

DOC: .....

BOX: .....

3



**S.96A Application For Combined Rezoning, Buildings & Works To  
Extend Existing Shop & Partial Waiver Of Car Parking At 1 Fyans  
Street, South Geelong**

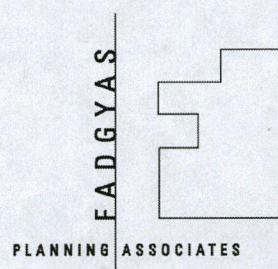
**On Behalf of TWW (Totally Workwear Geelong)**

**August 2016**

**CITY OF GREATER GEELONG  
STATUTORY PLANNING  
19 AUG 2016  
RECEIVED**

**Fadgyas Planning Associates Pty Ltd**  
Principal: C.L.G. Fadgyas FPIA, MVPELA

PO Box 8182, Newtown Victoria 3220  
Tel: +613 5241 3200 Fax: +613 5241 3992  
www.fadgyasplanning.com.au  
Email: fadgyas@fadgyasplanning.com.au  
ABN 73098557745



## **1. Introduction and Background**

This application is made on behalf of Totally Workwear (TWW) Geelong and Hoppers Crossing. The site is located at the north-eastern corner of the intersection of Latrobe Terrace (Princes Highway) and Fyans Street. It is a corner site extending north from Fyans Street to Park Street. Access to the car park (rear north) is available from either Park Street or directly from Latrobe Terrace.

(Refer Locality Aerial - Attachment 1)

TWW has owned the site for many years and provides an extensive range of specialized (safety and/or embossed) workwear. This business provides employment for 5 full-time staff. This is expected to increase by 2 part-time staff following the proposed expansion facilitated by this concurrent rezoning and development application.

The hours of operation of the enterprise will not change from the hours presently operating, i.e. 8:30 am to 5:30pm Monday to Friday, and 9am to 3pm on Saturday.

This combined rezoning/development application is required to facilitate the strong demand for special workwear – safety workwear in particular from this site, the headquarters of TWW Geelong and Hoppers Crossing. The existing showroom and shop is simply not large enough to properly exhibit the products and service the demand, hence, this modest expansion of the existing building to provide additional showroom and storage facilities and improved amenities for staff and customers alike. The rear car parking area will also be re-designed to provide one additional car parking space to provide 7 standard spaces and one space for the disabled.

A joint application under S 96A of the Act is seen as the most efficient way of creating the “authority” for the increased shop floor without changing the residential status of the underlying zone.

(Refer Existing Zoning Plan - Attachment 2)

## **2. Title Particulars**

The proposed rezoning site is comprised of 2 separate titles as follows:

- CP 156863 Volume 09548 Folio 193 - (contains the TWW premises and the car parking area to the rear)
- Lot 1 TP 238016U Volume 08063 Folio 334 – (contains a single storey dwelling currently used as a Medical Centre. The site has a Planning Permit for a pair of 2-storey attached townhouses - Permit No 64/2016).

(Refer Titles - Attachment 3)

### **3. Proposal**

This proposal has two distinct parts namely:

- The rezoning of land at 1 Fyans Street and 22 Park Street from General Residential Zone, Schedule 1 (GRZ 1) to Residential Growth Zone Schedule 1 (RGZ 1);

(Refer Proposed Zoning Plan & Associated Documents - Attachment 4)

and

- Buildings and works at 1 Fyans Street to modestly increase the floor area of the existing shop by 180 square metres approximately, and enhance the visual amenity of the structure on the site by enhancements to the elevations, in particular the replacement of the angled southwest elevation by a more traditional vertical glazed wall. Additionally the proposal will require the waiver of 6 car parking spaces notwithstanding the addition of one extra space to the rear car park.

(Refer Permit Application Form & Proposed Development Plans - Attachment 5)

### **4. Site and Surrounds**

The site is located at the north-eastern corner of the intersection of Latrobe Terrace (Princes Highway) and Fyans Street. It is a corner site extending north from Fyans Street to Park Street. Access to the car park (rear north) is available from either Park Street or directly from Latrobe Terrace.

Post World War 2 the site was a service station but since the 1960's has been used for many years past for a variety of commercial purposes including drive-through bottle shop, bedding shop and the like. has evolved to the contemporary commercial building now occupying the site with its unusual angled glazed frontage to Fyans Street.

Albeit this corner is within a residential area, the wider area surrounding this busy intersection is highly commercialised with properties to the south of Fyans Street largely occupied by motor vehicle sales businesses such as Blood Hyundai (south west corner), and a range of Rex Gorrell sales premises (providing for a wide range of vehicle makes and models) to the south east. To the north beyond Park Street is the expansive area of Kardinia Park accommodating The Geelong AFL club, other football and cricket ovals, netball courts, a swimming centre, and associated facilities including expansive areas of public car parking.

The immediately abutting property to the north-east is owned by the applicant and has recently been granted planning approval for a pair of townhouses (Permit 64/2016) to replace the existing single detached house presently being used as a Medical Centre.

Land to the north-west on the western side of Latrobe Terrace is predominantly residential with a range of existing non-residential uses nearby and along the street frontage in particular.

(Refer Locality Photographs - Attachment 6)

## **5. Planning Controls**

### **5.1 Existing Controls**

#### **Current Site**

The site (both titles) is wholly within Schedule 1 to the General Residential Zone – GRZ 1 (Clause 32.08). As such potential commercial uses are severely constrained, notwithstanding that the use on the site undoubtedly has existing use rights and extension of the use (subject to planning approval) is possible under the Scheme. However, under the proposed Residential Growth Zone a significant number of commercial uses are as-of-right (Section 1 of the Use Tables to Clause 32.07) including *Shop* subject to conditions that are readily met by this proposal.

### **5.2 Proposed Zone- Residential Growth Zone, Schedule 1 (RGZ 1)**

The whole of the area proposed for this development is to be concurrently rezoned to Residential Growth Zone, Schedule 1 (Clause 32.07) with the adjoining lot at 4 Park Crescent. The proposed zone has the following purposes:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework including the Municipal Strategic Statement and local planning policies.*
- *To provide housing at increased densities in buildings up to and including four storey buildings.*
- *To encourage a diversity of housing types in locations offering good access to services and transport including activities areas.*
- *To encourage a scale of development that provides a transition between areas of more intensive use and development and areas of restricted housing growth.*
- *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*

#### **Use Definition**

The use is best characterised as *Shop*, defined at Clause 74 of the Scheme as:

*Land used to sell goods or services, or to hire goods. It includes the selling of bread, pastries, cakes or other products baked on the premises. It does not include food and drink premises, gambling premises, landscape gardening supplies, manufacturing sales, market, motor vehicle, boat, or caravan sales, postal agency, primary produce sales, or trade supplies.*

Pursuant to Clause 32.07-1 a permit is not required for the use subject to compliance with the Condition that:

*The land must be located within 100 metres of a commercial zone or Mixed Use Zone and must adjoin, or have access to, a road in a Road Zone.*

*The land must have the same street frontage as the land in the commercial zone or Mixed Use Zone.*

*The leasable floor area must not exceed 100 square metres.*

#### **Comment**

If the use does not satisfy the Conditions, then it automatically defaults to Section 2 of the Table of Uses, triggering a Permit (Clause 32.07-6). That is the case with this proposal which meets all the necessary conditions except for the floor area criteria. The floor area is proposed to be increased by 173 square metres, hence the need for this S 96A application.

#### **Permit - Buildings and Works Associated With A Section 2 Use**

Pursuant Clause 32.07-6 a permit is required to:

*Construct a building or construct or carry out works for a use in Section 2 of Clause 32.07-1.*

#### **Decision Guidelines**

Clause 32.07-11 provides that in addition to the Decision Guidelines at Clause 65, the Responsible Authority must consider the following as appropriate:

General:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

Note that the various relevant policies/strategies are addressed at Section 5.5 of this report following.

- The purpose of this zone.

- Any other decision guidelines specified in a Schedule to this zone.

Note that there are none specified in the Schedule (Schedule 1).

**Non-residential use and development**

- Whether the use or development is compatible with residential use.
- Whether the use generally serves local community needs.
- The scale and intensity of the use and development.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The provision of car and bicycle parking and associated accessways.
- Any proposed loading and refuse collection facilities.
- The safety, efficiency and amenity effects of traffic to be generated by the proposal.

**Comment**

The existing use on the site has operated extremely compatibly with the adjoining residential use to its east. Indeed it provides a good acoustic buffer for the residential uses to the east from the high volume of traffic using both Latrobe Terrace and Fyans Street daily.

The use serves the local community in addition to the wider region and the increased intensity of use that will be generated by the modest increase in the floor area is not likely to have any unreasonable impact(s) on the neighbours to the east, or any noticeable impact on the function and/or efficiency of either Latrobe Terrace or Fyans Street. The design of the facades (where the angled glazing is being replaced by a more conventional glass-wall style) is seen as enhancing the visual amenity of the streetscape at this corner. The building height remains at single storey scale relative to the 2-storey units to the east. No additional landscaping is seen as necessary or proposed. One additional car parking space is to be provided at the rear, and whilst not required under the Scheme it is proposed to install a pair of bicycle parking racks at the northern entry to the building.

The modest nature of the expansion does not warrant any changes to the existing loading and/or unloading processes/methods used, nor is it anticipated that the additional traffic to be generated by the expansion would in any way impact the efficiency and/or amenity of traffic, noting that Latrobe Terrace is a dual Highway and the intersection with Fyans Street

is controlled by traffic signals. There are no changes proposed to the existing access/egress arrangements to/from the site.

### **5.3 Overlays**

Nil

### **5.4 Other Provisions**

#### **5.4.1 Advertising Signage (Clause 52.05)**

There are no changes proposed to the advertising signage on the site.

#### **5.4.2 Car Parking (Clause 52.06)**

Clause 52.06 provides the statutory controls and guidelines for car parking and the Table to Clause 52.06-5 suggests the required parking spaces for particular uses such as the proposed use, as identified in the Table to Clause 52.06-5.

The Table to Clause 52.06-5 specifies an ambit provision (subject to Council's discretion) of 4 spaces to each 100 square metres of leasable floor area. This provision applies to the additional floor area proposed not existing floor area. The site already provides 7 car parking spaces in the rear (northern part) of the site. These are accessible from both Park Crescent and Latrobe Terrace

On that basis the proposal generates an additional parking requirement for 7 car parking spaces (i.e. 1.73 x 4).

Since one additional space is proposed with this application the net shortfall is 6 car parking spaces, and whilst there is a sufficiency of on-street parking space available in Park Crescent or nearby streets.

**The proposal will require a waiver of 6 car parking spaces.**

#### **5.4.3 Loading and Unloading Of Vehicles (Clause 52.07)**

The site already has its loading/unloading arrangements and this proposed extension of floor areas will neither require changes to the current arrangements nor require additional space to be made available for deliveries to/from the site. In any event deliveries to/from the site are mostly by small transit vans, utilities or sedans.

#### **5.4.4 Bicycle Facilities (Clause 52.34)**

Bicycle facilities are considered at Clause 52.34 and Table 1 to Clause 52.34-3 sets out the requirements for the provision of bicycle parking facilities.

There is a suggested rate of 1 rack to each 600 square metres of leasable floor area for employees of a shop, and one rack per 500 square metres of leasable floor area for shoppers, if, in both cases the leasable floor area exceeds 1000 square metres.

This proposal does not trigger any demand for the provision of bicycle racks at all however it is proposed to install a pair of bicycle parking racks at the northern entry to the building.

## **5.5 Planning Policies**

### **SPPF**

Clause 10.04 Integrated decision making provides that:

*Planning and Responsible Authorities should endeavour to integrate the range of policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations.*

Clause 11 Settlement provides that:

*Planning is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure.*

Clause 15.01-5 Cultural identity and neighbourhood character seeks to:

*Recognise and protect cultural identity, neighbourhood character and sense of place*

Relevant strategies include:

*Ensure development responds and contributes to existing sense of place and cultural identity.*

*Ensure development recognises distinctive urban forms and layout and their relationship to landscape and vegetation.*

*Ensure development responds to its context and reinforces special characteristics of local environment and place by emphasising:*

- *The underlying natural landscape character.*
- *The heritage values and built form that reflect community identity.*
- *The values, needs and aspirations of the community.*

**Comment**

The State level policies do not deal with such micro-level development as proposed however to the extent that they have any relevance they clearly support the continued positive use of existing buildings, and also envisage the continuation and expansion of existing uses within the Scheme by providing support through Clause 63 of the Scheme. The SPPF also translates to the relevant zones through the various use tables, and there is clear support for the use and/or development of shops in the proposed Residential Growth Zone, Schedule 1.

**LPPF - MSS**

Urban Growth (Clause 21.06-2) has the following Strategies of some relevance:

- *Ensure that land use and development does not compromise the capacity or potential future development of areas designated for future urban growth, as shown on the relevant Structure Plan or Urban Growth Plan.*
- *Ensure development occurs within designated settlement boundaries.*
- *Ensure new residential neighbourhoods provide a mix of housing suited to the needs of a diverse range of household types.*

**Comment**

There are no real objectives/strategies of any significance to this proposal under Clause 21.06 – Settlement and Housing, It is not an application providing directly for residential development or increased residential density, although in the event that the existing use on the site should cease, the zone is an appropriate zone to facilitate future more intensive residential development if required. The most relevant policy to the consideration of this proposal is to be found at Clause 22.01 – Discretionary Uses In Residential Areas. However, it also needs to be remembered that whilst the proposal will be discretionary in the proposed new zone, the use already exists on the site. It has existing use rights and could in all probability be extended under the provisions of Clause 63 of the Scheme.

**Local Policy**

Clause 22.01 – Discretionary Uses In Residential Areas is the only local policy of any real relevance, and it deals with amenity impacts of non-residential uses in residential areas. Under “policy basis” it states that:

*Protecting of the amenity of the City's residential areas requires a balance between the need for goods and services that serve local residents and workers, and the potential for negative impacts on residential amenity.*

and

*Non-residential uses can reduce the amenity of residential areas through the generation of additional traffic, increased demand for car parking, the hours of operation of the use appearance, noise and other emissions. In order to maintain the residential character and amenity of an area it is important that non-residential uses are located and function having regard to these issues. To protect residential areas it is important to restrict the encroachment of incompatible non-residential uses.*

**And Importantly It Notes That:**

*Purpose built non-residential buildings are important features of the City's residential areas. Particularly in the inner suburbs. Council encourages appropriate re-use of these buildings for either residential or non-residential uses where it results in an economically viable use of the building and provides a service to the local community.*

Relevant objectives include:

- *To provide for non-residential and service uses which are compatible with the residential character, scale and amenity of neighbourhoods.*
- *To provide for non-residential uses which serve the needs of the local community.*
- *To ensure that car parking can be appropriately accommodated on site and that on street parking is relied upon only where it can be demonstrated that it will not be to the detriment of surrounding residential uses.*
- *To ensure that traffic generated by the use can be accommodated within the surrounding street network.*

Relevant policy designed to help achieve the objectives include:

***Preferred Location***

- *Non-residential uses are located so as to benefit and be convenient to local residents.*
- *Non-residential uses generally be encouraged to locate on sites which have access to a Road Zone and discouraged from locating within a local access street, access lane or access place. Other locations may be considered appropriate where it can be demonstrated that residential amenity can be protected.*
- *Residential properties are not isolated between non-residential uses.*
- *Non-residential uses are encouraged to locate on sites where it can be demonstrated that due to existing conditions or constraints the site has a low standard of residential amenity.*

### **Amenity**

- *Residential amenity should be protected from:*
  - *Noise, light and odours emitted from the site.*
  - *Disturbance associated with the hours of operation.*

### **Landscaping**

- *The landscape character of an area is maintained by ensuring that there is adequate space available for planting of vegetation and that significant trees be retained where practicable.*
- *Adequate buffers in the form of landscape strips be provided between adjoining properties and areas used for access and parking within the subject site.*

### **Carparking & Traffic**

- *Adequate area is set aside for on-site car parking.*
- *Areas set aside for car parking be located to ensure that they do not dominate the Street-scape.*
- *Residential amenity be protected from significant changes in traffic conditions and significant increases in on street parking demand.*
- *Loading and unloading of vehicles does not cause unreasonable detrimental impact to residential amenity.*

### **Advertising Signage**

- *Advertising signage be designed and located so as to create a balance between providing appropriate identification for visitors to a site and ensuring signage has regard to its residential context.*

### **Comment**

The proposal is to continue using, and extend an existing purpose-built commercial building located at one of the City's busiest (if not the busiest) intersections (i.e. Latrobe Terrace and Fyans Street – both roads within the Category 1 Road Zone) in South Geelong. The business will continue to operate as it has for many years past without any adverse impact(s) on the residential uses to the east. Land to the north is unaffected, being the expansive area of Kardinia Park. Land to the south is also unaffected being heavily developed with commercial uses mostly based around the motor vehicle industry. Further the dominant facades are to be re-aligned and re-furnished and one additional car parking

space is to be added to the existing parking area to the rear. The abutting arterial road network will readily accommodate the modest increase in vehicular traffic to be generated by the increased floor area. Advertising signage will remain unchanged from the modest and tasteful signage that exists on the site. It is also noteworthy that the benign operating hours are not proposed to be changed.

#### **Application Requirements**

An application should be accompanied by the following information to the satisfaction of the responsible authority, as appropriate:

- *A description of the proposal, including hours and days of operation, number of staff, type and frequency of deliveries, number of patrons, length of appointments, number of children at childcare centre and any other relevant information.*
- *A landscape plan drawn to an appropriate scale and provided by a qualified Landscape Architect who is a member of the Australian Institute of Landscape Architects, or a person with a suitable background in horticultural science or an allied field.*
- *A traffic report may be required depending on the type and scale of the use proposed and the context of the site.*

#### **Comment**

This planning report and the attached application drawings are considered to appropriately and reasonably satisfy the foregoing requirements.

#### **Performance Measures**

Proposals will be measured against the following performance measures:

##### **Amenity**

- *Hours of operation for all non-residential uses will be considered having regard to the nature and intensity of the use and the context of the site and surrounding areas.*
- *Loading and unloading of vehicles should only occur between the hours of 8am and 6pm.*
- *Noise attenuation measures should be provided where appropriate and all external noise sources (air-conditioning, heating, plant equipment etc.) should be designed and located to restrict noise emission to adjoining properties.*

***Design***

This is an existing residential building which will not change its external appearance, hence the *design* criteria are considered to be inapplicable.

***Landscaping***

- *A minimum 1.5 metre landscaped buffer should be provided to separate accessways and car parking areas from adjoining residential properties.*
- *The front setback of sites should be set aside for landscaping.*

***Car parking***

- *Car parking should be provided at the side or rear of the site.*

***Comment***

As already noted under the comments to the “policies” the proposal is particularly compliant, and satisfies the foregoing performance measures (as relevant) acceptably. In terms of amenity, the operating hours will not change despite the increase in floor area. The design of the building will be enhanced as part of the refurbishment concurrently undertaken with the modest expansion of floor area. Landscaping will not change but in any event this is not a site that lends itself to extensive landscaping given the constricted site area, the need to provide car parking, and the need to limit obstruction to visibility at the intersection. On-site car parking will be increased by one space.

**6. Decision Guidelines - Clause 65**

These Guidelines are additional to the Decision Guidelines at Clause 32.07-11 (Refer Section 5.2 above) and provide criteria under two sub-sections including:

- Clause 65.01- Approval of an application or plan.
- Clause 65.02 - Approval of an application to subdivide land.

To the extent relevant the proposal satisfies the criteria applicable to Clause 65.01 since:

- It is generally consistent with all relevant policies in the SPPF and LPPF, since the proposal provides for the modest expansion of a valuable purpose-built commercial building in the residential area, creating additional employment as well as increased capacity to provide the much sought after safety clothing and footwear that is such a necessary (indispensable) part of the everyday work force.

- It provides additional onsite car parking for staff, visitors, and incidental service vehicles. Only six car parking spaces are required to be waived and such a modest waiver will have no adverse impact on parking in the street or nearby, or the efficiency of the road network.
- The site has operated without concern in the locality for many years, and since the very benign operating hours will remain unchanged there is little likelihood of any adverse amenity issues for the residential units abutting directly to the east.
- It is consistent to be consistent with the orderly planning of the area.
- The site is served by all necessary urban infrastructure, including availability of nearby public transport
- The proposal does not contribute to land degradation.
- The land is neither flood nor erosion prone, or at risk from fire hazard.

With respect to Clause 65.02 - Approval of an application to subdivide land – there is no subdivision proposed, hence no further discussion under Clause 65.02 is required.

**Comment**

Overall, the proposal reasonably satisfies all necessary Decision guidelines.

**7. Strategic Assessment Guidelines**

The Strategic Assessment Guidelines provide a set of criteria (a checklist) under which planning scheme amendment requests will be reviewed including:

- Need for the amendment.
- Compliance of amendment with Act (objectives of planning in Victoria).
- How does it address environmental and social and economic effects.
- How does the amendment address relevant bushfire risk.
- Does the amendment comply with relevant Ministerial Directions.
- Compliance with State Planning Framework.
- Compliance with Local Planning Framework.
- Does amendment make proper use of VPP.
- Views of relevant agencies.

- How does amendment address relevant requirements of Transport Integration Act 2010.
- Impact of amendment on responsible authority.

### **7.1 Need For The Amendment**

The need for the amendment is well described in the foregoing report, however in general the amendment is needed:

- To facilitate the modest expansion of the existing shop, and provide a zone for the site that will enable further expansion (if required) without the need to rely on Clause 63 of the Scheme.

### **7.2 Compliance With The Act**

The amendment implements the objectives of Planning in Victoria by addressing the following relevant objectives set out in Section 4 of the *Planning and Environment Act 1987*.

- (a) *To provide for the fair, orderly, economic and sustainable use, and development of land.*
- (b) *To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.*
- (c) *To facilitate development in accordance with the objectives set out in paragraphs (a), (b), (c), (d) and (e).*
- (g) *To balance the present and future interests of all Victorians.*

The proposal seeks to support the on-going use of a valuable purpose-built commercial building, provide for its modest expansion, and possible future expansion in a highly accessible location for the convenience of the immediate locality and the wider area.

### **7.3 How Does The Amendment Address The Environmental Effects And Any Relevant Social And Economic Effects?**

The amendment is seen as being strongly positive in terms of social and economic effects. TWW already operates on the site providing employment for 5 staff. This Section 96A proposal will create opportunity for at least another 2 part-time staff whilst also ensuring greater certainty for the future of the enterprise at this location.

### **7.4 How Does The Amendment Address Relevant Bushfire Risk?**

Bushfire risk is not relevant to this amendment, and the associated development.

**7.5 Does The Amendment Comply With Relevant Ministerial Directions?**

The amendment complies with the Ministerial Direction on *The Form and Content of Planning Schemes* under Section 7(5) of the *Planning and Environment Act 1987*.

**7.6 Compliance With SPPF**

The proposed rezoning complies appropriately with the relevant State policy.

**7.7 Compliance With LPPF**

The proposal complies appropriately with Council policies (as relevant), particularly Clause 22.01.

**7.8 Proper Use Of VPP**

The Residential Growth Zone is seen as being an entirely appropriate tool for this proposal, as it does not change the underlying residential basis of the area, but provides for a range of non-residential uses (including shop) at this low amenity (in residential terms) site. It is an ideal "transitional" zone between commercial and residential uses.

**7.9 How Does The Amendment Address Views Of Relevant Agencies?**

The City of Greater Geelong is the Responsible Authority for the area, and the amendment is being undertaken with its support. All relevant agencies will be notified during the processing of the application by the Responsible Authority.

**7.10 How Does The Amendment Address Relevant Requirements Of The Transport Integration Act 2010?**

No requirements of the Transport Integration Act are relevant to this amendment.

**7.11 Impact On Responsible Authority's Resources/Administrative Costs**

There will be no impact whatsoever on the resources of the Responsible Authority.

**8. Conclusion**

It is clear by any assessment that this proposal providing for the extension to the existing TWW shop warrants the Council's, the Government's and the community's unreserved support.

It will generate additional employment without in any way adversely impacting upon neighbours or the neighbourhood. No adverse impacts are foreseen for the efficiency of the two adjacent arterial roads, or the safety of road users.

**TWW Geelong, 1 Fyans Street, South Geelong**

**August 2016**

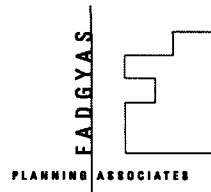
---

This is a particularly worthwhile project which meets all required planning policies and guidelines, and one which the Council is invited to support with confidence. Council is also invited to recommend the fast-tracking of this proposal to the Minister for Planning to avoid unnecessary delays to project implementation.



C. L. G. Fadgyas FPIA MVPELA  
**Director & Principal**  
**Fadgyas Planning Associates Pty Ltd**

18 August 2016



***TWW Geelong, 1 Fyans Street, South Geelong***

**Attachment 1 – Locality Plan**

---

Google Maps

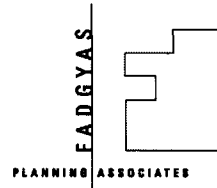


Google

Imagery ©2016 Google, Map data ©2016 Google 20 m

Google Maps

<https://www.google.com.au/maps/@-33.1603375,144.3508038,147m/data=!3m1!1e3>

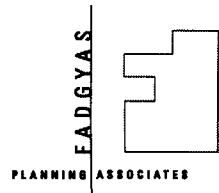


***TWW Geelong, 1 Fyans Street, South Geelong***

**Attachment 2 – Existing Zoning Plan**

---





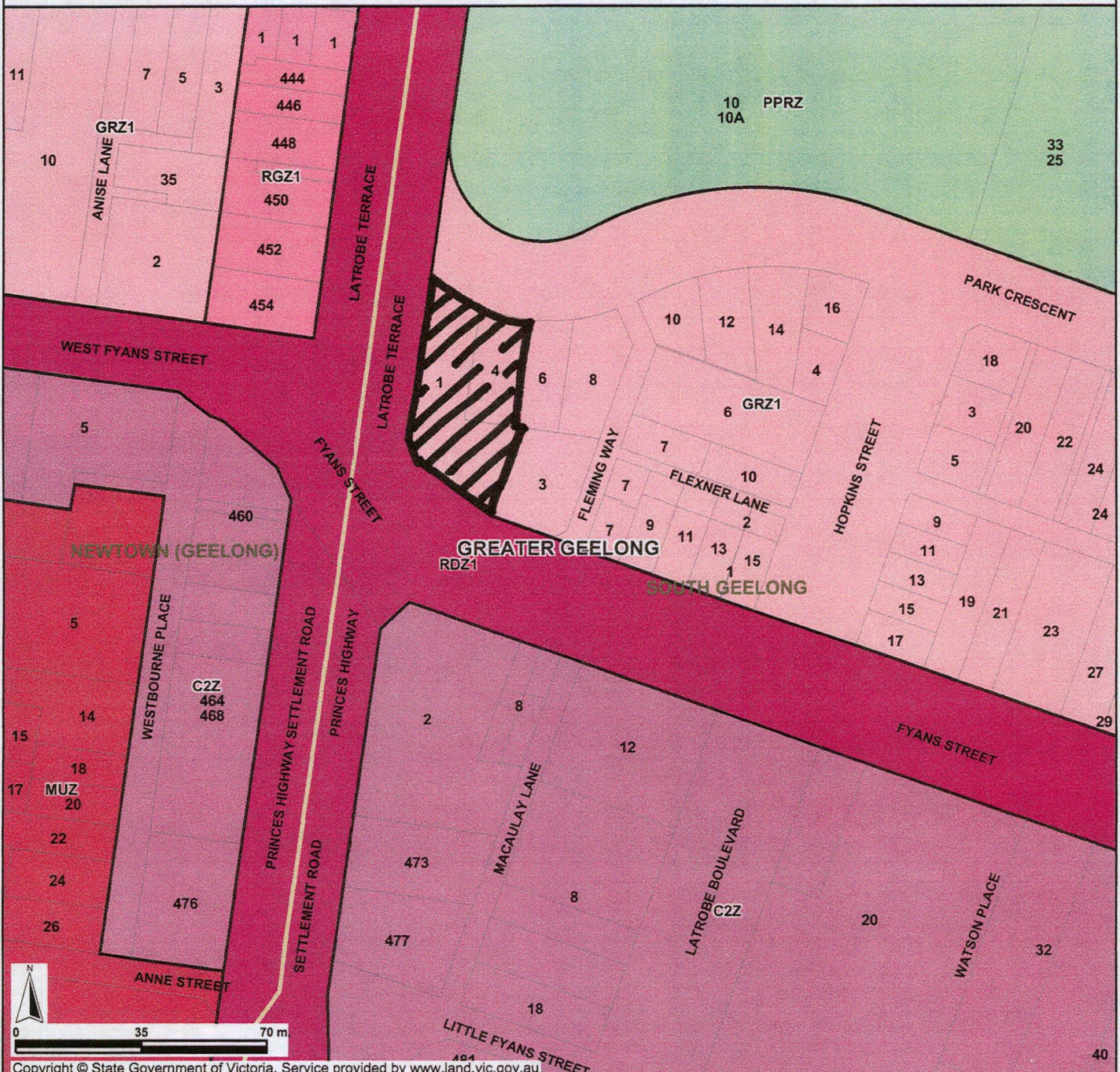
*TWW Geelong, 1 Fyans Street, South Geelong*

**Attachment 4 – Proposed Zoning Plan & Associated Documents**

---

# Planning Map

Department of  
Environment, Land  
Water and Planning



Copyright © State Government of Victoria. Service provided by www.land.vic.gov.au

## Legend

<p><b>WARRNAMBOOL</b> Major Town</p> <p><b>BOURKE STREET</b> Road name</p> <p>Property/Parcel, Selected</p> <p>Address, Lot, Crown allotment</p> <p>River, Stream, Coastline</p> <p>Waterbody</p> <p>Locality</p> <p><b>SECCON</b> Locality Name</p> <p>Local Government Area</p> <p>Local Government Name</p> <p>Urban Growth Boundary (UGB)</p> <p>Area outside the UGB</p> <p>Investigation Area</p> <p>Land added to UGB since 2005</p> <p>Boundary of Searched Suburb</p>	<p><b>ZONES</b></p> <p>AC2 - Activity Centre</p> <p>B12 - Commercial 1</p> <p>B22 - Commercial 1</p> <p>B32 - Commercial 2</p> <p>B42 - Commercial 2</p> <p>B52 - Commercial 1</p> <p>C12 - Commercial 1</p> <p>C22 - Commercial 2</p> <p>CA - Commonwealth Land</p> <p>C2Z - Capital City</p> <p>CD2 - Comprehensive Development</p> <p>DZ - Doodland</p> <p>ERZ - Environmental Rural</p> <p>FZ - Farming</p> <p>GRZ - General Residential</p> <p>GWAZ - Green Wedge A</p> <p>GWZ - Green Wedge</p> <p>IN1Z - Industrial 1</p> <p>IN2Z - Industrial 2</p> <p>IN3Z - Industrial 3</p> <p>LDRZ - Low Density Residential</p> <p>MUZ - Mixed Use</p> <p>NRZ - Neighbourhood Residential</p>	<p><b>OVERLAYS</b></p> <p>AEO - Airport Environs</p> <p>BMO - Bushfire Management (also WMO)</p> <p>CLPO - City Link Project</p> <p>DCPD - Development Contributions Plan</p> <p>DDO - Design &amp; Development</p> <p>DDOPT - Design &amp; Development Part</p> <p>DDP - Development Plan</p> <p>EAO - Environmental Audit</p> <p>EMO - Erosion Management</p> <p>ESO - Environmental Significance</p> <p>FD - Floodway</p> <p>HO - Heritage</p> <p>IPD - Incorporated Plan</p> <p>LSIO - Land Subject to Inundation</p> <p>MAEO1 - Melbourne Airport Environs 1</p> <p>MAEO2 - Melbourne Airport Environs 2</p> <p>NCO - Neighbourhood Character</p> <p>PO - Parking</p> <p>PAD - Public Acquisition</p> <p>RD - Road Closure</p> <p>RCD - Road Closure</p> <p>SBO - Special Building</p> <p>SLO - Significant Landscape</p> <p>SMD - Salinity Management</p> <p>SRD - State Resource</p> <p>VPO - Vegetation Protection</p>
--	--	--

**PROPOSED ZONE  
GRZ 1**

Disclaimer: This map is a snapshot generated from Victorian Government data. This material may be of assistance to you but the State of Victoria does not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for error, loss or damage which may arise from reliance upon it. All persons accessing this information should make appropriate enquiries to assess the currency of data.

Map Centre - Melways 401 C11  
Map Scale 1:1,603  
June 2, 2016 2:30:03 PM



## **GREATER GEELONG PLANNING SCHEME**

### **AMENDMENT C ...**

#### **EXPLANATORY REPORT**

#### **Who is the planning authority?**

This amendment has been prepared by the Greater Geelong City Council which is the planning authority for this amendment.

The amendment has been made at the request of the Gattra Group Pty Ltd trading as Totally Workwear Geelong (TWW) of 1 Fyans Street, South Geelong.

#### **Land affected by the amendment**

The amendment applies to the land at 1 Fyans Street currently occupied by the TWW premises, and an adjoining property at 4 Park Crescent also owned by the applicant, and used as a Medical Centre.

The amendment proposes to include both properties within the Residential Growth Zone, Schedule 1.

#### **Strategic assessment of the amendment.**

#### **Why is the amendment required?**

To facilitate the modest expansion of the existing use on the site, and ensure that the use and development on the site is appropriately recognised as a permitted and/or discretionary use under the Scheme.

#### **How does the amendment implement the objectives of planning in Victoria?**

The amendment implements the objectives of Planning in Victoria by addressing the following relevant objectives set out in Section 4 of the *Planning and Environment Act 1987*.

- (a) *To provide for the fair, orderly, economic and sustainable use, and development of land.*
- (b) *To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.*
- (c) *To facilitate development in accordance with the objectives set out in paragraphs (a), (b), (c), (d) and (e).*
- (d) *To balance the present and future interests of all Victorians.*

#### **How Does The Amendment Address The Environmental Effects And Any Relevant Social And Economic Effects?**

The amendment is seen as being strongly positive in terms of social and economic effects. TWW already operates on the site providing employment for 5 staff. This Section 96A proposal will create opportunity for at least another 2 part-time staff whilst also ensuring greater certainty for the future of the enterprise at this location.

#### **How Does The Amendment Address Relevant Bushfire Risk?**

Bushfire risk is not relevant to this amendment, and the associated development.

### **Does The Amendment Comply With Relevant Ministerial Directions?**

The amendment complies with the Ministerial Direction on *The Form and Content of Planning Schemes* under Section 7(5) of the *Planning and Environment Act 1987*.

### **Compliance With SPPF**

The proposed rezoning complies appropriately with the relevant State policy.

### **Compliance With LPPF**

The proposal complies appropriately with Council policies (as relevant), particularly Clause 22.01.

### **Proper Use Of VPP**

The Residential Growth Zone is seen as being an entirely appropriate tool for this proposal, as it does not change the underlying residential basis of the area, but provides for a range of non-residential uses (including shop) at this low amenity (in residential terms) site. It is an ideal "transitional" zone between commercial and residential uses.

### **How Does The Amendment Address Views Of Relevant Agencies?**

The City of Greater Geelong is the Responsible Authority for the area, and the amendment is being undertaken with its support. All relevant agencies will be notified during the processing of the application by the Responsible Authority.

### **How Does The Amendment Address Relevant Requirements Of The Transport Integration Act 2010?**

No requirements of the Transport Integration Act are relevant to this amendment.

### **Impact On Responsible Authority's Resources/Administrative Costs**

There will be no impact whatsoever on the resources of the Responsible Authority

### **Does the amendment comply with the requirements of any Minister's Direction applicable to the amendment?**

The amendment complies with the Ministerial Direction on *The Form and Content of Planning Schemes* under Section 7(5) of the *Planning and Environment Act 1987*.

### **How does the amendment support or implement the State Planning Policy Framework and any adopted State policy?**

The proposed rezoning of the two existing Colleges is simply formal recognition of the long-standing uses of the site, and the mechanism for the uncomplicated introduction of ancillary uses to the site. There are few if any State-level policies relevant to this proposal, given that it is not a proposal that seeks the establishment of a new education centres. Nevertheless, the continuation of the uses on the subject site provide a significant community benefit.

### **How does the amendment address the views of any relevant agency?**

The City of Greater Geelong is the Responsible Authority for the area, and the amendment is being undertaken with its support. The site is already occupied by the two Colleges. This amendment does not include buildings and works, so no other authorities/agencies are required to be involved.

### **Does the amendment address relevant requirements of the Transport Integration Act 2010?**

No requirements of the Transport Integration Act are relevant to this amendment.

### **Where you may inspect this Amendment**

The amendment is available for public inspection, free of charge, during office hours at the following places:

During Office Hours at: Greater Geelong City Council, Customer Service Centre, Ground Floor, 100 Brougham Street, Geelong, and

'*Have Your Say*' section of the City's website at:

[www.geelongaustralia.com.au/Accessing\\_Council/Public\\_Comment - Your Say](http://www.geelongaustralia.com.au/Accessing_Council/Public_Comment_-_Your_Say)

The amendment can also be inspected free of charge at the Department of Transport, Planning, and Local Infrastructure website at [www.dtpli.vic.gov.au/publicinspection](http://www.dtpli.vic.gov.au/publicinspection).

### **Submissions**

Any person who may be affected by the amendment may make a submission to the planning authority. Submissions about the amendment must be received by [insert submissions due date].

A submission must be sent to:

The Coordinator Strategic Implementation

City of Greater Geelong

Either by mail to:

P O Box 104

Geelong Vic 3220

or by Email to: [strategicplanning@geelongcity.vic.gov.au](mailto:strategicplanning@geelongcity.vic.gov.au)

### **Panel hearing dates**

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- directions hearing: [insert directions hearing date]
- panel hearing: [insert panel hearing date] ]

*Planning and Environment Act 1987*

**GREATER GEELONG PLANNING SCHEME**

**AMENDMENT C**

The planning authority for this amendment is the Greater Geelong City Council.

The Greater Geelong Planning Scheme is amended as follows:

**Planning Scheme Maps**

The Planning Scheme Maps are amended by a total of 1 attached map:

*Zoning Maps*

1. Planning Scheme Map No. 49 is amended in the manner shown on the attached map.

**Planning Scheme Ordinance**

There are no changes to the Planning Scheme Ordinance.

End of document

## Planning and Environment Act 1987

### GREATER GEELONG PLANNING SCHEME

#### Notice of Preparation of Amendment

#### Amendment C Authorisation A

The Greater Geelong City Council has prepared Amendment C\* to the Greater Geelong Planning Scheme.

In accordance with section 8A(3)) of the *Planning and Environment Act 1987*, the Minister for Planning authorised the Greater Geelong City Council as planning authority to prepare the amendment.

The land affected by the amendment is land owned and occupied by the Gattrra Group Pty Ltd trading as Totally Work Wear Geelong (TWW) at 1 Fyans Street South Geelong. The adjoining land to the north-east at 4 Park Crescent (also owned by the Gattrra Group) is also being rezoned.

The amendment proposes to

- Include the whole of the land at 1 Fyans Street and 4 Park Crescent within the Residential Growth Zone, Schedule 1 (RGZ 1).

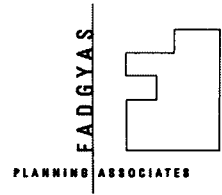
You may inspect the amendment, any documents that support the amendment and the explanatory report about the amendment, free of charge, at the following locations:

- During Office Hours at: Greater Geelong City Council, Customer Service Centre, Ground Floor, 100 Brougham Street, GEELONG, and  
***'Have Your Say' section of the City's website*** at:  
[www.geelongaustralia.com.au/Accessing\\_Council/Public\\_Comment\\_-\\_Your\\_Say](http://www.geelongaustralia.com.au/Accessing_Council/Public_Comment_-_Your_Say)
- Department of Planning and Community Development web site  
[www.dpcd.vic.gov.au/planning/publicinspection](http://www.dpcd.vic.gov.au/planning/publicinspection)

Any person who may be affected by the amendment may make a submission to the planning authority.

The closing date for submissions is [insert date]. A submission must be sent to:  
Coordinator for Strategic Implementation  
City of Greater Geelong  
P O Box 104  
Geelong Vic 3220

Signature for the Planning Authority



***TWW Geelong, 1 Fyans Street, South Geelong***

**Attachment 5 – Permit Application Form & Proposed Development Plans**

---

# Application for Planning Permit - SECTION 96A.

Planning Enquiries  
Phone: 03 5272 5272  
Web: [www.geelongaustralia.com.au](http://www.geelongaustralia.com.au)

If you need help to complete this form, read [How to complete the Application for Planning Permit form](#).

**⚠** Any material submitted with this application, including plans and personal information, will be made available for public viewing, including electronically, and copies may be made for interested parties for the purpose of enabling consideration and review as part of a planning process under the *Planning and Environment Act 1987*. If you have any concerns, please contact Council's planning department.

**⚠** Questions marked with an asterisk (\*) are mandatory and must be completed.

**⚠** If the space provided on the form is insufficient, attach a separate sheet.

Clear Form

## The Land **i**

① Address of the land. Complete the Street Address and one of the Formal Land Descriptions.

Street Address \*

Unit No.:	St. No.:	St. Name:
	1	FYANS STREET
Suburb/Locality: SOUTH GEELONG		Postcode: VIC

Formal Land Description \*  
Complete either A or B.

**⚠** This information can be found on the certificate of title.

A  Lot No.: all  Lodged Plan  Title Plan  Plan of Subdivision  Consolidation No.: CP 156863

OR

B  Crown Allotment No.:  Section No.:

Parish/Township Name:

If this application relates to more than one address, please click this button and enter relevant details.

Add Address

## The Proposal

**⚠** You must give full details of your proposal and attach the information required to assess the application. Insufficient or unclear information will delay your application.

② For what use, development or other matter do you require a permit? \*

If you need help about the proposal, read:  
*How to Complete the Application for Planning Permit Form*

Select the focus of this application and describe below:

BUILDINGS & WORKS &  
PARTIAL CAR PARKING WAIVER

**■** Provide additional information on the proposal, including: plans and elevations; any information required by the planning scheme, requested by Council or outlined in a Council planning permit checklist; and if required, a description of the likely effect of the proposal.

③ Estimated cost of development for which the permit is required \*

Cost \$ 600,000

**⚠** You may be required to verify this estimate.

Insert '0' if no development is proposed (eg. change of use, subdivision, removal of covenant, liquor licence)

## Existing Conditions **i**

### 4 Describe how the land is used and developed now \*

eg. vacant, three dwellings, medical centre with two practitioners, licensed restaurant with 80 seats, grazing.

EXISTING COMMERCIAL BUILDING,  
USED AS SHOP BY TWW (TOTALLY WORK WEAR).

Provide a plan of the existing conditions. Photos are also helpful.

## Title Information **i**

### 5 Encumbrances on title \*

If you need help about the title, read:  
How to complete the Application for Planning Permit form

Does the proposal breach, in any way, an encumbrance on title such as a restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope?

- Yes. (If 'yes' contact Council for advice on how to proceed before continuing with this application.)  
 No.  
 Not applicable (no such encumbrance applies).

Provide a full, current copy of the title for each individual parcel of land forming the subject site. (The title includes: the covering 'register search statement', the title diagram and the associated title documents, known as 'instruments', eg. restrictive covenants.)

## Applicant and Owner Details **i**

### 6 Provide details of the applicant and the owner of the land.

#### Applicant \*

The person who wants the permit.

Name:  
Title:  First Name:  Surname:

Organisation (if applicable):

Postal Address: If it is a P.O. Box, enter the details here:  
Unit No.:  St. No.:  St. Name:

Suburb/Locality:  State:  Postcode:

Where the preferred contact person for the application is different from the applicant, provide the details of that person.

Contact person's details \* Same as applicant (if so, go to 'contact information')

Name:  
Title:  First Name:  Surname:

Organisation (if applicable):

Postal Address: If it is a P.O. Box, enter the details here:  
Unit No.:  St. No.:  St. Name:

Suburb/Locality:  State:  Postcode:

Please provide at least one contact phone number \*

Contact Information  
Business Phone:  Email:   
Mobile Phone:  Fax:

**Owner \***

The person or organisation who owns the land

Where the owner is different from the applicant, provide the details of that person or organisation.

Name: Same as applicant

Title:  First Name:  Surname:

Organisation (if applicable):

Postal Address: If it is a P.O. Box, enter the details here:

Unit No.:  St. No.:  St. Name:

Suburb/Locality:  State:  Postcode:

Owner's Signature (Optional):  Date:

day / month / year

**Declaration **

⑦ This form must be signed by the applicant \*

**⚠** Remember it is against the law to provide false or misleading information, which could result in a heavy fine and cancellation of the permit.

I declare that I am the applicant; and that all the information in this application is true and correct; and the owner (if not myself) has been notified of the permit application.

Signature: *Patricia Fudajnski - Director*  
*Fudajnski Planning Assoc. P/L*

Date: *19/08/2016*  
day / month / year

## Need help with the Application?

If you need help to complete this form, read [How to complete the Application for Planning Permit form](#)  
General information about the planning process is available at [www.dpcd.vic.gov.au/planning](http://www.dpcd.vic.gov.au/planning)

Contact Council's planning department to discuss the specific requirements for this application and obtain a planning permit checklist. Insufficient or unclear information may delay your application.

8 Has there been a pre-application meeting with a Council planning officer?

No  Yes

If 'yes', with whom? MR. IAN Mc CARTNEY


Date: 22 October 2019 day / month / year

## Checklist

9 Have you:

Filled in the form completely?

Paid or included the application fee?

 Most applications require a fee to be paid. Contact Council to determine the appropriate fee.

Provided all necessary supporting information and documents?

A full, current copy of title information for each individual parcel of land forming the subject site

A plan of existing conditions.

Plans showing the layout and details of the proposal

Any information required by the planning scheme, requested by council or outlined in a council planning permit checklist.

If required, a description of the likely effect of the proposal (eg traffic, noise, environmental impacts).

Completed the relevant Council planning permit checklist?

Signed the declaration (section 7)?

## Lodgement

Lodge the completed and signed form, the fee payment and all documents with:

City of Greater Geelong  
PO Box 104 Geelong VIC 3220  
100 Brougham Street Geelong VIC 3220

### Contact information:

Telephone: 03 5272 5272  
DX: 22063

### Deliver application in person, by fax, or by post:



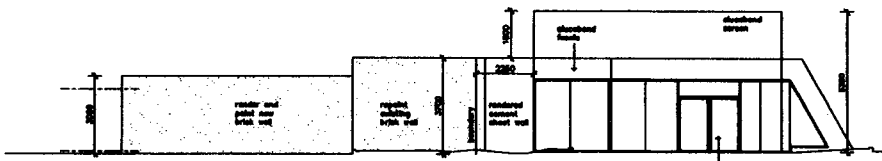
Make sure you deliver any required supporting information and necessary payment when you deliver this form to the above mentioned address. This is usually your local council but can sometimes be the Minister for Planning or another body.

### Save Form:

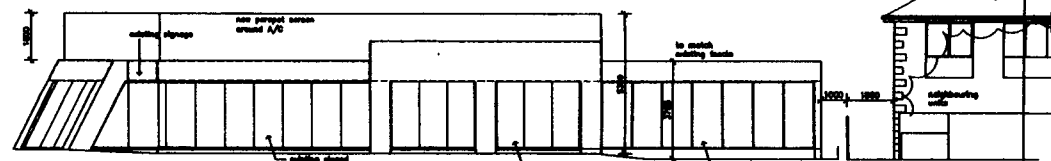


You can save this application form to your computer to complete or review later or email it to others to complete relevant sections.

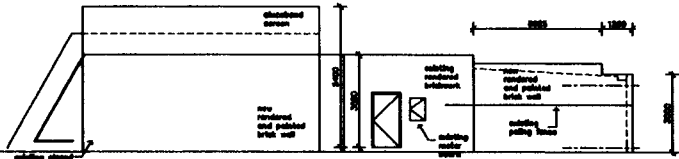




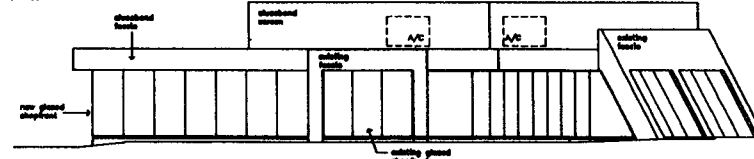
**NORTH ELEVATION**  
Scale: 1:100



**SOUTHWEST ELEVATION**  
Scale: 1:100

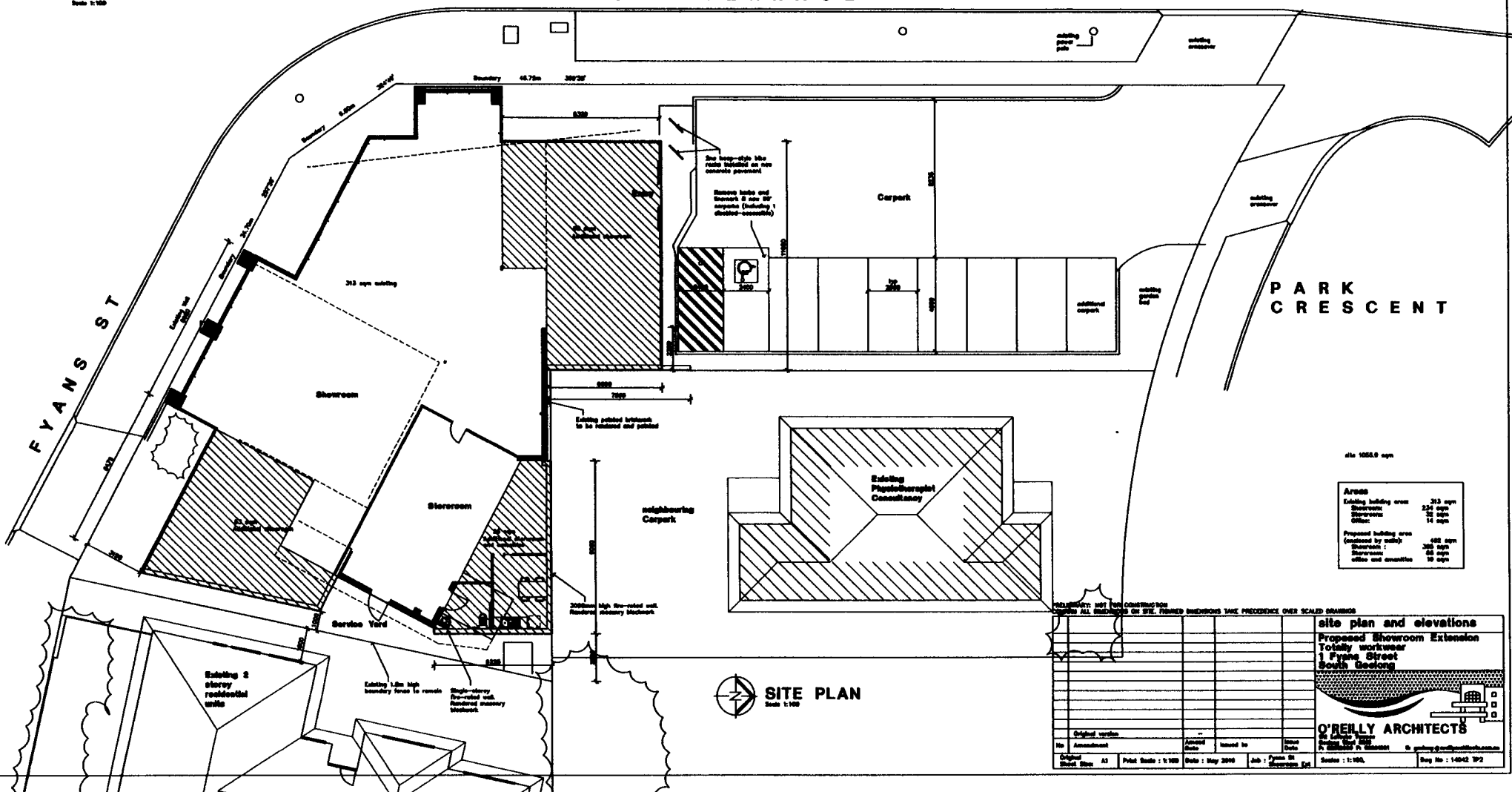


**EAST ELEVATION**  
Scale: 1:100



**WEST ELEVATION**  
Scale: 1:100

**LATROBE TERRACE**



**PARK CRESCENT**

Site 1055.9 sqm

Area	Existing building area	Proposed building area
Existing building area	213 sqm	482 sqm
Showroom	224 sqm	385 sqm
Storage	32 sqm	85 sqm
Office and ancillary	14 sqm	10 sqm

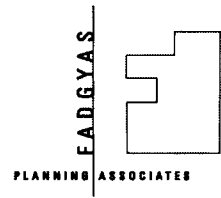
**SITE PLAN**  
Scale: 1:100

**site plan and elevations**  
Proposed Showroom Extension  
Totally workwear  
1 Fyans Street  
South Geelong

**O'REILLY ARCHITECTS**  
11 Fyans Street  
South Geelong, Vic 3215  
P 5242 1111 F 5242 1111 E o\_reilly@o\_reillyarchitects.com.au

Original version	Amend	Issued to	Date
No Amendment			

Original: AS  
Print Scale: 1:100  
Date: May 2010  
Job: Fyans St  
Sheet: 1:100  
Reg No: 14842 TP2



***TWW Geelong, 1 Fyans Street, South Geelong***

**Attachment 6 – Locality Photographs**

---

TWW site from different positions



Adjoining & nearby uses and developments.



Intersection At Latrobe Terrace And Fyans Street

