MINUTES
SECTION 86 DEVELOPMENT ASSESSMENT
COMMITTEE MEETING

Wednesday 8 June, 2016
Council Chambers,
15 Stead Street, Ballan
4.00pm

MEETING OPENING

Councillor David Edwards as the Chair welcomed all and opened the meeting at 4.09pm.

ATTENDANCE

Cr. David Edwards (Chair) Councillor – East Moorabool Ward
Cr. Allan Comrie (Mayor) Councillor – East Moorabool Ward
Cr. Tonia Dudzik Councillor – East Moorabool Ward
Mr. Robert Fillisch Acting Manager Statutory Planning
Mr. Mark Lovell Senior Statutory Planner
Ms. Sharon Duff Minute Taker

APOLOGIES

Cr. Paul Tatchell Councillor – Central Moorabool Ward
Mr. Satwinder Sandhu General Manager Growth and Development

CONFIRMATION OF PREVIOUS MEETING MINUTES

Resolution:

Moved: Cr. Dudzik
Seconded: Cr. Comrie

That the Minutes of the Section 86 Development Assessment Committee for Wednesday 11 May, 2016 be confirmed as a true and correct record.
CARRIED.

CONFLICT OF INTEREST

No conflicts of interest were declared at the meeting.
Item 4.1 Planning Permit Application PA2015 269

PA2015 269; Development and Use of Storage Units and Reduction in the Standard Car Parking Rate at 36 Haddon Drive, Ballan

<table>
<thead>
<tr>
<th>Application Summary:</th>
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<tbody>
<tr>
<td>Permit No:</td>
</tr>
<tr>
<td>Lodgement Date:</td>
</tr>
<tr>
<td>Planning Officer:</td>
</tr>
<tr>
<td>Address of the land:</td>
</tr>
<tr>
<td>Proposal:</td>
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<tr>
<td>Lot size:</td>
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<tr>
<td>Why is a permit required?</td>
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<td></td>
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<table>
<thead>
<tr>
<th>Public Consultation:</th>
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<tbody>
<tr>
<td>Was the application advertised?</td>
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<tr>
<td>Notices on site:</td>
</tr>
<tr>
<td>Notice in Moorabool Newspaper:</td>
</tr>
<tr>
<td>Number of Objections:</td>
</tr>
<tr>
<td>Consultation meeting:</td>
</tr>
</tbody>
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<table>
<thead>
<tr>
<th>Policy Implications:</th>
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</thead>
<tbody>
<tr>
<td>Key Result Area</td>
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<tr>
<td>Objective</td>
</tr>
<tr>
<td>Strategy</td>
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In developing this report to Council, the officer considered whether the subject matter raised any human rights issues. In particular, whether the scope of any human right established by the Victorian Charter of Human Rights and Responsibilities is in any way limited restricted or interfered with by the recommendations contained in the report. It is considered that the subject matter does not raise any human rights issues.

### Officer's Declaration of Conflict of Interests

Under section 80C of the Local Government Act 1989 (as amended), officers providing advice to Council must disclose any interests, including the type of interest.

**Manager – Robert Fillisch**

In providing this advice to Council as the Manager, I have no interests to disclose in this report.

**Author – Mark Lovell**

In providing this advice to Council as the Author, I have no interests to disclose in this report.

### Executive Summary:

<table>
<thead>
<tr>
<th>Application Referred?</th>
<th>The application was referred to Infrastructure, Western Water and Southern Rural Water</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any issues raised in referral responses?</td>
<td>None raised subject to conditions</td>
</tr>
<tr>
<td>Preliminary Concerns?</td>
<td>Nil.</td>
</tr>
<tr>
<td>Any discussions with applicant regarding concerns</td>
<td>No concerns</td>
</tr>
<tr>
<td>Any changes made to the application since being lodged?</td>
<td>The applicant submitted more detailing regarding the car parking numbers and reasons for a reduction to the standard car parking rate.</td>
</tr>
<tr>
<td>VCAT history?</td>
<td>No.</td>
</tr>
<tr>
<td>Previous applications for the site?</td>
<td>Planning Permit 2011097 was issued on 2 September, 2001 authorised a staged eight lot subdivision. Stages 1 and 2 have been completed and titles released with Stage 2 issued on 22 January, 2015. Stage 3 has not been undertaken and will be unable to proceed in the event of this proposed development been approved.</td>
</tr>
<tr>
<td>General Summary</td>
<td>It is proposed to use and develop the 91 self-storage units and an open vehicle storage area. The proposed development makes effective use of a vacant industrial lot. The use is well separated from the nearest residential properties. Car parking provision and landscaping treatments to the site are the main planning considerations.</td>
</tr>
</tbody>
</table>
The car parking provision for a store is based on a percentage of total land area rather than based on floor area. The site is large at 1.289 hectares which attracts a high car parking rate of 1289m² to be set aside for car parking. Use of the land for store has a high car parking rate compared to other industrial uses which requires an appropriate assessment of how the storage area is utilised and the likely car parking demand for such a use. Self-storage units generate low car parking demand as each unit is only occupied due infrequent times for the storing goods and the removal of goods. It is considered the proposed 54 on site car spaces is a generous car parking provision for 91 self-storage units. It is expected most of the provided car spaces will be unoccupied and will not cause any impact to any adjacent properties as a result car parking demand on site.

**Summary Recommendation:**

That, having considered all relevant matters as required by Section 60 of the Planning and Environment Act 1987, Council issue Planning Permit for 2015-269 for Development and Use of Storage Units and Reduction in the Standard Car Parking Rate on land known as Lot S3 on PS646976X, 36 Haddon Drive Ballan

**Background**

The subject lot was created as part of the staged subdivision land and has not been developed since titles were released 22 January, 2015.

**Public Notice**

Under Clause 33.02-2, the application is exempt from notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Planning and Environment Act 1987.

**Summary of Objections**

There were no objection received.

**Proposal**

It is proposed to use and develop the land for storage units. The storage facility will be broken up into four building areas identified on the plans as storage block 1, storage block 2, storage block 3 and storage block 4.
Storage block 1 will be 324.45m² in area and will have 14 storage units. It will be setback 4 metres from the rear property boundary and setback 4 metres from the southern side boundary. Storage block 2 will be 402.31m² in area and will have 21 storage units. It will located to the east of storage block 1 and is also setback 4 metres from the southern side boundary. Storage block 3 will be 470.40m² in area and will have 19 storage units. It will be located to the east of storage block 1 and is located between storage blocks 2 and 4. Storage block 4 will be 373.24m² in area and will have 19 storage units. It will be located to the east of storage block 1 and setback approximately 57 metres from the northern side boundary.

There will be an open storage area to the northern side of the lot for purpose of caravan, boats and semi-trailer storage. The units have an overall height of 3 metres with 5 degree roof pitch. The units will be comprised of Colorbond wall cladding, Colorbond roofing and Colorbond roller doors.

There will be 54 car spaces, some car spaces will cover the loading doorways to individual storage units.

A new 2.0 metre high cyclone fencing covering the perimeter of the site with the front boundary having a select hinged or sliding auto security gates. No advertising signage is proposed.

**Site Description**

The subject site is located on the western side of Haddon Drive, south of Smallmans Road, Ballan. The lot is an irregular T shaped arrangement with a narrow street frontage at 18 metres in width, maximum length of 191.86 metres and a total area of 1.289 hectares. The site is comprised of vacant land. The subject lot has a relatively flat topography.

The surrounding area is comprised of detached metal warehouse buildings, some have a poor presentation to the street due to informal or absent landscaping areas, high cyclone front fencing, and limited screening of outdoor storage areas. The two most prominent industrial activities in this street are a concrete supply plant and a materials recycling (vehicle parts) centre. The subject site and adjacent properties within Haddon Drive are located within the Industrial 2 Zone.
Locality Map

The site below indicates the location of the subject site and the zoning applicable to the surrounding area.

Figure 1: Aerial photo of site

Figure 2: Zoning Map
Typical Elevation plan

Planning Scheme Provisions

Council is required to consider the Victoria Planning Provisions and give particular attention to the State Planning Policy Framework (SPPF), the Local Planning Policy Framework (LPPF) and the Municipal Strategic Statement (MSS).

The relevant clauses are:

- 11.05-2 Melbourne’s hinterland areas
- 11.06 Central Highlands regional growth
- 15.01-2 Urban design principles
- 15.01-5 Cultural identity and neighbourhood character
- 17.01-1 Business
- 17.02-1 Industrial land development
- 21.03-2 Urban Growth Management
- 21.03-4 Landscape and Neighbourhood Character
- 21.04-3 Commerce
- 21.04-4 Industry
- 22.05 Presentation of Industrial Areas
The proposal complies with the relevant sections of the SPPF and LPPF, with the exception of the clauses outlined in the table below:

<table>
<thead>
<tr>
<th>SPPF</th>
<th>Title</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clause 11.05-2</td>
<td>Melbourne’s hinterland areas</td>
<td>The objective of the clause is maintain the attractiveness and amenity of hinterland towns. This can be achieve by ensuring there is adequate landscaping within the front setback that should include canopy trees. This can be satisfied by a permit condition.</td>
</tr>
</tbody>
</table>

| LPPF   | Clause 22.05                          | Presentation of Industrial Areas                                                                 | A requirement of Clause 22.05 is that a minimum of 10% of the site be landscaped to the satisfaction of the Responsible Authority. A landscaping strip, 3 metres in width is shown around eastern side and southern side inside the development site which is not visible from the street frontage. Suitable landscaping will need to be placed in the front setback area to improve the presentation of this development and to improve the existing streetscape which has limited landscaping treatments. The rear of the site should also have screen plantings to limit the impact of the development when viewed from the adjacent Farming Zone land to the east. This can be satisfied by a permit condition. |

**Zone**

**Industrial 2 Zone**

The subject site is in the Industrial 2 Zone (IN2Z) and the provisions of Clause 33.02 apply.

The purpose of the zone is:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To provide for manufacturing industry, the storage and distribution of goods and associated facilities in a manner which does not affect the safety and amenity of local communities.
- To promote manufacturing industries and storage facilities that require a substantial threshold distance within the core of the zone.
- To keep the core of the zone free of uses which are suitable for location elsewhere so as to be available for manufacturing industries and storage facilities that require a substantial threshold distance as the need for these arises.

Under Clause 33.02-1 a permit is required to use land for a store and under Clause 33.02-4 a permit is required to construct buildings and works.
Before deciding on an application, in addition to the decision guidelines in Clause 65, the Responsible Authority must consider the following relevant decision guidelines:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.
- The effect that nearby industries may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- Any natural or cultural values on or near the land.
- Streetscape character.
- Built form.
- Landscape treatment.
- Interface with non-industrial areas.
- Parking and site access.
- Loading and service areas.
- Outdoor Storage.
- Lighting.
- Stormwater discharge.

**Overlays**

**Environmental Significance Overlay Schedule 1**

Neither of these circumstances applies to the subject lot and therefore a planning permit is not required under this overlay. The subject site is in the Environmental Significance Overlay Schedule 1 and the provisions of Clause 42.01 apply.

A permit is required for the construction or carrying out of works if any site cut is greater than 1 metre in depth and 300 square in areas and stormwater is discharged less than 100 metres from a waterways.

**Relevant Policies**

Council adopted the Moorabool Industrial Areas Strategy on 2 December 2015.

**Particular Provisions**

**Clause 52.06 Car Parking**

The proposed use is for a store.

A store will require 10% of the total site area to set aside for car parking. Based on total site area 12890m² requires a total car parking area of 1289m². The area occupied by 54 car spaces is 770m² which is a shortfall of 519m².
Before deciding that a plan prepared under Clause 52.06-7 is satisfactory, the responsible authority must consider, as appropriate:

- The role and function of nearby roads and the ease and safety with which vehicles gain access to the site.
- The ease and safety with which vehicles access and circulate within the parking area.
- The provision for pedestrian movement within and around the parking area.
- The provision of parking facilities for cyclists and disabled people.
- The protection and enhancement of the streetscape.
- The provisions of landscaping for screening and shade.
- The measures proposed to enhance the security of people using the parking area particularly at night.
- The amenity of the locality and any increased noise or disturbance to dwellings and the amenity of pedestrians.
- The workability and allocation of spaces of any mechanical parking arrangement.
- The design and construction standards proposed for paving, drainage, line marking, signage, lighting and other relevant matters.
- The type and size of vehicle likely to use the parking area. Whether the layout of car parking spaces and access lanes is consistent with the specific standards or an appropriate variation.
- The need for the required car parking spaces to adjoin the premises used by the occupier/s, if the land is used by more than one occupier.
- Whether the layout of car spaces and accessways are consistent with Australian Standards AS2890.1-2004 (off street) and AS2890.6-2009 (disabled).
- The relevant standards of Clauses 56.06-2, 56.06-4, 56.06-5, 56.06-7 and 56.06-8 for residential developments with accessways longer than 60 metres or serving 16 or more dwellings.
- Any other matter specified in a schedule to the Parking Overlay.

**Discussion**

**Provisions of Clause 22.05 and 33.02**

The proposed development of the site involves the construction of a group of detached buildings to rear of the site which will have limited impact upon the existing industrial streetscape of Haddon Drive. The front section of the site will only have some car parking bays and the 5.0 metres in width constructed accessway. There should be generous landscaping treatments in the front setback area to enhance the appearance of the development and to improve the streetscape presentation of Haddon Drive. This can be satisfied through the submission of a detailed landscaping plan with canopy trees located in the front setback area.

Large proportion of the site is covered by an open area used for the storage of caravans, boats and semi-trailers. This area will need to be maintained to ensure dust emissions does not affect the amenity of adjacent properties. This can be addressed by a standard permit condition.

**The appropriateness of reducing standard car parking rate**

The proposal is considered acceptable for the following reasons:

- The car parking rate for a store is based on total land area rather than floor area. The car parking rate prior to Planning Scheme Amendment VC95, which is current Clause 52.06 provisions, included the area occupied by accessways in the total car parking rate for a store. The current provision do not take account of accessways which leads to excessive car parking rate of 1289m² to be devoted to car parking or the equivalent of 101 on site car spaces.
• The use will generate only short term visits which will be during unloading or loading of storage materials and goods. This type of activity will only have a few vehicles on site at any one time.
• The site can be managed without the need for a large number of staff or visitors.
• It is unlikely that all 54 car spaces will be used at the same time with individual storage units remaining dormant for extended periods of time.
• Council’s Infrastructure department assessed the appropriateness of reducing car parking, and consented to the application.
• The site has sufficient open areas which could be used for any overflow parking, if the needs ever arises.
• There are no parking restrictions within Haddon Drive.

A potential traffic issue is vehicle queuing before the security gates and possibility of blocking other vehicular traffic in Haddon Drive. This could be resolved by providing a setback to the security gates from the street frontage to enable a vehicle to enter the site without overhanging onto Haddon Drive. This will be addressed through the submission of revised plans.

General Provisions

Clause 65 – Decision Guidelines have been considered by officers in evaluating this application.

Clause 66 - stipulates all the relevant referral authorities to which the application must be referred.

Referrals

The following referrals were made pursuant to s.55 of the Planning and Environment Act 1987 and Council departments were provided with an opportunity to make comment on the proposed development plan.

<table>
<thead>
<tr>
<th>Authority</th>
<th>Response</th>
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<tbody>
<tr>
<td>Western Water</td>
<td>Consent</td>
</tr>
<tr>
<td>Southern Rural Water</td>
<td>Consent with two conditions</td>
</tr>
<tr>
<td>Infrastructure</td>
<td>Consent with six conditions</td>
</tr>
</tbody>
</table>

Financial Implications

The recommendation of approval of this application would not represent any financial implications to Council.

Risk and Occupational Health and Safety Issues

The recommendation of approval of this development does not implicate any risk or OH & S issues to Council

Communications Strategy

The application is exempt from notice, pursuant to Clauses 33.02-2 and 33.02-4 of the Moorabool Planning Scheme. The applicant was invited to attend the Development Assessment Committee meeting and address Council if desired.
Options

An alternative recommendation would be to refuse the application on the grounds that the proposed reduction of car parking would unreasonably affect the amenity of the area, and that the design does not satisfy the requirements of Clause 22.05.

Refusing the application may result in the proponent lodging an application for review of Council’s decision with VCAT.

Conclusion

Overall, the proposal is considered to comply with the broad objectives of the State and Local Planning Policy Framework, the Industrial 2 Zone provisions, and the car parking provisions.

The proposed storage units occupying under utilised industrial zoned land will contribute to the economic growth of the township.

The development would be an acceptable design response to the industrial character of the area.

The reduction to the standard car parking rate is considered acceptable given the operation of the proposed business for storage only which is limited to short term stays.

Resolution:

Moved: Cr. Comrie
Seconded: Cr. Dudzik

That, having considered all matters as prescribed by the Planning and Environment Act, Council issue a Planning Permit for 2015-269 for the Development and Use of Storage Units and Reduction in the Standard Car Parking Rate at Lot S3 on PS646976X known as 36 Haddon Drive Ballan, subject to the following conditions:

Amended Plans:

1. Before the development starts, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three A3 size copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
   a) Security gates setback from street frontage by 6 metres to prevent vehicle queuing in Haddon Drive
   b) Elevation plan of the front fence and the recessed security gates showing the height and materials.
   c) Details of a clearly identifiable street number to be placed against the street frontage
   d) Revised landscape plan in accordance with Condition 2.

Unless otherwise approved in writing by the Responsible Authority all buildings and works are to be constructed and undertaken in accordance with the endorsed plans to the satisfaction of the Responsible Authority prior to the commencement of occupation.

2. Before the development starts, a landscape plan to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show:
a) A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant;

b) Two canopy trees (minimum two metres tall when planted) in the front setback area adjacent to the street frontage.

c) Screen plantings be placed on the western property boundary in the area labelled ‘manicured buffer area’.

All species selected must be to the satisfaction of the responsible authority.

Amenity:

3. Dust suppression must be used on all hard surface areas with the exception of the constructed front accessway, to the satisfaction of the responsible authority.

4. Goods, equipment or machinery must not be stored or left exposed within the first 65 metres of the accessway in a position that can be seen from the street.

5. Any public address system installed must not be audible beyond the boundaries of the site.

6. External lighting must be provided with suitable baffles and located so that no direct light is emitted outside the site.

7. Any security alarm or similar device installed must be of a silent type.

8. Mechanical noise emanating from the premises must comply with the State Environment Protection policy N-1 ‘Control of Noise from Commerce, Industry and Trade.’

Landscaping:

9. Before occupation of the development starts or by such later date as is approved by the responsible authority in writing, the landscaping works shown on the endorsed plans required at Condition 2 of this permit must be carried out and completed to the satisfaction of the responsible authority.

10. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the responsible authority, including that any dead, diseased or damaged plants are to be replaced.

Infrastructure:

11. Prior to the development and use commencing, engineering drainage plans and computations must be submitted to the Responsible Authority for approval and shall incorporate the following:
   
   i. The development as a whole must be self-draining and must be connected to an approved point of discharge in an approved manner to the satisfaction of the Responsible Authority.
   
   ii. Underground piped drainage for the whole development shall cater for 10% AEP storm.
   
   iii. Overland 1% AEP flow path(s) for the development must be shown on layout.

12. Storm water drainage from the proposed buildings and impervious surfaces must be directed to the legal point of discharge to the satisfaction of the Responsible Authority. A legal point of discharge permit must be taken out prior to the construction of a stormwater drainage system.
13. Sediment discharges must be restricted from any construction activities within the property in accordance with relevant Guidelines including Construction Techniques for Sediment Control (EPA 1991).

14. Unless otherwise approved by the Responsible Authority there must be no buildings, structures, or improvements located over proposed drainage pipes and easements on the property.

15. Any existing works affected by the development must be fully reinstated at no cost to and to the satisfaction of the Responsible Authority.

i. Prior to the use commencing, the trafficable areas must be constructed with an all-weather surface and drainage to the satisfaction of the responsible authority. The aisles must provide sufficient manoeuvring space to allow a service vehicle to enter and exit the storage unit area in a forward direction. The service truck shall comply with the medium rigid vehicle detailed in AS2890.2 section 2.2.

16. Any office building associated with the development must be provided with disabled access in accordance with the provisions of AS1428 – Design for Access and Mobility.

Southern Rural Water:

17. The development must be connected to Central Highlands Water reticulated sewerage system.

18. The development must be connected to an approved stormwater drainage system which complies with the Water Sensitive Urban Design Standards.

Permit Expiry:

19. This permit will expire if one of the following circumstances applies:
   a) The development and the use are not started within two years of the date of this permit;
   b) The development is not completed within four years of the date of this permit.

Council may extend the periods referred to if a request is made in writing before the permit expires or in accordance with the timeframes as specified in Section 69 of the Planning and Environment Act 1987.

Permit Note:

Except in accordance with Clause 52.05, no advertising sign may be displayed without a planning permit.

No other use (particularly Materials Recycling or Mechanical Repairs) is permitted without written consent of the Responsible Authority.

CARRIED.

Report Authorisation:

Authorised by: 
Name: Satwinder Sandhu
Title: General Manager Growth and Development
Date: Friday 13 May, 2016
UPDATE ON TRENDS, ISSUES AND OTHER MATTERS

Robert Fillisch, Manager Statutory Planning and Community Safety provided the Committee with a verbal update on various other Planning Permit Applications that are currently in the system.

DATE OF NEXT MEETING

Wednesday 13 July, 2016
4.00pm
James Young Room, Lerderderg Library
215 Main Street, Bacchus Marsh

MEETING CLOSURE

The Chair thanked all Committee members and attendees and closed the meeting at 4:28pm.