external and internal areas and their interface between the public and private realm demonstrating good physical and visual connection between the public realm and the interior. A range of measures such as minimal transitional areas within retail tenancies and public realm urban design outcomes (slopes and stairs etc.) can be utilised to achieve this outcome.
  - e) DDA compliance from the public realm to all retail and commercial tenancies and 'private public places.
  - f) Detailed internal layout plans of commercial tenancies at the ground level to demonstrate active use of these internal spaces where they interface Bellerine Street, Little Malop Street and Board Place.
  - g) Any changes required by the following conditions specified below:
    - i. Façade Strategy condition.
    - ii. Public Realm Art Plan condition.
    - iii. Wind Assessment condition.
    - iv. Car Parking, Access and Bicycle Facility condition.
    - v. Waste Management Plan condition.
    - vi. Sustainable Management Plan condition.

**Layout Not Altered**

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

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**Compliance with documents approved under this permit**

3. 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 City of Greater Geelong and the Responsible Authority.

**Demolition Plan**

4. Before the development starts, a detailed Demolition Plan must be submitted to and approved by the City of Greater Geelong. This plan must show the extent of demolition of existing buildings and works, the staging of demolition, if any, and how the balance of the site will be maintained until it is to be developed. This Demolition Management Plan is to consider the following, as applicable:
  - a) The proposed methods of demolition and how retained buildings and works will be protected,
  - b) Operating hours, noise and vibration controls.
  - c) Hoardings and site security.
  - d) Air and dust management.
  - e) Stormwater and sediment control.
  - f) Waste and material reuse.
  - g) Traffic management.
  - h) Public safety, amenity and site security.
5. The Demolition Plan endorsed under this permit must not be altered without the written consent of the City of Greater Geelong.

**Façade Strategy & Materials and Finishes**

6. Before the development starts, excluding demolition, excavation, piling and site preparation works a Façade Strategy must be submitted to and approved by the by the Responsible Authority. The Façade Strategy must include:
  - a) A concise description by the architect of the building design concept and how the façade works to achieve this.
  - b) A schedule of colours, materials and finishes, including the colour, type and quality of materials showing their application and appearance. This can be demonstrated in coloured elevations and/or renders from key viewpoints, to show the materials and finishes linking them to a physical sample board with clear coding.
  - c) Elevation details generally at a scale of 1:50, or other suitable scale agreed to by the Responsible Authority, illustrating typical building details, entries and doors, utilities, and any special features which are important to the building's presentation.
  - d) Cross sections or other method of demonstrating the façade systems, including fixing details indicating junctions between materials and significant changes in form and/or material.
  - e) Information about how the façade will be accessed, maintained and cleaned.

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- f) Example prototypes and/or precedents that demonstrate the intended design outcome as indicated on plans and perspective images, to produce a high-quality built form outcome in accordance with the design concept.

**Reflectivity**

7. Before the development starts, excluding demolition, excavation, piling and site preparation works (or as otherwise agreed in writing with the Responsible Authority), a reflectivity assessment of external materials must be submitted to and be to the satisfaction of the Responsible Authority. The reflectivity assessment must consider and make recommendations where applicable to ensure no undue impacts.
8. Except with the consent of the Responsible Authority, all external facade materials and finishes must be of a type that does not reflect more than 20% of visible light when measured at an angle of incidence normal to the surface of the facade.

**3D Model**

9. Before the development starts, excluding demolition, excavation, piling and site preparation works (or as otherwise agreed with the Responsible Authority), a 3D digital model of the development and its immediate surrounds must be submitted to and approved by the Responsible Authority. The 3D model must be in accordance with the Technical Advisory Note for 3D Digital Model Submissions prepared by the Department of Transport and Planning. The development must be in accordance with the endorsed 3D model, to the satisfaction of the Responsible Authority.

**Retention of Architect**

10. Except with the consent of the Responsible Authority, Cera Stribley Architects must be retained to complete and provide architectural oversight during development of the detailed design as shown in the endorsed plans and endorsed schedule of materials to the satisfaction of Responsible Authority.

**Landscape Plan**

11. Prior to the commencement of development, excluding demolition, excavation, piling and site preparation works, a landscape plan prepared by a suitably qualified or experienced person, to the satisfaction of the City of Greater Geelong, must be submitted to and approved by the City of Greater Geelong. The plan(s) must be drawn to scale and show:
- a) 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;
  - b) Landscaping and planting within all open areas of the site;
  - c) Details of the drainage, irrigation and maintenance of planting areas.
  - d) Details of access arrangements to landscaping areas so they can be appropriately maintained.
  - e) Details regarding water harvesting from the proposed use to the planted canopy trees, site and soil preparation, mulching and maintenance.
12. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the City of Greater Geelong, including that any dead, diseased or damaged plants are to be replaced.

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**Streetscape Public Realm Plan**

13. Prior to the commencement of works, excluding demolition, excavation, piling and site preparation works, a Streetscape Plan is required to be prepared by a suitably qualified or experienced person. The Plan must be submitted to and approved by the City of Greater Geelong. The plan must be generally in accordance with the Central Geelong Public Realm Framework 2017 (or any subsequent amendments) and must include at a minimum the area from the property boundary to the front of the kerb to Bellerine Street and Little Malop Street. The plan is to show:
- a) Works from the property boundary to Little Malop Street and Bellerine Street kerbs, generally mirroring treatment/works to footpaths of Little Malop Street and Bellerine Street, to the west of Bellerine Street (opposite to the subject site). Works may include:
    - i. Any proposed new council assets.
    - ii. Materials and details of all surface finishes including kerbs and channels.
    - iii. Existing and proposed finished surface levels.
    - iv. Tactile surface ground indicators and kerb ramps.
    - v. Any stormwater management measures, including permeable paving, rain gardens, or other sustainable drainage elements.
    - vi. Road works including changes to parking, including parking signs.
    - vii. Lighting
    - viii. Public furniture, such as seating, bollards, bike racks, drinking fountains, rubbish bins, Planting layout including existing trees to be retained/ removed and proposed vegetation
    - ix. Planting schedule for trees, shrubs, and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant .
    - x. Any signage elements including the location, size, and design concept.
    - xi. Overlay civil engineering plans to show all existing infrastructure (e.g., pits, meters, poles, kerbs and outstands, drainage assets) and levels with reference to feature survey plans for the subject site and adjoining sites.

When approved, the plan will be endorsed and form part of the permit.

14. Unless otherwise approved in writing, the approved works must be implemented prior to occupation of the development, at no cost to, and to the satisfaction of the City of Greater

**Tree Protection Management Plan**

15. Before the development starts, including demolition, excavation, piling and site preparation works, Tree Protection Fencing must be installed and maintained until works are completed to the satisfaction of the City of Greater Geelong.
16. All works within the nominated Tree Protection Zones 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.

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- c) carried out to the satisfaction of the City of Greater Geelong by suitably trained and qualified arboricultural staff.

17. Works encroaching within the nominated Tree Protection Zones must not be undertaken without the written consent of the City of Greater Geelong.

**Maintenance of Streetscape Works**

18. All works must be maintained to the satisfaction of City of Greater Geelong for a period of two (2) years from the date of practical completion. During this period, any dead, diseased or damaged plants must be repaired or replaced as required.
19. Where the streetscape works are bonded, the maintenance period will commence from the date that the works are awarded practical completion by City of Greater Geelong.

A maintenance bond to the value of 125 per cent of the cost of works must be submitted to City of Greater Geelong prior to practical completion of landscaping works being awarded and will be retained until such time that the works have been accepted by City of Greater Geelong for handover.

Works that have achieved practical completion will be audited throughout the maintenance period. Works being inappropriately maintained or established will not be accepted and will remain on maintenance until such time that City of Greater Geelong deem it acceptable. A handover inspection is required to satisfy this condition and must be organised by the permit holder with two weeks' notice given. The maintenance bond will be returned on acceptance of handover.

**Wind Report**

20. Before the development starts, excluding demolition, excavation, piling and site preparation works an amended Wind Report must be prepared and submitted to and be approved by the Responsible Authority. The Plan must be generally in accordance with the Wind Report prepared by VIPAC, dated 13 November 2023 and demonstrate compliance with Clause 4.4 to ACZ1 and Clause 58.04-4 (Wind impacts objective) but demonstrate the revised plans by Cera Stribley dated September 2024. All the recommendations of the report should be shown on the plans.

**Sustainability Management Plan**

21. Before the development starts, excluding demolition, excavation, piling and site preparation works, a Sustainability Management Plan (SMP) must be submitted to and approved to the satisfaction by the Responsible Authority. The Sustainability Management Plan must demonstrate a best practice standard of environmentally sustainable design and be generally in accordance with the report by GIW Environmental Solutions Pty Ltd dated 3 December 2023.
22. Where alternative ESD initiatives are proposed to those specified in conditions above, the Responsible Authority may vary the requirements of this condition at its discretion, subject to the development achieving equivalent (or greater) ESD outcomes in association with the development.

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**Drainage and Stormwater Management**

23. Prior to the occupation of the dwellings or commencement of the use, the developer must:
- a) Construct the site stormwater system including separate connection for each unit / lot into the underground drain in Bellerine Street or other nominated point/s as approved by the City of Greater Geelong. 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; all to the satisfaction of City of Greater Geelong.
24. The stormwater system must be designed and installed such that:
- a) 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;
  - b) Runoff is to be treated to achieve current best practice pollutant removal targets by connection to an appropriate Water Treatment Facility, with capacity to treat at least a 3 month ARI storm event, unless approved otherwise by the City of Greater Geelong. The Water Treatment Facility must be maintained to the satisfaction of the City of Greater Geelong.
- All to the satisfaction of the City of Greater Geelong.

**Waste Management Plan**

25. Before the development starts, excluding demolition, excavation, piling, site preparation works and works to remediate contaminated land an amended Waste Management Plan must be prepared and submitted to and be approved by the City of Greater Geelong. The Plan must be generally in accordance with the Waste Management Plan prepared by One Mile Grid and dated 17 November 2023 but modified to include:
- a) Waste removal arrangements from designated loading locations for commercial and resident uses.
  - b) Organic waste bins located next to the rubbish chutes on each level for building management to collect.

**Car Parking**

26. Before the development starts, excluding demolition, excavation, piling and site preparation works, an amended Traffic Report must be submitted to and approved to the satisfaction by the Greater Geelong City Council. The Traffic Report must be generally in accordance with the report by onemilegrid dated 27 November 2023 but modified:
- a) To reflect the amended plans by Cera Stribley dated September 2024.
  - b) Demonstrate compliance of the car park with AS/NZS 2890.1:2004

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27. Prior to the occupation of the dwellings, the developer must construct the car park including accessways, surface with an all-weather sealed coat and linemark the car and accessways in accordance with the endorsed plans to the satisfaction of the City of Greater Geelong.

**Noise and Amenity**

28. All deliveries to the property and truck movements must be in adherence with the EPA Noise Control Guidelines (publication 1245.2) which are:
- a) 7am to 10pm Monday to Saturday
  - b) 9am to 10pm Sunday and Public Holidays
29. 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.
30. All external plant and equipment must be acoustically treated or placed in soundproof housing to reduce noise to a level satisfactory to the City of Greater Geelong.
31. All air-conditioning units are to be placed in an appropriate location or alternatively acoustically treated to reduce noise to a level satisfactory to the City of Greater Geelong.
32. Outdoor lighting must be designed, baffled and located to the satisfaction of the City of Greater Geelong to prevent any adverse effect on adjoining properties.
33. Provision must be made on the land for the storage and collection of garbage and other solid waste. This area must be graded, drained and screened from public view to the satisfaction of the City of Greater Geelong.
34. The storage, removal and disposal of such/garbage refuse must be undertaken in such a manner so as to avoid any nuisance, pollution or loss amenity to the surrounding area and must at all times be to the satisfaction of the City of Greater Geelong.
35. All waste material must be regularly removed from the site to the satisfaction of the City of Greater Geelong.
36. Waste collection must occur between the hours 7am to 8pm Monday to Saturday and 9am to 8pm Sunday and public holidays.
37. Ensure compliance with any Commercial Noise regulations, Councils Local Laws and obtain permits where and when required.
38. The amenity of the area must not be detrimentally affected by the use or development through the:
- a) Transport of materials, goods or commodities to or from the land;
  - b) Appearance of any building, works or materials;
  - c) Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil;
  - d) Presence of vermin;
- to the satisfaction of the City of Greater Geelong.

**Building Appurtenances**

39. All building plant and equipment on the roofs and public thoroughfares must be concealed to the satisfaction of the City of Greater Geelong.

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**Victorian Health Building Authority conditions**

40. Should any cranes and associated construction equipment be used, at least five days prior to commencement of any development (including any demolition or excavation) or by such time as agreed by the Responsible Authority and Department of Health in writing, a Flight Path Construction Management Plan must be prepared and provided to the satisfaction of the Department of Health and be approved by the Responsible Authority. The Flight Path Construction Management Plan must:

- a) Include measures to minimise the impact of the construction of the building on the safe and unfettered operation of the Geelong Hospital helipad.
- b) Identify the location and height of any construction equipment, including cranes.

The management measures incorporated within the plan must be implemented during the construction of the building to the satisfaction of the Department of Health and the Responsible Authority.

41. Any cranes must also be lit in accordance with the Air Ambulance Victoria lighting requirements.

Crane	Lighting Requirement	
	Day	Night
Top of Crane	Medium intensity white obstruction light	Medium intensity red obstruction light
End of Jib	Medium intensity white obstruction light	Medium intensity red obstruction light
Along Jib	Line of white LED (weatherproof emergency fluoro with minimum 90 minute battery backup) on a PE cell along the full length of the jib.	
Tower Section	Stairway lights or spotlights attached to the top of the tower pointing down and onto the tower	

**Expiry**

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

- a) The development is not started within three years of the date of this permit.
- b) The development is not completed within six years of the date of this permit.
- c) This permit will expire if the use permitted is not commenced within 12 months on the completion of the development.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards.

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**USEFUL INFORMATION:**

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

1. 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.
2. All internal property drainage must be designed and constructed to satisfy AS/NZS 3500.
3. A Vehicle Crossing Permit must be obtained prior to commencement of works.
4. Prior to the occupation of the dwellings / commencement of use, the developer must construct the car park including accessways, surface with an all-weather sealed coat and line mark the car and accessways in accordance with the endorsed plans to the satisfaction of the City of Greater Geelong.
5. 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.
6. 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.

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**IMPORTANT INFORMATION ABOUT THIS PERMIT**

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**WHAT HAS BEEN DECIDED?**

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The responsible authority has issued a permit

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**CAN THE RESPONSIBLE AUTHORITY AMEND THIS PERMIT?**

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

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**WHEN DOES A PERMIT BEGIN?**

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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.

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**WHEN DOES A PERMIT EXPIRE?**

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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.

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**WHAT ABOUT REVIEWS?**

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- 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.

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