

Delegation Report

Application No: 2016/115
Application Type: Use & Development
Received: 6 May 2016

The Applicant:
Name: United Petroleum Pty Ltd
Address: C/- Prourban Planning
12 Yarra Street
South Yarra VIC 3141

The Proposal:
Proposal: Use and development of the land for a service station, development of advertising signage, create and alter access to a Road Zone Category 1 and allowing variations to the requirements for a service station and to the design and development overlay requirements

The Land:
Land Address: 1 Shingler Street Leongatha VIC 3953, 52 Anderson Street Leongatha VIC 3953
Land Description: L18 LP17801 Parish of Leongatha Township, L17 LP17801 Parish of Leongatha

Assessment:
By: Sabiha Zafrin

Planning Scheme and/or Planning and Environment Act Definition

Land Use

Use of the land for a service station

Development

Development of the land for a service station, development of advertising signage, create and alter access to a Road Zone Category 1 and allowing variations to the requirements for a service station and to the design and development overlay requirements.

Zone and Overlays:

Zone/s: Commercial 1 Zone

Overlay/s: Design and Development Overlay 1 – Township approach

Why is a Permit Required?

Zone

Use

Clause 34.01-1 – A permit is required for the use of the land for a service station.

Development

Clause 34.01-4 – A permit is required to construct a building or construct or carry out works.

Overlay

Clause 43.02-2 – A permit is required to construct a building or construct or carry out works. This does not apply if a schedule to this overlay specifically states that a permit is not required. The Schedule to this overlay does not contain any exemption.

Particular provisions

Clause 52.29 – Land adjacent to a RDZ1

A permit is required to alter access to a road in a Road Zone Category 1.

Clause 52.05 – Advertising Signs

A Planning Permit is required for business identification sign because it has an area of more than 8m² and it is illuminated. A permit is also required for proposed canopy sign and fascia sign because both signs have an area more than 1.5m². All these signs are section 2 signs in Category one of the table to clause 52.05.

Clause 52.12 – Service Station

Clause 52.12 sets out some development expectations as well as use requirements. A permit is required to vary the requirements of this clause. Proposed development seeks approval to exceed 7.7m limit for the crossover to Shingler Street.

Particular provisions that are relevant but not trigger a permit

Clause 52.06-5A – Where a use of land is not specified in Table 1 (Clause 52.06-5) or where a car parking requirement is not specified for the use in another provision of the planning scheme or in a schedule to the Parking Overlay, before a new use commences or the floor area or site area of an existing use is increased, car parking spaces must be provided to the satisfaction of the responsible authority.

Parking requirements for a service station is not specified in the Table 1, proposed development includes 8 parking spaces including 1 disabled space with the ability to accommodate a further 6 vehicles at the bowlers. Car parking requirements have been discussed further in the assessment section of this report.

Clause 52.07 – Loading and unloading of vehicles

The proposed loading bay is situated in the south-west corner of the site. The bay complies with the minimum length, width, height, and area, represented in the table in Clause 52.07. The design ensures all service vehicles can leave in a forward direction. Swept path analysis for loading vehicle in the Traffic Engineering Assessment report demonstrates the accessibility of the loading area.

Size of the Land (Square meters or hectares):

The land is approximately 2193m²

Is there a registered restrictive covenant or a Section 173 Agreement on the title? If so, does the proposal comply with the restriction or Section 173 Agreement?
No.

Does the land abut a Road Zone Category 1 or a Public Acquisition Overlay if the purpose of acquisition is for a Category 1 road?
Yes. The land abuts a Road Zone Category 1. The application requires referral to VicRoads under Clause 52.29 and 66.03 of the Planning Scheme.

Is there a designated waterway on the land?
No.

Is the land within a Special Water Supply Catchment Area listed in Schedule 5 of the Catchment and Land Protection Act 1994?
Yes. The land is within the Tarwin River (Meeniyah) Water Supply Catchment (ID no: 118) as proclaimed by the Victoria Government Gazette (No. G17 2 May 1990).

Does the application require car parking / bicycle facilities?
Yes, Car parking is required. These requirements are assessed and discussed in the General Assessment section of this report under Clause 52.06-5A (number of car spaces required for other uses).

Is an Aboriginal Cultural Heritage Management Plan required?
No, a CHMP is not required because the proposed use and development is not in an area of cultural heritage sensitivity.

Was Further Information Requested under Section 54?
Further information was required regarding the following:

1. Application form does not specify all the relevant permit triggers. Please submit a revised application form that states "Use and development of the land for a service station, development of advertising signage, create and alter access to a Road Zone Category 1 and vary the requirements for a service station and design and development overlay". OR you can give written consent so that Council can amend the application.
2. Submit a revised existing site plan showing the signage for Mountain View Retirement Village (planning permit no. 2011/394).

Note: If Council supports the application there will be a condition in the permit for removal of this sign.

Council's Engineering and Assets Department has requested following further information:

1. The 19 metre semi-trailer turning swept path shows entry from South Gippsland Hwy and exit via Shingler Street. However the southern kerb line is not shown for

Shingler Street and the swept path scaled off this plan indicates that the semi-trailer will take up the entire width of the available road and may even ride up onto the southern kerb.

A Revised plan is required showing how exiting from the site can be achieved without obstructing Shingler Street or riding onto the southern kerb line.

A revised plan for the MRV swept path should also include the southern kerb to confirm this manoeuvre is appropriate and safe.

2. Onsite parking spaces 7, 8 and 9 are shown directly adjacent to the primary entry point from South Gippsland Hwy. Any vehicles parking in these spaces will be required to reverse across this main entry.

A revised plan is required showing these spaces either removed, relocated to a safer location or justification supplied as to why these spaces are required at the location shown.

3. The parking space shown to be used to dispense air and water is also considered to be located too close to the main entry point. It is noted that this parking space will be used continuously by motorists to check both water and tyre pressure.

A revised plan is required showing the parking space for air and water dispensing located in a safer and more convenient location or justification provided confirming that the current location is the most appropriate and should be approved.

Inspections:

| Date Inspected | Observations |
|----------------|--|
| 25 May 2016 | <p>The land comprises a corner location at 1 Shingler Street and 52 Anderson Street Leongatha also known as Lot 17 and 18 LP 017801.</p> <p>The site is currently unoccupied. Lot 17 has a vacant commercial building, previously used by the Salvation Army and Lot 18 contains a shed and movable building and is used for car sales. Lot 18 contains a promotion sign that advertised the sale of land at "Mountain View". Lot 18 is serviced by two crossovers from Shingler Street. Lot 17 is serviced by a single crossover from Shingler Street and has an additional extended crossover from Anderson Street, which accommodates 7 off-street car parking spaces.</p> <p>The site has a triangular shape with a northern frontage to Anderson Street of approximately 77m and a southern frontage to Shingler Street of approximately 68m. The western boundary abuts a residential property at No. 5 Shingler Street for approximately 42m and an approximate 12m frontage to an existing commercial property fronting 54 Anderson Street. The site has no significant vegetation and it is</p> |

| | |
|--|--|
| | relatively flat. The site appears to have access to reticulated power, telecommunications, water and sewer. |
|--|--|

Was notice of the application given under Section 52(1), 52(1AA), 52(3) or 57B?

The application was notified to adjoining/adjacent owners and occupiers. The application was also notified by placing a sign on the land. This is consistent with Council’s requirement for notifying other similar proposal such as the redevelopment of the BP service station at 7 Anderson Street Leongatha. The minimum 14 day notice period was extended following a meeting with two of the objectors.

Were there any objections received?

There were seven objections, one petition and one submission received. Of the seven objections, three were from nearby residents in the residential zone, two objections from a nearby service station, one from the architect of the nearby service station redevelopment site and one from a resident of an adjoining Shire.

The objections primarily relate to light intrusion, increases traffic, safety issues, increased noise, air pollution from fumes/vapour, increased litter, hours of operation, proximity to residential uses.

The issues raised are summarised below with a response to each issue:

| Objection | Response |
|---------------------------|---|
| Light intrusion | A condition of the permit will require that external lights must be directed away from other properties and the residential zone to prevent light spill and glare. There will be no illuminated signage facing the residential interfaces to the west or south. |
| Increased traffic /safety | Service station traffic is generally from passing trade. The traffic Engineering Assessment report submitted with the application shows that proposed development is not expected to generate a large amount of additional traffic (will generate up to 116 movements per hour in peak hours). However, it is assumed that 80% of this traffic is from existing traffic passing the site. This is considered conservative given that 80% is quite a high efficiency rate, particularly where other service stations in town exist. This application has been referred to VicRoads and Council’s Engineering Department. Both authorities gave their consent to approve the development without any concern about the increased traffic volumes on either Shingler Street or the South Gippsland Highway. |
| Visitor parking | Nearby residents raise concerns about reduced visitor parking for their dwellings, particularly with regard to the proposed single |

| | |
|---|---|
| | <p>crossover on Shingler Street. There are currently three existing crossovers to Shingler Street and that the availability for on-street parking will therefore be increased rather than reduced.</p> |
| Noise from trucks at night | <p>Deliveries will be limited to between 7am and 7pm by a condition of the permit. However, the proposal is not expected to generate any more noise than would already be generated by passing traffic.</p> |
| Fumes/Vapour | <p>The applicant informed that all United Petroleum service stations incorporate vapour recovery systems to ensure fumes are contained. This will be required as a condition of the permit.</p> |
| Increased litter from the convenience store | <p>Litter by users of a particular site is difficult to control through planning, however, most service stations do have more than one rubbish bin on the forecourt area, adjacent to each pump.</p> <p>A fenced service yard has been proposed at the south west corner of the property to contain other waste generated by the business itself. Also, the service station will be used primarily by vehicles passing through the site and the majority of customers will take purchases with them into their vehicles.</p> |
| Hours of operation | <p>The corner site is located in a Commercial 1 Zone and the Gippsland Highway is a Primary State Arterial Road (VicRoads). The proposed 24 hour operation of the service station is appropriate to the nature and location of the site. Noise generated by vehicles entering/exiting the site and refuelling is not considered to be greater than vehicles (including trucks) using the South Gippsland Highway.</p> |
| Proximity to residential uses | <p>The subject site is located in an area characterised by commercial and economic activity with commercial properties aggregated to align the South Gippsland Highway. Direct abutments with main road networks is a common characteristic demonstrated in the locality.</p> <p>The site is the interface between the South Gippsland Highway and residential uses. A 3.5m landscaping buffer has been proposed along the entire west boundary that abuts the residential zone. Another 27.84m long and 3.159m wide landscaping buffer has been proposed along the south west boundary. Shingler Street separates the subject site from the residential properties to the south of the site and the building would be set back approximately 6.9m from the southern boundary of the site. As such, it is considered that there would be a reasonable separation between the proposed works and the residential properties to the</p> |

| | |
|--|---|
| | <p>south of approximately 33m. The petro station shop will be 3.5m from the western boundary and will be heavily landscaped. It will also act as a buffer between the forecourt area (noise source) and the adjoining dwelling.</p> <p>The air and water point for customers is proposed along the southern boundary. This can be a source of noise, particularly the air station and any compressor associated with it. A condition will require it to be moved to the north western corner, adjacent to proposed car space 1, where it will be adjacent to another commercial property and furthest away from adjoining dwellings. The design of the proposal ensures noise and light spill are directed away from residential properties. A condition of the permit will require lighting must be located and baffled so as to not cause a loss of amenity to adjoining properties.</p> <p>It is therefore considered that the interface between the subject site and the residential zone has been appropriately addressed and there should be a minimal loss of amenity to these properties.</p> |
| No floor plan for convenience store | Floor plan for the convenience store was submitted with the amended plans. The floor plan shows a layout that would be typical of many other service stations. |
| Proposal was not advertised to local newspaper | The application was notified to adjoining/adjacent owners and occupiers. The application was also notified by placing a sign on the land. The proposed service station is within a Commercial 1 Zone abutting a highway where this type of use is expected. Council considers that the application advertising to the adjoining owners and by placing a sign on site was adequate because the grant of the permit for this proposal is not likely to cause any material detriment in the broader community. It is also consistent with the advertising required for the BP Service station at 7 Anderson Street Leongatha. |
| No Job for locals | This is not a relevant planning consideration under the provisions of Planning and Environment Act 1987. |
| Property price will be affected/devalued | This is not a relevant planning consideration under the provisions of Planning and Environment Act 1987. |

Was the application referred under Section 55 or 57C?

| Authority | Which Clause? Determining or Recommending? | Date received and response |
|-----------------------|--|------------------------------------|
| South Gippsland Water | 66.02-5 Special water supply catchment - Determining | 15 June 2016 – conditional consent |

| | | |
|----------|--|---|
| VicRoads | 66.03 and 52.29 An application to create or alter access to, or to subdivide land adjacent to, a road declared as a freeway or an arterial road under the Road Management Act 2004 – Determining | 18 October 2016 – unconditional consent |
|----------|--|---|

Were there any non-statutory or internal referrals?

| Authority | Which Clause / Overlay / Why? | Date received and response |
|------------------|---|---------------------------------------|
| SGSC Engineering | To determine if provision of access / parking / stormwater facilities is acceptable and complies with the Planning Scheme / IDM / Australian Standards. | 18 October 2016 – conditional consent |
| SGSC Parks | Landscaping plan | 3 June 2016 – unconditional consent |

Planning Scheme Requirements and policies:

SPPF

The following SPPF clauses are considered relevant to the assessment of this application:

11 SETTLEMENT

11.05 Regional development

- 11.08 Gippsland regional growth
 - 11.08-1 A diversified economy
 - 11.08-2 Planning for growth
 - 11.08-4 Infrastructure
- 13.04 Noise and air
 - 13.04-1 Noise abatement
 - 13.04-2 Air quality

14 NATURAL RESOURCE MANAGEMENT

- 14.02 Water
 - 14.02-1 Catchment planning and management

15 BUILT ENVIRONMENT AND HERITAGE

- 15.01 Urban environment
 - 15.01-1 Urban design
 - 15.01-2 Urban design principles

17 ECONOMIC DEVELOPMENT

- 17.01 Commercial
 - 17.01-1 Business

18 TRANSPORT

- 18.02 Movement networks
 - 18.02-5 Car parking
- 19.03 Development infrastructure
 - 19.03-2 Water supply, sewerage and drainage
 - 19.03-3 Stormwater

LPPF

The following LPPF clauses are considered relevant to the assessment of this application:

21.03 KEY ISSUES

- 21.03-3 Environmental risks
- 21.03-5 Built environment and heritage
- 21.03-7 Economic development
- 21.03-9 Infrastructure

21.07 ENVIRONMENTAL RISKS

- 21.07-2 Land and catchment management

21.09 BUILT ENVIRONMENT AND HERITAGE

- 21.09-2 Urban environment
- 21.09-3 Signage and infrastructure

21.11 ECONOMIC DEVELOPMENT

- 21.11-3 Office and commercial uses

21.13 INFRASTRUCTURE

- 21.13-1 Waste management and stormwater drainage

21.15 LOCAL AREAS

- 21.15-1 Leongatha

Clause 22 policies

The following Clause 22 policies are considered relevant to the assessment of this application:

- 22.01 Advertising Signs

General Assessment:

The proposal seeks approval for use and development of the land for a service station, development of advertising signage, create and alter access to a Road Zone Category 1 and vary the requirements for a service station and design and development overlay.

The proposed service station development contains a canopy and convenience-store building to service users of the site purchasing petrol. The convenience store building occupies the south-western corner of the site and has a total floor area of 200m². The canopy connects to the store and extends in a north-east direction away from the building. The store is separated from the western boundary of the site by a landscaped 3.5m setback, and from the southern boundary by a 6.9 m setback, which comprises 3.16m landscape strip and a 3.77m wide loading bay and associated service yard.

The proposed built form design contains the following particulars:

- Air & Water service area;
- Loading bay area;
- Convenience store (200m²);
- Fuel Fill Point;
- Three bowser islands;
- Canopy.

The finishes to built form on the site include:

- Roof: Metal deck Colorbonding.

- Façade: Precast concrete painted white.
- Shop front: Powder-coated aluminium framed windows.
- Fascia: Alucobond coloured red/blue.
- Canopy lining: Metal tray Colourbond.

8 new car parking spaces are proposed including 1 accessible car parking space. Initially the proposal included 9 parking spaces, however, Council's Engineering Department had concerns for parking spaces 7, 8 and 9 because these were shown directly adjacent to the primary entry point from South Gippsland Hwy. Any vehicles parking in these spaces will be required to reverse across this main entry. The proposal was amended to address this requirement and finally 8 parking spaces have been proposed, which is considered acceptable.

The proposal also includes one illuminated business identification sign (pricing board) with an area of 22.4m², two internally illuminated canopy signs and one fascia sign.

State Planning Policy Framework

The proposal is consistent with the relevant objectives and strategies of the SPPF clauses listed above. The proposal will service the local community, commuters on the South Gippsland Highway, and surrounding areas that rely on Leongatha as a reliable regional centre. The subject site is located in an area characterised by commercial and economic activity with commercial properties aggregated to align the South Gippsland Highway. Direct abutments with main road networks is a common characteristic demonstrated in the locality and make this site suited to commercial use.

The proposed shop building and bowser/apron canopy are considered to be relatively modest in scale and nature, when compared with surrounding development but also in relation to what would be expected in a commercially zoned area and on a main thoroughfare/entrance point to the town. This proposal is considered to be a positive outcome for the site and would help improve the visual aspect to this property, particularly considering its location on the main northern entrance to Leongatha.

The applicant informed that all United Petroleum service stations incorporate vapour recovery systems to ensure fumes/vapours are contained. A condition will require a vapour recovery system. A 3.5m landscaping buffer has been proposed west boundary that abuts residential zone. Another 27.84m long and 3.159m wide landscaping buffer has been proposed along the southern boundary. Shingler Street separates the subject site from the residential properties to the south of the site and the building would be set back approximately 6.9m from the south-western boundary of the site. As such, it is considered that there would be a reasonable separation between the proposed works and the residential properties.

The design of the proposal ensures noise and light spill are directed away from residential properties. A condition of the permit will require that lighting must be located and baffled so as to not cause a loss of amenity to adjoining properties.

It is therefore considered that the interface between the subject site and the residential zone has been appropriately addressed and there should be a minimal loss of amenity to these properties.

Local Planning Policy Framework and Local policies

The proposal is consistent with the relevant objectives and strategies of the LPPF clauses and Local policy listed above.

The proposed service station would be located in the existing activity centre of Leongatha. The site is located in existing commercially zoned land located inside the existing Town Centre Area as identified on the Leongatha Town Centre Framework Plan. The proposal would contribute to retaining Leongatha as the major service centre of the Shire and maintain the Town Centre's primacy as the retail and service hub of the township. The proposal would achieve a high standard of building design, layout and landscaping as required by Clause 21.15-1 Leongatha.

The LPPF clauses highlight the need to ensure the continued economic development of South Gippsland and the Leongatha township in particular. The proposal responds by encouraging investment via an employment-generating use that serves the local and surrounding community. The site's corner location as part of a commercial strip adjacent the South Gippsland Highway promotes the continuation of such uses and ensures that the proposal is appropriate in context.

The development will provide clear benefit to the Leongatha community and will not have a detrimental impact on the economic, social or cultural viability of the Town Centre. The proposal provides an appropriate use that revitalises a dilapidated and under-utilised site adjacent to the South Gippsland Highway. The proposed built form will enhance the existing conditions on the site by improving visual amenity and ensuring that all signage relate to the land use and do not interfere with the safety and efficiency of adjoining roads.

C1Z Decision guidelines (Clause 34.01-8):

| General | Response |
|---|---|
| The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies. | As above |
| The interface with adjoining zones, especially the relationship with residential areas. | The interface with the adjoining residential zone has been discussed earlier under SPPF clauses and objections. It should also be noted that each of the residential developments adjoining the site already have an existing interface with commercial activity, albeit in a different form. The proposal is |

| | |
|--|---|
| | considered to appropriately respond to the potential issues associated with such interfaces. |
| Use | |
| The effect that existing uses may have on the proposed use. | The existing uses on the land will be discontinued when the site is redeveloped. |
| The drainage of the land. | The land generally drains to the South Gippsland Highway (to the north east). Stormwater conditions by Council's Engineering Department will be included in the permit to ensure that all stormwater is captured and discharged appropriately. |
| The availability of and connection to services. | All services are available to the site. |
| The effect of traffic to be generated on roads. | <p>Service station traffic is generally from passing trade. The Traffic Engineering Assessment report submitted with the application shows that proposed development is not expected to generate a large amount of additional traffic. It is expected to generate up to 116 movements per hour in peak hours, with 80% of this expected to be from existing passing trade.</p> <p>This application has been referred to VicRoads and Council's Engineering Department. Both authorities gave their consent to approve the development without any concern about the increased traffic volume.</p> |
| The interim use of those parts of the land not required for the proposed use. | N/A |
| Buildings and works | |
| The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport. | Pedestrians, cyclists and vehicles will be able to enter the site from both the South Gippsland Highway and Shingler Street. |
| The provision of car parking. | Car parking provision has been made to the satisfaction of Council in accordance with Clause 52.06-5A and the movement of vehicles and the like has been assessed by both Council's engineering department and also VicRoads. |

| | |
|--|---|
| <p>The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.</p> | <p>The proposed shop building and bowser/apron canopy are considered to be relatively modest in scale and nature, when compared with surrounding development but also in relation to what would be expected in a commercially zoned area and on a main thoroughfare/entrance point to the town. Both street frontages of the site would remain active and would not be impacted on by the proposal.</p> <p>The design is consistent with the other three service stations in Leongatha. The proposed landscaping plan is satisfactory. However, the original plan was amended to satisfy VicRoads requirements, a condition of the permit will require an updated landscape plan.</p> |
| <p>The storage of rubbish and materials for recycling.</p> | <p>Complies. A fenced service yard has been proposed at the south west corner of the property and a condition will require all waste to be stored in this area until ready for collection.</p> |
| <p>Defining the responsibility for the maintenance of buildings, landscaping and paved areas.</p> | <p>The operator/owner will be responsible for maintenance of the entire site.</p> |
| <p>Consideration of the overlooking and overshadowing as a result of building or works affecting adjoining land in a General Residential Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.</p> | <p>There would be no overlooking or overshadowing of the adjoining residential properties from the proposed development.</p> |
| <p>The availability of and connection to services.</p> | <p>All services are available to the site.</p> |
| <p>The design of buildings to provide for solar access.</p> | <p>The proposed service station shop will have powdercoated aluminium framed clear glazed windows which will ensure adequate solar access.</p> |
| <p>The objectives, standards and decision guidelines of Clause 54 and Clause 55. This does not apply to a development of five or more storeys, excluding a basement.</p> | <p>N/A</p> |

The proposed buildings are works are considered to be generally consistent with the purpose and decision guidelines of the C1Z.

DDO 1 decision guidelines (Clause 43.02-5):

Building and works

- The external walls would be constructed with concrete and the shopfront will be Powdercoated aluminium framed glazed windows.
- All buildings would be set back over 6m from any road (including the canopy).
- Land within 2m of a road reserve would be planted and maintained with lawn, trees and shrubs along Shingler Street. Land fronting South Gippsland Highway will have a landscaping strip of 1.039m which does not satisfy this requirement but it is considered acceptable.
- The building would be set back 3.5m from the adjoining residential zone to the west which satisfies the minimum setback of 3.5m which is derived from the formula set out in point 2 of the schedule.
- The proposal complies with the objectives sought by the DDO1, including that it is a facility for travellers that is specifically set out in the objective, it is of similar scale to other development nearby in the DDO1 and is considered to improve the appearance of the site, as viewed when entering the township.

Decision Guidelines

The following is a response to the decision guidelines of the overlay:

- The site is connected to water, sewerage, drainage, and electricity.
- Stormwater conditions by Council's Engineering Department will be included in the permit to ensure that all stormwater is captured and discharged appropriately.
- The layout of the proposed car parking spaces and the location and widths of entrance and exit points and access lanes have been assessed by Council's Engineering Department.
- The advertising signage proposed is considered appropriate as previously discussed.
- Storage areas, garbage receptacles and any other items which may have an adverse impact on the amenity of the area would be screened from the street by a fenced service yard which has been proposed at the south west corner of the property.

It is considered that the proposal meets the design objectives and decision guidelines of the overlay and would provide a development that is of an appropriate scale and design quality to enhance the township approach and which would be harmonious with the adjoining residential area.

Clause 52.05 – Advertising Signs

The proposed signage includes one illuminated business identification sign (pricing board), an internally illuminated sign across the façade of the proposed shop building and also two fascia signs on the bowser canopies.

Such signage is considered to be consistent with what would be expected on service stations and is also consistent with the theme of signage on other commercial properties in the surrounding area. A condition of the permit will require lighting must be located and baffled so as to not cause a loss of amenity to adjoining properties.

Clause 52.12 – Service Stations

Site area and dimensions

The site has an area of 2,137m², abutments of approximately 78m to South Gippsland Highway and 65m to Shingler Street. The site is greater than 30m deep at its widest part.

Crossovers

The application proposes three (3) crossovers, including two (2) crossovers to the South Gippsland Highway and one (1) crossover to Shingler Street. The crossovers to the South Gippsland Highway are approximately 10.4m and 6.4m wide and are approximately 27.5m apart. The crossover to Shingler Street is 12.165m wide; this crossover was designed to accommodate a 19m tanker exiting the site after it enters through the larger crossover from the South Gippsland Highway. This is considered acceptable as it meets the intent of the Clause to ensure that the service station does not impair traffic flow or road safety. All crossovers are at least 4.5m from another site, another corner and at least 1.8m from a crossover on another property.

Kerb or barrier

Kerbs are proposed along the road alignment, satisfying this requirement.

Road setbacks

The wall of the shop building is located more than 9m from the South Gippsland Highway but less than 9m from Shingler Street. The canopy is located at least 2.5m from Shingler Street and South Gippsland Highway.

Petrol pumps, pump islands, and storage tank filling points are all at least 3.6m from both Shingler Street and South Gippsland Highway. The water and air supply points are shown with 3.6m of the southern boundary and are not supported in this location. Condition 1 will require that they are moved to the north western corner to reduce potential amenity impacts on adjoining dwellings.

The site is expected to be serviced by a 19m semi-trailer vehicle to refill the fuel tanks. VicRoads and Council's Engineering Department have assessed this application and are satisfied that a 13.8m by 2.5m vehicle can enter and leave the site in a forward direction.

Discharge of waste

There is no vehicle wash area proposed as part of this application.

Amenity requirements

The proposed development, along with appropriate conditions is considered to have no unreasonable impact on the amenity of the surrounding area, including the adjoining dwellings to the west and south.

Trailers for hire

N/A

Adjoining residential zone

A landscape buffer strip of 3.5m wide along the common boundary has been proposed. A condition of the permit will include that external lights must be directed away from the residential zone to prevent light spill and glare.

Minister's Guidelines

Planning permit applications in open, potable water supply catchment areas (DSE, 2012)

These Guidelines are not considered to be applicable for the following reasons:

Guideline 1: the proposal is not for a dwelling and would not increase the density of dwellings in the catchment. The site also has access to reticulated sewerage.

Guideline 2: the site has access to reticulated sewer.

Guideline 3: no waterway is located nearby.

Guideline 4: there is no effluent disposal field on the site and the site is not within 30m of a waterway.

Guideline 5: the proposed use is not agricultural related.

Conclusion and Recommendation:

The application has been considered under Section 60 of the Planning & Environment Act 1987. It is considered that the proposed use and development is appropriate having regard to the relevant matters and can be managed through appropriate conditions.

That a report be prepared for the next available Council meeting recommending the issue of a notice of decision be issued for use and development of the land for a service station, development of advertising signage, create and alter access to a Road Zone Category 1 and vary the requirements for a service station and design and development overlay in accordance with the endorsed plans.

Signed.

.....
Planning Officer
Date: 10/11/2016

.....
Planning Co-ordinator
Date: