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TOWN PLANNING REPORT

Use of the land for an indoor recreation facility and display floodlit sign

20 Upper Paper Mills Road, Fyansford

11 August 2026

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PREPARED BY
CONTEXT PLANNING PTY LTD

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Context Planning Pty Ltd

PO BOX 787 Torquay VIC 3228

info@context-planning.com**DOCUMENT INFORMATION**

File Name	Town Planning Report Use of the land for an indoor recreation facility and display floodlit sign
Prepared By	Context Planning Pty Ltd
Report Date	11 August 2026

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1

Application summary

Proposal	Use of the land for an indoor recreation facility and display internally illuminated sign
Location	22 Upper Paper Mills Road, Fyansford
Applicant	Context Planning Pty Ltd PO Box 787 Torquay Vic 3228
Owner	[REDACTED] Dance Studio P/L
Zone	Industrial 1 Zone
Overlays	Design and Development Overlay – Schedule 20
Existing use	Indoor recreation facility
Restrictions	Nil
Permit triggers	▪ Use of land for indoor recreation facility ▪ Display floodlit sign

2 Introduction

This report supports an application for the use of the land for an indoor recreation facility, specifically, it is intended that the building will be used as a dance studio. We note that this is a retrospective application for approval, as our client has been operating from the site, and was unaware of the need for planning approval for the land use.

Our client, KF Dance, is an established performing arts and dance education business that has been operating across the City of Greater Geelong, Surf Coast Shire and Golden Plains region since July 2005.

KF Dance provides high-quality dance classes for children, teenagers and adults in a safe, inclusive and professionally managed environment.

In addition to the Fyansford studio, KF Dance conducts classes from 15 other leased venues across the region, including Connemara, Waurin Ponds, Highton, Lara, Hamlyn Heights, Ocean Grove, Bannockburn, Moriac, Bell Post Hill, Grovedale, Belmont, Inverleigh, Armstrong Creek and two separate venues in Leopold – providing an important recreational opportunity for the community. Student enrolments are distributed across the business' 16 locations throughout the Greater Geelong region.

The Fyansford studio primarily offers specialist and extension programs, resulting in generally smaller class sizes than those conducted at other locations. Consequently, only a small proportion of the business's overall student enrolments attend the Fyansford premises each week. The small proportion of classes that are held at Fyansford operate on a scheduled timetable throughout the week, with students attending designated class times.

Student arrivals and departures are carefully managed through staggered class start and finish times, with set intervals between classes to minimise traffic movements and avoid congestion. This scheduling approach assists with the safe and efficient use of parking facilities and reduces the impact on surrounding properties.

There are no buildings and works proposed externally to the building, other than a minor reconfiguration of the car parking areas to maximise the potential for onsite parking and the provision of bicycle parking. This results in the addition of crushed rock to small sections of the site which already provide for permeable surfaces. Fourteen on site car parking spaces are provided, along with six bicycle parking spaces.

Approval is also sought for a floodlit sign which is currently displayed on the building, above the building's roller door.

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The site is zoned Industrial 1 Zone and is subject to Design and Development Overlay – Schedule 20 (DDO20).

We understand that a Planning Permit is required by the following clauses of the Greater Geelong Planning Scheme, but we also understand that Council will determine the permit triggers for this application:

- Clause 33.01-1 – Use land as a restricted recreation facility.
- Clause 52.05-12 – Display floodlit sign.

As the application provides a positive response to the Greater Geelong Planning Scheme, will contribute more broadly to a healthy and active community, and provides for a land use which can comfortably co-exist in this mixed-use industrial environment without constraining any established industrial uses, we recommend the issue of a Planning Permit in support of the application.

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 the application responsive to the zone?
- Is the application supported by the Municipal Planning Strategy and the Planning Policy Framework?
- Have car parking needs been met?
- Is the signage appropriate?
- Is an acceptable outcome achieved in relation to the issues required to be considered in Clause 65.01?

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.

3

Site Analysis

3.1 Subject site

The subject site is addressed as 20 Upper Paper Mills Road, Fyansford. The site is located on the eastern side of Upper Paper Mills Road, and it is a regular rectangular shaped lot with a frontage of 35.8 metres and a total area of 720 square metres.

The site is developed with a commercial building, approved by Planning Permit PP-1320-2023. The development of the site can be seen in the images below, it includes a double storey building with roller door and separate entry point, and eight on site car parking spaces. A landscape strip is provided along the site's frontage.



Subject site | Aerial view

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Existing conditions / Subject site

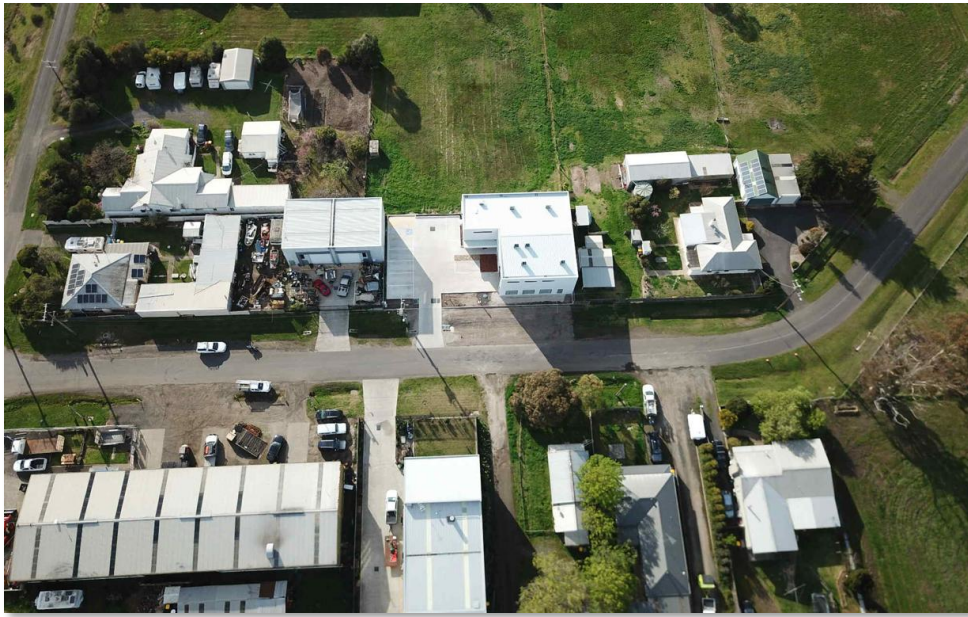
The site and surrounding area are generally located in the Industrial 1 Zone, but land to the south of the site is located in a Rural Living Zone. Unlike many industrial areas, this industrial area contains a number of dwellings, as can be seen in the aerial image below. These dwellings are located at 117-125, and 135 Hamilton Highway, and also 45 and 55 Upper Paper Mills Road, Fyansford. Land at 30 Upper Paper Mills Road, Fyansford (in the Rural Living Zone) is also developed with a dwelling

In addition to the numerous dwellings, which we understand are non-conforming land uses, the area also contains a modest storage operation to the north, and additional store/warehouse to the west at 25 Upper Paper Mills Road, Fyansford. Land on the corner of the Hamilton Highway and Upper Paper Mills Road is used for the sale of rural products, and for automotive repairs.



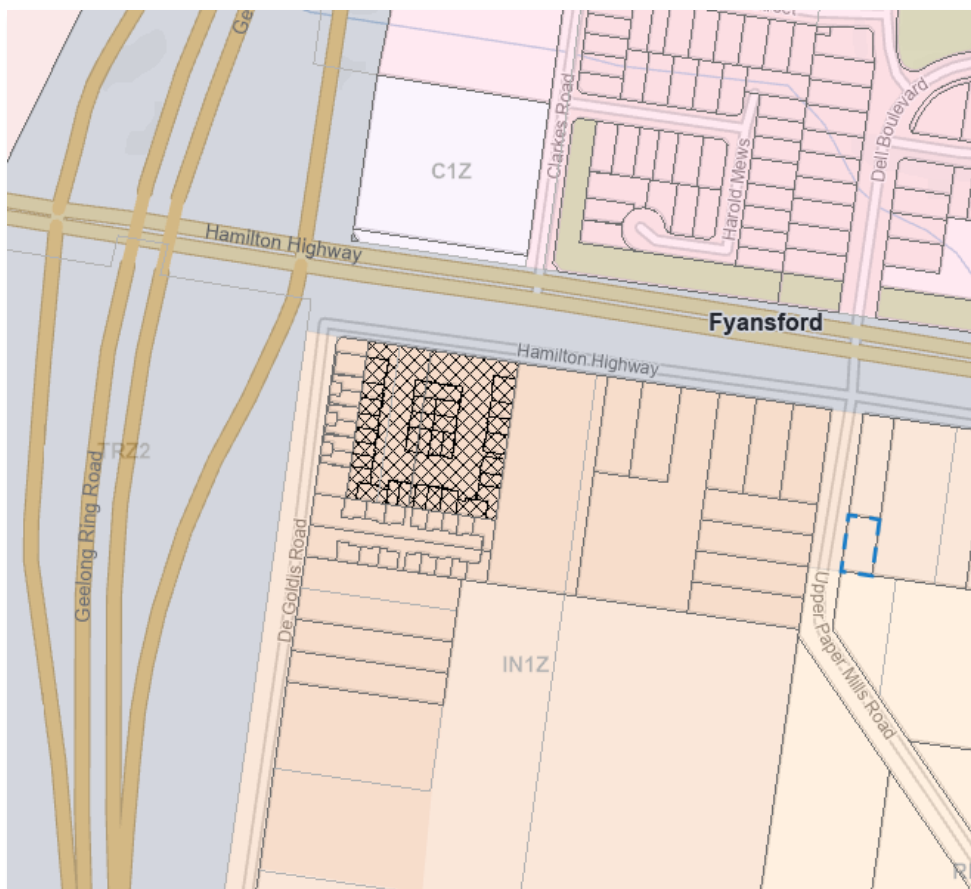
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Aerial view of site and surrounding area

Upper Paper Mills Road is a local road, which is located to the south of the Hamilton Highway and its associated service road. Land on the opposite side of the Hamilton Highway is zoned, and has been developed for, residential purposes.



Site context

4 The Proposal

This application seeks approval to use the land for an indoor recreation facility, and to display a floodlit sign.

We note that this is a retrospective application for approval, as our client has been operating from the site, and was unaware of the need for planning approval for the land use.

Our client, KF Dance, is an established performing arts and dance education business that has been operating across the City of Greater Geelong, Surf Coast Shire and Golden Plains region since July 2005.

KF Dance provides high-quality dance classes for children, teenagers and adults in a safe, inclusive and professionally managed environment.

In addition to the Fyansford studio, KF Dance conducts classes from 15 other leased venues across the region, including Connewarre, Waurin Ponds, Highton, Lara, Hamlyn Heights, Ocean Grove, Bannockburn, Moriac, Bell Post Hill, Grovedale, Belmont, Inverleigh, Armstrong Creek and two separate venues in Leopold – providing an important recreational opportunity for the community. Student enrolments are distributed across the business' 16 locations throughout the Greater Geelong region.

The Fyansford studio primarily offers specialist and extension programs, resulting in generally smaller class sizes than those conducted at other locations. Consequently, only a small proportion of the business's overall student enrolments attend the Fyansford premises each week. The small proportion of classes that are held at Fyansford operate on a scheduled timetable throughout the week, with students attending designated class times.

The small proportion of classes that are held at Fyansford operate on a scheduled timetable throughout the week, with students attending designated class times. At any given time, there are typically between one and four staff members working at the studio. Classes of up to 20 students are conducted:

- Monday to Thursday | 9:00am – 12:15pm and 4:00pm – 9:00pm.
- Friday | 9:00am – 12:45pm.
- Saturday | 9:00am – 3:15pm.

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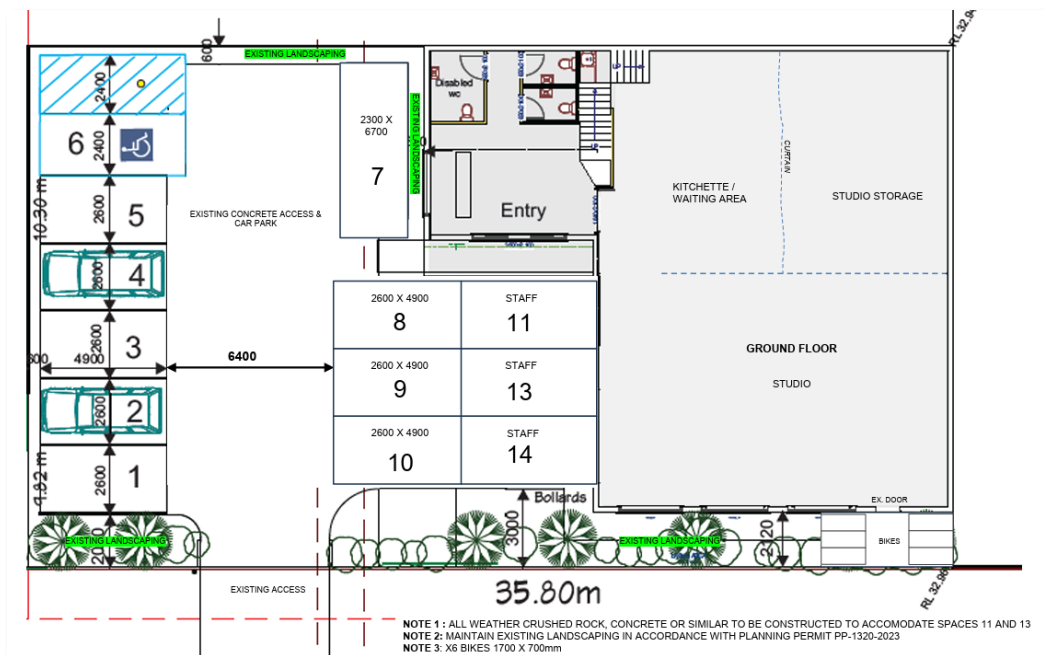
Planning

Peak occupancy generally occurs between 4:00pm and 7:00pm on weekdays however, due to the age of many students, a significant proportion of families utilise a "drop-and-go" arrangement, while others participate in carpooling arrangements. As a result, during class times, there are few people on site, other than students and teachers, during scheduled class times.

Student arrivals and departures are carefully managed through staggered class start and finish times, with set intervals between classes to minimise traffic movements and avoid congestion. This scheduling approach assists with the safe and efficient use of parking facilities and is designed to reduce the impact on surrounding properties.

There are no buildings and works proposed externally to the building, other than a minor reconfiguration of the car parking areas to maximise the potential for onsite parking and the provision of bicycle parking. This results in the addition of crushed rock to small sections of the site which already provide for permeable surfaces. Fourteen on site car parking spaces are provided, complemented by six bicycle parking spaces.

The site plan can be seen in the image below.



Site plan

Retrospective approval is also sought for a floodlit sign which is currently displayed on the building, above the building's roller door, as seen in the image below.



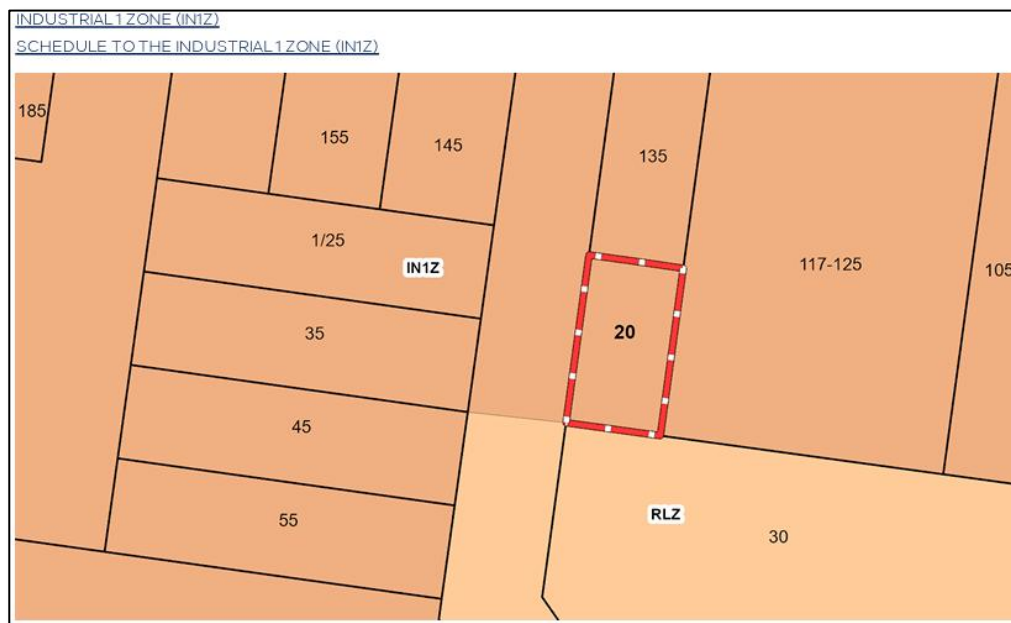
Illuminated sign

5 Planning Controls

5.1 Industrial 1 Zone

The subject site is located within the Industrial 1 Zone. The purpose of the Industrial 1 Zone is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To provide for manufacturing industry, the storage and distribution of goods and associated uses in a manner which does not affect the safety and amenity of local communities.



Zone map

5.1.1 Response to the Industrial 1 Zone*Permit triggers*

Under the Industrial 1 Zone a Planning Permit is required for this application by:

- Clause 33.01-1 – Use of land.

Response to the zone

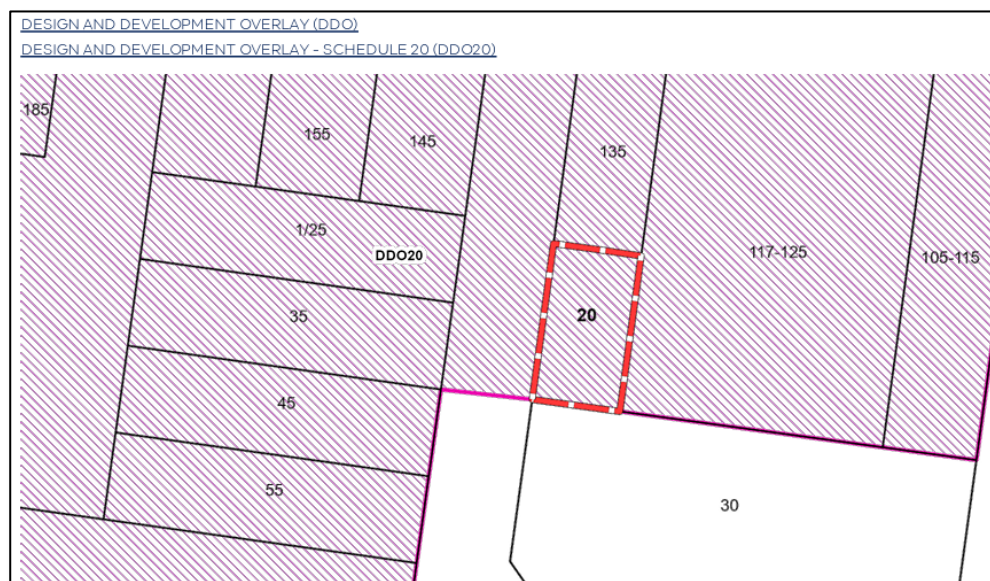
This proposal is aligned with the purpose of the zone and reflects the way in which modern industrial developments are used. A more detailed assessment can be found in Section 9 of this report.

5.2 Design and Development Overlay

The site is subject to the Design and Development Overlay – Schedule 20 (DDO20) as can be seen in the image below.

The design objectives of DDO20 are:

- *To improve the visual appearance and image of industrial areas through well designed site responsive developments.*
- *To facilitate economic development through efficient and functional industrial development.*
- *To provide a high level of amenity for workers and visitors to industrial areas.*
- *To minimise the potential for negative off-site effects to occur.*
- *To promote best practise storm water quality and reuse measures.*



Overlay

5.2.1

Response to DDO20

Permit Triggers

DDO20 is not relevant to the consideration of this application.

6

General and Particular Provisions

The general and particular provisions relevant to the consideration of this application are detailed below.

6.1 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.*

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Table 1 does not specify a car parking requirement for an indoor recreation facility and therefore approval is not required to waive car parking for this land use. Car parking must be provided to the satisfaction of the Responsible Authority.

6.1.1

Response to Clause 52.06

Permit triggers

Clause 52.06-6 specifies that *where a use of land is not specified in Table 1 or where a car parking requirement is not specified for the use in another provision of the planning scheme or in a schedule to the Parking Overlay, before a new use commences or the floor area or site area of an existing use is increased, car parking spaces must be provided to the satisfaction of the responsible authority.*

As indoor recreation facility does not have a car parking rate in Table 1, Clause 52.06-6 applies to this application. As car parking is required to be provided to the *satisfaction of the responsible authority* (Council), there are no objector or appeal rights in relation to car parking provision.

Clause 52.06-7 – Application requirements and decision guidelines for permit applications to reduce the car parking requirement is not relevant to the consideration of this application.

Clause 52.06-8 – Requirement for a car parking plan applies to this application. A car parking plan has been provided, with the plan showing all proposed car parking spaces, accessways, driveways and associated works. This plan is required to be to the *satisfaction of the responsible authority* (Council) and there are no objector or appeal rights in relation to this clause.

Clause 52.06-9 design standards for car parking apply to this application. All requirements of Clause 52.06-9 are to the *satisfaction of the responsible authority* (Council) and there are no objector or appeal rights in relation to this clause.

Assessment

A detailed assessment of the application to satisfy Clause 52.06-6 is included in Section 9 of this report, confirming that there is adequate car parking available for the use, ensuring that the amenity of the locality is not adversely affected by car parking.

A response to Clause 52.06-9 is also provided.

This application, as it relates to car parking provision and design, is **exempt from notice and review**.

6.2 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.

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.

6.2.1 Response to Clause 52.34*Permit triggers*

An Indoor Recreation Facility is nested under Minor Sports and Recreation Facility.

Six bicycle parking spaces are required to be provided, and these spaces are shown on the plans.

No showers or change rooms are required.

6.3**Clause 53.02 – Bushfire planning**

The land is designated as Bushfire Prone and we understand that there is a requirement to respond to the decision guidelines of Clause 53.02-6 – Bushfire prone decision guidelines:

General

- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The impact of any State, regional or local bushfire management and prevention actions occurring around the site and in the wider area on the bushfire hazard and the level of risk to the proposed development.*
- *The risk of bushfire to people, property and community infrastructure.*
- *Whether the risk arising from the broader landscape can be mitigated to an acceptable level.*
- *Whether bushfire protection measures to address the identified bushfire risk are required and can be practically implemented, including any measure set out in clause 53.02-4.*
- *Whether bushfire protection measures can be implemented without unacceptable biodiversity impacts.*

Vulnerable people

For a building used for accommodation (other than a dwelling or small second dwelling), education centre, hospital, indoor recreation facility, major sports and recreation facility or place of assembly the responsible authority must also consider:

- *The capacity for vulnerable occupants to evacuate.*
- *Whether emergency management arrangements are provided and are sufficient for the site.*
- *Whether the risk to vulnerable occupants warrants the closure of the use or development on days of elevated fire danger.*
- *Whether measures to shelter in place are warranted and whether the measures will protect human life.*
- *The net benefit provided to any existing vulnerable people.*

6.3.1**Response to Clause 53.02-6**

This application is consistent with the relevant decision guidelines of Clause 53.02-6 as:

- The site is located in an established industrial estate and it is located proximal to a number of arterial roads, such that the site can be readily evacuated, if required, and it is easy to access a safer place noting that the residential areas located only 130 metres to the north of the site are not Bushfire Prone Areas. This ensures that Council can approve the indoor recreation facility without putting human life at risk.

- The indoor recreation facility is located within a building which has already been constructed, and we understand that the Building Permit process would have ensured that the building is constructed to an appropriate standard to minimise bushfire risk.

6.4 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.*
- *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 impact the use or development will have on the current and future development and operation of the transport system.*

6.4.1 Response to Clause 65.01

Clause 65 – Decision Guidelines is focussed on ensuring an acceptable outcome is achieved for the land.

Our assessment of the application against Clause 65.01 in Section 9 of this report confirms that this application will result in an acceptable outcome for the site, and that the application is consistent with the relevant requirements of Clause 65.

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:

- Provision of car parking for the use, as a Planning Permit is not triggered under Clause 52.06-3.
Clause 52.06-6 specifies that car parking must be provided to the *satisfaction of the Responsible Authority*.
Clause 52.06-8 and Clause 52.06-9 requirements are to the *satisfaction of the Responsible Authority*.

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 Municipal Planning Strategy (MPS)

The most relevant sections of the MPS are included below.

Clause 01.02 – 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.

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

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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 Queenscliff 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.

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.

8.2 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.

Clause 15.01-4S Healthy neighbourhoods

Objective

To achieve neighbourhoods that foster healthy and active living and community wellbeing.

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.

17.01-1S Diversified economy

Objective

To strengthen and diversify the economy.

Clause 17.02-1S Business

Objective

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

Clause 17.03-2L Sustainable industry in Greater Geelong

Strategies

Facilitate well designed and serviced industrial development that provides a high level of amenity for workers and visitors.

8.2.1**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 a well located, small recreational opportunity within a building which has been designed to accommodate a range of uses, adding to the range of recreational opportunities available to the broader community. This directly aligns with the People's Panel vision for Victoria in Clause 01.02.

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 the application responsive to the zone?
- Is the application supported by the Municipal Planning Strategy and the Planning Policy Framework?
- Have car parking needs and requirements been met?
- Is the signage appropriate?
- Is an acceptable outcome achieved in relation to the issues required to be considered in Clause 65.01?

9.1 Is the application responsive to the zone?

We note that the site is located in the Industrial 1 Zone and highlight the specific features of the site and surrounding area which make the indoor recreation facility an appropriate land use. These being:

- The site is developed with a building, approved by Council, which has been designed to accommodate a range of uses.
- The surrounding area, in close proximity of the site, contains a number of sensitive land uses (dwellings) which would restrict the use of the land for industrial purposes.
- The subject site is located at the interface with the Rural Living Zone, with the adjoining land to the south of the site developed with a dwelling – consistent with the purpose of the Rural Living Zone.
- With the development of Fyansford's residential areas to the north, the site serves a large residential catchment and provides for an important recreational opportunity for the community.

In addition to the above, we highlight that gyms, exercise studios, children's play centres, and a wide range of recreational land uses have been approved by Council and are operating within the Industrial 1 Zone across the municipality. The approval of these types of applications aligns with VCAT case history, where the Tribunal regularly approves indoor recreational facilities and places of assembly in the Industrial 1 Zone, finding that the approval of these small land uses do not in any material way undermine the purpose of the Industrial 1 Zone. VCAT also acknowledges the important economic, employment, and social benefits associated with the approval of these land uses.

We expect that there are situations where the approval of an indoor recreation facility in the Industrial 1 Zone could be inappropriate, but the specifics of the subject site, with its existing building, and mixed-use environment which includes a number of dwellings, and which does not provide for noxious industry, is such that the land use is appropriate.

The approval of an indoor recreation facility on the land is consistent with the purpose of the zone and will not compromise the ability for surrounding land to be used for industrial purposes and will provide for a land use which will not compromise the amenity of the surrounding area.

The approval of an indoor recreation facility on the land is consistent with the decision guidelines of the Industrial 1 Zone relating to land use, as:

- The indoor recreation facility is supported by the Municipal Planning Strategy and the Planning Policy Framework, as detailed in Section 9.3 of this submission.
- An industrial land use is not proposed such that there are no offsite impacts associated with an industrial use requiring consideration.
- The use can coexist with the small-scale industrial uses operating in the vicinity of the site, and it supports the amenity of the numerous dwellings established in the area with its quiet land use and hours of operation.
- There is no impact on drainage, as existing hard surface areas are retained, there are no new buildings proposed, and the changes to surfaces in the car parking area modifies only the material proposed, continuing as a permeable surface.
- The site is connected to the required services.
- The road network can accommodate the traffic generated by the use, with the road network designed to provide for industrial and Rural Living zoned traffic, per the existing zoning arrangements for the area.

It is understood that in approving the development of the land with buildings which could be used for a range of land uses, including industrial and warehousing type uses, Council expected that there would be a reasonable amount of traffic generated by the site.

- There are no interim land uses on the site.

It is demonstrated that **the land use is supported by the zone** and consistent with the decision guidelines of Clause 33.01-2.

9.2 Have car parking needs been met?

As has been noted, car parking is required to be provided to the *satisfaction of the Responsible Authority*, and a Planning Permit is not required under Clause 52.06-3. This means that a car parking demand assessment is not required and the decision guidelines within Clause 52.06-7 are not relevant to the consideration of this application.

We have reviewed PPN 22 | Using the Car Parking Provisions and its direction in relation to requirements for unspecified uses where it is stated that Council may determine the adequacy of parking based on:

- Policies.
- Surveys.
- Floor area *similarities of nature and scale between the proposed and existing uses enable the responsible authority to benchmark an appropriate rate.
- Operational characteristics.
- Locational characteristics.

We respond to these issues below, as there are no decision guidelines within Clause 52.06-6.

Policies

There are no car parking provision related policies in the Greater Geelong Planning Scheme relevant to this application.

Surveys

No car parking surveys have been undertaken.

Floor area and operational characteristics

We have reviewed recent VCAT decisions for indoor recreational facilities and note that decisions have often been based on the place of assembly car parking rate of 0.3 spaces per patron, up to a rate of 0.5 per student/ staff member.

This application provides for 14 on site car parking spaces, and with 20 students and a peak of four staff, resulting in the need for 12 car parking spaces to provide for the peak demands of the use. We highlight that there are an additional 5-6 car parking spaces located in the road reserve directly in front of the site, meaning that the site's car parking needs are met, and safe pedestrian access to the land is achieved.

Classes are timetabled to provide for a break between classes to ensure that the parking demands associated with the previous class have dissipated prior to the next class commencing, significantly decreasing car parking demand.

In addition to the above, our client has been successfully operating dance studios within Geelong for more than 20 years and has a good understanding of the real parking demands of the use. KF Dance Studios have advised that many parents use car pool arrangements, and most parents drop children off, returning to collect them at the end of a class.

Peak car parking demands are typically between 4pm and 7pm on weekdays, with these times of peak demand occurring outside of the peak demands of businesses operating in the area.

The site plan provides for tandem parking with the intention being for staff to park in spaces 11-13.

The site plan also provides for six bicycle parking spaces, promoting travel to the site by bicycle, and reducing parking demand for the use.

Context.

Planning

Locational characteristics

The locational characteristics of the site are relevant in that the site and surrounding area, apart from land to the south of the site, is located in an Industrial 1 Zone. This means that, unlike in residential areas, there is no consideration of residential amenity in relation to car parking provision. We have noted that there are a number of dwellings in the Industrial Zone, and all are provided with on site car parking, and due to the zoning of these properties, all must necessarily have a lower amenity expectation than would be associated with a dwelling in a residential area.

The planning system is focussed on managing land use conflicts and amenity impacts, and we submit that where the car parking provided on the site, and in the road reserve in front of the site, does not provide for the small car parking needs of the use, additional on street car parking is available and can be used without compromising amenity within the industrial area.

It is demonstrated that this application **is consistent with the purpose of Clause 52.06 and the considerations in PPN22**, and will provide for an appropriate number of car parking spaces having regard for the likely demand to be created, the activities on the land, and the nature of the locality. Importantly, car parking demand will not adversely affect the amenity of the locality.

As there are changes to the site's car parking layout, a car parking plan must be provided to the *satisfaction of the Responsible Authority* as detailed in Clause 52.06-8. There is no ability for an objection to be lodged in relation to this clause.

We have provided plans which show:

- All car parking spaces proposed for the land.
- All accessways located on the land.
- Allocation of car spaces to staff in the tandem parking area.
- Location of landscaping.

Clause 52.06-9 also applies to this application as there are changes to the existing car parking layout on the land. The requirements of Clause 52.06-9 are to the *satisfaction of the Responsible Authority*, and there is no ability for an objection to be lodged in relation to this clause.

The application plans show car parking spaces and accessways, designed to comply with the requirements of Clause 52.06-9.

9.3 Is the application supported by the Municipal Planning Strategy and Planning Policy Framework?

This application will provide for a recreational opportunity on the land, and this will assist in providing for the health and wellbeing of living in Fyansford's residential areas directly to the north-east of the site and the broader community. Ultimately the facility will assist in meeting the recreational demands of the growing community identified in Clause 02.03-1, with the projected growth of 152,000 people by 2036 coming with an increased demand for a range of recreational opportunities.

The small indoor recreation facility will provide for local employment and assist in providing for a strong and diverse local economy, as encouraged by Clause 17 – Economic Development and Clause 17.01-1S – Diversified Economy. Importantly, the dance studio assists in providing for the community's recreational and entertainment needs as detailed in the objective of Clause 17.02-1S – Business.

Council has identified the importance of industry to the economy, and the importance of retaining industrial land for industrial purposes, including in Clause 17.03-2S. However, we highlight the modern function of industrial areas which, throughout the municipality, accommodate a range of land uses which are not able to be accommodated in other zones, including gyms, exercise studios, indoor sports facilities such as tennis courts, volleyball courts, soccer fields, dance studios and the like. We have also highlighted the particular circumstances of the industrial area in which the site is located, where a range of dwellings are accommodated, and where the site has a direct abuttal to land in the Rural Living Zone, which make the land less viable for an industry.

We understand that Council considers its industrial land supply based on the way in which industrial land is used throughout the municipality and highlight that the approved development has clearly been designed to accommodate a range of land uses within the small building.

Given the above, we do not expect that the approval of this small indoor recreational facility will impact on the ability for industrial land uses to be accommodated in the municipality, nor will it compromise the operation of any industries which require significant buffers, which is consistent with Clause 17.03-2L and the policy direction of Clause 17.03-2S.

It is demonstrated that this application **is supported** by the Municipal Planning Strategy and the Planning Policy Framework.

9.4 Is an acceptable outcome achieved in relation to the issues required to be considered in Clause 65.01?

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 consistent with Section 4(1)(c) of the *Planning and Environment Act 1987*.

The Municipal Planning Strategy and the Planning Policy Framework

This has been addressed in Section 9.3 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 Section 9.1 and 9.2 of this report.

The orderly planning of the area

An orderly planning outcome is achieved, and this application assists Council in achieving its stated intention for high amenity industrial areas and a healthy and active community.

The impact the use or development will have on the current and future development and operation of the transport system

As detailed earlier in this submission, it is not expected that the traffic generated by the use will impact on the functionality of the road network.

It is expected that with a maximum patron capacity of 20 patrons, traffic generated by the land use will not be discernible in this industrial estate, where roads have been designed to provide for industrial-related traffic.

9.5 Is the signage appropriate?

This application seeks approval for a floodlit sign above the building's roller door. Within a Category 2 area, a floodlit sign requires planning approval.

The application plans show a display area of 3.5 metres by 1.5 metres in area, with the advertisement area of the sign a lesser area. The floodlight is located within the display area shown on the application plans.

The sign provides a positive response to the purpose of Clause 52.05 and Clause 52.05-12 and will provide for the adequate identification of the business in an orderly way.

The sign, which is proportionate to the scale of the building, and designed to provide for low level illumination is also responsive to the decision guidelines of Clause 52.05-8.

Planning

Council's Advertising Sign Guidelines, referenced at Clause 15.01-1L-03, are also relevant to the consideration of this application, with the signage designed to meet the objectives of Category 2 Industrial Areas by providing for the adequate identification of the premises given its operating hours.

We note that there is no particular guidance in the Advertising Sign Guidelines in relation to floodlit signs and a Planning Permit is not required for a business identification sign, and therefore the application must be consistent with the requirements of the Advertising Sign Guidelines.

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. Part 2 - Division 2 of the *Aboriginal Heritage Regulations 2007* specifies exempt activities which do not require a Cultural Heritage Management Plan.

A CHMP is not required for this application, as the site is not located within an area of Aboriginal cultural heritage significance.

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.
- The application is responsive to the zone provisions.
- Adequate car parking is provided.
- The indoor recreational facility will assist Council in achieving its stated intention to provide important recreational, business and employment opportunities for the broader community, including Fyansford's residential communities which are located directly to the north east of the site.
- The small floodlit sign provides for an appropriate form of identification for the use.
- An acceptable outcome is achieved.

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