PROPERTY CHANGE

PLANNING REPORT

385 South Gippsland Highway, Dandenong South

August 2026

This document has been copied and made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

Executive Summary

Client:	
Subject Site:	385 South Gippsland Highway, Dandenong South VIC 3175
Legal Description:	Lot 1 on Plan of Subdivision PS918170G (Volume 12654 Folio 544)
Planning Scheme:	Greater Dandenong
Application No.:	PLN26/0283
Proposal:	Use of the land for a restricted recreation facility (24 hour fitness centre) and the display of an internally illuminated business identification sign.
Permit Triggers:	Clause 34.02-1: Use of the land for a restricted recreation facility. Clause 52.05-11: Display of an internally illuminated business identification sign. Clause 52.29-2: Included in the application at Council's request by way of the Section 50 amendment. No access is created or altered. Clause 52.06-3 and Clause 52.34-2: Not considered to be triggered, for the reasons at Section 8. Sought in the alternative.
Title Restrictions:	Restrictive Covenant BA129678K (MCP AA011296), expiring 30 January 2046. Owners Corporation 1 PS918170G. The proposal is not considered to breach the covenant.
Site Area:	Approximately 1,142m² (Lot 1, comprising three parts per PS918170G)
Zoning:	Commercial 2 Zone (C2Z)
Overlay(s):	Nil
CHMP Required:	CHMP not required — the proposal does not involve a high impact activity.

The proposal and the supporting documentation demonstrate that the proposed use of the land for a restricted recreation facility at 385 South Gippsland Highway, Dandenong South is consistent with the Greater Dandenong Planning Scheme and is an **acceptable outcome**.

This document has been copied and made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

Contents

1. Introduction 4
2. Subject Site & Surrounding Land 4
   - 2.1. Subject Site 4
   - 2.2. Title Restrictions 5
   - 2.3. Site Context 6
3. The Proposal 6
4. Land Use Characterisation 7
5. Planning Permit Triggers 8
6. Zoning 8
   - Commercial 2 Zone (C2Z) 8
7. Overlays 9
8. Particular Provisions 10
9. General Provisions 12
10. Planning Policy Framework 12
11. Local Planning Policy 14
12. Assessment 15
    - 12.1. Strategic and Policy Support 15
    - 12.2. Use – Commercial 2 Zone 15
    - 12.3. Out-of-Centre Development and Industrial Land 16
    - 12.4. Title Covenant BA129678K 16
    - 12.5. Signage 17
    - 12.6. Car Parking Provision 18
    - 12.7. Traffic and Access 19
    - 12.8. Bicycle Facilities 20
    - 12.9. 24-Hour Operation, Security and Patron Management 20
    - 12.10. Off-site Amenity 21
13. Conclusion 22

This document has been copied and made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

1. Introduction

This planning report has been prepared by Property Change Pty Ltd on behalf of in support of a planning permit application for the use of the land as a restricted recreation facility and the display of business identification signage at 385 South Gippsland Highway, Dandenong South (the subject site).

The application is before the City of Greater Dandenong as application PLN26/0283. This report has been prepared in response to item 8 of Council's Request for Further Information dated 24 July 2026, and also responds to the preliminary assessment concerns raised in that letter.

The purpose of this report is to outline the planning merits of the proposal and its consistency with the relevant planning controls and policies of the Greater Dandenong Planning Scheme.

For the reasons discussed within this report the proposed use is an appropriate response to the planning policies within the Greater Dandenong Planning Scheme and the surrounding context, and is therefore an acceptable outcome.

The assessment provided in this report should be read in conjunction with the plans at Appendix 1 and the Traffic and Parking Impact Assessment prepared by DFC Engineering at Appendix 3.

2. Subject Site & Surrounding Land

2.1. Subject Site

The subject site is located on the western side of the South Gippsland Highway service road at Dandenong South, immediately south of Knowles Road. It forms Lot 1 on Plan of Subdivision PS918170G and comprises a tenancy within the established commercial estate at 14–20 Knowles Road, Dandenong South. Lot 1 has an area of approximately 1,142 square metres and an eastern frontage to the South Gippsland Highway and its associated service road. As shown on PS918170G, Lot 1 comprises three parts: the principal parcel containing the building, and two separate car parking parcels each measuring 7.80 metres by 4.90 metres. The wider commercial estate of which the lot forms part extends to Knowles Road.

The subject site is developed with an existing commercial/warehouse building which is presently vacant. The building has a floor area of approximately 697 square metres, representing a site coverage of approximately 61 per cent, and contains amenities including toilets and showers. The Traffic and Parking Impact Assessment at Appendix 3 records a site area of 703.32 square metres; that figure corresponds to the area of the building and tenancy rather than to the title area of the lot. The area of Lot 1 across all three parts shown on PS918170G is approximately 1,142 square metres. The distinction does not affect the trip generation or the car parking demand assessment in that report. Vehicle access to the site is existing and is taken from the South Gippsland Highway service road.

Car parking serving the site is provided within the wider commercial estate, which contains 87 car parking spaces in total, including two accessible spaces. Six of those spaces are registered on the title to Lot 1 and are for the exclusive use of the subject site, being accommodated within the two car parking parcels forming part of Lot 1 (each 7.80 metres by 4.90 metres, accommodating three spaces). A further 20 spaces are available for shared use within the estate, giving a total of 26 spaces available to the premises. The Owners Corporation has provided its written consent at Appendix 7 to the operation of the facility, including after-hours member access, and expressly to the use of the common car parking at the complex by the

This document has been copied and made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

proposed use. The Traffic and Parking Impact Assessment records that the existing spaces have dimensions of 4.8 metres by 2.6 metres and concludes that they are consistent with AS2890.1:2004.

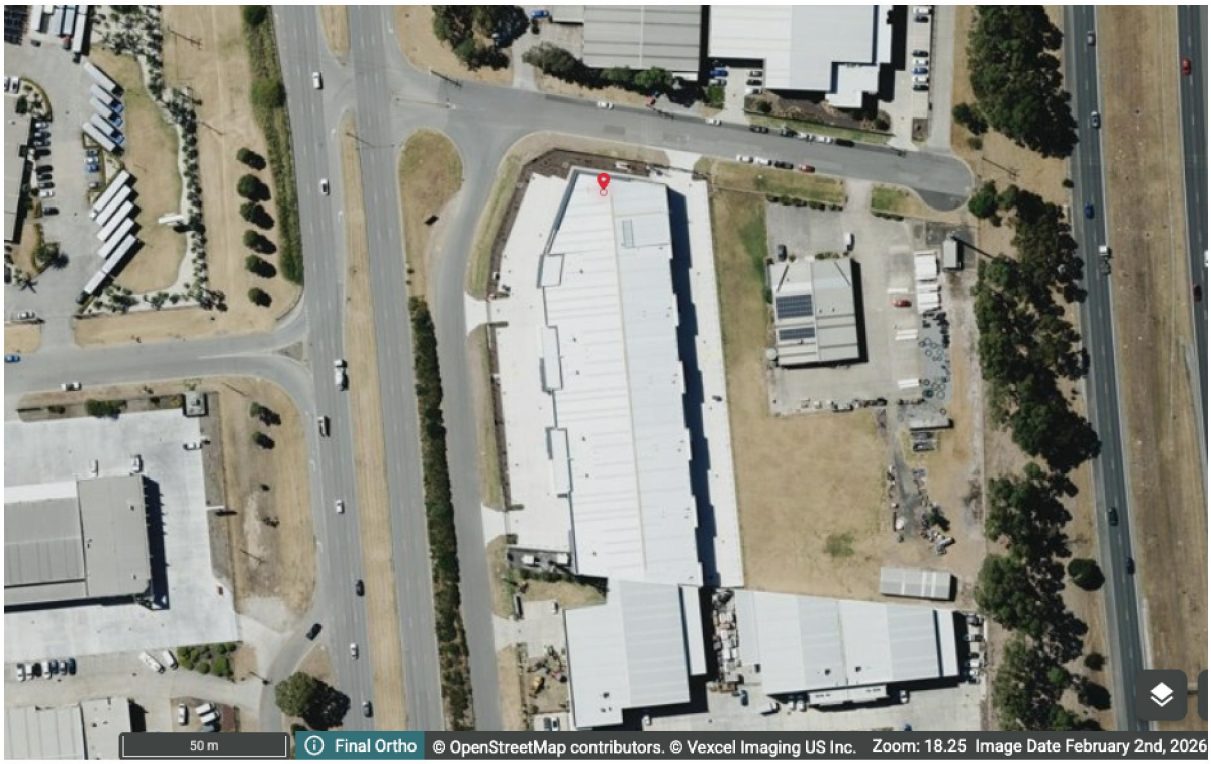


Figure 1: Aerial of the subject site

2.2. Title Restrictions

The subject site is described as Lot 1 on Plan of Subdivision PS918170G, being the land in Volume 12654 Folio 544 (see Appendix 5). The registered proprietor is

The land is burdened by restrictive Covenant BA129678K, registered on 17 February 2026 and expiring on 30 January 2046, which incorporates the restrictions set out in Memorandum of Common Provisions AA011296. The benefited land is every other lot shown on Plan of Subdivision PS918170G. The covenant provides that the registered proprietor of the burdened land must not:

- paint or finish any external surface of a building on the land unless the same is finished with a durable paint or permanent colour surface in a colour or finish first approved in writing by the Owners Corporation PS918170G (which approval is not to be unreasonably withheld);
- store or place goods, materials, containers or any other commodities, or any tank, plant and machinery or rubbish, outside any building erected on the land;
- use any part of the land for the purposes of a bank, cafe/take away food premises or restaurant as defined in the Greater Dandenong Planning Scheme, without the prior written consent of the Owners Corporation PS918170G, which consent may be given or denied at the absolute discretion of the Owners Corporation;
- use any part of the land for the purposes of a motor vehicle towing depot, motor vehicle wrecking, junkyard, container storage depot, brothel, sex shop, place of worship or assembly or morgue, without the prior written consent of the Owners

This document has been copied and made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

Corporation PS918170G, which consent may be given or denied at the absolute discretion of the Owners Corporation; or

- use any part of the land for the purposes of a motor vehicle mechanic, panel beating or spray painting business unless the activities are wholly carried out within a building on the land.

The land is also affected by Owners Corporation 1 PS918170G. An assessment of the proposal against each of the covenant restrictions is provided at Section 12.4 of this report. Any encumbrances created by section 98 of the Transfer of Land Act 1958 or section 24 of the Subdivision Act 1988, and any other encumbrances shown or entered on the plan, are as shown on PS918170G at Appendix 5.

2.3. Site Context

The subject site is located within an established commercial and industrial precinct at the interface of the South Gippsland Highway and Knowles Road. The precinct is typically developed with large-format commercial and industrial buildings set behind frontage car parking areas, with minimal vegetation or landscaping.

Businesses within the immediate vicinity include the Bowens Distribution Centre, Quantum Deli, Storage King Dandenong South and National Blinds Suppliers. Land surrounding the subject site is also in the Commercial 2 Zone. The South Gippsland Highway to the east is in a Transport Zone 2. There are no dwellings within the commercial estate and no residentially zoned land in the immediate vicinity of the subject site.

Knowles Road, to the north of the site, is not subject to time-based or paid parking restrictions and permits unrestricted kerbside parking. The closest public transport is bus route 892, at the intersection of Pound Road and the South Gippsland Highway, although the Traffic Impact Assessment notes that this stop cannot be accessed directly from the subject site given the lack of footpath amenity along the South Gippsland Highway. The subject site is not within the Principal Public Transport Network area.

3. The Proposal

The application seeks a planning permit for the use of the land for a restricted recreation facility and the display of business identification signage. Specifically, the application proposes the following:

- Use of the existing premises as a restricted recreation facility (fitness centre) trading as EVO FITNESS 24:7.
- Internal fit-out of the existing vacant tenancy, comprising commercial fitness equipment, protective/rubber flooring, minor internal partitions where required, reception and member access equipment, amenities, and CCTV/security equipment.
- No buildings and works to the exterior of the building. There is no extension to the existing building and no increase in building footprint or floor area.
- Operation 24 hours per day, seven days per week.
- A maximum of 30 patrons at any one time.
- A maximum of one (1) staff member at any one time. Staffed periods will generally fall within daytime and evening hours, with the balance of the day operating on an unstaffed basis with electronic member access only. These figures supersede any inconsistent references to patron or staff numbers contained in earlier application material.

This document has been copied and made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

- Retention of the existing vehicle access and the existing car parking arrangements. A total of 26 car parking spaces are available to the premises, comprising six spaces registered on title to Lot 1 and a further 20 spaces available for shared use within the estate.
- Display of one (1) internally illuminated business identification sign measuring 4.0 metres wide by 1.0 metre high, with a total display area of 4.0 square metres, mounted to the existing building frontage facing the South Gippsland Highway service road. The lower edge of the sign is 4.0 metres above natural ground level and the upper edge is 5.0 metres above natural ground level. The sign is not animated, flashing, scrolling or electronic-changeable, and will be illuminated 24 hours a day, seven days a week, consistent with the proposed hours of operation of the facility.
- All fitness activity is conducted inside the building. No outdoor training, outdoor classes or amplified outdoor music is proposed, and no goods, materials or equipment will be stored outside the building.

A Patron Management Plan accompanies the application at Appendix 2, addressing patron arrivals and departures, parking management, noise management, CCTV and security, complaint handling, after-hours contact, incident recording, unstaffed operation, emergency access and the amenity of surrounding businesses and common areas.

The expected hourly patronage of the facility is set out in the table below. These figures are operational forecasts rather than historic counts, and all periods remain subject to the absolute cap of 30 patrons at any one time.

Time period	Expected patrons
12.00am – 5.00am	1 – 4
5.00am – 7.00am	4 – 10
7.00am – 9.00am	8 – 15
9.00am – 3.00pm	4 – 10
3.00pm – 5.00pm	8 – 15
5.00pm – 8.00pm	15 – 25 (typical peak)
8.00pm – 10.00pm	8 – 15
10.00pm – 12.00am	3 – 8

4. Land Use Characterisation

Clause 73.03 of the Greater Dandenong Planning Scheme defines a restricted recreation facility as "land used by members of a club or group for leisure, recreation, or sport, such as a bowling or tennis club, gymnasium and fitness centre".

The proposal is a membership-based gymnasium and fitness centre. Access outside staffed periods is restricted to authorised members using individual electronic credentials. The use falls squarely within the definition of a restricted recreation facility.

Restricted recreation facility is a nested term under Clause 73.03. It is included within "Minor sports and recreation facility", which is in turn included within "Leisure and recreation". Clause 73.03 provides that a term describing a use or activity in relation to land which is not listed in the table must not be characterised as a separate use of land if the term is obviously or commonly included within one or more of the terms listed in the table. As the proposed use is itself a listed land use term, no question of an innominate use arises.

This document has been copied and made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

For completeness, the lease for the premises nominates a permitted use which extends to the retail sale of supplements and to the import, export and distribution of commercial gym equipment. Neither is proposed as part of this application. Any incidental sale of pre-packaged supplements or beverages to members would be ancillary to the restricted recreation facility and would not constitute a separate use of the land.

5. Planning Permit Triggers

Permit Trigger:	Assessment:
Clause 34.02-1	A planning permit is required to use the land for a restricted recreation facility, being a use nested within "Leisure and recreation" in Section 2 of the table to Clause 34.02-1. No condition attaches to the entry.
Clause 52.05-11	A planning permit is required to display the proposed internally illuminated business identification sign. The sign does not meet the Section 1 conditions for an internally illuminated sign in a Category 1 area and therefore falls to Section 2.
Clause 52.29-2	A planning permit is required to create or alter access to a road in a Transport Zone 2. No access is created or altered by the proposal and, for the reasons at Section 12.7, no permit is considered to be triggered. Permission has nonetheless been included in the Section 50 amendment requested by Council, and is sought in the alternative.
Clause 52.06-3	Not triggered. A restricted recreation facility is not a use specified in Table 1 to Clause 52.06-5, so Clause 52.06-6 applies and there is no minimum requirement capable of reduction. If Council takes a different view, a reduction is sought in the alternative and the Car Parking Demand Assessment required by Clause 52.06-7 is provided at Appendix 3.
Clause 52.34-2	Not triggered, on the basis that the four bicycle spaces required by Table 1 to Clause 52.34-5 will be provided on the land. If those spaces cannot be accommodated, permission to vary the requirement is sought in the alternative.

6. Zoning

Commercial 2 Zone (C2Z)

Purpose

The subject site is in the Commercial 2 Zone. The purpose of the C2Z is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To encourage commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services.*
- *To ensure that uses do not affect the safety and amenity of adjacent, more sensitive uses.*

Permit Requirement

- Clause 34.02-1: A planning permit is required to use the land for a restricted recreation facility, being a use nested within "Leisure and recreation" in Section 2 of the table to Clause 34.02-1.

This document has been copied and made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

Decision Guidelines

The decision guidelines are at Clause 34.02-7.

Buildings and Works

Clause 34.02-4 provides that a permit is required to construct a building or construct or carry out works. Council has sought clarification of what buildings and works are proposed and whether they require a permit.

The proposal involves internal fit-out works within the existing building only, comprising commercial fitness equipment, protective/rubber flooring, minor internal partitions where required, reception and member access equipment, amenities, and CCTV and security equipment. There is no extension to the building, no increase in building footprint or floor area, and no alteration to the external appearance of the building. Works of this kind, contained wholly within an existing building and not altering its external appearance, are not considered to require a permit under Clause 34.02-4.

The only externally visible element of the proposal is the proposed business identification sign, for which a permit is sought under Clause 52.05. No other external works, and no works to the car parking area, access or crossovers, are proposed.

Any building permit requirements applying to the internal fit-out or to the sign structure will be addressed separately through the building approval process and do not alter the planning description of the use.

Signs

Clause 34.02-8 provides that sign requirements are at Clause 52.05 and that the zone is in Category 1.



Figure 2: Zoning map (Source: VicPlan)

7. Overlays

No planning scheme overlay is shown as affecting the subject site, and no permit is triggered by an overlay.

This document has been copied and made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

The subject site adjoins the South Gippsland Highway, which is in a Transport Zone 2. The particular provision at Clause 52.29 is addressed below.

8. Particular Provisions

Clause 52.05 – Signs

The purpose of Clause 52.05 is to regulate the development of land for signs and associated structures, and to ensure signs are compatible with the amenity and visual appearance of an area, do not contribute to excessive visual clutter or visual disorder, and do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of a road.

Clause 34.02-8 provides that the Commercial 2 Zone is in Category 1. Clause 52.05-11 sets out the requirements for Category 1 – Commercial areas, a minimum limitation category with the purpose:

- *To provide for identification and promotion signs and signs that add vitality and colour to commercial areas.*

In Category 1 areas, a business identification sign is in Section 1 (permit not required) where the total display area of all signs to each premises does not exceed 8 square metres. An internally illuminated sign is in Section 1 only where:

- *The total display area to each premises must not exceed 1.5 sqm.*
- *No part of the sign may be above a verandah or, if no verandah, more than 3.7 m above pavement level.*
- *The sign must be more than 30 m from a residential zone or pedestrian or traffic lights.*

The proposed sign has a total display area of 4.0 square metres and its lower edge sits 4.0 metres above natural ground level. It therefore does not satisfy the first two Section 1 conditions for an internally illuminated sign and falls to Section 2, where a permit is required. An assessment of the sign against the decision guidelines to Clause 52.05 and the local signs policy at Clause 15.01-1L is provided at Section 12.5.

Clause 52.06 – Car Parking

A restricted recreation facility is not a use specified in Table 1 to Clause 52.06-5. Clause 52.06-6 accordingly applies:

> *Where a use of land is not specified in Table 1 or where a car parking requirement is not specified for the use in another provision of the planning scheme or in a schedule to the Parking Overlay, before a new use commences or the floor area or site area of an existing use is increased, car parking spaces must be provided to the satisfaction of the responsible authority.*

There is therefore no numerical car parking requirement applicable to the proposed use, no car parking shortfall capable of arising, and no permit triggered under Clause 52.06-3. Car parking is a matter to be provided to the satisfaction of the responsible authority. A Traffic Impact Assessment and car parking demand assessment addressing the matters at Clause 52.06-7 has nonetheless been prepared by DFC Engineering and accompanies the application at Appendix 3. Car parking is assessed at Section 12.6.

The Traffic Impact Assessment, which was prepared before this report, expresses the outcome as a shortfall of five spaces for which a reduction is sought. That framing is conservative. If Council takes the view that a reduction is required, one is sought in the alternative, and the Traffic Impact Assessment provides the Car Parking Demand Assessment required by Clause 52.06-7.

This document has been copied and made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

Clause 52.29 – Land Adjacent to the Principal Road Network

Clause 52.29-1 provides that the clause applies to land adjacent to a road in a Transport Zone 2. Clause 52.29-2 provides that a permit is required to create or alter access to a road in a Transport Zone 2.

The subject site adjoins the South Gippsland Highway, which is in a Transport Zone 2. However, access to the site is existing and is taken from the South Gippsland Highway service road, which the Traffic Impact Assessment identifies as a local road under the jurisdiction of the City of Greater Dandenong. No new crossover is proposed and no physical alteration to the existing access arrangement is proposed. On the proper construction of Clause 52.29-2, the words "create or alter" contemplate a physical change to the access; a mere intensification of use or change in traffic volume does not trigger the clause.

On that basis no permit is considered to be triggered under Clause 52.29. Council has nonetheless required that alteration of access to the Transport Zone 2 be included in the application, and a Section 50 amendment request to that effect has been made. Permission is sought in the alternative. The matter is assessed at Section 12.7.

Clause 52.34 – Bicycle Facilities

Clause 52.34-1 provides that a new use must not commence until the required bicycle facilities and associated signage have been provided on the land. There is no exemption for a change of use within an existing building.

A restricted recreation facility is not listed in its own right in Table 1 to Clause 52.34-5. As a term nested within "Minor sports and recreation facility", the rate specified for that use applies, being one employee space to each four employees and one visitor space to each 200 square metres of net floor area.

With a maximum of one staff member at any one time, no employee bicycle space is required (one space to each four employees, rounded to the nearest whole number). Applying the visitor rate to a net floor area of approximately 697 square metres produces a requirement for three (3) visitor bicycle spaces. Four (4) spaces are proposed, which exceeds the requirement on any measure of net floor area.

The applicant proposes to provide four bicycle spaces on the land at a bicycle rail in a location convenient to the building entrance, as noted on the amended site plan at Appendix 1, and would accept a permit condition requiring those facilities to be provided prior to the commencement of the use. On that basis the requirement of Clause 52.34-5 is met in full and no permit is required under Clause 52.34-2. In the alternative, and should Council prefer, permission to vary the requirement is sought under Clause 52.34-2 having regard to the decision guidelines at Clause 52.34-4 and to the Traffic Impact Assessment's finding that cyclist demand in the locality is low.

Clause 53.10 – Uses and Activities with Potential Adverse Amenity Impacts

The table to Clause 53.10 does not list a restricted recreation facility, gymnasium or fitness centre. The referral obligation at Clause 53.10-1 is in any event confined to an application to use land for an industry, utility installation or warehouse. Clause 53.10 has no application to the proposal.

This document has been copied and made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

9. General Provisions

Clause 65.01 – Decision Guidelines

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.

10. Planning Policy Framework

The following objectives and strategies of the Planning Policy Framework (PPF) are relevant to the consideration of this planning application:

PPF Clause:	Relevant Objective/Strategy:
Clause 11.01-1S – Settlement	To facilitate the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.
Clause 11.01-1R – Settlement – Metropolitan Melbourne	Focus investment and growth in, among other places, State-Significant Industrial Precincts.
Clause 13.07-1S – Land use compatibility	To protect community amenity, human health and safety while facilitating appropriate commercial, industrial,

This document has been copied and made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

	infrastructure or other uses with potential adverse off-site impacts. Ensure that use or development of land is compatible with adjoining and nearby land uses. Protect commercial, industrial and other employment generating uses from encroachment by use or development that would compromise the ability of those uses to function safely and effectively.
Clause 15.01-1S – Urban design	To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity. Ensure that development, including signs, minimises detrimental impacts on amenity, on the natural and built environment and on the safety and efficiency of roads.
Clause 17.01-1S – Diversified economy	To strengthen and diversify the economy. Protect and strengthen existing and planned employment areas and plan for new employment areas. Improve access to jobs closer to where people live.
Clause 17.01-1R – Diversified economy – Metropolitan Melbourne	Support diverse employment generating uses, including offices, innovation and creative industries in identified areas within regionally significant industrial precincts, where compatible with adjacent uses and well connected to transport networks.
Clause 17.02-1S – Business	To encourage development that meets the community's needs for retail, entertainment, office and other commercial services.
Clause 17.02-2S – Out-of-centre development	To manage out-of-centre development. Discourage proposals for expansion of single use retail, commercial and recreational facilities outside activity centres. Ensure that out-of-centre proposals are only considered where the proposed use or development is of net benefit to the community in the region served by the proposal or provides small scale shopping opportunities that meet the needs of local residents and workers in convenient locations.
Clause 17.03-3S – Significant industrial land	To protect significant industrial land. Protect state significant industrial precincts from incompatible land uses to allow for future growth. State significant industrial precincts include, but are not limited to, the Southern Industrial Precinct – Dandenong South.
Clause 18.01-1S – Land use and transport integration	To facilitate access to social, cultural and economic opportunities by effectively integrating land use and transport.
Clause 18.02-4S – Roads	To facilitate an efficient and safe road network that integrates all movement networks and makes best use of existing infrastructure.

This document has been copied and made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

11. Local Planning Policy

The following objectives and strategies of the Municipal Planning Strategy and local planning policy are relevant to the consideration of this planning application:

Local Clause:	Objective/ Strategy:
Clause 02.03-7 – Economic development	Strategic directions for economic development include: Facilitate employment and investment in the key economic areas of the municipality. Stimulate growth of industrial and business opportunities unique to the area. Facilitate new development and redevelopment that takes advantage of existing infrastructure and locational benefits of the City's industrial areas. Protect land in industrial zones for industrial activity.
Clause 13.07-1L – Land use compatibility – Greater Dandenong	Discourage non-residential uses within or adjacent to residential areas, except along main roads, collector roads or on corner sites.
Clause 15.01-1L – Signs	Ensure signs are designed to take into account how they will be viewed and read from different modes of travel. Ensure signs are legible and concise in their presentation. Ensure signs are designed to eliminate glare. Integrate signs, where practicable, with existing buildings and structures rather than as stand-alone structures. Discourage illuminated signs (including animated and flashing signs) that have unreasonable light spill outside the sign area. For stand-alone developments, locate signs on a building wall, roof or parapet.
Clause 17.01-1L – Diversified economy – Greater Dandenong	Encourage the establishment of industries that create local employment opportunities.
Clause 17.02-2L – Out-of-centre development – Greater Dandenong	Encourage the integration of commercial and industrial developments in Commercial 2 Zone areas. Discourage stand-alone office development on sites within the Commercial 2 Zones that are outside the designated existing or proposed activity centres, gateway and/or corridor sites.
Clause 17.03-3L – Southern Industrial Precinct – Dandenong South	Locate industries that require buffer distances between 1,000–5,000 metres under Clause 53.10 within the Industrial 2 Zone. Discourage industrial land uses that do not require significant buffer distances from sensitive land uses in the Industrial 2 Zone.
Clause 18.02-4L – Roads and car parking – Greater Dandenong	Ensure that developments, where appropriate, contribute to the supply of shared public car parking in and around activity centres. Ensure that appropriate traffic management measures are implemented where new land uses and development generate significant volumes of traffic.

This document has been copied and made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

12. Assessment

12.1. Strategic and Policy Support

There is strategic and policy support for the proposed use of the land for a restricted recreation facility at 385 South Gippsland Highway, Dandenong South.

The proposal re-occupies a vacant tenancy within an existing commercial estate. It makes efficient use of an established building, an established access arrangement and established car parking, without any expansion of the building envelope or consumption of undeveloped land. That outcome is consistent with the objective of Clause 11.01-1S to facilitate the sustainable growth and development of Victoria through a network of settlements, and with the strategic direction at Clause 02.03-7 to facilitate new development and redevelopment that takes advantage of existing infrastructure and the locational benefits of the City's industrial areas.

The proposal supports a small business and generates local employment, consistent with the objective of Clause 17.01-1S to strengthen and diversify the economy and to improve access to jobs closer to where people live, and with the strategy at Clause 17.01-1L to encourage the establishment of uses that create local employment opportunities.

Clause 17.02-1S seeks development that meets the community's needs for retail, entertainment, office and other commercial services. A fitness centre operating on a 24-hour basis directly serves the shift-working and non-standard-hours workforce that characterises the Dandenong South employment area — a cohort for whom facilities restricted to conventional business hours are less accessible. The proposal provides a genuine local service in a location convenient to the workers it serves, consistent with the direction at Clause 17.02-2S that out-of-centre proposals be considered where they provide small scale opportunities that meet the needs of local residents and workers in convenient locations.

12.2. Use – Commercial 2 Zone

The subject site is in the Commercial 2 Zone. A restricted recreation facility is a use nested within "Leisure and recreation", which appears in Section 2 of the table to Clause 34.02-1 without condition. A planning permit is required, and the discretion to grant it is to be exercised having regard to the decision guidelines at Clauses 34.02-7 and 65.01.

While the proposed use is not itself an office, manufacturing or retail use, the second purpose of the zone expressly contemplates "associated business and commercial services", and Section 2 of the zone table anticipates leisure and recreation uses as an acceptable use category subject to permission. Indoor fitness centres are commonly located within commercial and industrial estates. Their operating characteristics — indoor activity, low traffic generation, no outdoor storage, no emissions and no goods movement — are well suited to a tenancy of this kind and are entirely compatible with the surrounding commercial uses.

The third purpose of the zone is to ensure that uses do not affect the safety and amenity of adjacent, more sensitive uses. There are no sensitive uses adjoining or in proximity to the subject site. The surrounding land is in the Commercial 2 Zone and is occupied by distribution, storage and trade businesses. The nearest residentially zoned land is well removed from the site and separated from it by the South Gippsland Highway and the surrounding commercial and industrial estates.

The decision guidelines at Clause 34.02-7 are addressed as follows. As to "the effect that existing uses may have on the proposed use", the proposal is the reverse: the use is conducted entirely inside an existing building, its patrons are temporary customers of choice for short periods, and it introduces no receptors that could constrain the operation of

This document has been copied and made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

neighbouring businesses. As to "the effect of traffic to be generated on roads" and "the provision of car parking", these matters are addressed at Sections 12.6 and 12.7 and are supported by the Traffic and Parking Impact Assessment at Appendix 3. The land is already developed and connected to services, and as a change of use involving no buildings and works there is no change to the drainage of the land. No interim use of any part of the land arises.

12.3. Out-of-Centre Development and Industrial Land

Two policy strands warrant direct attention.

First, Clause 17.02-2S discourages proposals for the expansion of single use retail, commercial and recreational facilities outside activity centres. That strategy is directed at large-format, single-purpose facilities of a scale capable of drawing activity away from designated centres, and it is directed at expansion. The proposal is neither. It occupies an existing tenancy of approximately 700 square metres within an established commercial estate, involves no new floor area, and draws its catchment principally from the surrounding employment area rather than from any activity centre. Clause 17.02-2S further directs that out-of-centre proposals be considered where they are of net benefit to the community in the region served or provide small scale opportunities meeting the needs of local residents and workers in convenient locations. The proposal returns a vacant tenancy to productive use and provides a service directly to the local workforce.

The local counterpart at Clause 17.02-2L encourages the integration of commercial and industrial developments in Commercial 2 Zone areas and discourages only stand-alone office development in out-of-centre Commercial 2 Zone locations. No such concern arises here.

Second, Clause 17.03-3S seeks to protect state significant industrial precincts, including the Southern Industrial Precinct at Dandenong South, from incompatible land uses. The subject site is in the Commercial 2 Zone, not an industrial zone. The proposal consumes no industrially zoned land and does not reduce the supply of land available for industry. The local expression of that policy at Clause 17.03-3L is directed specifically at the Industrial 2 Zone and to industries requiring buffer distances under Clause 53.10, and has no application to the subject site.

Clause 13.07-1S seeks to protect commercial, industrial and other employment generating uses from encroachment by use or development that would compromise their ability to function safely and effectively. A wholly indoor fitness centre introduces no sensitivity of that kind. It is not a use listed in the table to Clause 53.10, it provides no accommodation, no outdoor amenity area and no extended dwell time by vulnerable populations, and its patrons attend voluntarily and briefly. The proposal is not expected to constrain the operations of any neighbouring business.

12.4. Title Covenant BA129678K

Section 61(4) of the Planning and Environment Act 1987 provides that the responsible authority must not grant a permit which would authorise anything which would result in a breach of a registered restrictive covenant. Each of the five restrictions in Covenant BA129678K has been considered against the proposal.

Restriction 1 – external finishes. No painting or refinishing of any external surface of the building is proposed. The proposed sign is affixed to the building façade and does not constitute a painted or finished external surface. Should any external repainting be proposed in the future, the written approval of the Owners Corporation will be obtained.

Restriction 2 – outdoor storage. No goods, materials, containers, commodities, tanks, plant, machinery or rubbish will be stored or placed outside the building. All fitness equipment and all activity is internal. The Patron Management Plan expressly prohibits patrons from leaving equipment or rubbish in common areas.

This document has been copied and made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

Restriction 3 – bank, cafe/take away food premises or restaurant. None of these uses is proposed. The proposal is a restricted recreation facility. No food and drink premises use is proposed, and any incidental sale of pre-packaged supplements or beverages to members would be ancillary to the fitness centre rather than a separate use of the land.

Restriction 4 – specified uses including a "place of worship or assembly". None of the specified uses is proposed. The reference to a place of assembly is to be read consistently with restriction 3, which expressly adopts the meanings given in the Greater Dandenong Planning Scheme. Under Clause 73.03 of that Scheme, "Place of assembly" is a distinct land use term which includes amusement parlours, carnivals, cinema based entertainment facilities, circuses, function centres, halls, nightclubs and places of worship. A restricted recreation facility is not nested within Place of assembly; it is nested within Minor sports and recreation facility, which in turn sits within Leisure and recreation. On that construction restriction 4 is not engaged. Should the Owners Corporation or Council take a different view of the words "place of … assembly", the applicant would seek the written consent of the Owners Corporation under restriction 4 in the alternative.

Restriction 5 – motor vehicle mechanic, panel beating or spray painting. None of these uses is proposed.

On the above assessment the proposal does not result in a breach of Covenant BA129678K, and section 61(4) of the Act is not engaged.

Separately, and independently of the covenant, the land is affected by Owners Corporation 1 PS918170G. The Owners Corporation has provided its written consent to the operation of the facility, including after-hours access by members, subject to conditions relating to the administration of a single electronic fob access system by the operator. That consent is at Appendix 7 and the access conditions are reflected in the Patron, Security and Staff Management Plan at Appendix 2. The consent also extends expressly to the use of the common car parking at the complex by the proposed use, being the shared car parking relied upon in the Traffic and Parking Impact Assessment.

12.5. Signage

One internally illuminated business identification sign is proposed. It measures 4.0 metres wide by 1.0 metre high, has a total display area of 4.0 square metres, and will be mounted to the existing building frontage facing the South Gippsland Highway service road with its lower edge 4.0 metres and its upper edge 5.0 metres above natural ground level. The sign will display the business name only. It is not animated, flashing, scrolling or electronic-changeable, and will be illuminated 24 hours a day, seven days a week, consistent with the proposed hours of operation of the facility. The sign is an acceptable outcome for the following reasons:

- The sign is limited to business identification. The total display area of all signage to the premises is 4.0 square metres, being half of the 8 square metre threshold which Category 1 treats as not warranting a permit for a business identification sign of itself. The permit trigger arises because the sign is internally illuminated: as an internally illuminated sign it exceeds the 1.5 square metre Section 1 threshold and is mounted more than 3.7 metres above pavement level. The sign is shown on the signage plan at Appendix 1.
- Category 1 is a minimum limitation category with the purpose of providing for identification signs that add vitality and colour to commercial areas. A single, modestly scaled, wall-mounted identification sign on a highway-frontage commercial building is entirely conventional in this setting and is consistent with the prevailing pattern of signage in the precinct.
- The sign is integrated with the existing building rather than provided as a stand-alone structure, and is located on a building wall. This is consistent with the strategies at Clause 15.01-1L to integrate signs with existing buildings and

This document has been copied and made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

structures where practicable, and, for stand-alone developments, to locate signs on a building wall, roof or parapet.

- The content of the sign is concise and legible and is designed to be read from a vehicle travelling on the highway and the service road, consistent with the strategies at Clause 15.01-1L requiring signs to be legible, concise, and designed having regard to how they will be viewed and read from different modes of travel.
- Illumination is internal and non-flashing, and the sign will be constructed so as to avoid glare and unreasonable light spill outside the sign area. This is consistent with the strategies at Clause 15.01-1L discouraging illuminated signs with unreasonable light spill, and with Clause 15.01-1S, which requires development including signs to minimise detrimental impacts on amenity and on the safety and efficiency of roads.
- The sign will be illuminated at all times that the facility is open, being 24 hours a day, seven days a week. Continuous illumination is appropriate in this instance. There is no residential zone in proximity to the subject site and no dwelling capable of being affected by the illumination; the surrounding land is in the Commercial 2 Zone and is occupied by commercial and industrial uses which are largely unoccupied overnight. Illumination of the sign during unstaffed overnight periods assists members to identify the premises and contributes to passive surveillance and personal safety at the entrance, which is a positive outcome for a facility operating on a 24-hour basis. The sign is a modest 4.0 square metres, is internally illuminated at a constant level, does not flash, scroll or change, and will be constructed to avoid glare and unreasonable light spill beyond the sign area.
- The sign is mounted flush to the building façade well above pedestrian level. It does not project over any footpath, does not obstruct sightlines at the site access, and is not capable of being confused with a traffic control device.
- The sign is proportionate to the scale of the building and of the site, does not result in visual clutter, and will not obscure any architectural feature of significance.

12.6. Car Parking Provision

The correct statutory starting point is Clause 52.06-6. Following Amendment VC277, a restricted recreation facility is not a use specified in Table 1 to Clause 52.06-5, and where a use is not specified in Table 1, car parking must be provided to the satisfaction of the responsible authority. There is accordingly no numerical requirement against which a shortfall can arise and no permit is triggered under Clause 52.06-3. The question for Council is simply whether the car parking provided is satisfactory.

The Traffic and Parking Impact Assessment at Appendix 3 adopts a deliberately conservative first-principles rate of one space per person, producing a notional demand of 31 spaces against the 26 spaces available, and expresses the difference as a shortfall for which a reduction is sought. In light of the current form of Clause 52.06 no reduction is in fact required. The underlying demand analysis is nonetheless sound and is adopted here.

The car parking provided is satisfactory for the following reasons:

- A total of 26 car parking spaces are available to the premises, comprising six spaces registered on the title to Lot 1 and a further 20 spaces available for shared use within the estate, the use of which is subject to the consent of the Owners Corporation. The estate contains 87 spaces in total, including two accessible spaces.
- The rate of one space per person adopted in the Traffic Impact Assessment is conservative. It assumes that every patron and the staff member arrives

This document has been copied and made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

separately, arrives by car, and is present simultaneously at the 30-patron cap. The applicant's forecast hourly patronage peaks at 15 to 25 patrons between 5.00pm and 8.00pm, and the 30-patron cap is an absolute ceiling rather than a design occupancy.

- Attendance at a 24-hour fitness centre is intermittent and short-stay in nature. Turnover of parking is high, and demand is distributed across the full 24-hour cycle rather than concentrated into a single peak. Only the single staff member generates a long-stay parking demand.
- The forecast peak patronage period of 5.00pm to 8.00pm falls outside the typical 7.00am to 5.00pm operating hours of the neighbouring businesses within the estate. The periods of highest demand generated by the proposal therefore coincide with the periods of greatest availability of shared parking. The overnight period, when the estate is otherwise unoccupied, generates the lowest demand of all.
- The proposal makes efficient use of consolidated shared parking within an existing commercial estate, consistent with the purpose of Clause 52.06 to promote the efficient use of car parking spaces through the consolidation of car parking facilities, and with Clause 18.02-4L.
- Knowles Road is not subject to time-based or paid parking restrictions and permits unrestricted kerbside parking. While the Traffic Impact Assessment does not anticipate that on-street parking will be required, on-street capacity is available in a location where it would not affect any residential area.
- The existing car parking spaces are already constructed, and the Traffic Impact Assessment concludes that their dimensions are consistent with AS2890.1:2004. No reconfiguration of the parking area is proposed or required, and the Traffic Impact Assessment confirms there is no practical scope to provide additional spaces within the estate.
- The Owners Corporation has consented in writing to the operation of the facility, including after-hours member access, and expressly to the use of the common car parking at the complex by the proposed use (Appendix 7).

The applicant would accept a permit condition limiting the number of patrons on the premises to a maximum of 30 at any one time, which secures the basis on which the parking demand has been assessed.

12.7. Traffic and Access

Vehicle access to the subject site is existing and is taken from the South Gippsland Highway service road. No new crossover is proposed and no alteration to the existing access arrangement is proposed. The Traffic Impact Assessment confirms that the existing access arrangements are acceptable and consistent with AS2890.1:2004 and the requirements of the Greater Dandenong Planning Scheme.

As to traffic generation, the Traffic Impact Assessment applies the rate for gymnasium uses in the RTA Guide to Traffic Generating Developments of three vehicle trips per 100 square metres of gross floor area in the peak hour, producing a generation of 21 vehicle trips in the peak hour. That is a low level of generation, and the assessment concludes that the proposal will operate as a low-intensity traffic generator with a negligible impact on the surrounding road network. The identified peak hour of 6.00pm to 7.00pm again falls outside the operating hours of the neighbouring businesses.

As to Clause 52.29, no access is created or altered by the proposal. The existing access is retained in its current form and location, and the change is one of use and intensity only. On the proper construction of Clause 52.29-2 no permit is triggered. Council has nonetheless required that the matter be included in the application by way of the section 50 amendment.

This document has been copied and made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

and it has been.

Permission is nonetheless sought in the alternative. If Council forms the view that the clause is engaged, the application will require referral under Clause 66.03 to the Head, Transport for Victoria. Applying the decision guidelines at Clause 52.29-6, there is no change to the operation of the road or to public safety: the access point, its geometry and its location are unaltered, the traffic generated is low, and the peak generation falls outside the peak of the surrounding commercial estate. The views of the relevant road authority are a matter for that authority.

12.8. Bicycle Facilities

Applying the rate for a Minor sports and recreation facility in Table 1 to Clause 52.34-5, the proposal generates a requirement for three visitor bicycle spaces and no employee spaces. The applicant proposes to provide four bicycle spaces at a bicycle rail in a location convenient to the building entrance, satisfying the requirement in full without the need for a permit under Clause 52.34-2. In the alternative, permission to vary the requirement is sought, having regard to the Traffic Impact Assessment's finding that cyclist demand in the locality is low and that there is no designated bicycle path along the South Gippsland Highway frontage.

The provision of bicycle parking is consistent with the objective of Clause 18.01-1S to facilitate access to social, cultural and economic opportunities by effectively integrating land use and transport, and supports active transport access to the facility by workers employed within the surrounding estate, for whom the site is within walking distance. The Traffic Impact Assessment records that pedestrian and cyclist movement in the locality is low and that there is no designated bicycle path along the highway frontage; the provision of bicycle parking nonetheless removes any barrier to cycling for those who choose to do so.

12.9. 24-Hour Operation, Security and Patron Management

Council has sought justification for the proposed 24-hour operation, including expected hourly patronage, unstaffed operating arrangements, security procedures and emergency response procedures. Each is addressed below.

Justification. A 24-hour model spreads demand across the day and night rather than concentrating attendance into conventional business hours. That characteristic is particularly suited to Dandenong South, where the catchment includes shift workers and employees with non-standard working hours who find facilities operating restricted hours less accessible. The practical consequence for the planning assessment is that a 24-hour facility of this size produces a lower peak intensity — in patron numbers, traffic generation and parking demand — than a comparable facility confined to conventional hours. The operation remains entirely indoors at all times.

Expected hourly patronage. The forecast hourly patronage is set out at Section 3 of this report. The forecast peak of 15 to 25 patrons occurs between 5.00pm and 8.00pm. Between midnight and 5.00am the expected patronage is one to four patrons. All periods remain subject to the absolute cap of 30 patrons at any one time.

Staffed and unstaffed arrangements. Up to one staff member will be present during staffed and customer service periods, generally falling within daytime and evening hours. Outside staffed periods the facility is available only to authorised members using individual electronic credentials. Tailgating and unauthorised entry are prohibited under the facility rules, and management may suspend or cancel access for repeated safety, conduct or parking breaches.

Security. The premises will operate with electronic access control providing an auditable record of every entry, CCTV coverage of the entry and exit and of key internal areas operating

This document has been copied and made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

continuously, and alarm and security systems supporting after-hours operation. CCTV will be managed in accordance with applicable privacy requirements. An incident register will record the date and time, incident type, persons involved where appropriate, action taken, review of CCTV and access logs, follow-up action and outcome. Serious incidents will be escalated to emergency services or police where required.

Emergency response. Emergency exits, egress paths, fire equipment and access required by emergency services will remain clear at all times, and no equipment, storage or patron activity may obstruct designated emergency routes. Emergency instructions and the operator's after-hours contact will be displayed at the premises. Members are instructed to contact emergency services on 000 in an emergency and to report incidents to management.

Context. The surrounding context is well suited to unstaffed overnight operation. There are no dwellings within the estate or in its immediate vicinity and no sensitive interface. The estate is largely unoccupied outside business hours, which means the periods of unstaffed operation coincide with the periods of least potential for conflict with other occupiers.

The applicant would accept permit conditions requiring the facility to operate generally in accordance with an endorsed Patron Management Plan, limiting patron numbers to a maximum of 30 at any one time, and requiring the after-hours management contact to be displayed at the premises at all times.

12.10. Off-site Amenity

Less weight attaches to amenity considerations in a Commercial 2 Zone than in a residential or mixed use setting. Any proposal must nonetheless acknowledge the adjoining uses and buildings. The proposed use is appropriately located within an established commercial estate which contains no heavy industry that would impact, or be impacted by, the proposed use. The use will not detrimentally affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land. The use generates no goods movement beyond occasional deliveries of consumables and periodic servicing of equipment. No loading or unloading of any significance arises.
- Appearance of any building works or materials. No external building works are proposed. The appearance of the building is unchanged apart from the addition of the business identification sign.
- Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil. All fitness activity is conducted inside the building. No outdoor training, outdoor classes or amplified outdoor music is proposed. Rubber and protective flooring will be used in weight training areas, the deliberate dropping of weights and excessive noise are prohibited under the facility rules, and entry doors are to remain closed except for normal access where practicable. Artificial light is limited to the internally illuminated business identification sign, which is of a constant, non-flashing character, is directed to the sign face only, and is not capable of causing light spill to any sensitive use, there being none in the vicinity.

The Patron Management Plan requires patrons to arrive and depart quietly, particularly during evening and overnight periods, and prohibits congregation outside the premises, the blocking of common accessways and disturbance to adjoining businesses. It also prohibits patrons from training outside, leaving equipment or rubbish in common areas, using adjoining tenancy loading areas, or creating unreasonable noise in external and common areas. Complaints relating to noise, parking, patron behaviour or operational impacts will be logged, investigated promptly and responded to by management, with corrective action including contacting the relevant member, changing operating practices or imposing membership sanctions.

The use is not expected to have unacceptable impacts on adjoining uses within the precinct. There are no nearby residential zones. The existing uses will not adversely affect the proposed

This document has been copied and made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

use, or vice versa. Off-site impacts from the use are therefore expected to be minimal.

13. Conclusion

The proposal and the supporting documentation demonstrate that the proposal is consistent with the relevant objectives, policies and decision guidelines of:

- The Planning Policy Framework (PPF);
- The Municipal Planning Strategy and local planning policy;
- The Commercial 2 Zone; and
- Clauses 52.05, 52.06, 52.29, 52.34 and 65.01.

The proposal returns a vacant tenancy within an established commercial estate to productive use, generates local employment, and provides a service directly suited to the shift-working workforce of the Dandenong South employment area. It involves no external buildings and works, no increase in floor area, no alteration to access, no consumption of industrial land and no sensitive interface. Car parking is provided to the satisfaction of the responsible authority within an existing consolidated parking area, the proposed signage is modest and conventional for its setting, and the 24-hour operation is supported by electronic access control, CCTV, alarm systems and a comprehensive Patron Management Plan.

It is respectfully requested that Council issue a planning permit for the use of the land for a restricted recreation facility, the display of an internally illuminated business identification sign and, to the extent required, the alteration of access to a road in a Transport Zone 2, at 385 South Gippsland Highway, Dandenong South.

Appendices

1. Appendix 1 – Amended Plans (Site Plan and Signage Plan).
2. Appendix 2 – Revised Patron, Security & Staff Management Plan.
3. Appendix 3 – Traffic and Parking Impact Assessment — DFC Engineering, Ref 002634-Rev A, 10 August 2026 — and supporting title documents.
4. Appendix 4 – Section 50 Amendment Form.
5. Appendix 5 – Register Search Statement, Plan of Subdivision PS918170G and Covenant BA129678K (Memorandum of Common Provisions AA011296).
6. Appendix 6 – Planning Report (this report).
7. Appendix 7 – Owners Corporation 1 PS918170G written consent.

This document has been copied and made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.