

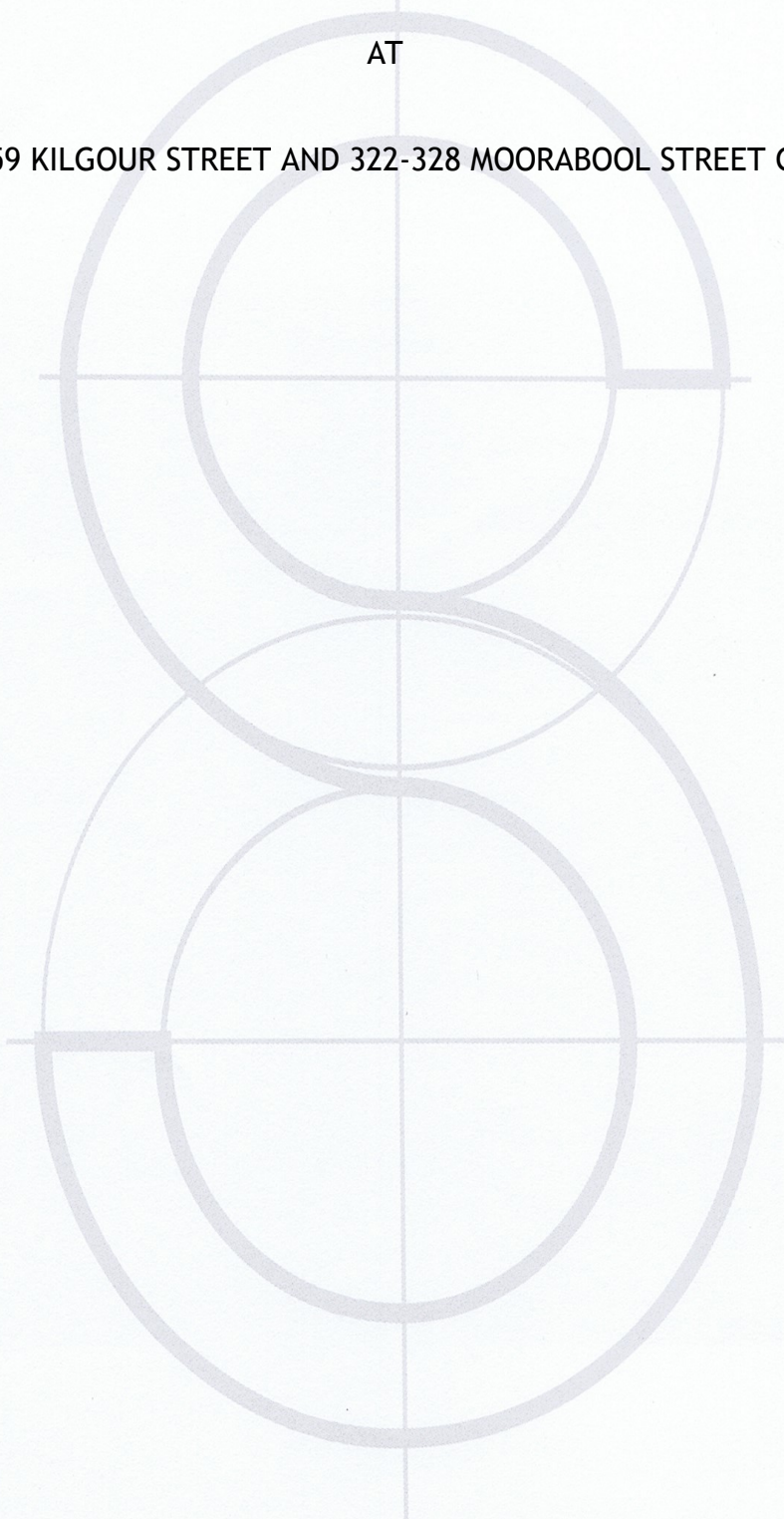


SINCOCK
P L A N N I N G

PLANNING SCHEME AMENDMENT

AT

55, 57 & 59 KILGOUR STREET AND 322-328 MOORABOOL STREET GEELONG



PART A – PLANNING SCHEME AMENDMENT

1. Introduction

Sincock Planning have been engaged by Steven Li and Frank Furnari to prepare a report to accompany an application for a rezoning at 55, 57 & 59 Kilgour Street. A review of the zones and particularly the review of potential for a vertical zoning system was considered and it became apparent that the entire strata subdivision would need to be included within the rezoning request. This includes land at 322-328 Moorabool Street.

The site is currently within a General Residential Zone - Schedule 1 and comprises three small ground floor titles each having street address to Kilgour Street, whilst 59 Kilgour Street is on the corner and has dual frontage to Moorabool Street. At the upper level are 30 apartments.

The amendment application seeks to rezone the land to the Mixed Use Zone. The rezoning request does not necessitate any changes to existing local policy.

The application follows pre-application discussions with the City of Greater Geelong to discuss the strategic justification for the proposal and the application is submitted addressing all of the issues raised by Council Officers.

2. Proposal

The application seeks to amend Planning Scheme Map No. 50 to the Greater Geelong Planning Scheme by applying the Mixed Use Zone.

The land is required to be rezoned to provide greater flexibility for alternate land uses in the ground floor tenancy's on the corner of Kilgour and Moorabool Streets. The land is wholly within the General Residential Zone Schedule 1 and this provides limited flexibility for land uses beyond residential use.

The proposal provides for a very small increase in mixed use zoned land which is contained within the suite of residential zones and seeks to provide the following:

- To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality.
- To provide for housing at higher densities.

Each of the ground floor tenancy's would retain a single car space within the ground floor (Common Property No. 2) car park.

The proposal considered the potential to apply a vertical zoning system that would enable the ground floor tenancy's only to be rezoned, however the Mixed Use Zone does not provide that level of flexibility within the Schedule, and there is no other zone that is considered to approximately fit this site that would enable that level of flexibility.

As such the application now seeks to rezone the entire site to a Mixed Use Zone, this being the entire building structure accommodating the apartments at 322-328 Moorabool Street, the common property car park and the three shopfronts at 55-59 Kilgour Street.

3. Site and locality

The subject site is located on the north-west corner of Kilgour Street and Moorabool Street Geelong. The site comprises 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. Each apartment and each commercial tenancy is on a single title.

The building has road frontage to Faggs Place to the north and Eason Lane to the west, such that each of the neighbouring lots are located on the opposite side of one of the four roads.



The shopfronts at the ground floor level comprises three titles with the following floor areas:

55 Kilgour Street	73.4sq.m
57 Kilgour Street	73.05sq.m
59 Kilgour Street	78.6sq.m

Each of the ground floor tenancies has frontage to Kilgour Street, whilst 59 Kilgour Street is on the corner of the building and has dual street frontage to Kilgour and Moorabool Streets. The lots each have a single car space with vehicular access from Eason lane.

55 Kilgour Street has planning approval via Permit SH 2009/003433 for a convenience shop and this parcel has been recently tenanted, but is now vacant.

57 & 59 Kilgour Street have planning approval via Permit SH 2009/003433 for use as convenience restaurants. Both tenancy's are vacant and have been for an extended period.



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.

On-street parking is available immediately adjacent to the property in Kilgour Street, Moorabool Street, Faggs Place and Eason Lane, all of which are short term 2hr parking bays. Five new 30 minute parking spaces have been marked in front of the site in Moorabool Street.

The heritage listed ex-Gordon technical College building has been redeveloped and refurbished and is now operating as short term apartments known as the Devlin Apartments. A car park for each apartment and the Managers Residence is located to the west of the building, accessed via Faggs Place.

To the west are 24 two storey dwellings with frontage to Faggs Place or Kilgour Street that were approved under the same permission as the apartment building and commercial tenancy's. These dwellings are all now completed and are occupied.

To the north-west (abutting The Devlin Apartment car park) is a small area of public open space that was also approved through the consultation phase of the earlier development and is now known as Slater Square.



The aerial image above show the site and its immediate context, noting however that the image pre-dates the completion of the Devlin Apartments and commencement of the dwellings to the north of Slater Square.

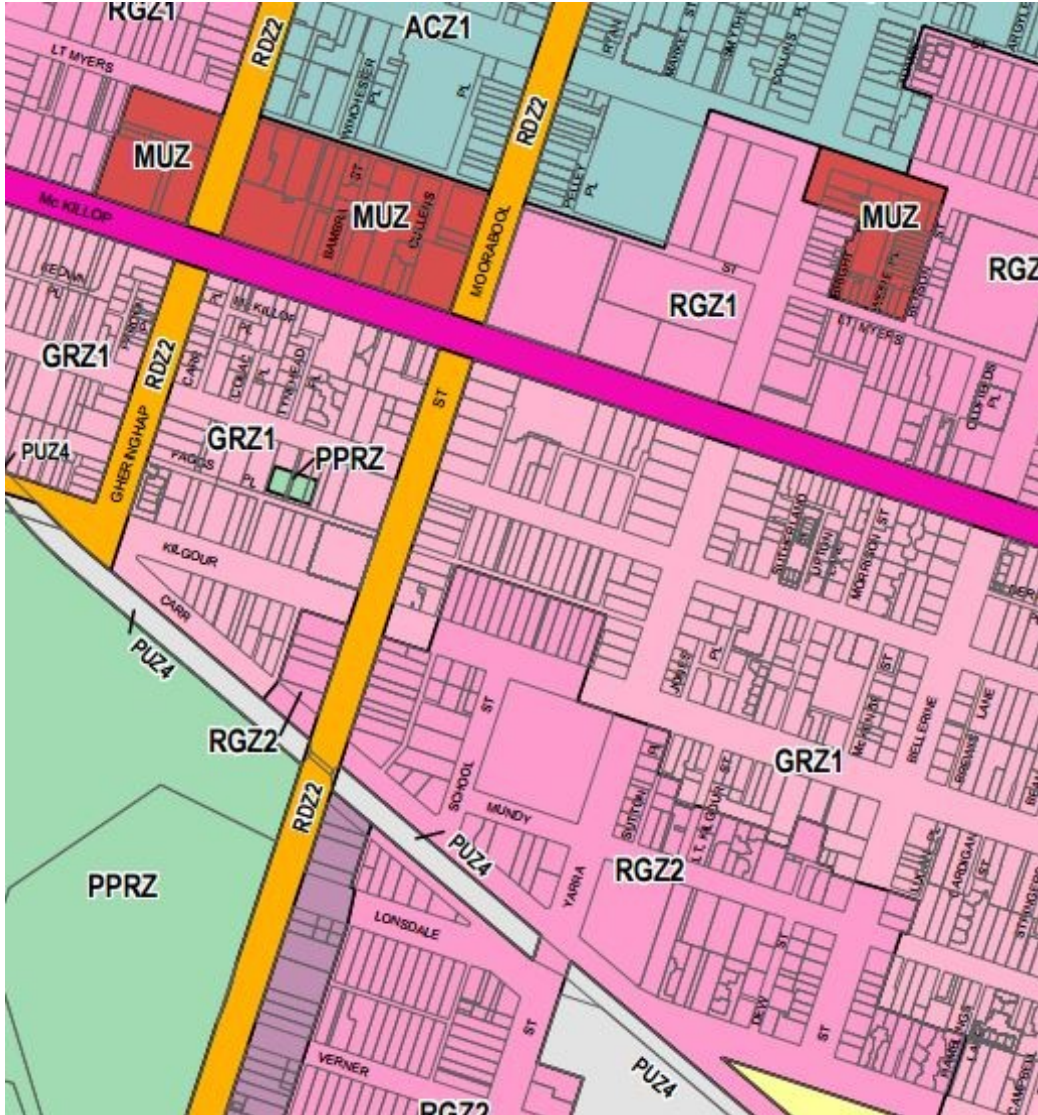
The east side of Moorabool Street (between Maud Street and Kilgour Street) is generally developed for residential purposes with single dwellings that sit behind high front fences, however on the corner of Maud Street is a shop and an architect's office, both of which have been there for many years. The two commercial buildings are built to the Moorabool Street boundary, whilst the residential dwellings are setback slightly.

To the south of the Kilgour Street intersection, with frontage to either Moorabool or Kilgour Street, are one and two storey dwellings of varying architectural designs and eras.

4. Current Planning Scheme Provisions

4.1 Zoning

The property is within the General Residential Zone, Schedule 1 as shown on Planning Scheme Map No. 50.



The context of the site and the relationship to the Mixed Use Zone to the north, Activity Centre Zone further north (Central Geelong) and Commercial Zone to the south is shown on the excerpt from the planning scheme map (No.50) above.

4.2 Overlays

The property is not affected by any Planning Scheme Overlays.

4.3 State Planning Policy Framework (SPPF)

The following provides a summary of the applicable policies contained within the State Planning Policy Framework as relevant to the planning scheme amendment application:

11 Settlement

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.

11.05-4 Regional planning strategies and principles

Objective

- To develop regions and settlements which have a strong identity, are prosperous and are environmentally sustainable.

Strategies

- Ensure regions and their settlements are planned in accordance with any relevant regional growth plan.
- Apply the following principles to settlement planning in Victoria's regions, including the hinterland areas:

A network of integrated and prosperous regional settlements

Support a network of integrated and prosperous regional settlements by:

- Strengthening networks of settlements by maintaining and improving transport links, spatial patterns of service delivery, and promoting commercial relationships and community activities.
- Ensuring there is a sufficient supply of appropriately located residential, commercial, and industrial land across a region to meet the needs identified at regional level.

Regional Victoria's competitive advantages

Maintain and enhance regional Victoria's competitive advantages by:

- Strengthening settlements by ensuring that retail, office-based employment, community facilities and services are concentrated in central locations.

Distinct and diverse regional settlements

Support the growth and development of distinctive and diverse regional settlements by:

- Limiting urban sprawl and directing growth into existing settlements, promoting and capitalising on opportunities for urban renewal and redevelopment.

Liveable settlements and healthy communities

Promote liveable regional settlements and healthy communities by:

- Encouraging the development of compact urban areas which are based around existing or planned activity centres to maximise accessibility to facilities and services.

11.07-1 Planning for growth

Objective

- To optimise infrastructure and consolidate growth.

Strategies

- Maximise capacity and leverage off existing infrastructure and services, particularly near central retail and transport nodes.

11.07-3 Connected communities

Objective

- To create unique and connected communities.

Strategies

- Support growth that enhances choice, health and wellbeing, liveability, amenity and diversity and creates a sense of place.

11.07-6 Sustainable communities

Objective

- To allow communities to live, work and participate locally.

Strategies

- Facilitate infill development in Central Geelong and West Fyans and around activity areas within urban Geelong and district towns.

17.01-1 Business

The objective is:

- To encourage development which meets the communities' needs for retail, entertainment, office and other commercial services and provides net community benefit in relation to accessibility, efficient infrastructure use and the aggregation and sustainability of commercial facilities.

Relevant strategies include:

- Locate commercial facilities in existing or planned activity centres.

18.02-5 Car parking

The objective is:

- To ensure an adequate supply of car parking that is appropriately designed and located.

Relevant strategies include:

- Allocate or require land to be set aside for car parking subject to the existing and potential modes of access including public transport, the demand for off-street car parking, road capacity and the potential for demand management of car parking.
- Encourage the efficient provision of car parking through the consolidation of car parking facilities.
- Protect the amenity of residential precincts from the effects of road congestion created by on-street parking.

4.4 Local Planning Policy Framework (LPPF)

21.07 Economic development and employment

Key retail issues include:

- The City of Greater Geelong Retail Activity Centre Hierarchy has been established to articulate the role and function fulfilled by centres of different sizes.
- The retail hierarchy supports the primacy of Central Geelong as the focus of retail activity in the region.
- There is a need to ensure a mix of commercial uses in activity centres.
- The retail hierarchy will be enhanced through high quality urban design and improved pedestrian and public transport accessibility.

A relevant objectives is:

- To facilitate the development of vibrant and viable retail activity centres in accordance with the Geelong Retail Activity Centre Hierarchy included at Clause 21.07-8.

Strategies include:

- Encourage a mix of retail, office, cafes, entertainment, housing, education and community facilities to locate within activity centres.

21.09 Central Geelong

The objectives are:

- To support development of Central Geelong as an international waterfront city with world class facilities that is a highly desirable place to live.
- To ensure the land use precincts are strengthened in accordance with their identified roles in the Central Geelong Precincts Map at Clause 21.09-4.
- To ensure the activity clusters are strengthened and support their expansion in accordance with their identified roles in the Central Geelong Precincts Map at Clause 21.09-4.
- To encourage appropriate high density housing development within Central Geelong.
- To encourage activation of streets and building frontages on key pedestrian routes and linkage opportunities as detailed in Central Geelong.
- To support the development of a safe and efficient pedestrian environment, public transport system and cycling network.
- To provide an efficient supply of car parking in Central Geelong that is conveniently located and well designed.
- To encourage the refurbishment of retail/commercial building frontages on key streets.

Strategies include:

- Within each of the land use areas of the Central Geelong Precincts Map at Clause 21.09-4, strengthen key activities and appropriate ancillary activities, such that the land use areas support and complement each other and reinforce and strengthen the primacy of Central Geelong as the business and cultural centre for the Geelong region.
- Support the provision of appropriate car parking for new use and development.

5. Proposed Planning Scheme Provisions

The planning scheme amendment is consistent with the current policy provisions and as such does not require any changes to policy.

The proposal seeks to amend the zone from the General Residential Zone Schedule 1 to a Mixed Use Zone.

5.1 Proposed Zoning

The purpose of the Mixed Use Zone is:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality.
- To provide for housing at higher densities.
- To encourage development that responds to the existing or preferred neighbourhood character of the area.
- To facilitate the use, development and redevelopment of land in accordance with the objectives specified in a schedule to this zone.

We submit that the Mixed Use Zone is the most appropriate zone and would best reflect the residential nature of the area, being within the suite of residential zones, however providing slightly more flexibility for re-use options within the existing tenancies.

The Mixed Use Zone enables a range of residential, commercial, industrial and other uses which complement the mixed use function of the locality.

6. Strategic Planning Assessment

This section of the report provides the strategic planning assessment of the proposal against the policy framework, any reference or incorporated documents and discusses the need for the planning scheme amendment.

6.1 City of Greater Geelong Retail Strategy 2006

The proposal seeks only 225.05m² of mixed use floor space that would enable small scale commercial uses of a limited range, and therefore the strategic assessment is tempered slightly, in that the small scale of the proposal will have no impact on the total floor space of the Central Geelong - Regional Centre, and therefore requires little justification pursuant to the requirements of the City of Greater Geelong Retail Strategy 2006, and particularly Clause 22.03.

The *City of Greater Geelong Retail Strategy 2006* guides the development and growth of activity centres, the vision of which is:

“Geelong’s retail activity centre network will be developed in a way that promotes the vibrancy and sustainability of the activity centre hierarchy; is efficient and viable for retail traders and other businesses; generates employment and income opportunities; and functions in a manner which focuses on the needs of residents and visitors to the Region.”

Objectives designed to assist in achieving the vision comprise the following:

- To promote economic development and job creation
- To foster small business development
- To encourage the development of interesting, viable and vibrant retail activity centres
- To improve the range and quality of shopping and business services provided at activity centres and at other locations
- To improve the amenity of the built environment in activity centres
- To create safe and liveable activity centres
- To encourage accessibility and sustainability as key features of activity centre policy
- To introduce activities such as housing and mixed use development at appropriate locations which support the role of activity centres

In order to achieve this Vision and the several important objectives listed above, a number of strategic policies have been developed to guide Council’s decision-making process with regard to the future development of retailing in the municipality. These strategic policies relate to:

- Support for the retail hierarchy;
- Encouragement of centre management and business development; and
- Enhanced urban design in activity centres.

These strategies have been incorporated into the policy framework of the planning scheme, in particular at Clause 21.07 (Economic development and employment) and Clause 22.03 (Assessment criteria for retail planning applications).

Relevant principles and actions to support the strategy include:

The retail activity centre hierarchy will be supported so that the specific roles, functions and themes of centres in each level in the hierarchy are easily identifiable, thus providing certainty for stakeholders including Council, developers, property owners and businesses.

Geelong has an established hierarchy of retail activity centres that provides the focus for ongoing retail and business development, and these are the locations where ongoing private and public investment will be directed and consolidated.

Encourage the development of activity centres as lively foci for a wide range of uses including shopping, business, work and leisure, and where such uses are commercially viable.

Encourage land use and development that is integrated with transport infrastructure (principally bus services) so that activity centres are well-served by public transport alternatives, and improve the amenity of centres by reducing car-based traffic.

The site is within Central Geelong, but outside the Core Retail Precinct at the southern end of the Central Geelong Structure Plan area. The minor change sought to the zoning does not introduce large scale new commercial land via out of centre development, being that the zone sought is still within the residential suite of zones and only provides a minor increase in the type of uses permitted, and as such does not necessitate an out of centre assessment pursuant to the Retail Strategy. The minor change has no impact on the Central Geelong Retail Core area and does not detract from the existing centre or weaken the centre in any way.

The proposal is consistent with the City of Greater Geelong retail Strategy. The proposal provides only a very small quasi commercial floor space (225.05m²) in three separate tenancy's, however fosters greater potential for a permanent tenant within the spaces which will promote activity and liven the street as was intended when the building was constructed.

The rezoning can support small business development via the opportunity to locate in a highly visible and prominent corner site. The rezoning provides some flexibility without impacting the CAA or existing commercially zoned land due to the very small size of the existing premises.

The proposal supports vitality and activity in the area which is currently lacking due to the long term vacant nature of the premises.

6.2 Policy

Clause 11, Settlement, states 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.”

Strategies contained within Clause 11 include:

Support the role and function of the centre given its classification, the policies for housing intensification, and development of the public transport network.

Ensuring there is a sufficient supply of appropriately located residential, commercial, and industrial land across a region to meet the needs identified at regional level.

Strengthening settlements by ensuring that retail, office-based employment, community facilities and services are concentrated in central locations.

Support growth that enhances choice, health and wellbeing, liveability, amenity and diversity and creates a sense of place.

Clause 17.01-1 relates to business and seeks to:

Locate commercial facilities in existing or planned activity centres.

Clause 21.07 further considers the issue of economic development and employment and builds on the business policy at Clause 17 and states:

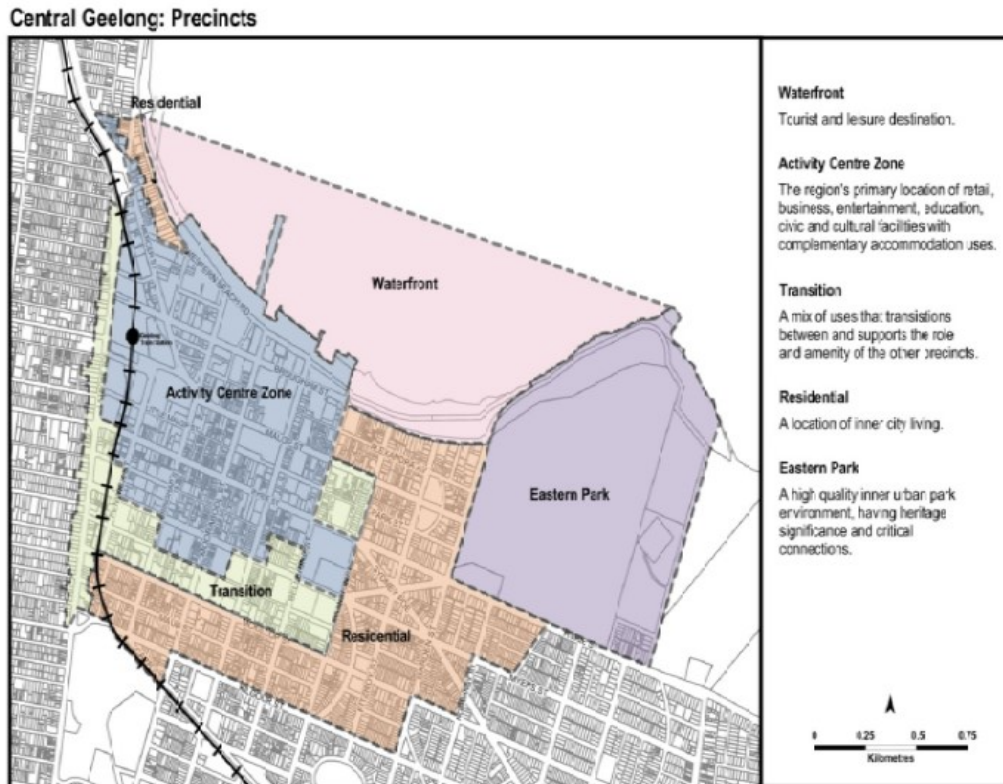
“Key retail issues include:

- The City of Greater Geelong Retail Activity Centre Hierarchy has been established to articulate the role and function fulfilled by centres of different sizes.*
- The retail hierarchy supports the primacy of Central Geelong as the focus of retail activity in the region.*

A relevant objectives is:

- To ensure all major retail developments, and out of centre developments, provide a clear net community benefit.*

Clause 21.09, Central Geelong, identifies the subject site in the Central Geelong Structure Plan, July 2007, as being *“Residential: A location of inner city living.”* Whilst the Central Geelong Policy underwent numerous changes through Amendments C129 and C300, the area has retained its nomination for inner city living as shown in the map on the following page:



The structure plan defines objectives and strategic directions in relation to the precinct as follows:

3.1.11 Residential Precinct Objectives

- Strengthen the Residential Precinct of Central Geelong as a location of inner city living.

3.1.12 Residential Precinct Strategic Direction

- Support residential uses.
- Support medium density housing, to take advantage of the proximity of employment, shopping and recreational facilities.
- Support the retention of residential amenity and character.
- Limit non-residential uses that would have an adverse impact on residential amenity or that are encouraged and are more suitable in other precincts.

The mixed use zone supports a very small increase in the type of uses that these tenancy's may support, and would most likely support boutique office or retail uses. Permission already exists for the convenience restaurants which would generally accommodate larger numbers of customers at one time than small office or retail uses, and which permits hours of operation until 10pm (Sunday to Thursday) or 11pm (Friday & Saturday), both of which would normally exceed any office or retail opening hours, and therefore the proposed rezoning is unlikely to result in any increased loss of amenity. The mixed use zone still necessitates permits for some uses and these would be assessed on their merits if/when an application was received. At this stage there are no definitive tenants and as such the application only seeks permission for the rezoning.

Clause 22.03 provides the retail assessment criteria and specifies the type of information required to be submitted with an application. This matter has been previously discussed.

The planning scheme amendment application responds to these policies as follows:

- It provides a small increase in floorspace consistent with the nature of the neighbourhood centre and without conflicting with the hierarchy of centres as defined by the Retail Strategy;
- It provides an opportunity most likely for small boutique office or retail space within a building specifically designed to cater for small commercial tenancies that do not detract from the primary Core retail Area of Central Geelong;
- It builds on and supports the existing customer base to the centre and provides floor space that is accessible on foot and by public transport, not relying entirely on car traffic;
- It provides for a very small increase in land that can be used for low key commercial use by rezoning the three ground floor tenancies only, without any loss of residential use by retaining the residential zone in the upper level of the building;
- It supports a small mix of uses via the commercial/residential mix;

6.3 Need for the Amendment

A planning scheme amendment is quite simply required to enable small scale commercial uses to occupy the ground floor tenancies in a manner that was intended by the original development and grant of a permit for convenience restaurants (x2) and convenience shop, however which for many reasons has been unsuccessful.

The Mixed Use Zone permits a broader range of alternate small scale commercial uses on the site that would fit within the small areas of each tenancy without impacting the amenity of the area or resulting in substantial change.

The planning permit issued on 20th November 2009 and amended on 7th January 2011 permitted a convenience shop and two convenience restaurants in the ground floor of the building, and these tenancy's were designed to reflect a commercial occupancy with large glazed facades, whilst each tenancy was designed with a small footprint of 73.05 - 78.6sq.m in a rectangular shape.

The commercial tenancy's within the building were intended to activate the street and to give life to the apartment building, however securing a long term tenant or sale of the shopfronts has proven difficult and two of the tenancy's have been vacant for some time. The current zone is so restrictive in relation to potential commercial occupancies that potential tenants and purchasers have not pursued the premises.

6.4 Suitability of the Site

The state and local planning policy framework support the introduction of a mixed use zone. The planning scheme amendment is sought to provide greater flexibility for future occupancy of the ground floor tenancy's, as the Mixed Use Zone permits a limited range of small scale commercial uses would activate the street and add life to the building.

The zone allows the following commercial uses without a planning permit at Clause32.04-2 providing the condition opposite the use is met:

Use	Condition
Food and drink premises	The leaseable floor area must not exceed 150 square metres.
Medical centre	The gross floor area must not exceed 250 square metres.
Office	The leaseable floor area must not exceed 250 square metres.
Place of worship	The gross floor area of all buildings must not exceed 250 square metres.
Shop	The leaseable floor area must not exceed 150 square metres.

The only prohibited uses are:

Adult sex bookshop

Brothel

Materials recycling

Transfer station

Stone extraction.

Whilst the zone may permit a large range of uses, many of these would not suit the premises, particularly those nested under the agriculture and industry headings for obvious reasons, and due to the very small floor areas available, would be unlikely to provide for a department store, supermarket or restricted retail premises.

The site lends itself to a Mixed Use Zone, and the original development reflects a mixed use development via the commercial shopfronts and apartments above, and this form of development is consistent with the mixed use zone. The current zone is so restrictive and it would appear that a convenience restaurant is not commercially viable in this location given the original tenant closed within 12 month and no other convenience restaurant has sought to take over the premises.

The small spaces within each tenancy may suit a small office or boutique shop desiring a highly visible location within a prominent building, but not requiring the more central location of the city centre.

The area does reflect to some degree a low key mixed use location with a commercial apartment operator to the north, a shop and office building immediately south of Maud Street (on Moorabool Street) and broader range of commercial uses in the area north of McKillop Street and south of Carr Street. Greater change is likely in the immediate area via the introduction of the Residential Growth Zone on land along Moorabool Street, between Kilgour and Carr Street, as there is some potential for similar small scale office and retail uses in this location given the proximity of the Commercial 2 Zone to the south.

As the three lots present as a commercial façade to the street, and have been permitted to be used for commercial purposes, rezoning of the land to provide for a slightly broader range of small commercial uses is considered to result in limited change to the way in which land is used, but provide greater flexibility and therefore likelihood that the spaces will be leased or purchased and therefore tenanted, as such enhancing and activating the street.

The potential for amenity impacts associated with the as-of-right uses was raised in pre-application meetings with the City of Greater Geelong and it was specifically requested that this matter be addressed within the reports.

We consider that there are no as-of-right uses that would result in amenity impacts and are therefore inappropriate in a mixed use zone, specifically as the zone was designed to accommodate a range of uses that complement the mixed-use function of the locality, bearing in mind that the zone supports and specifically provides for higher density accommodation. Uses that have potential to affect the amenity of residential uses are not as-of-right in the Mixed Use Zone.

A laundromat was specifically raised as a use that could affect the amenity of the area, however a laundromat only provides for washing machines and dryers, both of which are provided within most dwellings, and which themselves do not affect the amenity of nearby residents. A laundromat is defined as:

Land used to clean or launder clothing or household items using self-service machines.

A laundromat does not include dry cleaning facilities on site, and it is dry cleaning facilities that can result in both air quality and acoustic impacts due to the size of the equipment, the chemicals used and the industrial nature of the business.

A Dry cleaning facility is nested under the service industry use, and any form of industry requires a planning permit in this zone. Industry that is a purpose listed in the table to Clause 52.10 is prohibited in the zone, and the table at Clause 52.10 lists the following related uses:

Type of Production, Use Or Storage (Purpose)	Threshold Distance (Metres)	Notes
Dry cleaning for commercial and institutional customers, or in bulk quantities:	100	Note 2
Laundry for commercial and institutional customers, or in bulk quantities:	100	

Given the above, dry cleaning and laundry for commercial and institutional customers, or in bulk quantities, is prohibited in the zone.

There are no offensive or potentially offensive uses in the Mixed Use Zone that are permitted without a planning permit. The size of the shop fronts is very small and as such only small scale uses will be able to occupy the spaces and this in itself limits potential amenity impacts. Beyond the planning scheme, there is other legislation in place that seeks to protect the environment including State Environment Protection Policy for air and noise emissions that also protects the environment.

The site has a residential interface, the residential property to the west is separated by Eason Lane, the commercially operated short term accommodation to the north is separated by Faggs Place, and residential property to the east and south are separated by the large road reserves of Moorabool Street and Kilgour Street. As such there is separation between residential and potential commercial uses that will minimise any potential loss of amenity for the occupants of the dwellings.

The rezoning represents a significant opportunity to better utilise the land and achieve a net community benefit with a very small increase in the nature of permitted uses. The potential commercial uses have smaller parking ratios applied to them than the convenience restaurants, and therefore are likely to result in less parking congestion and impact less on the existing residential amenity.

The Mixed Use Zone is unlikely to have any impact on the existing apartments at 322-328 Moorabool Street, as the zone does not affect the ongoing residential use of these apartments. The Mixed Use Zone in fact supports housing at higher densities and had the Mixed Use Zone been in affect at the time the land was developed, it would have supported the built form and mixed use outcomes that now exist on the property.

It is not unreasonable to suggest that the mix of uses and the scale and density of residential development within the apartments, would have been an ideal fit had the land been rezoned to a Mixed Use Zone in 2009 when the permit was originally granted for the development. The zone will not alter the accommodation uses at the upper level, nor will it alter the manner in which the common property car park is used and managed.

7. Conclusion

The application for Planning Scheme Amendment will facilitate a very minor change to the planning scheme and the locality in general, enabling a small increase in the type of commercial uses permitted, and opening up the potential for the vacant shopfronts to be used in the manner originally intended, that being to provide for activity and a street presence in the lower level of the apartment building.

The small scale of the spaces will not compete with existing commercial activity in Central Geelong or along Moorabool Street to the south of Carr Street, with the spaces likely only to suit boutique office or retail uses. This change will provide for greater vibrancy and activity, enabling the vacant spaces to be tenanted, improving and enhancing the site.

The proposal supports the strategic direction outlined in the policies of the Greater Geelong Planning Scheme and provides an opportunity for employment and small mix of residential/commercial uses that is limited at present, and doesn't challenge the hierarchy of activity centres.

Land use conflicts are minimised by the existing siting and design of the building, and the small land areas to be rezoned. Food and drink premises that have been permitted on the site have been unsuccessful, and these would likely have accommodated larger numbers of people at any one time than the commercial uses permitted by the mixed use zone would.

The proposal does not result in the loss of any residential uses as the spaces were always designed to accommodate a commercial tenant.

The proposal is consistent with the planning scheme and accordingly it is requested that the City of Greater Geelong support the application.

SINCOCK PLANNING