

# PA2403136 – 11 Lagoon Street, Armstrong Creek



## Officer Assessment Report Development Approvals & Design

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Department  
of Transport  
and Planning

# Executive Summary

Key information	Details			
Application No.:	PA2403136			
Received:	19 August 2024			
Statutory Days:	80			
Applicant:	Equity Trustees Pty Ltd c/- Contour			
Planning Scheme:	Greater Geelong			
Land Address:	11 Lagoon Street, Armstrong Creek			
Proposal:	Construction of buildings and works for the development of a supermarket, including an e-store, retail premises, food and drink premises, office and a reduction in the car parking requirements.			
Development value:	\$45,000,000m			
Why is the Minister responsible?	In accordance with the schedule to Clause 72.01 of the Planning Scheme, the Minister for Planning is the Responsible Authority for this application for which Clause 53.22 applies.			
Why is a permit required?	Clause	Trigger		
Zone:	Clause 37.07 – Urban Growth Zone Schedule 5 (UGZ)	Construct a building or construct or carry out works		
Overlays:	Clause 45.06 – Development Contributions Plan Overlay Schedule 6	NA		
	Clause 45.09 Parking Overlay – Precinct 1	Reduction to the car parking requirements		
Particular Provisions:	Clause 53.18 – Stormwater Management in Urban Development	N/A		
Cultural Heritage	The site is not located in an area of Aboriginal Cultural Heritage sensitivity.			
Total site area:	27,746m <sup>2</sup>			
Gross Floor Area:	9126m <sup>2</sup>			
Floor Area Ratio:				
Height:	Two Storeys excluding plant			
	15 Metres excluding plant			
	15 Metres (total to Australian Height Datum- highest point for PANS OPS)			
Land Uses:	Dwellings	Office	Retail	Other
	0	1426sqm	6806sqm	-
Parking:	Cars	Motorcycles	Bicycles	
	491 spaces	-	36	
Referral authorities	City of Greater Geelong (informal referral)			
Public Notice	Notice of the application under section 52 of the Act was not required because an application to construct buildings and works in the UGZ is exempt from notice and review requirements, in accordance with Clause 37.07-13. Similarly, an application under Clause 52.06-3 to reduce the car parking requirements is exempt from notice and review requirements, in accordance with Clause 52.06-4.			
Delegates List	23 October 2024			



**Key information**

**Details**

**Recommendation**

The application is recommended for approval subject to the conditions as discussed.



1. The key milestones in the process of the application were as follows:

Milestone	Date
Pre-application meeting (DTP and City of Greater Geelong Council)	29 April 2024
Application lodgement	19 August 2024
Further information requested	N/A
Further information received	N/A
Decision Plans	Plans prepared by BN Architecture, titled 'Armstrong Creek Town Centre', Issue 3 and dated 12 August 2024. Current Site Photos & Proposed New Site Look & Materials, undated Economic Impact Report, titled 'Assessment of proposed supermarket development', prepared by Deep End Services, dated 13 February 2024 Landscape Plan, prepared by CDA Design Group Pty Ltd, Revision B, dated 12 August 2024 Letter of Advice, prepared by Best Hooper Lawyers, dated 12 March 2024 Planning & Urban Context Report, prepared by Contour Town Planners, dated August 2024 Stormwater Management Plan, prepared by Henry & Hymas, Revision 4, dated August 2024 Sustainability Management Plan, prepared by ADP Consulting: Engineering, dated 11 June 2024 Transport Impact Assessment

2. The subject of this report is the decision plans (as described above).





3. The proposal can be summarised as follows:

Key Information	Details
<b>Proposal:</b>	Buildings and Works associated with the construction of a Supermarket (including an area for E-Store/ Retail Premises), Retail Premises, Food and drink premises, Office and a reduction in the car parking requirements
<b>Total site area:</b>	27,746m <sup>2</sup>
<b>Gross Floor Area:</b>	9126m <sup>2</sup>
<b>Height:</b>	<ul style="list-style-type: none"> <li>15m</li> </ul>
<b>Land uses</b>	<ul style="list-style-type: none"> <li>Supermarket, retail premises, food and drink premises and office</li> </ul>
<b>Car Parking</b>	491
<b>Bicycle Parking</b>	36
<b>Motorcycle parking</b>	Nil

4. The proposal is for development of a Supermarket (including an area for the supermarket E-Store/Retail premises), Retail premises, Food and drink premises, Office and associated reduction in car parking provision.

5. Specific details of the application include:

- Buildings and works to construct a 3,540sqm Supermarket (Woolworths) and office amenities of 261sqm.
- Retail premises (E-Store) associated with the supermarket of 2,110sqm. This part of the operation of the Supermarket, provides the option for customers to order online and pick up from the premises in a direct to boot operation. It also provides the facilities to enable home delivery of retail goods.
- Shop/ retail / food and drink premises of 1156sqm
- Offices of 1165sqm
- Provision of 491 car spaces, including 11 DDA compliant spaces, 10 parents with prams and 10 senior spaces.
- Vehicle access is proposed from two existing crossovers from Degraeves Street and a proposed crossover located from Lagoon Street to the south via a new roundabout proposed within Lagoon Street. An existing crossover from Exhibition Street is to be removed.
- The built form is one to two storeys in height varying in height between 11.5m and 15m.
- External finishes include a combination of bricks, limestone look cladding, various metal profile and colour cladding, timber look battens and aluminium framed glazing.
- A dedicated ingress and egress to loading areas associated with the supermarket is proposed to the north-west corner from Degraeves Street.
- A separate loading dock associated with the specialty retail shops, as well as a click and collect area is proposed with access off Degraeves Street.
- Provision for the parking of 16 spaces for bicycles to be parked on hoops and a further 20 secure bicycle spaces in lockers are proposed for visitors and staff and the provision of 3 end of trip showers and associated facilities.
- Landscaping is proposed throughout out the subject site including treatment to the main entry area to the south and the forecourt to the supermarket entry and provision of trees to the south of the building and within the car park.

6. The applicant has provided the following concept image/s of the proposal:

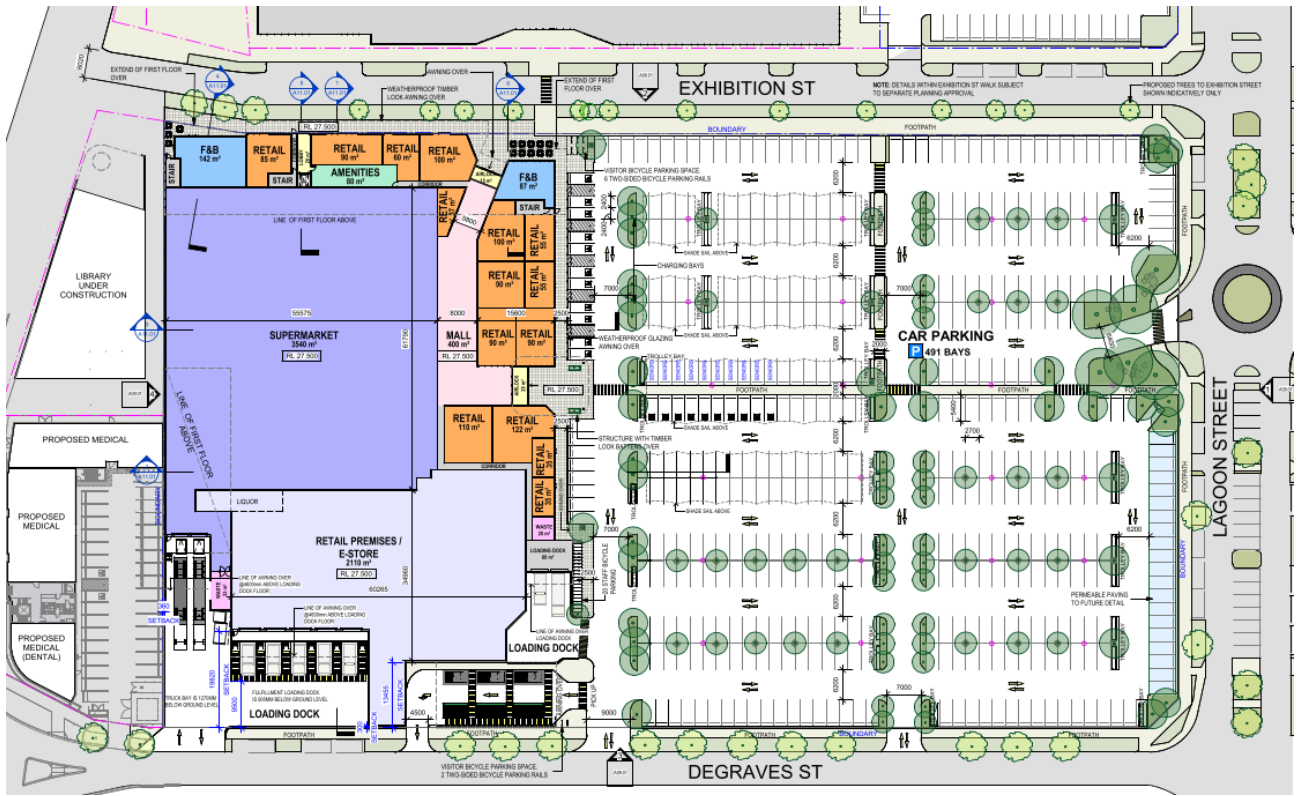
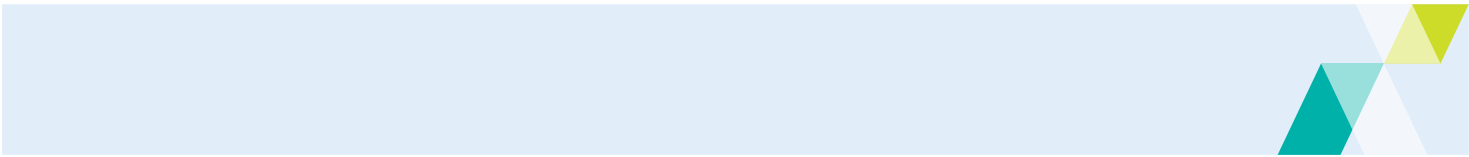


Figure 1: Proposed Site Layout Plan

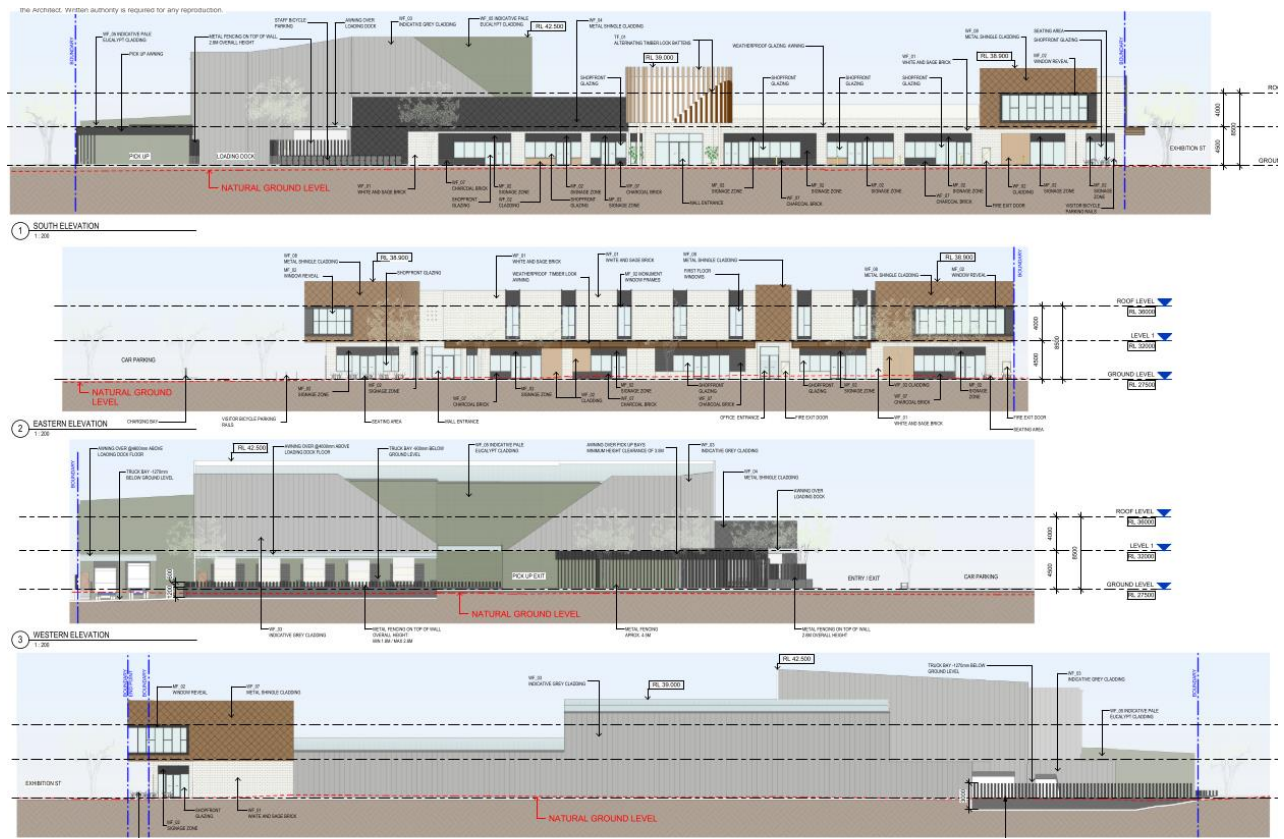


Figure 2: Proposed Elevations



Figure 3: 3D perspective view from Exhibition Street facing North-West



Figure 4: 3D Perspective view from Exhibition Street facing South



Figure 5: 3D Perspective view from Degraeves Street



Figure 6: 3D Perspective view of main entrance and adjoining shopfronts





## Site Description

7. The site is located on the north-east corner of the intersection of Lagoon Street and Degraeves Street, approximately 100 metres east of the intersection of Surf Coast Highway and Lagoon Street. The subject site is part of the south-west quadrant of the retail core area of Armstrong Creek Town Centre. The site is currently used in part for car parking, with the remainder being vacant, grassed areas.
8. The existing site comprises two lots, one on either side of Exhibition Street. The main parcel is the subject site of the application at hand with a frontage to Lagoon Street, Exhibition Street and Degraeves Street, totalling an area of 26,300sqm. The smaller lot is located to the east of Exhibition Street with an area of 1446sqm.
9. The site is formally described as Lot C on Plan of Subdivision 828177S Volume 12341 Folio 750.
10. There is a covenant and several s173 Agreements on the site as follows:
  - Covenant PS828174Y dated 22/02/2021 has expired on 29 July 2023. In relation to the covenant, the applicant has provided a copy of Plan of Subdivision 828177S which notes the subject site is part of Lot C and former Lot A on PS828174Y where the covenant PS828174Y derives from / is related to. The restriction on the plan is noted as being varied but it does not appear to be varied on the face of the current land title.
  - Section 173 Agreement AT479935F dated 03/08/2020, relating to works in kind for infrastructure and land delivered as part of the subdivision of the land. This includes public open space provision.
  - Section 173 Agreement AT523938G dated 18/08/2020, relating to Planning Permit 733-2018 allowing the use and development of the Coles complex and requiring the ultimate development of Exhibition Street as a pedestrian priority street at the full cost of the owner, the removal of at-grade car parking areas to the west of Exhibition Street and that the works not include any vehicle access points from Main Street or High Street (Exhibition Street) from any at-grade car parking areas. The agreement requires the works to be completed by 29 July 2023 or such later date as agreed in writing by Council. An FLP is also require prior to the commencement of the works. The agreement sets out the considerations required for agreeing to a later date. The agreement also requires a Sustainability Management Plan for Stages 2 and 3 of development.
  - Section 173 Agreement AT906455U dated 23/12/2020 relates to the town square on the south-east corner of Main Street and Winkipop Walk (ie adjoining 40 Main Street) and does not relate to 11 Lagoon Street as they are now separate titles.



Figure 7: Aerial view of subject site (Source: Planning Report)





## Site Surrounds

11. The surrounding development consists mainly of the Armstrong Creek Town Centre which is identified as a significant commercial and community precinct to serve the wider Armstrong Creek and Mt Duneed community.
12. Development surrounding the site can be described as follows:
  - To the **north** of the site is land that is in part vacant (western part) and in part developed for the purpose of a Council library. Beyond this, land across Main Street is vacant, identified for for the northern east and west quadrants of the Town Centre.
  - To the **south** of the site is a two way street with central median car parking provision. To the south-west, on the opposite side of Lagoon Street is vacant land and wetlands providing a drainage function. Directly to the south is an intersecting road Bancoora Way.
  - To the **east** of the site is Exhibition Street and on the opposite side of Exhibition Street is a retail complex which includes a Coles Supermarket, specialty shops, food and drink premises and associated commercial activities, including a gym, medical centres, post office and offices.
  - To the **west** of the site is Degraes Street and beyond which, to the west are a series of food and drink premises fronting Surf Coast Highway. Surf Coast Highway provides a key arterial north-south regional road connection to Torquay.
13. A site inspection of the subject site and surrounds was undertaken on 2 September 2024. Refer photos in Figures 8-11 below:



Figure 8: Views north – Council Library



Figure 9: Views south – existing car parking



Figure 10: Views west – vacant grassed area



Figure 11: Views east – existing retail complex and Coles



## Municipal Planning Strategy

14. The following objectives and strategies of the Municipal Strategic Statement of the scheme are relevant to the proposal:

Clause no.	Description
02.01	Context
02.02	Vision
02.03-1	Settlement – Armstrong Creek Urban Growth Area (ACUGA)
02.03-3	Environment and Landscape Values
02.03-5	Built Environment and Sustainability
02.04	Strategic Framework Plans
02.04-1	Municipal Framework Plan
02.04-2	Retail Activity Centre Hierarchy
02.04-3	Housing and Settlement Framework Plan

## Planning Policy Framework

15. The following objectives and strategies of the Planning Policy Framework of the scheme are relevant to the proposal:

Clause no.	Description
<b>11</b>	<b>Settlement</b>
11.01-1S	Settlement
11.01-1R	Settlement – Geelong G21
11.01-1L-01	Settlement – Greater Geelong
11.02-1S	Supply of Urban Growth
11.02-2S	Structure Planning
Clause no.	Description
<b>13</b>	<b>Environmental Risks and Amenity</b>
13.05-1S	Noise Management
13.07-1S	Land Use Compatibility
<b>15</b>	<b>Built Environmental and Heritage</b>
15.01-1S	Urban Design
15.01-2S	Building Design
15.01-2L	Environmentally sustainable development
<b>17</b>	<b>Economic Development</b>
17.01-1S	Diversified Economy
17.01-1R	Diversified Economy – Geelong G21
17.01-1L-01	Diversified Economy – Greater Geelong
17.02-1S	Business
<b>18</b>	<b>Transport</b>
18.01-1S	Land Use and Transport Integration
<b>19</b>	<b>Infrastructure</b>
19.03-3S	Integrated Stormwater Management

16. The Assessment section of this report provides a detailed assessment of the relevant planning policies (as relevant to the proposal and key considerations).

## **Statutory Planning Controls**

### **Urban Growth Zone – Schedule 5**

17. The subject site is included within the Urban Growth Zone (UGZ) - Schedule 5 - Armstrong Creek Town Centre Precinct Structure Plan. Specifically, Plan 2 to Schedule 5 to Clause 37.07 identifies the subject site within Precinct 1 - Central Core - C1Z. The relevant applied zone applicable to Precinct 1 is Clause 34.01 --- Commercial 1 Zone, pursuant to Clause 2.2 of Schedule 5 to Clause 37.07.
18. Specific provisions relating to some land uses are identified within Table 2: Use at Clause 2.3 of Schedule 5 to the Urban Growth Zone. Under Table 2, the uses of 'shop', 'office' 'food and drink premises' and 'retail premises' are all Section 1 uses where a permit is not required. All corresponding conditions against each use have also been met. Specifically, in combination with the retail floorspace to the east, the total floorspace in the retail core is well below the 40,000 square metre soft cap identified in the planning controls.
19. Pursuant to Clause 34.01 a planning permit is required to construct a building or construct or carry out works.
20. Cause 3.0, 4.0 and 7.0 of the UGZ5 includes application requirements, conditions and requirements for permits and decision guidelines, respectively. The following sections include discussion of how the proposal responds to these requirements.

### **Development Contributions Plan Overlay – Schedule 6**

21. DCPO6 relates to the Armstrong Creek Town Centre Development Contributions Plan and sets out various infrastructure items and requirements. Development infrastructure levies have been paid for the subject site as part of the existing s173 Agreement on Title which outlined the requirements which have been delivered.

### **Parking Overlay – Precinct 1**

22. The PO1 relates to the Armstrong Creek Town Centre, with Table 1 providing the following rates of car parking:
- Office --- 3 To each 100 sqm of net floor area
  - Shop --- 3.5 To each 100 sqm of net floor area
  - Food and drink premises --- 3.5 To each 100 sqm of leasable floor area
  - Supermarket --- 5 To each 100 sqm of net floor area
23. Clause 4.0 provides application requirements and decision guidelines for permit applications, whilst Clause 7.0 identifies design standards for car parking.

### **Particular Provisions**

24. Clause 53.18 applies to this application for buildings and works. The clause includes standards and objectives relating to stormwater.
25. Clause 53.22 Significant Economic Development is relevant as the application seeks approval under this provision. The proposal falls under Category 1 for uses in Table 2 (Retail premises) where the estimated development cost is over \$20 million in a non-metropolitan Melbourne area.
26. Clause 52.34 Bicycle Facilities sets out the requirements for provision of bicycle parking.

## **Other Strategic considerations**

### **Incorporated Documents / Structure Plans**

27. City of Greater Geelong Retail Strategy 2020 - 2036 is included in the Background Documents in the Schedule to Clause 72.08.





28. The Armstrong Creek Town Centre Precinct Structure Plan, March 2014 (the ACTC PSP) provides strategic land use and development guidance and sets out the vision and structure for the development of a new urban area. Plan 4 of the ACTC PSP identifies the Urban Structure Plan. The subject land is identified for Primary Retail/Shopping (allowing upper-level use).
29. Plan 5 identifies the Armstrong Creek Town Centre Concept Plan, and the subject land is partly included in primary retail anchor, ground floor retail and at grade car park. The Concept Plan also identifies High Street to the east as a key pedestrian link and access to the car park from the main street immediately south of the subject land.
30. The ACTC PSP also identifies five precincts within the PSP area, and each of the five precincts, contain specific land use objectives and urban design goals. The subject land is within Precinct 1 Central Core. The objective of Precinct 1 is *“to deliver a main street based, ‘mixed use’ core for the Town Centre with key retail, civic, community and employment uses concentrated at and around the intersection of Main Street and High Street.”*



## Referrals

31. The application was referred to the City of Greater Geelong which objected to the proposal but ultimately provided without prejudice draft conditions for consideration and inclusion on any permit issued.

## Informal referrals / agency advice

32. The application was also referred internally to DTP's urban design team which further acknowledged the applicant team has responded to urban design advice provided throughout the Development Facilitation Process and commend them on their adaptability in revising the scheme. Urban design had no further comments or recommendations to provide.

## Notice

33. The application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the *Planning and Environment Act 1987* pursuant to the following provisions:
  - Clause 37.07-13



## What are the key considerations?

### Strategic Direction and Land Use

34. The Planning Policy Framework encourages appropriate land use and development which enhances the built environment, supports economic growth, meets the community expectations on retail and commercial provision, and integrates transport and infrastructure planning.
35. The relevant MPS and PPF policies have been considered in assessing the application.

### Built form

36. In considering the design and built form of the proposed development, the most relevant clauses of the scheme are Clause 15.01-1S Urban Design and Clause 15.01-2S Building Design. The following assessment will consider the building design response with respect to height, massing, setbacks and the associated relationship to nearby buildings.
37. The built form is of an appropriate height, ranging between 11m and 15m and is well setback from Exhibition Street, Lagoon street and Degraeves Street to facilitate landscaping along each of these frontages which will enhance the site's interface with the public realm. The main retail anchor is to be accommodated within a large box style form which is hidden behind a two storey form to Exhibition Street wrapping around to the south.
38. The architectural treatment of the built form is proposed to be of a contemporary nature. The built form provides treatment around its key pedestrian edges to respond to pedestrian safety and amenity incorporating cover, windows for passive surveillance and separation from vehicle movements. In addition, high quality materials and appropriate finishes and colours ensure the built form is sympathetic of and takes cues from the coastal hinterland nature of the area.
39. The provision of the key pedestrian entry from Exhibition Street near the Exhibition Street entry to the Coles centre is considered to provide a further enhancement to Exhibition Street and the pedestrian realm. The location of the entries and the Food and drink premises provides the opportunity for a second node on Exhibition Street, further supporting the potential as a high amenity pedestrian space, in line with the requirements of the PSP.
40. Provision of landscaping is also maximised within the car parking area by planting new medium and large sized ever green canopy trees and various strap leaf plants which will improve the attractiveness and contribute to urban heat cooling.
41. Overall, the built form proposed to both Main Street and Exhibition Street has been designed to be generally in accordance with the relevant PSP as it relates to Precinct 1 by providing active frontages to address the public realm, particularly along Exhibition Street and ensuring a high-quality built form outcome is achieved.

### Car Parking, Loading, Bicycle Storage and Other Services

#### Car Parking

42. The following car parking rates are relevant to the application:

Use	Rate	Amount required / Provided
Supermarket	5 To each 100 sqm of net floor area	177
Retail Premises / E-store	To the satisfaction of the RA	-
Office	3 To each 100 sqm of net floor area	42





<b>Retail tenancies (shop)</b>	3.5 To each 100 sqm of net floor area	<b>40</b>
<b>Food and Drink Premises</b>	3.5 To each 100 sqm of leasable floor area	<b>8</b>
<b>TOTAL</b>		<b>267</b>

43. A total of 491 car spaces are proposed across the redeveloped site. Accounting for the replacement of 220 car spaces, a total of 271 'new' spaces will effectively be provided. Compared to the anticipated demand for 281 parking spaces, a shortfall of 10 parking space is expected compared to the proposed provision of 271 'new' parking spaces.

44. The reduction of 10 spaces is minor and acceptable, given existing car parking demand is operating well below capacity. The reduction is also supported by Council.

### **Design Standards for Car Parking**

45. The proposal satisfies all of the relevant Design Standards outlined in clause 52.06-9. Council has requested some conditions around the Lagoon Street roundabout which will be included in the relevant engineering plan requirements condition.

### **Access, traffic movements and circulation**

46. Vehicle access is proposed via Lagoon Street and two access points off Degraeves St, with any existing vehicle access points from Exhibition Street removed in line with the requirements of s173 Agreement AT523938G. Pedestrian connections are provided in a N-S and E-W direction through the car park, as well as connecting to the adjoining retail centre to the East.

47. The Transport Impact Assessment confirms the existing road network is capable of accommodating the increases in demand forecast for the adjacent (and modelled) road network.

### **Bicycle Facilities**

48. Clause 52.34-1 of the Scheme requires bicycle parking facilities as follows:

49. The proposed development is required to provide 21 bicycle spaces for employees and 15 spaces for visitors. Bicycle Parking facilities are provided throughout the site with a total of 36 spaces provided for staff and customers as follows:

- 8 hoops providing 16 spaces
- 20 secure staff bicycle spaces in lockers

50. End of trip facilities are provided at Level 1 of the building, including three showers/ changing rooms available to staff.

### **Loading**

51. Loading is provided within a designated loading area to the west of the building, specifically designed for the proposed use, namely:

- A service area for the supermarket to allow for the independent loading of 2 x 19m semi-trailer trucks and 6 x Small Rigid Vehicles for the retail premises/E-store.
- A retail loading bay located to the south of the retail premises/E-Store to accommodate 2 x 8.8 metre long Medium Rigid Vehicles (MRV's).

52. The proposed loading arrangements are considered appropriate and confirmed by the Transport Impact Assessment, noting swept path assessments have been provided which demonstrate that each of the relevant design vehicles are capable of manoeuvring within the proposed layout and exiting in a forward's manner. It is noted that Council has



requested the Lagoon Street roundabout be designed for an 8.8m long rather than a B99 vehicle to ensure the design of the roundabout future proofs the road infrastructure proposed. This will be included as a condition.

## **Waste**

53. A waste management plan has not been provided and will be requested as a condition, noting Council has also requested this.

## **Environmental**

### **Environmentally Sustainable Design (ESD)**

54. The proposal includes a number of sustainability initiatives outlined in the Sustainability Management Plan (SMP) which are in line with the relevant objectives of the Precinct Structure Plan (PSP) for the new Armstrong Creek Town Centre, namely:

- Zero Carbon (S1-01)
- Zero Waste (S1-02)
- Sustainable Transport (S1-03)
- Sustainable Products and Materials (S1-04)
- Sustainable Water (S1-05)

55. Additional sustainability opportunities are outlined further in the report, noting that the project will achieve a minimum 4 Star Green Building Certification. In addition, the report notes a 4.5-star NABERS for shopping centres certification will be pursued. Conditions will be included on the permit to ensure the development is undertaken in accordance with the SMP.

### **Stormwater management**

56. The council recommended standard stormwater conditions be included on any permit issued, which DTP agrees with. Subject to relevant conditions, the proposal will result in appropriate stormwater outcomes.



## Recommendation

57. It is recommended a Delegate of the Minister for Planning issue Planning Permit No. PA2403136 for the construction of buildings and works for the development of a supermarket, including an e-store, retail premises, food and drink premises, office and a reduction in the car parking requirements at 11 Lagoon Street, Armstrong Creek, subject to conditions.

## Conclusion

58. The proposal is generally consistent with the relevant planning policies of the Greater Geelong Planning Scheme and will contribute to the provision of a supermarket, retail, food and drink and office amenities within the Armstrong Creek Town Centre area.
59. It is recommended that the applicant be notified of the above in writing.





**Prepared by:**

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I have considered whether there is a conflict of interest in assessing this application and I have determined that I have:

- No Conflict**
  - Conflict and have therefore undertaken the following actions:
    - Completed the **Statutory Planning Services declaration of Conflict/Interest form**.
    - Attached the Statutory Planning Services declaration of Conflict/Interest form on to the hardcopy file.
    - Attached the Statutory Planning Services declaration of Conflict/Interest form into the relevant electronic workspace.
- 

Name: [Redacted]

Title: Senior Planner, Development Approvals and Design

Signed:

[Redacted Signature]

Phone: [Redacted]

Dated: 31 October 2024

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**Reviewed / Approved by:**

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I have considered whether there is a conflict of interest in assessing this application and I have determined that I have:

- No Conflict**
  - Conflict and have therefore undertaken the following actions:
    - Completed the **Statutory Planning Services declaration of Conflict/Interest form**.
    - Attached the Statutory Planning Services declaration of Conflict/Interest form on to the hardcopy file.
    - Attached the Statutory Planning Services declaration of Conflict/Interest form into the relevant electronic workspace.
- 

Name: [Redacted]

Title: Manager, Development Approvals and Design

Signed:

[Redacted Signature]

Phone: [Redacted]

Dated: 6 November 2024

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