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# TOWN PLANNING REPORT

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Buildings And Works Associated with a Service Station and  
Display of Signage

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176-178 Morris Road, Hoppers Crossing

2 December 2024



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### DOCUMENT INFORMATION

File Name	TOWN PLANNING REPORT  Buildings And Works Associated with a Service Station, Display of Signage  Context Planning Ref: P24-039
Prepared For	APCO
Prepared By	Context Planning Pty Ltd
Report Date	2 December 2024
Revisions	A

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## Table of Contents

1	APPLICATION SUMMARY .....	3
2	INTRODUCTION .....	4
3	SITE AND LOCATION DESCRIPTION .....	5
3.1	SITE CONTEXT .....	5
4	THE PROPOSAL .....	9
5	ZONE AND OVERLAYS .....	12
5.1	EXISTING USE RIGHTS .....	12
5.2	GENERAL RESIDENTIAL ZONE – SCHEDULE 1 (GRZ1) .....	12
5.3	OVERLAYS .....	14
6	GENERAL AND PARTICULAR PROVISIONS .....	15
6.1	CLAUSE 52.05 – ADVERTISING SIGNAGE .....	15
6.2	CLAUSE 52.06 – CAR PARKING .....	16
6.3	CLAUSE 52.34 – BICYCLE PARKING .....	18
6.4	CLAUSE 65 – DECISION GUIDELINES .....	18
7	GENERAL AND PARTICULAR PROVISIONS .....	19
7.1	MUNICIPAL PLANNING STRATEGY .....	19
7.2	PLANNING POLICY FRAMEWORK .....	21
8	ABORIGINAL HERITAGE .....	26
9	CONCLUSION .....	26

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# 1

## Application Summary

<b>Proposal</b>	Buildings And Works Associated with a Service Station and Display of Signage
<b>Location</b>	176-178 Morris Street, Hoppers Crossing
<b>Applicant</b>	Context Planning Pty Ltd PO BOX 787 Torquay Vic 3228
<b>Zone</b>	General Residential Zone – Schedule 1
<b>Overlays</b>	Nil
<b>Land Size</b>	1,549 square metres
<b>Existing Use</b>	Existing Service Station
<b>Permit Triggers</b>	<ul style="list-style-type: none"><li>Clause 32.08-10 – A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.08-2.</li><li>Clause 32.08-15 – Signage (Category 3).</li></ul>

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## 2 Introduction

This planning report supports the application for a Planning Permit for:

- Buildings and works associated with a Section 2 Use.
- Display of business identification signage.

The purpose of the report is to:

- Explain the proposal.
- Provide a written response to the planning permit triggers and explain how the proposal meets the purpose statement and relevant decision guidelines identified in the Wyndham Planning Scheme.
- Identify and consider any relevant general or particular provisions including car parking matters, signage and bicycle parking.
- Provide an assessment of the proposal against the Municipal Planning Strategy and Planning Policy Framework as relevant to this application.

Considering the context of the site, the relevant State and Local Planning Policy Frameworks and the details of the proposal, the key planning considerations are:

- Amenity impacts.
- Car parking and access.
- Built form outcome.
- Signage design.

This report demonstrates that the proposal is an acceptable planning outcome which will not unreasonably impact on the amenity of surrounding properties.

As the proposed development is consistent with the provisions of the Wyndham Planning Scheme, we recommend that a Planning Permit is issued in support of the development.

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# 3

## Site and location description

### 3.1 Site context

#### *Subject site*

The subject site is located on the corner of Morris Road and Reserve Road, Hoppers Crossing.

The site is generally rectangular in shape, with a corner splay in the northwestern corner. It contains a total area of 1,549 square metres and has a frontage of approximately 41.2 metres to Morris Road.

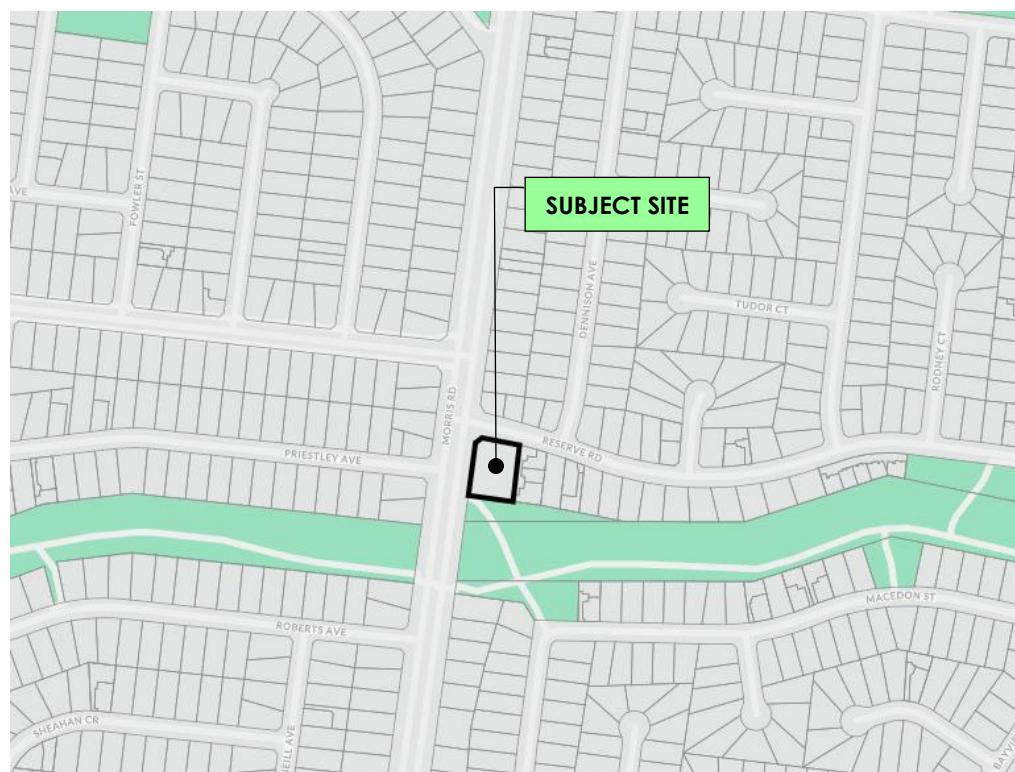


Image 1 - Location plan

The site is developed and used as an APCO service station. The site development includes a small shop building and canopy area, along with at-grade car parking. The development of the site can be seen in the aerial image below.

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Image 2 - Aerial image

The images below show the development which has been undertaken on the land.



Image 3 - Site development as seen from Reserve Road

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Image 4 - Site development as seen from Morris Road

#### Surrounding area

The surrounding area is predominantly residential. An exception to this is the land to the south of the site which is parkland located in the Public Park and Resource Zone and the Urban Floodway Zone. The land is used for drainage and recreation purposes and includes walking paths, as can be seen in the image below. A bus stop has been established in the road reserve area in front of the parkland.



Image 5 - Adjoining parkland

Surrounding residential development is predominantly single storey in scale and of brick construction with hipped and gabled tiled roof forms.

Land to the east of the site is developed with three single storey dwellings, with the dwellings' common property located to the west of the development. The development of this site can be seen in the image below.

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Image 6 - Development at 6 Reserve Road

Development opposite the site on Reserve Road consists of single storey detached brick dwellings, as seen in the image below.



Image 7 - Development on opposite side of Reserve Road

Morris Street is a major road which includes a median strip with lighting. Bicycle lanes are provided.

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# 4

## The Proposal

It is intended that the existing service station will be demolished and a new service station constructed. The new service station comprises:

- single storey service station building, with ancillary convenience shop and café, which improves the building's presentation to Morris Road;
- four double sided fuel pumps;
- ten car parking spaces, including an accessible car parking space;
- modifications to vehicle access on Morris Road;
- refreshed signage;
- retention of pylon sign;
- an on-site loading bay, located to the north of the site;
- a 3 metre high acoustic fence on the eastern site boundary, which includes 2 metres of Evowall construction and 1 metre of clear perspex at the top of the wall; and
- improved opportunities for landscaping on site.

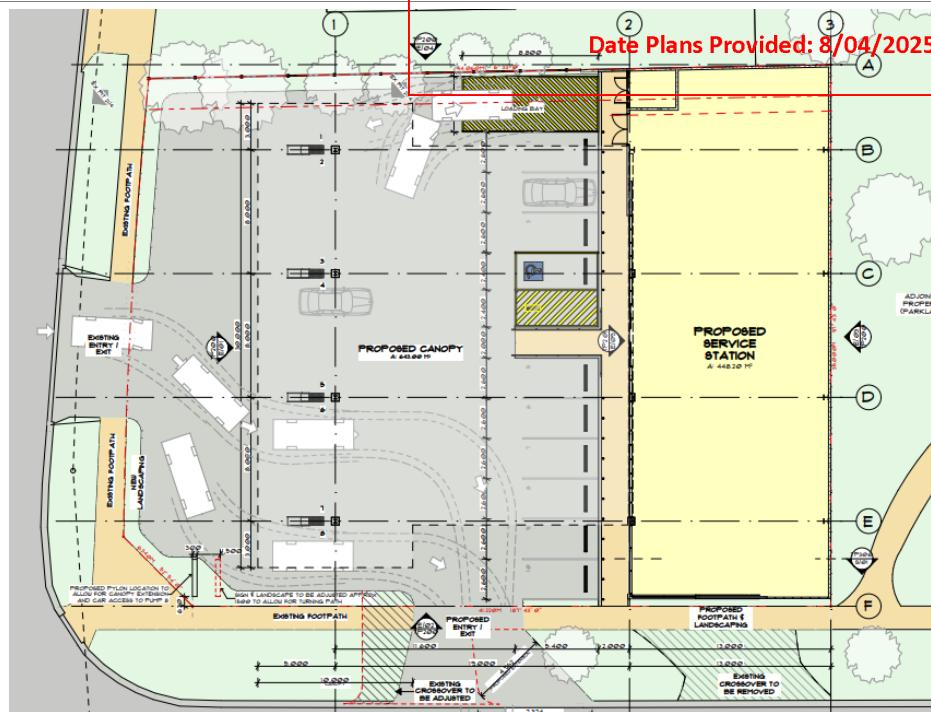
As can be seen in the images below, the service station building is located along the eastern, northern and southern boundaries of the site and is single storey in scale. The building is designed to have an outlook over car parking areas and the fuel pumps, while providing for the activation of the Morris Road frontage.

Improved opportunities for the landscaping of the site are available as a result of the re-development, with hardstand areas proposed to be converted to landscaping.

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### *Image 8 - Site layout*



### *Image 9 Proposed development*

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Date Plans Provided: 8/04/2025



Image 10 - Presentation to Morris Road

The proposed buildings are contemporary in design and reflective of the APCO image. The buildings are designed to activate the Morris Road frontage with a with the building designed to provide for passive surveillance of the street network through the provision of large windows oriented to the street. The wall is treated to include different materials and a greening element for visual interest.

Business identification is proposed on the building, with all some of the on building signage being illuminated. An electronic sign is proposed over the entry to the building.

The pylon sign located in the front setback area will be retained, unaltered.

Landscaping is provided along the frontages of the site and all boundaries, except for the eastern boundary, providing for an improved landscape outcome for the area.

A 3 metre high acoustic fence will be developed along the eastern boundary of the site, with the fence to include a mix of Evowall and perspex construction to provide for the amenity of the dwellings located to the north.

The provision of additional landscaping, an acoustic fence and modern buildings on the site results in a significantly improved site appearance and amenity outcomes when compared to the current situation.

It is intended that the service station will operate 24 hours a day, 7 days a week, consistent with the current operation of the site.

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The application is supported by:

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- Traffic Impact Assessment | Traverse.
- Architectural Plans | Bespoke Architects.

## 5 Zone and overlays

### 5.1 Existing use rights

The use of the land has been established as service station given that a service station has been operating continuously from the site for more than 15 years.

This is a buildings and works application and the application will allow for the continuation of the use.

### 5.2 General Residential Zone – Schedule 1 (GRZ1)

The subject site is located within the General Residential Zone - Schedule 1. The Purpose of the GRZ is to:

- *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.*

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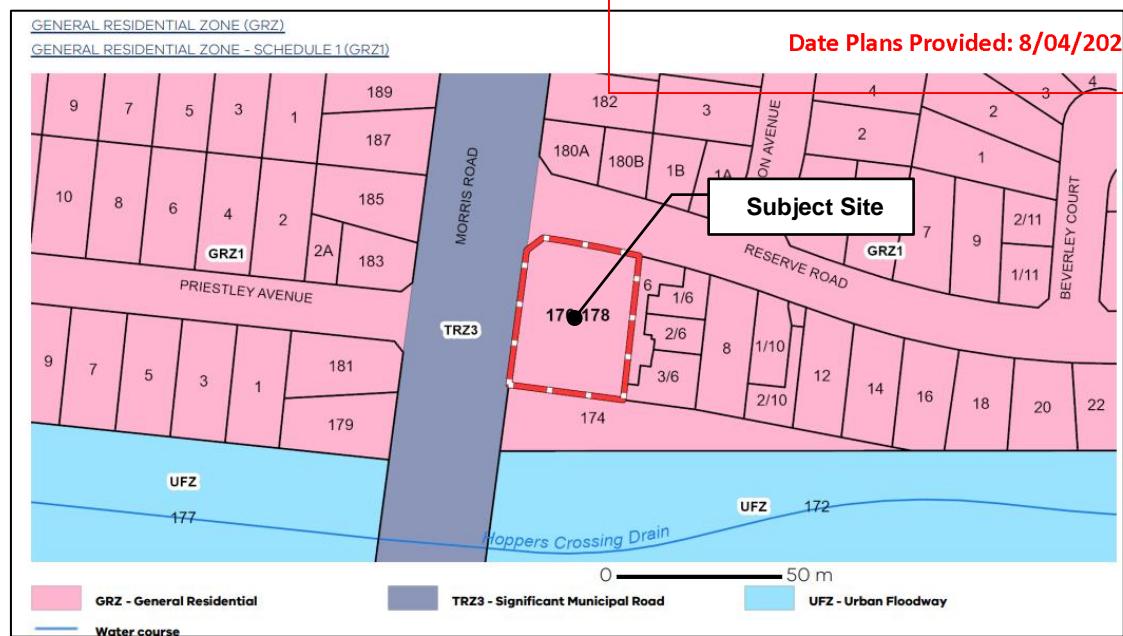


Image 11 | Zone Map

### 5.2.1 Response to the General Residential Zone

The service station is consistent with the purpose of the zone and its continued use over many years demonstrates that it is meeting local community needs. The improved convenience shop offering will also provide for the needs of local residents, allowing residents easy access to a range of convenience items.

It is clear that the service station use is compatible with adjoining residential uses given that the two uses have been neighbours for many years.

The redevelopment of the site with a modern service station will provide for an improved amenity outcome for surrounding uses and a superior built form and landscape outcome and through the inclusion of a three metre high acoustic fence along the eastern boundary of the site.

The proposal has carefully considered the location of all buildings and works, and it includes:

- The removal of a vehicle access point on Morris Road, improving the pedestrian environment along this road and the continued effective operation of this important road;
- The provision of 3 metre high acoustic fencing to north of the site to protect the residential amenity of the three dwellings located to the north

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of the site, providing for an improved outcome beyond the current situation;

Date Plans Provided: 8/04/2025

- The provision of a loading bay, and a willingness to restrict the hours of operation of the loading bay, further considers and supports the residential amenity of neighbours;
- A much improved landscape outcome, with landscaping provided along all but the eastern site boundary. The landscaping coupled with the modern building presentation results in a positive built form outcome;
- The single storey scale of development is compatible with the scale of surrounding residential uses;
- An orderly car parking arrangement is provided and will accommodate the needs of those using the site, as well as staff working at the site;
- A signage outcome which allows the site to be identified, without reducing the amenity of the area.

The application is consistent with the purpose and decision guidelines of the General Residential Zone.

### 5.3 Overlays

No overlays apply to the land.

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# 6

## General and Particular Provisions

### 6.1 Clause 52.05 – Advertising Signage

#### *Purpose*

- *To regulate the development of land for signs and associated structures.*
- *To ensure signs are compatible with the amenity and visual appearance of an area, including the existing or desired future character.*
- *To ensure signs do not contribute to excessive visual clutter or visual disorder.*
- *To ensure that signs do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of a road.*

#### 6.1.1 Response to Clause 52.05 (Signage)

Under the zone, the site is located in an area nominated as Category 3 - High amenity area. Clause 52.05-9 outlines that any signage is orderly, of good design and do not detract from the appearance of the building on which a sign is displayed or the surrounding area. Clause 52.05-3 outlines decision guidelines to be considered when assessing an application to display signage.

The following forms of signage are proposed as part of the application:

- Business identification signage.
- Directional signage.

Generally, all signage forming part of the application requires a planning permit and consideration, excluding the directional signage in relation to entry/exit locations.

Clause 52.05-8 of the signage provisions provides for decision guidelines to be considered by the Responsible Authority as appropriate which are as follows:

- *The character of the area;*
- *Impacts to views and vistas;*
- *The relationship to streetscape, setting and landscape;*

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- *The relationship to the site and building;*
- *The impact of structures associated with the sign;*
- *The impact of any illumination;*
- *The impact of any logo box associated with the sign;*
- *The need for identification and the opportunities for adequate identification on the site or locality.*
- *The impact on road safety.*

Date Plans Provided: 8/04/2025

As noted earlier in this report, the site has historically operated as a service station, with associated business identification signage, including pylon signage (to be retained), canopy signage and signage on the building. The signage outcome which is proposed is consistent with the existing site presentation and reflective of the non-residential use operating from the site. It avoids applying signage to the east of the canopy which has the interface with three dwellings.

In light of the context of the site, the signage solution is restrained to allow the business to be identified and is appropriate for the site and surrounding area.

The site is not proximal to a signalised intersection and the signage display is orderly and designed to ensure that the safe passage of vehicles along the road network is not impacted, with signage designed not to cause driver distraction.

In summary, the proposed signs are considered appropriate for the location, as:

- The signs will not result in visual clutter in the streetscape and the signage is designed to respond to the buildings on which it is displayed;
- The signs have been appropriately scaled, sited and design to complement the scale and design of the proposed development;
- The signs will not impact on any views or vistas, nor will they result in road safety impacts;
- The size of the signage is modest and appropriate to identify the business premises adequately.

## 6.2

### Clause 52.06 – Car Parking

Car Parking requirements are set out at Clause 52.06 of the Planning Scheme. Service Station is not listed in Table 1 to Clause 52.06-5 and as such, car parking must be provided to the satisfaction of the Responsible Authority.

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The development provides for 10 on site car parking spaces, designed to ensure that the car parking needs of visitors and staff are accommodated onsite. The Traffic Impact Assessment supporting the application details that this level of car parking is appropriate.

**Date Plans Provided: 8/04/2025**

#### 6.2.1 Response to Clause 52.06 – Car Parking

##### *Car parking*

The design solution continues to provide for ten on site car parking spaces, which is consistent with the level of car parking currently provided on the land.

In addition, a total of eight vehicles can ‘park’ at fuel bowsers at any one time. Improved opportunities for vehicle queuing are also provided in the redevelopment.

We note that a service station has been able to operate effectively from the land, and the redevelopment will provide for improvements to the site operation, including:

- More readily identifiable and useable car parking spaces;
- Introduction of a disabled car parking space;
- Introduction of a loading bay;
- Increased opportunities for vehicle queuing on the land.

##### *Vehicle access*

Vehicle access is proposed via two existing vehicle crossings, with the Morris Road vehicle crossing to be slightly modified to provide for the new site layout and to allow for safe and effective vehicle movements. The southernmost crossover is proposed to be removed, limiting the points of access onto Morris Road and improving the pedestrian environment.

##### *Design standards*

The development is consistent with the requirements of Clause 52.06-9 as:

- All vehicle crossings are at least three metres wide;
- Turning movements are provided by internal radius of accessways being in excess of 4.2 metres;
- All vehicles can enter and exit the site using one manoeuvre;

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- Separate entry and exit crossovers are proposed, satisfying the intent of providing a passing area, and allowing efficient site exit and entry; **Date Plans Provided: 8/04/2025**
- The accessible car parking space is provided adjacent to the entrance to the building and designed to meet the requirements of the Australian Standard;
- Swept paths are shown on plans;
- Sufficient space has been provided to allow for compliant corner splays; and
- Car parking spaces are located at least 6 metres away from the road carriageway.

#### *Fuel pump queuing*

While not included in Clause 52.06, it is important to understand that the development has been designed to provide for an effective service station operation. A total of eight vehicles can be accommodated directly behind bowsers, with additional queuing space available; an improvement to the current site operations.

### 6.3 Clause 52.34 – Bicycle Parking

Clause 52.34-3 does not specify bicycle parking requirements for a service station.

### 6.4 Clause 65 – Decision Guidelines

The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause. To assist Clause 65 details a number of decision guidelines for guidance, some of these include:

- *The matters set out in Section 60 of the Act.*
- *The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *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 amenity of the area.*
- *The proximity of the land to any public land.*
- *Whether the proposed development is designed to maintain or improve the quality of storm water within and exiting the site.*

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Date Plans Provided: 8/04/2025

6.4.1

Response to Clause 65 – Decision Guidelines

The redevelopment of the site provides for an orderly planning outcome which has carefully considered the residential amenity of surrounding dwellings. The site is already used as a service station and the redevelopment will provide for an improved outcome for the site, both visually and functionally.

The provision of acoustic fencing on the eastern site boundary presents an improved outcome for the site and its residential interfaces.

The application includes a new wall on the southern boundary of the site, at the interface with the adjoining parkland. We have liaised with Council's Graffiti Officer and have determined that anti graffiti measures could be applied to the wall. If Council would like some planting to be undertaken in its reserve, adjacent to the new wall, our client would be prepared to accept this via a Planning Permit condition.

The proposed wall provides a clean and durable interface with the park, ensuring that there are no unsafe spaces which could compromise the safety of the users of the park.

The development is entirely consistent with the decision guidelines of Clause 65.

# 7

## General and Particular Provisions

7.1

Municipal Planning Strategy

### *Clause 02.01 – Context*

*The City of Wyndham is located on the coastal plain to the west of Melbourne, between the metropolitan area and Geelong. It is adjacent to the municipalities of Greater Geelong, Moorabool, Melton, Brimbank and Hobsons Bay. Wyndham covers an area of 542 square kilometres.*

*Wyndham is the largest growing municipality in Victoria, adding 13,216 residents between 2015-2016. The population is forecast to grow from 217,122 people to 435,832 by 2036.*

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Date Plans Provided: 8/04/2025

**Clause 02.02 – Vision**

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.

**Clause 02.03-1 – Settlement**

Population growth in Wyndham is a significant issue requiring careful planning and management to ensure equitable and timely delivery of services, jobs and infrastructure to support a liveable community.

**Clause 02.03-3 – Environmental risks and amenity**

**Amenity protection**

Care is required in siting and designing non-residential uses in residential zones to avoid loss of privacy and amenity, while still providing convenience to residents living nearby. Council's strategic direction for amenity protection is to:

- Provide protection for residential areas and guide uses that have the potential to change the function and character of residential areas.
- Avoid development of defacto commercial strips in residential areas.
- Ensure that planning and development of sensitive uses avoid compromising the operation of existing lawful commercial, industrial and other uses with potential adverse off-site impacts.

**Clause 02.03-5 – Built environment and heritage**

**Urban design**

Council's strategic directions for urban design are to:

- Improve the presentation of all urban areas and entrances, particularly from major roads, gateways and waterways.
- Support new development that preserves the character and historical attributes of urban areas by improved design, siting and landscaping.
- Minimise detrimental impacts of signs on the visual environment.

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## 7.2 Planning Policy Framework

Relevant policies include:

- Clause 11 – Settlement
- Clause 13 – Environmental risks and amenity
- Clause 15 – Built environment and heritage
- Clause 17 – Economic development
- Clause 19 – Infrastructure

### *Clause 11.01-1L – Settlement*

*Ensure that interfaces between residential and employment areas; between urban and rural areas; and between urban and industrial areas are planned to minimise land use conflicts.*

### *Clause 13.05-1S – Noise management*

#### Objective

*To assist the control of noise effects on sensitive land uses.*

### *Clause 13.07-1S – Land use compatibility*

#### Objective

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

### *Clause 13.07-1L – Non-residential uses in residential zones*

#### Objective

*To manage non-residential uses in residential areas.*

#### *Strategies:*

*Ensure the siting and design of buildings and works associated with non-residential uses is compatible with the surrounding area, including:*

- Car parking areas.
- Signage.
- Fencing and landscaping.
- Lighting.
- Open space.

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- Storage amenities and loading facilities.

Date Plans Provided: 8/04/2025

Ensure non-residential uses are designed and managed in a manner that causes minimal loss of amenity, privacy and convenience to people living in nearby dwellings in respect of:

- Intensity of use and hours of operation.
- Unreasonable overshadowing and overlooking.
- Noise emissions.
- Traffic impacts.
- Avoidance of light spill.
- Waste management.

Encourage development to include features to reduce noise and loss of privacy.

Enhance the appearance of non-residential development, consistent with the surrounding residential environment, through:

- Landscaping.
- Site layout.
- Building scale, form and setbacks.
- Façade treatments.
- Building materials and colours.

Avoid traffic generation from non-residential uses that may detrimentally impact on the existing road network or pedestrian and vehicular safety.

Encourage non-residential uses to locate along roads that are capable of carrying anticipated traffic volumes.

Discourage major facilities serving catchments beyond the local level in residential areas unless they are located in and adjacent to commercial areas or sited on roads that avoid generation of traffic on residential streets.

Ensure that any waste generated by the use or development is managed to avoid adverse off-site impacts.

#### Clause 15.01-1S – Urban Design

##### Objective

To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.

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**Town Planning**  
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Date Plans Provided: 8/04/2025

**Clause 15.01-1L-01 – Landscaping**

**Objective**

*To improve the quality of development through landscaping.*

**Clause 15.01-1L-02 – Signs**

**Objective**

*To improve the visual amenity associated with signs and encourage the form and location of signs to respect the character of buildings to which they are attached and the setting they are located within.*

**Category 3 areas**

*Support signs that are respectful of residential character and are not visually dominate.*

*Restrict the illumination of business identification signage to the operating hours of the business to which it relates.*

*Encourage signs to be fixed on buildings, except on heritage buildings.*

*Ensure signs above front fence height are set back from the road reserve to avoid dominating the streetscape.*

*Support signs on heritage places that are designed, coloured and located in a manner that conserves the heritage place.*

**Clause 15.01-2S – Building Design**

**Objective**

*To achieve building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development.*

**Clause 15.01-2L-01 – Environmentally sustainable development**

**Objective**

*To achieve best practice in environmentally sustainable development from the design stage through to construction and operation.*

**Clause 15.01-2L – Industrial and commercial design**

*Ensure new industrial and commercial development especially with a residential interface, compliments the character of the area.*

**Clause 17.02-1S – Business**

**Objective**

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

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Advertised Documents**

Date Plans Provided: 8/04/2025

7.2.1

Response to Planning Policy

The application is consistent with planning policy, providing for a modern service station which will meet the fuel and convenience needs of the local community within the designated settlement boundary of Hoppers Crossing, while providing for local employment.

As noted, the use of the land has been established.

Careful consideration has been given to ensuring an acceptable amenity outcome for the dwellings which surround the subject site, consistent with the policy direction of Clause 02.03-3 – Environmental risks and amenity, Clause 13.05-1S – Noise management, Clause 13.07-1S – Land use compatibility and Clause 13.07-1L – Non-residential uses in residential areas.

In response to policy, we note that the use is compatible with non-residential uses surrounding the site and has been a good neighbour for many years. The redevelopment has been designed to:

- Site buildings and works in a manner which is compatible with adjoining land uses by developing the new building along the southern interface of the site,
- Provide for an acoustic fence along the eastern boundary,
- Improve the landscape values of the site, and
- Continue to provide for the parking needs of the site.

The new building is residential in scale, being single storey in scale and has a gabled roof form, which is responsive to other development in the area. The building itself is a simple, modern design, single storey in scale and will sit comfortably in this predominantly single storey neighbourhood, consistent with the direction of Clause 15.01-2L. All signage is designed to integrate with buildings and to be respectful of the residential character of the area, visual clutter is avoided, consistent with the direction of Clause 15.01-1L-02. The site does not currently support any real landscaping, including within the front setback area, and the redevelopment will result in an outcome which improves the landscape values of the area, as encouraged by Clause 15.01-1L-01.

Wall height of the new building on boundary is minimum 3 metres in height. We note that this meets the relevant Clause 54 standard, noting that these

WYNDHAM CITY COUNCIL  
Town Planning  
Advertised Documents

provisions do not apply to the development, but do provide a useful benchmark to protect amenity.

Date Plans Provided: 8/04/2025

Wall height of the new building on the eastern boundary is 3.2 metres in height

Wall height on the eastern boundary is 3.2 metres, compliant with the walls on boundaries standard within Clause 54 which allows a wall height which does not exceed an average of 3.2 metres.

The proposed acoustic fence on the eastern boundary is 3 metres in height, and it includes a 1 metre high perspex element, with the fence being designed to protect residential amenity, while also allowing considering overshadowing and access to daylight.

Waste is currently managed appropriately on the land and a permit condition could require the submission of a Waste Management Plan, if required. We submit that this requirement can be deferred to a permit condition, as there are clearly adequate areas available on the site to provide for the storage and collection of waste, and swept path movements shown on plan show trucks can easily navigate the site.

All site lighting will be baffled, as is currently the case, and a permit condition can deal with this issue.

An on site loading bay is provided and a permit condition can restrict its hours of use, if required. Mechanical plant is strategically located to the south of the site, away from the residential interface to avoid land use conflict.

Consistent with the direction of Clause 02.03-2, the site layout is designed to avoid reducing the amenity of surrounding residential land uses, while also continuing to provide convenience for nearby residents.

The site will continue to provide for local employment and will provide for an important service for the growing community of Wyndham.

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**Advertised Documents**

## 8

## Aboriginal Heritage

The Aboriginal Heritage Regulations 2007 which specify the circumstances in which a Cultural Heritage Management Plan is required for an activity or class of activity. Part 2 - Division 2 of the Aboriginal Heritage Regulations 2007 specifies exempt activities which do not require a Cultural Heritage Management Plan.

The properties are not located within an area of cultural heritage sensitivity and therefore, a Cultural Heritage Management Plan is **not** required.

## 9

## Conclusion

It has been demonstrated that this application responds positively to the relevant requirements of the Wyndham Planning Scheme.

The redevelopment of the site responds to its policy context and provides for a modern service station offering which will:

- ensure the ongoing effectiveness of the transport network by improving vehicle access and the pedestrian environment, and through providing for all parking needs of the use onsite;
- provide a service station use which meets the needs of the community and which is designed to protect the residential amenity of surrounding dwellings; and
- improve the built form presentation of the site, through the development of a new service station building and canopy, and with the incorporation of landscaping to add to the landscape character of the area, and by providing opportunities for casual surveillance of the street network.

We recommend that the application is supported by Council and a Planning Permit issued.

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