City of Greater Geelong, Statutory Planning - Date Received 20/10/2026

Planning Report

Allot. 31 Sec. 86A Township of Geelong
95 Eastern Beach Road (39 Ritchie Boulevarde)
Geelong

Retail Premises (Food and Drink Premises – Food Truck)

Ref No : 3044 01996

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Attachments

Attachment 1	Copy of Title
Attachment 2	COGG Letter of Offer – 17.8.2026
Attachment 3	Plans
Attachment 4	Land Managers Consent – 8.9.2026

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1 Introduction

Stantec has been engaged to prepare a Planning Permit Application for Retail Premises, Food and Drink Premises (mobile food truck) at Site 15, Geelong Waterfront.

2 Permit Triggers

A permit is required for the above proposal under the following provisions of the Planning Scheme :

>	**Public Park and Recreation Zone**	36.02-1	Use of Retail Premises
		36.02-2	Construction of Buildings or Works
>	**Land Subject to Inundation Overlay**	44.04-1	Construction of Buildings or Works

3 Subject Site and Context

The subject site is located on the Geelong Waterfront foreshore reserve, to the east of the existing ferris wheel. The land is Crown Land and identified as Vol. 11796, Fol. 732, Crown Folio, Crown Allotment 31, Section 86A ,City of Geelong, Parish of Corio. The land is irregular in shape and extends into Corio Bay.

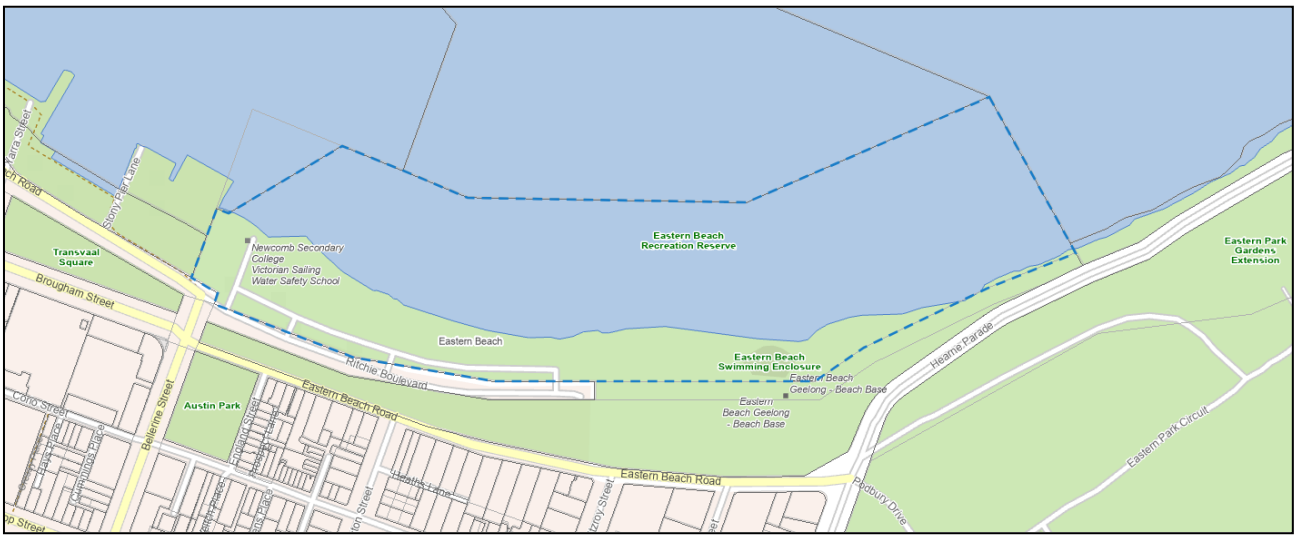


Figure 1 – Locality Plan – *Vic*Plan

The area is currently developed for community, sporting and recreation purposes.

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Figure 2 – Aerial of Site – "Nearmap Vertical Imagery" © 13 September 2026 Nearmap Australia Pty Ltd

The subject site and all surrounding land to the north, south and east are included within the Public Park and Recreation Zone, while land immediately to the west is included within the Activity Centre Zone. The subject site is also included within Heritage, Design and Development, Land Subject to Inundation and the Specific Controls Overlays.

Surrounding roads are fully constructed with kerb and channel and footpaths.

4 Proposal

It is proposed to place a temporary structure, food truck, on an existing grassed area to the east of the existing ferris wheel, to the north of Ritchie Boulevarde. The food truck will be seasonal and consistent with Council's letter of offer. Refer Attachment 2. Our Client has advised that Council is yet to issue the formal lease/licence over the site.



Figure 3 – Aerial of Location – "Nearmap Vertical Imagery" © 13 September 2026 Nearmap Australia Pty Ltd

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The truck will operate from the site as follows:

> December to February, Public Holidays and School Holidays, 7 days, 11am to 3pm.

> March to November, 7 days, Monday - Thursday 11am - 10pm, Friday - Sunday 11am - 12:00am

The structure will be on wheels, temporary in nature and will provide its own gas and power supply by way of bottled gas and diesel generator.



Figure 4 – Concept of Design

Refer to Attachment 3 for further details.

5 Zoning

5.1 Public Park and Recreation Zone

The subject site is situated within the Public Park and Recreation Zone.

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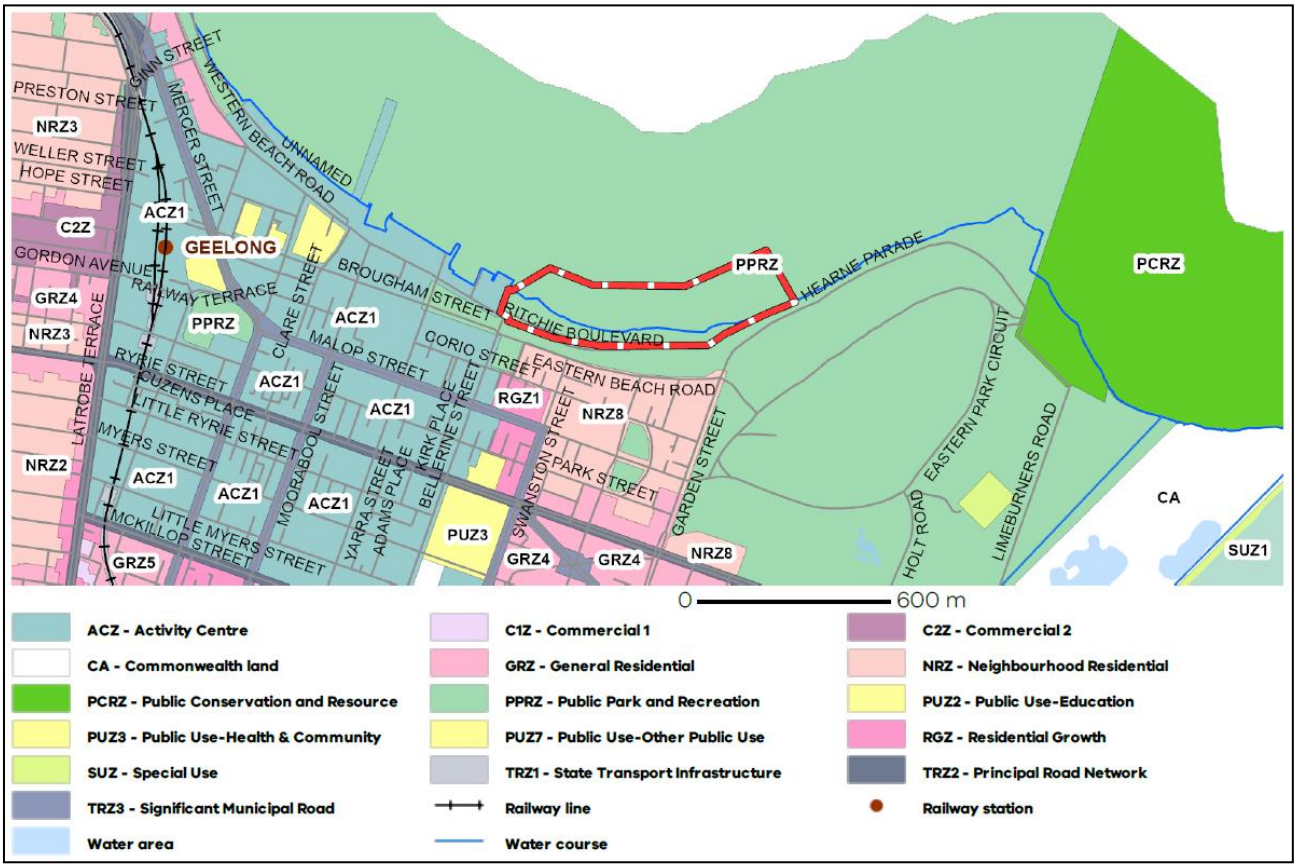


Figure 5 – Zoning Map – *Vic*Plan

The purpose of the Public Park and Recreation Zone is:

> To implement the Municipal Planning Strategy and the Planning Policy Framework.

> To recognise areas for public recreation and open space.

> To protect and conserve areas of significance where appropriate.

> To provide for commercial uses where appropriate.

5.1.1 Use

The use is defined as a 'Food and Drink Premises' which is included within the broader definition of 'Retail Premises'.

A retail premises is a Section 2, permit required, use under the table of uses to Clause 36.02-1 to the Public Park and Recreation Zone.

5.1.2 Application Requirements

Under the provisions of Clause 63.02-3, an application for a permit by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally either:

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> To the application for permit being made.

> To the application for permit being made and to the proposed use or development.

5.1.3 Buildings and Works

Under the provisions of Clause 63.02-2, a permit is required to construct a building or construct or carry out works on land included within the Public Park and Recreation Zone.

5.1.4 Decision Guidelines

Decision guidelines reletruckt to this proposal are as follows:

> The Municipal Planning Strategy and the Planning Policy Framework.

> The comments of any public land manager or other relevant land manager having responsibility for the care or management of the land or adjacent land.

> Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.

***Response**: Council, as land manager of Crown land, has provided written consent to the lodging of any planning applications required, including a Planning Permit application. Refer Attachment 4, Council correspondence of the 8th September, 2026.*

The proposal is considered to be consistent with the purpose of the zone in providing a commercial use in an area of the foreshore containing other commercial activities and providing engagement and activities for users of the foreshore. In addition, this application is in response to Council's expression of interest to establish food vending operations on the foreshore to encourage and promote vibrant activity on the foreshore.

The use and structure are temporary and seasonal in nature. No physical building construction works will be required, however Council has advised a permit is required for works on the land.

6 Overlays

6.1 Heritage Overlay

The subject site is also included within the Heritage Overlay – HO903, Eastern Beach Bathing Complex and Reserve.

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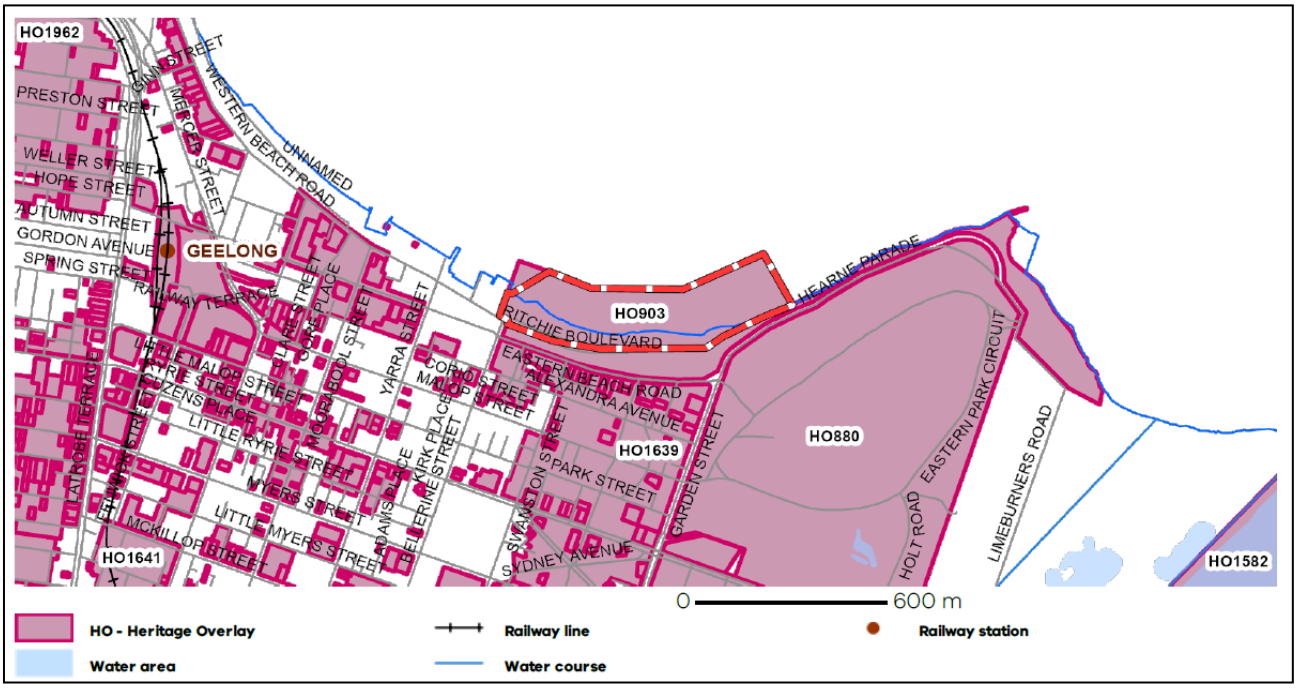


Figure 6 – Heritage Overlay – *Vic*Plan

The purpose of the Heritage Overlay, is :

> To implement the Municipal Planning Strategy and the Planning Policy Framework.

> To conserve and enhance heritage places of natural or cultural significance.

> To conserve and enhance those elements which contribute to the significance of heritage places.

> To ensure that development does not adversely affect the significance of heritage places.

> To conserve specified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.

6.1.1 Buildings and Works

Under the provisions of Clause 43.01-1, a permit is required to construct a building or carry out works. Clause 43.01-3 states that no permit is required under this overlay to develop a heritage place which is included in the Victorian Heritage Register, other than an application to subdivide a heritage place of which all or part is included in the Victorian Heritage Register. The site is identified on the Victorian Heritage Register as 'Ref. No. H929' Eastern Beach Bathing Complex and Reserve.

***Response**: No permit is therefore required under the provisions of the Heritage Overlay in this particular instance.*

6.2 Design and Development Overlay

A portion of the subject site is also included within the Design and Development Overlay – Schedule 36 – Emergency Medical Service (Ems) Helicopter Flight Path Area (H3 – Rooftop Helipad).

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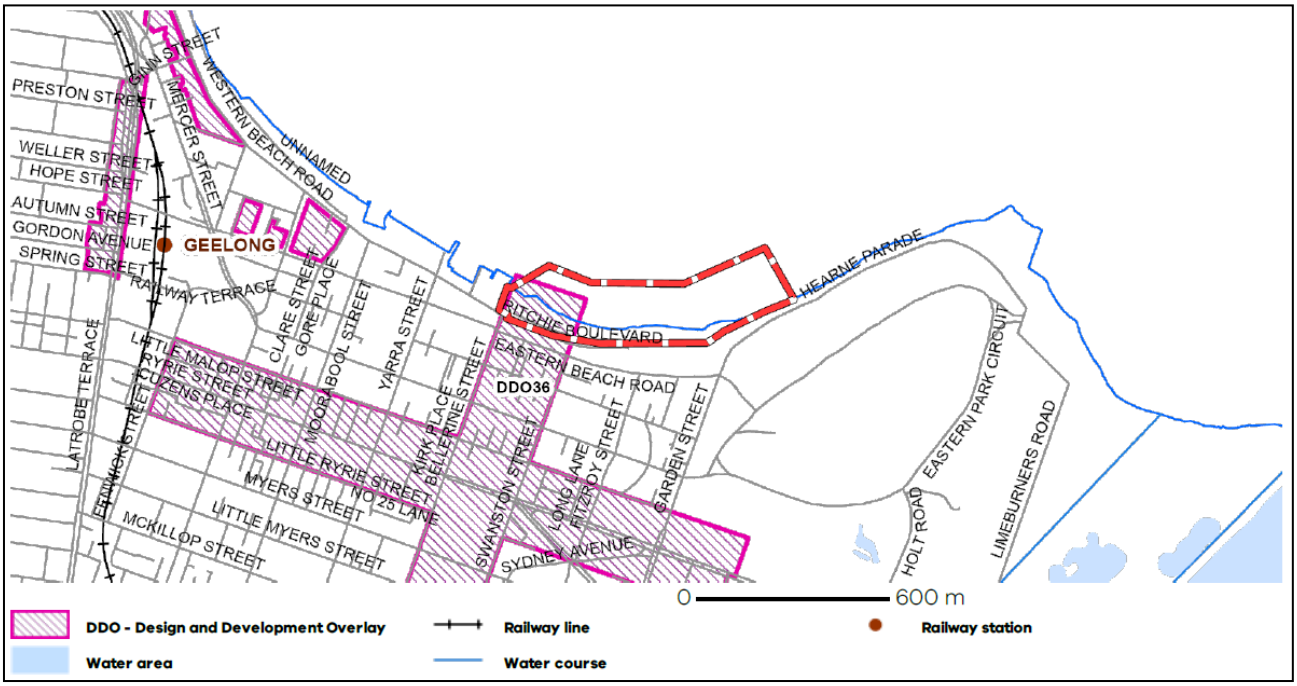


Figure 7 – Design and Development Overlay – *Vic*Plan

The purpose of the Design and Development Overlay, is :

> To implement the Municipal Planning Strategy and the Planning Policy Framework.

> To identify areas which are affected by specific requirements relating to the design and built form of new development.

6.2.1 Buildings and Works

Under the provisions of Clause 43.02-2, a permit is required to construct a building or construct or carry out works. This does not apply if a schedule to this overlay specifically states that a permit is not required.

Clause 2.0 to Schedule 36 states that a permit is not required to construct a building or to construct or carry out works with a constructed height that is not more than 25.0 metres above ground level.

***Response**: The proposed seasonal food truck will not exceed 25 metres above ground level. The provisions of this clause are therefore not applicable in this instance.*

6.3 Land Subject to Inundation Overlay

A portion of the subject site is also included within the Land Subject to Inundation Overlay – Schedule 2 – Coastal Inundation and Hazard.

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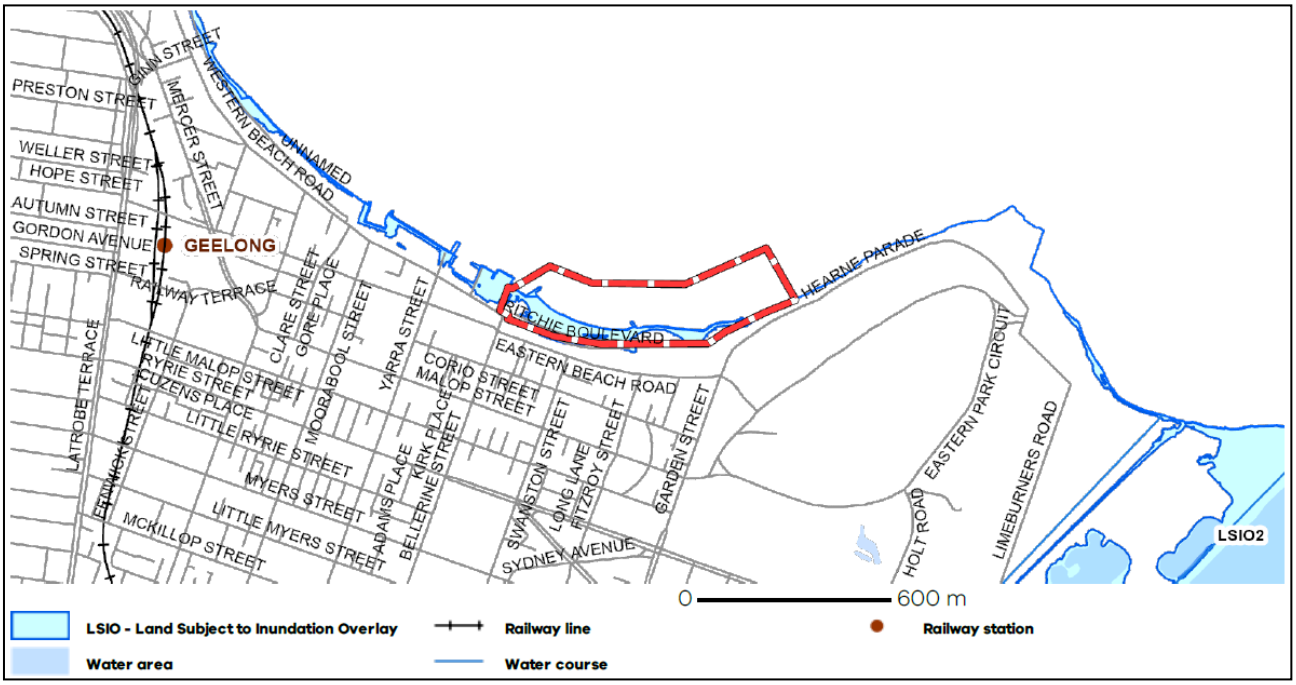


Figure 8 – Land Subject to Inundation Overlay – *Vic*Plan

The purpose of the Land Subject to Inundation Overlay, is :

> To implement the Municipal Planning Strategy and the Planning Policy Framework.

> To identify flood prone land in a riverine or coastal area affected by the 1 in 100 (1 per cent Annual Exceedance Probability) year flood or any other area determined by the floodplain management authority.

> To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, responds to the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.

> To minimise the potential flood risk to life, health and safety associated with development.

> To reflect a declaration under Division 4 of Part 10 of the Water Act, 1989 .

> To protect water quality and waterways as natural resources by managing urban stormwater, protecting water supply catchment areas, and managing saline discharges to minimise the risks to the environmental quality of water and groundwater.

> To ensure that development maintains or improves river, marine, coastal and wetland health, waterway protection and floodplain health.

\

6.3.1 Buildings and Works

Under the provisions of Clause 44.04-2, a permit is required to construct a building or construct or carry out works.

***Response**: The structure is temporary and seasonal in nature. No physical building construction works will be required, however Council has advised a permit is required for works on the land. The truck will be mobile and sitting on wheels, thereby not impeding the flow of any tidal movement.*

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6.4 Specific Controls Overlay

A portion of the subject site is also included within the Specific Controls Overlay, Map Reference SCO2 - Geelong Waterfront Safe Harbour Precinct Project Incorporated Document, July 2019.

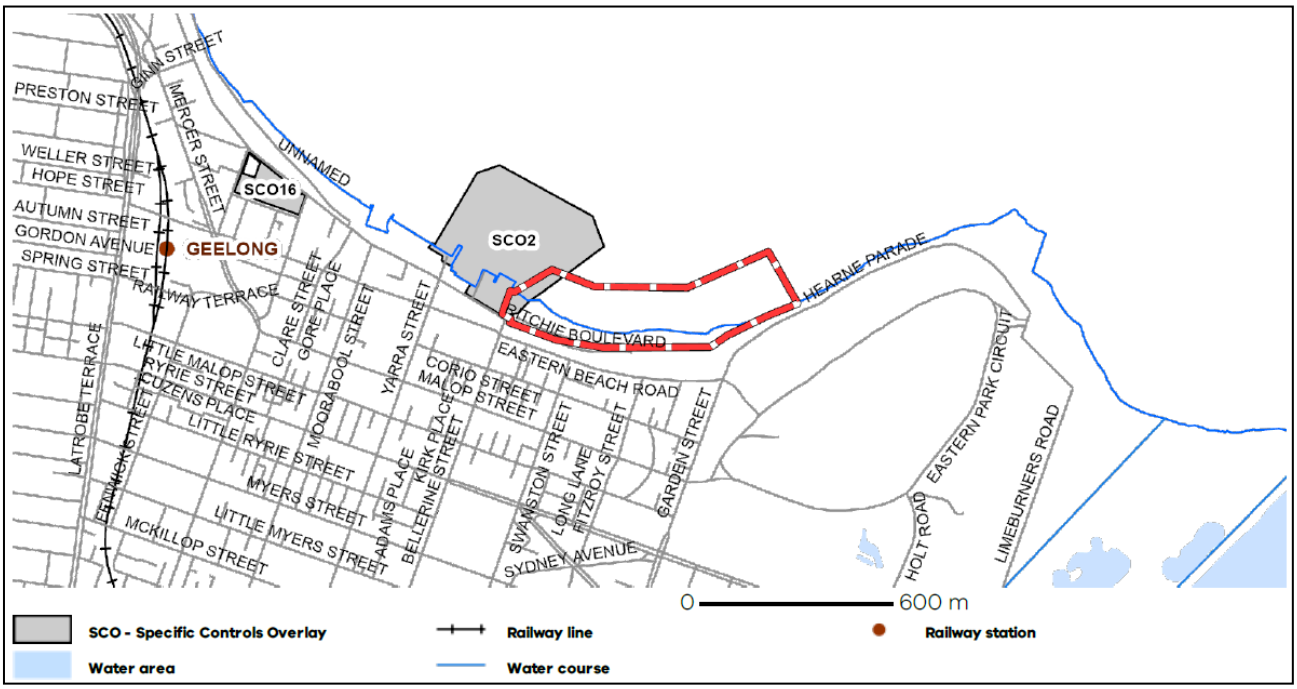


Figure 9 – Specific Controls Overlay – *Vic*Plan

The purpose of the Specific Controls Overlay is to apply specific controls designed to achieve a particular land use and development outcome in extraordinary circumstances.

***Response**: Council advised in their response to Pre-Application Meeting that* "There are no implications as part of this planning application. The works are outside the Specific Control Overlay, that implement the Incorporated Document".

7 Particular Provisions

7.1 Signs

Under Clause 36.02-8, sign requirements within the Public Park and Recreation Zone are a Category 4. Clause 52.05-14 of the Planning Scheme specifies that a business identification sign is a Section 2 sign. A condition placed against business identification signs are that the total display area to each premises must not exceed 3 square metres.

***Response**: The 'front' of the truck will contain the business name 'Kebabs on High'. The total area of the business identification sign will not exceed 3 square metres. The surrounds of the truck will be fitted with securing lighting directed to the ground to ensure the space surrounding the truck is adequately lit, particularly for night time trading. This type of sign is considered to be consistent with other business identification signage installed in the vicinity.*

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7.2 Carparking

Under the provisions of Clause 52.06.2, before a new use commences the minimum number of car parking spaces required under Clause 52.06-5 must be provided to the satisfaction of the responsible authority.

The subject site is identified in the Car Parking Requirements Maps data base as a Category 1 area.

The measure for parking associated with food and drink premises as contained in Table 1 to Clause 52-06-5 is 4 spaces to each 100 square metres of net floor area.

***Response**: The food truck is only 9.9 square metres in area, well below the 100 square metre threshold. As a result, no carparking is required as part of this proposal.*

7.3 Bicycle Facilities

Clause 52.34 aims to encourage cycling as a mode of transport and to provide secure, accessible and convenient bicycle parking spaces and associated shower and change facilities. Clause 52.34-1 states that a new use must not commence or the floor area of an existing use must not be increased until the required bicycle facilities and associated signage has been provided on the land.

Table 1 to Clause 52.34-5 states that bicycle spaces for retail premises must be provided at a ratio of 1 to each 300 square metres of leasable floor area.

***Response**: The food truck is only 9.9 square metres in area, well below the 300 square metre threshold. As a result, no bicycle spaces are required as part of this proposal.*

8 Decision Guidelines

Under the provisions of Clause 65.01, before deciding on an application or approval of a plan, the responsible authority must also consider the following relevant decision guidelines :

> The matters set out in section 60 of the Act.

> Any significant effects the environment, including the contamination of land, may have on the use or development.

> The Municipal Planning Strategy and the Planning Policy Framework.

> The purpose of the zone, overlay or other provision.

> Any matter required to be considered in the zone, overlay or other provision.

> The orderly planning of the area.

> The effect on the environment, human health and amenity of the area.

> The proximity of the land to any public land.

> The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.

> The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.

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***Response**: It is considered the proposal is consistent with Council's intention to revitalise the foreshore by encouraging more activity in the vicinity. The use and mobile van are temporary in nature and will not impede public movement along the foreshore. Council, as land manager, are clearly supportive of such a business enterprise operating in this locality by way of issuing Expressions of Interest and letters of offer for the establishment of various types of food vendors along the foreshore.*

9 Policy Framework

It is considered the proposal is consistent with the relevant State, Regional and Local Planning Policies as outlined below:-

9.1 Planning Policy Framework

11.01-1S – Settlement – This policy aims to facilitate the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.

11.01-1R – Settlement – Regional Victoria – Relevant strategies include focusing regional investment and growth in Geelong.

11.01-1R – Settlement – Geelong G21 – A relevant strategy is to support the role of Central Geelong as a Major regional city and revitalise and strengthen its role as Victoria's second city.

11.03-1S – Activity Centres and Precincts – Amis to encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres with good public transport services.

11.03-1L – Activity Centres in Greater Geelong – A general strategy of which is to direct entertainment and cultural activities to Central Geelong.

11.03-4S – Coastal Settlement – The objective of this policy is to plan for sustainable coastal development.

12.02-1S – Protection of the Marine and Coastal Environment – The objective of which is to protect and enhance the marine and coastal environment.

12.02-2S – Marine and Coastal Crown Land – Aims to ensure the use and development of marine and coastal Crown land is ecologically sustainable, minimises impacts on cultural and environmental values, and improves public benefit for current and future generations. A relevant strategy of which is to ensure that use and development on or adjacent to marine and coastal Crown land:

> Maintains safe, equitable public access.

> Improves public benefit.

> Demonstrates need and has a coastal dependency.

> Minimises loss of public open space.

13.01-1S – Natural Hazards and Climate Change – This policy aims to minimise the impacts of natural hazards and adapt to the impacts of climate change through risk-based planning.

13.01-2S – Coastal Inundation and Erosion – This policy aims to plan for and manage coastal hazard risk and climate change impacts.

15.01-1S – Urban Design – Aims to create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.

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15.01-1L03 – Signs in Urban Environments – This policy applies to all urban land in the municipality. Objectives and strategies of which are to encourage signs to meet the objectives and strategies of the *City of Greater Geelong Sign Guidelines* (February 2024).

15.03-2S – Aboriginal Cultural Heritage – Aims to ensure the protection and conservation of places of Aboriginal cultural heritage significance.



Figure 10 – Aboriginal Cultural Heritage – *Vic*Plan

17.01-1S – Diversified Economy – Aims to strengthen and diversify the economy.

17.01-1R – Diversified Economy – Geelong G21 – Relevant strategies include building on the region's competitive strengths, including tourism, social and natural assets.

17.01L-01 – Diversified Economy – Greater Geelong – A relevant strategy is to support development in strategic growth sectors including tourism.

17.02-1S – Business – Aims to encourage development that meets the community's needs for retail, entertainment, office and other commercial services.

17.02-2S – Out-of-Centre Development – The objective of which is to management out-of-centre

17.04-1S – Facilitating Tourism – Aims to encourage tourism development to maximise the economic, social and cultural benefits of developing the state as a competitive domestic and international tourist destination.

17.04-1S – Coastal and Maritime Tourism and Recreation – The objective of which is to encourage a diverse range of strategically located and well-designed coastal and maritime tourism and recreational opportunities that strengthen people's connection with the marine and coastal environment. Relevant strategies include:

> Support safe and sustainable recreation and tourism development including tourism that:
  - Responds to identified demand.
  - Minimises impact on environmental and cultural values.
  - Minimises impact on other users.
  - Minimises direct and cumulative impacts.
  - Maintains public safety.
  - Responds to the carrying capacity of the site.

> Ensure sites and facilities are accessible to all.

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> Ensure development is of an appropriate scale, use and intensity relative to its location and minimises impacts on the surrounding natural, visual, environmental and coastal character.

> Provide public access to recreational facilities and activities on land and water.

19.02-3S – Cultural Facilities – Aims to develop a strong cultural environment and increase access to arts, recreation and other cultural facilities.

19.02-6S – Open Space – The objective of which is to establish, manage and improve a diverse and integrated network of public open space that meets the needs of the community. A relevant strategy is to ensure open space maintains public accessibility on public land immediately adjoining waterways and coasts, public access is not prevented by developments along foreshores and that public land immediately adjoining waterways and coastlines remains in public ownership.

***Response**: It is considered the proposal can be supported by the above relevant state and local planning policies. The proposal is consistent with Council's intentions to create more activity on the foreshore by providing a variety of food vendor site in various locations. The use and trick will be temporary in nature, and not result in any adverse impact to the long-term use of public land.*

Due to the truck being temporary and on wheels, there will be no impediment to any overland flow from high tidal movements.

It is considered the proposed business identification sign is appropriate for the activity and nature of the area and consistent with the theme of other similar signage along the foreshore.

Under the Aboriginal Heritage Act, 2006, the subject site is identified as being within an area of possible cultural heritage sensitivity, as indicated on the following map extract from the Department of Transport and Planning data base. We have requested a list of uses/activities covered by the Cultural Heritage Management Plan (CHMP) associated with Council's ongoing management and development on the waterfront. This information, however, is yet to be provided.

10 Conclusion

The proposal is consistent with the State and Local Planning Policy context in relation to food and drink premises on public land.

The proposal is therefore considered to be consistent with the purpose of the Public Park and Recreation Zone and satisfies all the relevant application requirements and decision guidelines.

For the reasons outlined in this report, it is considered the temporary food truck is appropriate and should therefore be supported by Council.