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TOWN PLANNING REPORT

Use and development of the land for a convenience restaurant and shops, create and alter access for a road in a Transport 2 Zone, display signage including illuminated signs and sky signs, waiving of bicycle parking and bicycle parking facilities, and two lot subdivision

95 Murradoc Road, Drysdale
Lot 1 on Title Plan 871865M

29 July 2026

Context. Planning

PREPARED BY
CONTEXT PLANNING PTY LTD

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DOCUMENT INFORMATION	
File Name	Town Planning Report **Use and development of the land for a convenience restaurant and shops, create and alter access for a road in a Transport 2 Zone, display signage including illuminated signs and sky signs, waiving of bicycle parking and bicycle parking facilities, and two lot subdivision** 95 Murradoc Road, Drysdale
Prepared By	Context Planning Pty Ltd
Report Date	29 July 2026

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1 Application summary

Proposal	Use and development of the land for a convenience restaurant and shops, create and alter access for a road in a Transport 2 Zone, display signage including illuminated signs and sky signs, waiving of bicycle parking and bicycle parking facilities, and two lot subdivision
Location	95 Murradoc Road, Drysdale
Applicant	Context Planning Pty Ltd PO Box 787 Torquay Vic 3228
Owner	
Zone	Commercial 2 Zone (C2Z) Transport Road Zone 2 (TRZ2)
Overlays	Design and Development Overlay – Schedule 32 (DDO32)
Existing use	Single dwelling with associated outbuildings and vegetation.
Restrictions	Nil
Permit triggers	▪ Use and develop the land for convenience restaurant and shops in a Commercial 2 Zone (C2Z) ▪ Create or alter access for a road in a Trasport 2 Zone (TRZ2) ▪ Construct a building or construct or carry out works on land within a Design and Development Overlay, Schedule 32 (DDO32). ▪ Display signage, including illuminated signage and sky signs ▪ Waiving of bicycle parking and bicycle facilities ▪ Two lot subdivision.

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2 Introduction

This report supports an application for the use and development of the land with a convenience restaurant and shops. Approval is also sought to alter access to Murradoc Road, which is a Transport Zone Road, to display signage, to undertake a two lot subdivision, and to waive bicycle parking and bicycle parking facilities.

The development exceeds the statutory car parking provision, provides landscaping and a considered response to stormwater management, is supported by a Waste Management Plan.

The site is zoned Commercial 2 Zone (C2Z) and adjoins a Transport Road Zone 2 (TRZ2), and is subject to a Design and Development Overlay, Schedule 32 (DDO32).

We understand that a Planning Permit is required for this application under the following clauses:

- Clause 34.02-1 – Use of the land for convenience restaurant and shops in the Commercial 2 Zone.
- Clause 34.02-3 – Subdivision in the Commercial 2 Zone.
- Clause 34.02-4 – Building and works in the Commercial 2 Zone.
- Clause 43.02-2 – Buildings and works in the Design and Development Overlay, Schedule 32.
- Clause 43.02-3 – Subdivision in the Design and Development Overlay – Schedule 32.
- Clause 52.29 – Create or alter access to a road in a Transport Zone 2.
- Clause 34.02-8 – Display signage, including illuminated signage and sky signs.
- Clause 52.34-2 – Waive requirements for provision of bicycle facilities for the convenience restaurant.

However, we understand that Council will determine the permit triggers for this application.

The proposal has been carefully considered to maximise the potential of the site, providing for commercial land uses which respond to the purpose of the zone, while ensuring that Council's objectives for the future road profile of Murradoc Road are met.

As the application provides a positive response to the Greater Geelong Planning Scheme, we recommend the issue of a Planning Permit in support of the application.

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2.1 Purpose of this Report

The purpose of the report is to:

- Explain the proposal.
- Provide a written response to the planning permit triggers and explain how the proposal meets the purpose statement and relevant decision guidelines identified in the Greater Geelong Planning Scheme.
- Identify and consider any relevant general or particular provisions.
- Provide an assessment of the proposal against the Municipal Planning Strategy (MPS) and Planning Policy Framework (PPF) as relevant to this application.

Considering the context of the site, the relevant planning controls and policies, the key planning considerations are:

- Is there policy support for this application?
- Is the application responsive to the Commercial 2 Zone?
- Are the objectives of the Design and Development Overlay met?
- Are the car parking and access arrangements acceptable?
- Does the application provide for an acceptable outcome when considered against Clause 65.01?
- Is the signage appropriate?

This report demonstrates that the proposal will provide for an acceptable planning outcome for the land, having regard to the direction of planning policy and the permit triggers.

We recommend that the application is supported through the issue of a Planning Permit.

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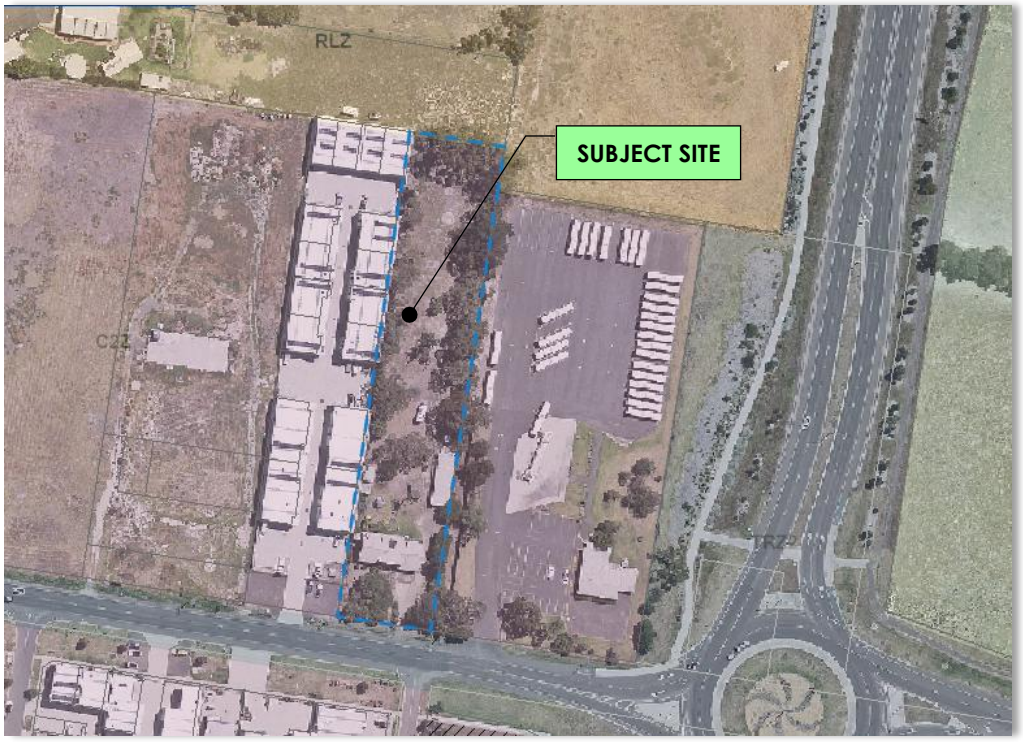
3 Site Analysis

3.1 Subject site

The subject site is addressed as 95 Murradoc Road, Drysdale and consists of a single title known as Lot 1 TP871865.

The site is located on the north side of Murradoc Road and has a total area of approximately 6,161 square metres, with a frontage of 34.1 metres to Murradoc Road.

The site is currently developed with a single dwelling and associated outbuildings. The lot also supports established planted vegetation, with the majority of planting undertaken along the site boundaries as can be seen in the aerial image below.



Aerial image of subject site

3.2 Immediate context

The subject site is located in a Commercial 2 Zone , as is land to the east, west and south of the site. Land to the north of the site is zoned Rural Living Zone.

Located to the east of the Drysdale township, the site is accessed by Murradoc Road which is a Transport Zone 2 road, and the site is located to have convenient access to the

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Drysdale Bypass, with a roundabout controlled intersection located one block to the east of the subject site.

To the north is a dwelling which is located in the Rural Living Zone. Consistent with the site's zoning, this land is developed with a single dwelling and associated outbuildings.

The dwelling which has been established on the land is addressed as 22-24 Sproat Street, Drysdale and this dwelling is located on the western quadrant of the site, away from the interface with the subject site. Undeveloped areas of the site have an abuttal with the subject site.



22-24 Sproat Street, Drysdale

To the west is a warehousing and storage complex, known as Bellarine Business Park, addressed as 93 Murradoc Road, Drysdale. The development of the site includes a central driveway, with double storey contemporary style buildings constructed along the boundary of the subject site. This land is used for a range of commercial activities including healthcare, martial arts, smokehouse and provedore, and raw dog food sales.



93 Murradoc Road, Drysdale

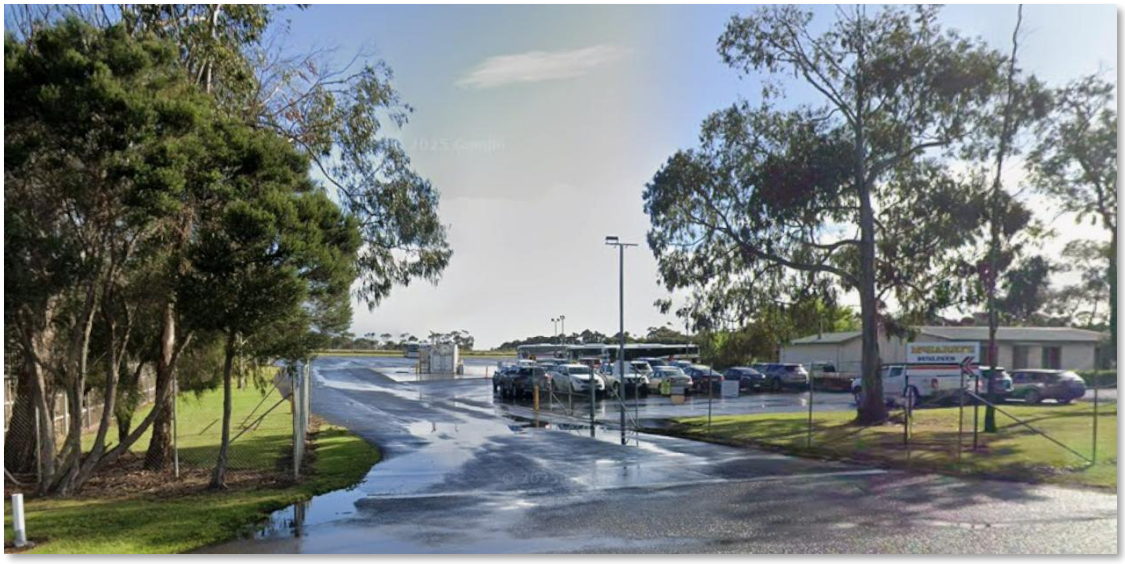
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To the south land has been developed with business park type developments, including single and double storey forms, supporting a range of businesses.



Opposite the site

To the east is a bus depot which features a single storey building, car parking areas in the front setback, and extensive bus storage areas to the rear of the site.



3.3 Broader context

The broader context of the site can be understood in the image below. As has been noted, the site is located toward the eastern edge of the Drysdale township. Land along Murradoc Road is zoned for commercial purposes and has been developed to support a key part of the township's businesses. Land on the western side of the Drysdale Bypass is zoned Farming Zone, while Drysdale's residential areas and commercial heart are located to the east of the site.

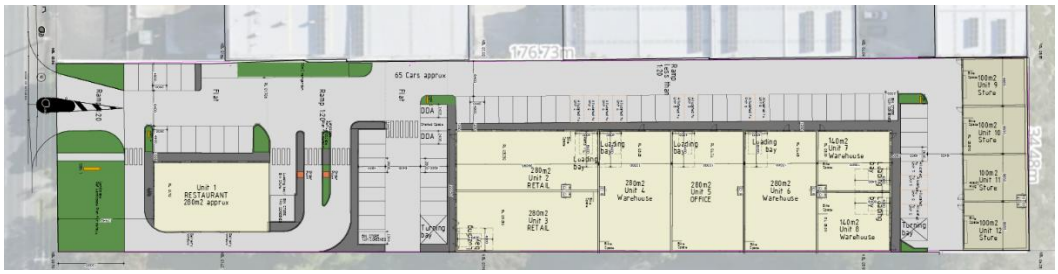
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Image 1 - Aerial image showing broader site context

4 The Proposal

This application seeks approval to use and develop the land for a combination of shops, convenience restaurant, warehouses, storage, and offices, create and alter access to a road zone, with associated car parking, signage and landscaping. As seen in the image below.



The convenience restaurant is located at the front of the site, setback 17.44 metres from Murradoc Road, and provided with a drive through to the east of the building. The convenience restaurant has a floor area of 280 square metres and it is provided with a loading bay and waste storage areas.

The convenience restaurant building is single storey in scale with a maximum height of 4.5 metres and it includes illuminated signage.

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Units 2 and 3 will be used as shops and will have a total floor area of 560 square metres. The shops are provided with internally illuminated signage above the entry points, on the buildings southern elevation and have their own internal loading bays.

Units 4, 6, 7, and 8 will be used are warehousing, 840 square metres in total, with all tenancies provided with internal loading bays and internally illuminated signage panels.

Unit 5 is proposed to be an office with a floor area of 280 square metres, with its own internally illuminated signage panel.

The building at the rear of the site houses four small stores which have a total floor area of 400 square metres in area, all of which are provided with internally illuminated signage panels.

The eastern elevation of the buildings provides for non-illuminated sky signs which project 2 metres above the buildings



Along with individual signs for each tenancy, it is also proposed that four freestanding signs will be provided, including:

- 9 metre by 3 metre sign in the front setback of the site which includes five individual internally illuminated signs.
- Three internally illuminated signs, 3 metres in height by 1.3 metres in width, to identify tenants and assist in wayfinding within the site.

The site provides for 65 car parking spaces, distributed throughout the site, including two DDA compliant car parking spaces which are located in the common property area. Bin storage areas are also provided in three locations on the site. Pedestrian movements throughout the site have been considered, including through the provision of pedestrian

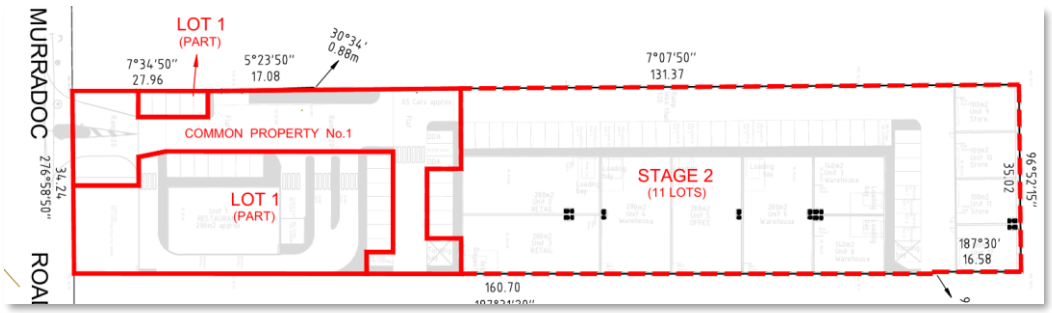
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pathways and pedestrian crossings which link back to Murradoc Road. Landscaping will also be provided throughout the site.

All buildings, apart from the convenience restaurant, are effectively double storey in scale, with the retail/ warehouse/ office building having a maximum height of 8.2 metres, and the store building having a maximum height of 8 metres.

The buildings have been designed to provide for an aesthetically pleasing, contemporary built form outcome and use a mix of materials, making a positive contribution to the area. All buildings are designed to have active frontages, with the middle building maximising opportunities for glazing at ground level. It is intended that expressed joint dark and light grey cladding will be used in the construction of the buildings, along with timber look cladding. Orange and grey colour accents are incorporated into the design.

A two lot subdivision is proposed which sees the convenience restaurant and car parking areas provided as one lot, common property access areas and car parking areas, which include the front setback area, raingarden, and a large rear lot which is intended to be further subdivided at a later stage.



The application is supported by:

- Architectural Plans | Vantage Architecture.
- Traffic Engineering Assessment | Quantam.
- Waste Management Plan | Quantam.
- Stormwater Management Plan | Loetis.
- Sustainability Management Plan | Northern Environmental Design.
- Landscaping Plan | Infinity Landscape Architects.
- Letter from previous land owner | Eduard Hoyer.
- Subdivision plan | All General Surveying.

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5 Planning Controls

5.1 Commercial 2 Zone

The subject site is located within the Commercial 2 Zone (C2Z). The purpose of this zone is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To encourage commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services.
- To ensure that uses do not affect the safety and amenity of adjacent, more sensitive uses.



Zone map

5.1.1 Response to zone

Permit triggers
A Planning Permit is required for the use of the land for a convenience restaurant and shops.

A Planning Permit is required for buildings and works.

A Planning Permit is required to subdivide land.

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Public notice

The provisions of 34.02-6 are such that the buildings and works and subdivision which are proposed are **exempt from public notice** and the review rights of Section 82(1) of the *Planning and Environment Act.*

Response to the zone

This proposal is aligned with the purpose and decision guidelines of the zone and will provide for the commercial activities which are anticipated by the zone. A more detailed assessment against the zone can be found in Section 9 of this report.

5.2 Design and Development Overlay, Schedule 32

The site is subject to the Design and Development Overlay (DDO32) as can be seen in the image below.

The design objectives of DDO32 are:

- *To improve the appearance and presentation of building and streetscape.*
- *To manage the interface between residential and business uses.*
- *To ensure the design and layout of new buildings allows for future road widening.*
- *To improve the connections between Murradoc Road and the Drysdale Town Centre.*
- *To provide for the implementation of the Murradoc Road Drainage Masterplan.*
- *To promote best practice storm water quality and reuse measures.*



DDO32

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5.2.1 Response to DDO32

Permit triggers
A Planning Permit is required to construct buildings and works in DDO32.

A Planning Permit is required to subdivide land in DDO32.

A Planning Permit is not required to display signs in DDO32.

Public notice
The buildings and works and subdivision under DDO32 are **exempt from public notice** and the review rights of Section 82(1) of the *Planning and Environment Act.*

Response to the overlay
This proposal is aligned with the design objectives of the overlay and will assist in improving the presentation of the streetscape, while also factoring in the potential widening of Murradoc Road. This is further demonstrated in Section 9 of this report.

6 General and Particular Provisions

6.1 Clause 52.05 – Signs

The purpose of Clause 52.05 is:

- *To regulate the development of land for signs and associated structures.*
- *To ensure signs are compatible with the amenity and visual appearance of an area, including the existing or desired future character.*
- *To ensure signs do not contribute to excessive visual clutter or visual disorder.*
- *To ensure that signs do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of a road.*

Category 1 sign controls apply to the land, pursuant to Clause 34.02-8

6.1.1 Response to Clause 52.05

Under Clause 52.05-11 permit is required to:
- Display business identification signage.
- Display illuminated signage.
- Display sky signs.

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Our assessment against the purpose and decision guidelines of Clause 52.05 is included in Section 8 of this report.

We confirm that this application is consistent with the purpose and decision guidelines of Clause 52.05.

6.2 Clause 52.06 – Car parking

The purpose of Clause 52.06 is:

- *To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.*
- *To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.*
- *To support sustainable transport alternatives to the motor car.*
- *To promote the efficient use of car parking spaces through the consolidation of car parking facilities.*
- *To ensure that car parking does not adversely affect the amenity of the locality.*
- *To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.*

Clause 52.06-2 details that before:

- *a new use commences; or*
- *the floor area or site area of an existing use is increased; or*
- *an existing use is increased by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use,*

the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay must be provided to the satisfaction of the responsible authority in one or more of the following ways:

- *on the land; or*
- *in accordance with a permit issued under Clause 52.06-3; or*
- *in accordance with a financial contribution requirement specified in a schedule to the Parking Overlay.*

A permit is required to:

- *Reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay.*

The site is subject to Category 1 controls.

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6.2.1 Response to Clause 52.06

Permit triggers
As is detailed in the Traffic Engineering Assessment, the car parking requirements of Table 1 are exceeded and therefore there is no permit trigger for this application under Clause 52.06.

Public notice
Car parking design is required to meet the requirements of Clause 52.06-9 and this is required to the satisfaction of the Responsible Authority, such that there is no ability for objections to be lodged in relation to car parking design.

Assessment
The Traffic Engineering Assessment submitted with this application supports the application and advises that there are no traffic engineering reasons why a Planning Permit should not be issued. The Traffic Engineering Assessment advises:

1.The statutory car parking requirement as specified under Clause 52.06-5 of the Greater Geelong Planning Scheme is 57 spaces.
2. The provision of 65 on-site car parking spaces satisfies the statutory car parking requirement.
3. The car parking design and vehicle access arrangements are satisfactory and generally in accordance with Clause 52.06-9/AS2890.1:2004.
4. Two accessible car spaces are provided for the development as required by the NCC.
5. The proposed development generates a bicycle parking requirement for 8 staff spaces and 2 visitor spaces under Clause 52.34 of the Planning Scheme. Two visitor bicycle parking spaces are proposed with the application seeking a waiver of the staff bicycle parking and shower/change room requirements given the isolated nature of the site and the low likelihood of staff travel by bicycle.
6. The proposed development is assessed as generating approximately 54 vehicle movements during the AM peak and 85 vehicle movements during the PM peak.
7. An assessment of the external vehicle access to Murradoc Road has identified the following:

a) The proposal requires a permit under Clause 52.29 given the proposal to create a new access to a road in Transport Zone 2 (Murradoc Road).
b) Turn Treatments: The proposed access warrants BAL and CHR(s) turn treatments under the Austroads GTM Part 6. The existing configuration of Murradoc Road incorporates a right turn treatment with the south kerbside lane subject to full time No Stopping restrictions. The left turn is proposed to operate without a formal turn lane, consistent with the majority of property access in the vicinity of the subject site. c) Design: The proposed access has been designed with a mountable central island to allow simultaneous access of a 12.5m HRV and a B99 design vehicle. d) Capacity: Modelling utilising SIDRA

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intersection indicates that the proposed vehicle access will operate under excellent conditions during both the AM and PM commuter peak periods.

8. Loading is expected to occur as follows:

a) Convenience Restaurant: Loading bay adjacent to drive through facility to cater for up to 12.5m HRV.

b) Warehouse, Office, Store & Retail: Internal loading bays facilitating 6.4m SRV vehicles.

Having undertaken all tasks necessary to adequately assess the traffic engineering impacts of the Proposed Mixed Use Development at 95 Murradoc Road, Drysdale, the proposed development is satisfactory. There are no reasons why a permit for the proposed development should not be issued from a traffic engineering perspective

6.3 Clause 52.17 – Native vegetation

The purpose of Clause 52.17 is:

To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017) (the Guidelines):

1. *Avoid the removal, destruction or lopping of native vegetation.*
2. *Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.*
3. *Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.*

To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.

Clause 52.17-1 details that *a permit is required to remove, destroy or lop native vegetation, including dead native vegetation. This does not apply:*

- *If the table to Clause 52.17-7 specifically states that a permit is not required.*

A Planning Permit is triggered by Clause 52.17.

6.3.1 Response to Clause 52.17

Permit triggers

A Planning Permit is **not required** to remove the vegetation which has been established on the land, as the Arboricultural Assessment submitted in support of this application details that the vegetation is planted.

In addition to the Arboricultural Assessment, we have provided a letter from the previous landowner, Eduard Hoyer, which details that the land was used by his

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family for potato farming and it includes photographs which demonstrate that the land was devoid of vegetation in the late 1960s. Mr Hoyer's family planted the vegetation which has been established on the land.

6.4 Clause 52.29 – Land adjacent to the Principal Road Network

The purpose of Clause 52.29 is:

To ensure appropriate access to the Principal Road Network or land planned to form part of the Principal Road Network.

To ensure appropriate subdivision of land adjacent to Principal Road Network or land planned to form part of the Principal Road Network.

Clause 52.29-2 details that *a permit is required to:*

- *Create or alter access to:*
  - *A road in a Transport Zone 2.*
  - *Land in a Public Acquisition Overlay if a transport manager (other than a municipal council) is the acquiring authority and the acquisition is for the purpose of a road.*

6.4.1 Response to Clause 52.29

Permit triggers

A Planning Permit is required to create or alter vehicle access to the Transport Zone – Schedule 2.

Exemption from public notice

The application is **exempt from public notice** and the review rights of section 82(1) of the *Planning and Environment Act.*

The Traffic Engineering Assessment submitted in support of this application details that the vehicle access arrangements have been designed to support the continued function of Murradoc Road, providing for an efficient and safe road network; this is further detailed in Section 9 of this report.

6.5 Clause 52.34 – Bicycle facilities

The purpose of Clause 52.34 is:

- *To encourage cycling as a mode of transport.*
- *To provide secure, accessible and convenient bicycle parking spaces and associated shower and change facilities.*

Clause 52.34-1 details 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.

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Where the floor area occupied by an existing use is increased, the requirement for bicycle facilities only applies to the increased floor area of the use.

A permit may be granted to vary, reduce or waive any requirement of Clause 52.34-5 and Clause 52.34-6.

6.5.1 Response to Clause 52.34

Permit triggers
This application provides:

- Eight bicycle spaces for the stores, two per premises.
- Eight bicycle spaces for the warehouses, two per premises.
- Two bicycle spaces for the office.
- Four bicycle spaces for the shops, two per premises.

The 22 bicycle spaces noted above exceed the requirements of the Planning Scheme for these land uses, where no bicycle spaces are required to be provided.

Two visitor bicycle spaces are provided for the convenience restaurant, such that approval is required under Clause 52.34-2.

The Traffic Engineering Assessment supports the waiving of bicycle parking and bicycle facilities for the convenience restaurant.

6.6 Clause 53.18 – Stormwater management in urban development

The purpose of Clause 53.18 is *to ensure that stormwater in urban development, including retention and reuse, is managed to mitigate the impacts of stormwater on the environment, property and public safety, and to provide cooling, local habitat and amenity benefits.*

6.6.1 Response to Clause 53.18

The development responds to the relevant standards and objectives of Clause 53.18 as detailed in the Stormwater Management Strategy submitted in support of this application.

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6.7 Clause 65.01 – Approval of an application or plan

The responsible authority must decide whether the proposal will produce **acceptable outcomes** in terms of the decision guidelines of this clause. To assist, Clause 65.01 details a number of decision guidelines for consideration, those relevant to the application include:

- *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.*
- *Factors likely to cause or contribute to land degradation, salinity or reduce water quality.*
- *Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.*
- *The extent and character of native vegetation and the likelihood of its destruction.*
- *Whether native vegetation is to be or can be protected, planted or allowed to regenerate.*
- *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.*
- *The impact the use or development will have on the current and future development and operation of the transport system.*

***Clause 65.02 – Approval of an application to subdivide land** includes the following includes the following matters which are relevant to the consideration of this application.*

- *The suitability of the land for subdivision.*
- *The existing use and possible future development of the land and nearby land.*
- *The availability of subdivided land in the locality, and the need for the creation of further lots.*
- *The effect of development on the use or development of other land which has a common means of drainage.*
- *The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.*
- *The density of the proposed development.*

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- *The area and dimensions of each lot in the subdivision.*
- *The layout of roads having regard to their function and relationship to existing roads.*
- *The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots.*
- *The provision and location of reserves for public open space and other community facilities.*
- *The staging of the subdivision.*
- *The design and siting of buildings having regard to safety and the risk of spread of fire.*
- *The provision of off-street parking.*
- *The provision and location of common property.*
- *The functions of any owners corporation.*
- *The availability and provision of utility services, including water, sewerage, drainage, electricity, and, where the subdivision is not a residential subdivision, gas.*
- *If the land is not sewered and no provision has been made for the land to be sewered, the capacity of the land to treat and retain all sewage and sullage within the boundaries of each lot.*
- *Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas.*
- *The impact the development will have on the current and future development and operation of the transport system.*

6.7.1 Response to Clause 65.01

Our assessment of the application against Clause 65 confirms that this application will result in an acceptable outcome for the site.

A more detailed assessment can be found in Section 9 of this report.

7 Public notification

Many planning permit triggers in Victoria's planning schemes include exemptions from third party notice and review rights, meaning those permit triggers do not need to be notified and third parties do not have the right to appeal the decision. It is important to note that the following elements of this application are exempt from notice and review:

- Buildings and works and subdivision in Design and Development Overlay – Schedule 32.
- Buildings and works and subdivision in the Commercial 2 Zone.
- Create/ alter access to the principal road network.
- Car parking provision and design, and bicycle facilities provision.

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We highlight this for information during any public notification process to ensure an awareness that objections cannot be considered where they relate to the exemptions from notice identified above. Any objections lodged in relation to these issues have no standing.

The *Planning and Environment Act 1987* requires Council to consider all objections which it has received, before making its decision. However, where the Act or the Planning Scheme does not require notice, Council is not required to consider an objection received on that matter.

8 Municipal Planning Strategy and Planning Policy Framework

8.1 Vision for Victoria

The People's Panel vision for Victoria

By 2050 Victoria will be a vibrant, accessible and connected community, valued for its diverse cultures, sustainable environmental practices and respect for the First Peoples of Victoria.

Building a state which provides choices and opportunities for current and future generations of Victorians in quality housing, transport, employment, environment and connectivity, will require input from community, government, local businesses and industry alike.

We will create a society that caters to the unique needs of all Victorians, nurturing individual health through physical and cultural recreation.

8.2 Municipal Planning Strategy (MPS)

The most relevant sections of the MPS are included below.

Clause 02.01 – Context

The City of Greater Geelong is Victoria's largest regional municipality. Located 75 kilometres south west of Melbourne, the municipality covers an area of 1247 square kilometres comprising suburban, coastal, and country areas. Greater Geelong is bounded by the Moorabool Shire in the north, Wyndham City Council and the Borough of Queenscliffe in the east, Surf Coast Shire and Golden Plains Shire in the west, and Bass Strait to the south.

Geelong is the largest regional city in Victoria and the primary service and employment hub for the G21 Geelong Region Alliance.

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Clause 02.02 – Vision

Council's overarching vision for Greater Geelong is:

Geelong, coast, country and suburbs, is the best place to live through prosperity and cohesive communities in an exceptional environment.

Clause 02.03-1 – Settlement

Geelong is expected to grow by an additional 152,000 people by 2036 based on an average annual growth rate of 2.5 per cent. This growth will create demand for over 73,400 additional dwellings which can be met under the City's identified planned growth. While the City is keen to take advantage of Geelong's proximity to Melbourne it is important to the community that the unique identity and character of the municipality is retained.

The Bellarine Peninsula has been delivering around 27 per cent of the City's new housing supply over the past few years. Continued housing development at this rate will have a detrimental impact on the character and values of this area. Urban growth is contained within the protected settlement boundaries of Barwon Heads, Drysdale, Clifton Springs, Curlewis, Indented Head, Leopold, Ocean Grove, Point Lonsdale, Portarlington, St Leonards and Breamlea.

Clause 02.03-5 – Built environment and sustainability

The Bellarine Peninsula Statement of Planning Policy (Victorian Government, 2023) establishes green breaks to promote conservation, agriculture, nature-based tourism, recreation and natural resource development that is appropriate to the landscape character.

Clause 02.03-7 – Economic development

There is a need to provide support for ongoing employment and economic development in the Geelong region.

While traditional manufacturing industries will continue to be economic and employment drivers in the municipality, the City's economy will need to focus on emerging industry sectors that underpin economic development.

The changing nature of industrial development means that most industrial development now requires land that offers a high amenity environment for workers and visitors.

8.3 Planning Policy Framework

The most relevant sections of the Planning Policy Framework (PPF) are included below

Clause 11.01-1S – Settlement

Objective

To facilitate the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.

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Clause 11.01-1R – Settlement – Geelong G21

Reinforce the role of district towns in providing services to surrounding areas.

Provide for settlement breaks between towns to maintain their unique identities.

Clause 11.01-1L-01 – Settlement – Greater Geelong

Maintain the non-urban breaks between Geelong and Melbourne (Wyndham), Geelong and the Surf Coast Shire municipal boundary, urban Geelong and the Bellarine Peninsula, and the townships on the Bellarine Peninsula.

Direct the majority of future housing needs to urban Geelong (urban infill, Armstrong Creek and the Northern and Western Geelong Growth Areas).

Ensure urban development occurs within designated settlement boundaries, including the protected settlement boundaries.

Clause 11.03-6L-01– Bellarine Peninsula

To ensure development responds to the identity and preferred character of the individual township in which it is located.

To provide attractive and sustainable industrial, commercial, retail, agricultural and tourism development in designated locations, to service the wider Bellarine community.

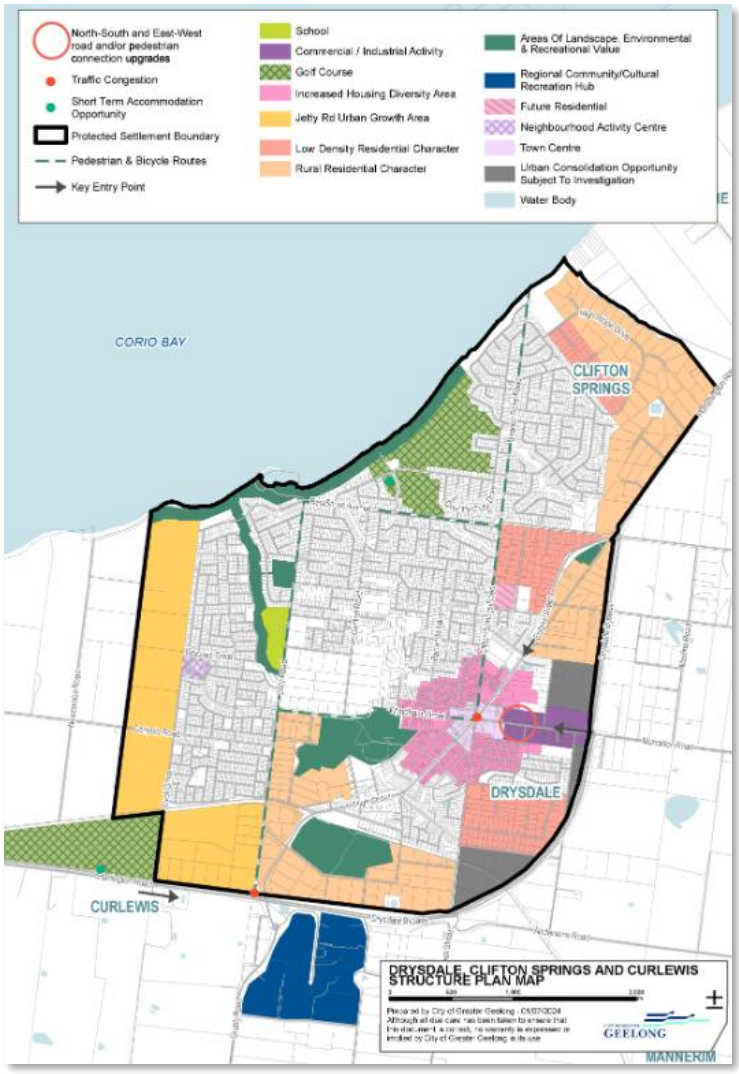
Drysdale, Clifton Springs and Curlewis strategies

Encourage development in the town centre to expand eastwards along Murradoc Road.

Encourage service business and industrial development in the commercial and industrial activity centre.

Design development opposite or close to the Drysdale Bypass to minimise back fencing as viewed from the Bypass.

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Drysdale, Clifton Springs and Curlewis Structure Plan Map

Clause 13.07-1S – Land use compatibility

To protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts.

Clause 15.01-2S – Building design

To achieve building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development.

Clause 15.01-1L-03 – Signs in urban environments

To encourage signs to meet the objectives of the City of Greater Geelong Sign Guidelines (February 2024).

Clause 15.01-2L – Environmentally sustainable development

To achieve best practice in environmentally sustainable development from the design stage through to construction and operation.

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Clause 17 – Economic development

Planning is to provide for a strong and innovative economy, where all sectors are critical to economic prosperity.

Planning is to contribute to the economic wellbeing of the state and foster economic growth by providing land, facilitating decisions and resolving land use conflicts, so that each region may build on its strengths and achieve its economic potential.

Clause 17.01-1S – Diversified economy

To strengthen and diversify the economy.

Clause 17.01-1R – Diversified economy – Geelong G21

Support new businesses that provide employment and innovation opportunities in identified employment nodes across the region.

Clause 17.02-1S – Business

To encourage development that meets the community's needs for retail, entertainment, office and other commercial services.

Clause 18 – Transport

Planning should ensure a safe, integrated and sustainable transport system that:

- *Provides access to social and economic opportunities to support individual and community wellbeing.*
- *Facilitates economic prosperity.*
- *Actively contributes to environmental sustainability.*
- *Facilitates network-wide efficient, coordinated and reliable movements of people and goods.*
- *Supports health and wellbeing.*

Clause 18.02-4S – Roads

To facilitate an efficient and safe road network that integrates all movement networks and makes best use of existing infrastructure.

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8.3.1 Response to planning policy

Our assessment in Section 9 of this report demonstrates that this application is supported by the MPS and PPF and will provide for the redevelopment of the site which responds to the purpose of the zone, Council's strategies in the Drysdale, Clifton Springs and Curlewis Structure Plan, and will provide for employment and economic development within Drysdale.

We confirm that this application will assist Council in achieving its overarching vision for Greater Geelong, outlined in Clause 02.02 which sees Greater Geelong as the best place to live through prosperity and cohesive communities in an exceptional environment.

9 Key planning considerations

To assist Council in its assessment of this application, we have identified and responded to the following key planning considerations:

- Is there policy support for this application?
- Is the application responsive to the Commercial 2 Zone?
- Is an acceptable outcome achieved in relation to the Design and Development Overlay?
- Are the car parking and access arrangements acceptable?
- Does the application provide for an acceptable outcome when considered against Clause 65.01?
- Is the signage appropriate?

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9.1 Is there policy support for this application?

This application **is supported by the Municipal Planning Strategy and the Planning Policy Framework**, as detailed below.

There are a number of policies which are relevant to the assessment of this application, and these fall under the following key themes:

- Settlement.
- Economic development.
- Transport.
- Building design.

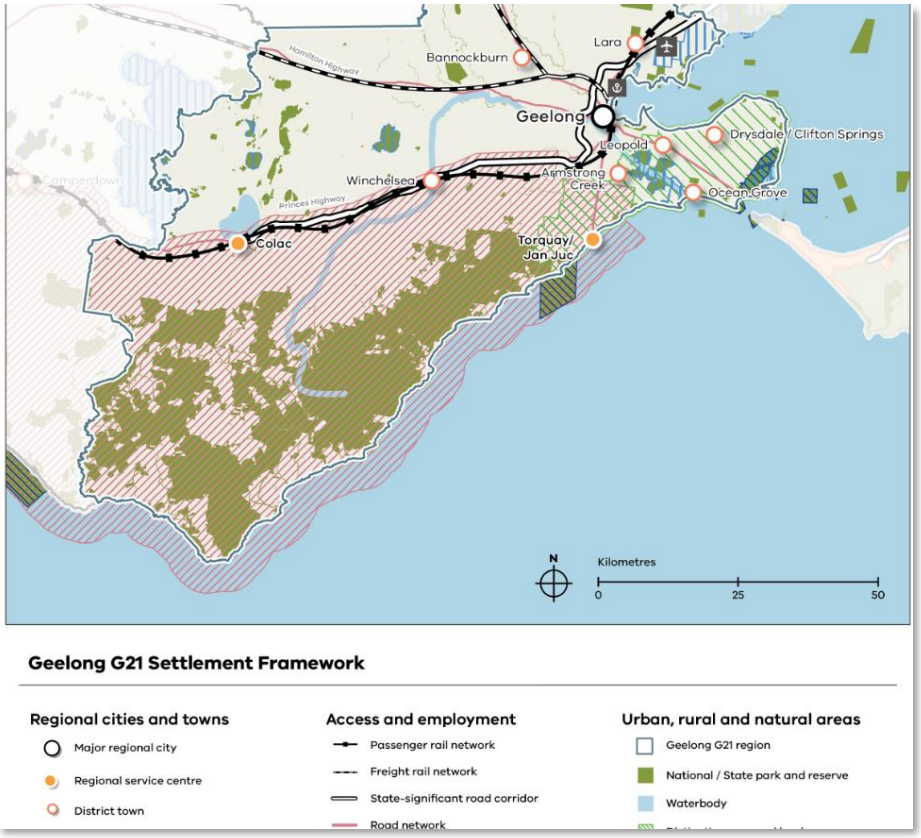
We provide our response to the key themes, to assist Council in its assessment of this application.

Settlement

Clause 02.03-1 identified that Greater Geelong is expected to grow by an additional 152,000 people by 2036, and the Bellarine Peninsula has been delivering approximately 27 percent of new housing supply in recent years. With this growth, comes demand for housing and associated demand for employment and services.

Clause 11.01-1S and R both seek to facilitate sustainable growth and provide for choice and opportunity for all Victorians in a network of settlements, with Clause 11.01-1R specifically seeking to reinforce the role of *district towns in providing services to surrounding areas*. Drysdale is identified as a district town and its growth is supported in policy. Important related policies seek to ensure that urban development occurs within Protected Settlement Boundaries (PSB), ensuring urban breaks between townships.

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Geelong G21 Settlement Framework

This application is consistent with the above policies, with the subject site located within the PSB on land which is zoned for commercial development. Redeveloping the site through the removal of the existing dwelling and by realising the site's development potential ensures that the site will deliver services and employment for the growing population.

Particular policy direction is provided for the Bellarine Peninsula through Clause 11.03-6L-01 which has an over-arching objective to provide attractive and sustainable retail development in designated locations to serve the wider Bellarine community. This policy, consistent with Clause 11.01-1R, identifies Drysdale as a district town and sees district towns on the Bellarine Peninsula as *service hubs for the Bellarine Peninsula.* This application is entirely consistent with this policy direction, and will allow the potential of the site to be realised, removing a residential land use which is not aligned with Council's intention for this area of Drysdale.

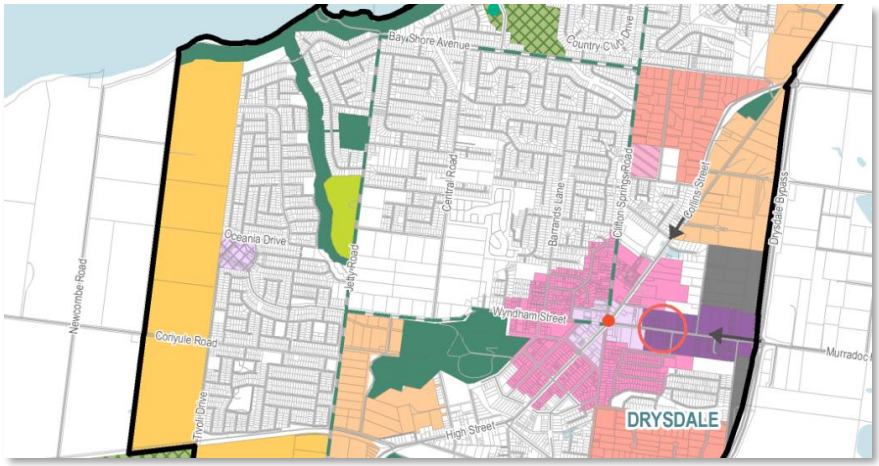
Clause 11.03-6L-01 includes strategies which are drawn from the Drysdale, Clifton Springs and Curlewis Structure Plan, and those relevant to this application include:

- *Reinforce the Drysdale town centre as the primary retail centre.*
- *Encourage development in the town centre to expand eastwards along Murradoc Road.*

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- *Encourage service business and industrial development in the commercial and industrial activity centre.*
- *Design development opposite or close to the Drysdale Bypass to minimise back fencing as viewed from the Bypass.*

The extract from the Structure Plan Map shows the site is planned to host commercial/ industrial activity, and consistent with the above strategies, the approval of this application will assist Council in achieving its aim of facilitating commercial and industrial development on the land, with commercial development located to the east of the town centre.



Structure Plan Map, extract

Economic development

The approval of this application will result in a significant investment into the site and will facilitate the use of the land for shop, convenience restaurant, office, warehousing and storage, all of which have associated economic benefits, including through employment and the diversification of the local economy consistent with the direction of Clause 17.01-1S and R and Clause 17.

The redevelopment of the site ensures that the site realises its potential when considered against the zoning and overlay controls and the direction of policy, ensuring that the Geelong region is well-placed to build on its strengths and achieve its economic potential, as outlined in Clause 17 and Clause 02.03-7.

As has been noted, population growth is projected, and the approval of this application will ensure that the community's needs for commercial development and services are met, consistent with the objective of Clause 17.02-1S.

Transport

Murradoc Road is an arterial road, and this development has been carefully designed to provide appropriate vehicle access which will ensure the continued and effective operation of the road, consistent with the objective of Clause 18.02-4S.

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Building design

The development provides a contemporary built form outcome, realising a design which is consistent with modern commercial developments, and assisting in improving the streetscape and this key entrance to the Drysdale township.

The development is designed to include sustainability measures and is supported by a Sustainability Management Plan, consistent with the requirements of Clause 15.01-2L, providing for a best practice design outcome for the site. The Sustainability Management Plan recommends the provision of 12 bicycle spaces in the development, and this has been achieved.

The buildings are designed to make a positive contribution to the area, enhancing the public realm consistent with the direction of Clause 15.01-2S. The building design is cognisant of the Rural Living Zone interface to the rear, and is designed to minimise adverse impact on this land by orienting the development to Murradoc Road and ensuring that car parking areas and associated lighting and activity are directed away from this interface, consistent with the objective and strategies of Clause 13.07-1S. We highlight that the direct interface with this land is associated with undeveloped open space areas, and the dwelling land use is located to the west of the site, towards Sproat Street, and the interface with is land is not dissimilar to the approved development at 93 Murradoc Road, which has been supported by Council as providing for an acceptable design and amenity outcome at the Rural Living Zone interface.

The subdivision arrangement provides for a two lot subdivision which sees common property areas appropriately allocated, along with car parking areas, and it is designed to allow the convenience restaurant to operate on its own title and provide an option for the further subdivision of the rear lot. The Traffic Engineering Assessment supports the subdivision arrangement and car parking provision per this arrangement.

The proposed signs are consistent with the site's zoning and the intention for the land to be developed for commercial purposes. The signage solution is integrated into the building design and allows for all businesses to be readily identified, assisting in ensuring the success of the future businesses operating from the land. A further assessment of signage can be seen in Section 9.5 of this report.

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9.2 Is the application responsive to the Commercial 2 Zone?

This commercial development **is entirely responsive to the purpose and decision guidelines of the Commercial 2 Zone**, with the application assisting for providing for a vibrant mix of commercial uses along Murradoc Road.

Clause 34.01-8 includes decision guidelines which guide Council's consideration of this application and this application provides a positive response to the relevant decision guidelines, as detailed below.

The Municipal Planning Strategy and the Planning Policy Framework.
It is demonstrated in Section 9.1 of this report that this application is consistent with the Municipal Planning Strategy and the Planning Policy Framework.

The interface with adjoining zones, especially the relationship with residential areas
As has been noted, the site has an interface to the north with the Rural Living Zone. The development is designed to minimise adverse impact on this land by orienting the development to Murradoc Road and ensuring that car parking areas and associated lighting and activity are directed away from the rural living interface.

The development provides for a similar interface an interface with 22 Sproat Street to the approved development at 93 Murradoc Road, which has been supported by Council as providing for an acceptable design and amenity outcome at the Rural Living Zone interface.

We note that the Rural Living Zone is not classified as a residential zone.

The effect that existing uses may have on the proposed use.
The uses which have been established in the surrounding area are similar to those which are proposed on the subject site, and all are commercial in nature, apart from the site's rear interface. It is not expected that any existing uses would constrain the operation of the proposed uses.

The drainage of the land.
The site falls to the street and can be easily drained via gravitation. Loetis have developed a Stormwater Management Strategy which demonstrates compliance with Clause 53.18 – Stormwater management in urban development, and which outlines how stormwater will be managed to meet best practice objectives for water quality, flow management, reuse and amenity.

The availability of and connection to services.
The required services are available to the land and our client has commissioned a Servicing Assessment for the site which confirms that this is the case.

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The effect of traffic to be generated on roads.
This application is supported by a Traffic Engineering Assessment which details an expected traffic generation rate of 54 vehicle movements during the AM peak, and 85 vehicle movements during the PM peak which is able to be accommodated by the road network.

The interim use of those parts of the land not required for the proposed use.
The development plans for the use of all areas of the site, and provides for a design which will allow the future widening of Murradoc Road, if required.

The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
This application is supported by a Waste Management Plan and a Traffic Engineering Assessment which confirm that the necessary vehicles can safely enter, exit and navigate the site, and which have reviewed pedestrian movements. Loading bays have been provided. Pedestrian paths are provided within the development.

The provision of car parking.
This application is supported by a Traffic Engineering Assessment which details that the required car parking has been provided on site, and which assesses and confirms that vehicle movements and car parking design are consistent with the requirements of the Planning Scheme.

The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.
The development is designed to activate Murradoc Road and will assist in providing for a safer urban environment.

The development is designed to provide for active frontages, where possible, and incorporates landscaping to green the site, with landscaping provided at a similar level to what is seen in other recent developments along Murradoc Road.

The storage of rubbish and materials for recycling.
The design solution considers, and provides for rubbish storage and recycling areas, informed by a Waste Management Plan.

Defining the responsibility for the maintenance of buildings, landscaping and paved areas.
Maintenance obligations are clear and the development is designed to be a low maintenance proposition.

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The effect the subdivision will have on the potential of the area to accommodate the uses which will maintain or enhance its competitive strengths.
An integrated development and subdivision is proposed, with careful consideration given to allocating car parking to different lots/ land uses to ensure the ongoing ability for the site to operate effectively and maintain its competitive strengths. The Traffic Engineering Assessment supports the subdivision arrangement and its allocation of car parking.

The subdivision arrangement is designed to provide for vehicle access, some car parking areas, rain gardens and the front setback in common property for ease of management.

The ability for the rear lot to be further subdivided is available via a future application.

Any natural or cultural values on or near the land.
Streetscape character.
There are no identified natural values on or near the land.
The site is located in an area of Aboriginal Cultural Sensitivity, and final approval of a Cultural Heritage Management Plan is imminent, ensuring appropriate management of the site's cultural values.

Landscape treatment.
This application is supported by a Landscape Plan which provides for a considered landscaping response.

9.3 Is an acceptable outcome achieved in relation to the Design and Development Overlay?

This **application achieves an acceptable outcome in relation to Design and Development Overlay – Schedule 32**; an overlay which applies specifically to the town entry, Murradoc Road, Drysdale.

The Design and Development Overlay includes important design objectives which are intended to improve the aesthetics of the area and to provide for effective vehicle movements on the arterial road network. These are met by:

- a development outcome which provides for contemporary building design and which supports considered landscaping provision.
- ensuring that the front section of the site is not relied upon for car parking provision and does not include any new buildings, such that the future road widening of Murradoc Road can be facilitated at the appropriate time.
- providing for a development outcome which is supported by a Stormwater Management Strategy which details that best practice stormwater management and reuse outcomes can be achieved on the site.

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This development also responds to the requirements of Part 2.0 of the Design and Development Overlay – Schedule 32 as it:

Design and built form

- Sets buildings back 17.4 metres from the site frontage.
- Provides for a sign in the front setback area, consistent with the signage approved for Petstock on the adjoining land, as seen in the image below.



- Does not rely on car parking areas in the 12 metre setback area for its car parking provision.
- Provides for an appropriate level of onsite landscaping, consistent with other recent developments along Murradoc Road.
- Designs for an interface to the rural living zoned land to the rear which will minimise noise emissions to this land.

Stormwater, drainage, quality and reuse

- Is supported by a Stormwater Management Strategy.
- Provides for sealed loading bays and waste storage areas, integrated into the design, which will address the potential for contaminated site runoff.

The Design and Development Overlay includes two decision guidelines which are met, as detailed below.

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The design and siting of existing development in the area.
The scale and form of development is similar to other recent commercial developments along Murradoc Road and will make a positive contribution to the area.

How the design and siting of the development interfaces with land in a residential zone.
There is no residential interface requiring consideration.

A Planning Permit is required for subdivision in the DDO, but there is no particular guidance for subdivision within DDO32. Given this, we provide the following response to decision guidelines around subdivision within Clause 43.02-6.
Whether subdivision will result in development which is not in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
As the subdivision is combined with a development application, Council can be confident that the subdivision results in a development outcome which is consistent with the character of the area.

9.4 Are the car parking and access arrangements acceptable?

This application is supported by a Traffic Engineering Assessment which confirms:

- *The statutory car parking requirement as specified under Clause 52.06-5 of the Greater Geelong Planning Scheme is 57 spaces.*
- *The provision of 65 on-site car parking spaces satisfies the statutory car parking requirement.*
- *The car parking design and vehicle access arrangements are satisfactory and generally in accordance with Clause 52.06-9/AS2890.1:2004.*
- *Two accessible car spaces are provided for the development as required by the NCC.*
- *The proposed development generates a bicycle parking requirement for 8 staff spaces and 2 visitor spaces under Clause 52.34 of the Planning Scheme. Two visitor bicycle parking spaces are proposed with the application seeking a waiver of the staff bicycle parking and shower/change room requirements given the isolated nature of the site and the low likelihood of staff travel by bicycle.*
- *The proposed development is assessed as generating approximately 54 vehicle movements during the AM peak and 85 vehicle movements during the PM peak.*
- *An assessment of the external vehicle access to Murradoc Road has identified the following:*
  - *a) The proposal requires a permit under Clause 52.29 given the proposal to create a new access to a road in Transport Zone 2 (Murradoc Road).*
  - *b) Turn Treatments: The proposed access warrants BAL and CHR(s) turn treatments under the Austroads GTM Part 6. The existing configuration of Murradoc Road incorporates a right turn treatment with the south kerbside lane subject to full time No Stopping restrictions. The left turn is proposed*

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to operate without a formal turn lane, consistent with the majority of property access in the vicinity of the subject site.

c) *Design: The proposed access has been designed with a mountable central island to allow simultaneous access of a 12.5m HRV and a B99 design vehicle.*

d) *Capacity: Modelling utilising SIDRA intersection indicates that the proposed vehicle access will operate under excellent conditions during both the AM and PM commuter peak periods.*

- *Loading is expected to occur as follows:*
  a) *Convenience Restaurant: Loading bay adjacent to drive through facility to cater for up to 12.5m HRV.*
  b) *Warehouse, Office, Store & Retail: Internal loading bays facilitating 6.4m SRV vehicles.*

Having undertaken all tasks necessary to adequately assess the traffic engineering impacts of the Proposed Mixed Use Development at 95 Murradoc Road, Drysdale, the proposed development is satisfactory. There are no reasons why a permit for the proposed development should not be issued from a traffic engineering perspective.

9.5 Signage

This application seeks approval for signage which is commensurate with the large size of the site and the range of land uses and tenants which will occupy the land, providing for a signage outcome which is consistent with the purpose of Clause 52.05, and the amenity of the area, resulting in an orderly signage display.

The proposed signage is consistent with the decision guidelines of Clause 52.05-8 as detailed below.

Character of the area, including views and vistas

There are no identified views and vistas requiring consideration for this commercially zoned area.

The signage which is proposed provides for a combination of on building signage and free standing signage, which is consistent with other developments in the area. The development provides for a sign in the front setback area, consistent with the location of the Petstock sign on adjoining land.

The sky signs are proposed along the buildings' eastern elevation will have no impact on any views or vistas and will allow the site to be readily identified on the eastern approach to the site.

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Orderly signage display

All signage is located outside of the 12 metre setback identified in the DDO to ensure that appropriate signage is available on the site if Murradoc Road is widened in the future.

The signage which is proposed has been integrated into buildings, and has been carefully located to assist with wayfinding within the site, and to ensure that there is ease of identification for businesses when approaching the site from Murradoc Road.

As the signage is a considered part of the site's design, an orderly signage display is created for the site and visual clutter has been avoided.

Impact of illumination

Approval is sought for a combination of internally and externally illuminated business identification signage, ensuring that the businesses operating from the site can be easily identified during operating hours. This is consistent with other businesses in the area, and more broadly, with developments in the Commercial 2 Zone within the municipality.

Signage illumination will be designed to ensure no adverse impact on adjoining land, including the road reserve on Murradoc Road. We expect that permit conditions could be applied to regulate this issue, if required.

Need for identification and impact on road safety

The signage which is proposed responds to the need for each of the 12 tenancies on the site to be appropriately identified from the road network and from within the site, ensuring that visitors to the site can easily identify the location of the businesses and plan for safe vehicle access arrangements from Murradoc Road, an arterial road.

The coordinated signage display responds to the need for adequate identification of businesses to assist in ensuring the ongoing success of the businesses such that they can make a valuable contribution to the local economy, and more broadly, the Victorian state economy.

It is demonstrated that the proposed signage is consistent with the purpose and decision guidelines of Clause 52.05.

Along with Clause 52.05, Council has its own set of requirements of signage which are included in the *City of Greater Geelong Sign Guidelines (City of Greater Geelong, February 2024)* (Council's Sign Guidelines). Council's Sign Guidelines include two parts relevant to the assessment of this application:

- Part 03 – Commercial Areas – Category 1.
- Part 07 – Interface Areas.

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These are addressed below.

Part 03 – Commercial Areas

The site would fall into a Highway Oriented Commercial Area under Part 03 given that the land is located in the Commercial 2 Zone and will generally be accessed by car, and is located on an arterial road with a substantial setback from the road.

Consistent with the objectives for Highway Oriented Commercial Areas, the signage is:

- Subordinate to the built form and area in which the site is located.
- Designed to provide for clear identification of the 12 tenancies which are planned to operate from the site.
- Designed and located to provide for a functional arrangement.

Consistent with the strategies for Highway Oriented Commercial Areas, the signage is:

- Not oversized or excessive, and is designed to respond to the buildings located on the site and the main road environment.
- Located to allow safe and efficient vehicle movements, with all signage located outside of the 12 metre front setback area, ensuring that any future road widening of Murradoc Road is not impeded.
- Designed to ensure that there is no loss of amenity or negative impact on the natural or built environment, and to ensure the continued safe and efficient operation of Murradoc Road.

Part 03 contains Policy Guidelines. A recent VCAT decision in *Australian Outdoor Media Pty Ltd v Greater Geelong CC [2026] VCAT 146 (2 March 2026)* (Outdoor Media Decision) detailed how Council's Sign Guidelines operate and should be interpreted and applied:

> *16. Thirdly, I am not persuaded that the policy encouragement for a certain distance of separation between major promotion signs, should be fatal to this proposal. Instead, I agree with the following submissions of Mr Jewell as to the weight to be applied to this policy encouragement.*
> *The Structure of the Guidelines*
> *Within the Category 1 – Commercial Areas framework (described as "Minimum limitation"), the Guidelines for Highway Oriented Commercial Areas identify objectives and strategies for major promotion signs.*
> *Relevantly, they state: "Ensure major promotion signs are spaced at a sufficient distance apart."*
> *Under the "Policy Guidelines" section, the document further provides: "Providing a minimum 1 kilometre separation between major promotion signs on the same road."*
> *Two features of this structure are significant.*

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First, the primary strategy refers to "sufficient distance apart." That is a qualitative test. It requires evaluation of corridor character, visual pattern, spacing logic and the way signs are experienced.

Secondly, the 1 kilometre reference appears as guidance under a "consider as relevant" framework. It is expressed as a benchmark to inform assessment. It is not framed as a mandatory prohibition, nor does it establish a statutory minimum.

The Guidelines do not state that a permit must be refused where separation is less than 1 kilometre. The proper construction is that the 1 kilometre reference is a planning tool aimed at avoiding clustering or proliferation in inappropriate contexts. The operative question remains whether spacing is sufficient having regard to the corridor in question.

17. Further, while I appreciate the guidance for separation that is found in the City of Greater Geelong Sign Guidelines (February 2024), the Tribunal decision of iOM Pty Ltd v Whittlesea CC [2014] VCAT 852, where the Tribunal made the following remarks, sets out the preferable way to read and apply a similar policy.

[17] As I have indicated above, the Council has placed significant weight on that part of the policy at Clause 22.12 that calls for a minimum 1 kilometre distance between major promotion signs along the ring road. This separation distance is seen as a means by which to avoid a clustering of like signs which may lead to the signs dominating the overall setting and reducing their effectiveness from an advertising perspective.

[18] The specification of a 1 kilometre spacing, is an arbitrary and somewhat heavy handed method by which to achieve the policy objectives. Rather than relying on an arbitrary criteria such as that contained in the local policy, it is usually preferable to assess each application against the objectives of the policy, and arrive at a conclusion about whether those objectives are achieved, notwithstanding that the quantifiable criteria might not be met. The assessment must also have regard to those other aspects of policy with which the proposal might be acceptable. In this respect I have outlined above, those aspects of the proposal that are acceptable in terms of its response to the outcomes encouraged by the planning scheme.

[19] In this case I am satisfied that the granting of a permit for this proposal is an acceptable outcome because the objectives of the policy framework will be achieved without the need for a reliance on a 1 kilometre spacing between signs.

18. I confirm that I find the one kilometre spacing set out in the City of Greater Geelong Sign Guidelines (February 2024) to be an arbitrary figure, which needs to be assessed having regard to the context of a particular site. Indeed, this is confirmed by the words used in the City of Greater Geelong Sign Guidelines (February 2024), which say:

Consider as relevant:

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> *1. Providing a minimum 1 kilometre separation between major promotion signs on the same road*
> *19. Therefore, the very incorporated document relied upon by Council states that the one kilometre separation distance is not to be applied blindly to every circumstance, but firstly where relevant, and even when it is relevant, the separation distance is only ever to be considered, not slavishly applied.*

The Outdoor Media Decision is very relevant to the consideration of this application.

We note that Figure 4 provides information about particular signs which may not be appropriate in Highway Oriented Commercial Areas, and this includes signs which are taller than a building, along with signs that project above a roofline (sky signs). The mere fact that these signs are discouraged does not mean that these signs should be refused. Instead, reference must be made to the context of the site and the objectives of the policy to determine whether the signage should be approved. We emphasise that:

The site and surrounding area is not identified as having any important views, vistas or landscape features and the approval of a sign which is slightly taller than the buildings proposed on the land, along with the approval of sky signs on the eastern elevation, provides for a signage outcome which is consistent with the objectives of Part 03 and can be approved.

Part 07 – Interface Areas
Part 07 is relevant to this application as the site abuts a Rural Living Zone to the rear.

As the development is designed to avoid signage on this interface and to direct illuminated signage away from the land to the north, the application is consistent with the objective and strategies of Part 0.7.

It is demonstrated that the proposed signage is consistent with Council's Sign Guidelines.

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9.6 **Is an acceptable outcome achieved in relation to the issues required to be considered in Clause 65.01 and Clause 65.02?**

It is demonstrated that this application **provides for an acceptable outcome** for the side when considered against the relevant decision guidelines of Clause 65.01.

Any matters set out in Section 60 of the Act.
The approval of this application will ensure that the objectives of planning in Victoria are met, with this application providing for an orderly development of land which assists in providing for a pleasant and safe living and working environment for Victorians.

The Municipal Planning Strategy and the Planning Policy Framework.
This has been addressed in Section 9.1 of this report.

The purpose of the zone, overlay or other provision.
Any matter required to be considered in the zone, overlay or other provision.
This has been addressed in Sections 9.2, 9.3, 9.4, and 9.5 of this report.

The orderly planning of the area.
An orderly planning outcome is achieved, with the development providing for the commercial use of the land as anticipated by the zone provisions and planning policy, including the Structure Plan. In addition, the development is designed to have an undeveloped front setback to provide an opportunity for the future widening of Murradoc Road.

The effect on the environment, human health and amenity of the area.
The development considers amenity impacts on the land to the rear of the site as detailed in Section 9.1 and 9.4 of this report.

Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.
This application is supported by a Stormwater Management Plan and Sustainability Management Plan.

The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.
The impact the use or development will have on the current and future development and operation of the transport system.
The Traffic Engineering Assessment submitted in support of this application details that loading and unloading facilities are appropriate, and there are no traffic or road safety issues associated with the development.

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The suitability of the land for subdivision.
The large lot is suitable for subdivision, and as this is an application for subdivision and development, Council can easily see that the subdivision proposed results in a suitable outcome.

The availability of subdivided land in the locality, and the need for the creation of further lots.
The area and dimensions of each lot in the subdivision.
This application seeks to create a subdivision associated with a development to facilitate the development of the site in line with the objectives of the Commercial 2 Zone.

The effect of development on the use or development of other land which has a common means of drainage.
The subdivision considers the drainage arrangements for the site and includes the raingarden area in common property.

The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots.
The provision of off-street parking.
The subdivision provides for appropriate pedestrian and vehicle movements within the site and nominates car parking for the different lots appropriately.

The staging of the subdivision.
Approval is sought for a two lot subdivision. It is intended that Lot S2 will be subdivided at a later date.

The provision and location of common property.
The functions of any owners corporation.
Common property areas include vehicle access, the front setback, some car parking areas, including two DDA car spaces, landscaping and a raingarden area, carefully considering the need for common use of particular design features.

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10 Aboriginal Heritage

The *Aboriginal Heritage Regulations, 2007* which specify the circumstances in which a Cultural Heritage Management Plan (CHMP) is required for an activity or class of activity. A CHMP is required for this application and is at the final stages of approval with the Registered Aboriginal Party.

Our client has advised that verbal approval has been obtained and formal approval of the CHMP is expected by the end of September.

11 Conclusion

This report demonstrates that an appropriate response to the requirements of the Greater Geelong Planning Scheme is achieved, confirming:

- The application is supported by the MPS and PPF and is consistent with the People's Panel vision for Victoria.
- The development realises the site's potential and provides for a commercial development which will improve the presentation of the site.
- The site layout is designed to allow for the future widening of Murradoc Road, if required.
- The development's car parking needs are met on site and the road network can accommodate the traffic generated by the proposed land uses.
- The subdivision arrangement facilitates a development and land use outcome envisaged by the zone and overlays.
- An acceptable outcome is achieved.

We recommend that a Planning Permit is issued in support of the proposal.