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The Planning Professionals

Planning Report

Application for change of use to restricted retail

140 Barwon Heads Road, Belmont

June 2025

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Introduction

This report has been prepared in support of a planning permit application for the change of use of the subject premises for restricted retail.

The report provides a full assessment of the proposed design against the relevant provisions of state and local planning policy and the Greater Geelong Planning Scheme.

The subject land is known as **140 Barwon Heads Road, Belmont**.

The report is accompanied by the following documentation which is provided as part of the planning application:

- Certificate of Title
- Planning drawings

About The Planning Professionals

The Practice will celebrate a 40 year anniversary in 2025, having been established in 1985.

During that period the Practice has been rebranded a number of times, but its essential operation and service offerings have remained unchanged.

The Practice team includes Architects and Town Planners, serving the whole of Victoria. The primary focus of the Practice is to assist clients in navigating the planning process - strategic and statutory.



Overview

Address	140 Barwon Heads Road, Belmont
Title	Lot 4 on Registered Plan o Strata Subdivision 020375P Volume 09557 Folio 664
Zones	<ul style="list-style-type: none"> Industrial 1 Zone - schedule to the Industrial 1 Zone Transport 2 Zone
Overlays	<ul style="list-style-type: none"> Design and Development overlay - Schedule 20 Floodway Overlay - Schedule 1
Proposal	Change of use to restricted retail
Land use definition	<p>Restricted retail</p> <p>The land use 'restricted retail' is defined as:</p> <p><i>Land used to sell or hire:</i></p> <p>...</p> <p><i>d) animal supplies including equestrian and pet goods;</i></p> <p><i>It does not include the sale of food, clothing and footwear unless ancillary to the primary use.</i></p>
Permit Triggers	<ul style="list-style-type: none"> Use of the site (Cause 33.01-1)
Relevant Local Provisions	<ul style="list-style-type: none"> Nil



1. The site and surrounds

- 1.1. The subject land is located at 140 Barwon Heads Road, Belmont, substantially as described by the accompanying plans and submissions and generally below:



Figure 1. Subject land identified in white (Landchecker)



Figure 2. Subject land within surrounding zoning (VicPlan)



- 1.2. The subject building is part of a land holding with frontage to Barwon Heads Road of approximately 98.3m.
- 1.3. Secondary frontage of the land to Curtis Street is available along the northern boundary.
- 1.4. The subject building is located in the south west corner of the site with a forecourt area offering shared parking.
- 1.5. An drainage easement runs along the southern boundary of the site, directly adjacent to the subject building.
- 1.6. The site contains three other warehouse buildings which are occupied by vehicle showrooms and servicing centres and a fibreglass goods distributor.
- 1.7. Parking is provided within the common property forecourt area, with a total of 16x spaces directly in front of the subject building.
- 1.8. Other neighbouring properties are similarly used for bulky goods retail including PetStock themselves who currently occupy the adjoining site at 150 Barwon Heads Road.
- 1.9. The subject building has an area of approximately 1150sqm.
- 1.10. The subject land is formally described as :
Lot 4 on Registered Plan o Strata Subdivision 020375P
Volume 09557 Folio 664



2. What is proposed?

- 2.1. This proposal is for the change of use for the purposes of restricted retail premises.
- 2.2. The applicant is intending to locate from the neighbouring site to the subject building.
- 2.3. They retail a variety of animal supplies for domestic pets including feed and other animal supplies.
- 2.4. The store would open:
 - 8.30am - 6pm Monday to Friday
 - 8.30am - 5pm Saturdays
 - 9-5 Sunday
- 2.5. The 16x parking spaces within the common area directly fronting the building would be retained. Although not dedicated spaces for the subject building and additional parking is available on the site, this is the most logical area for customer parking.
- 2.6. No building and works are proposed as part of this application.
- 2.7. No signage is included in this application.



3. Why is a permit required?

- 3.1. The subject land is located in the Industrial 1 Zone under the Greater Geelong Planning Scheme and is subject to two overlays.
- 3.2. The relevant zones and overlays are:
 - Industrial 1 Zone, and
 - schedule to the Industrial 1 Zone
 - Design Development Overlay, and
 - schedule 20 to the Design Development Overlay
 - Flood Overlay, and
 - schedule 1 to the Flood Overlay
- 3.3. The permit triggers are as follows:
 - Use of the land for restricted retail (Clause 33.01-1)



4. The Planning Provisions and the Proposal

- 4.1. The Responsible Authority is required to take into account relevant policies contained in the MSS, PPF and the LPPF.
- 4.2. The State planning policies of the PPF are broad in their application; local planning policy informs the proposal in greater detail.
- 4.3. The following section discusses the permit triggers in detail and offers a response to the relevant planning provisions.



STRATEGIC DIRECTIONS - Clause 02.03

CLAUSE 02.03-7 ECONOMIC DEVELOPMENT

Industry

There is a need to provide support for ongoing employment and economic development in the Geelong region.

While traditional manufacturing industries will continue to be economic and employment drivers in the municipality, the City's economy will need to focus on emerging industry sectors that underpin economic development.

...

Strategic directions

- *Provide an adequate supply of industrial land that meets the needs of different industries.*
- *Focus new industrial development around major transport routes and infrastructure assets.*
- *Encourage the growth of new and economically sustainable industry sectors.*
- *Provide a diverse range of high quality industrial and commercial land.*

Commentary

1. The proposal seeks to support the proposed use of the site as a restricted retail premises which serves the surrounding area.
2. The subject site is located within the industrial zone and the proposed use is an appropriate land use which whilst requiring a planning permit, is comparative to other businesses operating on the site and on neighbouring properties.
3. The proposed restricted retail premises would not prejudice the ongoing or future use of the site for industrial purposes.
4. The proposal accords with the general requirements of this policy.



INDUSTRIAL 1 ZONE - Clause 33.01

CLAUSE 33.01 INDUSTRIAL 1 ZONE

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for manufacturing industry, the storage and distribution of goods and associated uses in a manner which does not affect the safety and amenity of local communities.

Clause 33.01-1 Table of Uses

Section 2 Use (permit required) - Restricted retail premises

Clause 33.01-2 Use of land

Decision guidelines

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 effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.*
- *The effect that nearby industries may have on the proposed use.*
- *The drainage of the land.*
- *The availability of and connection to services.*
- *The effect of traffic to be generated on roads.*
- *The interim use of those parts of the land not required for the proposed use.*

Commentary

1. The above identifies the relevant permit triggers. The Table of Uses relevant to the Industrial 1 Zone requires a planning permit for a restricted retail facility.
2. The proposal for the industrial use as a restricted retail facility is generally compatible with immediate industrial locality including the neighbouring buildings on the subject property.
3. No building and works are proposed as part of this application and therefore the building will continue to provide the same presentation to the street setback behind the forecourt parking.
4. The proposed change of use will not create adverse impacts on neighbouring properties; nor does it require any buffer distances.
5. The proposed use will not create any changes to connection of services or drainage of the land.
6. The change of use will not contribute to increased levels of traffic entering and exiting, or manoeuvring on the site above that which might be expected for a business within the Industrial 1 Zone.
7. The proposed restricted retail premises will not generate adverse impacts of noise, odours or cause unreasonable light spill.
8. The immediate area includes a range of industrial, commercial and warehouse land uses and as such the proposed change of use is entirely consistent with this and the character of the area.



CAR PARKING - Clause 52.06

CLAUSE 52.06 CAR PARKING

Purpose

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.

Clause 52.06-1 Scope

Clause 52.06 applies to:

- a new use...

Clause 52.06-2 Provision of car parking spaces

Before:

- a new use commences...

the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay must be provided to the satisfaction of the responsible authority in one or more of the following ways:

- on the land; or
- in accordance with a permit issued under Clause 52.06-3...

Clause 52.06-3 Permit requirement

A permit is required to:

- Reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay...

Clause 52.06-5 Number of car parking spaces required under Table 1

Use	Rate
Restricted retail Premises	3 to each 100sqm of leasable floor area

Clause 52.06-10 Decision guidelines

Before deciding that a plan prepared under Clause 52.06-8 is satisfactory the responsible authority must consider, as appropriate:

- The role and function of nearby roads and the ease and safety with which vehicles gain access to the site.
- The ease and safety with which vehicles access and circulate within the parking area.
- The provision for pedestrian movement within and around the parking area.
- The provision of parking facilities for cyclists and disabled people.
- The protection and enhancement of the streetscape.
- The provisions of landscaping for screening and shade.
- The measures proposed to enhance the security of people using the parking area particularly at night.
- The amenity of the locality and any increased noise or disturbance to dwellings and the amenity of pedestrians.
- The workability and allocation of spaces of any mechanical parking arrangement.
- The design and construction standards proposed for paving, drainage, line marking, signage, lighting and other relevant matters.
- The type and size of vehicle likely to use the parking area.
- Whether the layout of car parking spaces and access lanes is consistent with the specific standards or an appropriate variation.
- The need for the required car parking spaces to adjoin the premises used by the occupier/s, if the land is used by more than one occupier.
- Whether the layout of car spaces and accessways are consistent with Australian Standards AS2890.1-2004 (off street) and AS2890.6-2009 (disabled)

...



Commentary

1. The proposal is for a change of land use to 'restricted retail'.
2. The site currently provides parking in the common area of the forecourt.
3. A total of 16x parking spaces are provided in the common area directly in front of the subject building and which would afford customers the most convenient parking.
4. There is no dedicated parking provided to each building on the site and it is anticipated that customers will logically prefer to park adjacent to the subject building wherever possible.
5. The applied parking rate for the proposed use (restricted retail) indicates that 34 (34.5) parking spaces would be required.
6. The current use of the premises as industry indicates that a considerable dispensation for parking has already been provided and which was likely introduced at the time Council approved the construction of the four 'warehouse' buildings on the site which included the unallocated parking on the common area of the forecourt.
7. Whilst this application applies the closest planning definition of 'restricted retail', it is suggested that in reality the use is more that of a warehouse with public access.
8. The current parking arrangement will therefore offer customers ample parking directly in front of the subject building with safe and appropriate access to the site and building.
9. The application does not propose any change to the existing parking arrangement for the subject building.



BICYCLE PARKING - Clause 52.34

CLAUSE 52.34 BICYCLE PARKING

Purpose

To encourage cycling as a mode of transport.

To provide secure, accessible and convenient bicycle parking spaces and associated shower and change facilities.

Clause 52.34-1 Provision of bicycle facilities

A new use must not commence or the floor area of an existing use must not be increased until the required bicycle facilities and associated signage has been provided on the land.

Clause 52.34-2 Permit requirement

A permit may be granted to vary, reduce or waive any requirement of Clause 52.34-5 and Clause 52.34-6.

Clause 52.34-4 Decision guidelines

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

- *Whether the proposed number, location and design of bicycle facilities meets the purpose of this clause.*
- *The location of the proposed land use and the distance a cyclist would need to travel to reach the land.*
- *The users of the land and their opportunities for bicycle travel.*
- *Whether showers and change rooms provided on the land for users other than cyclists are available to cyclists.*
- *The opportunities for sharing of bicycle facilities by multiple uses, either because of variation of bicycle parking demand over time or because of efficiencies gained from the consolidation of shared bicycle facilities.*
- *Australian Standard AS2890.3:2015, Parking Facilities Part 3: Bicycle Parking (Standards Australia, 2015)*
- *Any relevant bicycle parking strategy or equivalent.*

Clause 52.34-5 Required bicycle facilities

<i>Use</i>	<i>Rate</i>
<i>Retail premises</i>	<i>Employee - 1 space to each 300sqm of net floor area Visitor - 1 space to each 500sqm of net floor area</i>

Commentary

1. The proposed change of use requires the provision of bicycle parking spaces to be considered.
2. The building area results in four (4x) parking spaces being required for employee bicycles and a further three (3x) spaces for visitor or customer parking.
3. There is no requirement for shower or changing facilities arising from the low numbers of bicycle parking required.
4. The applied rates are for retail generally and therefore do not take account of the large scale products sold at the proposed restricted retail premises.
5. The location of the subject site does not provide ready access for cyclists generally and given the nature of the goods sold it is generally impractical for customers to make use of such a mode of transport.
6. The volume of cyclist traffic is expected to be close to zero and there is no purpose for bicycle parking on-site given the proposed operations of the building.
7. This application requests a waiver of the requirement for bicycle parking.



DECISION GUIDELINES - Clause 65

CLAUSE 65.01 APPROVAL OF AN APPLICATION OR PLAN

Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:

- *The matters set out in section 60 of the Act.*
- *Any significant effects the environment, including the contamination of land, may have on the use or development.*
- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The purpose of the zone, overlay or other provision.*
- *Any matter required to be considered in the zone, overlay or other provision.*
- *The orderly planning of the area.*
- *The effect on the environment, human health and amenity of the area.*
- *The proximity of the land to any public land.*
- *Factors likely to cause or contribute to land degradation, salinity or reduce water quality.*
- *Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.*
- *The extent and character of native vegetation and the likelihood of its destruction.*
- *Whether native vegetation is to be or can be protected, planted or allowed to regenerate.*
- *The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.*
- *The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.*
- *The impact the use or development will have on the current and future development and operation of the transport system.*

Commentary

1. These considerations are clearly and unambiguously directed at the Responsible Authority, after all the Responsible Authority is the decision making authority, not the permit applicant.
2. It is observed however that many of these provisions are general in nature such as the objectives of planning.
3. The State Planning Policy Framework is broad in its application. Relevant planning policy has been considered.
4. The proposal is for a change of use to restricted retail and is an outcome that is reasonably anticipated and justifiable being appropriately located in the Industrial 1 Zone in close proximity to other similar businesses.
5. All matters relating to the orderly planning of the zone, and the effect on the amenity of the locality have been considered and demonstrated to be acceptable.
6. Relevant policies contained within the SPPF, MSS and the LPPF have been discussed considered.
7. It is clear and self evident that the proposal is not in conflict with these policies.



5. Merits of the proposal

- 5.1. In the general scheme of matters, this application is an appropriate use of the subject building as a restricted retail premises retailing a variety of animal supplies for domestic pets.
- 5.2. The proposal is generally consistent with relevant state and local planning policy.
- 5.3. The proposal would not result in off-site amenity impacts or cause material detriment to any party.
- 5.4. The siting of the proposed works are logical and practical giving regard to the location and operation of the existing site, including the neighbouring properties.
- 5.5. The proposed change of use to restricted retail is an outcome that is reasonably anticipated and justifiable being appropriately located in the Industrial 1 Zone.
- 5.6. The existing presentation of the building to the street will continue to prevail with no building and works proposed by this application.
- 5.7. The proposal is consistent with planning policy, and the relevant detailed provisions of the scheme.

6. Conclusions – should a permit be granted?

- 6.1. The proposal is consistent with planning policy.
- 6.2. The proposal would not result in off-site amenity impacts or cause material detriment to any party.
- 6.3. For these reasons and the reasons contained in the body of this submission it is respectfully submitted that a permit should be granted.