

CITY OF GREATER GEELONG

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1 August 2023

Novo Planning
PO BOX 8151
NEWTOWN VIC 3220

PP: PP-1313-2008/D

Dear Sir/Madam

Re: Planning Permit Application No.: PP-1313-2008/D
Address: 222 Torquay Road, and 1 and 2/5 Gallagher Close, Grovedale
Proposal: Use and Development of Land for a Medical Centre and Construction of Associated Buildings and Works including a Rear Two (2) Storey Extension, Partial Waiver of Car Parking Requirement and Alteration to Access to a Road Zone Category 1

I refer to the Planning Permit described above and wish to advise that the Permit has been corrected pursuant to Section 71(1) (a) of the Planning and Environment Act 1987 due to a clerical error.

Please find enclosed a copy of the corrected Planning Permit.

Should you require any further information please contact **Clara Gartland** on **03 5272 4546** or **Clara.Gartland@geelongcity.vic.gov.au**

Yours sincerely

A handwritten signature in blue ink that reads "Clara Gartland".

STATUTORY PLANNER

STATUTORY PLANNING
WURRIKI NYAL
WADAWURRUNG COUNTRY
137-149 MERCER STREET GEELONG

Useful information

Please note, this planning permit gives permission for your use and/ or development pursuant to the *Planning and Environment Act 1987* and the *Greater Geelong Planning Scheme*. However it is likely that a number of other permits/ other approvals will also be required including:

Building Permits/ Consents

Whether you are planning to undertake a small change to your home, such as putting up a fence or extending your house, or have a large development project, or are proposing to change the use of your land, you may require a Building Permit. Building permits may be obtained from Council or a Private Building Surveyor. It is also possible that a Building Consent could be required for your development, these consents can only be issued by Council. Before you begin any construction works or change the use of a building, you must determine whether a Building Permit is required.

Building Over Easements

Council's Building Department is responsible for the issue of consents for construction over easements, please contact Council's Building Services Unit on 5272 4450 for further information. Consent may also be required to build over easements which affect other agencies (eg Powercor or Barwon Water).

Environmental Health Permits

If you are planning to operate a food/ drink or health business it is important that your business complies with all relevant regulations to ensure the public health of the municipality is protected. If you are located on an unsewered property, the applicant or owner of the land will be required to submit an 'Application to Install a Septic Tank System'. In order to obtain a permit to install a septic tank system and for further information about these permits and obligations please contact Council's Environmental Health Unit on 5272 4411.

Vehicle Crossing Permit

A permit is required from Council's Engineering Services Unit to construct or alter a vehicle crossing in the road reserve outside your title boundary. Please contact Council's Engineers on 5272 4426 for further information.

Road Opening Permit

A permit is required from Council's Engineering Services Unit for any works in the road reserve. Please contact Council's Engineers on 5272 4426 for further information.

Asset Protection Permit

A permit is required from Council's Engineering Services Unit to ensure no damage occurs to our infrastructure during construction. Our infrastructure assets include anything outside the property boundary such as: footpaths, naturestrips, laneways and kerb and channel. Please contact Council's Engineers on 5272 4426.

Tree Removal and Planting Permit (for trees in the road reserve)

Council approval is required for tree removal or pruning and planting trees or plants in the road reserve. Please contact Council's Parks and Support Services Unit on 5272 4827 for further information.

Engineering

It is possible that you will require Council to nominate your Legal Point of Discharge if you are building or redeveloping your site. If you are required to submit drainage/ detailed engineering design plans it is possible that you will need to pay design checking and supervision fees. Please contact Council's Engineering Services Unit on 5272 4426 for further information.

Liquor Licence

A Planning Permit is often confused with a Liquor Licence. A Liquor Licence can only be issued by Liquor Licensing Victoria, however the process requires that Council's regulations are met first. Please contact Liquor Licensing Victoria on 1300 558 181 for further information.

Use of Public Land (eg footpaths)

Council approval is required to use public land (eg alfresco trading, signage etc), please contact Council's Local Laws Unit on 5272 5272 for more information.

Other

Other permits/ permissions may be required in addition to those listed above. It is the responsibility of those doing the work to ensure that all relevant permits and permissions have been obtained.

It is important that no building works or change of use commences prior to obtaining all the necessary permits and consents. Failure to comply may be an offence and could lead to financial penalty and litigation.

PLANNING PERMIT

Permit No. PP-1313-2008/D
Planning Scheme Greater Geelong Planning Scheme
Responsible Authority Greater Geelong City Council

ADDRESS OF THE LAND 222 TORQUAY ROAD, AND 1 AND 2/5 GALLAGHER CLOSE, GROVEDALE

THE PERMIT ALLOWS USE AND DEVELOPMENT OF LAND FOR A MEDICAL CENTRE AND CONSTRUCTION OF ASSOCIATED BUILDINGS AND WORKS INCLUDING A REAR TWO (2) STOREY EXTENSION, PARTIAL WAIVER OF CAR PARKING REQUIREMENT AND ALTERATION TO ACCESS TO A ROAD ZONE CATEGORY 1 GENERALLY IN ACCORDANCE WITH THE ENDORSED PLANS

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

AMENDED PLANS

1. Before the use and development approved by permit PP-1313-2008D commences, 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 three copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
 - a) Deleted
 - b) Deleted
 - c) Deleted
 - d) Deleted.
 - e) Deleted.
 - f) Removal of motorcycle parking. This area to provide landscaping and one additional car park
 - g) Show external shading that will be used for all the east and west windows in accordance with the provided BESS report
 - h) Signs to be placed on car spaces 34-41 identifying these spaces for use by 'staff only'

ENDORSED PLANS

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

Date Issued: 3 February 2009

Signature of the
Responsible Authority:



CONDITIONS OF PLANNING PERMIT NUMBER PP-1313-2008/D CONTINUED

MEDICAL CENTRE

3. The Medical Centre permitted by this permit must only operate between the following times:

- 8:00am - 8:00pm Monday to Friday
- 8:00am – 6:00pm Saturday
- 8:00am – 12:00pm Sunday

The use of the Medical Centre outside these hours must be restricted to emergency cases only.

4. At no time may more than 16 practitioners operate or conduct consultations in the premises at any one time, to the satisfaction of the Responsible Authority.
5. Medical waste must be stored and disposed of in accordance with the requirements of the Environment Protection Authority.
6. The pharmacy/ medical dispensary use must remain ancillary to the medical centre use at all times to the satisfaction of the Responsible Authority. Retail goods made available for sale must be restricted to medical products only.
7. Before commencement of works approved under permit 1313/2008/A (or any subsequent amendment), the existing timber paling fence constructed along the boundary between the subject land and 4 Gallagher Close is to be extended to the northeast corner of the site. The fence extension is to be constructed to match the height of the existing fence and at the full cost of the developer.

LIGHTING

8. Exterior lights must be installed in such positions so as to effectively illuminate all pertinent public areas, without spilling onto the road reserve or adjoining land, and must be connected to a time clock switch or other approved system to the satisfaction of the Responsible Authority.

DISABLED ACCESS

9. Prior to the occupation of the permitted buildings, access for disabled persons must be provided to the site and buildings. All work carried out to provide such access must be constructed in accordance with the relevant Australian Standard for such access.

CONDITIONS OF PLANNING PERMIT NUMBER PP-1313-2008/D CONTINUED

LANDSCAPING

10. Before the development associated with PP-1313-2008/D commences, a landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. This plan must be prepared by a qualified Landscape Architect who is a member of the Australian Institute of Landscape Architects, or a person with a suitable background in horticultural science or an allied field to the satisfaction of the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show:
- a) A survey (including botanical names) of all existing vegetation to be retained and/ or removed.
 - b) Details of surface finishes of pathways and driveways.
 - c) 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.
 - d) Landscaping and planting within all open areas of the site.
 - e) At least some plants which are indigenous to the Geelong region.
 - f) Provision of screening vegetation with a minimum mature height of 3 metres along the south boundary adjacent to the two-storey component of the building.
 - g) Provision of screening vegetation with a minimum mature height of 3 metres along all boundaries between the residential properties and proposed carparking areas

All species selected must be to the satisfaction of the Responsible Authority.

11. Before the use of the development starts as approved by PP-1313-2008/D, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
12. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.

CONDITIONS OF PLANNING PERMIT NUMBER PP-1313-2008/D CONTINUED**DRAINAGE, ACCESS AND CARPARKING**

13. Prior to the commencement of the development hereby approved, engineer designed drainage plans prepared by a qualified person must be submitted to and approved by the Responsible Authority. When approved the plans shall form part of this permit. These plans must show that the design for the drainage system complies with relevant City of Greater Geelong Standards, Australian Rainfall and Runoff, Australian Standards (in particular AS 3500), WSUD Engineering Procedures: Stormwater - CSIRO, and any other approved technical publications relevant to the development, demonstrating that the system caters for the development in accordance with the following design criteria:

- a) Site run-off shall be limited to pre-developed flow for rainfall events up to and including the critical 10 year ARI event;
- b) An appropriate on site detention system shall be designed and installed to limit site run-off to the designated level; and
- c) Runoff from all new Hardstand Car Parking Areas and accessways shall be treated to achieve current best practice pollutant removal targets by the implementation and operation of Water Sensitive Urban Design (WSUD) features, with capacity to treat at least a 3 month ARI storm event;

all to the satisfaction of the Responsible Authority.

14. The Legal Point of Discharge for the site shall be to the 300mm diameter drain located in Gallagher Close, near the north east corner of the property, or other nominated point/s by the Responsible Authority.

15. All internal property drainage must be designed and constructed to satisfy AS/NZS 3500.

16. All WSUD features must be designed, constructed and maintained to the satisfaction of the Responsible Authority.

17. Prior to the commencement of the use of the site authorised by the Permit, the developer shall:

- a) Construct the site drainage system, including any hard stand treatment facility in accordance with the approved engineering plans;
- b) Construct the vehicular crossing in accordance with the requirements and standards of VicRoads and the City of Greater Geelong via relevant VicRoads and Council Permits. Any redundant crossing is to be replaced with kerb and channel, to match existing. All nature strip trees, power poles, and drainage pits within the road reserve are to be at least one metre clear of driveways and kerb and channel;
- c) Construct and drain the car park including accessways, surfaced with an all-weather sealed coat in accordance with the approved engineering plans;
- d) linemark the carparking spaces and accessways in accordance with the approved car parking plan;

all to the satisfaction of the Responsible Authority.

18. All construction works associated with this development must be undertaken in accordance with the endorsed plans to the satisfaction of the Responsible Authority.

Date Issued: 3 February 2009

Signature of the
Responsible Authority:



CONDITIONS OF PLANNING PERMIT NUMBER PP-1313-2008/D CONTINUED

19. During construction measures must be taken to ensure that no polluted and/or sediment laden runoff is to be discharged directly or indirectly into Council's drains or watercourses. Plans detailing such measures are to be forwarded to the Responsible Authority for approval prior to any construction.
20. There is to be no vehicle or pedestrian access between the subject site and Gallagher Close during construction or post-construction.

Pump System

21. Unless otherwise approved by the Responsible Authority and prior to the Commencement of the Development / Issuing of Statement of Compliance, 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.

Environmentally Sustainable Development

22. Before the use and development commences, 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. The plans must be generally in accordance with the plans received 24 May 2023 but modified to show:
- a) Initiatives contained within the Sustainable Management Plan along with the proposed changes, including:
 - i. It needs to be clearly stated on the plans that external shading will be used for all the east and west. Otherwise, BESS credit of IEQ 3.4 – Thermal Comfort – shading-non-Residential must be removed from BESS report.
 - ii. BESS credit of 4.1 - Building Systems Water Use Reduction must be removed from BESS report.

If a BESS report is included as part of the ESD report, the BESS report must achieve an overall score of 50% or higher unless approved with the written consent of the Responsible Authority.

- b) All works must be undertaken in accordance with the submitted Plan, ESD report 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. The other conditions are as below:
 - i. The applicant will need to provide revised BESS report. The BESS report must achieve an overall score of 50% or higher.

Date Issued: 3 February 2009

Signature of the
Responsible Authority:



CONDITIONS OF PLANNING PERMIT NUMBER PP-1313-2008/D CONTINUED**GENERAL**

23. 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, 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.

VICROADS CONDITIONS

24. Prior to the development coming into use the existing vehicular crossover shall be upgraded in accordance with the submitted plans to the satisfaction of VicRoads and the Responsible Authority.
25. The entrance to the development shall be appropriately signed to advise patrons of the left out only vehicle movement on departure from the site. A "One Way" sign (R2-2 L) shall be placed facing the entrance on the Torquay Road median opposite the entrance and a "Single Direction Only" sign (R2-14 L) shall be placed within the site entrance.
26. The entrance shall be linemarked to delineate the driveway centreline.
27. Landscaping at the property entrance shall be designed such that sight lines for departing vehicles and pedestrians in Torquay Road are not affected.

Expiry

28. This permit will expire if one of the following circumstances applies:
- a) The development approved under PP-1313-2008/D is not started within two years of the date of amendment.
 - b) The development is not completed within four years of the date of amendment.

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

On the 1st August 2023 this Planning Permit has been amended pursuant to Section 71(a) of the Planning and Environment Act 1987 to correct a clerical error in that.

- The permit expired for development on the 3 February 2014, additional development was approved by the amended planning permit PP-1313-2008/D. With the current wording of the expiry the development would not be permitted.

Date Issued: 3 February 2009

Signature of the
Responsible Authority:



CONDITIONS OF PLANNING PERMIT NUMBER PP-1313-2008/D CONTINUED

THIS PERMIT HAS BEEN AMENDED AS FOLLOWS:

Date of amendment	Brief description of amendment	Name of Responsible Authority that approved the amendment
3 February 2010	<p>The permit has been amended to allow</p> <ul style="list-style-type: none"> ▪ Altered permit preamble including two storey rear extension and reduction of the car parking requirement; ▪ Amend Condition 1 b) to require 5 bicycle spaces; ▪ Delete Condition 1 c). ▪ Insert new Condition 1 d) to require pedestrian linemarking; ▪ Insert new Condition 1 e) to increase height of southern boundary landscaping; ▪ Amend Condition 4 to allow 12 practitioners to operate from the site at any one time; ▪ Insert new Condition 7 to extend fencing along entire east boundary; ▪ Insert new Condition 10 f) to increase height of southern boundary landscaping; ▪ Insert New Condition 18 to ensure works are undertaken in accordance with endorsed plans; ▪ Insert new Condition 19 to prevent polluted runoff from being discharged into drains and watercourses; ▪ Insert new Condition 20 to prevent access from Gallagher Close; ▪ All conditions renumbered accordingly; ▪ Construction of a 2 storey rear extension including 15 ground floor surgery/consulting rooms, ancillary medical rooms, pharmacy, coffee shop, offices and boardroom; ▪ The connecting walkway between the German Cottage and rear building sealed at the eastern end to prevent access; <p>Provision of an additional 27 car spaces</p>	City of Greater Geelong
21 November 2012	<p>The permit has been amended to allow</p> <ul style="list-style-type: none"> • Demolition of the enclosed walkway link, • Demolition and replacement of the existing building at the rear of the German Cottage with a contemporary new building. 	City of Greater Geelong

Date Issued: 3 February 2009

Signature of the
Responsible Authority:



CONDITIONS OF PLANNING PERMIT NUMBER PP-1313-2008/D CONTINUED

1 April 2014	The permit has been amended to allow Changes to Condition 3 to vary operating hours.	City of Greater Geelong
1 August 2023	The permit has been amended to allow <ul style="list-style-type: none"> • To include 1&2/5 Gallagher Close and common property to be used for car parking • Extension to the medical centre building • Amend condition 1 to refer to PP-1313-2008/D • Delete condition 1 a) which required amended plans to show bicycle parking • Delete condition 1 b) which required amended plans to show bicycle parking • Delete condition 1 d) which required amended plans to show pedestrian walkway • Delete condition 1 e) which required updated landscaping plans • Insert condition 1 f) to require amended plans to remove motorcycle parking and require landscaping in this area • Insert condition 1 g) to require plans to show external shading • Insert condition 1 h) to require signage to show staff parking area • Amend condition 4 to allow 16 practitioners • Insert condition 10(g) to require additional landscaping • Insert condition 21 to require a pump system • Insert condition 22 to relating to ESD requirements • Renumbering conditions 21-26 	City of Greater Geelong

THIS PERMIT HAS BEEN EXTENDED AS FOLLOWS:

Date	Brief Description
19 April 2011	Planning Permit 1313/2008/A was extended by the City of Greater Geelong. The development must now commence by 3 February 2012 and be completed by 3 February 2014.

Note 1: 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.

Note 2: The words "date of this permit" in any expiry condition of this permit refers to the date of issue of the "original" permit (and not the date of the amendment of this permit).

Date Issued: 3 February 2009

Signature of the
Responsible Authority:


IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

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.

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 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?

- * 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.