

Item 12.9 - Planning Application PA PA2014/4641 - Use and development of the land for the purpose of restricted retail, trade supplies, landscape gardening supplies, office, convenience restaurant and food and drink premises, creation of access to a road in a Road Zone (Category 1) and variation of particular provision requirements related to loading and unloading, service station, car wash and bicycle facilities, all with associated car parking and landscaping, and removal of native vegetation At 24 High Street, Melton

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External

Referral	Response
<p>Dept. Environment, Land, Water and Planning</p>	<p>No objection.</p> <p>DELWP did not require any conditions to be included on the permit, however did advise that <i>Council should apply the offset requirements in accordance with the Permitted Clearing of Native Vegetation – Biodiversity Assessment Guidelines (BAG), pursuant to Clause 52.17 of the Victorian Planning Provisions.</i></p> <p>A condition of the permit will require an offset payment – see Environment Conditions.</p>
<p>Public Transport Victoria</p>	<p>No objection subject to the following conditions being included on the planning permit</p> <ol style="list-style-type: none"> 1. <i>Before the development starts, or other time agreed in writing with Public Transport Victoria, amended plans to the satisfaction of Public Transport Victoria 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 copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:</i> <ol style="list-style-type: none"> a. <i>A pedestrian path connecting the new footpath on the eastern (development) side of the Melton Highway/High Street roundabout with the existing footpath on the western side. The width and design must be to Council's specifications and Disability Discrimination Act (DDA) 1992 compliant.</i> 2. <i>Before the occupation of the development the footpath works, as shown on the endorsed plans, must be constructed at a cost born by the permit holder to the satisfaction of Public Transport Victoria and deemed compliant with the Disability Discrimination Act (DDA) 1992.</i> 3. <i>The permit holder must take all reasonable steps to ensure that disruption to bus operation is kept to a minimum during the construction of the development. Foreseen disruptions to bus operations and mitigation measures must be communicated to Public Transport Victoria fourteen days (14) prior.</i> <p>The above conditions will be included on any permit issued.</p>
<p>VicRoads</p>	<p>VicRoads initially objected to a permit being granted on the basis that the proposed land use was premature and didn't represent orderly planning of the area.</p> <p>The applicant met with VicRoads and provided additional information regarding future traffic modelling and assessment of the proposal.</p>

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	<p>VicRoads advised they no longer objected to the grant of a permit subject to the following conditions being included on the Planning Permit:</p> <ul style="list-style-type: none"> • <i>Before the use approved by this permit commences the following road works on Keilor-Melton Road must be completed at no cost to and to the satisfaction of the Roads Corporation:</i> <ul style="list-style-type: none"> ○ <i>Left-in/Left-out crossover mid-way between the Gateway and the Melton Highway/High Street roundabout, and</i> ○ <i>Left-in only on the northern corner of the site to provide access to the proposed petrol station.</i> • <i>Separate consent for works within the road reserve and the specification of these works is required under the Road Management Act. For the purposes of this application the works will include provision of:</i> <ul style="list-style-type: none"> ○ <i>Left-in/Left-out crossover mid-way between the Gateway and the Melton Highway/High Street roundabout, and</i> ○ <i>Left-in only on the northern corner of the site to provide access to the proposed petrol station.</i> • <i>For the construction of the signalised intersection of Keilor-Melton Road (opposite the Gateway) the applicant must enter into a Section 173 Agreement with VicRoads and Council for the funding, timing and construction arrangements. The Roads Corporation legal costs are to be paid in full by the applicant.</i> • <i>The crossover and driveway for the proposed access points detailed above are to be constructed to the satisfaction of the Roads Corporation and/or the Responsibility Authority and at no cost to the Roads Corporation prior to the commence of the use here by approved.</i> • <i>Prior to the commencement of use hereby approved, the access lanes, driveways, crossovers and associated works must be provided and available for use and be:</i> <ul style="list-style-type: none"> ○ <i>Formed to such levels and drained so that they can be used in accordance with the plan.</i> ○ <i>Treated with an all-weather seal or some other durable surface.</i> • <i>A scaled functional layout plans showing the three proposed access points to the development on Keilor-Melton Road including features such as pavement, kerb/shoulders, line marking, power poles, trees and other road furniture within 100 metres of the proposed access. The functional layout plan must also demonstrate how all the proposed accesses fit into, operate and interact with Keilor-Melton Road. This must include any required turning movements into or out of the three proposed access points.</i> • <i>The submission of swept path analysis for the appropriate design vehicle for all movements associated within all the proposed</i>
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	<p><i>access points, including how the largest design vehicle that could be reasonably anticipated to use the site may enter and exit the development in a forward direction.</i></p> <p>The above conditions will be included on any permit issued.</p>
Melbourne Water	<p>Melbourne Water was not a formal referral in this instance. However, they provided comment on the Stormwater Management Strategy which informed engineering conditions.</p> <p>Melbourne Water provided conditional consent on the associated subdivision application PA2016/5195.</p> <p>No Melbourne Water Conditions are required as part of this application.</p>

Internal

Department	Response
Engineering	<p>Engineering Services raised several issues to be addressed, including:</p> <ul style="list-style-type: none"> • The primary northern internal connector road should be constructed as a public road and vested to Council; • The stormwater management strategy must take into account the whole allotment rather than just the subject site, to ensure the land required for a retarding basin is sufficient to cater for the whole allotment. • The plans need to show the proposed rainwater/ stormwater tanks that are to be incorporated into the stormwater management strategy • The swale proposed to retard flow in front of the stage 1 development must be fully contained within the site. This needs to be clarified. • Additional pedestrian links should be provided across the development and be designed in accordance with Council's Off-street Car Parking guidelines. • Some parking areas should be used for landscaping, locating more trees within the car parking area with appropriate space for large canopy trees to grow. Council's Off-street Car Parking guidelines target 30% canopy cover within the car parking area. <p>The applicant agreed to amend the plans to show the primary connector road as a public reserve to be vested to Council and make the other changes as conditions on permit.</p> <p>Accordingly Engineering supported the proposal subject to Conditions being included on the permit.</p> <p>All the requested Conditions will be included on any permit issued.</p>

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<p>Environmental Services</p>	<p>Environmental Services commented that it was unclear what onsite vegetation was being retained or removed.</p> <p>The applicant submitted a biodiversity report prepared by Biosis to indicate the vegetation to be removed, and the relevant offset calculations.</p> <p>Environmental Services accepted the proposed vegetation removal and provided permit conditions to secure the appropriate offsets. The conditions will be included on any permit issued.</p>
<p>Landscape Development</p>	<p>Landscape Development noted the Landscape Concept Masterplan was of a high standard, however noted the following should be addressed:</p> <ol style="list-style-type: none"> 1. <i>Tree planting along the entire eastern/car park boundary of the site must be consistent and two or three trees deep. This will provide shade and shelter to the car park and mitigate potential heat sink effects.</i> 2. <i>These trees should be large evergreen native trees. Casuarina cunninghamiana or River Oak or Allocasuarina luehmannii or Bull Oak. Myoporum insulare or Boobialla should be also be used .</i> <p>Amended plans were submitted to provide additional landscaping and tree cover along the boundaries of the site and within the car park. A condition on permit will require species selection to Council's satisfaction.</p>
<p>Strategic Planning/ Urban Design</p>	<p>Strategic Planning/Urban Design did not object to the proposal, however raised the following issues to be addressed:</p> <ul style="list-style-type: none"> • The primary proposed internal connector road should be constructed as a public road and vested to Council; • The development should not propose any office uses as this is inconsistent with Melton's adopted <i>Retail and Activity Centres Strategy (2014)</i>; • Additional landscaping should be provided to the street frontages and within the car park areas; • Additional pedestrian links should be provided across the development; • The restricted retail buildings lacked variation in colour and finishes; • The restricted retail signage was too large. <p>The applicant agreed to amend the plans to show the primary connector road as a public reserve to be vested to Council and additional pedestrian links will be provided as a condition on permit.</p>

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The applicant provided further justification for the office component. This was considered acceptable by Strategic Planning.

The following outstanding issues will be addressed via permit conditions:

- The carpark areas in front and behind the Restricted Retail 02 (trade supplies building) do not include sufficient landscaping as per Council's Off Street Parking Guidelines.
- Rear entry to be provided at Restricted Retail 02 (trade supplies building) premises.
- The size and prominence of signage is considered excessive.
- Detailed colour elevations are required.
- Additional pedestrian links to be provided as per the following plan:

