



Application for a Planning Permit

Section 1: LAND DETAILS

Unit Number: 1	Street Number: 12	Street Name: June Court
Town: Warragul		Postcode: 3820

FORMAL LAND DESCRIPTION (Please complete either A or B – this information can be found on the Certificate of Title)

Option A:

Lot No:	35
Type of Plan: Please tick ✓	Lodge Plan <input type="checkbox"/> Title Plan <input type="checkbox"/> Plan of Subdivision <input checked="" type="checkbox"/>
Plan Number:	PS 631943X

Option B:

Crown Allotment Number:	
Section Number:	
Parish/Township Name:	

Section 2: PERMIT APPLICANT

Name:					
Business:					
Postal Address:	PO Box				Postcode: 3818
	Drouin				
Telephone No. (H)		(W)		(M)	
Email Address:					

Section 3: OWNER DETAILS (If different to the Applicant)

Name(s):					
Postal Address:					Postcode:
Telephone No. (H)		(W)		(M)	
Email Address:					

Section 4: DEVELOPMENT COST - Estimated Cost of development for which the permit is required

0

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Section 5: PROPOSAL You must give full details of the proposal being applied for. Insufficient or unclear information will delay your application..

Advertised

For what use, development or other matter do you require a permit?

Development:

<input type="checkbox"/> Advertising Signage	<input type="checkbox"/> Development of 2 or more dwellings Qty: <input style="width: 50px;" type="text"/>
<input type="checkbox"/> Agricultural Outbuildings	<input type="checkbox"/> Mixed Use Development and Reduction of Carparking
<input type="checkbox"/> Buildings and Works and Reduction in Carparking	<input type="checkbox"/> Residential Outbuildings
<input type="checkbox"/> Commercial or Industrial Buildings and Works	<input type="checkbox"/> Single Dwelling
<input type="checkbox"/> Extension / Alteration to Dwelling	<input type="checkbox"/> Telecommunications

Use:

<input type="checkbox"/> Buildings and Works and Change of Use	<input type="checkbox"/> Home Based Business
<input type="checkbox"/> Change of Use	<input type="checkbox"/> Sale and Consumption of Liquor
<input type="checkbox"/> Change of Use and Single Dwelling	

Subdivision:

<input type="checkbox"/> Boundary Realignment	<input type="checkbox"/> 3 or more Lot Subdivision Qty: <input style="width: 50px;" type="text"/>
<input type="checkbox"/> Variation/ Removal of Restriction	<input type="checkbox"/> Create an easement
<input type="checkbox"/> 2 Lot Subdivision	<input type="checkbox"/> 100 or more Lot Subdivision Qty: <input style="width: 50px;" type="text"/>

Subdivision / Vegetation Removal:

<input type="checkbox"/> Native Vegetation Removal or Lopping	<input type="checkbox"/> Non Native Vegetation Removal or Lopping (ESO4)
<input type="checkbox"/> Subdivision Qty: <input style="width: 50px;" type="text"/>	<input type="checkbox"/> Alteration of access RDZ1

Other:

Does the proposal breach, in any way, an encumbrance on title such as a restrictive covenant, Section 173 agreement or other obligation such as an easement or building envelope?

Yes No Not Applicable (no such covenant, section 173 agreement or restriction applies)

If yes, you should contact Council for advice as to how to proceed with the application.

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FURTHER DETAILS OF PROPOSAL (optional)

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Section 6: EXISTING CONDITIONS Describe how the land is used and developed now.

Advertised

Provide a plan of the existing conditions. Photos are also helpful.

Vacant Warehouse - refer to Planning Statement

Section 7: PRE-APPLICATION MEETING Has there been a Pre-Application meeting with a Council Planning Officer?

No <input checked="" type="checkbox"/>	
Yes <input type="checkbox"/>	If yes, with whom?
	Date of this meeting

Section 8: DECLARATION This form must be signed. Complete box A or B

A. I declare that I am the Applicant and owner of this land and that all information given is true and correct.	Owner/ Applicant signature:	Date:
B. I/We the Applicant declare that I/We have notified the owner about this application and that all information given is true and correct.	Applicant Signature:	Date: 6/2/24

CHECK LIST Please ensure you have included the following items with your application form. *Failure to provide all the information above may result in a delay in the processing of the application.*



A fully completed and signed copy of this form.

Most applications require a fee to be paid. *Please make payment at time of lodgement if submitting at Councils Customer Service Centre or submitting through our on-line portal. If emailing your application, a payment link will be sent to your nominated email once registered on the system.*



Contact Council to determine the appropriate fee.

Full and current copy of title and title plan (no older than 60 days) for each individual parcel of land forming the subject site. The title includes: the covering register search statement, the title plan and the associated title documents (known as instruments).



Provided plans showing the layout and details of the proposal



Provided any information required by the planning scheme, requested by Council



Provided a description of the likely effect of the proposal (if required)



Completed the declaration in Section 8



Provided a contact phone number and e-mail address



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PLEASE FORWARD THIS APPLICATION TO

Advertised

E-mail:	planning@bawbawshire.vic.gov.au	Mail:	Planning Department, Baw Baw Shire Council PO Box 304 Warragul VIC 3820
Phone:	5624 2411		
In Person:	Customer Service Centre: 33 Young Street Drouin		

The personal information requested on this form is being collected to enable council to consider the permit application. Council will use this information for this purpose or one closely related and may disclose this information to third parties for the purpose of their consideration and review of the application.

These third parties generally include, but are not limited to:

Transport Infrastructure Agencies such as VicRoads and VLine

Energy/Utilities Providers

Catchment Management Authorities and Water Corporations

The specific referral bodies will be dependent on factors such as the proposed activities and the location of the applicable property. Applicants are encouraged to familiarise themselves with potential referral bodies.

Any material submitted with this application, including plans and personal information, will be made available for public viewing, including electronically, and copies may be made for interested parties for the purpose of enabling consideration and review of the application as part of a planning process specified in the Planning and Environment Act 1987.

All information collected and held by Council is managed in accordance with Councils Privacy Policy which is available on our website. If you choose not to supply the requested information it may impair the ability of Council to consider your application or prevent Council from communicating with you in relation to your application.

If you have any concerns or require access to the information held by Council, please contact us on 5624 2411.

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**REGISTER SEARCH STATEMENT (Title Search) Transfer of
Land Act 1958**

VOLUME 11307 FOLIO 869

Security no : 124112173499M
Produced 27/01/2024 04:04 PM

LAND DESCRIPTION

Lot 35 on Plan of Subdivision 631943X.
PARENT TITLE Volume 11253 Folio 540
Created by instrument PS631943X/D1 13/10/2011

REGISTERED PROPRIETOR

Estate Fee Simple
Joint Proprietors

ENCUMBRANCES, CAVEATS AND NOTICES

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE PS631943X FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

Street Address: SHOP 1 12 JUNE COURT WARRAGUL VIC 3820

OWNERS CORPORATIONS

The land in this folio is affected by
OWNERS CORPORATION 1 PLAN NO. PS631943X

DOCUMENT END

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Document Type	Plan
Document Identification	PS631943X
Number of Pages (excluding this cover sheet)	8
Document Assembled	27/01/2024 16:04

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PS631942A **Advised**



<h1>PLAN OF SUBDIVISION</h1>	Stage No. /	LRS use only EDITION 6	
------------------------------	-------------	---------------------------	--

Location of Land
 Parish: DROUIN EAST
 Township: _____
 Section: A
 Crown Allotment: 20 (PT.), 21 (PT.) & 22B (PT.)
 Crown Portion: _____

Title References: C/T VOL 11232 FOL 144
 C/T VOL 10964 FOL 908

Last Plan Reference: PS 631942A (LOT 1)
 PS 548934M (LOT 1)

Postal Address: QUEEN STREET
 WARRAGUL, 3820

MGA 94 Co-ordinates: E 408170 Zone 55
 (Of approx. centre of plan) N 5775480

Council Certification and Endorsement.

Council Name: BAW BAW SHIRE COUNCIL Ref: **PS 5109**

- This plan is certified under section 6 of the Subdivision Act 1988.
- ~~This plan is certified under section 11(7) of the Subdivision Act 1988. Date of original certification under section 6. / /~~
- This is a statement of compliance issued under section 21 of the Subdivision Act 1988.

Open Space

(i) A requirement for public open space under section 18 of the Subdivision Act 1988 ~~has~~ has not been made.

~~(ii) The requirement has been satisfied.~~

~~(iii) The requirement is to be satisfied in Stage~~

Council Delegate *Banyard*
 Council seal
 Date 22 / DEC / 2010.

~~Re-certified under section 11(7) of the Subdivision Act 1988~~

Council Delegate
 Council seal
 Date / /

Vesting of Roads or Reserves

Identifier	Council/Body/Person
ROAD R1	BAW BAW SHIRE COUNCIL

Notations

Depth Limitation: Does not apply	Staging This is not a staged subdivision. Planning Permit No. PSB 0051/09
THE LAND BEING SUBDIVIDED IS SHOWN ENCLOSED BY CONTINUOUS THICK LINES. The Subdivision (Registrar's Requirements) Regulations 2011 apply.	BOUNDARIES SHOWN BY CONTINUOUS HATCHED LINES ARE DEFINED BY BUILDINGS LOCATION OF BOUNDARIES DEFINED BY BUILDINGS MEDIAN: BOUNDARIES BETWEEN LOTS 34 & 35 AND LOTS 36 & 37 Survey:- This plan is based on survey. To be completed where applicable. This survey has been connected to permanent marks no(s). 123,124&125 In proclaimed Survey Area no. _____

Easement Information

Subject Land	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of	LRS use only
E-1	DRAINAGE	3	PS 403474G	LAND IN PS 403474G	Statement of Compliance / Exemption Statement Received <input checked="" type="checkbox"/> Date 3 / 2 / 11 LRS use only PLAN REGISTERED TIME 10:48 DATE 9 / 2 / 11 S. Bobko Assistant Registrar of Titles
E-1 & E-2	PIPELINE OR ANCILLARY PURPOSES	SEE DIAG	PS 548934M - SECTION 136 OF THE WATER ACT 1989	CENTRAL GIPPSLAND REGION WATER CORPORATION	
E-3	PARTY WALL	0.30	PS 604330M	LOTS ON PS 604330M	
E-4	PIPELINE OR ANCILLARY PURPOSES	2	PS 604330 - SECTION 136 OF THE WATER ACT 1989	CENTRAL GIPPSLAND REGION WATER CORPORATION	
E-5	PIPELINE OR ANCILLARY PURPOSES	3	THIS PLAN - SECTION 136 OF THE WATER ACT 1989	CENTRAL GIPPSLAND REGION WATER CORPORATION	
E-5	DRAINAGE	3	THIS PLAN	BAW BAW SHIRE COUNCIL	

ROSS & WORTH PTY. LTD.
LAND & ENGINEERING SURVEYORS
 * 5/61 SMITH STREET WARRAGUL 56232257
 26 CONTINGENT ST. TRAFALGAR 56331577
 213B PRINCES HIGHWAY MORWELL 51341368

LICENSED SURVEYOR GEOFFREY STUART FEDDERSEN

SIGNATURE *G. Feddersen* DATE 22 / 12 / 2010

REF 11716 DRG No. 11716ps6.lcd

SHEET 7 OF 7 SHEETS

COUNCIL DELEGATE SIGNATURE *Banyard*

Original sheet size **A3**

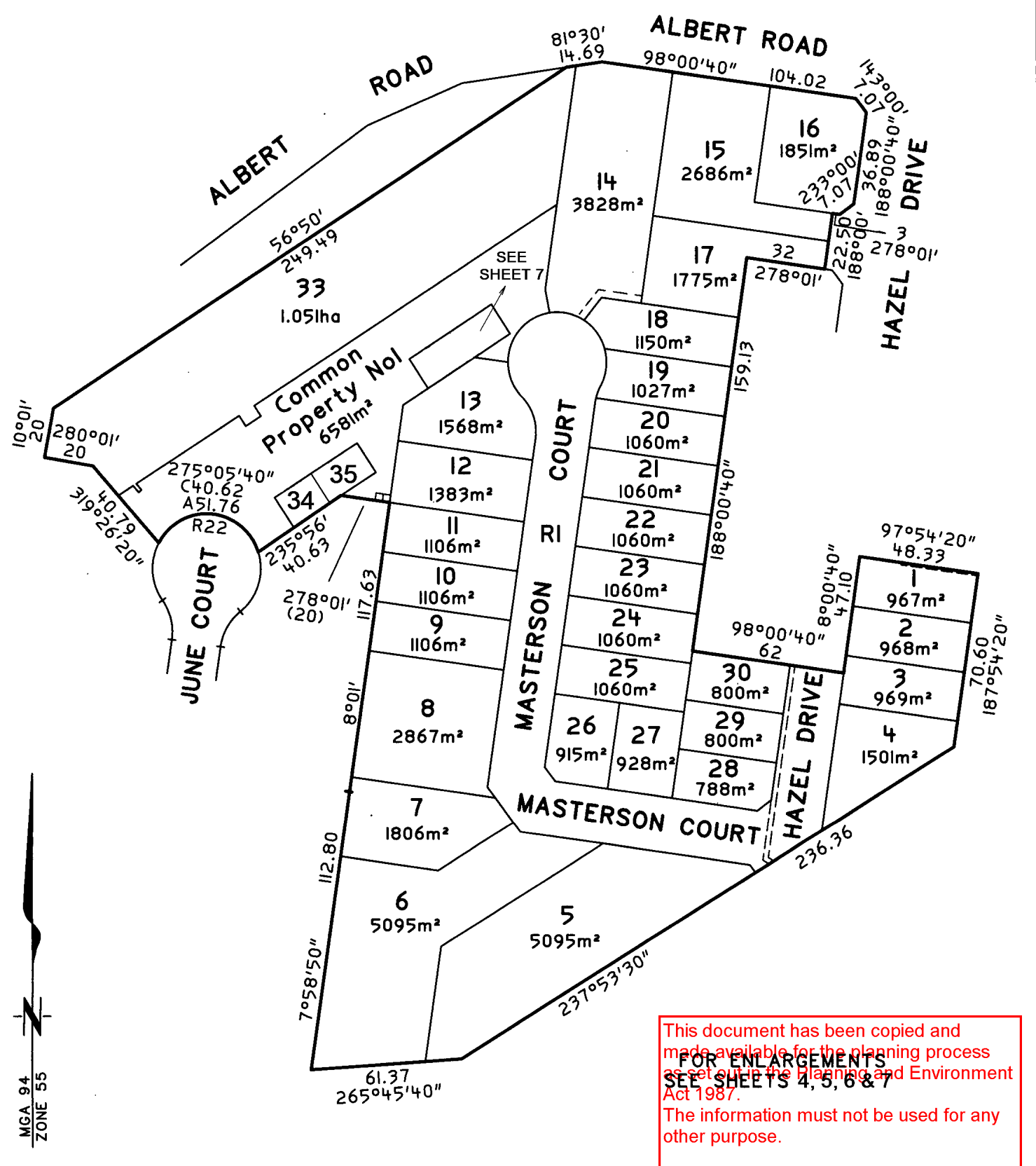
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 VERSION 03

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PLAN OF SUBDIVISION Stage No. Plan Number
PS 631943X



MGA 94
ZONE 55

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ORIGINAL SHEET SCALE SIZE A3 1:1500
SCALE 15 0 15 30 45 60
LENGTHS ARE IN METRES

LICENSED SURVEYOR GEOFFREY STUART PEDDERSEN
SIGNATURE *G. Peddersen* DATE 22/11/2010
REF 11716 DRG No. 11716ps6.lcd VERSION 03

SHEET 3
DATE 22/DEC/2010
COUNCIL DELEGATE SIGNATURE

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PLAN OF SUBDIVISION

Stage No.

Plan Number

PS 631943X

Common Property No 1 658lm²

ALBERT ROAD

SEE SHEET 5

4

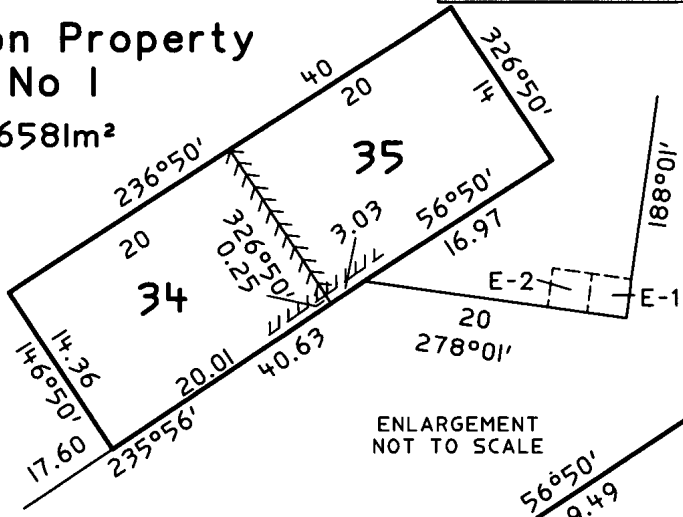
SEE SHEET 5

COURT

RI

8619m²

MASTERTSON



ENLARGEMENT NOT TO SCALE

33 1.051ha

COMMON PROPERTY No 1 658lm²

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LICENSED SURVEYOR GEOFFREY STUART FIEDDERSEN

DATE 22/12/2010

Page 10 of 37

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PLAN OF SUBDIVISION

Stage No.

Plan Number

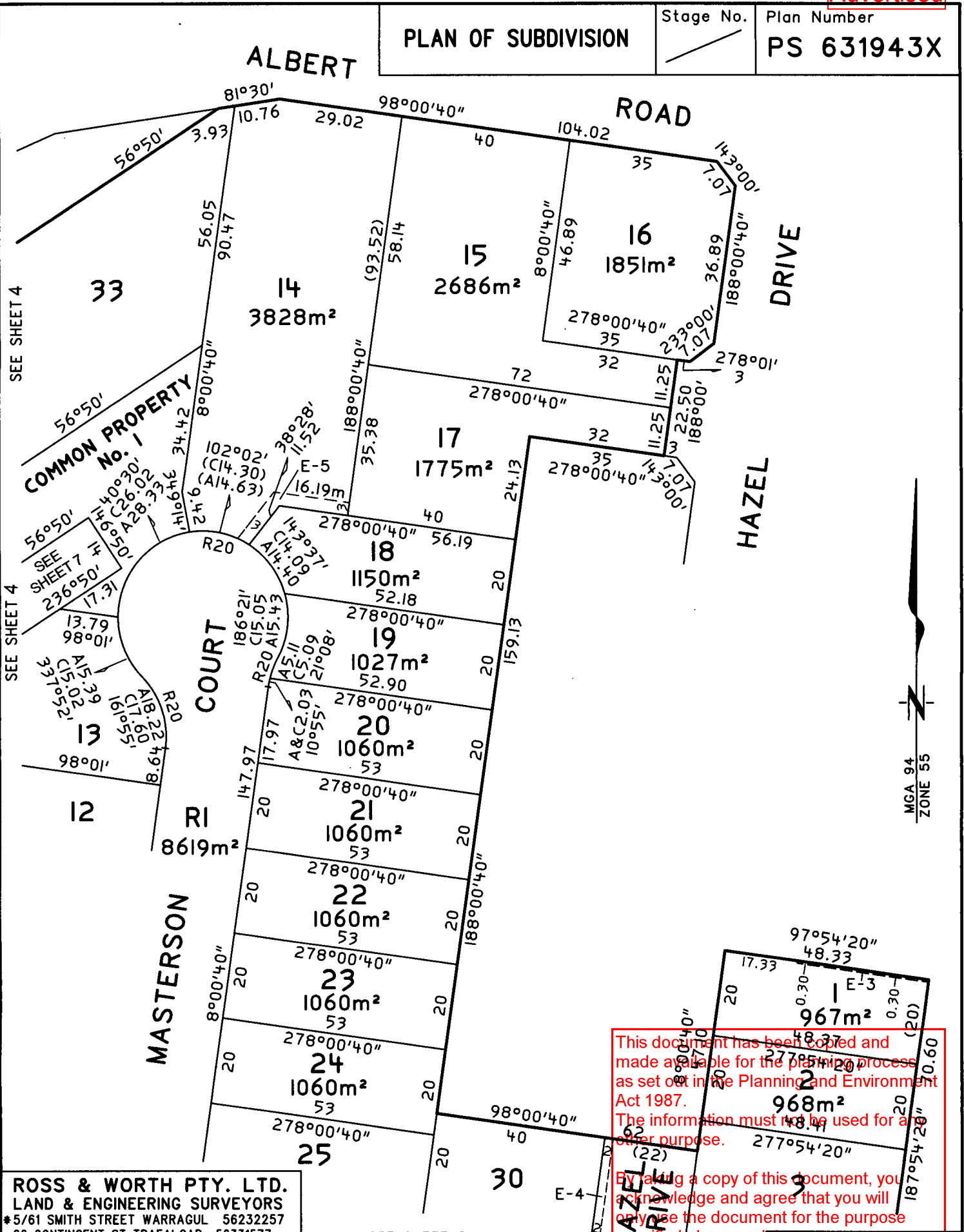
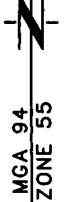
PS 631943X

ALBERT ROAD

HAZEL DRIVE

HAZEL DRIVE

HAZEL DRIVE



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LENGTHS ARE IN METRES

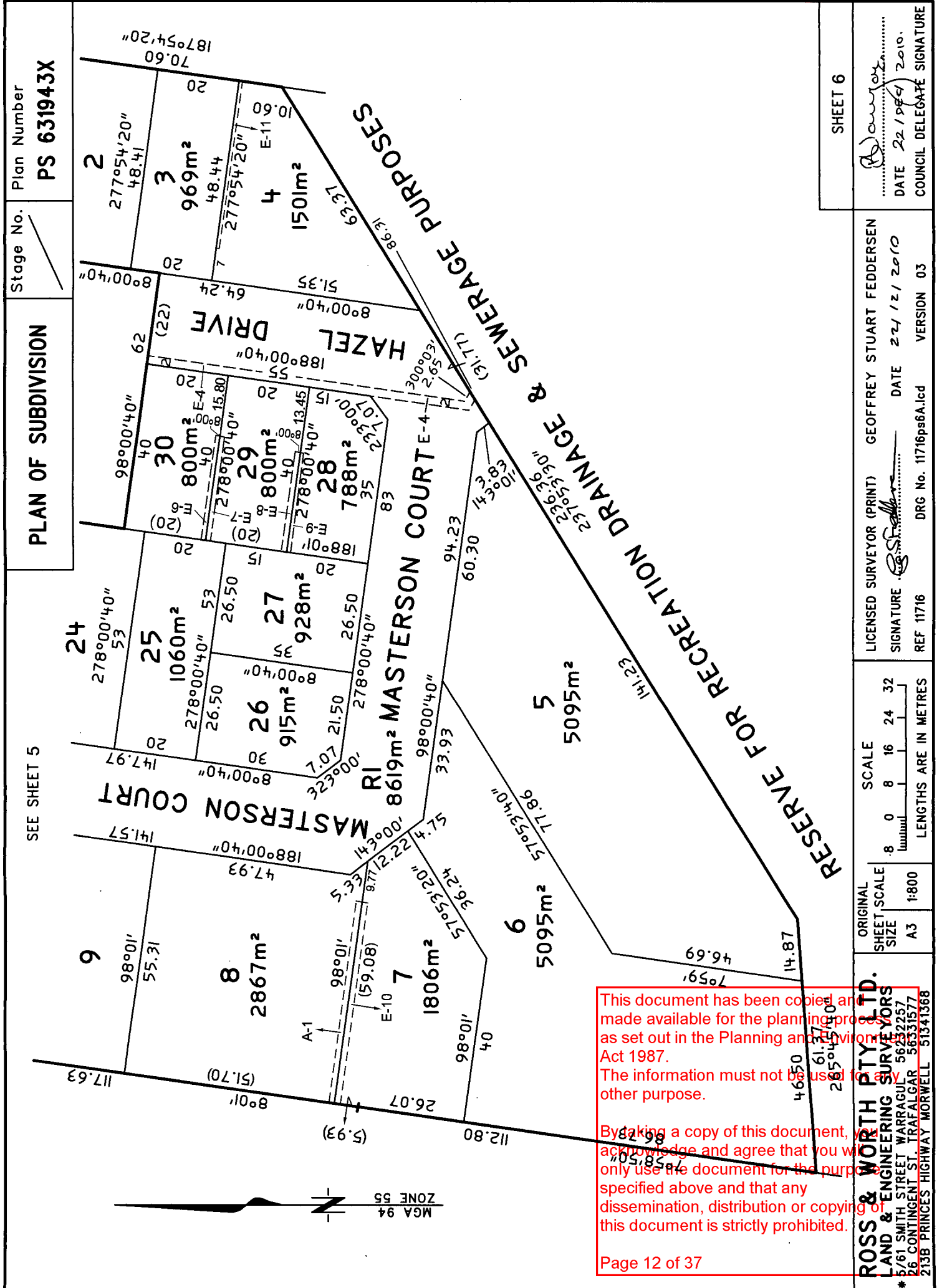
LICENSED SURVEYOR GEOFFREY STUART
SIGNATURE [Signature] DATE 22/12/2010
REF 11716 DRG No. 11716ps6A.lcd

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SHEET 5
DATE 22/DEC/2010
COUNCIL DELEGATE SIGNATURE [Signature]

SEE SHEET 6

SEE SHEET 5

Advertised



SEE SHEET 5

PLAN OF SUBDIVISION

Stage No.

Plan Number
PS 631943X

SHEET 6

.....
 DATE 22/08/2010.
 COUNCIL DELEGATE SIGNATURE

LICENSED SURVEYOR (PRINT) GEOFFREY STUART FEDDERSEN
 SIGNATURE DATE 24/2/2010
 REF 11716 DRG No. 11716ps6A.lcd VERSION 03

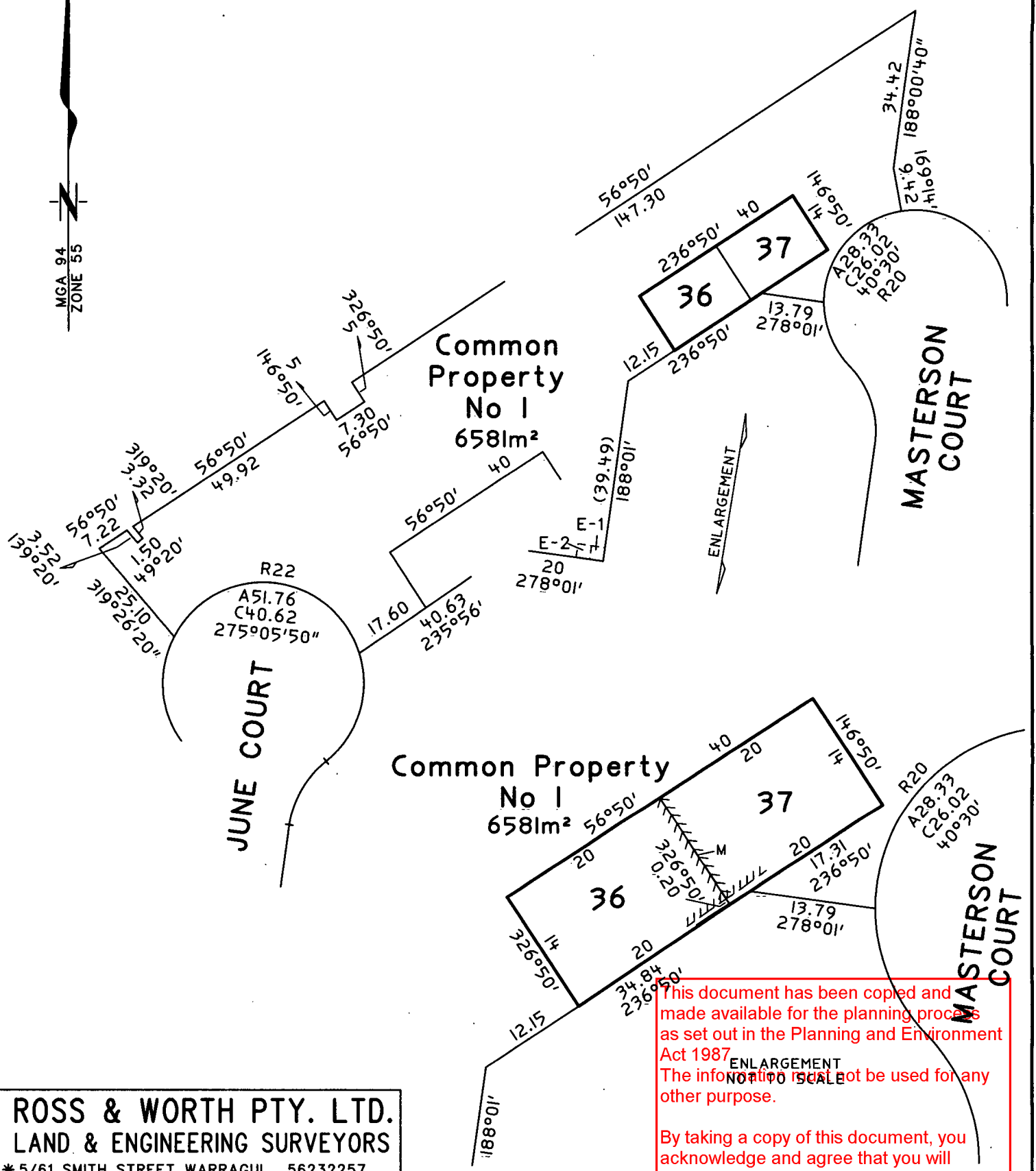
ORIGINAL SCALE
 SHEET SCALE 1:800
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 SCALE 0 8 16 24 32
 LENGTHS ARE IN METRES

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Stage No. Plan Number
PS631943X



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ORIGINAL SHEET SIZE A3
SCALE 1:800
SCALE 0 8 16 24 32
LENGTHS ARE IN METRES

LICENSED SURVEYOR GEOFFREY STUART
SIGNATURE *G. Stuart* DATE 9/12/11
REF 12026 DRG No. 12026ps_S32.lcd VERSION 01

SHEET 7
DATE 10/8/2012
COUNCIL DELEGATE SIGNATURE

Advised

MODIFICATION TABLE

RECORD OF ALL ADDITIONS OR CHANGES TO THE PLAN

A FOLIO HAS BEEN CREATED FOR THE COMMON PROPERTY ON THIS PLAN BEING VOL. 11253 FOL. 543

PLAN NUMBER

PS631943X

WARNING: THE IMAGE OF THIS DOCUMENT OF THE REGISTER HAS BEEN DIGITALLY AMENDED. NO FURTHER AMENDMENTS ARE TO BE MADE TO THE ORIGINAL DOCUMENT OF THE REGISTER.

AFFECTED LAND/PARCEL	LAND/PARCEL IDENTIFIER CREATED	MODIFICATION	DEALING NUMBER	DATE	EDITION NUMBER	ASSISTANT REGISTRAR OF TITLES
LOT 32	LOTS 34 & 35	AMENDMENT SECTION 32	PS631943X/D1	13/10/11	2	A.M.B.
LOT 28	E-9	CREATION OF EASEMENT	AJ851872R	29/8/12	3	W.S.
LOT 29	E-9	CREATION OF EASEMENT	AJ851873P	29/8/12	3	W.S.
LOT 29	E-7	CREATION OF EASEMENT	AJ851874M	29/8/12	3	W.S.
LOT 30	E-6	CREATION OF EASEMENT	AJ851875K	29/8/12	3	W.S.
LOT 31	LOTS 36 & 37	AMENDMENT SECTION 32	PS631943X/D2	5/9/12	4	LW
LOT 7	E-10	CREATION OF EASEMENT	AK662955G	18/10/13	5	H.Y.
LOT 7	A-1	APPURTENANT EASEMENT	AK662963H	18/10/13	5	H.Y.
LOT 4	E-11	CREATION OF EASEMENT	AS003753E	14/03/19	6	GA

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Department of Environment, Land, Water & Planning

Owners Corporation Search Report

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Produced: 27/01/2024 04:04:12 PM

**OWNERS CORPORATION 1
PLAN NO. PS631943X**

The land in PS631943X is affected by 1 Owners Corporation(s)

Land Affected by Owners Corporation:
Common Property 1, Lots 33 - 37.

Limitations on Owners Corporation:
Unlimited

Postal Address for Services of Notices:
30 QUEEN STREET WARRAGUL VIC 3820

OC009911H 09/02/2011

Owners Corporation Manager:
NIL

Rules:
Model Rules apply unless a matter is provided for in Owners Corporation Rules. See Section 139(3) Owners Corporation Act 2006

Owners Corporation Rules:
NIL

Additional Owners Corporation Information:
OC009911H 09/02/2011

Notations:
NIL

Entitlement and Liability:
NOTE – Folio References are only provided in a Premium Report.

Land Parcel	Entitlement	Liability
Common Property 1	0	0
Lot 33	0.90	0.90
Lot 34	2.5	2.5
Lot 35	2.5	2.5
Lot 36	2.5	2.5
Lot 37	2.5	2.5
Total	100.00	100.00

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Department of Environment, Land, Water & Planning

Advertised

Owners Corporation Search Report

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OWNERS CORPORATION 1
PLAN NO. PS631943X

From 31 December 2007 every Body Corporate is deemed to be an Owners Corporation. Any reference to a Body Corporate in any Plan, Instrument or Folio is to be read as a reference to an Owners Corporation.

Statement End.

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Page 2 of 2

6 February 2024

Coordinator Statutory Planning
Baw Baw Shire Council

Lodged via email: planning@bawbawshire.vic.gov.au

Dear

Re: Planning Permit Application
Address: Unit (Shop) 1, 12 June Court, Warragul
Title Particulars: Lot 35 on PS 631943X
Proposal: Use of land for an Indoor recreation facility

Please find enclosed planning application documentation submitted in relation to the above proposal which includes:

- A completed Planning Permit Application Form;
- Town Planning Drawings Package;
- A current copy of Certificate of Title for the site; and
- A Town Planning Statement prepared by SD Planning.

We look forward to your acknowledgement of the application.

Should you wish to discuss any elements of this proposal further, please contact me on 0400 663 592.

Yours sincerely

Director

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This report assesses a planning permit application for use of an indoor recreation facility.

PLANNING APPLICATION: USE OF AN INDOOR RECREATION FACILITY
Unit 1, 12 June Court, Warragul

SD Planning
Strategy & Development

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1. Planning Policy Summary

Applicant	
Address	Unit 1, 12 June Court, Warragul
Title Particulars	Lot 35 on PS 631943X
Zoning	Industrial 1 Zone and Schedule
Overlays	Development Contributions Plan Overlay, Schedule 1
Other Designations	N/A
Particular Provisions	Clause 52.06 – Car Parking
Permit Triggers	Clause 33.01-1 – A permit is required to use the land for an indoor recreation facility.
Proposal	Use of an indoor recreation facility.

2. Introduction

SD Planning has been engaged to provide advice and prepare a town planning application for the use of land for an Indoor Recreation Facility at Unit 1, 12 June Court, Warragul.

The proposal has been assessed having regard to the relevant requirements of the Baw Baw Planning Scheme. The proposal is considered to meet the relevant objectives of Planning Policy, including the Municipal Planning Strategy, along with the purpose and decision guidelines for the Industrial Zone and relevant particular provisions.

This planning report should be read in conjunction with other information including:

- Completed Planning Permit Application Form;
- Copy of Title; and
- Planning Application Plans.

3. Subject Site and Surrounds

The subject site is located approximately 1.5km east of Warragul Town Centre and is located (as the crow flies) approximately 180m from the intersection of North Road and Albert Road, Warragul.

The site lies approximately 40m to the north-east of the June Court court bowl. It is part of a larger development which includes Bowns and 4 units/warehouses, which are provided with body corporate car parking and access to/from June Court and Masterson Court bowls.

In addition to vehicle access, the subject site is accessible via public transport provided by bus route 83 which runs past the intersection of Albert Street and Hazel Drive from Warragul Station/Town Centre.

The subject site comprises a vacant warehouse building of which there are two pairs within the overall development in the southern section of development area. Each pair are mirror images of each other and share a party wall. The unit sharing a party wall with the subject unit is also currently vacant. The larger component of the overall development provides for Bowns, which lies to the north and predominantly services trade hardware customers.

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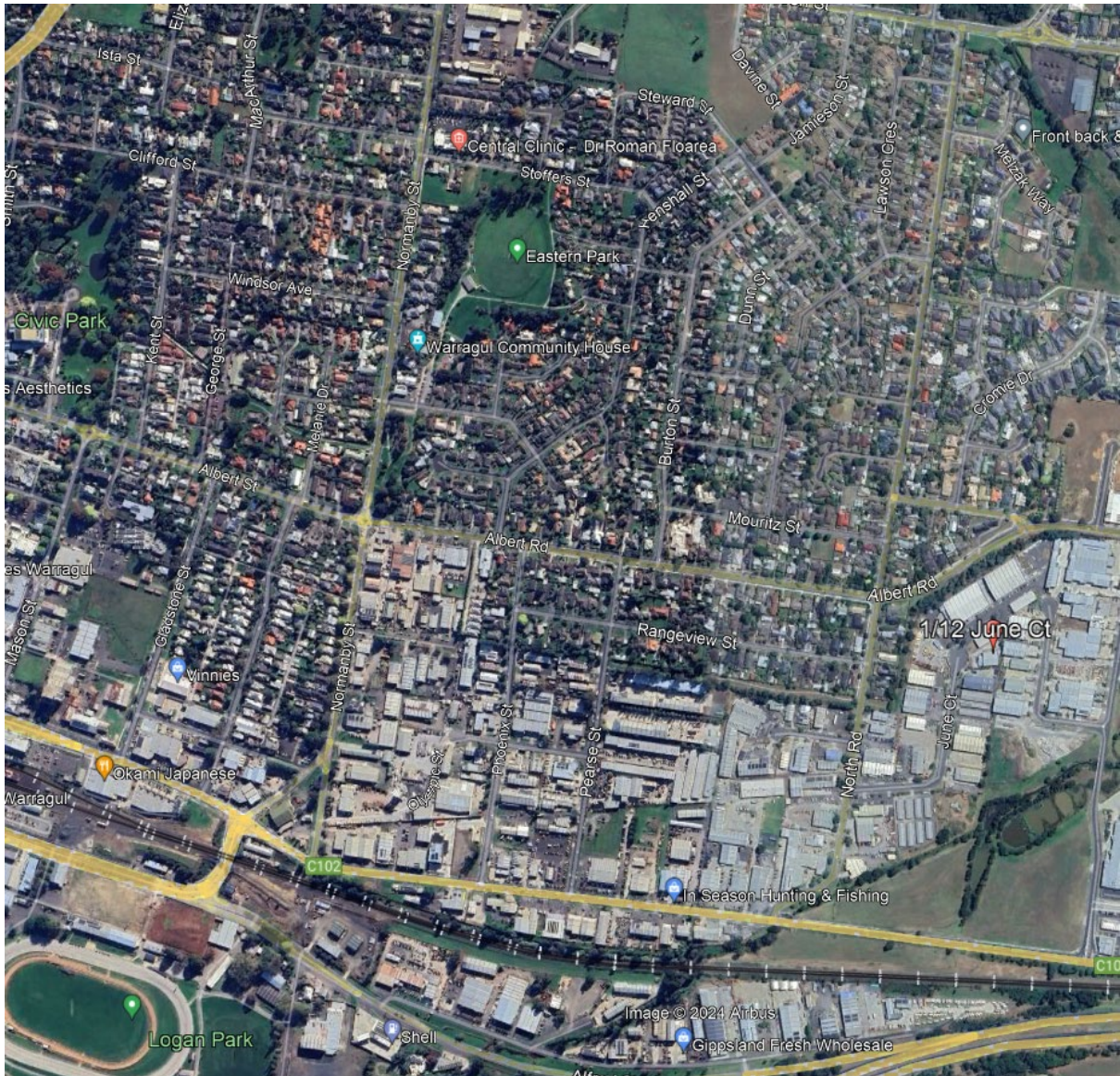


Figure 1: Site Locality Plan (Google Earth)

The endorsed plans for the previous development of the building on the subject land provide vehicle access and a shared car parking area with 115 spaces in total, 5 of which provide for disabled car parking.

Unit 1/12 comprises a warehouse of 268.36m² which is rectangular in shape. It has a party wall on its western side. Its external dimensions are 20m in width and 13.85m in depth.

The subject building is provided with an internal loading bay of 5m x 6.5m with access via a roller door. The building has a glazed frontage with access via double glazed doors. Photographs and an endorsed site plan for/of the subject building and the surrounding development with its shared parking/access are shown below.

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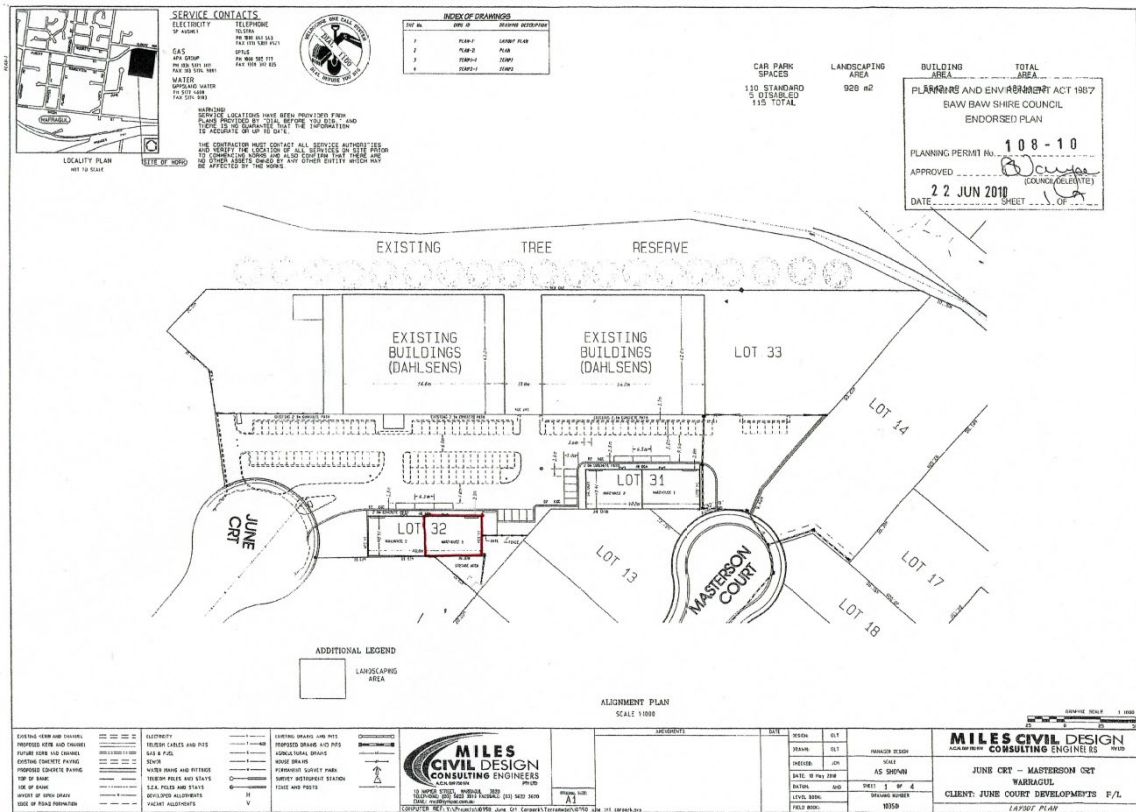


Figure 2: Endorsed Site Layout Plan for Planning Permit 108-10 for which the subject unit forms part.



Figure 3: Aerial photograph of the subject site/building

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Figure 4: View of the subject site frontage Unit 1 and adjoining property Unit 2



Figure 5: Other pair Units (1 & 2, 11 June Ct) along southern edge of development to the east. The information must not be used for any other purpose.

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Figure 6: View from the subject site car parking looking east towards Masterson Court



Figure 7: From the site frontage towards the north (Bowens pedestrian entrance) directly opposite

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Figure 8: Entry into the site looking towards June Court

4. Proposal

This application seeks planning approval for the use of an indoor recreation facility.

The indoor recreation facility will operate as a **small scale personal training studio** which comprises the following key characteristics:

- **A maximum number of 12 people will be training or involved in training at any one time, including staff/trainers and clients.**
- Training will be small group training, by appointment/booking/regular scheduling.
- **Hours of operation are proposed to be 5:00am to 9:00pm Monday to Sunday inclusive.**

It should be noted that the above operating times are the maximums proposed. In reality, personal training sessions will vary and the premises will not operate at maximum capacity for most of the time.

Throughout the middle of the day classes are not likely to operate at all.

The nature of this personal training enterprise typically generates peak hours between **6am-8am in the mornings and 4:30pm-8pm at night**. These hours cater for client's exercise and fitness needs outside traditional education/working hours.

The proposed floor layout of the building is shown below:

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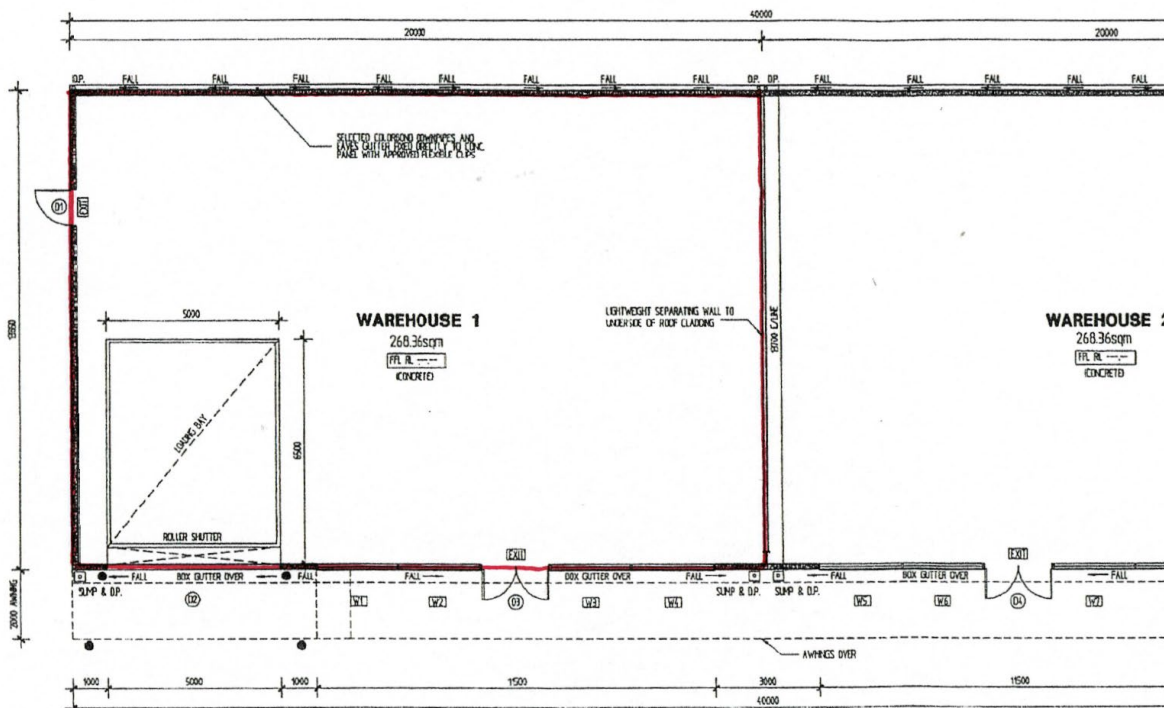


Figure 9: Floor Layout Plan

There are no buildings or works or signage proposed as part of this application.

5. Planning Assessment:

5.1. Municipal Planning Strategy (MPS)

Council is required to consider the Municipal Planning Strategy which sets out the future strategic direction for the municipality in Clause 02 of the Baw Baw Planning Scheme. The following is an outline of the planning policies considered relevant to the proposal:

Clause 02.01 Context

This clause provides information of relevance in relation to residential population and future growth,

'The Shire had an estimated resident population of about 52,000 in 2018, which is expected to grow to about 75,800 people by 2036 (Victoria in Future, 2019). The majority of this future growth is expected to occur within the townships of Warragul and Drouin.'

Clause 02.02 Vision

The land use objectives in the Council plan form part of Council's Land use vision, which includes creating:

'Vibrant communities that Council will contribute to achieving by:

- *Providing quality community focused service, facilities and infrastructure to support a growing community...*

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- *Creating a vibrant, healthy and inclusive community and thriving town centres, rural and remote communities.'*

'A Thriving Economy that Council will contribute to achieving by:

- *Supporting innovative, thriving and sustainable local business and industry providing local employment.*
- *Encouraging appropriate development through economic and business support activities and through effective strategic and statutory land use planning.*
- *Supporting business investment and diversification of the Baw Baw economy.'*

Clause 02.03-1 Strategic Directions

This clause notes of relevance that,

'Population growth has centred on the two largest towns, Warragul and Drouin which are within five kilometres of each other. They are developing complementary roles with Warragul as a Regional Centre supported by Drouin with a secondary role. Both Warragul and Drouin benefit from train stations, open space areas, community facilities and a strong mix of uses within their boundaries or on the periphery...

Warragul (15,760 people in 2016) is the main centre within the Shire and a Regional Centre within West Gippsland providing residential, commercial, health, education, cultural, industrial activities and agricultural research.'

The strategic directions for 'Settlement' planning in Baw Baw which are relevant to this proposal are to:

'Develop Warragul and Drouin as sustainable high-growth settlements.'

Clause 02.03-5 Economic Development

'The Baw Baw Economic Development Strategy - (2018) identified that the local economy is driven by industries related to dairy and other agriculture, with the sector providing local employment, manufacturing, food processing, farm gate tourism and agricultural service industries. Agricultural production is a significant contributor to the economy of the Shire and the region, particularly in relation to the dairy and beef cattle industries. Other industries driving the local economy include timber, education, health, transport, tourism, service industries and commerce.'

The proposal is considered to contribute to the objectives and strategies of Council's Municipal Planning Strategy. This existing business is relocating to expand its services and better provide for the health and fitness needs of the growing residential population. It will also result in increased local employment, particularly through the ability to offer placements for tertiary students studying health and fitness.

5.2. Planning Policy Framework (PPF)

The following PPF policies and strategies are considered particularly relevant to the proposal:

Clause 11.01-1R Settlement – Gippsland

Strategies include,

'Support urban growth in Latrobe City as Gippsland's regional city, at Bairnsdale, Leongatha, Sale, Warragul/Drouin and Wonthaggi as regional centres, and in sub-regional networks of towns.'

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'Support the continuing role of towns and small settlements in providing services to their districts, recognising their relationships and dependencies with larger towns.'

'Create vibrant and prosperous town centres that are clearly defined and provide commercial and service activities that respond to changing population and market conditions.'

Clause 11.01-1L-01 Growth in Baw Baw

The objective is,

'To direct population growth into towns having regard to their servicing, environmental and heritage constraints.'

Strategies of relevance to the proposal include,

'Encourage a clustering of community and civic services including schools, sporting and recreation facilities to create neighbourhood centres within each settlement.'

Clause 11.01-1L-02 Main Towns – High Growth

Strategies – Warragul of relevance to the proposal include,

'Prioritise higher population and growth within the township boundary of Warragul.'

Promote the regional centre role of Warragul as the primary residential, retail, business and service centre in the Shire.

Support Warragul as one of the primary centres (along with Drouin) for commercial development and service industry in Baw Baw...

Consolidate retail, entertainment, community, mixed use and medium density residential uses within the Commercial 1 Zone and the General Residential Zone in Warragul.'

Clause 13.07-1S Land Use Compatibility

The objective is,

'To protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts.'

Clause 17.01-1S Diversified Economy

The objective is,

'To strengthen and diversify the economy.'

Strategies of relevance include,

'Facilitate growth in a range of employment sectors, including health, education, retail, tourism, knowledge industries and professional and technical services based on the emerging and existing strengths of each region.'

- *Improve access to jobs closer to where people live.*
- *Support rural economies to grow and diversify.'*

Clause 17.01-1L Baw Baw's Economy

The objective of this clause is to,

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'To establish and maintain a strong, dynamic and future ready economy and employment base building on the Shire's competitive advantages for agriculture, timber, value-adding industries, tourism and land suitable for large scale business parks.'

Strategies of relevance to the proposal include,

'Encourage development that supports education, retail and professional services sector employment in regional centres and main towns.'

Clause 17.02-1S Business

The objective of this clause is,

'To encourage development that meets the community's needs for retail, entertainment, office and other commercial services.'

The proposal will contribute to the local diversification of the economy, providing for growth of an existing business and the potential for new employment/training opportunities. It will deliver growth and further choice in the recreation sector within the Warragul Township Boundary. It will assist with meeting the health and fitness demand of the local and future population within Baw Baw Shire.

The use proposed is considered suitable to integrate with the surrounds and raises no issues having regard to compatibility with the surrounding warehouse development and the Bowens business along with the wider industrial area for which it forms part. This is also demonstrated by other indoor recreation facilities located in both Masterson Court and Hazel Drive.

The proposal is considered consistent with the relevant PPF objectives.

5.3. Zoning Controls – Industrial 1 Zone, Schedule

The subject site is located in the Industrial 1 Zone and applicable Schedule. A zoning map is shown below.

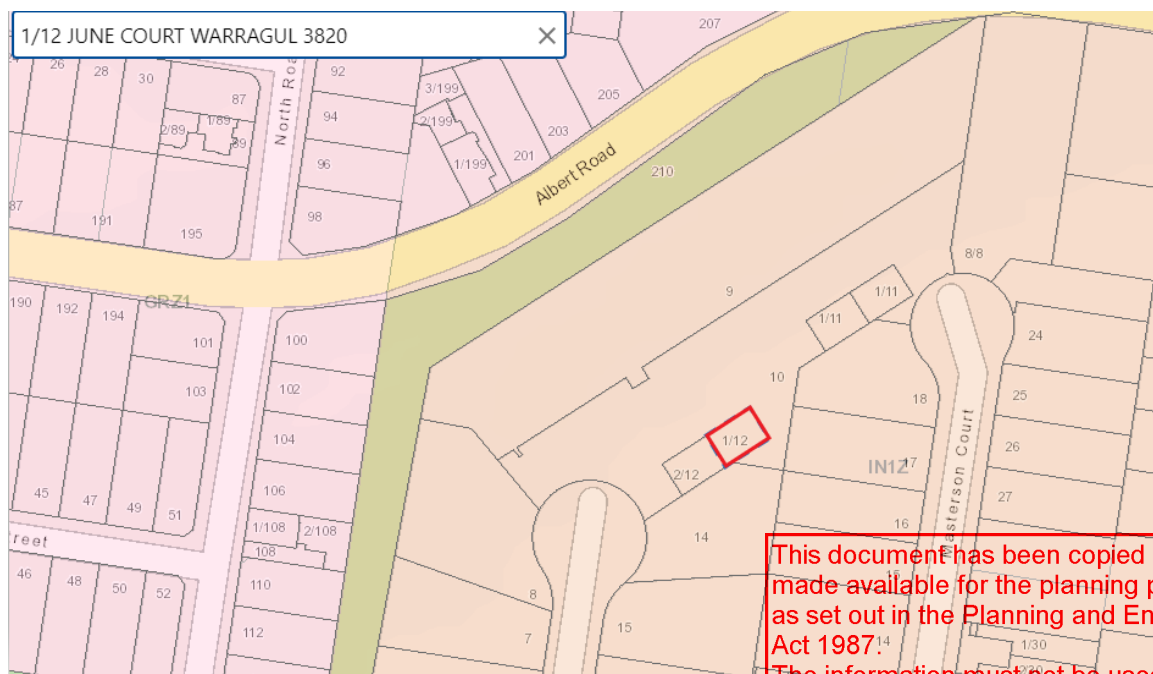


Figure 10: Subject Site Zoning Map (VCP Plan)

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Clause 33.01 provides the purpose of the Industrial 1 Zone, which is:

- *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.*

Pursuant to Clause 33.01-1 the proposed indoor recreation facility is a Section 2 use and requires a Planning Permit.

Clause 33.01-2 provides the Decision Guidelines for considering the proposed use. These are outlined below:

- *The Municipal Planning Strategy and the Planning Policy Framework.*

The proposal does not raise any concerns having regard to the MPS or PPF as discussed in Section 5.1 and 5.2 of this report.

- *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.*

There are no residential areas or other sensitive sites in proximity to the subject site and the use proposed does not generate industrial off site effects.

- *The effect that nearby industries may have on the proposed use.*

Nearby industries are not considered to pose any issue having regard to the proposed use. The proposal will be surrounded by small and medium size warehouse units and the Bowens building which predominantly provides for drive through trade orders which do not have any effect on the use which will be located wholly within the building. Further, there are similar types of uses (larger scale gyms) that exist in both Hazel Drive and Masterson Court in proximity to the site within the Industrial 1 Zone.

- *The drainage of the land.*

The use is to be located within an existing building and there will be no impact on the drainage of the land.

- *The availability of and connection to services.*

The use is to be located within an existing building and all services are connected.

- *The effect of traffic to be generated on roads.*

This is a small scale use which will have no discernable traffic generation above the existing level of traffic already experienced on the surrounding road network. The proposed use is similar to the traffic generated by the approved and previous uses of the building.

- *The interim use of those parts of the land not required for the proposed use.*

The entirety of the subject site is required for the proposed use.

The proposed indoor recreation facility will provide for a new health and fitness option for Warragul and surrounding residents. This is a small scale use that will provide a local service and employment/training opportunities. It will co-exist well with the adjoining warehouse units and Bowens as the peak operating hours for the personal training business will be outside the primary

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peak Bowens/warehousing operating hours. The traffic generated by the proposal has been considered to have minimal impact on the operation of the surrounding road network. The development for which the subject site forms part has been well designed with adequate vehicle and parking access.

The proposed hours of operation and location of the use will have no impact on residential amenity being adequately separated from residential use. The proposal is considered appropriate having regard to the Industrial 1 zoning purposes and decision guidelines. The proposed site has been chosen to be in an accessible location for the local community and will contribute towards providing health and fitness services for the growing population.

5.4. Development Contributions Plan Overlay

The site is affected by the Development Contributions Plan Overlay, Schedule 1. The purpose of the of the Development Contributions Plan Overlay, as stated in Clause 45.06 of the scheme is:

- *‘To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To identify areas which require the preparation of a development contributions plan for the purpose of levying contributions for the provision of works, services and facilities before development can commence.’*

Pursuant to Clause 45.06 of the Baw Baw Planning Scheme, the Development Contributions Plan Overlay enables the levying of contributions for the provision of works, services and facilities prior to development commencing. Development contributions are not required for a new use and have already been made as part of the approval/construction of this recent warehouse development.

5.5. Particular Provisions - 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.*

Clause 52.06 of the Planning Scheme has no specific parking requirement for ‘indoor recreation facility’ and therefore an appropriate number of parking spaces should be provided to the satisfaction of the responsible authority.’

The subject site has access to a body corporate (shared car parking) arrangement of approximately 115 car parking spaces. All parking and vehicle/pedestrian access to the building is provided to a high design standard, being approved by Council in 2010. Since Bowens has

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occupied the building to the north, the demand for car parking within the development has substantially reduced as Bowens predominantly services drive through trade customers.

Based on the floor area of the subject premises, the previous warehouse use as approved when the overall development was constructed would have generated a car parking requirement of 6 on-site spaces. The proposed personal training use is likely to generate a similar demand, noting that the key peaks of the business will be outside the predominant hours of other businesses that share the 115 body corporate car parking spaces.

The extent and availability of on-site car parking which the subject premises has access to is generous.

The proposal is a small scale use and is considered to have access to more than adequate car parking provision having regard to the demand likely to be generated, the times of peak generation and the nature of the locality.

The proposal is considered to comply with the purpose and decision guidelines of Clause 52.06.

6. General provisions and decision guidelines of Clause 65

The decision guidelines contained in Clause 65 set out matters that the responsible authority must consider, as appropriate.

Clause 65.01 – Approval of an application or plan

Requirement	Comment or section addressed in report.	Complies	Does not comply
The matters set out in section 60 of the Act		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Any significant effects the environment, including the contamination of land, may have on the use or development.	There will be no significant effects on the environment.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The Municipal Planning Strategy and the Planning Policy Framework	Addressed in Section 5.1 and 5.2 of this report	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The purpose of the zone, overlay or other provision.	Addressed in Section 5.3 and 5.4 of this report	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Any matter required to be considered in the zone, overlay or other provision.	Addressed in Section 5.3 and 5.4 of this report	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The orderly planning of the area.	The proposed use will result in orderly planning.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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Requirement	Comment or section addressed in report.	Complies	Does not comply
The effect on the environment, human health and amenity of the area.	The proposed use will improve human health and will not adversely impact on the amenity of the area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The proximity of the land to any public land.	No impact.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Factors likely to cause or contribute to land degradation, salinity or reduce water quality.	No impact.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.	Stormwater will not be altered by the proposal.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The extent and character of native vegetation and the likelihood of its destruction.	Not Applicable	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Whether native vegetation is to be or can be protected, planted or allowed to regenerate.	Not Applicable	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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.	No impact	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.	Loading and unloading facilities will not be impacted. There will be minimal impact on the operation of the road network. There are no identified road safety or amenity impacts.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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Requirement	Comment or section addressed in report.	Complies	Does not comply
The impact the use or development will have on the current and future development and operation of the transport system.	The transport system will not be impacted by the proposed use or development.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

7. Conclusion

The proposal for the use of land as an indoor recreation facility is appropriate. It:

- Satisfies the purposes and decision guidelines of the Industrial 1 Zone, Clause 52.06 and complies with relevant MPS and PPF objectives.

It is therefore respectfully requested that Council support this proposal, and accordingly issue a planning permit.

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6 March 2024

Principal Statutory Planner
Baw Baw Shire Council

Lodged via email: planning@bawbawshire.vic.gov.au; and

Dear ,

Re: Planning Permit Application PLA0024/24
Address: 1/12 June Court Warragul VIC 3820
Proposal: Use of the Land for an Indoor Recreation Facility

We refer to Council's further information request dated 4th March 2023. Council's request for further information included a number of items which we have set out in italics for ease and have provided a response below.

1. *The following details of the proposal:*

- a. *Total number of staff and clients, including the individual maximum number of staff/trainers and clients will be on site at any time. (i.e. 2 trainers on site with 6 -10 clients, 1 trainer on site with 1-5 clients, etc)*

As specified in the planning report, there will be a maximum number of 12 people training or involved in training at any one time, including staff/trainers and clients. The business is typically expected to run with 1 trainer and 8 clients at any one time, but the number of 12 has been proposed to allow for future flexibility.

- b. *How many classes/training sessions proposed each day, and how long each training session is proposed, including the proposed interval hours between each session.*

The sessions will run for approximately 55 mins each, including warm up time. There will be approximately 6-8 classes per day, focussed in the early morning and late afternoon/evening. In the clustered morning and evening classes there will be change over at the same time. Ie. one class ending and the other beginning within 5 mins of each other.

- c. *Details of training types and activities are proposed, and any equipment will be required (i.e. Yoga/platies/dance need no particular equipment, obstacles and weight training would require set out facilities.)*

This detail is irrelevant to the assessment of the application. The classes are intended to provide strength, conditioning/fitness.

- d. *Any background or amplifier music proposed.*

Some music will be used within the building. There are no sensitive receptors in proximity given that the unit is surrounded by an extensive area of industrial zoning.

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- e. *Any amenity facilities proposed (i.e. toilet, kitchenette for water/tea, etc)*
 There are two toilets including one disabled, already existing in the building and plumbing to allow for water/sink (see photos below). A kitchen bench with a sink and under bench fridge is proposed and is shown in the image below.



- f. *Details of waste management.*
 Waste will be collected by private contractor on a regular basis. The location of the waste bins are shown in the image above and will be stored within the building proximate to the roller door. Waste will be predominantly paper towels and a very small amount of general waste.

- g. *Any amenity measures to be incorporated to prevent any unreasonable amenity impacts on the surrounds.*
 There are no specific amenity measures identified on this site as it is well located and is surrounded by industrial/commercial properties. There are no conflicts identified and typical amenity conditions that Council would usually include on such a permit would be considered more than adequate in this instance.

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2. *The proposed floorplan/layout plan updated to show.*
- a. *Remove the adjoining warehouse that will not be used for the proposal,*
There is no need for the floorplan to be updated. The site has been clearly identified in red which shows the specific unit and has appropriately used approved plans from when the development was constructed.
 - b. *The number and location of the entry door (it appears more than one entry door will be provided ?)*
The building has double entry doors at the front. A secondary/emergency door facing east will not be used for client entry (refer to image above with notations on the layout). The other entry doors that you may be referencing may be for the adjoining unit which is not within the red line area and does not form part of the application.
 - c. *Detailed internal layout of the use, clearly showing the training area (including any equipment if applicable) and the amenity area (toilet, kitchenette, etc).*
There is no requirement to provide a detailed layout of how exercise equipment will be positioned within the building. The internal layout may change over time and such plans are not appropriate. They have likewise not been provided for other recently approved personal training studios. The total area is clearly marked and this is all that is required. The location of the toilets, kitchenette etc is shown on the image above and is also submitted as a separate plan.

We trust that this information provides all that you require and now look forward to receiving notification instructions at your earliest opportunity. Please do not hesitate to contact me should you have any further questions.

Yours sincerely

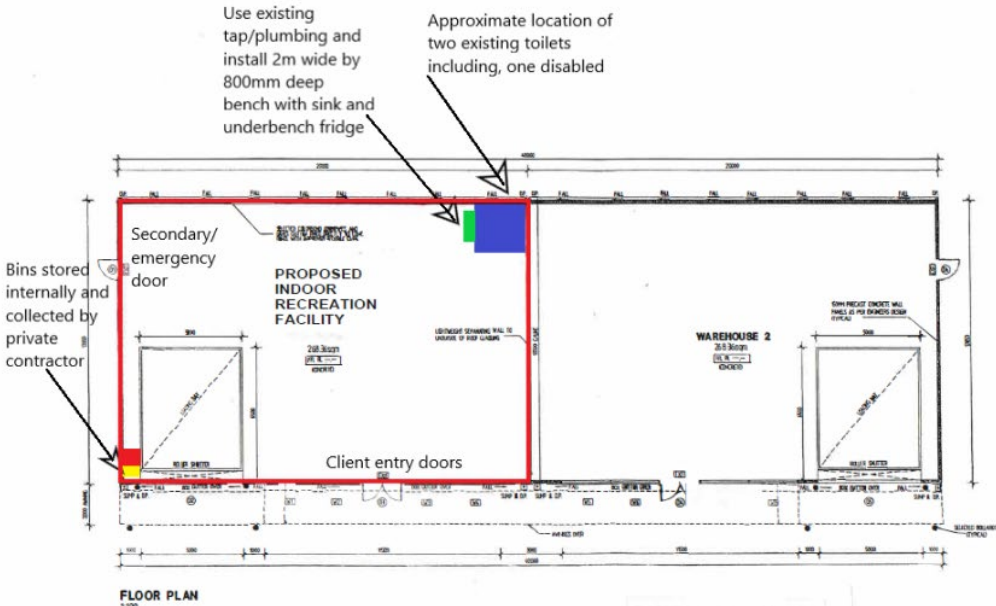
Director

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INTERNAL LAYOUT



FLOOR PLAN
1:100

PLAN 2: PROPOSED FLOOR
LAYOUT PLAN INDOOR
RECREATION FACILITY



TREELINE DESIGN	
BUILDING DESIGN AND DRAFTING	
PO Box 8942 2007 PO Box 2022 www.treelinegroup.com.au	
Client:	CMF CONSTRUCTIONS PTY LTD
Address:	LOT 22, JUNE COURT WARRAGAL 3820
ESRC:	PLANNING ISSUE 15/05/2018
REVISED:	
SEE ME BY YOUR HOUSE OFFERS DESIGN FOR PRELIMINARY ASSESSMENT AND APPROVAL FOR THE DEVELOPER	
Designer:	
Client:	
Job No.:	1107267
Date:	20/05/2018
Scale:	SCALE 1:100
Drawn by:	DESIGNED BY
	SHEET 2 OF 3

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