

Report
Prepared for Norlane Community
Initiatives

September 2022

**C443ggee: Combined Planning
Scheme Amendment and
Planning Permit Application**

**4-8 Spruhan Avenue, Norlane VIC
3214**

Planning Report

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**Prepared for: Norlane Community
Initiatives**

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1 Introduction:

1.1 Overview

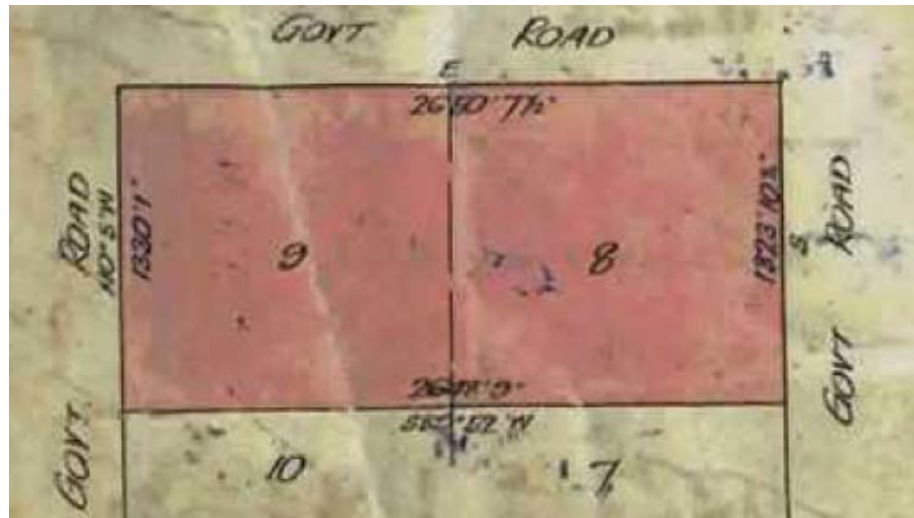
- 1.1.1 This report has been prepared on behalf of Norlane Community Initiatives (NCI) and accompanies a request for a combined Planning Scheme Amendment and Planning Permit Application (pursuant to Section 96A of the Planning and Environment Act 1987) for land at 4-8 Spruhan Street, Norlane, herein referred to as the subject site.
- 1.1.2 NCI is a not-for-profit community organisation that provides community services from the subject site. The subject site is also used as a Place of Worship.
- 1.1.3 The combined planning scheme amendment and permit application seeks to facilitate the continued use of the subject site for a Place of Assembly, which comprises the provision of community related services, and enable buildings and works to be completed to the existing building on site.
- 1.1.4 The amendment seeks to remove registered restrictive covenants 1641285 and 1445490 burdening the subject site, which prevent the construction of more than one dwelling on site. The removal of the restrictive covenants will enable a planning permit to be lodged with the City of Greater Geelong to support the continued use of the subject site. The amendment will promote the orderly planning of the subject site and support its continued use as a Place of Assembly.
- 1.1.5 A planning permit application is required under the General Residential Zone for buildings and works associated with a Place of Assembly and erection of business identification signage. A request is also being made in respect of the need to rectify a technical matter relating to the use of the land. This technical change of use relates to the historical reference of the subject site as a Place of Worship to a Place of Assembly. Clause 32.07-02 requires a permit for a Place of Assembly.
- 1.1.6 More specifically:
- The planning scheme amendment seeks to amend the schedule to Clause 52.02 (Easement, Restrictions and Reserves) to include reference to the subject site at Clause 1.0 Under Section 23 of the Subdivision Act 1988 confirming the removal of the restrictive covenant.
 - The planning permit application seeks approval for buildings and works associated with the existing building on site, a technical change of use from a Place of Worship to a Place of Assembly, a waiver of eight (8) car parking spaces and business identification signage.
- 1.1.7 This report provides an overview of the subject site's physical and planning policy context, provides a strategic assessment of the planning scheme amendment, and an assessment of the planning permit application in relation to relevant policies and provisions of the Greater Geelong Planning Scheme.
- 1.1.8 The report should be read in conjunction with:
- A full copy of both Titles and associated covenants.
 - Covenant Beneficiaries letter and plan prepared by Minter Ellison
 - Architectural Plans prepared by Select Architects (dated 27/05/2022)
 - Landscape Plans prepared by Mexted Landscape Architects.
 - Traffic Impact Assessment report prepared by Ratio Consultants
 - Waste Management Report prepared by Ratio Consultants
 - Tree Assessment Management Plan prepared by Let's Talk About Trees
 - Stormwater Assessment prepared by Cardno.

- Planning Scheme Amendment documents comprising an Explanatory Report, Instruction Sheet and amended Schedule to Clause 52.02 Easements, Restrictions and Reserves.

1.2 Background

- 1.2.1 The subject site is comprised of:
- Lots 348 and 349 plan of subdivision 113342, within Certificate of Title Volume 6100 Folio 946; and
 - Lot 350 on plan of subdivision 113342, within Certificate of Title Volume 5084 Folio 763.
- 1.2.2 Two restrictive covenants are registered against the subject site, being:
- Restrictive covenant 1641285 created on 12 February 1937 in respect of lots 348 and 349; and
 - Restrictive covenant 1445490 created on 31 January 1930 in respect of lot 350.
- 1.2.3 The restrictive covenants provide that the proprietor of the land will not, amongst other things:
- *Excavate on or in the Subject Site or remove or permit to be removed any soil or other material therefrom except such as building construction or the layout of a garden may necessitate;*
 - *Erect or construct or allow to be erected or constructed any building or erection other than one dwelling house with usual outbuildings and fences to cost not less than five hundred pounds (including outbuildings and fences); or*
 - *Carry on or permit to be carried on upon the land any trade or business and not to erect not permit to be erected or to remain erected thereon any sign hoarding or other erection used to intended to be used for advertisement.*
- 1.2.4 The beneficiaries of the Covenants are "Ford Estates Proprietary Limited and its transferees" registered proprietor or proprietors for the time being of the land remaining untransferred" in Certificate Of Title Volume 5084 Folio 101673.
- 1.2.5 Certificate Of Title Volume 5084 Folio 101673 has been cancelled. It related to land formerly described as Crown Allotments 8 and 9 at Corio, Parish of Moorpanyal, Country of Grant and delineated and coloured red on a map which formed part of the certificate. An extract of the map is at Figure 1 below.

Figure 1 - Extract of Map in Certificate of Title 5084 Folio 101673 (Cancelled)



- 1.2.6 The restrictive covenants do not reflect the historic use of the subject site as a Place of Worship and its use by NCI who operates an essential community-focused service. Both the Place of Worship and uses operated by NCI are considered to fall under the land use definition of a Place of Assembly.
- 1.2.7 The restrictive covenants prevent the use of the subject site as a Place of Assembly and associated buildings and works for the building on site. Under Section 61(4) of the Planning and Environment Act 1987, a planning permit cannot be granted if the permit would result in a breach of a restrictive covenant, or a permit has been granted.
- 1.2.8 The restrictive covenant must be removed to enable the City of Greater Geelong to assess the proposal.
- 1.2.9 The utilisation of s.96a of the Planning and Environment Act 1987 provides an opportunity to formally remove the restrictive covenant on the titles by way of a planning scheme amendment, which in turn enables the lodgement of the planning permit application for buildings and works, change of use, waiver of car parking and erection of signage.
- 1.2.10 By removing the restrictive covenants, the amendment will facilitate the orderly planning of the subject site and result in a net community benefit for the immediate community. It will also further the objectives and strategies contained in the *Corio Norlane Structure Plan 2012*.

Figure 3 - View of the Western part of the Centre



Figure 4 - View of the Entrance



2.2 Norlane Community Initiatives

2.2.1 The historical operations undertaken by NCI on the subject site comprise community related uses, with typical activities including:

- Monday Neighbourhood meal (50 participants)
- Monday Peoples Pantry (20 participants)
- Private Music lessons (5 participants)
- Sunday congregation (15 participants)

2.2.2 At present, all programs at the subject site have temporarily ceased.

Figure 5 - Notice



2.2.3 The latest planning permission relating to the subject site was issued in 2019. Buildings and Works pursuant to *Planning Permit PP-1508-2018* included:

- Retention of an existing building straddling the three parcels of land across the rear (northern) half of the subject site.
- The construction of a new building towards the south-east corner of the subject site with a residential character, including five bedrooms, for community workers and caretakers at the Subject Site to reside; and
- The construction of a new car park, pedestrian access, outdoor seating areas and landscaped gardens within the front (southern) half of the subject site, to the west of the new building.

2.3 Site Context

2.3.1 The surrounding area is predominately residential in nature. The street pattern follows a grid form, which runs on a slight north-west to south-east axis.

2.3.2 The subject site's context can be summarised as follows:

North

- The northern boundary of the subject site extends to c.45 metres and is shared with three properties fronting Donnelly Avenue. The regular grid layout of the surrounding area results in the lots comprising the subject site directly adjoining lots of the with the same street numbering.

- Generally, Nos.4-8 Donnelly Avenue include single dwellings on each respective lot. All three dwellings have associated outbuildings, with three garages on or near the shared boundary with the subject site.
- Land use to the north is generally residential, except for the Norlane St Stephens church, which includes an op-shop and church at 8-10 Wendover Avenue, 195 metres to the north of the subject site.

East

- The subject site's eastern boundary wholly adjoins No.10 Spruhan Avenue, which comprises a single dwelling on the lot.
- Development to the east is generally residential in nature, with the residential area ending 700 metres to the east at Station Street.

South

- The subject site's primary frontage is with Spruhan Avenue to the south. Immediately opposite the subject site are Nos.3-7 Spruhan Avenue. Nos. 3 and 5 comprise single dwellings on their respective lots. No.7 Spruhan Avenue has been subdivided and accommodates two dwellings with associated common property.
- The nearest non-residential uses are located approximately 277 metres south-east of the subject site at Labuan Square.

West

- The subject site's western boundary adjoins No.2 Spruhan Avenue, which comprises a single dwelling on the lot.
- The subject site is situated approximately 80 metres east of the Princes Highway, the main north-south vehicular route through Norlane and the north of Geelong. Service roads off Princes Highway provide access to Spruhan Avenue.
- Land uses beyond Princes Highway are predominately residential.

Locational Attributes

2.3.3 The subject site is proximate to a range of land uses commonly associated with residential areas. Notably:

- Places of Worship at:
 - Norlane St Stephens, 195 metres to the north of the subject site.
 - Saint Thomas Aquinas Catholic Church, 440 metres to the north of the subject site.
- Places of Assembly at:
 - Norlane St Stephens, 195 metres to the north of the subject site.
 - Yooringa Seniors Community Centre, 551 metres to the west of the subject site.
 - Diversitat Northern Community Hub located 550 metres south-west of the subject site.
 - Norlane Community Centre located 670 metres to the north of the subject site.
 - Norlane Child and Family Centre, located 750 metres north-east of the subject site.
- Shops and services at:
 - Norlane Medical Centre at Alkira Avenue, c.120m west of the subject site.

- Labuan Square, approximately 277 metres south-east of the subject site.
- Bus stops at:
 - Spruhan Avenue/Princes Highway, with southbound services 20 and 22 operating to North Shore Station and Geelong Station, located approximately 65 metres south-west of the subject site.
 - Alkira Avenue/Princes Highway with northbound services 20 and 22 operating to Corio Shopping Centre and Geelong Station, located c.125 metres south-west of the subject site.
- North Shore train station located approximately 850 metres to the south-east.

Figure 6 - PTV Mapping

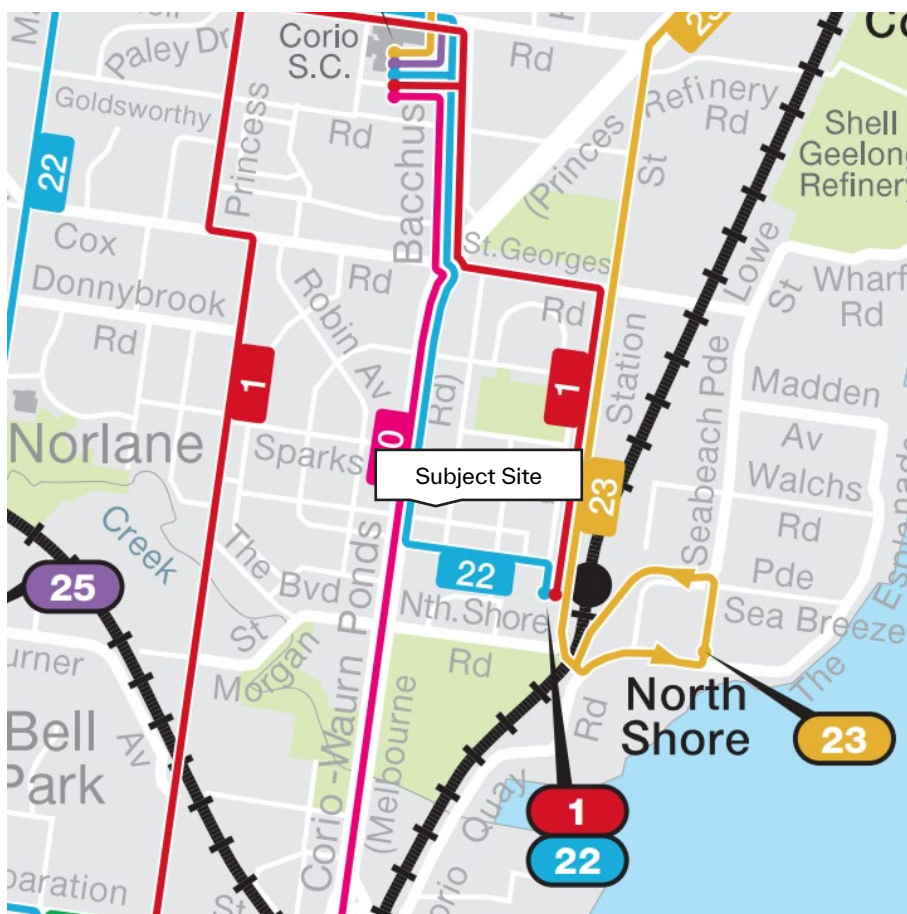


Figure 7 - Aerial Imagery



3 Planning Controls:

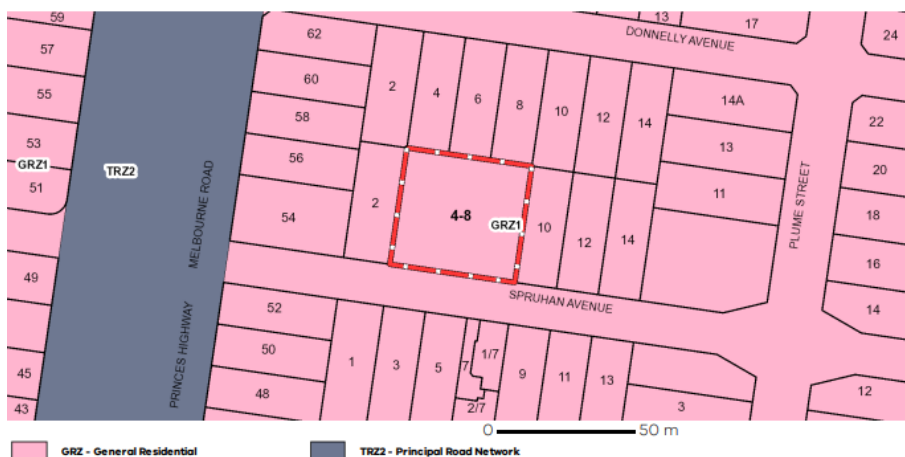
3.1 Planning Controls and Provisions

The following provisions of the Greater Geelong Planning Scheme apply to the subject site.

Zone

- 3.1.1 The subject site is located within the General Residential Zone Schedule 1 (GRZ1).

Figure 8 - Zone Mapping



Source: VicPlan

- 3.1.2 The relevant purposes of the zone include:
 - To implement the Municipal Planning Strategy and the Planning Policy Framework.
 - To encourage development that respects the neighbourhood character of the area.
 - To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.
- 3.1.3 **Clause 32.07-2 Table of uses** requires a planning permit for the use of the land for a Place of Assembly (Note: The permit application for the subject site is seeking to tidy up a technical error in relation to the historic use of the site as a place of assembly, including place of worship).
- 3.1.4 A planning permit is required pursuant to **Clause 32.07-8 Buildings and works associated with a Section 2 use**, which states:

‘A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.08-2’

Overlays

No overlays apply to the subject site.

General and Particular Provisions

Clause 52.02 – Easements, Restrictions and Reserves

- 3.1.5 The purpose of the provision is:

To enable the removal and variation of an easement or restrictions to enable a use or development that complies with the planning scheme after the interests of affected people are considered.

Clause 52.05 – Signs

- 3.1.6 The purpose of the provision is to ensure signs are compatible with the amenity and visual appearance of an area, including the existing and desired future character.

Clause 52.06 – Car Parking

- 3.1.7 Clause 52.06 sets out car parking standards for both quantity and design. The objectives of the provision include:

- *To ensure the provision of an appropriate number of spaces having regard to demand generated.*
- *To promote the efficient use of car parking spaces.*
- *To ensure car parking does not adversely affect the amenity of the locality.*
- *To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables east and efficient use.*

Clause 52.34 – Bicycle Facilities

- 3.1.8 The provision sets out requirements for the provision of bicycle facilities for new uses. A permit may be granted to vary, reduce, or waive any of these requirements pursuant to Clause 52.34-2.

Clause 53.18 – Stormwater Management in Urban Development

- 3.1.9 The provision sets out measures for the management of stormwater based on Objectives that describe the desired outcome to be achieved in the completed development; and Standards that contain the requirements to meet the objective.

Clause 65 – Decision Guidelines

- 3.1.10 Clause 65 sets out matters to be considered by the responsible authority before deciding on an application or approval of a plan.

3.2 Planning Policy Framework

- 3.2.1 Relevant State and local planning policies and supporting strategies are set out below.

Planning Policy Framework

- Clause 11.01-1S - Settlement
- Clause 11.01-1R - Settlement – Geelong G21
- Clause 11.03-6S - Regional and Local Places
- Clause 15.01-1S - Urban Design
- Clause 15.01-2S - Building Design
- Clause 15.01-4S - Healthy Neighbourhoods
- Clause 15.01-5S - Neighbourhood Character
- Clause 15.02-1S - Energy and Resource Efficiency
- Clause 19.02-4S - Social and Cultural Infrastructure
- Clause 19.03-3S - Integrated Water Management

Municipal Strategic Statement

- Clause 21.06 - Neighbourhood Character
- Clause 21.08 - Development and Community Infrastructure
- Clause 21.18 - Corio Norlane

Local Planning Policies

- Clause 22.01 - Discretionary Uses in Residential Areas

4.1 Overview of the Amendment

- 4.1.1 Further to **Section 1.2 Background** of this report, the amendment proposes to amend the Schedule to Clause 52.02 (Easements, Restrictions and Reserves) of the Greater Geelong Planning Scheme.
- 4.1.2 Land at 4-8 Spruhan Avenue, Norlane, will be included at Clause 1.0 Under Section 23 of the Subdivision Act 1988 of the Schedule to Clause 52.02 (Easements, Restrictions and Reserves) to identify the affected land, confirm the restrictive covenant, and requirement which removes the same from the subject site.

4.2 Strategic Assessment

- 4.2.1 The assessment below considers the amendment against the strategic assessment guidelines set out in the *Department of Environment, Land, Water and Planning's Planning Practice Note 46 (PPN 46) Strategic Assessment Guidelines (May 2017)*.

Why is the Amendment Required?

- 4.2.2 The amendment is required to remove the following restrictive covenants from the subject site:
- Restrictive covenant 1641285 created on 12 February 1937 in respect of lots 348 and 349; and
 - Restrictive covenant 1445490 created on 31 January 1930 in respect of lot 350.
- 4.2.3 The restrictive covenants respectively state that the proprietor will not, amongst other things:

erect or construct or allow to be erected or constructed any building or erection other than one dwelling house with usual outbuildings and fences to cost not less than five hundred pounds (including outbuildings and fences

- 4.2.4 The amendment is therefore required to allow for the continued use of the subject site for a Place of Assembly comprising of community-related services operated by Norlane Community Initiatives (NCI), and buildings and works associated with the existing building on site.
- 4.2.5 Under Section 61(4) of the Planning and Environment Act 1987, a planning permit cannot be granted if the permit would result in a breach of a restrictive covenant, or a permit has been granted.
- 4.2.6 The current beneficiaries of the restrictive covenant are not expected to experience a material detriment as a consequence of the amendment on the basis that it is seeking to formally acknowledge the historical use of land as a Place of Assembly and to facilitate buildings and works to the existing building on site.
- 4.2.7 The amendment will result in a net community benefit by ensuring an enduring orderly planning framework applies to the subject site.

How does the Amendment Implement the Objectives of Planning?

- 4.2.8 The amendment is consistent with the following objectives of planning in Victoria as outlined in the Planning and Environment Act 1987.
- to provide for the fair, orderly, economic, and sustainable use, and development of land.

- to secure a pleasant, efficient, and safe working, living and recreational environment for all Victorians and visitors to Victoria.
 - to protect public utilities and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community.
 - to balance the present and future interests of all Victorians.
- 4.2.9 The amendment will remove the restrictive covenants, which prohibits the use and development of the subject site for a Place of Assembly. This will result in the use and development of the subject site compliant with the Planning Scheme.
- 4.2.10 The amendment will contribute to the fair, orderly, economic, and sustainable use of land by facilitating a community use to serve the local community need in a location with good connections to its intended audience and wider public transport links.

How does the amendment address any environmental, social and economic effects?

Environmental Effects

- 4.2.11 The amendment will not result in any adverse environmental effects.
- 4.2.12 The accompanying planning application identifies that the location of new buildings and works are largely in the place of existing built form.

Economic Effects

- 4.2.13 The amendment will generate economic benefits through direct and indirect employment opportunities during the construction phase of the works.

Social Effects

- 4.2.14 The amendment will facilitate positive social effects by enabling the continued use of the subject site for community-related services and the completion of building and works to the existing building on site.
- 4.2.15 The positive social outcomes of the amendment will be in the interest of residents and Victorians.

Does the amendment address relevant bushfire risk?

- 4.2.16 The subject site is not in, or in proximity to, a designated bushfire prone area or affected by a Bushfire Management Overlay. Therefore, there is not perceived increased risk to bushfire. and there is not anticipated to be any increased bushfire risk associated with the proposed amendment.

Does the Amendment comply with the requirements of any Minister’s Direction applicable to the amendment?

- 4.2.17 The amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the Act.
- 4.2.18 The amendment is consistent with Ministerial Direction No.11 (Strategic Assessment of Amendments) under section 12 of the Planning and Environment Act 1987.
- 4.2.19 The amendment is also consistent with Ministerial Direction No. 15 (The Planning Scheme Amendment Process).

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

- 4.2.20 The amendment is consistent with the objectives of the Planning Policy Framework (PPF).

- 4.2.21 The PPF supports development within established urban areas that benefit from access to the range of services and facilities that are necessary for, or enhance, community life. These policies support non-residential uses in residential areas where they are appropriately located.
- 4.2.22 The amendment will facilitate the use of the land as a community centre and associated buildings and works. The amendment aligns with the following PPF policies:
- **Clause 11.01-1S Settlement** which includes strategies to promote and capitalise on opportunities for urban renewal and infill redevelopment.
 - **Clause 11.03-6S - Regional and Local Places** includes key strategies to integrate relevant planning considerations to provide direction for the planning of sites, places, and neighbourhoods and to consider the needs of local places in planning for future land use and development.
 - **Clause 15.01-1S - Urban Design** includes key strategies of ensuring development contributes to community and cultural life by improving the quality of living and working environments, facilitating accessibility, and providing for inclusiveness.
 - **Clause 15.01-4R Healthy Neighbourhoods** which seeks to create a city of 20-minute neighbourhoods, that give people the ability to meet most of their everyday needs within a 20-minute walk, cycle, or local public transport trip from their home.
 - **Clause 15.01-5S - Neighbourhood Character** supports development that contributes to a preferred neighbourhood character, recognising, supporting, and protecting cultural identity and sense of place.
 - **Clause 15.02-1S - Energy and Resource Efficiency** seeks to promote consolidation of urban development and integration of land use and transport.
 - **Clause 19.02-4S - Social and Cultural Infrastructure** includes key strategies of addressing gaps and deficiencies in social infrastructure and to design social infrastructure to be accessible. The objective is to provide fairer distribution of and access to, social and cultural infrastructure.
- 4.2.23 The amendment will provide significant social benefits for the local community, addressing a local need, supporting the sense of place and promoting the health of the community through inclusive and participatory activities. The proposal will contribute to the renewal of Norlane and is accessible.

How does the amendment support of implement the Local Planning Policy Framework (LPPF) and, specifically, the Municipal Strategic Statement (MSS)?

- 4.2.24 The amendment is consistent with the objectives of the Local Planning Policy Framework (LPPF).
- 4.2.25 The LPPF, and the MSS, establish a place-based focus on regeneration of Corio and Norlane. Relevant directions are found at:
- **Clause 21.06 - Settlement and Housing** sets out that towns and suburbs have different roles and functions in accommodating growth and that is important to maintain a range of services and facilities useful to all age groups to ensure diverse communities can be sustained over the long term.
 - **Clause 21.08 - Development and Community Infrastructure** sets out that is necessary to upgrade existing community infrastructure and provide new community infrastructure to meet the needs of the current and future population.

- **Clause 21.18 - Corio Norlane** sets out key area-based policy includes objectives of increasing the resident population and supporting opportunities for urban renewal through built form and land use. The policy also includes four objectives of particular reference to his amendment. The objectives specifically relate to enhancing outcomes for the communities of Corio and Norlane through planning. Objectives include:
 - *Improve the health and wellbeing of people living in Corio and Norlane*
 - *Improve image and identity through a creative arts and greening approach.*
 - *Increase social and cultural connection through integrated community precinct planning.*
 - *Provide active and passive open space to meet the needs of residents and visitors.*
 - **Clause 22.01 - Discretionary Uses in Residential Areas** applies to uses requiring a planning permit in residential zones, inclusive of the General Residential Zone. The policy recognises that non-residential buildings are important features of the city's residential areas, particularly in the inner suburbs. ***Policy explicitly supports the re-use of buildings for non-residential uses where it results in an economically viable use of a building and provides a service to the local community.***
- 4.2.26 The amendment supports and implements the key directions of the MSS, by facilitating the delivery of a place-based community use, which directly addresses and contributes to the health and wellbeing of the residents of Norlane. Non-residential uses which support the local community are explicitly supported in LPPF.

Does the amendment make proper use of the Victoria Planning Provisions?

- 4.2.27 The amendment makes proper use of the Victoria Planning Provisions by amending the Schedule to Clause 52.02 Easements, Restrictions, and Reserves to allow the person affected by the restrictive covenant to proceed under Section 23 of the Subdivision Act 1988 to vary the covenant by lodging with the Land Titles Office an appropriate certified plan for registration. The removal of the restrictive covenant is for land at 4-6 Spruhan Avenue.

How does the amendment address the views of relevant agencies?

- 4.2.28 The views of relevant agencies will be sought during the formal exhibition of the combined planning scheme amendment and permit application.

Does the amendment address the requirements of the Transport Integration Act 2010?

- 4.2.29 The amendment is consistent with the transport system objectives and the decision-making principles of the *Transport Integration Act 2010*. The amendment will facilitate the continued use of the land for community-related services, and associated buildings and works to the existing building on site. The amendment will not result in any adverse impacts on the transport system.

What impact will the new planning provisions have on the administrative costs of the responsible authority?

- 4.2.30 The amendment will not result in any significant impact on administrative costs for the City of Greater Geelong. The amendment will not have an adverse impact on the resourcing and administrative costs of the responsible authority. The amendment will result in an orderly planning outcome for the land ensuring an enduring planning framework is applied.

5 Planning Permit Application:

5.1 The Proposal

- 5.1.1 The planning permit application seeks:

Buildings and works and change of use to a place of assembly and associated waiver of 8 car parking spaces and Business Identification Signage

- 5.1.2 The key features of the proposal can be summarised as follows (to be read in conjunction with the architectural plans prepared by Select Architects, dated 27/05/2022).

Proposal Overview

- Demolition of an existing multi-purpose area, access ramp, shed, deck, windows and doors and removal of existing pavements and some vegetation.
 - Buildings and works, inclusive of a new western single storey extension to replace the existing multi-function area.
 - Provision of external storage areas associated with gardening activities.
 - Installation of rainwater tanks with a capacity of 10,000 litres.
 - Installation of new landscaping, inclusive of an outdoor seating area with pergola and a children's play area.
 - Installation of Business Identification Signage.
 - Erection of a sign on the southern elevation of the building (Sign 01) and at the car park entry (Sign 02) to identify NCI. Sign 01 will be 1000mm X 2000mm and area of 2.0sqm. Sign 02 will be 750mm X 1500mm and area of 1.125sqm.
 - A widened crossover to Spruhan Avenue and removal of two existing crossovers.
 - Provision of a new car park with 8 car parking spaces and 2 accessible spaces, generally in line with the existing planning permit for the subject site Ref: PP-1508-2018.
 - Four (4) bicycle spaces.
 - This application also seeks to formalise the broader historical use of the subject site for community-related services operated by NCI. This includes requesting a technical change of use of the subject site from a Place of Worship to a Place of Assembly, noting that a Place of Worship falls under the land use definition of a Place of Assembly and continues its existing use rights.
- 5.1.3 The proposed development works with the fabric of the existing community centre and removes a derelict part of the building.
- 5.1.4 The proposed extensions increase the building area (inclusive of decking) from 422 sq.m to 475 sq.m, an increase of 53sq.m.
- 5.1.5 The proposed design generally maintains the relationship of the existing and proposed built form to adjoining sites, with a new 11 metre wall on the eastern boundary with No.10 Spruhan Avenue.

Norlane Community Initiatives (NCI)

- 5.1.6 NCI is a not-for profit community organisation. Based at the subject site, NCI delivers programs which primarily support the local community. It is envisaged that upon approval of the combined amendment and permit application and initial settling in period of NCI within the updated premises, the subject site will be used to operate generally as follows:

Regular Activities

- Neighbourhood Meal: 50 participants (2hrs x 1 day per week)
- Gardening Group: 5-10 participants (2hrs x 2 days per week)
- Craft Groups: 5-10 participants (1hrs x 2 days per week)
- Cooking Groups: 5 participants (1hrs x 2 days per week)
- Leadership Workshop: 10 participants (1hrs x 1 day per week)
- Food Cooperative: 10-20 participants (2hrs x 1 day per week)
- Meditation space: 10 participants (30mins x 2 days per week)
- Cafe: 20-30 customers (5 days per week 9am - 2pm)
- Office: 5-10 staff and volunteers

Hours of Operation

- Monday to Friday: 9am - 5pm
- Saturday: As required
- Sunday: As required

Permit Triggers

- 5.1.7 Pursuant to the provisions of the Greater Geelong Planning Scheme, a planning permit is required for:
- Buildings and works associated with a Section 2 use, pursuant to Clause 32.08-8.
 - A change of use, pursuant to Clause 32.08-2.
 - Removal of an easement, pursuant to Clause 52.02. (*Note: The planning scheme amendment will deal with this matter.*)
 - Business Identification Signage in a Category 3 zone, pursuant to Clause 52.05.
 - A waiver of car parking spaces, pursuant to Clause 52.06.

Environmentally Sustainable Design

- 5.1.8 The proposal seeks to include environmentally sustainable design measures including rainwater storage and retention of existing solar panels; however, we note a Sustainable Design Assessment is not required by Clause 22.71 (Environmentally Sustainable Design) as the total proposed area of new extensions is 159.6 sq.m, with a net increase of floorspace of 53 sq.m.

6 Assessment of the Proposal:

6.1 Introduction

- 6.1.1 The key considerations in the assessment of this application include:
- Is there strategic support for the proposal?
 - Does the proposed built form appropriate?
 - Does the development have an acceptable impact on amenity?
 - Will the proposal have acceptable transport outcomes?

6.2 Is there Strategic Support for the Proposal?

- 6.2.1 The proposal is considered consistent with the strategic direction of the Greater Geelong Planning Scheme as:
- Land use objectives of the GRZ1 allow for appropriately sited non-residential uses. The proposed change of use retains the non-residential nature of the existing site, contributing to the mix of uses supporting the community and the appeal of the area. The proposed change of use reflects the historical use of the subject site and seeks to formalise this through this planning permit application process.
 - The proposed change of use to a Place of Assembly reflects the overall historic use of the subject site for activities associated with the NCI. Whilst NCI has operated under the land use definition of a Place of Worship, it is noted that this land use is nested under the parent land use definition of Place of Assembly at Clause 73.03. The proposed change of use correctly seeks to formalise the historic use of the subject site through the planning permit application process, cognisant that a Place of Assembly is discretionary use under the GRZ.
 - The development responds to Clause 21.06 by providing a service which is appropriate and responds to the needs of the neighbourhood. The services and facilities proposed will contribute to the sense of place and drive the sustainability of the local community.
 - Norlane is experiencing significant investment in social housing as part of Victoria's Big Housing Build. The proposal will result in significant investment in an existing community facility resulting in a greatly improved use that provides services to support existing and new residents. The provision of appropriate community infrastructure is supported by Clause 21.08.
 - The Greater Geelong Planning Scheme includes a specific area policy for Corio and Norlane (Clause 21.18). The objectives of the policy include objectives which seek to support urban renewal through built form outcomes and land use. The development is appropriate in this regard with an appropriate design response and the continuation of the non-residential use with a community centre.
 - The provision of non-residential uses in residential areas is supported by Clause 22.01. The proposal meets the objective of the policy by re-using an existing building for a viable community operation providing services to the local community.
 - The development responds favourably to the preferred location policy, which includes locating non-residential uses to be convenient to local residents and has good access to a Transport Zone.
 - Clause 21.18 also includes social objectives. The proposed use and operation of Norlane Community Initiatives aims to improve the health and well-being of the local community through participatory schemes to encourage engagement and ownership. The social and cultural connections created by the proposed use is unambiguously supported.

- 6.2.2 In summary, the proposed community centre use and development enjoys strategic support throughout the PPF of the Greater Geelong Planning Scheme.

6.3 Is the Proposed Built Form Appropriate?

- 6.3.1 This planning application includes buildings and works associated with a non-residential use in a residential zone.
- 6.3.2 Appropriate built form considerations are set out in Clause 22.01 of the Greater Geelong Planning Scheme. An assessment against the provisions of the policy and general built form considerations associated with community centre uses are set out below.

Design and Siting

- 6.3.3 The proposed development is for buildings and works to an existing building, re-using the existing non-residential building for a suitable non-residential use. The buildings and works respond to neighbourhood character by:
- Generally being in the same location of existing built form with similar relationships to adjoining properties.
 - Including a gabled roof on the new extension. The roof form is not uncommon in a residential area and examples within the street include 3 Spruhan Avenue, opposite the subject site.
 - Being of the same single-storey height as the existing building.
 - Employing contemporary materials which are appropriate in a residential area. The new extension will include timber weatherboard which is a predominant material in the local area.
 - Plant equipment is located to avoid being visible from the street.
 - Car parking is not sited at the rear of the subject site due to the location of the existing building.

Landscaping

- 6.3.4 The proposed buildings and works respond to the landscaping criteria by including new landscaping to the car park and siting of a community garden in the front setback of the property. The proposal generally includes a compliant landscape buffer to the western boundary of the subject site, except for land between the accessible car parking spaces and boundary where the buffer is reduced.
- 6.3.5 A seating area is proposed within the front setback with a verandah to ensure the non-residential use is legible in the streetscape.
- 6.3.6 The proposed works will account for trees on adjoining sites, including No.2 Spruhan Avenue. An Arboricultural Assessment has been prepared in support of this application by Let's Talk About Trees. The report:
- Sets out that the extension will encroach into the Tree Protection Area of one tree on the adjoining site. The tree (T3) will be protected through appropriate management measures alongside Trees 4 to 7.
 - Identifies that the tree in the nature reserve (T2) will not be affected by the proposed works.
 - A sole olive tree on the subject site is proposed to be removed. The report sets out that the tree makes no significant contribution to the landscape.
- 6.3.7 In summary, the proposed areas of landscaping and investment in the subject site will result in betterment.

Signage

- 6.3.8 The proposed development includes two Business Identification Signs within GRZ1. Pursuant to Clause 32.08-14 land within the GRZ1 is in a signage zone Category 3.
- 6.3.9 The two signs are best described as:
- Erection of a sign on the southern elevation of the building at the proposed gable (Sign 1) and at the car park entry facing the street (Sign 2).
 - Sign 1 will be 1000mm X 2000mm and have an area of 2.0sqm. The sign will not be illuminated and have a black background with white lettering.
 - Sign 2 will identify Norlane Community Initiatives from the street. Sign 2 will be 750mm X 1500mm and mounted on steel columns at a height of 1.145 metres above ground.
 - The graphics of both signs will be identical.
- 6.3.10 The signs are considered appropriate having regard to:
- Their design and scale, which is appropriate in a residential area.
 - Their positioning, which does not contribute to clutter in the streetscape. Both signs improve the legibility of the community centre.

Compliance with Rescode Objectives and Standards

- 6.3.11 Clause 22.01 sets out that new buildings should be consistent with the following objectives and/or standards of Rescode:
- **Standard A3 - Street Setback.** The development complies with this standard as the building is set back further from the street than the average distance of neighbouring properties.
 - **Standard A10 - Side and Rear Setbacks.** The proposed extension is single storey in height. The building will have a 1.9 metre setback from the western boundary, 1.94 metre setback from the northern boundary and a 6-metre setback from the eastern boundary. An outbuilding is proposed for garden storage on the eastern boundary, its average wall height is 2.4 metres. The proposed buildings and works comply with the side and rear setback envelope, meeting the standard and objective.
- The wall on boundary**
- **Standard A11 - Walls on Boundaries.** No walls on boundaries are proposed. An outbuilding will be sited on the eastern boundary for 11 metres of the 42-metre shared boundary.
 - **Standard A12 - Daylight to Existing Windows.** The development is not opposite any habitable room windows and complies with the objective and standard.
 - **Standard A13 - North Facing Windows.** No north facing windows on adjoining properties are affected.
 - **Standard A14 - Overshadowing Open Space.** The proposal is for a single storey building setback by a minimum of 1.9 metres from a shared boundary. The development does not unreasonably overshadow existing SPOS of adjoining properties.
- 6.3.12 The proposal is considered compliant with Rescode standards.

6.4 Does the Development have an Acceptable Impact on Amenity?

- 6.4.1 The various planning policy framework guidance and zone provisions require that consideration been given to internal and external amenity.

External Amenity

- 6.4.2 Clause 22.01 sets out that residential amenity should be protected from:
- Noise, light, and odours emitted from the subject site.
 - Disturbance associated with the hours of operation.
- 6.4.3 The operation of the subject site and use is currently unrestricted owing to existing use rights. The change from place of worship to place of assembly will not fundamentally change the impacts associated with the activities taking place on the subject site.
- 6.4.4 The external appearance of the subject site will be significantly improved by the development with new landscaping and contemporary extension. The investment in the subject site is to the benefit of the visual amenity of the local area.

Internal Amenity

- 6.4.5 The proposed buildings and works will provide modern facilities for Norlane Community Initiatives. The community centre will include a multi-purpose hall, a maker's space, IT facilities, a meditation room and a shared kitchen and pantry.

6.5 Will the Proposal Have Acceptable Transport Outcomes?

- 6.5.1 A Transport Assessment by Ratio Consultants has been prepared in support of this application.
- 6.5.2 The assessment identifies that a place of assembly accommodating 60 patrons (maximum at any one time) generates a parking requirement for 18 spaces.
- 6.5.3 The assessment finds:
- The proposed community centre has a statutory car parking rate requirement for 18 parking spaces.
 - 10 car parking spaces will be provided on the site, eight (8) fewer than the requirement.
 - Against the proposed use and patronage, we expect the community centre to generate an on-street car parking demand of 8 spaces between 4pm and 6pm on Mondays and for 1 space between 1pm and 3pm on Mondays. At all other times, parking demands can be accommodated on the site.
 - The shortfalls can be accommodated within Spruhan Avenue between Princes Highway and Plume Street, without impacts parking availability for existing residents.
- 6.5.4 Having regard to Clause 52.34, a Place of Assembly generates a requirement of 4 bicycle spaces. The site accommodates these spaces within a bicycle rack, located within the front setback of the site.
- 6.5.5 In summary, the proposed waiver of car parking spaces will not have adverse impacts on the amenity of nearby residents. The waiver of car parking spaces complies with the objective of Clause 22.01, which aims to ensure on street parking is relied upon only where it can be demonstrated that it will not be to the detriment of surrounding residential uses.

7 Conclusion:

- 7.1.1 The combined application seeks to remove the covenant restricting the use of the subject site to facilitate the place of assembly (community centre).
- 7.1.2 We consider that the proposal responds strongly to the strategic directions and relevant considerations of the Planning Policy Framework of the Greater Geelong Planning Scheme.
- 7.1.3 This statement finds:
- The proposed built form is designed to respond appropriate to the residential context and the interfaces between the non-residential use and neighbouring residential properties.
 - The proposed use enjoys support throughout the Greater Geelong Planning Scheme. In particular, the proposal responds strongly to policies for Norlane and the provision of community infrastructure which aim to create sustainable places.
 - The proposed car parking waiver is appropriate in the context.
 - The proposal has no significant impacts on the streetscape.
 - The proposal will not give rise to adverse impacts on the amenity of adjoining neighbours.
- 7.1.4 In our opinion, the proposal substantially satisfies the various relevant PPF and LPPF and the zone controls, and that the proposal is a positive development for the community of Norlane. The social benefits of the development are substantial, and the application should be supported.

Ratio Consultants Pty Ltd.