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Date Plans Provided: 18/11/2022

18 October 2022

Ms Alice McColl
Town Planner
Wyndham City Council
45 Princes Highway
WERRIBEE VIC 3030

Sent via email

RFI Response - Permit Application No. WYP13620/22 280-286 Point Cook Road, Point Cook

Dear Ms McColl,

We act for DeGROUP Pty Ltd, the permit applicant in this matter.

Reference is made to Council's correspondence dated 5 August 2022 requesting further information pursuant to Section 54 of the Planning and Environment Act 1987.

Please find enclosed within this submission the following information:

- An updated planning submission (provided below);
- Revised architectural plans prepared by Tandem Design Studio Pty Ltd dated 13 October 2022;
- Revised Waste Management Plan prepared by Ratio Consultants dated October 2022;
- Revised Landscape plan prepared by John Patrick Architects labelled Revision B.
- Revised Sustainable Design Assessment prepared by Omni Systems dated 27 September 2022 (including WSUD report prepared by MCG Consult).
- An Acoustic report prepared by Clarity Acoustics dated 29 September 2022.

In response to this request, please note the following:

1. Payment of the permit application fee was made on 15 July 2022, as previously confirmed.
2. An Acoustic report prepared by Clarity Acoustics and dated 29 September 2022 is enclosed. The report details the noise generated on site and makes operational and technical recommendations for appropriate mitigation measures, including the provision of a 1.6m high acoustic screen on the rooftop to screen noise from mechanical plant. This is nominated on the plans.
3. The development plans have been updated to include a pedestrian link which connects the site with Point Cook Road. The link has been provided along the northern side of the access road in accordance with the suggestion of Council. We note that this has resulted in the relocation of the existing DDA car spaces associated with the hotel, which are now provided to the north of the new pedestrian link.

With respect to the initial concerns raised we offer the following response:

- The position of the footpath and landscaping adjacent to the building's frontage has been retained as previously proposed to ensure that the footpath remains sheltered by the building canopy. This notwithstanding, in response to Council's concern wheelstops have been provided to the adjacent car spaces to protect the landscaping. We further note that the provision of

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landscaping under the canopy will be problematic for the ongoing health and growth of the landscaping.

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It is respectfully submitted that this is an acceptable arrangement. We note that pedestrian movements can be further controlled via directional signage and request that this be made a condition of any permit issued.

– Visitor bicycle parking has been relocated to the northern side of the main pedestrian entrance to the building and does not obstruct access to any car spaces.

We also advise that the Sustainable Design Assessment and application plans have been modified in response to referral comments from Council's Sustainable Design team received on 6 September 2022.

We now trust the information as provided reasonably meets with your requirements and look forward to advertising of the application at your earliest convenience. However, should Council require additional details, we hereby request an extension to the lapse date by which information must be provided and ask for this to be confirmed in writing.

If you have any further queries please do not hesitate to contact me either by telephone or by email at justin.scriha@ratio.com.au.

Yours Sincerely



Justin Scriha
Associate: Planning

ratio:

1. Introduction

1.1. Subject site

The subject site is located on the western side of Point Cook Road, approximately 190 metres north of Sanctuary Lakes Boulevard. The site is located within the General Residential Zone – Schedule 1.

The property is currently used and developed with the Sanctuary Lakes Hotel and associated car parking. Access to the site is via an existing crossover from Point Cook Road that provides access to the car parking associated with the Hotel.

The use and development contemplated in this planning permit application is to be located on the vacant/unused portion in the north-west corner of the site comprising an area of approximately 4,260m².

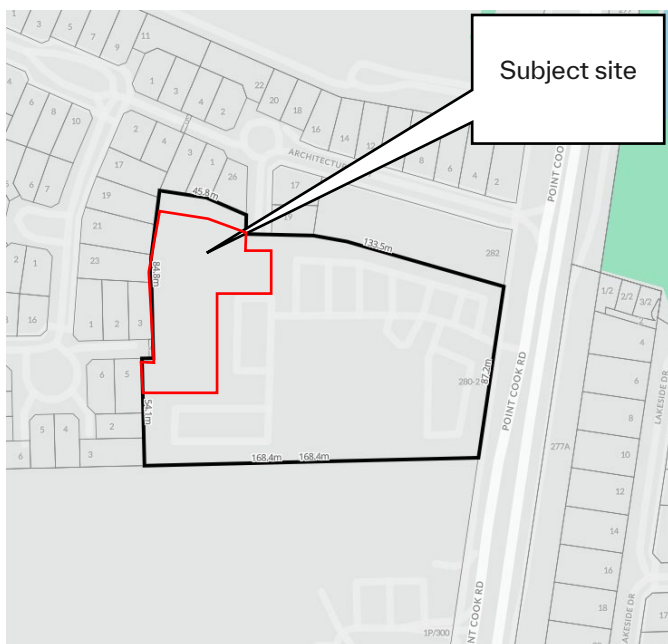
The land is formally known as Lot T of Plan of Subdivision 524220P.

The certificate for title for the subject land includes the following encumbrances:

- There is an easement affecting the land, which runs along the western boundary of the subject site, and east to west along the middle of the site. The easement is a 2m wide drainage easement. The easement on the land will not be affected by the proposed building and works.
- Section 173 Agreement AJ170729S is registered on the Title but does not relate to the proposed use and development.

The site is of an irregular shape, with an overall area of 4,262.35sqm (undeveloped portion), with the entirety of the eastern and southern boundary fronting the existing hotel car parking, and the northern and western boundaries abutting residential dwellings.

Figure 1: Cadastral map of subject site (existing fence highlighted)



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Figure 2: Zoning of the site and surrounds



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Figure 3: Aerial Photograph depicting are of the site subject of the proposal



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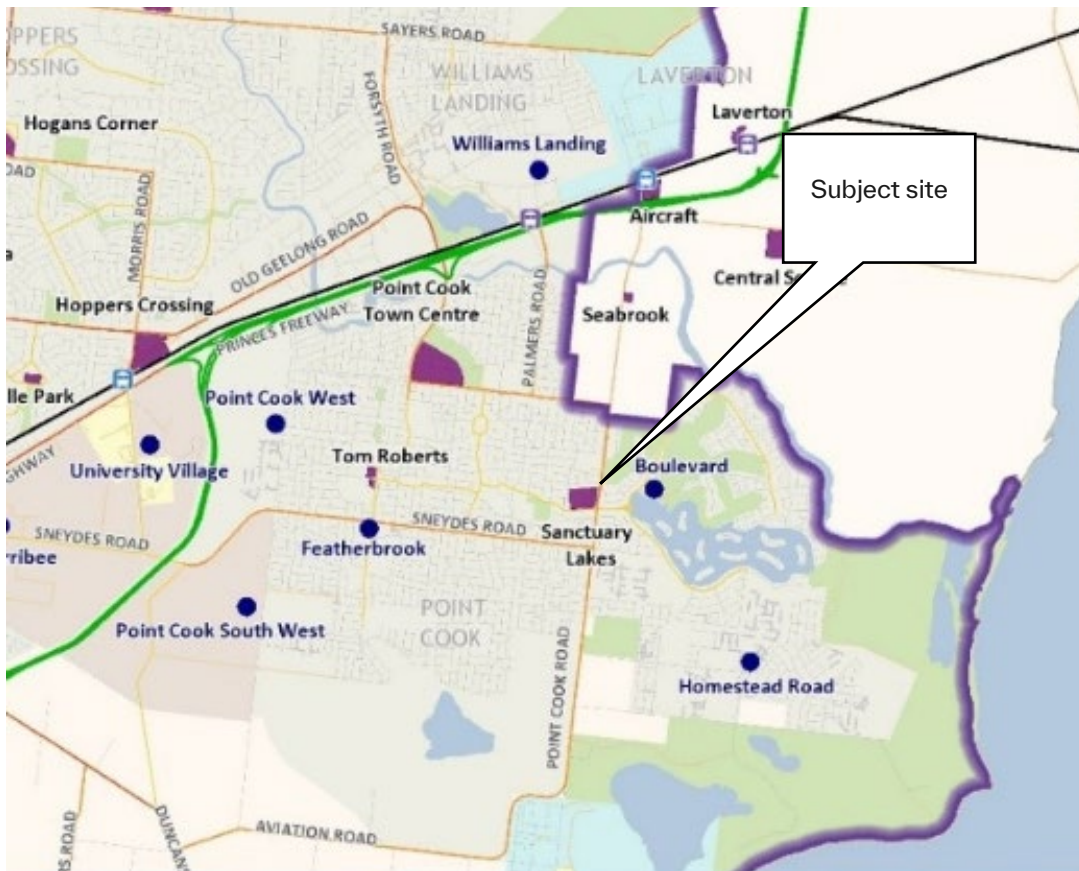
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1.2. Surrounds

As previously mentioned, the subject site forms part of the Sanctuary Lakes Hotel site which is situated directly north of the Sanctuary Lakes Shopping Centre. It is also noted that the Sanctuary Lakes Shopping Centre which is to the south of the site is within a **Commercial 1 Zone** and is identified as an 'Activity Centre' in Strategic framework plans of **Clause 02.04** of the Wyndham Planning Scheme.

Figure 4: Part of Map 5 of Clause 02.04 (Activity centres existing and planned)



The site is located on the edge of this activity centre and is used for non-residential use as a Hotel and there is also a child care centre immediately north of the Hotel site.

Point Cook Road, which is within a Transport Zone – Schedule 2 (TRZ2) is to the east.

With respect to the directly adjoining land, we note:

- To the immediate north of the site is 3, 1 and 26 Roman Court. Each of these dwellings along the shared boundary line are oriented north to Roman Court, with open space at the rear of the dwellings abutting the shared boundary.
- To the north-west and west of the site are General Residential zoned properties, with a shared boundary in part with 17 Windsong Way and interfaces with 19, 21 and 23 Windsong Way. These

dwellings have their secluded private open space at the rear of the dwellings which will abut the shared boundary.

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- The lower west portion of the site shares its boundary with the dwellings at 3 and 5 Castle Court which have their side boundaries and side dwelling facades interfacing with the site. There is an area of secluded open space associated with 3 Castle Court adjacent to the subject site.

The south and east boundaries of the subject site (i.e. the area proposed for the medical centre) are sited against the existing car parking area of the hotel.

2. The Proposal

The application seeks planning approval for the use and development of the vacant/undeveloped portion at the rear of the allotment as a medical centre.

Key features of the proposal are as follows:

- Single storey building with a gross floor area of 1,848sqm.
- Maximum overall height of 4.7 metres (excluding roof services and 1.6m high acoustic screen).
- Total site coverage 46% (of the undeveloped portion of the site).
- Building setbacks to the north and western boundaries vary due to the irregular title boundary arrangements – the minimum is 2.25 metres to the west and 2.5 metres to the north, with the majority of the facades setback deeper.
- Materials and finishes include standard 'off white' brick, 'off white' metal Colorbond for the roofing and awning, and 'pale eucalypt' Colorbond corrugated metal for external awning, aluminium framed windows and glazing.
- Proposed hours of operation are between 8:30am to 6:00pm, Monday to Friday and between 8:00am to 12:00pm, Saturday.
- A maximum of 23 medical practitioners operating from the site at any one time.
- Reconfiguration of existing car parking with 51 existing car spaces removed, and provision of 103 new car parking spaces (i.e. net increase of 52 spaces). Provision of a pedestrian entrance and path oriented east.
 - A total of 71 car spaces will be allocated to the medical centre.
- Vehicle access will be via the existing accessway from Point Cook Road, including provision for a new pedestrian pathway along the north of the existing internal access.
- 6 visitor bicycle spaces provided to the north of the building entrance.
- Display of business identification signs:
 - A sign with an overall height of 7.3 metres and including 5 x 2.16sqm display areas (total 10.8sqm) identifying the medical centre tenancies at the Point Cook Road entrance to the site.
 - 5 x business identification signs, each with a total display area of 1.27sqm (signage zone) and raised by 800mm above ground level, to be located on the front (east) façade of the proposed building to either side of the entrance. Each sign will display a tenancy name.
 - Signage zone of 1.27sqm including provision for 1 x business identification sign (0.11sqm) and 4 x Direction signs (0.11sqm each), to be located on the side wall south of the building entrance.
 - 3 x business identification signs, each with a total display area of 1.01sqm (signage zone) and raised by 2.87 metres above ground level, to be located on the southern, eastern and northern porch facades.

2.1. Planning Permit Triggers

The proposal triggers the requirement for a planning permit under the following provisions of the Wyndham Planning Scheme:

- Clause 32.08-2 – Use of the land as a medical centre with a gross floor area over 250 square metres in a General Residential Zone.
- Clause 32.08-9 – Buildings and works and associated with a Section 2 use in a General Residential Zone.
- Clause 52.05-13 – Display of business identification and promotion signs in a Category 3 – High amenity area.
- Clause 52.29 – Alter access to a road in a Transport Zone 2.

3. Planning Controls

3.1. Zone and Overlay Controls

The subject site is located within the **General Residential Zone, Schedule 1 (GRZ1)** pursuant to **Clause 32.08** of the Wyndham Planning Scheme.

Pursuant to Clause 32.08-2, a planning permit is required for the use of a Medical Centre due to the gross floor area of the building exceeding 250 sqm. A permit is also required for buildings and works associated with a section 2 use.

The relevant purpose of the **GRZ** is *'to allow education, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.'*

The site is not affected by any overlays.

3.2. Particular and General Provisions

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

- Clause 52.05 – Signs – requires a permit for the display of business identification signage.
- Clause 52.06 – Car Parking – outlines a requirement for 74 spaces for medical centre based on 23 practitioners and 74 spaces for the medical centre is proposed.
- Clause 52.29 – Requires a permit for the alteration of access to a road in the Transport Zone 2.
- Clause 65.01 – Approval of an Application or Plan – outlines relevant decision guidelines.

3.3. Municipal Planning Strategy

The following policies from Wyndham's Municipal Planning Strategy (MPS) are of relevance to this proposal:

- Clause 02.02 – 'Vision.'
- Clause 02.03-1 – 'Settlement.'
- Clause 02.03-5 – 'Built Environment & Heritage.'

The MPS generally encourage the development of sensitively designed buildings, that are coherent with the nature and character of the area and will provide benefit to the community. The strategic

directions for activity centres also relate to consolidating activity centres as a focus for commercial activity and for activity centres to be connected to surrounding communities. **Date Plans Provided: 18/11/2022**

3.4. Planning Policy Framework

The following Planning Policy Framework (PPF) clauses are of relevance to this proposal:

- Clause 13.05-1S – Noise Abatement
- Clause 13.07-1L – Non-Residential Uses in Residential Zones
- Clause 15.01-1L-01 – Landscaping
- Clause 15.01-1L-02 – Signs
- Clause 15.02-5L – Wyndham Preferred Neighbourhood Character
- Clause 15.01-2S – Building Design
- Clause 15.01-2L – Industrial and Commercial Design
- Clause 17.02-1S – Business
- Clause 17.02-2S – Out-of-centre development
- Clause 19.02-1S – Health Facilities
- Clause 19.02-1R – Health Precincts – Metropolitan Melbourne

Generally the PPF encourages strategically located development that prioritise landscaping and appropriate design choices that minimise amenity impacts on residential uses. It also encourages the development of medical centres and precincts where different practitioners are in close proximity to each other, and the venues are integrated into local communities.

4. Planning Considerations

It is submitted that the key issues in this application relate to the appropriateness of the location for a medical centre, the appropriateness of the built form response, amenity considerations and the appropriateness of the proposed signage.

These key issues are discussed below.

4.1. Appropriateness of the location for a medical centre

The proposal for a medical centre on the subject site is consistent with the vision and strategic directions outlined within Clause 02.02 and 02.03 of the Wyndham City Planning Scheme. The proposal is set to provide for the future needs of the community, is consistent in size of the surrounding area, provides for high quality landscaping throughout the site and will allow for economic growth through the nature of a commercial use within the area.

A relevant purpose of the General Residential Zone is *'To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.'*

A medical centre is a type of non-residential use that is contemplated within the non-residential uses for **GRZ1** and can integrate well with a residential area.

Whilst the site is located within the General Residential Zone – Schedule 1 (GRZ1), it is important to note that it is already developed for a non-residential use and includes a further non-residential use (i.e. child care centre) immediately north.

Having regard to the locational related policies of Council's 'non-residential uses policy' at Clause 13.07-1L the proposal is appropriate as follows:

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- The proposed medical centre is located with access from Point Cook Road which is a Transport Zone capable of carrying anticipated traffic volumes.
- The proposal avoids the creation of traffic generation on local streets.
- The proposal is located 'adjacent' to a commercial area immediately south.

Having regard to relevant out of centre planning issues, it is submitted that the proposal is consistent with policy at Clause 17.02-2S which seeks to '*give preference to locations in or on the border of an activity centre for expansion of single use retail, commercial and recreational facilities.*' The location of the subject site is 'on the border of an activity centre' as it abuts the Sanctuary Lakes Shopping Centre directly to the south, which is in a **Commercial 1 Zone** and is designated an activity centre pursuant to Map 5 of Clause 02.04.

As per Clause 17.02-2S, it is submitted that the proposal is consistent with activity centre policy being located directly north of an abutting activity centre which is an area of preference for commercial facilities.

The development is set to be of benefit to the community, the development will not compromise the activity centre hierarchy and will not compete with Sanctuary Lakes AC directly to the south given its close proximity and specialised nature. It is difficult to locate suitable land for purpose built medical centres within activity centres.

The hours of operation are proposed to be less than the guide provided for medical centres in Clause 13.07-1L, with operations proposed to be Monday – Friday 8:30am – 6:00pm and 8:00am – 12pm Saturday indicating the intensity of use is appropriate.

This will appropriately minimise and mitigate noise and amenity impacts to adjoining properties. Additionally, the proposal provides a large car parking area to ensure its use is accessible.

As discussed in detail below, the building will provide setbacks from all boundaries that abut residential areas and adequate space for landscaping along these interfaces. This will provide an appropriate interface with adjoining GRZ land, noting the single storey scale of the proposal to the secluded private open space areas of the adjoining dwellings. This aspect of the design aligns with the preferred character outcomes and objectives of Clause 15.01-1L-01.

4.2. Is the built form appropriate?

The site falls within a contemporary garden suburban area under the policy at Clause 15.01-5L outlining the Wyndham preferred neighbourhood character. Relevant strategies include provide new canopy trees, provide landscaping in small spaces and provide open front boundary treatments.

From a character perspective the site context differs from a typical residential street as it is located on a main road, on a site developed by a Hotel and with a proposed siting location at its north-west corner which will result in limited streetscape presentation or character implications. The provisions of landscaping to the residential interfaces is consistent with that envisaged under this policy.

Relevant built form related provisions of 13.07-1L 'Non-residential uses in residential zones' include as follows:

'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.
- Storage amenities and loading facilities.'

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

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

Having regard to the above the proposal is appropriate for the following reasons:

- The proposal comprises a single storey development with a maximum wall height of 4.7 metres which is a modest and respectful scale.
- The single storey form and accompanying material palette will assist in providing a design outcome that references and is respectful of the residential area to the north and west, while still clearly identifying itself as commercial, in order to contribute to the preferred neighbourhood character for Wyndham City as outlined in Clause 15.01-5L and achieve a building design that positively contributes to the local context as per Clause 15.01-2S Building Design.
- The design response is appropriately contemporary but utilises domestic materials including brick that are respectful to a residential area. The materials and finishes are attractive.
- The entrance to the building is well defined.
- All amenities and storage is contained within the existing building.
- Signage to the building façade itself is modest and appropriate.
- The proposal allows for setbacks from boundaries that are shared with residential properties that can be landscaped.
- The reconfigured car parking area is an extension to the existing car parking on site and is well setback from the public realm.
- Due to the non-residential use of the proposal the objectives and standards of ResCode are not technically applicable, however, due to the proximity of the development to residential dwellings it has been designed in a manner that is appropriate and responds to the amenity based standards of ResCode that would otherwise be applicable. The proposal also meets ResCode requirements regarding site coverage and permeability, with site coverage of 46% and permeability of 20%, indicating intensity is appropriate.

On the basis of the proposed built form is consistent with policy. It is well setback from the public realm, respects the surrounding area in the choice of materials used and modest size and scale, and provides landscaping opportunities on shared boundaries.

4.3. Will the proposal have appropriate amenity outcomes?

In relation to external amenity Clause 13.07-1L seeks to manage non-residential uses in residential areas. Relevant policy provisions include:

'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.'

The hours of operation for medical centres is sought to be limited from between 8am and 9pm Monday to Saturday and between 9am and 6pm Sunday.

Having regard to the above the following is noted.

- The building's height is appropriate for the area and the material choices are respectful and take additional reference from the existing character of residential dwellings.
- The proposed setbacks for the development provide adequate spacing for landscaping and is compliant with the Standard B17 side setback envelope. Due to the irregularity of the development's north and west boundaries, setbacks provided are varied yet comfortably compliant with ResCode standards for the proposed height of 4.7 metres, thus appropriately limiting visual bulk.
- Similarly, the low built form and generous setbacks result in minimal overshadowing impacts into the secluded private open space of residential dwellings along the western boundary of the subject site. As shown in TP70 – TP76 the proposal creates some new shadow into the secluded private open space of 19 and 21 Windsong Way and barely encroaches into 3 Castle Street's private open space at 9am. The provides retains a minimum of 40 square metres of sunlight to these secluded private open spaces for 5 hours between 9am and 3pm, with a minimum dimension of 3 metres to all properties at this time, thus meeting the overshadowing guide of Standard B21.
- The proposal imposes sufficient measures to minimise the noise effects on sensitive areas in the surrounds, notably being the residential areas to the west and north, in order to meet objectives of Clause 13.05-1S Noise Management.
- The proposed hours of operation are comfortably less than that envisaged by Clause 13.07-1L, operating between 8:30am and 6:00pm, Monday to Friday and 8:00am and 12:00pm, Saturday. The hours of operation do not extend into more sensitive night time periods. The building entrance and majority of car parking spaces are oriented towards the east, away from sensitive interfaces. As noted vehicle movements are not reliant on local streets.
- Plant on the roof is proposed to be treated and screened with acoustic screening.
- The proposal is designed in a way that limits amenity impacts regarding overshadowing, visual bulk and noise, therefore the proposal is deemed to be appropriate in regard to amenity outcomes.
- A waste management plan has been prepared and accompanies this application.

4.4. Does the proposed signage respond to relevant provisions?

Clause 15.01-1L-01 (Signs)

This policy applies to all applications for signs. It includes policy objectives and strategies to meet this objective, which must be considered. We have provided a response to the relevant policy strategies below:

Clutter

- The proposed signs will not result in visual clutter on the proposed buildings. Whilst there are multiple signs along the eastern interface, they are spaced out and provide breaks between windows.
- The proposed signs consist of 3 signs attached to the building that are to be the name of the medical centre, and only a single sign on the building consisting of the different tenancies, reducing the overall potential number of signs for each tenancy and thus minimising clutter.

Location

- The location of the pylon style sign is located along Point Cook Road, which is a transport route. The signage is appropriate as its location is within a recommended area and it is the same size as an existing pylon size to the south of the accessway, complementing the existing signage strategy for the site.

Clause 52.05 (Signs)

Clause 52.05 provides the primary policy guidance for applications which seek to display signage. We contend that the proposal is consistent with the provisions of Clause 52.05 for the following reasons:

- The site is shared by an existing Hotel which currently contains business identification and promotion signs. The business identification signage to the proposed building façade is modest and the proposed pole sign at the entrance to the car park is appropriate to identify the proposed business and integrates well with the existing signage strategy.
- The proposed signs are appropriately proportioned relative to the openness of the eastern interface of the proposed building and the public realm.
- None of the proposed signs are above the building's parapets or verandahs.
- We note that the site is located along a major transport route where larger signs are appropriately located. The proposal meets this requirement and does not exceed the size of the existing sign on the south side of the accessway.

4.5. Does the proposal result in acceptable car parking outcomes?

The provision of car parking proposed for the medical centre will adhere to the minimum requirements based on Clause 52.06, whilst maintaining appropriate parking for the existing Hotel. Based on the maximum number of medical practitioners (23), the proposal generates a requirement for 71 car spaces.

We defer to the accompanying Traffic Impact Assessment by Ratio Consultants Pty Ltd which addresses this matter in detail and demonstrates that the provision of car parking and vehicular access to the site is appropriate and justified having regard to the purposes and decision guidelines of Clause 52.06.

As documented in the Waste Management Plan (WMP) prepared by Ratio Consultants, there is adequate provision made for waste storage and private contractor collection will occur from the rear loading area.

5. Conclusion

In conclusion the proposal is considered appropriate for the following reasons:

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– Medical centres play an important community role and the site is well located having regard to the zone and relevant non-residential uses policies.

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– The proposed built form response is appropriate to the context.

– Amenity impacts to neighbouring residential zoned land will be limited.

– The proposed signage is appropriate.

For these reasons it is respectfully requested that Council support the application.

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