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Date Plans Provided: 16/09/2024

## **Town Planning Submission**

**60 Mossfiel Drive, Hoppers Crossing**

**Wyndham Planning Scheme**

**June 2024**

**WYNDHAM CITY COUNCIL**  
**Town Planning**  
**Advertised Documents**

**Plan: 1 of 23**

## 1.0 Introduction

Planning permission is sought to amend Planning Permit WYP11500/19.01 on land at 60 Mossfiel Drive, Hoppers Crossing.

The Planning Permit allows:

*Buildings and works and use of the new building as a place of assembly.*

Pursuant to Section 72 of the *Planning & Environment Act 1987* permission is sought to amend the Permit to allow for an amended built form arrangement to the rear of the site comprising a reduced assembly hall and the addition of a foyer and multipurpose room to the rear of the existing hall. An amended car parking arrangement is proposed. No change is proposed to the use, patrons or hours of operations.

The proposal was amended 14 September 2020 to accommodate a change to the hours, patron numbers and the use and development of the land. An extension of time was granted to the permit on 8 January 2024. Plans and elevations were endorsed by Council on the 16 May 2024.

### Planning Controls

The site is located within a General Residential Zone (Schedule 1 – GRZ1) pursuant to provisions of the Wyndham Planning Scheme and is not covered by any overlay controls.

The Section 72 application requires the following planning approvals pursuant to the Wyndham Planning Scheme:

- Use of the land for the purpose of “Place of Worship” pursuant to Clause 32.08-2 of the General Residential Zone;
- Building and works associated with a Section 2 use pursuant to Clause 32.08-10 of the General Residential Zone; and
- A reduction in the car parking requirements pursuant to Clause 52.06 of the particular provisions.

This report provides an assessment of the proposal against relevant provisions of the Wyndham Planning Scheme and should be read in conjunction with:

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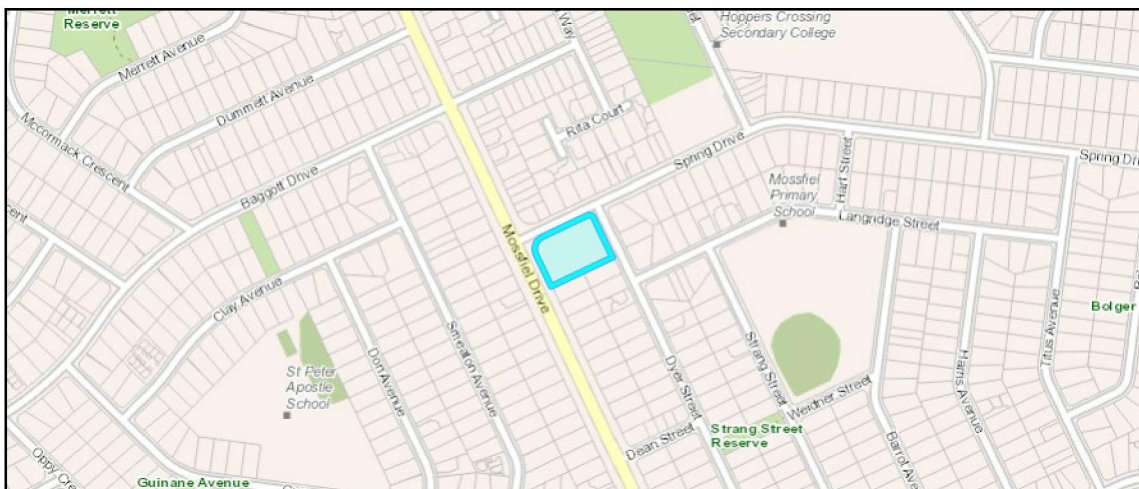
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- Architectural drawings and elevations prepared by Insite Architects Pty Ltd.
- A Traffic Engineering Assessment prepared by Ratio.

## 2.0 Site Analysis

### 2.1 Subject Site

The subject site is located on corner of Mossfiel Drive, Spring Drive and Dyer Street, within an established residential area of Hoppers Crossing.



Cadastral map of the subject site



Aerial Photo of the subject site

The land is described as Consolidated Plan 170874. No covenants or easements encumber the site. The overall site forms a roughly rectangular shaped parcel of land with a skewed east to west and is orientated towards the street. The site has frontage to Mossfiel Drive of 36.42 metres, a curved driveway to

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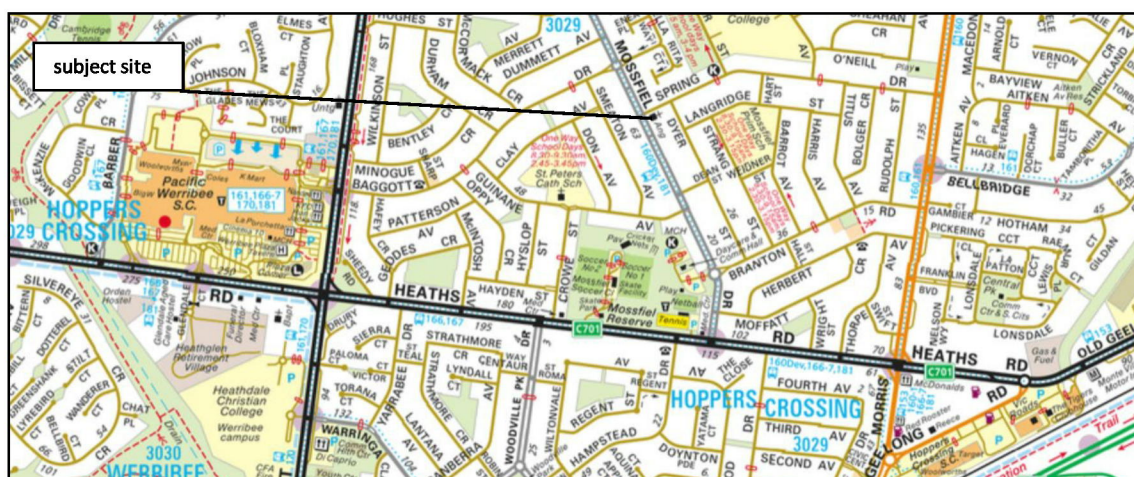
Date Plans Provided: 16/09/2024

Spring Drive 13.7 metres, and an abuttal to Spring Drive of 55.54 metres and is bound to the east by Dyer Street for a length of 47.09 metres. The overall site area is approximately 3469 square metres.

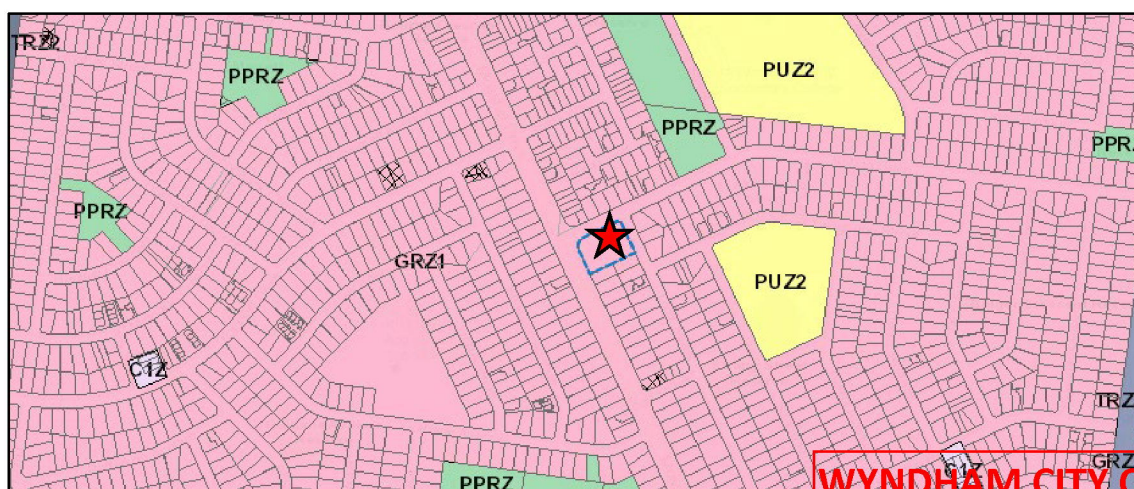
The land is essentially flat and does not contain any trees of significance and has been developed with an irregularly shaped single storey building (the church), which has an angled frontage to Mossfiel Drive. A separate dwelling is featured to the southwest corner of the land. The lot is serviced by a crossover to Spring Drive, which provides access to informalised car parking to the rear of the site, alongside the Dyer Street abuttal.

## 2.2 Surrounds

The subject site is located within an established residential area of Hoppers Crossing, approximately 1.3 kilometres to the north-east of Werribee Plaza.



Location Map (source: Melways)



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Town Planning  
Zoning Map  
Advertised Documents

Plan: 4 of 23



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Date Plans Provided: 16/09/2024

In relation to the site's immediate context, the subject site abuts two lots.

The land at 58 Mossfiel Drive has been developed with a single storey dwelling of brick construction. The dwelling features an angled orientation to Mossfiel Drive and is setback from all site boundaries. A crossover is featured to the southern side of the frontage, providing access to a detached garage provided alongside the dwelling. An area of secluded private open space is featured to the rear of the dwelling. A number of outbuildings are featured within the secluded private open space including alongside the common boundary with the subject site.

The land at 4 Dyer Street has been developed with a single storey dwelling of brick construction that features a pitched roof form. The dwelling features an angled orientation to Mossfiel Drive and is setback from all site boundaries. A crossover is featured to both the northern and the southern side of the frontage, providing access to an attached carport alongside the dwelling. An area of secluded private open space is featured to the rear of the dwelling. An outbuilding is featured within the secluded private open space alongside the common boundary with the subject site.

### 3.0 Proposal

Planning permission is sought to amend Planning Permit WYP11500/19.01 on land at 60 Mossfiel Drive, Hoppers Crossing.

The Planning Permit allows:

*Buildings and works and use of the new building as a place of assembly.*

The proposal was amended 14 September 2020 to accommodate a change to the hours, patron numbers and the use and development of the land. An extension of time was granted to the permit on 8 January 2024. Plans and elevations were endorsed by Council on the 16 May 2024.

#### Section 72 Amendment

Pursuant to Section 72 of the *Planning & Environment Act 1987* permission is sought to amend the Permit to allow for an amended built form arrangement to the rear of the site comprising a reduced assembly hall and the addition of a foyer and multipurpose room to the rear of the existing hall. An amended car parking arrangement is proposed. No change is proposed to the use

WYNDHAM CITY COUNCIL  
Town Planning  
Advertised Documents

Plan: 5 of 23

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patrons or hours of operations.

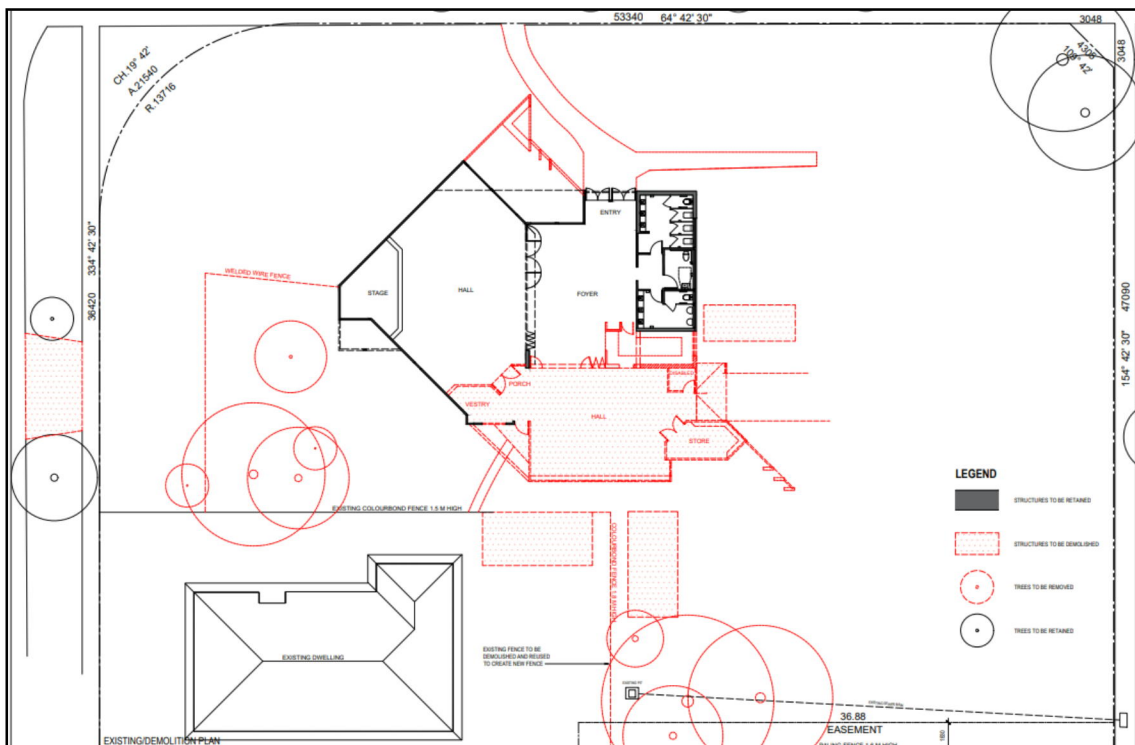
### Approved Use

The application proposes building and works to extend the existing church with the occupiers retaining the current approved "place of worship" use upon completion.

The church will continue to offer church services as a result of the works, which are in accordance with the approved use, hours of operation and patron numbers specified at Condition 3 and Condition 4 of the Planning Permit:

### Building and Works

The building and works proposed by the application comprise the demolition of some of the existing church structure to the northern, eastern and southern elevations, together with the removal of some vegetation fencing and outbuildings as shown below:



Excerpt of site plan showing proposed demolition

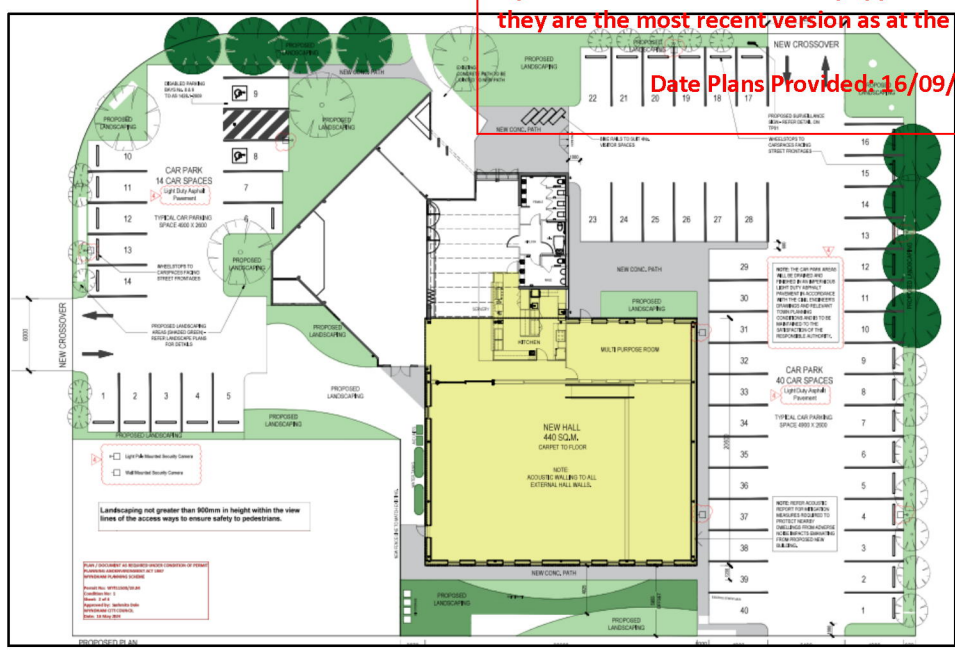
The proposed works provide for an amended built form arrangement to the rear of the site comprising a reduced assembly hall and the addition of a foyer and multipurpose room to the rear of the existing hall. The works shall be in accordance with the original approval as shown below:

WYNDHAM CITY COUNCIL  
Town Planning  
Advertised Documents

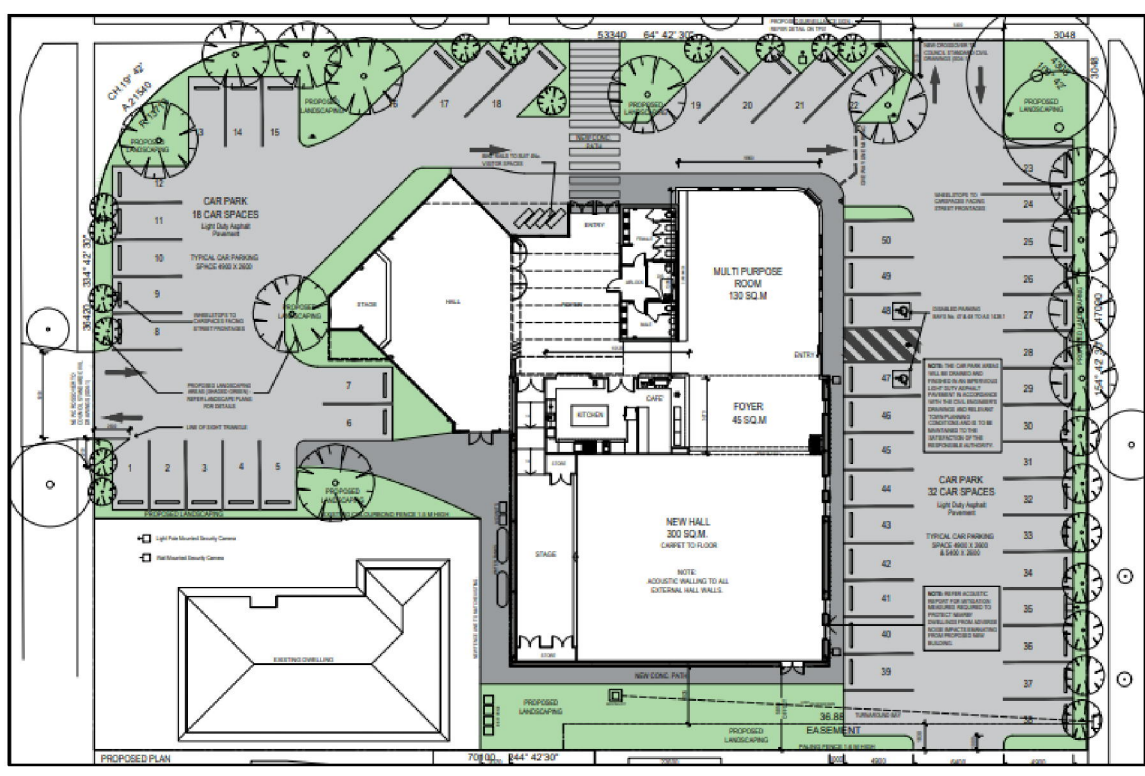


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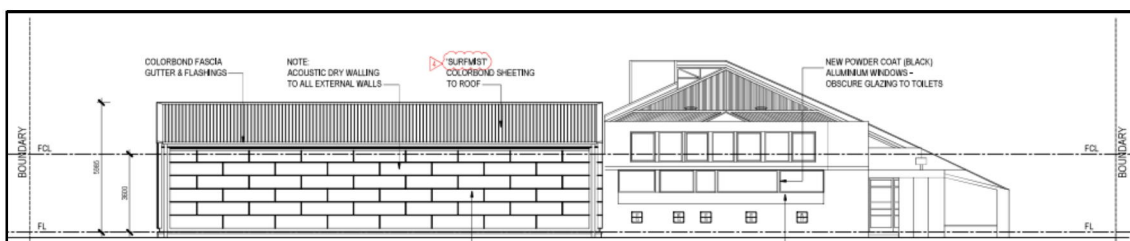
Excerpt from Proposed Plans

In addition to the change to the floor plan, the façade detailing to the southern elevation has been amended to include one opening, in lieu of the eight (8) windows endorsed under the previous scheme as shown below:

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Architectural elevation drawing of a building. The drawing shows a gabled roof structure with corrugated metal siding. The building has a series of vertical windows or doors along the side. Dimensions are indicated on the right side: a height of 3000 and a width of 3000. Material specifications are noted: 'SURFMIST COLORBOND SHEETING TO WALLS & ROOF' and 'POWDER COAT (B) ALUMINIUM WINDOWS'. A red line highlights the text 'they are the most recent version as at the' and 'Date Plans Provided: 16/09/2019'.

To the eastern elevation, a change is proposed to the finish and to the fenestration proposed. The endorsed scheme includes expressed concrete panel cladding, with the amended scheme a mixture of colourbond and timber look cladding is proposed.



COLORBOND FASCIA GUTTER & FLASHINGS

POWDER COAT (BLACK) ALUMINUM WINDOWS

COLORBOND SHEETING TO WALLS & ROOF

'TIMBER LOOK' ALUMINUM CLADDING

FCL

3000

F.L.

FCL

3000

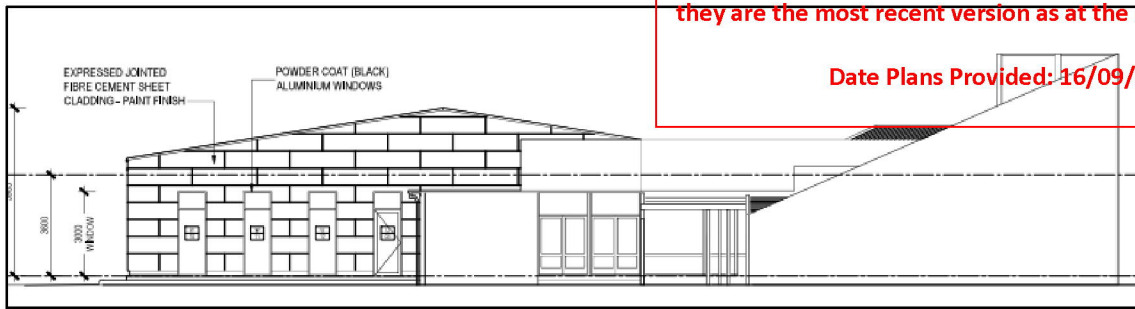
F.L.

To the northern elevation, an amended fenestration arrangement and finish is proposed, as noted above.

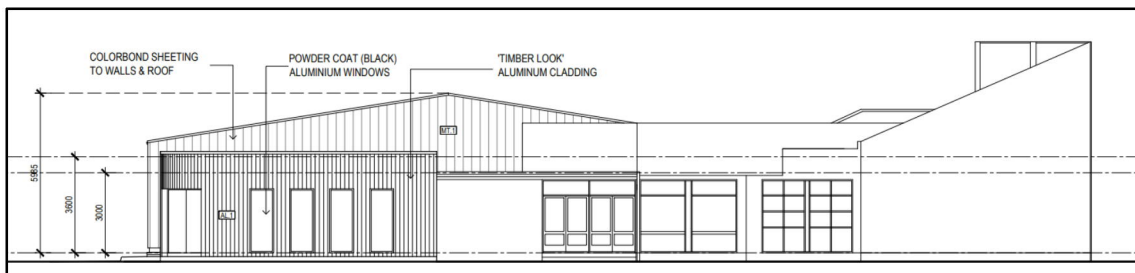


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Excerpt from Endorsed Plans



Excerpt from Proposed Plans

No change is proposed to the overall height of the proposal. The amended scheme will include the same acoustic measures approved by way of the original permit.

### Access and Car Parking

The building and works proposed by the application will result in a minor increase to the gross floor area of the existing use, thus requiring assessment against the provisions of Clause 52.06. The "place of assembly" use requires 0.3 spaces multiplied by the number of patrons (maximum of 180 patrons) equating to a statutory requirement of 54 car parking spaces. The amended application proposes 50 car parking spaces.

A Traffic Impact Assessment has been prepared by Ratio Consultants Pty Ltd to accompany the application.

### Amendments to Permit Required

To accommodate the proposed amendments to the scheme no changes are required with respect to the preamble.

It is proposed to delete Condition 1 of the Permit with all subsequent conditions of the Permit would be renumbered. This would allow for the endorsement of plans as submitted with this Section 22 Amendment Application.

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Town Planning  
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## 4.0 Relevant Planning Provisions

Policies of the Wyndham Planning Scheme of relevance to the application are identified below:

### 4.1 Planning Policy Framework

#### Clause 11 Settlement

- 11.01-1R Settlement - Metropolitan Melbourne

#### Clause 15 Built Environment and Heritage

- 15.01-1S Urban design
- 15.01-1R Urban design - Metropolitan Melbourne

#### Clause 17 Economic Development

- 17.01-1R Diversified Economy – Metropolitan Melbourne
- 17.01-1R Diversified Economy – Metropolitan Melbourne
- 17.02-1S Business

#### Clause 18 Transport

- 18.01-1S Land use and transport planning
- 18.02-1R Sustainable personal transport - Metropolitan Melbourne

### 04.2 Local Planning Policy Framework

- 02.01 Context
- 02.03-5 Built Environment and Heritage
- 02.03-7 Economic Development
- 15.01-5L Wyndham Preferred Neighbourhood Character

### 04.3 Zoning

- 32.08 General Residential Zone (Schedule 1)

**WYNDHAM CITY COUNCIL**  
**Town Planning**  
**Advertised Documents**

**Plan: 10 of 23**



## 04.4 Overlays

- No overlay controls.

## 04.5 Particular and General Provisions

The following Particular and General Provisions are relevant to the proposal:

- 52.06 Car Parking
- 65 Decision guidelines

## 5.0 Planning Assessment

An assessment of the proposed development requires consideration of the following matters:

- The level of strategic support at both the State and Local Planning Policy Framework levels.
- The appropriateness of the proposed use and development having regard for the surrounding context and the relevant built form policies contained in the Planning Scheme.
- The suitability of access and car parking arrangements.

An assessment against these issues has been provided below.

## 5.1 Strategic Considerations

The relevant policy directions outlined in the Wyndham Planning Scheme encourage the development of well-designed buildings which make effective use of existing infrastructure. This development is required to meet the communities' needs for a variety of services and to improve access to the amenities proposed.

In relation to the State Planning Policies, Clause 11.01 (Settlement - Metropolitan Melbourne) and Clause 17 (Economic Development) identify the need to deliver an urban structure that drives productivity, attracts investment, supports innovation and creates jobs. Commercial development is therefore required in appropriate areas to deliver neighbourhoods offering work and

In relation to the State Planning Policies, Clause 11.06 (Settlement) identifies the need to deliver an urban structure that drives productivity, attracts investment, supports innovation and creates jobs. Community uses in appropriate areas are required to achieve these outcomes by delivering neighbourhoods that offer a mix of uses and providing community infrastructure. This is reflected in the following objectives of the State Planning Policy Framework (inter alia):

## **11 Settlement**

*Planning is to facilitate sustainable development that takes full advantage of existing settlement patterns and investment in transport, utility, social, community and commercial infrastructure and services.*

### **11.01-1S Settlement**

*Objective: To facilitate the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.*

#### **Strategies:**

*Develop sustainable communities through a settlement framework offering convenient access to jobs, services, infrastructure and community facilities.*

*Ensure retail, office-based employment, community facilities and services are concentrated in central locations*

### **19.02-4S Social and Cultural Infrastructure**

*Objective: Planning for development of social and physical infrastructure should enable it to be provided in a way that is efficient, equitable, accessible and timely.*

#### **Strategies:**

*Plan and design community places and buildings so they can adapt as the population changes and different patterns of work and social life emerge.*



The proposed use will provide employment and appropriate social infrastructure that services the local community as the following objectives of the State Policy Frameworks identify:

#### **19.02-4S Distribution of social and cultural infrastructure**

**Objective:** *To provide fairer distribution of and access to of social and cultural infrastructure.*

Wyndham's Municipal Planning Strategy acknowledges the requirement of additional community services close to population centres and this is reflected in the land use and settlement patterns. This is reflected at Clause 02.02 with respect to the "Vision" noting (emphasis added):

*Wyndham City's planning vision is for a healthy, liveable city that:*

- *Is future-focused and plans for sustainable development.*
- *Embraces diversity and is welcoming and inclusive.*
- *Consists of connected, vibrant neighbourhoods that provide for the cultural, social, economic and recreational needs of the community.*
- *Encourages a healthy and active lifestyle.*
- *Supports the diverse educational needs of the community.*
- *Empowers the community to lead.*

Council further notes an increase in the population demands due the designation as a growth corridor which then requires additional community facilities with the local context at Clause 02.01 noting:

*Wyndham is one of metropolitan Melbourne's designated growth corridors. The City comprises the suburbs of Werribee, Hoppers Crossing, Point Cook, Laverton, Laverton North, Williams Landing, Truganina, Tarneit and Wyndham Vale, which are all within the Urban Growth Boundary. Werribee South, Cocoroc, Little River, Mambourin, Quandong, Eynesbury and Mount Cottrell are outside the growth area.*

*Wyndham is the largest growing municipality in Victoria, adding 13,216 residents between 2015-2016. The population is forecast to grow from*

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Date Plans Provided: 16/09/2024

217,122 people to 435,832 by 2036.

The proposal is well supported by local policy in this respect as it will provide for building and works that are essentially in keeping with the scheme approved with no additional demands placed on car parking. The application will not result in additional residential amenity impacts by way of noise, traffic and hours of operation. The proposal will not result in an intensification of the existing and approved use on site.

The proposed development is in accordance with the purpose of the General Residential Zone land which is:

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

*To encourage development that respects the neighbourhood character of the area.*

*To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.*

*To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*

Overall, the proposal is considered to be consistent with the objectives and policies contained in the State and Local Planning Policy Frameworks.

## 05.2 Section 72 Amendment

Pursuant to Section 72 of the *Planning & Environment Act 1987* permission is sought to amend the Permit to allow for an amended built form arrangement to the rear of the site comprising a reduced assembly hall and the addition of a foyer and multipurpose room to the rear of the existing hall. An amended car parking arrangement is proposed. No change is proposed to the use, patrons or hours of operations.

### Approved Use

The application proposes building and works to extend the existing church with the occupiers retaining the current approved "place of worship" use upon completion.

WYNDHAM CITY COUNCIL  
Town Planning  
Advertised Documents

Plan: 14 of 23

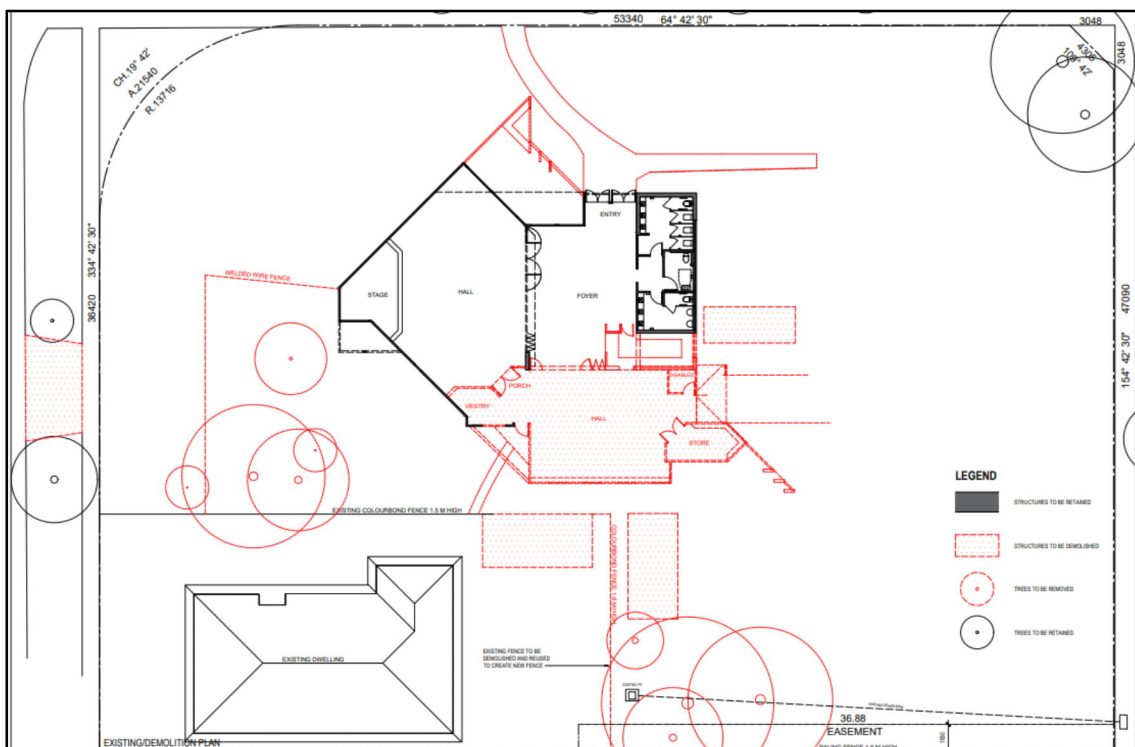
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The church will continue to offer church services as a result of the works, which are in accordance with the approved use, hours of operation and patron numbers specified at Condition 3 and Condition 4 of the Planning Permit:

### Building and Works

The building and works proposed by the application comprise the demolition of some of the existing church structure to the northern, eastern and southern elevations, together with the removal of some vegetation fencing and outbuildings as shown below:



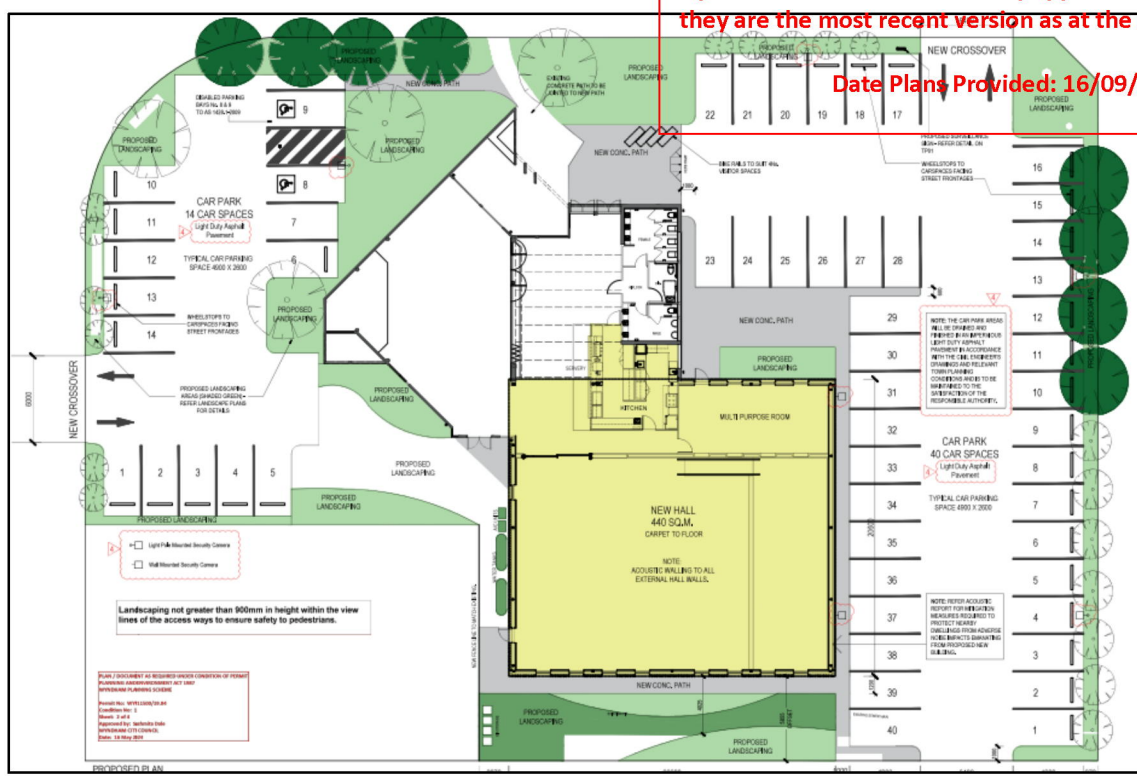
Excerpt of site plan showing proposed demolition

The proposed works provide for an amended built form arrangement to the rear of the site comprising a reduced assembly hall and the addition of a foyer and multipurpose room to the rear of the existing hall. This differs from the original approval as shown below:

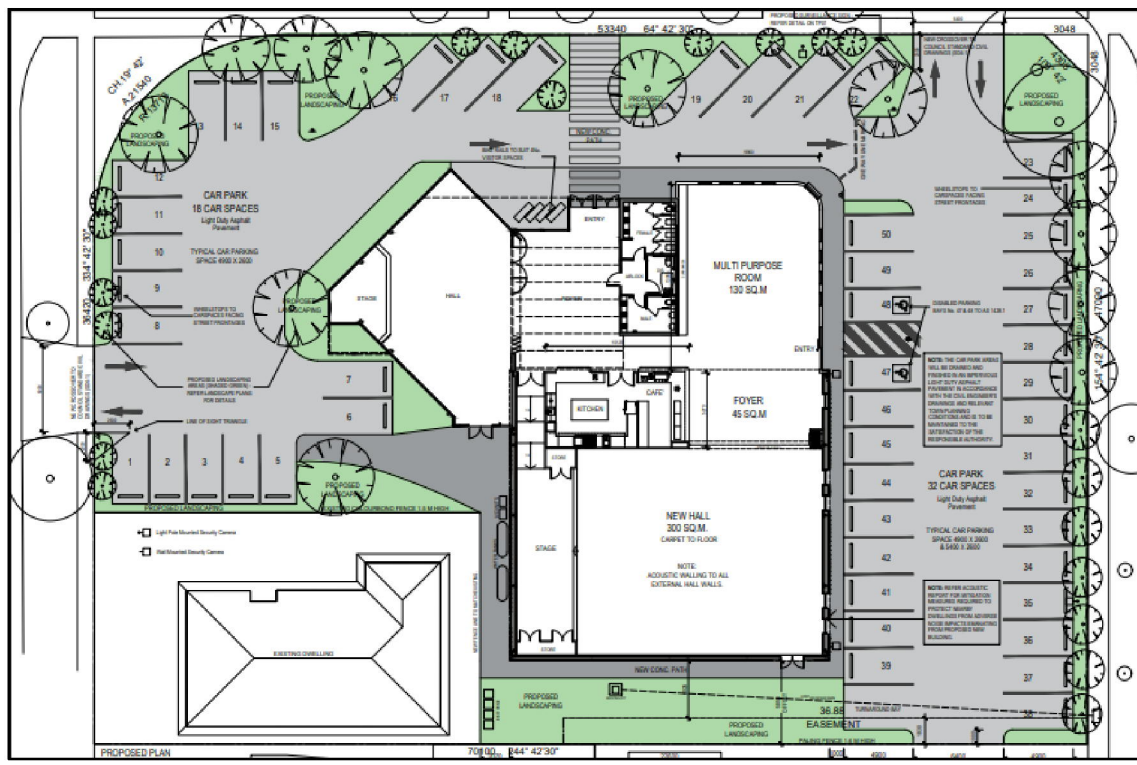


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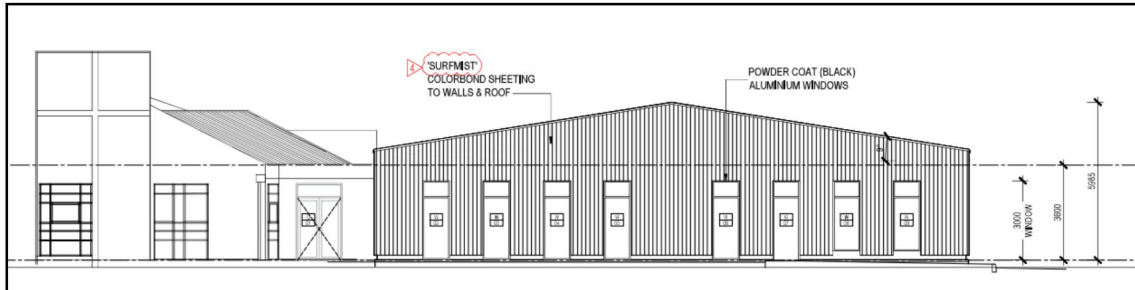


Excerpt from Proposed Plans

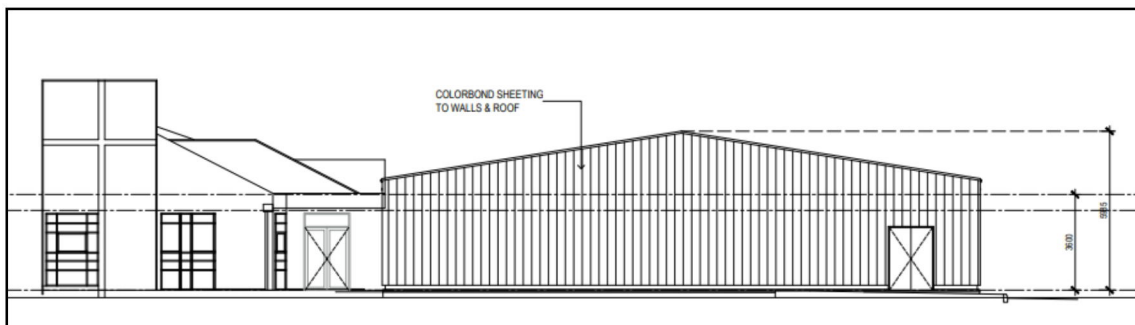
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In addition to the change to the floor plan, the façade detailing to the southern elevation has been amended to include one opening in lieu of the eight (8) windows endorsed under the previous scheme as shown below:

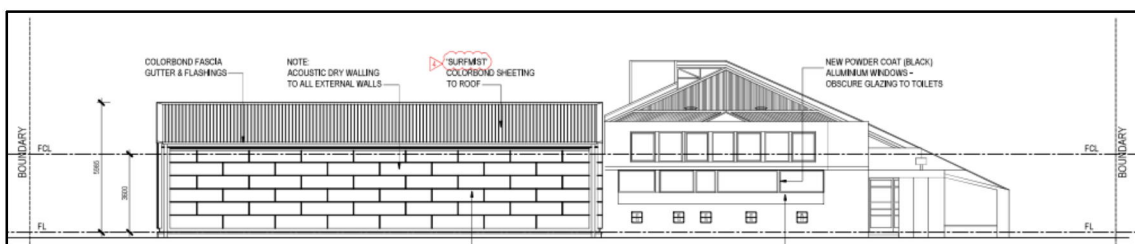


Excerpt from Endorsed Plans

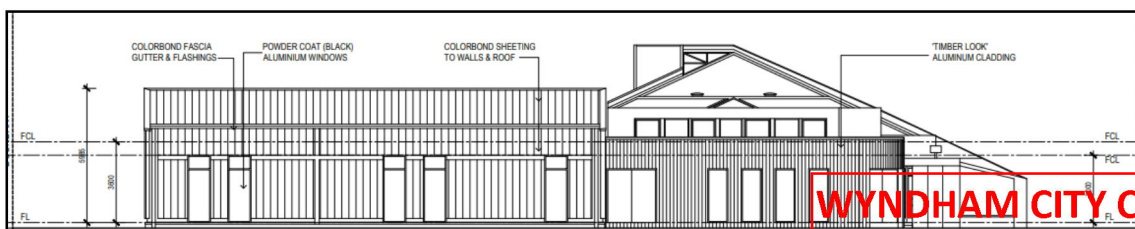


Excerpt from Proposed Plans

To the eastern elevation, a change is proposed to the finish and to the fenestration proposed. The endorsed scheme includes expressed concrete panel cladding, with the amended scheme a mixture of colourbond and timber look cladding is proposed.



Excerpt from Endorsed Plans



Excerpt from Proposed Plans

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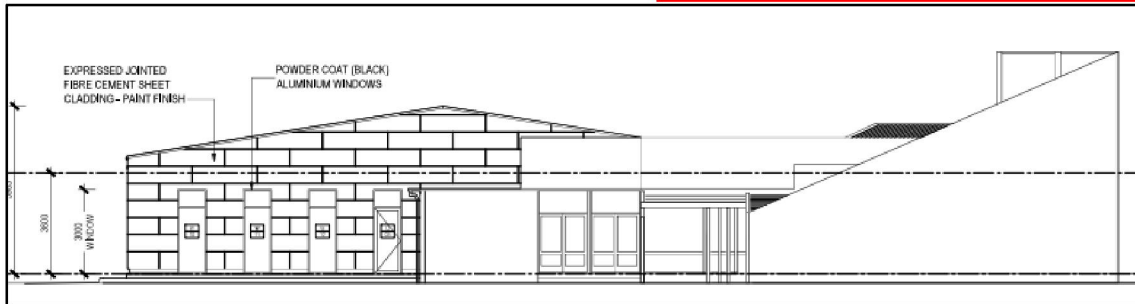
Town Planning  
Advertised Documents

Plan: 17 of 23

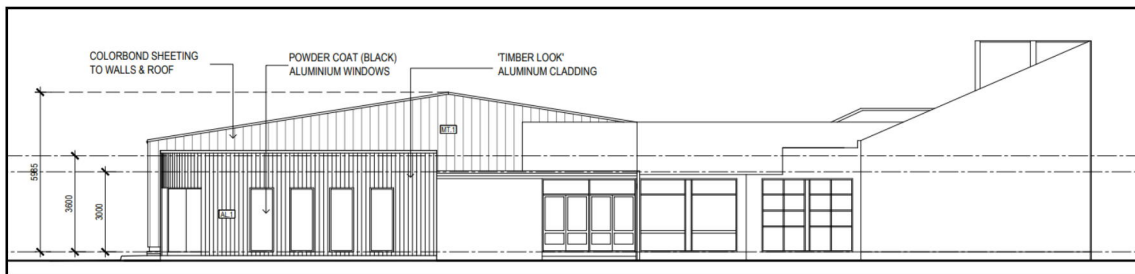
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To the northern elevation, an amended reinstatement arrangement and finish is proposed, as noted above.



Excerpt from Endorsed Plans



Excerpt from Proposed Plans

No change is proposed to the overall height of the proposal. The amended scheme will include the same acoustic measures approved by way of the original permit.

## 05.3 Urban Design Response

The most relevant provisions in determining the appropriateness of the proposed development in terms of providing appropriate urban design and the maintenance of amenity are:

- The purpose, objectives and decisions guidelines of the GRZ
- The Municipal Planning Strategy at Clause 02.03-6 (Housing) relating to development within residential areas; and
- Wyndham Preferred Neighbourhood Character at Clause 15.01-5L with reference to *Wyndham Neighbourhood Character Scoping Study (Planisphere, 2012)*.

The Municipal Planning Strategy refers to housing development within the established areas noting:

**WYNDHAM CITY COUNCIL**  
**Town Planning**  
**Advertised Documents**



Date Plans Provided: 16/09/2024

### **02.03-6 Housing (Neighbourhood Character)**

*The Wyndham Neighbourhood Character Scoping Study (Planisphere, 2012) identified five broad neighbourhood character types in the established residential areas of Hoppers Crossing, Werribee, Tarneit, Truganina, Wyndham Vale, Point Cook, Little River and Werribee South.*

The local policy at Clause 15.01-5L Wyndham Preferred Neighbourhood Character applies to all planning permit applications for development in a residential zone. The policy provides the following General Objectives:

- *To retain the garden settings of buildings and the tree canopy of neighbourhoods.*
- *To maintain the rhythm of spacing between buildings.*
- *To minimise the loss of front garden space and the dominance of car parking structures.*
- *To ensure new buildings or extensions do not dominate the streetscape.*
- *To provide innovative and contemporary architectural responses that make a positive contribution to the streetscape character.*
- *To respect the pattern of frontage treatment within the area.*
- *To integrate buildings and landscape settings with open space and creek or river-side environs.*
- *To ensure that the type, scale and design of development complements the neighbourhood character.*
- *To minimise the loss of backyard areas and established vegetation.*

The subject site is situated within the "Garden Court" which is provided with the following Strategies:

- *Provide a strong landscape character.*
- *Retain well established canopy trees.*
- *Provide new canopy trees where lacking.*
- *Provide dwelling spacing by setting back buildings from side boundaries.*
- *Provide open frontages with low front fencing or no fencing.*
- *Interface development with open spaces and creek or river corridors.*

The policy guidelines include:

**WYNDHAM CITY COUNCIL**  
**Town Planning**  
**Advertised Documents**

**Plan: 19 of 23**

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Date Plans Provided: 16/09/2024

- Setting buildings back at least 1 to 2 metres from side boundaries.
- Setting buildings back at least 2 to 4 metres from side boundaries in Kingston Boulevard, Sayers Road and Tarneit Road, Hoppers Crossing.

With respect to the General Residential Zoning, Clause 34.02-7 (Decision Guidelines) state, the responsible authority must consider for “Non Residential use and development” (as appropriate):

#### *General*

- *The purpose of this zone.*
- *The objectives set out in a schedule to this zone.*
- *Any other decision guidelines specified in a schedule to this zone.*
- *The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone*

#### *Building and works*

- *Whether the use or development is compatible with residential use.*
- *Whether the use generally serves local community needs.*
- *The scale and intensity of the use and development.*
- *The design, height, setback and appearance of the proposed buildings and works.*
- *The proposed landscaping.*
- *The provision of car and bicycle parking and associated accessways.*
- *Any proposed loading and refuse collection facilities.*
- *The safety, efficiency and amenity effects of traffic to be generated by the proposal.*

#### **Built Form Response**

It is submitted that the amended scheme, as proposed by the application, is consistent with the purpose and objectives of the GRZ by way of improving the existing “Place of Assembly” use on the land with building and works proposed that will enhance the existing operation.

The use (and development to accommodate the use) is compatible with the surrounding residential uses and will allow the existing church to provide social infrastructure to continue to

**WYNDHAM CITY COUNCIL**  
**Town Planning**  
**Advertised Documents**

Date Plans Provided: 16/09/2024

service the surrounding population.

As noted above, in Section 5.2, the building and works proposed by the application are in keeping with the original approval with no increase in height proposed, nor encroachment on the approved setbacks to adjoining residential properties. Landscaping is included to the side and rear setbacks areas, and adjoining car parking areas so to soften the impact of the built form when viewed from the street or adjoining properties. In this regard, the amendment is well resolved and will not result in off-site amenity impacts to the adjoining residential sites.

As discussed in Section 5.4, the application will not impact on the traffic to be generated on the roads. Furthermore, the movement of pedestrians, cyclists and vehicles will continue to access the site in the same manner. Furthermore, the approval of the works will not impact any solar access on the land, nor on the adjoining lots.

The finishes and materials proposed by the application will ensure that the amended scheme will sit comfortably within the residential context in which it is proposed and is consistent with the policy guidelines with respect to Neighbourhood Character for this area of Hoppers Crossing.

It is submitted that the proposed use is consistent with the purpose of the General Residential Zone, the decisions guidelines and the planning policy framework and provide an appropriate response to the site's context.

## 05.4 Access and Car Parking

The building and works proposed by the application will result in a minor increase to the gross floor area of the existing use, thus requiring assessment against the provisions of Clause 52.06. The "place of assembly" use requires 0.3 spaces multiplied by the number of patrons (maximum of 180 patrons) equating to a statutory requirement of 54 car parking spaces. The amended application proposes 50 car parking spaces. The proposed arrangement also includes 4 bicycle spaces, meeting the statutory requirements.

A Traffic Impact Assessment has been prepared by Ratio Consultants Pty Ltd to accompany the application. The report finds, amongst other conclusions, that "car parking demand for the church is expected to peak during the Sunday Morning Service time, with demand expected to be sporadic and moderate at



all other times". Based on the car parking demand assessment provided, the report concludes that the arrangements will cater to the demands that result from the use and the access and car parking arrangements as proposed by the amended application on the land are safe and suitable.

## 05.5 General Provisions

Clause 65 requires that before deciding on an application or approval of a plan, the Responsible Authority must consider a number of matters. An assessment against these provisions is provided as follows:

- The proposal is consistent with the matters set out in Section 60 of the *Planning and Environment Act 1987*.
- The proposal is consistent with the Planning Policy Framework, including the Municipal Strategic Statement.
- The proposal is consistent with the purpose of the General Residential Zone affecting the land.
- The proposed development would not have an adverse impact on the amenity of the area.
- The proposed use and development will complement the Federation Trail adjacent to the northern boundary of the site.
- The proposed development will not cause or contribute to land degradation, salinity or reduce water quality.
- The proposed development will be connected to underground drainage and as such will not have any adverse impact on the quality of stormwater within and exiting the site.
- The subject site does not contain any indigenous native vegetation in the meaning of the Planning Scheme.
- The proposed development would not contribute to any flood, erosion or fire hazard.
- Appropriate loading requirements are provided onsite to support the use.

## 6.0 Conclusion

It is submitted that the proposal to ~~amend the Permit pursuant to Section 72~~ of the *Planning & Environment Act 1987* to allow for building and works is consistent with the Planning Policy Framework and relevant provisions set out in the Wyndham Planning Scheme.

The development as proposed by this application provides a satisfactory response to the requirements of the planning scheme and will complement and facilitate the existing use and that complements the surrounding residential uses and the context in which it is proposed. The site layout will continue to facilitate appropriate vehicular movements to, from and within the site while the works will respond appropriately to the site's residential context.

We submit that the proposal is worthy of Council support.