

## PLANNING PERMIT

<b>Permit No.:</b>	PA2201595
<b>Planning scheme:</b>	Greater Geelong Planning Scheme
<b>Responsible authority:</b>	Minister for Planning
<b>ADDRESS OF THE LAND:</b>	118 Corio Street and 2 Hays Place, Geelong  Formally known as: <ul style="list-style-type: none"><li>• Lot 1 on Title Plan 146639S</li><li>• Lots 1, 2 and 3 on Title Plan 959833N</li></ul>

### THE PERMIT ALLOWS:

<b>Planning scheme clause No.</b>	<b>Description of what is allowed</b>
	Construction of a 14 storey mixed-use building, use of the land for dwellings and a reduction in the car parking requirement.
37.08-2	Use the land for dwellings.
37.08-5	Construct a building or construct or carry out works.
52.06-3	Reduce the number of car parking spaces required under Clause 52.06-5.

### THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

#### Compliance with documents approved under this permit

1. 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.

#### Commencement

2. This permit will operate from the issued date of this permit.

Date issued: 22 July 2024 Signature for the responsible authority:



### Amended Plans

3. Before the development starts, excluding demolition, excavation, piling and site preparation works, amended plans must be submitted to and approved by the Responsible Authority. The plans must be drawn to scale and fully dimensioned including to show natural ground level, floor levels, wall and building heights and lengths, with heights to be expressed to Australian Height Datum (AHD). The plans must be generally in accordance with the architectural plans prepared by ArciWorx titled "Corio Street Development", Rev A and dated 8 February 2024 but modified to show:
- a) The ground floor front setback of the restaurant to Corio Street and Hays Place deleted and the built form pushed out to be on or within 200mm of the property boundary.
  - b) The floor-to-floor height of all podium levels (other than ground floor) increased to 3.5m. The ground floor-to-floor height should remain as 4.0m.
  - c) The ground floor residential lift lobby and lounge increased in size and pulled out to sit on or within 200mm of the Hays Place property boundary.
  - d) Deletion of the access ramps and steps along Cressy Place. An even grade is required from one end of the laneway to the other.
  - e) The deletion of the electric vehicle charger on Hays Place.
  - f) The specifications of the make and model of the turntables, car lift and car stacker/shuffling system.
  - g) The location of the controller box(es) for the turntables, car lifts and car stacker/shuffling system.
  - h) The specifications of the make and model of the retractable bollard.
  - i) Deletion of the pergola on Cressy Place.
  - j) Any changes required to achieve compliance with Condition 8 (Façade Strategy)
  - k) Any changes required to achieve compliance with Condition 21 (Wind Assessment).
  - l) Any changes required to achieve compliance with Condition 19 (Flood Assessment).
  - m) Internal dimensions of the dwellings demonstrating compliance with the standard at Clause 58.05-1 (Accessibility) of the Greater Geelong Planning Scheme.

### Layout and use of the development not to be altered

4. The use and development as shown on the endorsed plans must not be altered (unless the Greater Geelong Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.

### Amended Landscape Plan

5. Prior to the commencement of development, excluding demolition, excavation, piling and site preparation works, an amended landscape plan prepared by a suitably qualified or experienced person, to the satisfaction of the Responsible Authority, must be submitted to and approved by the Responsible Authority. The landscape plan must be generally in accordance with the landscape plan prepared by L.A Garnett and dated January 2024, be drawn to scale and show:

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- a) All changes to the design and layout of the building as required by Condition 3 for consistency with the endorsed development plans.
- 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) Landscaping and planting within all open areas of the site;
- d) Details of the drainage, irrigation and maintenance of planting areas; and,
- e) Details of access arrangements to landscaping areas so they can be appropriately maintained.

### **Completion of Landscaping**

6. Before the development is occupied, the landscaping shown on the approved landscape plan must be carried out and completed to the satisfaction of the Responsible Authority. The Responsible Authority may consent in writing to vary this requirement.

### **Landscaping Maintenance**

7. 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.

### **Façade Strategy & Materials and Finishes**

8. Concurrently with the endorsement of plans under Condition 3, a façade strategy must be approved and endorsed by the Responsible Authority. The façade strategy must be prepared to the satisfaction of the Responsible Authority, be drawn to scale and be generally in accordance with the plans prepared by ArciWorx titled 'Corio Street Development', Rev A and dated 8 February 2024, and must include:
  - a) Updates to the façade to allow for the changes required by Condition 3.
  - b) A simplified and cohesive façade design. The design must reduce the over articulation of the facade to provide uniform materiality that complements the linear and slender massing of the building.
  - c) Refinement of all public interfaces to enhance visual interest, depth, and tactility to create an engaging experience for pedestrians.
  - d) A concise description by the architect of the building design concept and how the façade works to achieve this.
  - e) A simplified schedule of colours, materials and finishes, including the colour, type and quality of materials showing their application and appearance. This must be demonstrated in coloured elevations or renders from key viewpoints, to show the materials and finishes, and linking them to a physical sample board with clear

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coding. Priority should be given to the selection of high-quality and durable materials.

- f) 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.
- g) 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.
- h) Information about how the façade will be accessed, maintained and cleaned.
- i) 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.
- j) Details of materials and finishes to demonstrate these will be of high quality, robust, and require low maintenance.

The development must be constructed in accordance with the façade strategy, to the satisfaction of the Responsible Authority.

### Reflectivity

- 9. Except with the written 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.

### Affordable Housing Section 173 Agreement

- 10. Before the development starts, excluding demolition, excavation, piling and site preparation works, the owner must enter into an agreement with the Responsible Authority under section 173 of the *Planning and Environment Act 1987*, to the satisfaction of the Responsible Authority, for the delivery of affordable housing (as defined in the *Planning and Environment Act 1987*). The agreement must:
  - a) Provide for the delivery of at least two of the total number of apartments for affordable housing as defined by Section 3AA of the *Planning and Environment Act 1987* before the development is occupied.
  - b) In respect of Condition 10a) and unless otherwise agreed by the Responsible Authority, utilise one or more of the following mechanisms for the delivery of the affordable housing:
    - i. Transferring dwellings within the development to a registered housing agency or housing provider or trust for an agreed value to the satisfaction of the Responsible Authority.
    - ii. Leasing of the dwellings as affordable housing under the management of a registered housing agency or housing provider or trust to the satisfaction of the Responsible Authority, for a period not less than 15 years (with the

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opportunity for review after a period of not less than 10 years of the agreement commencing).

- c) Require the affordable housing to be delivered:
- i. Within the development;
  - ii. Parking space allocated to each dwelling;
  - iii. Have internal layouts identical to other comparable dwellings in the building; and
  - iv. Be externally indistinguishable from other dwellings.

The owners of the land must pay all of the Responsible Authority reasonable legal costs and expenses of this agreement, including preparation, execution and registration on title.

### **Environmentally Sustainable Design**

11. Prior to the commencement of development, excluding demolition, excavation, piling and site preparation works, an amended Sustainability Management Plan (SMP) must be approved and endorsed by the Responsible Authority. The amended SMP must be prepared to the satisfaction of the Responsible Authority, be generally in accordance with the Sustainability Management Plan prepared by Geokal Services Pty Ltd and dated 22 November 2023 and must include:
- a) Any changes required for consistency with the plans endorsed under Condition 3 of this permit.
12. All works must be undertaken in accordance with the endorsed Sustainability Management Plan and stormwater management plan to the satisfaction of the Responsible Authority. No alterations to these plans may occur without the written consent of the Responsible Authority.
13. Prior to the issue of occupancy permit for any of the dwellings or issue of a Statement of Compliance, whichever comes first, a report from the author of Sustainability Management Plan (SMP) approved under this permit, or similarly qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm all measures specified in the endorsed Sustainability Management Plan (SMP) have been implemented in accordance with the approved Plan.

### **Drainage and Vehicular Access**

14. Prior to the issue of occupancy permit for any of the dwellings or issue of a Statement of Compliance, whichever comes first, the developer must:
- a) Construct the site stormwater system including separate connection for into the underground drain in Corio Street via the existing SEP, or other nominated point/s as approved by the Greater Geelong City Council. 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.

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- 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 absent kerb and channel across the full frontage of Hays Place abutting the development.
- e) Construct absent kerb and channel across the full frontage of Hays Place abutting the development.
- f) Construct a minimum 1.0 m wide, 125mm thick concrete footpath path across the full frontage of the development with positive fall from the property boundary to kerb and channel.
- g) Install street lighting in Cressy Place to from Malop Street to Corio Street.
- h) Profile out the pavement and re-instate with asphalt for the full width of Hays Place and any service trenches in the roadway of Corio Street and Cressy Place.
- i) Remove all power poles in Hays Place and place all electrical servicing underground.
- j) Provide a Functional Layout Plan of Hays Place to show that all existing car parking on the development side to be removed and demonstrate how that side of the road can be designated as a 'No Stopping' zone without having to place signs in the footpath. This also includes the existing post that contains the symbolic 'Left Turn Only' sign.

all to the satisfaction of the City of Greater Geelong.

### **Car Parking**

15. Prior to the use of the development, the developer must construct the car parking in accordance with the endorsed plans to the satisfaction of the Responsible Authority.

### **Stormwater Quality and Management**

16. The site 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 Greater Geelong City Council. The Water Treatment Facility must be maintained to the satisfaction of the Council.

to the Satisfaction of the Council.

### **Streetscape Plan**

17. Prior to the commencement of development, excluding demolition, excavation, piling and site preparation works, a Streetscape Plan is required prepared by a suitably qualified or experienced person and must be submitted and approved by and to the satisfaction of the City of Greater Geelong. The plan must adhere to the *Central Geelong Public Realm*

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*Framework 2017* (or any subsequent amendments) and must include a scope of work that encompasses at minimum area from the property boundary to the front of the kerb. The plan must include details of:

- a) Any proposed new council assets.
- b) Materials and details of all surface finishes.
- c) Materials and details of kerbs and channels.
- d) Existing and proposed finished surface levels.
- e) Tactile surface ground indicators and kerb ramps.
- f) Any stormwater management measures, including permeable paving, rain gardens, or other sustainable drainage elements.
- g) Road works including pedestrian crossings and changes to parking, including parking signs.
- h) All vehicle crossings in accordance with council standards
- i) Lighting
- j) Smart city infrastructure (WIFI nodes/ charging points)
- k) Public furniture, such as seating, bollards, bike racks, drinking fountains, rubbish bins,
- l) Planting layout including existing trees to be retained/ removed and proposed vegetation.
- m) Planting schedule for trees, shrubs, and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
- n) Any signage elements including the location, size, and design concept.
- o) Any public art including the location, size, and design concept.
- p) 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.
- q) Longitudinal sections at all entry/exit points showing design levels, grades/transition, flood protection and headroom clearance.

Once approved by the Council, the plan must be submitted to the Minister for Planning for endorsement to form part of the permit.

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

### **Flood Assessment**

19. Prior to the commencement of development, excluding demolition, excavation, piling and site preparation works, a detailed flood assessment must be prepared by a suitably qualified professional to the satisfaction of the Responsible Authority in consultation with Greater Geelong City Council. The assessment must show that there are no adverse impacts on upstream and downstream properties caused by the proposed development.

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Any construction/mitigation measures recommended by the flood assessment must be shown on the endorsed development plans. When approved, the flood assessment will be endorsed to form part of the permit.

### **Waste Management**

20. Waste must be stored and collected generally in accordance with the endorsed Waste Management Plan prepared by WGA, Rev D dated 23 November 2023 to the satisfaction of the Responsible Authority. The Responsible Authority may consent in writing to vary this requirement.

### **Amended Wind Assessment**

21. Prior to the commencement of development, excluding demolition, excavation, piling and site preparation works, an amended wind assessment must be approved and endorsed by the Responsible Authority. The report must be generally in accordance with the Pedestrian Level Wind Study report prepared by Global Wind Technology Services and dated 6 February 2024, but amended to show the following details:

- a) Any changes to the development required under Condition 3 of this permit;
- b) Any further modifications and mitigation measures required to the development to ensure acceptable wind conditions to the surrounding streets and public areas; and,
- c) Wind impact and any mitigation measures on external balconies/communal open spaces;

in accordance with wind effects requirements at Schedule 1 to Clause 37.08 (Activity Centre Zone) of the Greater Geelong Planning Scheme.

The recommendations of the wind assessment must be implemented to the satisfaction of the Responsible Authority.

### **Permit Expiry**

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

- a) The development is not started within 3 years of the issued date of this permit.
- b) The development is not completed within 6 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*, the responsible authority may extend the permit if a request is made in writing before the permit expires, or within six months afterwards. The Responsible Authority may extend the time for completion of the development if a request is made in writing within twelve months after the permit expires and the development started lawfully before the permit expired.

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**USEFUL INFORMATION:**

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

- The land is affected by two Victorian Heritage Inventory (VHI) listings:
  - H7721-0503 (118 Corio Street)
  - H7721-0504 (2 Hays Place)

Engagement with Heritage Victoria is recommended to confirm whether any additional consent is required under the *Heritage Act 2017* prior to the commencement of any works - <https://www.heritage.vic.gov.au/>.

- 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.
- All internal property drainage must be designed and constructed to satisfy AS/NZS 3500.
- A Vehicle Crossing Permit must be obtained from Council prior to commencement of works.
- An adjusted Council Residential Waste Service Charge will still be payable even though a Private Waste Contractor will provide the residential recycling and waste collection services for the development.
- The property is in an area 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. 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.
- Any formed bluestones removed from the site and laneway shall be taken to Council's Belmont Depot for storage.

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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.

(Note: This is not a permit granted under Division 5 or 6 of Part 4 of the **Planning and Environment Act 1987**.)

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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.

Date issued: 22 July 2024 Signature for the responsible authority:

