



62 Shannon Avenue Geelong West

Use and development of a medical centre and the partial reduction of car parking (5 spaces) and create/alter access to a road in a Transport Zone 2.

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1. Introduction

Sincock Planning has been engaged to assist in the preparation of a town planning application for the use and development of a medical centre, the partial reduction in car parking (5 spaces) and to create or alter access to a road in the transport zone schedule 2.

The use would be as of right with 3 persons providing health services, however we seek permission for up to 5 during normal business hours (Monday to Friday), reducing after this time.

The site is within General Residential Zone Schedule 1 and adjoins the Transport Zone Schedule 2 (Shannon Avenue).

The application is consistent with the zone and policy framework, and a full assessment of the planning scheme is contained in sections 4 & 5.

2. Proposal

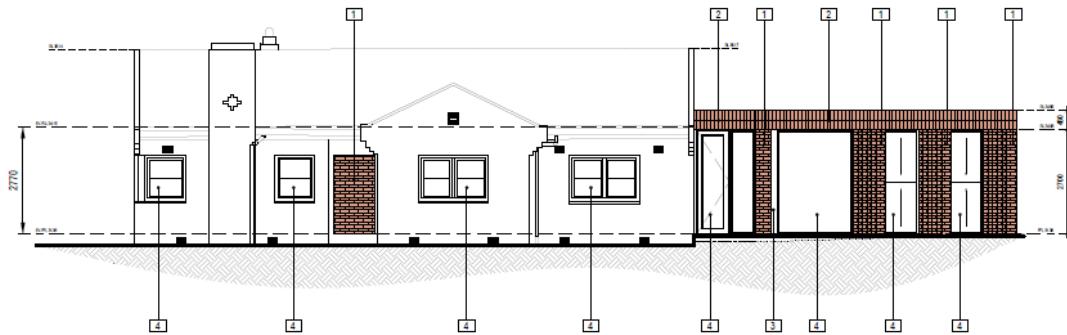
The application proposes the use and development of a medical centre and the reduction in car parking (5 spaces). We note that the use and development of the medical centre for 3 persons providing health services would be as of right in this instance, however we seek permission for 5 persons providing health services.

The dwelling is to be converted to use as a medical centre, with a small extension proposed to the south of the dwelling comprising the reception/waiting area, staff room and office and main entry. The remaining rooms of the dwelling would be converted to 5 separate rooms for allied health staff, along with bathroom facilities.



The extension is sited on the southern boundary for a length of 10.74m and average wall height of 3.266m. The maximum height proposed is 3.365.

The building extension is red brick, with a flat roof and large aluminium doors and windows. The original front door of the dwelling will be bricked in, as will a northern window of the current dining room.



Street elevation - Shannon Avenue

Car parking is to be provided at the front of the site with entry via Britannia Street and egress via Shannon Avenue. The Shannon Avenue crossover will be relocated to allow parking along the southern boundary in 90 degree spaces, whilst two staff only parking bays will be located to the east of Britannia Street entry in a tandem parking arrangement.

The application proposes a maximum of 5 persons providing health services operating from the premises at any one time, with operating hours and staffing as follows:

- Monday to Friday 8am-8pm (5 staff 8am-5pm and 3 staff 5pm-8pm)
- Saturday 9am-5pm (4 staff)
- Sunday 10am-2pm (3 staff)

No signage application is provided at this stage, and this will be addressed later on as necessary.

3. Existing site conditions

The subject site is located on the south-east corner of Shannon Avenue and Britannia Street Geelong West. The site is occupied by a single storey red brick dwelling and detached outbuildings. The dwelling is sited to the east side of the property with the front door facing Shannon Avenue. Vehicle access is obtained via a single width crossover to Shannon Avenue.

The garden has been recently cleared, although the timber and wire fence remains along Shannon Avenue and a short return along Britannia Street.



Site as seen from Shannon Avenue

A small courtyard exists to the rear of the shed, in the south-east corner of the property. This area was accessed via the laundry.



Site as seen from Britannia Street

To the south at 64 Shannon Avenue is an orange brick dwelling. A tall capped timber fence extends around the front yard and vehicle access is via a crossover at the northern end of the frontage. The driveway extends along the common boundary.



64 Shannon Avenue

To the immediate east at 111 Britannia Street is a single storey brick dwelling with a side driveway. The property is not fenced to Britannia Street however is well screened by vegetation in the front yard.



111 Britannia Street

To the north is a larger parcel of land that extends between Trigg Street and Britannia Street and comprises three shops and a large gravel car park. The car park is located at the southern ends of the site and the shops are at the northern end.



54-58 Shannon Avenue

Directly opposite the site are single storey detached dwellings at 73 & 75 Shannon Avenue. Both dwellings face Shannon Avenue, with the dwelling at 73 Shannon Ave having vehicle access to that street whilst 75 Shannon Avenue has vehicle access from Britannia Street.

4. Zoning Provisions

The property is within the General Residential Zone Schedule 1, and adjoins land in the same zone as shown on the map below.



The purpose of the general residential zone is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To encourage development that is responsive to the neighbourhood character of the area.
- To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

Pursuant to Clause 32.08-2 and 32.08-8 of the general residential zone a permit is required to use and develop the land for Medical Centre as the proposal also seeks to waive 5 car parking spaces.

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate the decision guidelines at Clause 32.08-13:

General

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework
- The purpose of this zone.
- The objectives set out in a schedule to this zone.
- Any other decision guidelines specified in a schedule to this zone.
- The impact of overshadowing on existing rooftop solar energy facilities on dwellings on adjoining lots in a General Residential Zone, Housing Choice and Transport Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.

Non-residential use and development

- Whether the use or development is compatible with residential use.
- Whether the use generally serves local community needs.

- The scale and intensity of the use and development.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The provision of car and bicycle parking and associated accessways.
- Any proposed loading and refuse collection facilities.
- The safety, efficiency and amenity effects of traffic to be generated by the proposal.

Planning Policy

Policy as set out within the Planning Scheme provides strategic direction and guidance in decision making to achieve good planning outcomes. Of relevance to this proposal are the following relevant Municipal Planning Strategy policies:

- Clause 02.03 Strategic Directions
- Clause 12 Significant Environments and Landscapes
- Clause 13 Amenity, Human Health and Safety
- Clause 15 Built environment and heritage
- Clause 17 Economic Development
- Clause 18 Transport

Particularly relevant objectives and strategies within these policies include:

Clause 02.03-5 Built environment and sustainability

Built environment

Geelong's sense of place and identity is valued by its community. Council seeks to balance growth in the municipality while maintaining its identity by identifying areas for varying levels of change and by balancing the need for conservation and renewal. Medium density housing can have a greater impact on neighbourhood character than traditional detached housing. As housing density intensifies, it is important that housing makes a positive contribution to the neighbourhood. The protection of amenity and facilitation of environmentally sustainable and healthy development that will benefit and improve the community's quality of life is at the forefront of Council's built environment goals.

Strategic directions

- *Ensure that development enhances Geelong's sense of place and identity.*
- *Support the design and provision of healthy, walkable neighbourhoods.*
- *Encourage environmentally sustainable design in all development.*
- *Encourage all development to provide high quality urban design and landscaping.*

Clause 15.01-1S Urban design

Objective - To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.

Strategies

- *Require development to respond to its context in terms of character, cultural identity, natural features, surrounding landscape and climate.*
- *Ensure development contributes to community and cultural life by improving the quality of living and working environments, facilitating accessibility and providing for inclusiveness.*
- *Ensure that development provides landscaping that supports the amenity, attractiveness and safety of the public realm.*
- *Ensure that development, including signs, minimises detrimental impacts on amenity, on the natural and built environment and on the safety and efficiency of roads.*

Clause 13,.07-1L-01 Non-residential uses in residential zones

Objectives:

- To provide for non-residential uses that serve the needs of the local community.
- To support non-residential uses that are compatible with the residential character, scale and amenity of neighbourhoods.

Strategies

Location strategies

- *Locate non-residential uses on sites that have access to a road in a Transport Zone.*
- *Discourage non-residential uses from locating on sites in a local access street or lane.*
- *Locate non-residential uses where they will benefit and be convenient to local residents.*
- *Avoid a concentration of non-residential uses where it would:*
 - Create a de-facto commercial area.
 - Isolate residential properties.
 - Contribute to unplanned expansion of commercial or mixed use zones into surrounding residential land.

Amenity strategies

- *Consider as relevant:*
 - Encouraging non-residential uses to locate on sites where they will not unreasonably affect the amenity of the surrounding residential area due to existing conditions or locational attributes.*
 - Whether noise attenuation measures should be provided.*
 - Designing or locating all external noise sources (such as air-conditioning, heating, plant equipment etc) to minimise noise emissions to adjoining properties.*
 - Limiting loading and unloading of vehicles to between the hours of 8am and 6pm.*

Design and siting strategies

- *Facilitate the re-use of buildings originally built for non-residential purposes.*
- *Site and design buildings to respect the siting and layout of adjacent buildings.*
- *Design development to respect the existing neighbourhood character and reflect a residential scale and appearance, particularly with regard to:*
 - Building and roof form.
 - Building height and setback.
 - Design detail (including façade articulation, verandahs, window and door style and placement).
 - Building materials.
 - Colours and finishes.
- *Locate air-conditioning, heating and plant equipment to avoid being visible from the public realm and adjoining properties.*

Landscaping strategies

- *Provide planting on site that maintains the landscape character of the area.*
- *Retain significant trees where practicable.*
- *Set aside the front setback of sites for landscaping.*
- *Provide landscape buffers between adjoining properties and areas used for access and parking on the site.*

Car parking and traffic strategies

- *Locate car parking areas so they do not dominate the streetscape by locating them at the side or rear of the site.*
- *Support uses where the traffic generated by the use can be accommodated within the surrounding street network.*
- *Support uses that can accommodate parking on site and do not create significant increases in on-street parking demand.*

Clause 15.01-2S Building design

Objective

- To achieve building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development.

Strategies

- Ensure a comprehensive site analysis forms the starting point of the design process and provides the basis for the consideration of height, scale, massing and energy performance of new development.
- Ensure development responds and contributes to the strategic and cultural context of its location.
- Minimise the detrimental impact of development on neighbouring properties, the public realm and the natural environment.
- Improve the energy performance of buildings through siting and design measures that encourage:
 - Passive design responses that minimise the need for heating, cooling and lighting.
 - On-site renewable energy generation and storage technology.
 - Use of low embodied energy materials.
- Ensure the layout and design of development supports resource recovery, including separation, storage and collection of waste, mixed recycling, glass, organics and e-waste.
- Encourage use of recycled and reusable materials in building construction and undertake adaptive reuse of buildings, where practical.
- Encourage water efficiency and the use of rainwater, stormwater and recycled water.
- Minimise stormwater discharge through site layout and landscaping measures that support on-site infiltration and stormwater reuse.
- Ensure the form, scale, and appearance of development enhances the function and amenity of the public realm.
- Ensure buildings and their interface with the public realm support personal safety, perceptions of safety and property security.
- Ensure development is designed to protect and enhance valued landmarks, views and vistas.
- Ensure development considers and responds to transport movement networks and provides safe access and egress for pedestrians, cyclists and vehicles.
- Encourage development to retain existing vegetation.
- Ensure development provides landscaping that responds to its site context, enhances the built form, creates safe and attractive spaces and supports cooling and greening of urban

Comment

Clause 13.07-1L-01 provides direction for discretionary uses in residential areas in Greater Geelong. This policy was prepared prior to the new residential zones being gazetted, when there were no decision guidelines applicable to section 2 and provided guidance for the Responsible Authority when considering applications of this nature. The policy remains in place since the new zones were gazetted and is now used in conjunction with the decision guidelines of the zone that essentially seek to consider the same matters.

The proposed site has been purchased for use and development as a medical centre (allied health) as the site attributes including its corner location, sited directly opposite other commercial uses and a their car park and with direct access to a main road. The budling itself can be repurposed simply due to its layout, large room size and siting on the property, whilst it is conveniently located at the rear of the site, such that car parking and vehicle access can all occur from the front. The additional space required can be accommodated to the south of the existing dwelling, replacing the existing garage and outbuilding.

The site is located on Shannon Avenue which is a main road, and only minor changes are proposed to the existing access, with it being relocated to the west and increased in width to meet current design requirements and maximise car parking within the site. A new access from Britannia Street is proposed to enable a simple one directional access/egress through the site and optimize the car park layout. The resultant car park design accommodates 12 parking spaces (two of which are tandem staff parking), with the accessible parking space located adjacent to the building entry.

The proposed extension is simple, contemporary and maintain the single storey residential scale that exists and utilizes red brick laid in stretcher bond and stack bond. The use of consistent materials, laid in more contemporary manner, enables the old and new buildings to sit side by side whilst clearly articulating the original and the more contemporary elements of the building. The low flat roof form of the extension is deliberately designed to minimise any impacts on neighbouring residential properties.

The site has minimal constraints given both adjoining residential dwellings have vehicle access and parking sited along the common boundaries, meaning that areas of secluded open space and windows are sufficiently sited away from the boundary to be protected from any overshadowing or reduced daylight impacts.

The assessment follows on the pages below and responds to the objectives and the policy statements separately, in the same order as shown in Clause 13.07-1L-01. The objectives are addressed as follows:

- *To provide for non-residential uses that serve the needs of the local community.*
- *To support non-residential uses that are compatible with the residential character, scale and amenity of neighbourhoods.*

The application proposes a small (up to 5 person) allied health medical centre that offers allied health services to the local community. The business owners are both local Geelong women who currently work in the Geelong locality and wish to establish a permanent physical base for their business.

They business provide purposeful therapy in the home, school, kindergarten, workplace or any other preferred community setting, and whilst the business will be based from 62 Shannon Avenue, the services will continue to be operated in a flexible manner, meaning that allied health staff will often work from clients homes, schools, kindergartens (and sometimes work) to provide health services. The location at Shannon Avenue provides a base that is centrally located for their clients needs (providing services through Geelong, Bellarine, Surf Coast, Colac and Melbourne) and allows easy access for staff who may only be at the premises for a small portion of their working day.

As an allied health service, the business relies on longer appointment times and smaller turnover of clients, relying on a quiet and welcoming environment. This benefits neighbours as there is no noise from the premises beyond normal arrival and departure, with vehicle noise being no greater than that which is already established by the traffic volumes in Shannon Avenue.

Operating hours are proposed to be 8am-8pm Monday to Friday and 9am-5pm Saturday and 10am-2pm Sunday. The centre will only operate at maximum capacity (5 persons providing health services) between 9am-5pm Monday to Friday, with reduced staffing at all other times. After 5pm Monday to Friday, and on Sunday, only 3 staff would be working, whilst on Saturday there would be a maximum of 4. Bearing in mind that the medical centre could operate as of right with 3 persons providing health services, this means that planning permission is only required for the extra 2 staff Monday to Friday 9am-5pm and 1 staff on Saturday 9am-5pm. The scale of the medical centre is clearly commensurate with expected medical centres given the size of the building is reflective of a typical dwelling and the majority of parling is accommodated within the site.

The location provides benefit to the community given it is accessible by public transport, with bus stops (No.1 bus) being available in both directions from within 20m of the site. The bus connects to the Geelong Railway Station such that patients from all areas of Geelong (and Melbourne) could travel by public transport to the premises.

The residential amenity of neighbouring properties will be protected from noise and amenity impacts associated with the proposal, with the parking spaces located at the front of the site adjacent to the main road where traffic noise and volumes already occur, with car movements being the only noise source from the premises. An allied health facility is quiet in nature, with this being necessary for the comfort of patients and staff. As such noise beyond the building is not expected to result and residential amenity of neighbours will be protected.

The strategies and guidelines of Clause 13.07-1L-01 are addressed as follows:

Location strategies

- *Locate non-residential uses on sites that have access to a road in a Transport Zone.*
- *Discourage non-residential uses from locating on sites in a local access street or lane.*
- *Locate non-residential uses where they will benefit and be convenient to local residents.*
- *Avoid a concentration of non-residential uses where it would:*
 - Create a de-facto commercial area.
 - Isolate residential properties.
 - Contribute to unplanned expansion of commercial or mixed use zones into surrounding residential land.

The proposed use is located on Shannon Avenue which is a Transport Zone 2 and carries a substantial volume of traffic in a north south direction through Geelong. The site layout provides for vehicle access from the side street and egress from the main road, and whilst side street access is not encouraged, in this instance the access point is located opposite a long standing commercial property and directly opposite its car park. The access is also sited as far as practicable away from the

neighbouring dwellings such that there will not be a noticeable increase in noise from vehicle movements.

This access arrangement is necessary in order to maximise the car parking provision on site, and by optimizing parking on site, there is a reduced amenity impact for all neighbours due to reduced pressure for parking in the road reserve.

The use will benefit the local community with the provision of allied health services that benefit a broad range of people in the Geelong community, as well as further afield.

The use, whilst located opposite another commercial use, does not create a concentration of non-residential uses, with the extent of Shannon Avenue including non-residential uses along its length due to good vehicular access and lower residential amenity as a result of the busy road. The proposed use does not contribute to unplanned expansion of commercial or mixed use zones into residential land by the operation of a small allied health medical centre in this location.

Users of the facility will however benefit due to the provision of car parking on the site and within close proximity of the facility entrance which could not be provided in a commercial setting. This can be crucial for many clients who do not have the capacity to move long distances between parking facilities and their allied health appointments. Longer distance travel between car parking and commercial facilities is more common in a commercial setting and would be troublesome particularly for some of the physiotherapy patients in this instance.

The location guidelines recommend directing medical centres of 5 or more practitioners to commercial centres, and whilst the site is located within 400m of the commercial zone, there is no space available within the commercial centre to accommodate the use whilst also providing car parking on site. As mentioned earlier, car parking is a critical component of the business, being the provision of close convenient parking, particularly for the physiotherapy patients, as walking long distances is often not an option.

The proposed centre will only operate at 5 practitioners between 9am-5pm Monday to Friday, with reduced staffing at all other times and this is reduced number is reflective of the residential setting and the need for reduced activity and noise after hours. Reduced numbers are proposed after normal business hours and on weekends, and at this time, car parking is accommodated wholly on site which means offsite impacts are further reduced.

Amenity strategies

- *Consider as relevant:*
 - *Encouraging non-residential uses to locate on sites where they will not unreasonably affect the amenity of the surrounding residential area due to existing conditions or locational attributes.*
 - *Whether noise attenuation measures should be provided.*
 - *Designing or locating all external noise sources (such as air-conditioning, heating, plant equipment etc) to minimise noise emissions to adjoining properties.*
 - *Limiting loading and unloading of vehicles to between the hours of 8am and 6pm.*

It is our view that the amenity of the immediate area will not be compromised by the proposed change of use, with vehicle entry and exit located to the front of the site and away from direct neighbours, with car parking located at the front of the site. The two tandem parking spaces are sited in the north-east corner of the site, 2130mm from the eastern boundary, and located adjacent to the neighbouring vehicle access. This location will minimise impacts on that neighbour as the spaces will be for staff use (where the tandem parking can be appropriately managed) and where reduced vehicle movements would naturally be expected due to longer term use of the parking spaces.

The Shannon Avenue exit has been relocated away from the southern neighbour and physically separated by a distance of 5100mm. It is also sited over 8m away from the fenced front yard area where outdoor recreation will occur. Given the distance between the crossover and the front yard and the intervening fences, and existing noise from Shannon Avenue, it is unlikely that the proposed exit location will affect the amenity of the front yard at 64 Shannon Avenue.

The site itself, whilst functioning as a dwelling for many years, likely has a reduced residential amenity due to its corner location, Shannon Avenue frontage, and in particular its design and siting that provided for limited backyard space that had any protection from traffic noise. Most of the open space for this dwelling was located in the front yard and as such was visible to the street and subject to traffic noise, with no real amenity and privacy. Its conversion to a small allied health medical use is ideal as the building is sited to provide for convenient and logical car parking in the front, and therefore the amenity impacts from parking and access can be managed within the front of the site where Shannon Avenue traffic noise will exceed any noise from the proposed car park.

Loading and unloading is limited to standard waste, a small volume of medical waste and small volumes of office supplies. Office supplies are typically transported by staff vehicles and as such there are no additional vehicle trips to and from the site.

Waste from the premises will be collected 2 times per month, therefore similarly to a normal residential setting and therefore not resulting in any increased collections that might affect neighbours. Specific medical waste (sharps) would be collected during business hours and the movement of the bin would be undertaken by staff to support a co-ordinated collection with the medical waste company, noting that these are usually collected by a van (not garbage truck) such that noise from this collection will be no greater than a typical car.

Design and siting strategies

- *Facilitate the re-use of buildings originally built for non-residential purposes.*
- *Site and design buildings to respect the siting and layout of adjacent buildings.*
- *Design development to respect the existing neighbourhood character and reflect a residential scale and appearance, particularly with regard to:*
 - Building and roof form.
 - Building height and setback.
 - Design detail (including façade articulation, verandahs, window and door style and placement).
 - Building materials.
 - Colours and finishes.
- *Locate air-conditioning, heating and plant equipment to avoid being visible from the public realm and adjoining properties.*

The proposed medical centre will utilize the existing dwelling, with only minor single storey additions proposed to the south side of the building, such that the residential scale of the building is retained, whilst the new extension is sited to the south-east corner of the site where it abuts a neighbouring garage (south) and driveway (east) and therefore has minimal visual / physical impact on adjoining residential properties.

The proposed extension has a flat roof and average wall height on boundary of 3.266m which is consistent with ResCode parameters for residential extensions.

The extension has a contemporary form, including larger windows but is designed to blend with the red brick character building by the use of red brick construction, albeit that they are laid in a contemporary manner. The brick extension is consistent with the residential character of the neighbourhood that comprises both brick and weatherboard dwellings, although brick dwellings are visually connected with this property along Shannon Avenue in particular.

The extended building could be easily converted back to residential use in the future given the simple extension and the site layout generally.

Plant and equipment (heating and cooling) will be located in the service yard to the rear of the building where it would traditionally have been located. This is sited adjacent to the car park/access for 111 Britannia Street where it is in excess of 5m from the neighbouring dwelling. New heating and cooling at the ground floor level will be installed to meet Australian Standards, and given the need to heat and cool a residential dwelling sized building, will not result in noise beyond that normally associated with a residential property.

The building extension is consistent with the objectives and standards of Clause 54 as set out, being:

Clause 54.03-1 Street setback.

A 6m setback is required, and this is exceeded, with the extension being setback to reflect the existing dwelling siting.

Clause 54.04-1 Side and rear setbacks.

The side and rear setback standard is exceeded to the east boundary. The south boundary is assessed under the walls on boundary standard below.

Clause 54.04-2 Walls on boundaries.

The total length of wall on boundary is 10.774m which meets the standard. The maximum height of the wall on boundary is 3.365m which also meets the standard. The average height of the wall on boundary is 3.266m which exceeds the standard by 0.066m, however given no part of the wall exceeds the maximum height of 3.6m, the height of the wall is considered to be reflective of typical residential dwellings.

Clause 54.04-3 Daylight to existing windows.

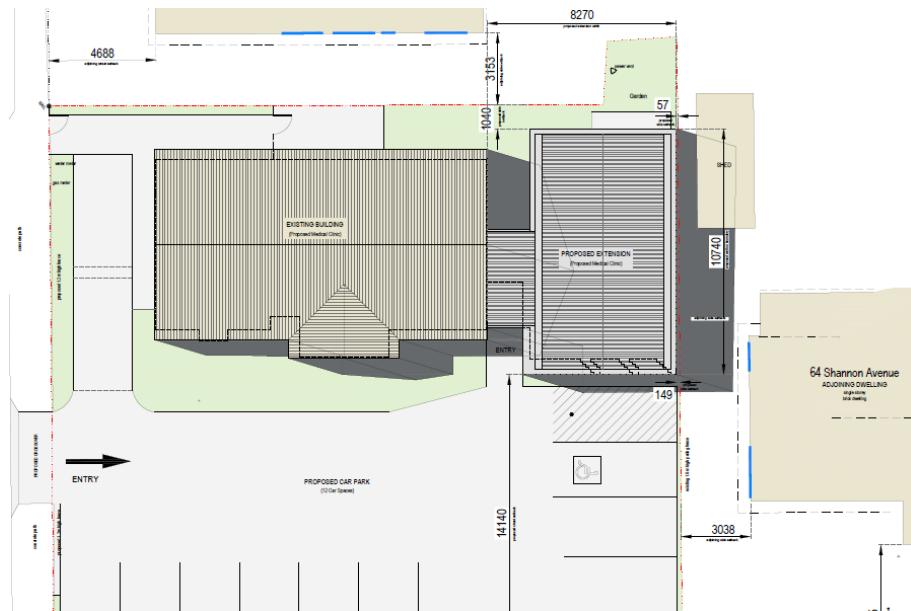
Daylight to windows is exceeded as the closest window is 3.031m from the boundary.

Clause 54.04-4 North facing windows.

This standard does not apply as the closest wall is setback 3.031m from the boundary.

Clause 54.04-5 Overshadowing open space

The shadow impacts of the extension are contained within the driveway and shed area at 64 Shannon Avenue, with only a very small shadow cast to the south-west corner of the property at 111 Britannia Street at 3pm as seen below:



Midday shadow



3pm shadow

The shadow impacts meet the standard A14 in totality.

Landscaping strategies

- *Provide planting on site that maintains the landscape character of the area.*
- *Retain significant trees where practicable.*
- *Set aside the front setback of sites for landscaping.*
- *Provide landscape buffers between adjoining properties and areas used for access and parking on the site.*

The site has been recently cleared of vegetation to provide for the extended building and to maximise car parking opportunities on site. Whilst some mature vegetation was removed, the proposed landscape design has been carefully considered and prepared to enhance the site, soften car parking and provide for a densely planted and colourful garden layout with hedging and small trees/large shrubs throughout the site (40 in total).

The garden design defines the main entry, with wide garden beds around the building (to both the front and rear) such that the entire site is considered, and the rear of the building not neglected. Climbers are proposed along the southern boundary to provide for greenery between the car parking spaces and the fence given the limited space available, yet achieving a soft edge to the site. Given the driveway abuttal of the adjoining dwelling (to the south), a 1.5m wide landscape garden is not considered critical, as the car parking area does not directly abut a high amenity area of the neighbouring property. The well considered landscape design will however provide for an attractive outlook from residential properties across the site.

Bay leaf hedging will be maintained around the perimeter of the car park to create a dense screen and enable ground covers to establish immediately abutting the parking spaces.

The landscape design considers not only the external aesthetic of the site but the outlook from within the premises so that private rooms and public waiting areas have an attractive outlook, whilst the rear yard planting will be seen from the minute visitors arrive at the front door with a Japanese maple taking centre stage through the entry foyer windows.

The vehicle access is sited away from the neighbouring residential dwellings (both entry and exit) and the landscape design provides for small garden beds that are well considered and filled with colour.

The changes proposed to landscaping are positive and will create an attractive setting for the proposed medical centre.

Carparking & traffic strategies

- *Locate car parking areas so they do not dominate the streetscape by locating them at the side or rear of the site.*
- *Support uses where the traffic generated by the use can be accommodated within the surrounding street network.*
- *Support uses that can accommodate parking on site and do not create significant increases in on-street parking demand.*

The site is laid out in such a manner that parking can only be provided in the front setback area, and this is ideal given the main road abuttal and the siting of parking spaces away from neighbours open space areas such that there will be minimal (if any) disruption to the use of those outdoor space.

The site layout provides for 12 spaces on site which requires the reduction of only 5 spaces for the 5 people providing health services on site. A parking assessment has been prepared by Ratio Pty Ltd and they confirm that there were a minimum of 119 public parking spaces available during the survey period and they confirm that there is ample parking available in the area to accommodate the 5 parking spaces from the proposed use. The Ratio report states:

“In summary, the on-street parking network experiences low occupancy rates and, despite being residential in nature, is already accommodating short term parking.

As such, the additional demand of 5 short term car spaces can be comfortably accommodated on-street and aligns with the existing on-street parking characteristics.”

It is clear from the Ratio assessment that the use does not create significant increases in on-street parking demand, and as such satisfactorily meets and responds to all three of the car parking and traffic strategies.

Conclusion

It is our submission that given all of the above, the use is entirely appropriate in the zone, will continue to serve local community needs by providing a necessary and desired facility for all members of the public.

We note that siting of the business adjacent to Shannon Avenue would permit the use to operate without a planning permit subject to only 3 people providing health services operating at any one time, and therefore the primary question is whether the additional two people providing health services is appropriate and whether this will result in a significant loss of amenity that would warrant the additional staff being refused. As outlined in the expert report by Ratio, the 5 parking spaces can easily be accommodated within the on-street parking network whilst maintaining a provision of 114 spaces available to the public and as such having minimal impact on the use of parking in the immediate neighbourhood.

The increased traffic volumes will be not be noticeable given the volume of traffic carried by Shannon Avenue, and particularly given the lower turnover of parking (appointments being 45-60 minutes in length).

We believe it is infinitely clear that the proposed use is consistent with the local policy provisions at Clause 13.07-1L-01. We note the VCAT decision of *Gerald Holwell Pty Ltd v Greater Geelong CC 2018* [VCAT 486 in which the Tribunal discussed the policy at Clause 22.01 (prior location of the policy under the previous scheme design) and stated as follows (my underline):

21. Not every site in a residential area will be suitable for a childcare centre. Every application must be determined having regard to the particular circumstances of the proposal, the site and its context, and the applicable controls and policies of the planning scheme. The Council's local policy at Clause 22.01 establishes a series of guidelines about the location and operation of discretionary uses. Importantly, it is not necessary that a proposal meet all of the guidelines in the local policy in order to achieve an acceptable outcome. In this case the objectives of the policy are met because:

The scale and character of the proposed use and the proposed building is compatible with the residential character, scale and amenity of neighbourhood. The building is a modern, modest, single storey structure that will fit comfortably in the predominantly single storey character of this neighbourhood. Similarly, a childcare centre accommodating 110 children is not excessive by modern standards. A centre of between 90 to 120 children has been found to be necessary to capture some of the economies of scale to make efficient use of land, staff, equipment and facilities.

Neither the Council nor the objectors submitted that the use could reasonably be located in a nearby commercial or mixed use zones.

The use does not create a de-facto commercial area, isolate residential properties or contribute to unplanned expansion of commercial or mixed use zones into surrounding residential land.

The use is located so as to benefit and be convenient to local residents.

Residential properties are not isolated between non-residential uses.

The amenity impacts of the proposed use are capable of being managed by way of permit conditions. Conditions relating to days and hours of operation, loading and unloading and noise attenuation can be applied.

While the use is not located on a site that has access to a Road Zone, local policy contemplates other locations for such uses where it can be demonstrated that residential amenity can be protected. In this case, Bostock Avenue and Narmbool Street are local streets but they have relatively generous road reservations and carriageway widths and unrestricted kerbside parking. Narmbool Street caters for simultaneous two - way traffic and Bostock Avenue caters for single lane width traffic when parking spaces are occupied on both sides of the street. The proposal is also located on a relatively large site currently used for religious and community uses. In terms of meeting the policy objectives about the preferred location for non-residential uses, the site's characteristics are sufficient to demonstrate that a use of this scale can be accommodated without compromising residential amenity.

Given all of the above, and the proposals compliance with the policy at Clause 13.07-1L-01, we say that the proposed extension to the use is acceptable and should be supported.

5. Particular Provisions

6.1 Clause 52.06 Car parking

The purpose of Clause 52.06 is:

- To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.
- To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.
- To support sustainable transport alternatives to the motor car.
- To promote the efficient use of car parking spaces through the consolidation of car parking facilities.
- To ensure that car parking does not adversely affect the amenity of the locality.
- To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use

Table 1 at Clause 52.06-5 states that parking is required as follows:

Medical centre	5	To the first person providing health services plus
	3	To every other person providing health services

The application proposes 5 people providing health services, therefore the clause requires parking to be provided on site for 17 vehicles in total.

The application proposes parking for 12 vehicles and therefore permission is sought to waive 5 parking spaces.

The car parking spaces and accessways meet the design requirements of Clause 52.06-9 as outlined in the Ratio Pty Ltd report at Section 4.1 and the parking assessment in that same report concludes that the additional demand of 5 short-term car spaces can be comfortably accommodated on-street and aligns with the existing on-street parking characteristics.

6.2 Clause 52.29 Land adjacent to the principal road network

The purpose of Clause 52.29 is:

- To ensure appropriate access to the Principal Road Network or land planned to form part of the Principal Road Network.
- To ensure appropriate subdivision of land adjacent to Principal Road Network or land planned to form part of the Principal Road Network.

A permit is required pursuant to Clause 52.29-2 to:

- Create or alter access to:
 - A road in a Transport Zone 2.
 - Land in a Public Acquisition Overlay if a transport manager (other than a municipal council) is the acquiring authority and the acquisition is for the purpose of a road.

The proposed relocation of the crossover on Shannon Avenue is required to better accommodate car parking on site. The new egress is located in excess of 9m from the corner and sufficiently separated from the neighbouring crossover to ensure pedestrians have space to comfortably wait between crossovers if vehicles are accessing Shannon Avenue at the same time. The new crossover location has no impact on the street tree given the physical separation of 7.6m from the tree trunk to the proposed crossover.

Shannon Avenue will be used for egress only, as such will not provide for queuing on the road and therefore will not result in traffic delays on the main road.

7. Conclusion

Having regard to the assessment contained within this report, we say that the proposed use and development of a medical centre and the alteration of access to a Transport Zone is consistent with the planning scheme and introduces a scale of operation that is appropriate given the site context and the residential neighbours.

The use will operate at peak times during normal business hours and will reduce after 5pm Monday to Friday and on weekends in response to the need for the protection of residential amenity particularly after normal business hours.

The use will function with low levels of noise given the allied health focus, with the business requiring a level of peace and tranquility for its own operation, and this naturally extends beyond the building and benefits the adjoining neighbours.

The proposed landscape response is very well considered, creating a garden oasis that is filled with small trees and tall shrubs, lots of colour and the upscale garden design is reflective of the upscale nature of the business and the owners desire for a beautiful space from which to work and for patients to visit and feel comfortable within.

The application is consistent with the planning policy framework, the zone and the relevant particular provisions and will result in no unreasonable loss of amenity to any person, and as such, we look forward to Council's review of the proposal and subsequently the issue of a planning permit.