

15 September 2020

Ms Margaret Evans
Co-ordinator Statutory Planning
Wyndham City Council
PO Box 197
Werribee Vic 3030

Dear Margaret,

Application for Amendment to Permit No. WYP632/12.02
755 Sayers Road Hoppers Crossing
Construct buildings and works associated with a Medical centre and changes to
permitted operating conditions via an amendment to the above permit

We refer to the above application and enclose the following information:

1. A completed Application to Amend a Planning Permit Form;
2. Completed credit card payment form in the sum of \$2,206 being the prescribed lodgement fee;
3. A set of plans;
4. Current copy of the Certificate of Title;
5. Planning report in support of the application;
6. Traffic assessment report; and
7. Waste Management Plan.

We trust that the submitted information is to Council's satisfaction.

However, should you have any queries or wish to discuss any aspect of the proposal, please contact this office at your earliest convenience.

Yours faithfully,



Louis Petrentsis
Priority Planning Pty Ltd

Encl

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:

Application to Amend Planning Permit No. WYP632/12.02 Data Plans Provided: 12/05/2021

755 Sayers Road Hoppers Crossing

Construct buildings and works associated with a Medical centre and changes to permitted operating conditions via an amendment to the above permit



15 September 2020

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:

changes to permitted 12/05/2021

Introduction

Priority Planning Pty Ltd has been engaged to lodge an application for the construction of buildings and works associated with a medical centre as well as changes to permitted operating conditions via an amendment to an existing permit at 755 Sayers Road Hoppers Crossing.

This report, which should be read in conjunction with the plans submitted with the application, explains the proposal in detail and sets out its compliance with the Wyndham Planning Scheme.

The methodology used is to identify the zone, overlay(s) or other provisions that trigger a requirement for a planning permit, identify the relevant state and local policies arising from those provisions and then demonstrate how the proposal addresses the main planning issues arising from both.

The proposed development and expanded uses are appropriate given the site context. While the site is in a residential zone, it already contains a non-residential (medical centre) use, which the proposal will not change.

The site abuts a road in Road Zone and is in the Principal Public Transport Network Area.

The proposed building extension will have a single-storey scale, setbacks and appearance typical of suburban residential development.

While the new closing times will be outside those for Medical Centres specified in the Council's Non-residential uses in Residential Zones Policy, the proposed two additional trading hours for each of Monday-Saturday evenings are appropriate having regard to:

- the site's abuttal to a higher order road (which itself is both noisy and provides a buffer between the site and residential land to the north);
- the large size of the site and its neighbours in the "low density residential area" (in which typical lot sizes are just over 4000sqm) along the south side of Sayers Road near the site (which will mitigate many amenity impacts); and
- the fact that there are existing or proposed non-residential uses on both sites along Sayers Road that abut the site (this partly non-residential context again will mitigate many amenity impacts).

The report then considers the following questions:

- Will the proposal achieve acceptable outcomes in terms of the state and local policies and the General Residential Zone?
- Will the proposal achieve acceptable outcomes in terms of Clause 22.01 Non-residential uses in Residential Zones Policy?

The report concludes that the proposal will achieve acceptable planning outcomes and that it is appropriate for Council to grant an amendment to the existing permit.

The site

The site abuts the south side of Sayers Road opposite Penrose Promenade, in a main road residential area of Hoppers Crossing.

The site consists of a single, flat, rectangular lot, with an area of 4080sqm (approximately one acre).

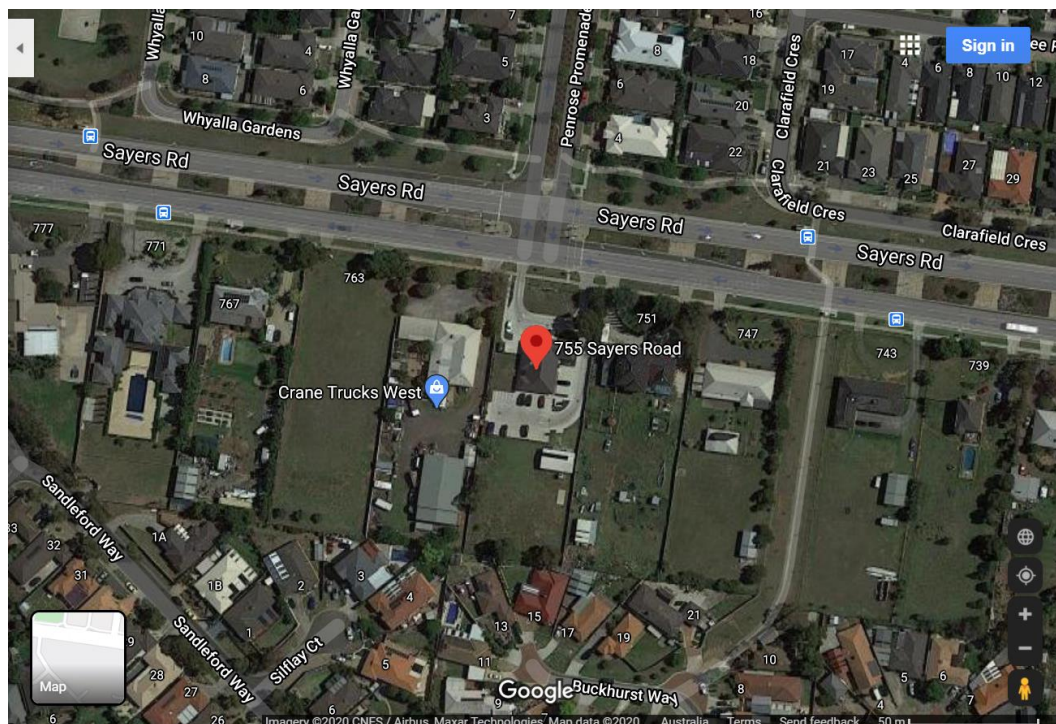
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Date Plans Provided: 12/05/2021

Existing Conditions



Locality plan including public transport, with site marked with peg



Aerial photo showing site (marked with red peg) in context of immediate neighbourhood

The site is used as a medical centre.

This occurs primarily in a house located at the Sayers Road end of the site, with parking located next to and immediately behind the house.

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The balance of the site is open, containing gardens

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Vehicular access to the site is via two existing crossovers from Sayers Road. Internal driveways connect the frontage and on-site car parking.

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The existing use operates via Planning Permit WYP632/12.02.

Issued on 26 June 2014, this permit allows:

Use of the land for a Medical centre and associated signage and works.

Condition 4 of the permit states:

No more than seven practitioners may work on the premises at any one time.

Condition 5 states:

Unless with the prior written consent of the Responsible Authority, the Medical Centre permitted by this permit must operate only between the following times: Monday to Saturday 8.00am to 9.00pm and Sunday 9.00am to 6.00pm. The use of the Medical centre outside these hours must be restricted to emergency cases only.

The neighbourhood

The site is in a mainly residential neighbourhood.

Also on the south side of Sayers Road, this includes dwellings on lots of just over 4000sqm, indicating that this was part of a low-density residential subdivision.

To both the north (across Sayers Road) and south of the site are more standard outer-suburban neighbourhoods, which includes mainly single-dwellings on smaller lots.

The immediate context of the site is however partly non-residential, including that on either side of it along Sayers Road there is respectively an existing crane truck (Crane Trucks West) business and an (approved but not yet commenced) childcare centre.

Next to the site, Sayers Road is a high-order road with a sealed carriageway, bicycle lanes, a median and footpaths.

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The site and its neighbourhood

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The site – from across Sayers Road



The site



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Date Plans Provided: 12/05/2021



Looking diagonally across intersection toward site (identified by signage in centre, middle-ground). Note also: bicycle lane



751 Sayers Road – immediately east of site. The sign on the front of this site indicates that a Childcare centre will shortly be located therein



759 Sayers Road – immediately west of site. While this site appears to be residential from Sayers Road, Google Maps indicates that it is the location of “Crane Trucks West”

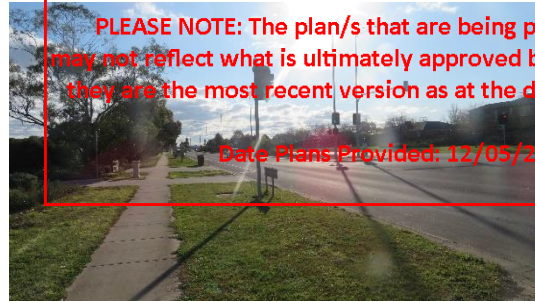


Sayers Road and Primrose Promenade intersection. Right photo shows residential neighbourhood along Primrose Promenade



Looking east along Sayers Road from near site – with north side of road in background in left photo; south side in right photo (viewed from median). The photo on the left also shows the footpath and the existing crossover in front of the site

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Looking west along Sayers Road from near site – north side of road in left photo; south side on right



Vacant land at 763 Sayers Road - west of site



Area immediately north of site across Sayers Road/along Primrose Promenade. Note: Sayers Road service road is shown



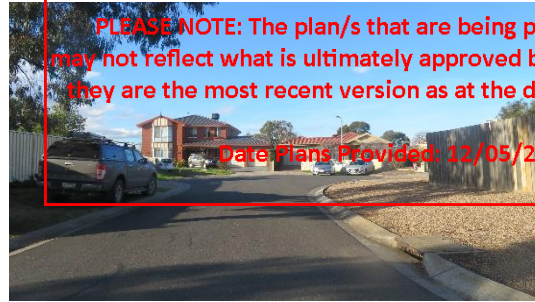
Bus route along Sayers Road near site



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Typical suburban neighbourhood in the area to the south of the site



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mcg

HOME FOR SALE FOR LEASE ABOUT NEWS CONTACT US

CHILDCARE FOR LEASE

Features Include: * Permitted 140 Kids Capacity * Walking Distance to All Amenities * 32 Carparks * Strong Residential Growth

Hoppers Crossing

751 Sayers Road

Contact Agent

Available Now

Land: 4080 m² approx.

Property Features

Land Size	4080 Square Mtr approx.
Building Size	1409 Square Mtr approx.

Property Inspections

Currently this property has no available inspection times

Property Description

Child Care Features Include:

- * Permitted 140 Kids Capacity
- * Walking Distance to All Amenities
- * 32 Carparks
- * Strong Residential Growth

Property Enquiry

First Name*

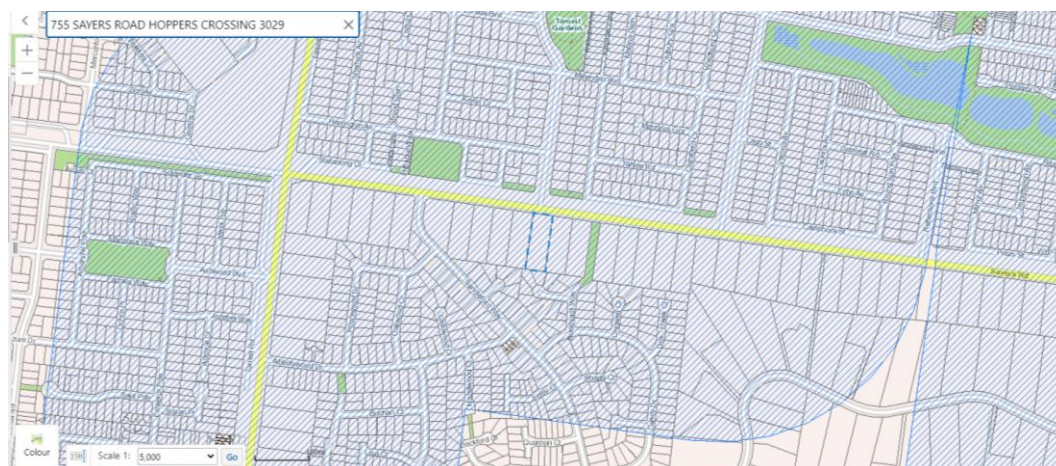
Last Name*

Phone*

Email*

Hi,

Screenshot from real estate sign indicating a 140-child Childcare Centre has been approved for the abutting 751 Sayers Road



Principal Public Transport Network Area (PPTNA) map with site highlighted in blue in centre and PPTNA shown hatched

The site is in the Principal Public Transport Network Area (PPTNA).

Public transport near the site includes: buses along Sayers Road (with stops near the site); and further away, trains at both Tarneit and Hoppers Crossing Railway Stations.

The Proposal

The proposal involves the construction of buildings and works associated with the medical centre and changes to operating conditions, via an amendment to the existing permit.

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 of issue: 12/05/2021

The proposal involves the physical and operational expansion of the existing medical centre.

The existing building will be substantially extended and there will be a large number of new car spaces mainly located in the rear half of the site.

No significant roof top plant is proposed.

The extended building will continue to have a single-storey scale, boundary setbacks and appearance - including rendered brick walls, multiple windows and a hipped tiled roof - which (except for an enlarged entry) will be typical of suburban residential development.

The extended building will have a total leasable floor area of 1150sqm ie there will be 866sqm of additional leasable floor area.

The expanded medical centre will include various consulting rooms, reception and waiting areas, a small pharmacy, toilets and staff rooms.

It is now proposed that there be 20 practioners on the site at any one time.

The now-proposed hours of operation are:

- 8am to 11pm Monday to Saturday; and
- 9am to 6pm Sunday and public holidays.

That is, there will be two extra hours of operation per evening of each of Monday to Saturday.

A total of 51 on-site car spaces will be provided on the site.

While there will be changes to internal access, no change is proposed to the existing crossovers to/from Sayers Road.

A total of 8 bicycle spaces will be provided.

Several smaller trees will be removed from the rear half of the site.

The proposal will retain a landscaping strip along the site frontage.

New landscaping will be provided around all site boundaries.

Overview of Planning Provisions

The Planning and Environment Act 1987

Section 72 of the Act, "Application for amendment of permit", states:

- (1) *A person who is entitled to use or develop land in accordance with a permit may apply to the responsible authority for an amendment to the permit.*
- (2) *This section does not apply to—*

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- (a) a permit issued at the direction of the Tribunal; or
(b) a permit issued under Division 6.

- (3) In this section a reference to a permit includes any plans, drawings or other documents approved under a permit.

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Date Plans Provided: 12/05/2021

Section 73, "What is the procedure for the application?" states:

- (1) Subject to this section, sections 47 to 62 (with any necessary changes) apply to an application to the responsible authority to amend a permit as if—
- (a) the application were an application for a permit; and
- (b) any reference to a permit were a reference to the amendment to the permit.
- (2) If the responsible authority decides to grant an amendment to a permit subject to conditions, the conditions must relate to the amendment to the permit; and
- (3) Any conditions to which an amendment to a permit is subject form part of the permit when it is issued.

The application is appropriately made, with the authorisation of the permit holder and the permit is still "live".

It should also be noted that any decision on an amendment is limited by Section 73 above.

Significantly, Section 73 limits the Responsible Authority to consideration of the issues arising from the amendment only and does not allow it (or any third parties) to "revisit" the approval process including the medical centre use as though it were an application for an entirely new permit.

This report has been framed accordingly.

The following amendments to the permit are required:

- Endorse the submitted plans under Condition 2;
- Amend Conditions 4 and 5 so as to include the now proposed trading times and maximum practitioners capacity; and
- Add any reasonable new condition or change to an existing condition as the Council requires.

The Wyndham Planning Scheme

Land use and development within the municipality is subject to the Wyndham Planning Scheme, which is a combination of state government and council provisions.

Zones and overlays affecting the site

The site is in a General Residential Zone (GRZ1).

No overlay applies.

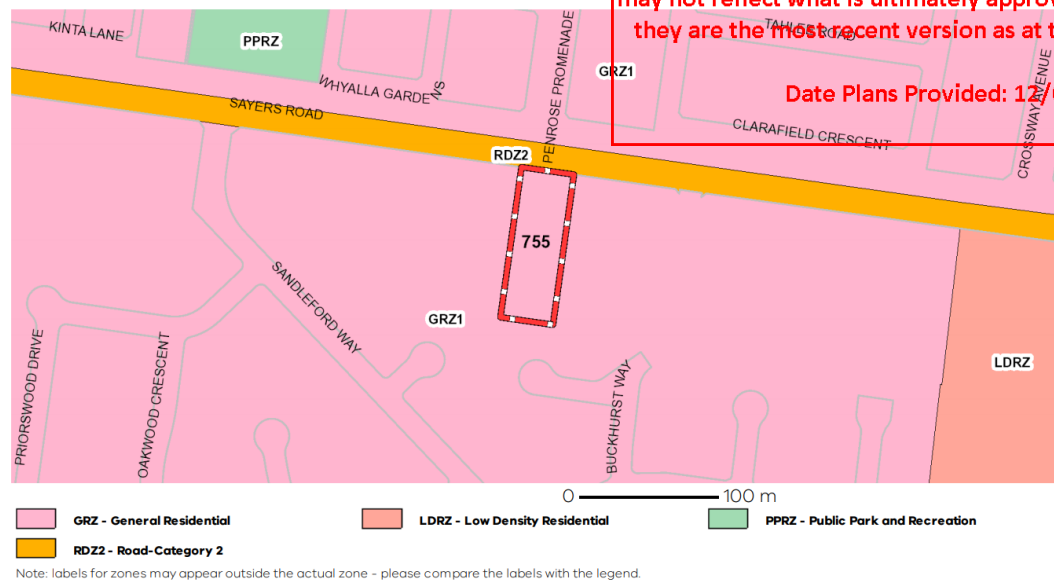
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Date Plans Provided: 12/05/2021

Zoning Map



Zoning map with site highlighted in red in centre (no overlays apply). As can also be seen Sayers Road is in a Road Zone Category 2.

Non-applicable clauses

The following clauses(s), that might otherwise be thought applicable, do not apply here:

- 21.11 Local areas - the site is not in a local area addressed by this clause;
- 52.06 Car parking and 52.34 Bicycle facilities. These clauses apply but are satisfied by the proposal – see discussions under separate headings below; and
- 52.29 Land adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay for a Category 1 Road – the proposal does not include the creation or alteration of access to a road in a Road Zone Category 1 (Sayers Road is *not* in a Road Zone Category 1).

32.08 General Residential Zone (GRZ1)

Medical centre is defined at Clause 73.03 Land use terms as:

Land used to provide health or surgical services (including preventative care, diagnosis, medical and surgical treatment, pathology services, and counselling) to out-patients only¹.

Medical centre is “nested” in Office.

“Medical centre” is a Section 2 (“Permit required”) use in the GRZ1 in this case.

This is because, while Medical centre is listed as a Section 1 (Permit not required) use, this is subject to meeting the following conditions:

¹ While “Retail premises (other than Convenience shop, Food and drink premises, Market, and Plant nursery)” is a prohibited use in the GRZ1, the pharmacy area is relatively small such that it will not be a stand-alone Retail premises such as a normal chemist shop but will be ancillary to the main use of the land for a Medical centre.

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"The gross floor area of all buildings must not exceed 250 square metres". "Must not require a permit under Clause 52.06-3" and "The site must adjoin, or have access to, a road in a Road Zone".

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The existing permit provides the necessary authorisation for the use.

The General Residential Zone also includes:

Purpose

- 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.
- ...

32.08-9 Buildings and works associated with a Section 2 use

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.

....

32.08-13 Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General

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

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.

52.06 Car parking

This clause sets out requirements for provision of on-site car parking before the commencement of certain uses or extensions to the floor area associated with those uses, as well as requirements for constructing car parking and associated accessways.

There is no relevant Parking Overlay.

However, the site is in the Principal Public Transport Network Area (PPTNA).

For a "Medical centre", the table at Clause 52.06-5 states that 3.5 Car spaces "To each 100 sqm of leasable floor area" must be provided.

While this technically only applies to the additional leasable floor area, as set out below, the whole extended building will have adequate car parking in accordance with Clause 52.06-5.

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When the subject permit was issued, there was no formal PPTNA and the car parking requirement for the existing Medical centre was based on a per-practitioner rate.

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This is no longer relevant as the car parking rate is now based only on floor area and the extended building will provide adequate on-site parking at the current rate.

The fact that the existing parking number was based on the number of practitioners is no longer applicable.

While a total of 1150sqm of leasable floor area now proposed, based on the above requirement, Clause 52.06 requires the provision of 40 on-site parking spaces.

As 51 car spaces will be provided, the car parking requirement is (more than) satisfied and a permit is not required under Clause 52.06.

While it is not a permit requirement per se, the design of the on-site parking must be to the satisfaction of the Responsible Authority (Clause 52.06).

52.34 Bicycle facilities

This clause sets out requirements for provision of Bicycle facilities, including spaces, showers, changes rooms, lockers, signage etc.

As with car parking, this is based on various rates for different land uses.

The relevant number of required bicycle spaces is as follows:

- This applies to proposed additional practitioners only.

Clause 52.34 specifies that, for a Medical Centre, bicycle parking must be provided at the following rate(s): "1 to each 8 practitioners" ("Employee/Resident" spaces), plus "1 to each 4 practitioners" ("Visitor/Shopper/Student" spaces).

- The following requirements apply to ("Employee/Resident" only: "If 5 or more employee bicycle spaces are required, 1 shower for the first 5 employee bicycle spaces, plus 1 to each 10 employee bicycle spaces thereafter" and "1 change room or direct access to a communal change room to each shower. The change room may be a combined shower and change room".
- Based on the proposed 20 practitioners there is therefore a requirement (rounded to the nearest whole number), to provide 2.5 employee spaces plus 5 visitor spaces- a total (rounded to the nearest whole number) of 8 on-site bicycle spaces.
- As less than 5 employee spaces are required, there is no shower or change room requirement (these features will however be provided for staff anyway).

As 8 on-site bicycle spaces are provided, a permit is not required under this clause.

Summary of permit requirements

On the basis of the above, with respect to the proposal a permit is required to only construct a building or construct or carry out works for a Section 2 use in the GRZ1 (Clause 32.08).

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While a permit for the use of land for a Medical centre already exists, while it does not trigger a permit requirement in its own right, the proposed changes to the conditions must be seen in the context that Medical centre is Section 2 (Permit required) use in the General Residential Zone 1.

PLEASE NOTE: The plan/s that are being provided to you already exists, while it does not trigger a permit requirement in its own right, the proposed changes to the conditions must be seen in the context that Medical centre is Section 2 (Permit required) use in the General Residential Zone 1.

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Introduction to the Planning Policy Framework

There are several relevant state policies, of which Clause 19.02-1S Health facilities is the most specific.

These are as follows:

13.05-1S Noise abatement Objective

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

13.07-1S Land use compatibility Objective

To safeguard community amenity while facilitating appropriate commercial, industrial or other uses with potential off-site effects.

17.01-1S Diversified economy Objective

To strengthen and diversify the economy.

17.02-1S Business Objective

To encourage development that meets the communities' needs for retail, entertainment, office and other commercial services.

18.02-1S Sustainable personal transport Objective

To promote the use of sustainable personal transport.

19.02-1S Health facilities Objective

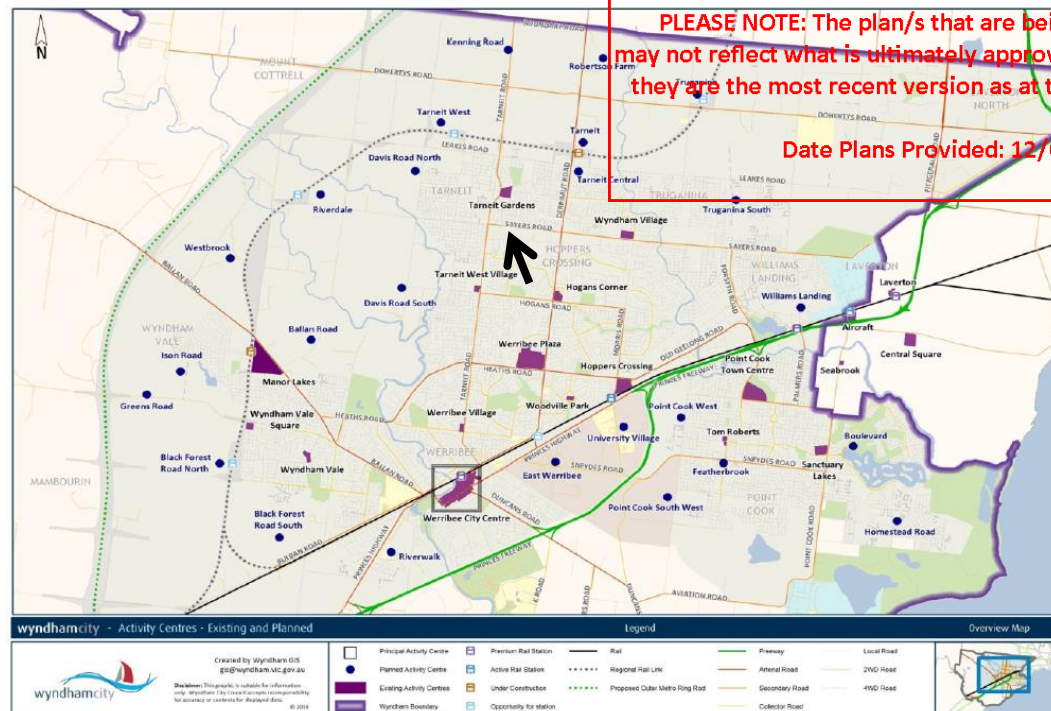
To assist the integration of health facilities with local and regional communities.

Introduction to the Local Planning Policy Framework

The site is *not* in any designated area on Map 5—Activity Centres at Clause 21.08 of the Municipal Strategic Statement (MSS).

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Activity Centre Map from Clause 21.08 Economic Development, with approximate site location marked with arrow

The relevant section of the Municipal Strategic Statement is Clause 21.07 Housing and 21.08 Economic development.

There is one relevant local policy: Clause 22.01 Non-residential uses in Residential Zones Policy.

22.01 Non-residential uses in Residential Zones Policy

This includes:

This policy applies to all applications in a residential zone other than those affected by Clause 54 or Clause 55.

22.01-1 Policy Basis

The Municipal Strategic Statement emphasises the protection of the character and amenity of existing and future residential areas. Residential areas require complementary non-residential uses for the convenience of local residents. These uses include display homes, childcare centres, medical centres, veterinary clinics, places of assembly and worship, convenience shops and cafes. However, care must be taken in selecting and siting non-residential uses to avoid loss of privacy, amenity, while still providing convenience to residents living nearby. It is considered appropriate to provide guidelines to adequately protect residential areas, guide uses which have the potential to change the function and character of residential areas and avoid development of defacto commercial strips.

22.01-2 Objectives

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.

...

22.01-4 Decision Guidelines

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Before deciding on an application the responsible authority must consider, as appropriate:

- The extent to which the application for a non-residential use meets the objectives and policy statements of this policy.
- The layout of the site, the scale and form of any proposed building, the building design including setbacks, facade treatment, building materials, colour scheme and proposed landscaping, and whether the proposal is consistent with the surrounding residential environment in these respects.
- The effect of traffic movements on existing networks and whether car parking is sited, marked and sign posted appropriately.
- Whether advertising signs are appropriately sited, dimensioned and non-illuminated.
- Whether a Waste Management Plan is required.

This clause then details specific policy requirements, which are set out and addressed below in the "Planning Merits" section of this report.

The Planning Merits of the Proposal

The main issues that need to be determined are whether the proposal will achieve satisfactory outcomes in terms of matters in the headings below.

Will the proposal achieve acceptable outcomes in terms of the state and local policies and the General Residential Zone?

The expanded Medical centre use and development is consistent with all relevant policy:

- 13.05-1S Noise abatement

While the site is in a residential area, the proposal relates to a Medical centre use that will be located inside an expanded building on a large site next to a higher order road.

Noise emissions would be similar to the existing conditions.

There is no reason to think that State Environment Protection Policy No. N-1 (Control of Noise from Commerce, Industry and Trade) ("SEPP N-1") would not be met.

- 13.07-1S Land use compatibility.

The expanded medical centre will adjoin sensitive uses and will be appropriate in terms of both the site context and its operating conditions.

- 17.01-1S Diversified economy.

The proposal will strengthen and diversify the economy.

- 17.02-1S Business.

This seeks to "To encourage developments which meet community's needs for ... entertainment ... services and provide net community benefit in relation to accessibility, efficient infrastructure use and the aggregation and sustainability of commercial facilities".

The proposal will achieve this by involving development for an expanded business use on a site that is well located in this part of Hoppers Crossing.

- 18.02-2 Cycling.

By not requiring a permit under Clause 52.34 Bicycle facilities. Sayers Road also has bicycle lanes that make the site accessible to cyclists.

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- 18.02-5 Car parking.

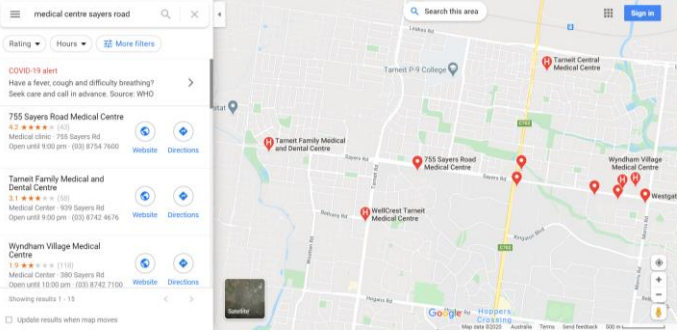
By achieving appropriate outcomes under Clause 52.06 Car parking.

- 19.02-1S Health facilities.

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Date Plans Provided: 12/05/2021

The manner in which the proposal responds to the policy requirements is detailed below:

Policy requirement	How the proposal responds
<i>Facilitate the location of health and health-related facilities (including acute health, aged care, disability services and community care facilities) taking into account demographic trends, the existing and future demand requirements and the integration of services into communities.</i>	<p>The proposal will continue to be a stand-alone private, Medical centre.</p> <p>The site is in a larger developing urban area in which there is a need for medical services, and that there are similar Medical centres in this area including some further east along Sayers Road.</p>
<i>Plan public and private developments together, where possible, including some degree of flexibility in use.</i>	 <p>Screenshot from Google Maps showing the site (in centre of map) in context other medical centres in the wider area</p>
<i>Locate hospitals and other large health facilities in designated health precincts and areas highly accessible to public and private transport.</i>	<p>The site is in the Principal Public Transport Network Area (PPTNA).</p> <p>Public transport near the site includes: buses along Sayers Road with stops near the site and further away, trains at both Tarnett and Hoppers Crossing Railway Stations.</p>
<i>Provide adequate car parking for staff and visitors of health facilities.</i>	<p>The proposal will provide adequate (more than required by Clause 52.06) on-site car parking for staff and visitors.</p>

- 21.07 Housing and 21.08 Economic development.

The proposal will achieve the outcomes sought by these clauses by facilitating "new development and employment opportunities in Wyndham" as per Objective 1 to Clause 21.08-1 Economic growth.

While neither this clause nor Clause 21.07 Housing specifically encourage non-residential uses in residential zones, (subject to meeting certain limits, however, the zone itself instead does this), they both include:

Policy Guidelines

The objectives, strategies and policy guidelines in the Planning Scheme will be implemented through the application of the following local planning policy.

Clause 22.01 (Non-Residential Uses in Residential Zones Policy) seeks to provide direction on a range of discretionary use and development options in residential zones.

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: 12/05/2021

Both clauses therefore make it clear that compliance with Clause 22.01 is how the "objectives, strategies and policy guidelines in the Planning Scheme will be implemented".

- 22.01 Non-residential uses in Residential Zones Policy – see separate section below.
- 32.08 General Residential Zone.

The proposal will achieve the GRZ1 Purpose, which, as above, includes:

"To allow ... a limited range of other non-residential uses to serve local community needs in appropriate locations".

- The expanded Medical centre use will achieve this by:
 - Being "appropriately located" – the site already contains an existing approved medical Centre use, is next to a road zone, and adjoins existing or proposed non-residential uses.

It has excellent car access, good public transport access (the site in the PPTNA) and limited residential abutments.

Furthermore, the site itself is large enough to accommodate more than its own statutory car parking demand; and,

- Serving "local community needs" – As above, the purpose of the Medical Centre is to provide general practitioner medical services.

While this will not be limited to the immediate neighbourhood, this is not actually what the zone purpose seeks.

The expanded but still-small scale of the Medical centre, the type of health services that it will provide and its location next to a major road in a suburban area will ensure that it will appropriately serve the wider local community including people living or working in Hoppers Crossing and nearby.

As discussed, the proposal as a whole will also achieve the other key relevant parts of the zone purpose.

As above, the changes to the Medical centre use will implement the Municipal Planning Strategy and the Planning Policy Framework.

The proposed development responds well to the GRZ1 Purpose by being of low scale and having many of the other physical characteristics of normal suburban (residential) development.

The scale of the proposed buildings and works ensures that they are a form of "development that respects the neighbourhood character of the area".

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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:

Will the proposal achieve acceptable outcomes in terms of Clause 22.01 Non-residential uses in Residential Zones Policy?

Date Plans Provided: 12/05/2021

Policy requirement	How the proposal responds
<p>22.01-3 Policy</p> <p>General</p> <p><i>It is policy to:</i></p> <ul style="list-style-type: none"> 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. Encourage advertising signage to be in keeping with Council's Advertising Policy for residential areas. Discourage flashing and illuminated signs. 	<p>The proposal involves the physical and operational expansion of the existing medical centre.</p> <p>The existing building will be extended and there will be a large number of new car spaces located in the rear half of the site.</p> <p>The extended building will continue to have a single-storey scale, boundary setbacks and appearance. External materials include: rendered brick walls, multiple windows and a hipped tiled roof - which (except for an enlarged entry) will be typical of suburban residential development.</p> <p>The proposal will retain a landscaping strip of well over 3m (more like 15m) along the site frontage. New landscaping will be provided around all site boundaries.</p> <p>Next to the site, Sayers Road is a high-order road with a sealed carriageway and bicycle lanes. While the site is in a residential area, the proposal relates to a medical centre use located inside a building on a large site next to a higher order road.</p> <p>Given the quiet operational nature of the existing medical centre use, there is no reason to suggest that State Environment Protection Policy No. N-1 (Control of Noise from Commerce, Industry and Trade) ("SEPP N-1" would not be met.</p>
<p>Display Homes</p> <ul style="list-style-type: none"> ... 	NA
<p>Child Care Centres</p> <ul style="list-style-type: none"> ... 	NA

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<p>Medical Centres and Veterinary Clinics</p> <ul style="list-style-type: none"> Encourage hours of operation between: 8.00am to 9.00pm Monday to Saturday and 9.00am to 6.00pm Sunday. .. 	<p>The now-proposed hours of operation are 8am to 11pm Monday to Saturday, and 9am to 6pm Sunday and public holidays.</p> <p>That is, there will be two extra hours of operation per evening of each of Monday to Saturday.</p> <p>While the new closing times will be outside those specified the policy, the proposed two additional trading hours for each of Monday-Saturday evenings are appropriate because of:</p> <ul style="list-style-type: none"> the site's abuttal to a higher order road (which both is itself noisy and provides a buffer between the site and residential land to the north). <p>The additional traffic movements associated with the proposal will also be insignificant in comparison with the existing traffic along this road including re amenity impacts;</p> <ul style="list-style-type: none"> the large (0.4ha) size of the site and its neighbours in the "low density residential area" along the south side of Sayers Road near the site (which will mitigate many amenity impacts). <p>The large size of the site also means that impacts from parking of vehicles in the proposed car park will be lessened because patients are likely to be smaller in number in the evening and thus more likely to park nearer the rear of the Mecical centre building/further from the residential land to the rear; and</p> <ul style="list-style-type: none"> the fact that there are existing or proposed non-residential uses on both sites along Sayers Road that abut the site (this partly non-residential context will again mitigate many amenity impacts). <p>Given the site context, it is appropriate for Council to "encourage" the hours proposed in this application.</p>
<p>Places of Assembly / Worship</p> <ul style="list-style-type: none"> ... 	<p>NA</p>
<p>Convenience Shop</p> <ul style="list-style-type: none"> ... 	<p>NA</p>

The proposal will therefore achieve acceptable outcomes in terms of Clause 22.01 Non-residential uses in Residential Zones Policy.

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Conclusion

The application involves the construction of buildings and works associated with a medical centre and changes to permitted operating conditions, via an amendment to an existing permit for a large site containing an existing Medical Centre in a General Residential Zone.

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 Plan Approved: 05/05/2021

The proposed development and expanded medical centre uses are appropriate given the site and its immediate context.

While the site is in a residential zone, it already contains a non-residential (medical centre) use, which the proposal will not change.

The site abuts a road in Road Zone and is in the Principal Public Transport Network Area.

The proposed building extension will have a single-storey scale, setbacks and appearance typical of suburban residential development.

While the new closing times will be outside those for Medical Centres specified in the Council's Non-residential uses in Residential Zones Policy, the proposed two additional trading hours for each of Monday-Saturday evenings are appropriate.

The expanded medical centre use and development is an acceptable proposal for this part of Hoppers Crossing. It is appropriate in terms of Clauses 22.01 Non-residential uses in Residential Zones Policy, 32.08 General Residential Zone, 52.06 Car parking and 52.34 Bicycle facilities.

The proposal is an entirely appropriate response to the planning provisions and physical opportunities and constraints affecting its site and we look forward to a favourable outcome.

Louis Petrentsis
Priority Planning Pty Ltd

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