MEETING OPENING

Councillor David Edwards as the Chair welcomed all and opened the meeting at 3.57pm.

ATTENDANCE

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cr. David Edwards</td>
<td>Chair – East Moorabool Ward</td>
</tr>
<tr>
<td>Cr. John Spain</td>
<td>Proxy – East Moorabool Ward</td>
</tr>
<tr>
<td>Cr. Tonia Dudzik</td>
<td>Councillor – East Moorabool Ward</td>
</tr>
<tr>
<td>Cr. Paul Tatchell</td>
<td>Councillor – Central Moorabool Ward</td>
</tr>
<tr>
<td>Mr. Satwinder Sandhu</td>
<td>General Manager Growth and Development</td>
</tr>
<tr>
<td>Mr. Robert Fillisch</td>
<td>Acting Manager Statutory Planning</td>
</tr>
<tr>
<td>Mr. Mark Lovell</td>
<td>Senior Statutory Planning Officer</td>
</tr>
<tr>
<td>Ms. Sharon Duff</td>
<td>Minute Taker</td>
</tr>
</tbody>
</table>

APOLOGIES

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cr. Allan Comrie</td>
<td>Mayor – East Moorabool Ward</td>
</tr>
</tbody>
</table>

CONFIRMATION OF PREVIOUS MEETING MINUTES

Resolution:

Moved: Cr. Dudzik
Seconded: Cr. Tatchell

That the Minutes of the Section 86 Development Assessment Committee for Wednesday 10 February, 2016 be confirmed as a true and correct record.

CARRIED.
CONFLICT OF INTEREST

No conflicts of interest were declared at the meeting.

GROWTH & DEVELOPMENT REPORT

ITEM 4.1 – PLANNING PERMIT APPLICATION 2015 180; 8 BOND STREET, MADDINGLEY

PA2015-180 – 8 Bond Street, Maddingley; Development and Use of a Warehouse and Retail Premises (Uniform Sales, Printing and Signwriting), Display of Business Identification Signage and a Reduction of Car Parking and Loading Facilities.

Application Summary:

<table>
<thead>
<tr>
<th>Permit No:</th>
<th>PA2015 180</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lodgement Date:</td>
<td>5 August, 2015</td>
</tr>
<tr>
<td>Planning Officer:</td>
<td>Tom Tonkin</td>
</tr>
<tr>
<td>Address of the land:</td>
<td>8 Bond Street, Maddingley</td>
</tr>
<tr>
<td>Proposal:</td>
<td>Development and Use of a Warehouse and Retail Premises (Uniform Sales, Printing and Signwriting), Display of Business Identification Signage and a Reduction of Car Parking and Loading Facilities</td>
</tr>
<tr>
<td>Lot size:</td>
<td>498.25sq m</td>
</tr>
</tbody>
</table>

Why is a permit required:

Clause 33.02 Industrial 2 Zone – Use of land and buildings and works
Clause 52.05 Advertising Signs – Display of advertising signs
Clause 52.06 Car Parking – Reduction of car parking
52.07 Loading and Unloading of Vehicles – Reduction of loading facilities

Public Consultation:

<table>
<thead>
<tr>
<th>Was the application advertised?</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Notices on site:</td>
<td>None</td>
</tr>
<tr>
<td>Notice in Moorabool Newspaper:</td>
<td>No</td>
</tr>
<tr>
<td>Number of Objections:</td>
<td>None</td>
</tr>
<tr>
<td>Consultation meeting:</td>
<td>Not required</td>
</tr>
</tbody>
</table>
### Policy Implications:

<table>
<thead>
<tr>
<th>Key Result Area</th>
<th>Enhanced Natural and Built Environment.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Objective</td>
<td>Effective and efficient land use planning and building control.</td>
</tr>
<tr>
<td>Strategy</td>
<td>Implement high quality, responsive, and efficient processing systems for planning and building applications. Ensure that development is sustainable, resilient to change and respects the existing character.</td>
</tr>
</tbody>
</table>

### Victorian Charter of Human Rights and Responsibilities Act 2006

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 – Tom Tonkin**

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 Council’s Infrastructure department.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any issues raised in referral responses?</td>
<td>None raised, subject to conditions being placed on a permit.</td>
</tr>
<tr>
<td>Preliminary Concerns?</td>
<td>None</td>
</tr>
<tr>
<td>Any discussions with applicant regarding concerns</td>
<td>Not applicable</td>
</tr>
<tr>
<td>Any changes made to the application since being lodged?</td>
<td>No</td>
</tr>
<tr>
<td>VCAT history?</td>
<td>None</td>
</tr>
<tr>
<td>Previous applications for the site?</td>
<td>None</td>
</tr>
</tbody>
</table>
General Summary

It is proposed to use and develop the site for a warehouse and retail premises for uniform sales, printing and signwriting services, display associated business identification signage and reduce car parking and loading facilities.

The uniform sales would be mostly online, with a relatively small number of customers visiting the premises. The warehouse would provide storage for the proposed retail business.

The proposed building would be generally traditional in design but with contemporary façade detailing. Four (4) car spaces would be provided on site, and a loading area.

Overall, the proposal is considered worthy of support for the reasons discussed below.

Summary Recommendation:

That, having considered all relevant matters as required by the Planning and Environment Act 1987, Council issue a Planning Permit for this application subject to conditions detailed at the end of this report.

Background

A pre-application meeting was held between the applicant and a Council officer on 12 June 2015, for the applicant to obtain advice in relation to the proposed building setback from the Bond Street boundary.

Public Notice

Under Clause 33.02 (Industrial 2 Zone) this application is exempt from the 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

Not applicable.

Proposal

It is proposed to use and develop the subject site for a warehouse and retail premises, display business identification signage and reduce the car parking and loading requirements.

The proposed uses entail the following:

- Sale of decorated company uniforms for a range of industries, schools and government bodies. Seventy percent of sales occur online and the remaining 30 percent occur locally. Garments are manufactured offsite and decorated (embroidered or printed) on site and shipped to customers.
- Digital printing services to local businesses.
- Signwriting services to local businesses.

The business would operate Monday to Friday, 8:30am - 5:00pm and Saturday, 9:00am – 12:00noon, and closed on Sunday, Public Holidays and the Christmas/New Year period.
An average of 10 visitors (customers and others) per day to the premises is anticipated, and four (4) deliveries per day in small delivery vans. Waste collection would be once a fortnight.

An existing single storey dwelling and ancillary outbuildings would be demolished to facilitate redevelopment of the site for the proposed use. The proposed development would comprise a double storey building addressing Bond and Park Streets. The ground floor of 460.1sq m would comprise a reception and sales and display area accessed from Park Street, three (3) workstations, staffroom and toilets and three (3) covered car spaces accessed from Park Street. The 131.3sq m upper storey would comprise storage and meeting room facilities. The fourth car space and loading bay would be combined in the one space and contained in one of the workstations with vehicle access to Bond Street.

The ground floor would be built to the north, east and south boundaries for respective lengths of 30.58m, 15.28m and 4.86m. The ground floor would be set back from Bond Street by 1.24m-2.0m, and from Park Street by 0.5m. The upper storey would be built to the north and east boundaries for respective lengths of 8.88m and 14.78m, and set back from the south and west boundaries by 0.5m and 23.71m respectively.

The building would be of compressed timber construction, with a rendered finish and incorporate timber window trim, and façade detailing comprising vertical timber cladding and steel perforated sheeting with laser cut stenciling.

Signage would be affixed to the south and west building façades and comprise business identification signs with a combined area of 12.6sq m. No sign illumination is proposed.

An 8.4 metre wide crossover to Park Street would be constructed to align with the proposed undercover car spaces, and an existing single width crossover to Bond Street maintained.

Two (2) small street trees would be removed to facilitate the development.

The plans are included in Attachment 1.

Site Description

The subject site is at 8 Bond Street, Maddingley, on the northeast corner of Park Street, approximately 114.0m north of Station Street.

The site is rectangular in shape, with a width of 15.28m, depth of 32.59m and overall site area of 498.25sq m. The site is currently occupied by a single storey Victorian weatherboard dwelling built to the front (west) boundary with two (2) ancillary outbuildings in the rear setback. There is a tree in the rear setback planted close to the north boundary. A single width crossover to Bond Street abuts the north boundary.

The site has no discernible fall and is not burdened by any easements or restrictions registered on title.

The site and surrounding land to the north, south and east is in the Industrial 2 Zone. To the north are single detached dwellings fronting Bond Street. To the east, fronting Park Street, is a motor repairs workshop. Further to the east are predominantly small scale industries and warehouses. To the south, across Park Street, is a bus depot. To the west, across Bond Street, is Maddingley Park which is in the Public Park and Recreation Zone.

Bacchus Marsh Railway Station is approximately 180m to the south.

All reticulated services are available to the site.
Locality Map

The map below indicates the location of the subject site and the zoning applicable to the surrounding area.
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
- 21.07 Bacchus Marsh
- 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>LPPF</th>
<th>Title</th>
<th>Response</th>
</tr>
</thead>
</table>
| Clause 22.05 | Presentation of Industrial Areas | The following policy requirements are not met:  
  • The proposed site coverage of 92.34% exceeds 60%.  
  • The proposed front setback of 2.0m does not meet the minimum 7.5m.  
  • Proposed landscaping is less than the minimum 10% of the site area.  
  These matters are discussed in detail below. |

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 warehouse or retail premises, 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.

Overall, the proposed development is considered to be consistent with the purpose and decision guidelines of the IN2Z, as discussed below.

Overlays

The subject site is affected by Environmental Significance Overlay, Schedule 8. A permit is not required to construct buildings and works outside the Tree Protection Zone of any River Red Gum tree. The proposed buildings and works are not within the Tree Protection Zone of any River Red Gum tree, as defined in Schedule 8 to Clause 42.01, therefore a permit is not required.

The site is affected by proposed changes to the Moorabool Planning Scheme under Amendment C51, adopted by Council in February 2015, specifically Design and Development Overlay, Schedule 7 (DDO7). Under part 60(1A)(h) of the Planning and Environment Act 1987 Council may consider any amendment to the planning scheme which has been adopted by a planning authority but not, as at the date on which the application is considered, approved by the Minister. Accordingly, the application is also assessed against the adopted provisions of DDO7, and is considered to meet the design objectives, as discussed below.

Relevant Policies

Council adopted the Moorabool Industrial Areas Strategy on Wednesday 2 December, 2015.
Particular Provisions

Clause 52.05 Advertising Signs
Pursuant to Clause 33.02-5 (IN2Z) the zone is in Category 2 of advertising sign controls. Under Clause 52.05-8 the purpose of signage in industrial areas is ‘To provide for adequate identification signs and signs that are appropriate to office and industrial areas.’

Under Clause 52.05-8 a permit is required to display a business identification sign if the total advertisement area of all signs to each premises exceeds 8sq m. 12.7sq m of signage is proposed, therefore a permit is required.

The proposed signage is considered to be acceptable for the following reasons:

• The dimensions and positioning of the signs would be in proportion with the host building and surrounding development. The signs would not protrude above the building’s roofline.
• The signs would not result in visual clutter.
• No views or vistas would be impeded.
• The signs would not be illuminated.
• The signs would not create a traffic safety hazard.

Clause 52.06 Car Parking

The proposed uses include a warehouse and retail premises.

A warehouse requires two (2) spaces to each premises plus 1.5 spaces to each 100sq m of net floor area, meaning that for the warehouse component of the site five (5) spaces would be required. Four (4) spaces are proposed on site and therefore a permit is required to reduce car parking. There is no specified parking rate for ‘retail premises’, therefore parking provision for this component of the development must be to Council’s satisfaction.

The proposed reduction of car spaces is considered acceptable, as discussed below.

Clause 52.07 Loading and Unloading of Vehicles

A permit is required to reduce or waive loading facilities associated with the storage or sale of goods or materials. Loading facilities are proposed, however the dimensions are less than the standard, therefore a permit is required for a reduction.

The proposed reduction is considered acceptable, as discussed below.

Discussion

Overall, the proposal is considered to be generally in accordance with relevant State and local planning policy, zone, overlays and particular and general provisions.

The key points for discussion are considered to be:

• The suitability of the proposed uses in the Industrial 2 Zone.
• The design response to the provisions of Clause 22.05 and the adopted DDO7.
• The appropriateness of reducing car parking spaces.
• The appropriateness of reducing loading facilities.
The suitability of the proposed uses in the Industrial 2 Zone

The proposal would allow for development of the site for use as a retail premises and warehouse. The retail component would comprise the sale and display of uniforms, digital printing and signwriting services, and the associated warehousing of goods and materials. A permit is required is required to use the site for the above purposes.

Under Clause 74 of the Moorabool Planning Scheme, ‘retail premises’ is defined as ‘land used to: sell goods by retail, or by retail and wholesale; sell services; or hire goods’. It is noted that ‘retail premises’ includes numerous specified uses, for example ‘shop’ and ‘trade supplies’, but does not define the proposed use described above. A ‘shop’ is defined as ‘land used to sell goods or services, or to hire goods’, but excludes certain types of retail premises. A shop is a prohibited use in the Industrial 2 Zone, apart from several specific types of shop.

It is noted that the proposed sale of uniforms would be mostly online (70%) to customers nationwide, and 30% locally, reflected by the relatively small number of customers expected to attend the site personally. It is accepted that whilst the business would have a shop front for sales, this area would be primarily for the display of goods, and the nature of the business is such that defining the use as a ‘shop’ is inaccurate. The proposed retail premises would sell goods by retail and wholesale, mostly online, and sell printing and signwriting services. This breadth of retail activity is considered beyond the scope of a shop and thus best defined as a ‘retail premises’.

Council adopted the Moorabool Industrial Areas Strategy on 2 December 2015. The strategy identified the pocket of industrial zoned land including the site as being suited to service industries such as motor repairs rather than manufacturing, given the proximity to existing residential areas. The proposed use for a warehouse and retail premises is considered acceptable in this location for the following reasons:

- The relatively low number of customers attending the site would not require a prominent location to attract passing trade.
- The site is at the edge of the industrial zone, adjoining Maddingley Park, and the use allows for a building more suited to the park interface than an industrial style building.

The design response to the provisions of Clause 22.05 and the adopted DDO7

The proposed development of the site involves the demolition of an existing dwelling and outbuilding and construction of a 1-2 storey building with 92% site coverage.

Clause 22.05 of the Moorabool Planning Scheme sets out Council’s policy for the development of industrial zoned land. The proposal does not meet aspects of this policy regarding site coverage, front setback and landscaping, as described above.

The relevant objective of Clause 22.05 is:

- To ensure that all new industrial development is designed, sited and landscaped so that it positively contributes to the amenity of the area.

The adopted DDO7 requires a permit for buildings and works, and has the following design objectives:

- To reinforce the tree lined street country town character of Bacchus Marsh through the layout and design of development along Bond Street.
- To facilitate development that creates a high amenity frontage to Bond Street.
To ensure that development is orientated towards Bond Street and Maddingley Park to promote passive surveillance of the public realm.

To encourage design that presents a positive and interactive edge to the public realm.

The proposal is considered to meet the objectives of Clause 22.05 and DDO7 for the following reasons:

- The site area of 498sq m and depth of 32.6m is generally smaller and shallower than other industrial zoned lots in the area, necessitating a higher site coverage and less space for landscaping.
- The existing Victorian era dwelling on the site is built to the Bond Street boundary, and the proposed building’s street setback would provide for landscaping where none currently exists.
- The proposed development is a relatively modest, low rise building, with the second storey massed to the rear of the site and not readily visible from Bond Street.
- The building façade at street level incorporates detailing and materials sensitive to the Maddingley Park interface, providing visual interest and a contemporary design sensitive to the heritage character of the park and the public realm more generally.
- Being a corner site the development would be oriented to both Bond and Park Streets and provides acceptable opportunities for passive surveillance of the public realm.
- The proposal maintains the opportunity for street tree plantings.

The appropriateness of reducing car parking spaces

Four (4) car spaces are proposed. The warehouse component of the application would require five (5) spaces, therefore a permit to reduce car spaces is required. There is no specified parking rate for the retail premises proposed, therefore car parking provision must be to Council’s satisfaction. Given the nature of the proposed use and the likely demand for car parking, it is considered that six (6) car spaces would ideally be provided on site for staff and customers.

The proposal is considered acceptable for the following reasons:

- The warehouse is associated with the retail component of the business, forming part of a single enterprise and not expected to generate a need for parking separate from the retail business.
- The majority of uniform sales are online and do not require customers to attend the site. As previously mentioned, an average of 10 visitors to the site per day is expected, therefore generating a relatively low demand for car parking, averaging slightly more than two (2) vehicle movements per hour during business hours Monday-Friday.
- On-street car parking is unmetered in the vicinity of the site.
- Council’s Infrastructure department assessed the appropriateness of reducing car parking, and consent to the application, subject to conditions.
- The demand for car parking in this industrial area of Maddingley is not currently an issue and the proposed reduction is unlikely to have any ongoing detrimental effects on the amenity of the area.

The appropriateness of reducing loading facilities

Loading facilities are proposed, however the 2.5 metre height clearance and 6.5 metre length of the loading area does not meet the standard for a 4.0 metre height clearance and 7.6 metre length. The applicant advises that approximately four (4) delivery vehicles would visit the site per day in small delivery vans. A reduction of the loading facilities is considered acceptable for the following reasons:

- The proposed loading bay dimensions would be sufficient to accommodate the size of vehicles expected to make deliveries to and from the site.
• Access to the loading area would have a 2.5 metre height clearance but the actual loading area would have a 3.0 metre height clearance.
• The expected rate of deliveries would generate one (1) delivery vehicle every two (2) hours and would allow reasonable opportunity for this space to be coordinated for use as a car space when needed for car wrapping.
• Council’s Infrastructure department assessed the appropriateness of the loading facilities, and consents to the application, subject to conditions.

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

No referrals were required to be made pursuant to s.55 of the Planning and Environment Act 1987. The following Council departments were provided with an opportunity to make comment on the proposed development plan.

<table>
<thead>
<tr>
<th>Authority</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Infrastructure</td>
<td>Consent subject to conditions</td>
</tr>
<tr>
<td>Parks and Gardens</td>
<td>Consent</td>
</tr>
</tbody>
</table>

It is noted that although two (2) small street trees would require removal no replacement planting would be required due to being an inappropriate location for street tree plantings. This is as per Council’s arborist’s advice.

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 application does not have any risk or OH & S implications for 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 the Design and Development Overlay, Schedule 7, and 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 State and local planning policy, the Industrial 2 Zone, relevant Particular and General Provisions and Moorabool Planning Scheme Amendment C51.

The proposed warehouse and retail premises would provide for uniform sales/display, printing and signwriting services, occupying under-utilized industrial zoned land and contribute to the economic growth of the township.

The development would be an acceptable design response to the character of the area, including Maddingley Park opposite.

The reduced car parking and loading facilities would be generally acceptable given the nature of the proposed business described above.

Consideration of Deputations – Planning Permit Application No. 2015 180; Development and Use of a Warehouse and Retail Premises (Uniform Sales, Printing and Signwriting), Display of Business Identification Signage and a Reduction of Car Parking and Loading requirements at Lot 1 on TP 893770A known as 8 Bond Street, Maddingley.

Mr. Malcolm Trask addressed the S86 Development Assessment Committee in favour of granting a planning permit for the application.

The business of the meeting then returned to the agenda.

Resolution:

Moved: Cr. Dudzik
Seconded: Cr. Tatchell

That, having considered all matters as prescribed by Section 60 of the Planning and Environment Act, Council issues Planning Permit PA2015 180 for the Development and Use of a Warehouse and Retail Premises (Uniform Sales, Printing and Signwriting), Display of Business Identification Signage and a Reduction of Car Parking and Loading requirements at Lot 1 on TP 893770A known as 8 Bond Street, Maddingley, subject to the following conditions:

Endorsed Plans:

1. The use and development as shown on the endorsed plans must not be altered without the written approval of the Responsible Authority. All buildings shall be located clear of any easements or water and sewer mains/septic tank and effluent lines.

Use:

2. The use may operate only between the hours of 8.00am to 6.00pm Monday to Friday and Saturday 9.00am to 1.00pm except with the written consent of the Responsible Authority.

Amenity:

3. The walls on the boundary of the adjoining properties must be cleaned and finished to the satisfaction of the responsible authority.
4. Goods, equipment or machinery must not be stored or left exposed 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.’

Advertising Signs:

9. The location, design, content, colours and materials of all advertising signs must not be altered without the written consent of the Responsible Authority.

10. The advertising signs must not contain any moving parts or flashing lights.

11. The signs must not be illuminated by external or internal light.

12. The signs must be constructed and maintained to the satisfaction of the responsible authority.

Infrastructure:

13. A standard urban vehicle crossing must be provided on Park Street to the satisfaction of the Responsible Authority. A vehicle crossing permit must be taken out for the construction of the vehicle crossing.

14. 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:

   a) 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.
   b) Underground piped drainage for the whole development shall cater for 10% AEP storm.
   c) Overland 1% AEP flow path(s) for the development must be shown on layout plans and shall ensure that no property is subject to inundation by such a storm to the satisfaction of the Responsible Authority.

15. 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 storm water drainage system.

16. 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).

17. 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.
18. Prior to the commencement of the development and post completion, notification including photographic evidence must be sent to Council’s Asset Services department identifying any existing damage to council assets. Any existing works affected by the development must be fully reinstated at no cost to and to the satisfaction of the Responsible Authority.

19. The building shall be provided with disabled access in accordance with the provisions of AS1428 – Design for Access and Mobility.

Permit Expiry:

20. This permit will expire if one of the following circumstances applies:
   
d) The development and the use are not started within two years of the date of this permit;
   
e) 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.

Report Authorisation

Authorised by:

Name: Satwinder Sandhu
Title: General Manager Growth and Development
Date: Thursday 11 February, 2016

CARRIED.

UPDATE ON TRENDS, ISSUES AND OTHER MATTERS

Robert Fillisch, Acting 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.

CLOSED SESSION OF THE MEETING – 4.27pm

Resolution:

Moved: Cr. Tatchell
Seconded: Cr. Spain

That pursuant to the provisions of the Local Government Act 1989, the meeting now be closed to members of the public to enable the meeting to discuss further matters, which the Council may, pursuant to the provisions of Section 89(2) of the Local Government Act (the Act) resolve to be considered in Closed Session, being a matter contemplated by Section 89(2) of the Act as follows:

a) Personnel matters;
b) The personal hardship of any resident or ratepayer;
c) Industrial matters;
d) Contractual matters;
e) Proposed developments;
f) Legal advice;
g) Matters affecting the security of Council property;
h) Any other matters which the Council or special committee considers would prejudice the Council or any person;
i) A resolution to close the meeting to members of the public. CARRIED.

RETURN TO OPEN SESSION – 4.35pm

Resolution:
Moved: Cr. Dudzik
Seconded: Cr. Tatchell

That the meeting now return to open session. CARRIED.

DATE OF NEXT MEETING

Wednesday 13 April, 2016
4.00pm
Council Chambers,
15 Stead Street, Ballan

MEETING CLOSURE

The Chair thanked all Committee members and attendees and closed the meeting at 4.36pm.