

24. AMENDMENT C358 - COMMERCIAL/APARTMENT BUILDING CORNER OF KILGOUR AND MOORABOOL STREETS, GEELONG - CONSIDERATION OF SUBMISSIONS AND ADOPTION

Source: Planning & Development - Strategic Implementation
Acting Director: Geoff Lawler
Index Reference: Amendment C358

Purpose

To consider submissions and adopt the Planning Scheme Amendment C358.

Background

In March 2017 Sincock Planning submitted a planning scheme amendment request to rezone the land at 55, 57 & 59 Kilgour Street, Geelong and 322-328 Moorabool Street, Geelong from the General Residential Zone to the Mixed Use Zone.

The site is located on the north-west corner of Kilgour Street and Moorabool Street Geelong. The site is developed with a four storey building comprising 30 apartments at levels 1-3 (10 apartments per level) and three commercial tenancies along with common property car parking at the ground floor.

The shop-fronts at the ground floor level comprises three titles with the following floor areas: 55 Kilgour Street 73sq.m; 57 Kilgour Street 73sq.m; and 59 Kilgour Street 78sq.m. The three tenancies are vacant and have been for an extended period of time.

On 29 March 2017 Council resolved under delegation to exhibit Amendment C358. Exhibition from 4 May to 12 June 2017 resulted in ten submissions.

Key Issues

- Of the ten submissions received, six were from residents of the building who objected to the rezoning of the upper level apartments to the Mixed Use Zone. Concerns related to possible business ventures, security, noise and parking issues.
- The upper level apartments are owned by the Housing Association Haven; Home Safe and tenanted to the over 55s. Haven; Home Safe in their submission support efforts to activate the shops however are sensitive to the concerns of the tenants.
- With agreement from the applicant, Council officers decided to replace the proposal to rezone the land with a site-specific (to the commercial tenancies) incorporated document in the Greater Geelong Planning Scheme.
- The effect of this change would mean the site remains in the General Residential Zone while allowing a greater range of commercial uses. As a result of this proposed change all objections were withdrawn. There are now no submissions that seek to change the Amendment and the Amendment can be adopted.
- Parking restrictions fronting the site on Moorabool Street will also be changed to 1 hour (4 spaces) and ¼ hour (1 space).

L Gardner moved, P Dorling seconded -

That Council resolves to:

- 1) Adopt Amendment C358 in the form as outlined in Attachment 2 of this report;**
- 2) Submit the adopted Amendment together with the prescribed information to the Minister for Planning requesting approval; and**
- 3) Change the Moorabool Street parking restrictions fronting the site to 1 hour (4 spaces) and ¼ hour (1 space).**

Carried.

Attachment 1

Discussion

In March 2017 Sincock Planning on behalf of Steven Li and Frank Furnari submitted a planning scheme amendment request to rezone the land at 55, 57 & 59 Kilgour Street, Geelong and 322-328 Moorabool Street, Geelong from the General Residential Zone Schedule 1 to the Mixed Use Zone.

The land proposed to be rezoned originally formed part of the larger Gordon Institute of TAFE site, which now has its campuses in the CBD close to the Geelong Train Station, and at East Geelong.

This created the opportunity for an urban renewal project managed by Places Victoria that in 2009-10 delivered a mix of apartment living and inner city townhouses. The development also included ground level commercial tenancies to enliven the building and activate the intersection of Moorabool Street and Kilgour Street (see Attachment 3).

Commercial viability has proven unsuccessful with the tenancies struggling to attract and retain businesses. All three tenancies have been vacant for an extended period of time and therefore not provided the street activation and employment opportunities as envisaged by Places Victoria.

Rezoning the ground floor commercial tenancies only was explored, however the Mixed Use Zone cannot be applied vertically. The Mixed Use Zone was still considered appropriate given its purpose includes to provide for a range of commercial uses and housing at higher densities.

On 29 March 2017 Council resolved under delegation to exhibit Amendment C358 to rezone the site to the Mixed Use Zone. Public exhibition commenced on 4 May and closed on 12 June 2017.

Council received ten submissions including six objecting submissions from residents of the upper levels of the building. Concerns related to possible business ventures on the upper levels, security, noise and parking issues. There was a general view by the residents that the peace and safety afforded by the building would be compromised. None of the objecting submitters opposed rezoning the ground floor commercial tenancies.

Council officers also discussed the proposal with other residents who did not wish to lodge a submission but raised similar concerns. Importantly, the landowner, Haven; Home Safe, in their submission supported efforts to activate the shops however were sensitive to the concerns of the tenants.

Three written submissions were received in support of the Amendment.

Having considered the submissions Council officers decided to replace the proposal to rezone the land with a site-specific incorporated document to be implemented into the Greater Geelong Planning Scheme, to be applied to the commercial tenancies only.

This approach was agreed upon by the applicant.

The effect of this change means the site remains in the General Residential Zone while allowing a greater range of commercial uses. The incorporated document applies to the street level properties at 55, 57 and 59 Kilgour Street allowing office, shop and food and drink premises uses that would otherwise be permit required or prohibited in the zone.

This approach essentially achieves the same outcome as was originally intended by the previously proposed Mixed Use Zone.

Some of the submissions also raised concerns about the lack of available on-street car parking in the general area and, more specifically, the ¼ hour restrictions imposed on the five spaces located to the front of the building on Moorabool Street. Councils Traffic Unit has agreed to change the restrictions to 1 hour (4 spaces) and ¼ hour (1 space) between the hours of 9:00am and 5:00pm.

Attachment 4 summarises all of the submissions and provides a council officer response.

Financial Implications

There are no financial implications.

Stakeholder Consultation and Communication

After the submission period closed, Council planning and traffic officers convened an on-site meeting on Wednesday 5 July at 3:00PM. Invited to the meeting were all of the upper level residents, Haven; Home Safe staff and the applicant.

The meeting was attended by 11 residents, two staff members of Haven; Home Safe and the applicant and the applicant's planning consultant. The 11 residents included five of the six objecting submitters. Council officers explained the proposal to replace the rezoning with the introduction of a site-specific planning control to apply to the commercial tenancies only. Officers also agreed to consider changes to the parking restrictions fronting the site on Moorabool Street.

There was unanimous support for these changes at the meeting.

Following the meeting all objecting submitters, Haven; Home Safe and the applicant were sent a letter formalising Council officers changed position. Attached to the letter was a draft of the incorporated document, a withdrawal form and the proposed changed car parking restrictions. The supporting submitters were contacted directly by phone.

All objecting submissions were withdrawn in writing; one being a verbal withdrawal recorded in writing. Haven; Home Safe responded positively, saying they support the progress of Amendment C358.

Policy/Legal/Statutory Implications

Planning Policy

The proposed amendment to Clause 52.03 *Specific Sites and Exclusions* is considered to be the most appropriate Victorian Planning Provision for the site.

The purposes of Clause 52.03 are:

- *To recognise specific controls designed to achieve a particular land use and development outcome existing on the approval date.*
- *To provide in extraordinary circumstances specific controls designed to achieve a particular land use and development outcome.*

The clause states land may be used in accordance with the specific controls contained in the incorporated document corresponding to that land.

Given the past history of the site: the building was constructed in 2009-10; the ground floor was purpose built for commercial uses that have continually failed; the upper levels are owned by a housing association and tenanted to over 55s; and the genuine concerns raised by residents to the previously proposed Mixed Use Zone, the use of Clause 52.03 is considered appropriate.

The Amendment accords with a number of policies including Clause 17 *Economic Development*; Clause 21.07 *Economic Development and Employment*; and Clause 21.09 *Central Geelong*.

The Amendment is also consistent with local policy 22.01 *Discretionary Uses in Residential Areas*. Given the size of the tenancies, only small scale uses are possible which limits potential amenity impacts. The area generally is considered to be mixed use in nature and both Kilgour and Moorabool Streets are busy routes in Central Geelong. The policy encourages non-residential uses to be located on sites that have a lower standard of residential amenity.

Procedural requirements

Pursuant to section 23(1) of the *Planning and Environment Act*, after considering a submission which requests a change to the amendment, the planning authority must (a) change the amendment in the manner requested; or (b) refer the submission to a panel appointed under Part 8; or (c) abandon the amendment or part of the amendment.

In this case no submission opposed the rezoning of the ground floor tenancies to the Mixed Use Zone. The objecting submitters sought to change the Amendment by removing the proposal to rezone the upper levels. As stated earlier in the report, vertical zoning is not possible in the Mixed Use Zone.

The decision to progress the Amendment by replacing the proposed Mixed Use Zone with an incorporated document specific to the commercial tenancies is not considered to be a transformation of the Amendment. Moreover, the process of considering submissions has satisfied the requirement for natural justice for all submitters.

In Greater Dandenong C96 (PSA) 2010, the Independent Panel considered the issue of transforming an amendment and held:

The general principle applied in panel hearings is that modifications to amendments are acceptable so long as they do not result in a transformation of the proposal.

Panels are guided by the general objective to achieve good outcomes without unnecessary delay or protraction of process. To do this, panels need to be prepared to facilitate the decision making process. Therefore, if modifying a proposal will achieve a good outcome, which overcomes legitimate and reasonable concerns, it is considered better to do so as part of the process of considering the matter than to reject it and require the process to be recommenced. This can mean that we could legitimately consider changes to the amendment that are quite significant, so long as they do not transform the amendment into something else.

What constitutes a transformation must be judged according to its own circumstances, but it would need to be something quite different to that originally proposed.

It is only possible to consider such significant changes to an amendment if the rules of natural justice are adhered to. The particular rule of natural justice, which must be satisfied, is the requirement that all matters upon which a decision will be based are revealed to the parties and they are given an opportunity to be heard.

The use of a site specific exemption instead of rezoning the land to the Mixed Use Zone has essentially achieved the same outcome as was originally intended. That being; to provide opportunity for a wider range of ground floor commercial uses.

All upper level tenants (and not only the submitters to the exhibited Amendment) were invited to the meeting on Wednesday 5 July. 11 of the 17 attendees at the meeting were apartment residents, including five of the six objecting submitters. The proposed changes were explained at the meeting and submitters received a follow up letter and draft incorporated document.

All objections were subsequently withdrawn on the basis that the land would remain in the General Residential Zone.

Alignment to City Plan

The Amendment supports the 'Growing our Economy' strategic direction of City Plan by broadening the range of commercial opportunities on the site.

Conflict of Interest

No officers involved in this report have any direct or indirect interest In accordance with Section 80C of the Local Government Act.

Risk Assessment

There are no notable risks associated with implementing the recommendations contained in this report.

Environmental Implications

There are no environmental implications.

Attachment 2 - Amendment C358 to be Adopted

Planning and Environment Act 1987

GREATER GEELONG PLANNING SCHEME

AMENDMENT C358

INSTRUCTION SHEET

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

The Greater Geelong Planning Scheme is amended as follows:

Planning Scheme Ordinance

The Planning Scheme Ordinance is amended as follows

1. In Particular Provisions – Clause 52.03, replace the Schedule with a new Schedule in the form of the attached document.
2. In Incorporated Documents – Clause 81.01, replace the Schedule with a new Schedule in the form of the attached document.

End of document

GREATER GEELONG PLANNING SCHEME

22/09/2016
 C336
 Proposed C358

SCHEDULE TO CLAUSE 52.03

Address of land	Title of incorporated document
The Melbourne to Geelong Railway shown on the project area maps for the Regional Fast Rail Project and the Fibre Optic Project in the incorporated document.	Rail Infrastructure Projects (comprising the Rail Gauge Standardisation Project, the Regional Fast Rail Project and the Fibre Optic Project), December 2002.
The land at 40-60 Brougham Street, Geelong and Allotment 2024 Township of Geelong (City).	Geelong TAC Office Development, October 2006.
312 – 328 Moorabool Street, Geelong	Geelong TAC Transitional Office Development, May 2007.
The existing rail corridor for the ARTC Standard Gauge Western Mainline shown on the project area maps for the Rail Upgrades at Geelong Port Project.	Rail Upgrades at Geelong Port Project, May 2010.
The corridor for the Geelong Melbourne Interconnection Project shown on the project plans included in the incorporated document.	Melbourne Geelong Interconnection Project, June 2010.
The land required for the Geelong Ring Road – Section 4C as identified in clause 3 of the incorporated document.	Geelong Ring Road – Section 4C Incorporated Document, June 2010.
14 Shepherd Court, North Geelong	14 Shepherd Court, North Geelong, Cotton On Office Redevelopment, July 2011
49 Little Malop Street, Geelong	Geelong Library and Heritage Centre Redevelopment, March 2013
402-404 Bellarine Highway, Moolap	BUPA Aged Care Facility, Bellarine Lakes, May 2016
55 Kilgour Street, Geelong, 57 Kilgour Street, Geelong and 59 Kilgour Street, Geelong	Commercial Tenancies at 55, 57 & 59 Kilgour Street, Geelong July 2017

GREATER GEELONG PLANNING SCHEME

25/052017
VC133

SCHEDULE TO CLAUSE 81.01 TABLE OF DOCUMENTS INCORPORATED IN THIS SCHEME

1.0

Incorporated documents

25/052017
VC133
Proposed C358

Name of document	Introduced by:
14 Shepherd Court, North Geelong, Cotton On Office Redevelopment, July 2011	C257
Adventure Park Comprehensive Development Plan, May 2014	C288
Advertising Sign Guidelines, City of Greater Geelong, November 1997, Amended October 2014	C296
Anakie, Lara & Lovely Banks Heritage Places Incorporated Plan, May 2016	C316
Armstrong Creek East Native Vegetation Precinct Plan, May 2010	C206
Armstrong Creek East Precinct Structure Plan, May 2010 Amended November 2011	C214
Armstrong Creek East Precinct Development Contributions Plan, Version 4.1 Alternate Version November 2011	C214
Armstrong Creek Horseshoe Bend Precinct Structure Plan September 2014	C259
Armstrong Creek North East Industrial Precinct Development Contributions Plan, May 2010	C207
Armstrong Creek North East Industrial Precinct Growling Grass Frog Conservation Management Plan, May 2010	C207
Armstrong Creek North East Industrial Precinct Native Vegetation Precinct Plan, May 2010	C207
Armstrong Creek North East Industrial Precinct, Precinct Structure Plan, May 2010	C207
Armstrong Creek South Precinct Structure Plan, February 2016	C301
Armstrong Creek Town Centre Precinct Structure Plan, March 2014	C267
Armstrong Creek Town Centre Development Contributions Plan, March 2014	C267
Armstrong Creek Town Centre Native Vegetation Precinct Plan, March 2014	C267
Armstrong Creek Urban Growth Plan Framework Plan, November 2008, updated September 2012 and June 2015	C301
Armstrong Creek West Precinct Development Contributions Plan, February 2013	C240
Armstrong Creek West Precinct Native Vegetation Precinct Plan, November 2012	C240
Armstrong Creek West Precinct Structure Plan, September 2012	C240
Australian Standard AS 2021-1994, Acoustics - Aircraft Noise Intrusion - Building Siting and Construction. Standards Association of Australia 1994	NPS1
Batman Park, Indented Head Incorporated Plan, June 2015	C274
BUPA Aged Care Facility, Bellarine Lakes, May 2016	C336
Commercial Tenancies at 55, 57 & 59 Kilgour Street, Geelong July 2017	C358

GREATER GEELONG PLANNING SCHEME

Name of document	Introduced by:
Environmental Weeds, City of Greater Geelong, September 2008	C129(Part 1)
Fibre Optic Project, Integrated Approval Requirements, December 2002	VC17
Geelong City Urban Conservation Study Vol. 1 Restoration and Infill Guidelines, Commercial and Civic Buildings, Graeme Butler for the City of Geelong, 1993	C258
Geelong Library and Heritage Centre Redevelopment, March 2013	C287
Geelong Ring Road – Section 4C Incorporated Document, June 2010	C232
Geelong TAC Office Development, October 2006	C142
Heritage and Design Guidelines, City of Greater Geelong, 1997	NPS1
Horseshoe Bend Precinct Development Contributions Plan, September 2014	C259
Jetty Road Urban Growth Area Development Contributions Plan, September 2011	C230
Lara West Development Contributions Plan, Final Version – C246/C285, March 2014	C285
Lara West Growth Area, Lara, Native Vegetation Precinct Plan, September 2013	C246
Lara West Precinct Structure Plan, Revision J, 25 September 2013	C246
Melbourne Geelong Interconnection Project, June 2010	C229
Manzeene Village, Lara, Native Vegetation Precinct Plan, June 2014	C285
Native Vegetation Precinct Plan, Geelong Ring Road Employment Precinct, March 2013	C243
Native Vegetation Precinct Plan, Horseshoe Bend Precinct, Armstrong Creek Urban Growth Area August 2014	C259
Newtown Heritage Study Review Report, Volume 3, City of Greater Geelong, 2008	C191
New Station Estate Restructure Plan, July 2010	C187
Rail Gauge Standardisation Project, Integrated Approval Requirements, December 2002.	VC17
Regional Fast Rail Project, Integrated Approval Requirements, December 2002	VC17
Rail Upgrades at Geelong Port Project, May 2010	C211
Rippleside Comprehensive Development Plan, February 2000	C2
Rippleside Urban Design Guidelines, June 2000	C2
Small Lot Housing Code, December 2012	C267
Thirteenth Beach Golf Resort Barwon Heads, Barwon Heads Comprehensive Development Plan, Land Design Partnership, Anthony Cashmore & Associates and the Planning Group, May 2001 amended September 2006	C54
Waterfront Geelong Design and Development Code, Keys Young, July 1996	NPS1
West Fyans-Fyans Street Precinct Structure Plan, June 2009	C205

**GREATER GEELONG PLANNING SCHEME
INCORPORATED DOCUMENT**

**Commercial Tenancies at 55, 57 & 59
Kilgour Street, Geelong
July 2017**

This document is an incorporated document in the Planning Scheme pursuant to Section 6(2)(j) of the Planning and Environment Act 1987.

GREATER GEELONG PLANNING SCHEME

INTRODUCTION

This document is an incorporated document in the Schedule to Clause 52.03 and the Schedule to Clause 81.01 of the Greater Geelong Planning Scheme (the Scheme).

Despite any provision to the contrary in the Scheme, pursuant to Clause 52.03 of the Scheme the land identified in this incorporated document may be used in accordance with the specific controls contained in this document.

ADDRESS OF THE LAND

This Incorporated Document applies to:

- 55 Kilgour Street, Geelong (Lot 33 on Plan of Subdivision 629858B Volume 11311 Folio 876)
- 57 Kilgour Street, Geelong (Lot 32 on Plan of Subdivision 629858B Volume 11311 Folio 875)
- 59 Kilgour Street, Geelong (Lot 31 on Plan of Subdivision 629858B Volume 11311 Folio 874)

PURPOSE

The purposes of the Incorporated Document are:

- To facilitate a broader range of uses that would otherwise be permit required or prohibited in the zone.
- To enhance the amenity of the area.
- To help to ensure the economic viability of the commercial tenancies.

THIS DOCUMENT ALLOWS

This Incorporated Document allows for the use of the land as defined in Table 1:

Table 1 – Permit not required

USE
Office
Shop (other than Adult sex bookshop)
Food and drink premises (other than Hotel and Tavern)

The provisions of Clause 32.08-2 apply to any use not referred to in Table 1.

END OF DOCUMENT

Attachment 3 - Site images



The three commercial tenancy's as seen from Kilgour Street at the ground level of the apartment building.



59 Kilgour Street visible in the bottom left corner of the apartment building, as seen from Moorabool Street.

Attachment 4 - Summary of Submissions and Officer Response

No.	Name	Address	Type	Summary of Submission (to exhibited proposed rezoning to MUZ)	Summary of Submission (to post-exhibition replacement of MUZ with site specific Incorporated Document and changes to Kilgour St parking restrictions)	Response
1	T Baker	322-328 Moorabool St. GEELONG	Objection	<p>No objection to the existing commercial areas being rezoned.</p> <p>Strongly objects to levels 1, 2 and 3 being rezoned to anything other than residential. As the apartments are designed to house vulnerable tenants over the age of 55, there could be personal security and noise issues relating to foyer and apartments for any future business venture to be operated by any existing or future tenant.</p>	I withdraw all and any objections (written; dated 4.8.2017).	Noted
2	E De Vries	322-328 Moorabool St. GEELONG	Objection	Strongly objects due to the fact that this is a secure residential facility for over 55s. Changing to a mixed purpose use would leave it open to people to open small businesses on the property. There will no longer be secure living in this place.	I withdraw my submission (written; dated 10.8.2017).	Noted
3	J Gower	322-328 Moorabool St. GEELONG	Objection	<p>No objection to the three existing shops on Kilgour Street being rezoned.</p> <p>A change in parking times from half an hour to one hour would be of great benefit to both the shops and apartment tenants for visitors and home-care assistance workers.</p> <p>Only concern as with other tenants is the suggestion of changing levels 1, 2 & 3 to anything other than residential, as it could lead to security problems.</p>	I withdraw my submission (verbal; dated 2.8.2017).	Noted
4	K-A Greenman	322-328 Moorabool St.	Support	No objection	Remains supportive (verbal; dated 1.8.2017).	Noted

No.	Name	Address	Type	Summary of Submission (to exhibited proposed rezoning to MUZ)	Summary of Submission (to post-exhibition replacement of MUZ with site specific Incorporated Document and changes to Kilgour St parking restrictions)	Response
		GEELONG				
5	Haven; Home Safe	T Ray Exec Director Operations 6 Pakington St. GEELONG WEST	Comment	<p>The site contains 3 ground floor shop and upper levels of apartments with underground car parks. Haven; Home, Safe owns the apartments whilst the 3 shops have been sold on separate titles. The 3 shops areas have failed to be successful tenancies which is obviously why the council is seeking to change the zone to expand the range of uses in order to attract different tenants.</p> <p>Haven; Home, Safe is not opposed to the mixed zone use for the commercial shop fronts as we understand this might broaden the attractiveness of the space.</p> <p>Our tenants are concerned that by rezoning the entire complex this could result in personal security issues to the tenants as well as concerns about some non-residential uses permitted on the apartment levels that would be of a concern. They are also concerned that in the under the clause 21.07 of the explanatory report that relevant uses include shop, office and food and drink premises which is of concern if a drink (bar premises) was in place which we know is technically possible under the proposed zone and we know that there would be an outcry from tenants and Haven; Home, Safe leading to objections and possible VCAT appeals.</p> <p>At present the apartments have had a poor interface with the vacant shops at the ground level and it</p>	<p>It is very clear what the proposal looks to achieve and the accompanying change parking restrictions meet the conversations of all whom attended the meeting on 5th July with regards to a 1 hour parking restriction and a 15 minute loading zone, which I see is now 15 minute parking which in reality does the same thing.</p> <p>Therefore based on all of this information we are happy to support the progress of amendment C358 by implementing the incorporated document into the planning scheme and abandon the exhibited proposed mixed use zone.</p> <p>I would like to thank you and the Council for taking the time to hear our tenants concerns and meet with us, I think the outcome that has been achieved will work well for all stakeholders.</p> <p>(Written; dated 20.7.2017)</p>	Noted

No.	Name	Address	Type	Summary of Submission (to exhibited proposed rezoning to MUZ)	Summary of Submission (to post-exhibition replacement of MUZ with site specific Incorporated Document and changes to Kilgour St parking restrictions)	Response
				<p>appears that occupied shops would be a better outcome and maybe complimentary to the apartments. We are just wanting to ensure all potential risks associated with the potential commercial intrusion is minimal.</p> <p>As a Housing Association we pride ourselves on providing safe, secure and stable and affordable accommodation to those that are kept out of the private rental market due to unaffordable rents. The tenants in this complex enjoy a quiet lifestyle and we are keen to ensure that this continues as there are not many affordable housing options for this tenant cohort (over 55s) so any rezoning needs to be sensitive to the concerns of the tenants.</p>		
6	E McLay	322-328 Moorabool St. GEELONG	Objection	Opposes the building being changed to Mixed Use Zone. Residents have to park on the street, extremely busy corner, former milk bar was broken into, there is no available parking since the units behind were completed.	<p>I withdraw my submission only if:</p> <ol style="list-style-type: none"> 1. The building and land are residential. 2. Parking at front of building is changed to 1 hour. <p>Still concerned about lack of parking spaces in the area.</p> <p>(Written; dated 17.8.2017)</p>	<p>Noted</p> <p>On-street parking and traffic management is under the responsibility and review by Council Traffic Unit.</p>
7	Sincock Planning	Toni Sincock PO Box 284 GEELONG	Support	On behalf of the applicant, we support the proposed rezoning to the Mixed Use Zone as it will provide greater potential for the three commercial tenancies to find suitable tenants without having any impact on the surrounding properties. The current zone permits very few uses, and those most suitable are food and	<p>Confirmed support for proposed changes and draft documents.</p> <p>(Written; dated 24.7.2017)</p>	Noted

No.	Name	Address	Type	Summary of Submission (to exhibited proposed rezoning to MUZ)	Summary of Submission (to post-exhibition replacement of MUZ with site specific Incorporated Document and changes to Kilgour St parking restrictions)	Response
				<p>drink premises which have much greater potential to impact residents than uses such as shop and office that are permitted by the Mixed Use Zone. My clients wish to enhance the site by the realization of activity in the commercial premises which will liven the street and provide greater security via ground floor direct access and visibility of the streets.</p> <p>The Mixed Use Zone maintains a residential purpose and provides for a range of uses that are generally accepted in inner city location and adjacent to and within buildings that provide for higher density housing. It is accepted that the range of uses in the MUZ are appropriate uses within residential apartment buildings, and the uses will have no impact on the existing residential amenity of the residents.</p> <p>We rely on our original submission to address all issues in detail.</p>		
8	D Stephens	322-328 Moorabool St. GEELONG	Objection	<p>I strongly object to this amendment as the rezoning of this property is not going to enhance the shop owners chances of filling these businesses. The Council has already (without notice to the tenants) altered the parking times to ½ hour in Moorabool St to attract interest in these shops, this has been a complete failure.</p> <p>I would also like to point out that rezoning this property for mixed use could open up the possibility of commercial enterprises to be established on the upper</p>	<p>I withdraw my objection to the Amendment upon the proviso that the Council no longer proposes to rezone the land (written; dated 24.7.2017).</p> <p>The submitter also states that he still does not agree with the proposed 15 minute parking bay in Moorabool St as it has taken away another park from the residential tenants.</p>	<p>Noted</p> <p>On-street parking and traffic management is under the responsibility and review by Council's Traffic Unit.</p>

No.	Name	Address	Type	Summary of Submission (to exhibited proposed rezoning to MUZ)	Summary of Submission (to post-exhibition replacement of MUZ with site specific Incorporated Document and changes to Kilgour St parking restrictions)	Response
				floors of the building and compromise the security and safety of all current residents. The building provides affordable living for people 55 years and over and to many, perhaps live out their days in this quiet environment feeling secure and safe.		
9	R Wright	PO Box 319 BAROOGA	Support	As the owner of Unit 4/Lower Ground 312-320 Moorabool St Geelong, I give my full support to the proposed amendment.	Remains supportive (verbal; dated 1.8.2017).	Noted
10	R & R Young	322-328 Moorabool St. GEELONG	Objection	<p>I have no objection to the 3 existing commercial areas being rezoned.</p> <p>However I strongly object to levels 1, 2 & 3 being rezoned to anything other than Residential. As the apartments are designed to house vulnerable tenants over the age of 55, there could be security issues relating to foyer and apartments. Rezoning the apartments could lead to the possibility of tenants opening various businesses. This could endanger the peace and security of existing aged residents.</p> <p>You the Council have already altered the parking at the front of the building.</p>	We withdraw our submission (written; dated 23.7.2017).	Noted