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Date Plans Provided: 27/07/2021

WRITTEN SUBMISSION IN SUPPORT OF THE PLANNING PERMIT APPLICATION FOR A CHILD CARE CENTRE

19 WERRIBEE STREET, SOUTH WERRIBEE

PREPARED BY: URBANEDGE PLANNING

This document is prepared in support of a planning permit application for the 19 Werribee Street Child Care Centre and must not be reproduced, copied or used in any way unless authorised by the author, UrbanEdge Planning.

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Plan: 1 of 25¹

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EXECUTIVE SUMMARY

ADDRESS

LOT 3 ON PS 010869 (19 WERRIBEE STREET SOUTH WERRIBEE 3030)

PROPOSAL

USE OF LAND FOR A CHILD CARE CENTRE WITH REDUCED CAR PARKING REQUIREMENT

PLANNING SCHEME

WYNDHAM

RELEVANT SPPF

Clause 11 - Settlement
Clause 15 – Built Environment
Clause 17 – Economic Development
Clause 18 - Transport
Clause 19 – Infrastructure
19.02-2S – Education facilities

RELEVANT LPPF

Clause 21.06 – Built Environment
Clause 22.01 – Non-Residential uses in Residential Zones Policy
Clause 22.10 – Infrastructure

LAND USE ZONE

GENERAL RESIDENTIAL

Clause 32.08

OVERLAY

NO OVERLAY AFFECTS THE LAND

PARTICULAR PROVISIONS

Clause 52.05 – Advertising Sign
Clause 52.06 – Car Parking
Clause 52.34 – Bicycle Facilities

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INTRODUCTION

1.1. Overview

This planning permit application seeks Council's approval for the use of land at 19 Werribee Street Werribee South for a Child Care Centre with a reduction to the standard car parking requirements.

The application site is within the General Residential Zone (GRZ) under the Wyndham Planning Scheme and is not affected by any overlay controls (**Figure 1 - 3**).

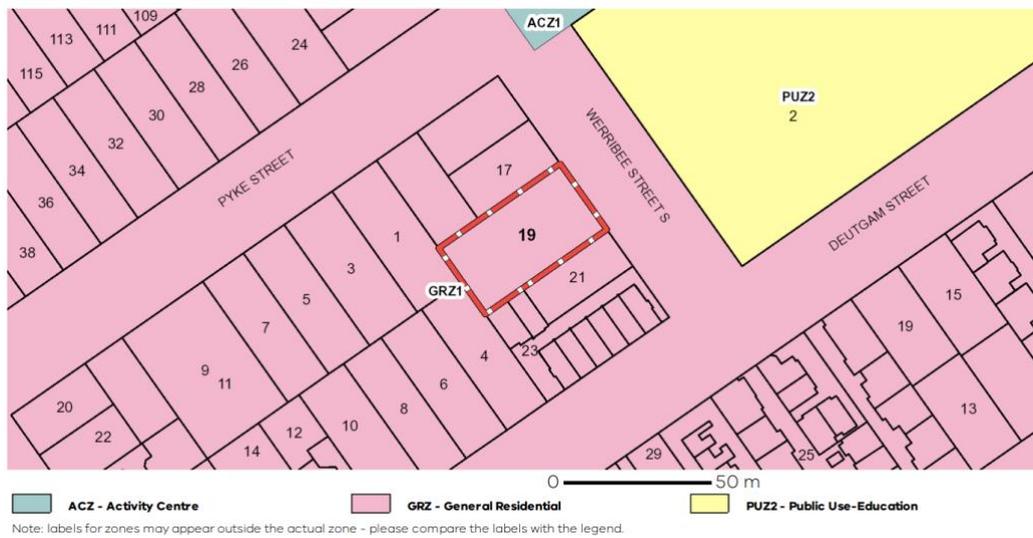


Figure 1– Site Zone Map

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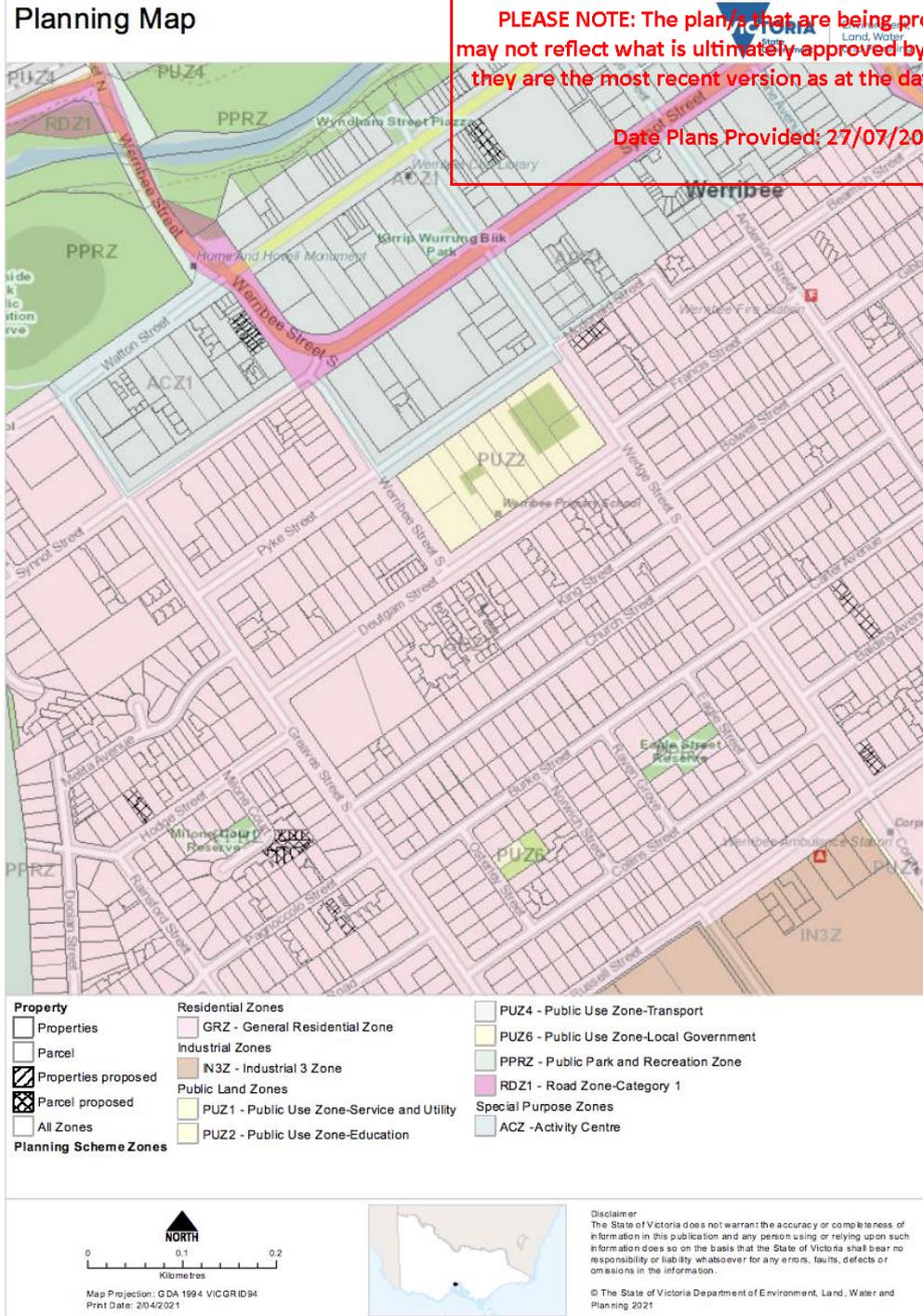


Figure 2 – Wider Area Zone Map

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Planning Overlay

None affecting this land - there are overlays in the vicinity

[HERITAGE OVERLAY \(HO\)](#)

[PARKING OVERLAY \(PO\)](#)



Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend

Designated Bushfire Prone Areas

This property is not in a designated bushfire prone area.
No special bushfire construction requirements apply. Planning provisions may apply.



Figure 3 - Overlay Map showing no overlay applying to the site and adjacent properties.

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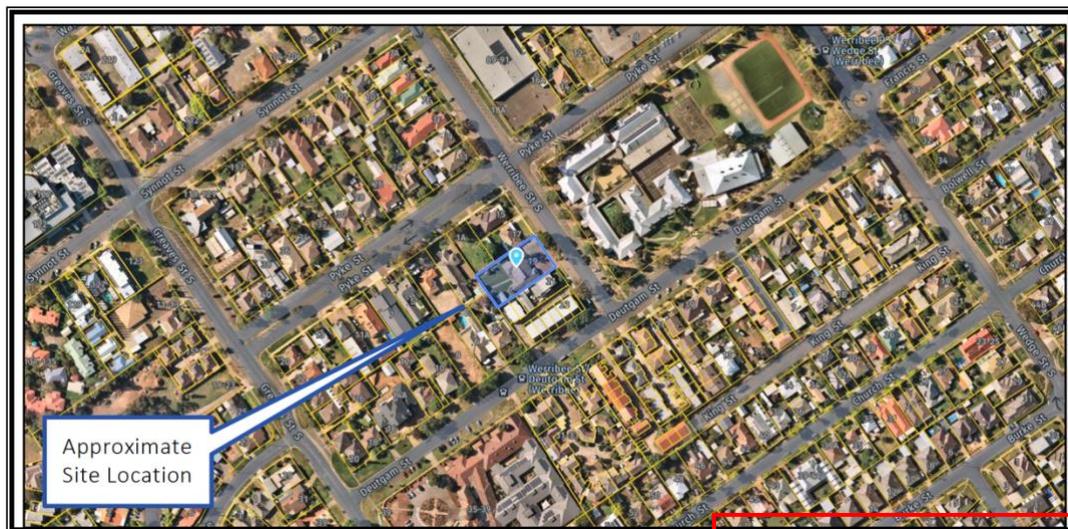
A Child Care Centre use is a Section 2 use under the General Residential Zone provisions and a permit is required under Clause 52.06 of the planning scheme to reduce the standard car parking provisions. This report provides an assessment of the application against the relevant provisions of the Wyndham Planning Scheme.

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1.2. Application Site & Surrounds

The application site is located on the western side of Werribee Street just 80m outside of the Werribee City Centre, approximately 800m from the Werribee train station and abuts residential properties to the rear, and on either sides. The site is a rectangularly shaped block of land with a frontage of 27.43m to Werribee and a depth of 50.29m, and a total site area of 13805sq.m. The site appears to be generally flat and contains a dwelling cited almost centrally on the block, a carport is located to the northern boundary. There is also an existing vehicle crossover located in the northern side of the site frontage with two street trees and footpath are located within the road reserve. The site is also fenced round its perimeter by timber palings. Except for some grass patches and scattered trees and shrubs, the site is devoid of any significant vegetation (Figure 3 – Aerial Photos of the site & surrounds). There are no restriction or covenant is registered on the instrument of title.



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Figure 3 – Aerial Photos of the site & surrounds

The wider area comprises of both residential and non-residential uses. The adjoining properties to the north at 15 and 17 Werribee Street are standard residential dwellings with direct frontages to Werribee Street. Properties to the south contain multi dwelling units. Directly opposite the site is the Werribee Primary School. Other surrounding features include:

The site is located approximately 80 metres outside the Central Precinct of the Werribee City Centre which contains numerous commercial, hair dresser salon, psychologist, medical centre, retail and food and drink premises including ALDI, Officeworks, Coles and Australia Post.

Numerous parks, recreational facilities and community centres are located within proximate distance to the site, including Wyndham Park, Chirnside Park, Werribee Outdoor Pool and Eagle Street Reserve located within 500 metres from the site.

Corpus Christi Primary School, MacKillop College and Werribee Secondary College are all located within 900 metres of the site. Nearest childcare centre is located at 39/41 Duncan Road outside the Werribee City Centre, (Goodstart Early Learning Centre).

Use of land

It is proposed to use land for the purpose of a childcare centre with a maximum capacity of 73 places.

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The staff number envisaged for the centre is maximum 15 at any one time. The staff will be rostered based on daily enrolment for childcare.

The hours of operation for the childcare centre will be between 6:30am – 6:30pm, Monday to Friday.

Buildings and Works

The existing building is to be retained with additions of new buildings and works to the north where the carport currently sits and extension to the existing concrete patio at the rear of the dwelling. proposed development consists of a double storey building. All modification will be made to match existing single storey style and generally within existing building envelope.

Car Parking, Access way and Landscaping

Existing concrete driveway and access crossover will be utilised and a total of 13 on site car spaces are to be constructed to the front of the site to provide quick drop off for parents, staff parking and disability parking bay close to the building entrance.

Advertising Sign

Anon illuminated advertising signage will be installed in the front fascia of the building, generally in accordance with Clause 52.06.

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PLANNING PROVISIONS

1.4. Permit Requirements

Use of land

The subject site is located within a General Residential Zone. Pursuant to Clause 32.08-1, childcare use is unspecified, hence a discretionary use under the Wyndham Planning Scheme and requires a permit before the use is established on the land.

Buildings and Works

Pursuant to Clause 32.08-6 of the zone provisions, a permit is also required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.08-1.

Car Parking Provision

A permit is required to reduce the number of car parking required pursuant to Clause 52.06-3 of the Wyndham Planning Scheme.

Planning Assessment

1.5. State Planning Policy Framework

Clause 11 – Settlement

The State's planning strategies supports integrated place-based planning that meets the needs of existing and future population. Its strategies include:

Locate significant new education, justice, community, administrative and health facilities that attract users from large geographic areas in or on the edge of Metropolitan Activity Centres or Major Activity Centres with good public transport.

Non-residential use and development

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- 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.

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The safety, efficiency and amenity effects of traffic to be generated by the proposal. Planning is also required to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure.

Response

We submit that the proposal implements the various strategies of Planning Policy Framework (PPF) and will bring the much-needed community facility in this area of Wyndham municipality, adding to employment opportunity for the local residents while minimizing adverse amenity impact of the use through appropriate development setback, landscaping, design and treatment to the building.

Non-residential land uses are not uncommon in residential areas, especially child-care centres, medical centres, schools etc. The existing building is well located at the edge of activity centre, adjacent to existing primary school and is well suited for the proposed use given the allotment size, setback and available of space to the rear to conveniently accommodate the use.

Clause 17.02-5S Out of Centre Development

The objective is to manage out-of-centre development. Strategies include:

- Discourage proposals for expansion of single use retail, commercial and recreational facilities outside activity centres
- Give preference to locations in or on the border of an activity centre for expansion of single use retail, commercial and recreational facilities.

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Discourage large sports and entertainment facilities of metropolitan, state or national significance in out-of-centre locations unless they are on the Principal Public Transport Network and in locations that are highly accessible to their catchment of users.

- Ensure that out-of-centre proposals are only considered where the proposed use or development is of net benefit to the community in the region served by the proposal or provides small scale shopping opportunities that meet the needs of local residents and workers in convenient locations.

Response

The strategies of clause 17.02-2S also support out of centre single uses where this is located near existing activity centres and achieves net community benefit to the local area. The location of the site, just at the edge of a major centre, close to public transport and the small-scale nature of the proposal make it appropriate in this location.

Childcare centre facility is not uncommon at the periphery of a city centre or within a residential one setting, as this location offer access for parents and facilitates quick drop offs and pick-ups. It is submitted that the proposed centre will provide net community benefit by meeting childcare needs of the local community as well as providing additional job opportunities.

Clause 18 – Transport and Clause 18.02-5 – Car Parking

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Planning should ensure an integrated and sustainable transport system that provides access to social and economic opportunities, facilitates economic prosperity, contributes to environmental sustainability, coordinates reliable movements of people and goods, and is safe.

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The parking objective is to ensure an adequate supply of car parking that is appropriately designed and located.

Clause 19 – Infrastructure and Clause 19.02-2S – Education facilities

Amongst other things, the thrust of the strategy is to identify and address gaps in social and community infrastructure provision and ensure community access to various community infrastructures such as education, cultural, health and community support (mental health, aged care, disability, youth and family services) facilities are significantly improved by encouraging the location near activity centres.

The strategies require planning to:

- *Plan and design community places and buildings so they can adapt as the population changes and different patterns of work and social life emerge.*
- *Locate new small-scale education, health and community facilities that meet local needs in or around Neighbourhood Activity Centres.*

Clause 19.02-2S objective is:

- *To assist the integration of education and early childhood facilities with local and regional communities.*

The strategies are:

- ***Consider demographic trends, existing and future demand requirements and the integration of facilities into communities in planning for the location of education and early childhood facilities.***
- ***Locate childcare, kindergarten and primary school facilities to maximise access by public transport and safe walking and cycling routes.***

- **Ensure childcare, kindergarten and primary school and secondary school facilities provide safe vehicular drop off zones (emphasis added).**

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- *Facilitate the establishment and expansion of primary and secondary education facilities to meet the existing and future education needs of communities. Recognise that primary and secondary education facilities are different to dwellings in their purpose and function and can have different built form (including height, scale and mass).*
- *Locate secondary school and tertiary education facilities in designated education precincts and areas that are highly accessible to public transport.*
- *Locate tertiary education facilities within or adjacent to activity centres. Ensure streets and accessways adjoining education and early childhood facilities are designed to encourage safe bicycle and pedestrian access.*
- *Consider the existing and future transport network and transport connectivity.*
- *Develop libraries as community-based learning centres.*

Response

We submit that the proposed childcare centre implements the statewide objectives and will ensure these aspirations are met. The colocation near an activity centre and a primary school will provide significant benefit as parents living in nearby residential areas are able to drop off their children to engage in their various vocations, whether working away or from home. With more people working from home, placing more stress on families, therefore the establishment of the facility will improve access to this essential facility for residents in Werribee area to support families.

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1.6. Local Planning Policy Framework (LPPF) and the Municipal Strategic Statement (MSS)

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The LPPF and MSS provide the key policy objectives and strategies for land use planning in the municipality. The MSS guides Council's land use planning decisions

such as planning permit applications and amendments to the planning scheme.

Relevant to this application are the *Clause 21 – Municipal Strategic Statement*

Clause 21.10 (Infrastructure), Clause 22.01 (Education Facility), clause 22.02 (Advertising Sign) and Clause 22.04 (Neighbourhood Character)

Council's MSS identifies that keeping pace with growth is a major issue for council.

This is well recognized in the community. Council's policy articulates this very well and states as follows:

Key issues

- *Ensuring infrastructure provision keeps pace with population and housing growth.*
- *Delivering facilities that support the health and wellbeing of the community.*
- *Providing solutions that encourage a healthy, well and safe community.*

The Policy of clause 22.01 are:

- *To ensure non-residential uses are appropriately located having regard to the amenity of the local area and nearby residential facilities.*
- *To ensure the siting and design of proposed buildings and works is compatible with the surrounding area; including car parking areas and advertising signs, fencing, landscaping, lighting, open space, storage amenities and loading facilities.*
- *To ensure appropriate location of access points and that traffic generation does not have a detrimental impact on the existing road network or pedestrian and vehicular safety.*

- To ensure that 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, hours of operation, unreasonable overshadowing, overlooking, noise, traffic impacts, avoidance of light spill, waste management and the provision of facilities.

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General

It is policy to:

- Ensure that the siting and design of buildings and works including carparking areas are sympathetic to the surrounding housing and streetscape and are of a scale and architectural style that is compatible with the residential area.
- Encourage development to include features to reduce noise, loss of privacy and to enhance the appearance of the development by including landscaping to the frontage, utilising screening and acoustic fencing to cause minimal loss of amenity and privacy of people living in nearby dwellings.
- Encourage a landscape setback of a minimum of 3 metres at the road frontages of the property.
- 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, which avoid extra generation of traffic on residential streets.
- Ensure that any waste generated by the use or development is managed appropriately.

- *Ensure all applicable development complies with SEPPN1 Environment Protection Policy (Control of Noise from Commerce, Trade & Industry). Ensure any security lighting used is not activated continuously, but designed to respond to sensors only.*

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- *Encourage advertising signage to be in keeping with Council's Advertising Policy for residential areas. Discourage flashing and illuminated signs.*

For Child Care Centres

- ***Locate open space and outside storage away from abutting residential uses.***
- ***Provide acoustic fencing of a scale and design that protects adjacent residential amenity and the privacy of the children using the centre (emphasis added).***

Response

The design of the childcare centre will utilise an existing dwelling, as such minimal disruption to the streetscape character. There will be no overlooking, or overshadowing impact as existing single storey dwelling is retained.

Non-residential land uses are not uncommon in residential areas, especially child-care centres, medical centres, schools etc. The existing building is well located at the edge of activity centre, adjacent to existing primary school and is well suited for the proposed use given the allotment size, setback and available of space to the rear to conveniently accommodate the use.

The hours of operation proposed correspond to normal business hours and activities and does not present any unreasonable issue. The proposed layout integrates the rear vacant part of the site, now children play area with adjoining open space areas, noting also the childcare centre operates during the day.

Neighbourhood Character: The site is located within the Garden Suburban area and within limited housing incremental change area. The Character Statement includes preferences for moderately scaled simple dwell typical of interwar era. The area also enjoys spaciousness with occasional buildings to the side boundaries.

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It is also worthy to note that childcare centre provides a fully monitored play area and staff are on site to supervise children play areas. It is therefore unlikely that the use will pose significant disruption to nearby dwellings.

The proposed buildings and works to the existing building include a modest addition to the side and rear of the site, with simple single storey format similar to the existing structure and dwellings on the nearby properties. There is currently very limited landscaping on the site., appropriate landscaping will be provided along the site boundaries especially to the frontage to improve on amenity, noting there is currently very limited landscaping on site. Appropriate conditions within any permit issued for a detailed landscaping plan is acceptable.

No advertising sign application is included in the proposal.

1.7. General Residential Zone – Clause 32.08

The purposes of the General Residential Zone however, are as stated below:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *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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Clause 32.08-13 – Decision Guidelines

Non-residential use and development

- 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.

Response

It is submitted that the proposed childcare centre is consistent with the above decision guidelines as it aims at meeting the childcare needs of young families in the community.

The use of land for a childcare centre is an acceptable and complimentary use within a residential setting and are considered compatible with residential land uses. The hours of operation and function of the centre correspond to normal business hours and activities thus enable the use to fit well within the residential context.

Given the location in a residential neighbourhood with ready access to other education facilities nearby and ample access to public amenities, the use will not result in an unreasonable amenity impact.

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No significant change is proposed to the site. Car park is located within existing frontage to offer quick and easy parking to parents and staff while the rear accommodates the children play area.

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A general survey of the area identifies an existing Goodstart Early Learning Centre on Duncans Road. This centre is located in a similar setting, within a residential area. It is therefore considered that this will further addition facility for parents in the area.

1.8. Overlays

No overlay affects the property

1.9. Particular Provisions

Clause 52.06 – Car Parking

The purpose is (inter alia)

- *To ensure that car parking is provided in accordance with the State Planning Policy Framework and Local Planning Policy Framework.*
- *To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.*
- *To support sustainable transport alternatives to the motor car.*
- *To promote the efficient use of car parking spaces through the consolidation of car parking facilities.*
- *To ensure that car parking does not adversely affect the amenity of the locality.*
- *To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.*

Clause 52.06-2 of the provision states that:

Before:

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- a new use commences; or the floor area or site area of an existing use is increased; or
- an existing use is increased by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use, the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay must be provided to the satisfaction of the responsible authority in one or more of the following ways:
 - on the land;
 - or in accordance with a permit issued under Clause 52.06-3; or
 - in accordance with a financial contribution requirement specified in a schedule to the Parking Overlay.

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Clause 52.06 of the Wyndham Planning Scheme requires that, "Before granting a permit to reduce the number of spaces below the likely demand assessed by the Car Parking Demand Assessment, the responsible authority must consider the following, as appropriate:

- The Car Parking Demand Assessment.
- Any relevant local planning policy or incorporated plan.
- The availability of alternative car parking in the locality of the land, including:
 - Efficiencies gained from the consolidation of shared car parking spaces.
 - Public car parks intended to serve the land.
 - On street parking in non-residential zones.
 - Streets in residential zones specifically managed for non-residential parking.
- On street parking in residential zones in the locality of the land that is intended to be for residential use.

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- *The practicality of providing car parking on the site, particularly for lots of less than 300 square metres.*
- *Any adverse economic impact a shortfall of parking may have on the economic viability of any nearby activity centre.*
- *The future growth and development of any nearby activity centre.*
- *Any car parking deficiency associated with the existing use of the land.*
- *Any credit that should be allowed for car parking spaces provided on common land or by a Special Charge Scheme or cash-in-lieu payment.*
- *Local traffic management in the locality of the land.*
- *The impact of fewer car parking spaces on local amenity, including pedestrian amenity and the amenity of nearby residential areas.*
- *The need to create safe, functional and attractive parking areas.*
- *Access to or provision of alternative transport modes to and from the land.*
- *The equity of reducing the car parking requirement having regard to any historic contributions by existing businesses.*
- *The character of the surrounding area and whether reducing the car parking provision would result in a quality/positive urban design outcome.*
- *Any other matter specified in a schedule to the Parking Overlay.*
- *Any other relevant consideration.*

Response

Please refer to detailed parking assessment by TTM Traffic Report.

A Childcare Centre use is specified under the car parking table at Clause 52.06-5.

The table prescribes 0.22 parking spaces to each child.

The proposed centre will accommodate 73 children, therefore requires 16 spaces.

The proposal provides a total of 13 on site spaces, including 3 disabled spaces and drop off spaces, with a reduction of parking required by 3 spaces.

A permit is therefore required to reduce the number of car parking required under Clause 52.06 with respect to this aspect of the development.

TTM Traffic report provides detailed assessment of the parking demand based on empirical analysis of similar uses, demand for parking, access to local area parking

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opportunities on streets and access to public transport. Based on the expected car parking demand, the proposal provides sufficient onsite spaces to service the use, noting also the general patronage will likely be from the nearby residential neighbourhoods.

The location of the car park in proximity of a major activity centre and schools also provide added advantage, enabling multi foci trips and use of public transport respectively.

The proposed layout of the car park to the front offers the best layout given the site's constraints and the need to minimise impacts on existing dwellings.

It is submitted that consideration has been given to the above matters and it is the expected parking demand will not exceed 8 spaces that are provided on site.

It is submitted that the on-site parking spaces are able to accommodate the expected parking demand. The tandem parking arrangement allows for staff parking, noting parents parking will be on a short-term basis during staggered pick-ups and drop offs. We submit that the proposal meets the intent and criteria for reduced parking rates and seeks council's favourable consideration and support.

Clause 52.05 Advertising Signs

The site is within Category 3 of the advertising Sign under clause 52.05-13. The proposed sign is non-illuminated to ensure minimal impact on nearby residents and accords with the decision guidelines under the WPS.

Clause 52.34 Bicycle Facilities

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A childcare centre is an exempt for the purpose of clause 52.34 of the Wyndham Planning Scheme.

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1.10. General Provision – Clause 65

Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:

- *The matters set out in section 60 of the Act.*
- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The purpose of the zone, overlay or other provision. Any matter required to be considered in the zone, overlay or other provision.*
- *The orderly planning of the area.*
- *The effect on the amenity of the area.*
- *The proximity of the land to any public land. Factors likely to cause or contribute to land degradation, salinity or reduce water quality.*
- *Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.*
- *The extent and character of native vegetation and the likelihood of its destruction. Whether native vegetation is to be or can be protected, planted or allowed to regenerate.*
- *The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.*
- *The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.*

Response

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Having regard to the policy objectives as described above, it is submitted that the proposal is consistent with the State and Local Planning Policy Framework as

contained within the Wyndham Planning Scheme. The proposed use is ideally located within a residentially zoned land and will compliment the existing residential

uses nearby. The site is highly accessible with direct abuttal to a major road (Ballarat Road), with adequate vehicle and pedestrian connection.

The hours of operation proposed are between 6:30am and 6:30pm, which are generally appropriate in this context.

1.11. Conclusion

In summary, it is respectfully submitted that the proposal achieves a high level of compliance with the relevant state and local planning policy frameworks and will achieve the zone purposes as contained within the Wyndham Planning Scheme and should therefore be supported.

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PLEASE NOTE: The plan/s that are being provided to you may not reflect what is ultimately approved by Council however they are the most recent version as at the date shown below:

Date Plans Provided: 27/07/2021