



Human Habitats  
424 / 838 Collins Street  
Docklands VIC 3008  
www.humanhabitats.com.au  
03 9909 2202

6 September 2018

[REDACTED]  
Planning Department  
Murrindindi Shire Council  
PO Box 138  
Alexandra, VIC 3714

**PURPOSE: SUBMISSION OF AMENDED APPLICATION**  
**APPLICATION NO: 2018/79**  
**ADDRESS: 1294 GOULBURN VALLEY HIGHWAY, THORNTON**

**1 Overview**

Human Habitats continues to act on behalf of the permit applicant for the proposed change of use and development of land for a service station, signage and associated works at 1294 Goulburn Valley Highway, Thornton.

The purpose of this correspondence is to submit an amendment to the current town planning application pursuant to Section 57A of the *Planning and Environment Act 1987*. This has become necessary due to minor design changes made to the proposal following advertising.

We also wish to provide a formal response to the objection lodged. This is encompassed in section 3 of this submission.

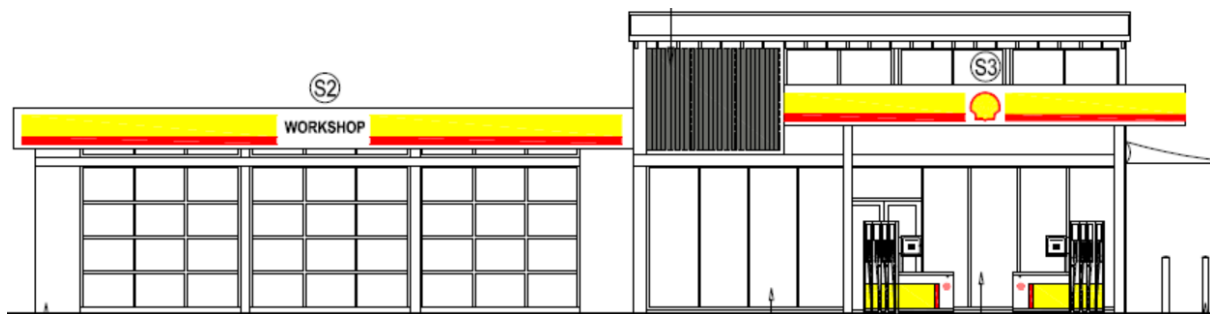


Figure 1 - Proposed frontage to Goulburn Valley Highway



## 2 Amended Application

The following amendments to the application and design have been made:

### 2.1 Design Changes

The amended plans by *MCL Building Design* dated August 2018 contain the following alterations to the plans submitted at the RFI stage:

- A minimal building extension to be located to the rear of the existing workshop. This will form an ancillary space to the workshop and includes a store, staff room, toilet and an admin/office area. This extension has a depth of 2.22 metres and a width of 12.73 metres and a height of 3.36 metres (being single storey).

We submit that this design change constitutes a positive response to a key concern of the lodged objection in relation to noise impacts from the warehouse. This is primarily due to the fact that the large, rear roller-door is to be removed. As such, noise emissions will be minimised. This is particularly important as this part of the subject site interfaces with neighbouring secluded private open space. We consider the amendment will successfully mitigate potential offsite amenity impacts.

- The proposed parking area along the eastern boundary is also to be relocated further towards the rear of the lot. This will result in a more functional space for car and trailer manoeuvres at the front of the site.
- The plans have also been amended to provide greater detail with regards to the location of site services including the septic tank and oil/water separation system.

### 2.2 Permit Requirements

We note that this amendment does not trigger any further permit requirements. Furthermore, the current permit preamble will allow for this development as includes "associated works at 1294 Goulburn Valley Highway, Thornton".

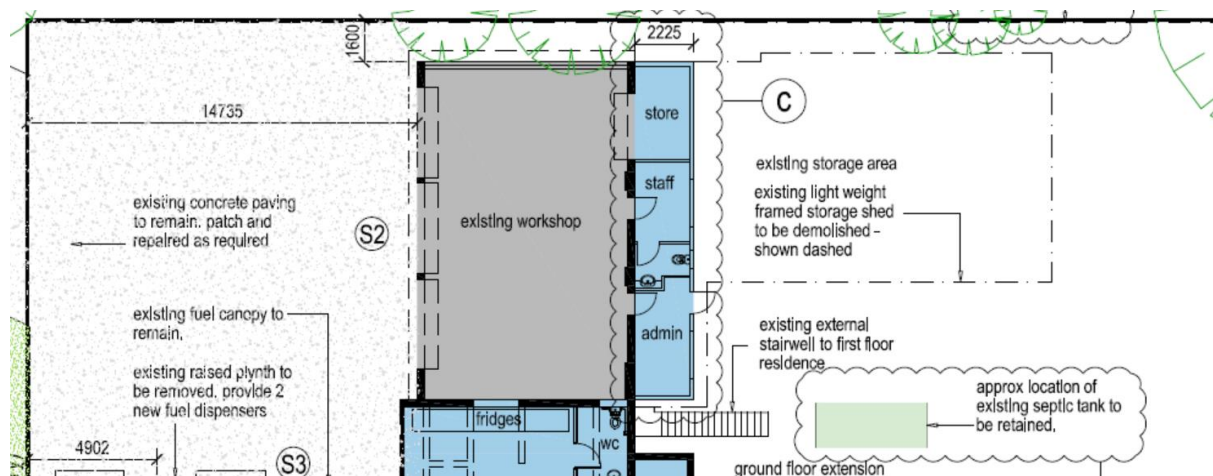


Figure 2 - Extract from amended site plan highlighting proposed building addition



### 3 Objection Response

The following section provides a response to objector concerns.

#### 3.1 Operating Hours

We note that the objection requested a reduction in operating hours. We submit that the proposed operating hours of 6:00am-10:00pm on weekdays and 7:00am-8:00pm on weekends is reasonable and will not unreasonably impact surrounding residential amenity. The proposed operating hours are well in accordance with what is generally acceptable, noting that they are less than what is commonly expected from a modern service station (which are often 24-hour operations). The purpose of the proposed operating hours is to appropriately accommodate the needs of Thornton's residents, tourists, and passing traffic who may require this service outside of standard working hours.

#### 3.2 Off Peak Fuel Deliveries

We seek to clarify the meaning of off-peak fuel deliveries. Deliveries will occur during daylight hours, not during late night and early morning. Furthermore, as noted in the original proposal letter, deliveries for fuel will be on a weekly basis, therefore, any potential noise impacts from fuel deliveries will occur only once a week. This is deemed very reasonable and, as such, will not pose any unreasonable impacts on surrounding residential amenity.

#### 3.3 Workshop Operations

The intention is to operate the automotive workshop between the hours of 8:00am-5:00pm Monday to Friday and 8:00am-1:00pm on Saturdays. We submit that these operating hours are reasonable as they are within daylight hours and typical of an automotive workshop. As a result, there will be no unreasonable noise impacts on surrounding residential amenity; therefore, we submit that there is no need to impose any restrictions on the workshop operations.

The objection also raised concern with the large open doors of the workshop, stating that workshop doors should be closed during machinery use to negate noise impacts. As discussed above, the proposed building addition will result in a reduction of potential noise emissions.

#### 3.4 Traffic Volume

The traffic assessment completed by One Mile Grid clearly identifies that the traffic impact from the proposal will be minimal and supportable as follows:

*The unique traffic generation for the proposed development is generally low in traffic engineering terms and equates to less than 1 movement every 5 minutes during the peak periods. This highlights that the proposed development will have a negligible impact on the Goulburn Valley Highway as well as the surrounding road network.*

It is clear that increases in traffic will be minimal and as such, supportable.

#### 3.5 Buffers

We note that as a result of Planning Scheme Amendment VC148, Clause 52.12 (Service Station) has been removed from the planning scheme, providing greater discretion for the assessment of service station developments. Therefore, the formal requirement for buffer zones has been removed. Nonetheless, we note that there is a buffer of 17 metres from the fuel operations to the site boundary with 1296 Goulburn Valley Highway. Furthermore, there is a buffer of 25 metres to the dwelling at 1296 Goulburn Valley Highway. These buffers are very generous, and well in excess of the previous requirement of 3 metres set out in Clause 52.12, therefore, we submit that the proposed siting of the petrol operations is suitable and the proposal should be supported.



#### 4 Conclusion

Since submission of the RFI response, Planning Scheme Amendment 148 has been approved and gazetted. As part of the amendment, Clause 52.12 was removed from the planning scheme, the result being that the requirements for service station proposals no longer apply. Nonetheless, we note that the proposal provided a positive response to these requirements and we continue to advocate for it noting that that overall, it is supportable for the following reasons:

- Offsite residential amenity will be appropriately protected, particularly as this amendment reduces potential noise impacts;
- The scale of the built form addition is minimal, thus issues of visual bulk are non-existent;
- The re-siting of the car parking will provide for better traffic flow;
- The proposed signage is understated in its design and will not unreasonably add to visual clutter; and
- The development will refurbish a run-down and underutilised building. This is paramount considering its location in central Thornton.

We trust that the above and enclosed is sufficient for Council in assessing this amended application, progressing it to formal approval subject to standard permit conditions. Should there be any further matters or further information needed, please do not hesitate to contact the undersigned on 03 9909 2202.

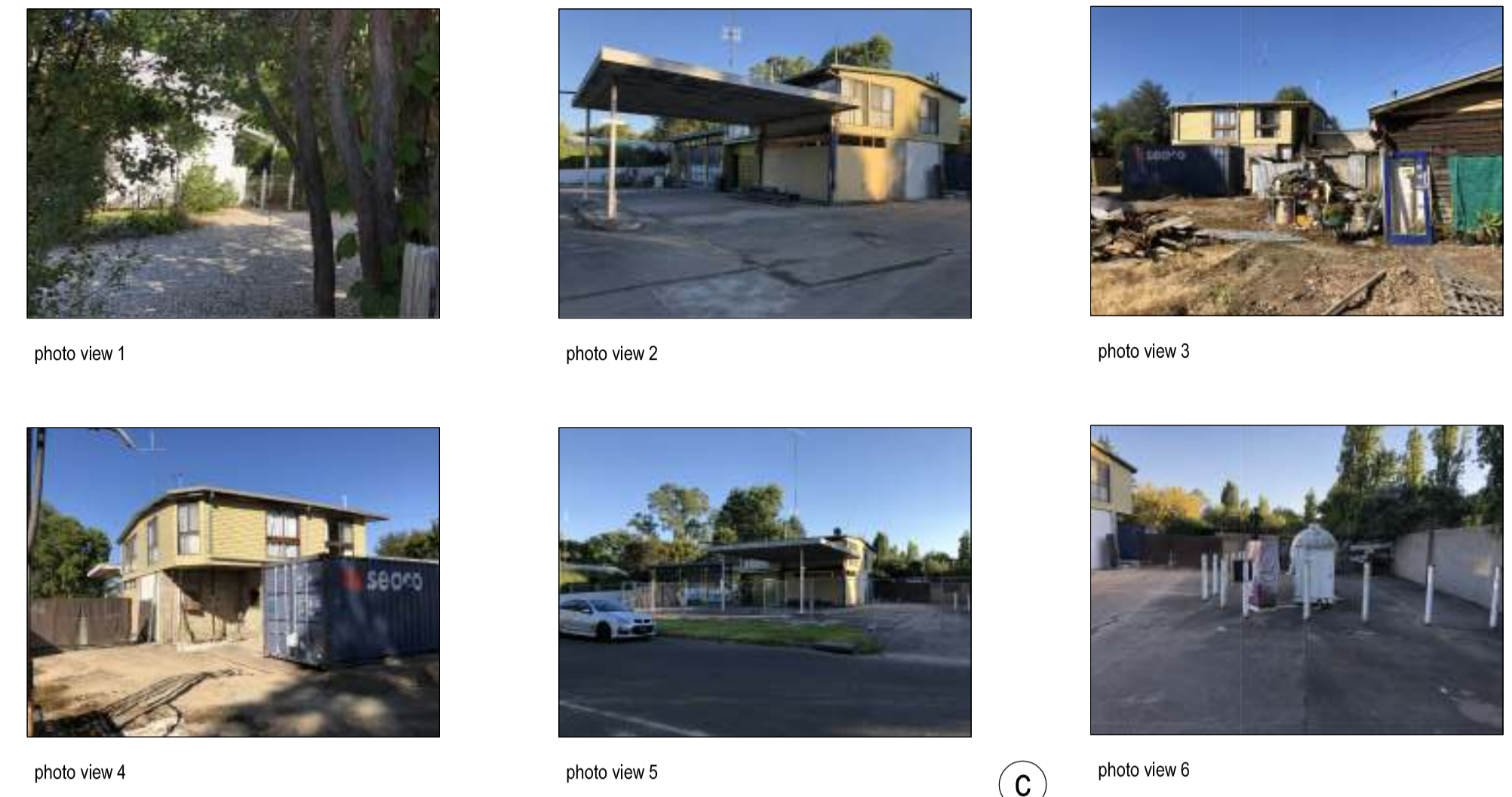
Yours sincerely

Jake Koumoundouros  
Urban Planner



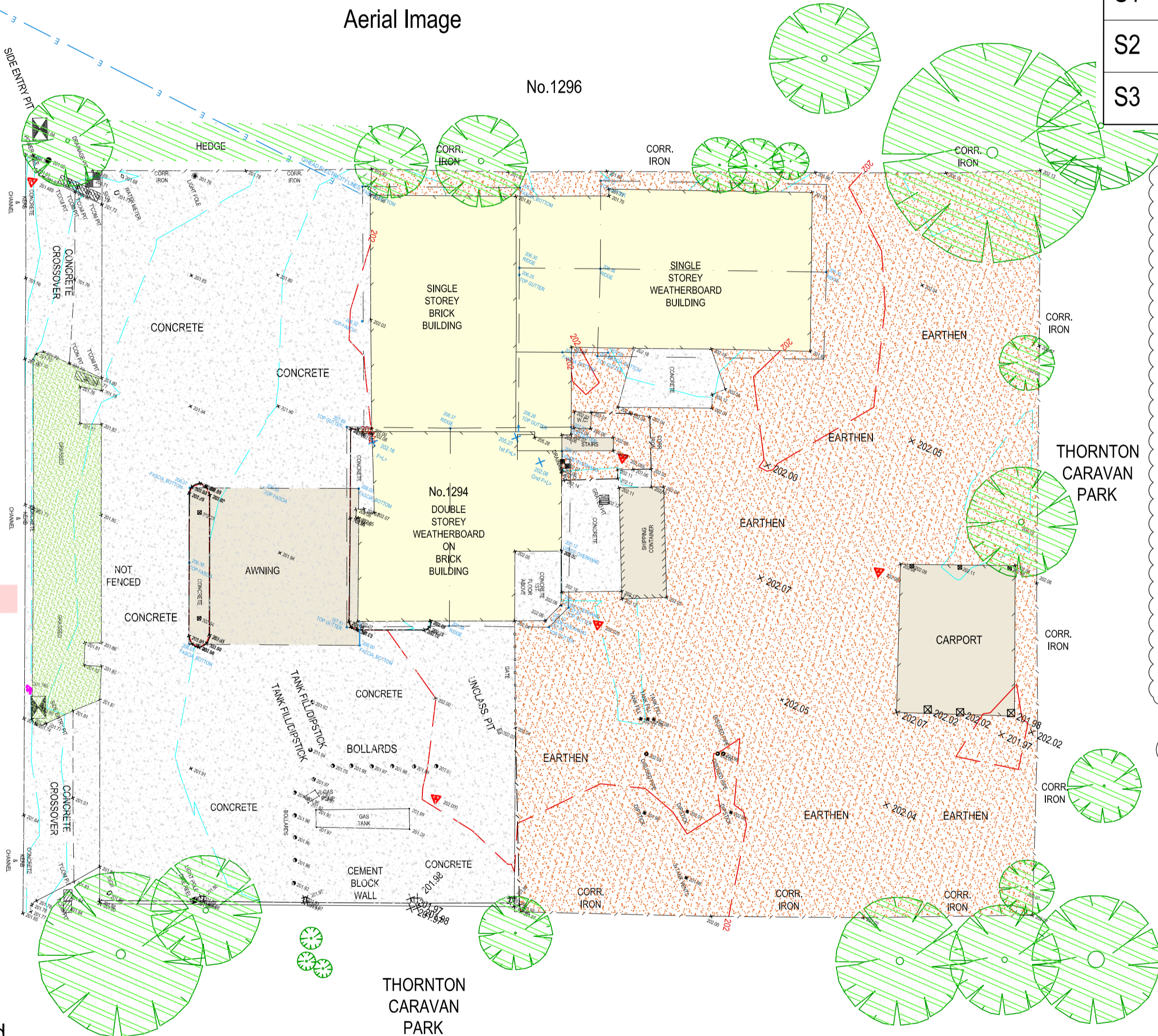
| Schedule Of Areas               |                     |
|---------------------------------|---------------------|
| TOTAL SITE AREA:                | 2020 M <sup>2</sup> |
| FUEL CANOPY:                    | 79 M <sup>2</sup>   |
| WORK SHOP:                      | 105 M <sup>2</sup>  |
| WORK SHOP ADMIN ADDITION:       | 28 M <sup>2</sup>   |
| GROUND FLOOR STORE:             | 102 M <sup>2</sup>  |
| BOH EXTENSION:                  | 8 M <sup>2</sup>    |
| FIRST FLOOR MANAGERS RESIDENCE: | 110 M <sup>2</sup>  |
| Carparking                      |                     |
| PARKING:                        | 4 SPACES            |
| DISABLED PARKING:               | 1 SPACE             |
| SPACES AT FUEL DISPENSERS:      | 4 SPACES            |
| TOTAL SITE PARKING:             | 9 SPACES            |

| Signage Legend |   |
|----------------|---|
| S1             | INTERNALLY ILLUMINATED SID SIGN                     |
| S2             | NON ILLUMINATED WORKSHOP FASCIA AND WORDING         |
| S3             | NON ILLUMINATED FUEL CANOPY FASCIA AND SHELL PECTON |



Aerial Image

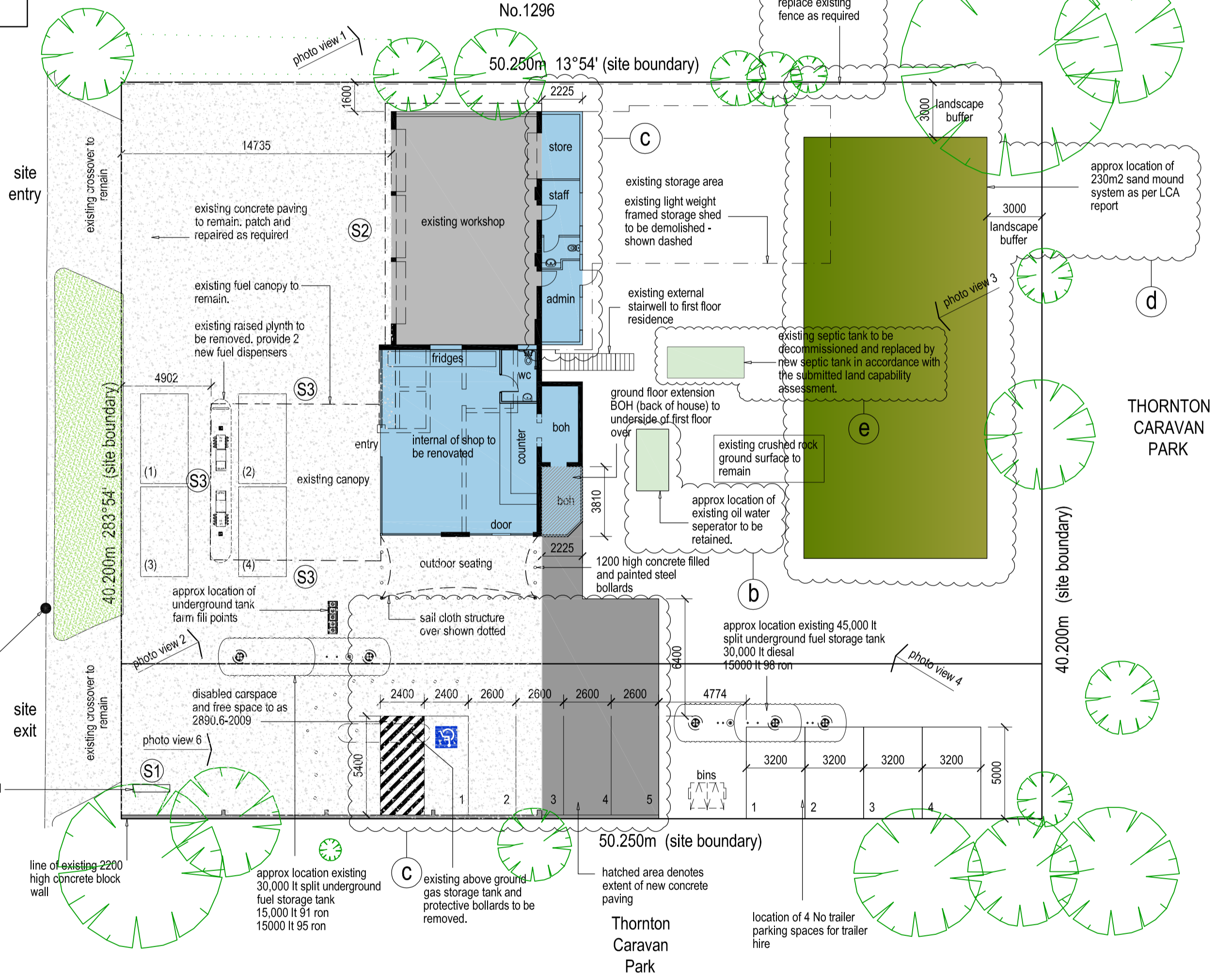
GOULBURN VALLEY HIGHWAY



LCA Recommendations:

- waste water to be treated to secondary effluent standard.
- the treatment system must provide a minimum 24-hour day retention time, with 3-day retention ideal.
- contaminated wastewater generated from the workshop must be treated separately and disposed according to relevant guidelines.
- the oil/water separator should remain for spill management only.
- design, construction, operation and maintenance of the treatment system must be carried out in accordance with the relevant Australian standards and council requirements.
- a sand mound system must be installed by a suitably licensed contractor based on the minimum LAA of 23m<sup>2</sup>.
- the reserve area of 230m<sup>2</sup> must be maintained in the event of the initial LAA failure.
- low permeability soils within the LAA should be treated with gypsum and by shallow ripping to improve soil absorption.
- following construction, suitable vegetation should be planted around the LAA to promote evapotranspiration and
- the owner should consider installing water reduction fixtures throughout the development.

- Notes:
- existing stormwater system to remain and made good if required.
  - New wc to be connected to existing septic tank system



Colour Legend

|  |          |  |             |
|--|----------|--|-------------|
|  | T.B.M.   |  | BUILDING    |
|  | GRASSED  |  | STAIRS/SHED |
|  | EARTHEN  |  | TREE        |
|  | CONCRETE |  |             |

LEVEL DATUM: AUSTRALIAN HEIGHT DATUM  
BASED ON  
THORNTON PM 37 (RL: 200.814m) &  
THORNTON PM 53 (RL: 200.761m)  
LEVELS ARE IN METRES  
CONTOUR INTERVAL: MAJOR - 1.0m  
MINOR - 0.1m

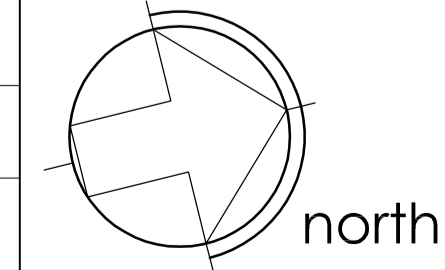
Existing Conditions Plan - Survey Plan  
scale 1:200

Site Plan - Floor Plan  
scale 1:200

| AMENDMENTS |                        |         |     |
|------------|------------------------|---------|-----|
| No.        | REVISION               | DATE    | APP |
| a          | 4 trailer spaces shown | 25-6-18 | ml  |
| b          | council rfi            | 9-7-18  | ml  |
| c          | client updates         | 25-8-18 | ml  |
| d          | as clouded             | 4-3-19  | ml  |
| e          | as clouded             | 25-3-19 | ml  |

**PLANNING ISSUE**  
NOT FOR CONSTRUCTION  
DO NOT SCALE THIS DRAWING.  
USE WRITTEN DIMENSIONS ONLY.

PROJECT: service station  
CLIENT: mr r kelaita  
ADDRESS: 1294 goulburn valley highway, thornton



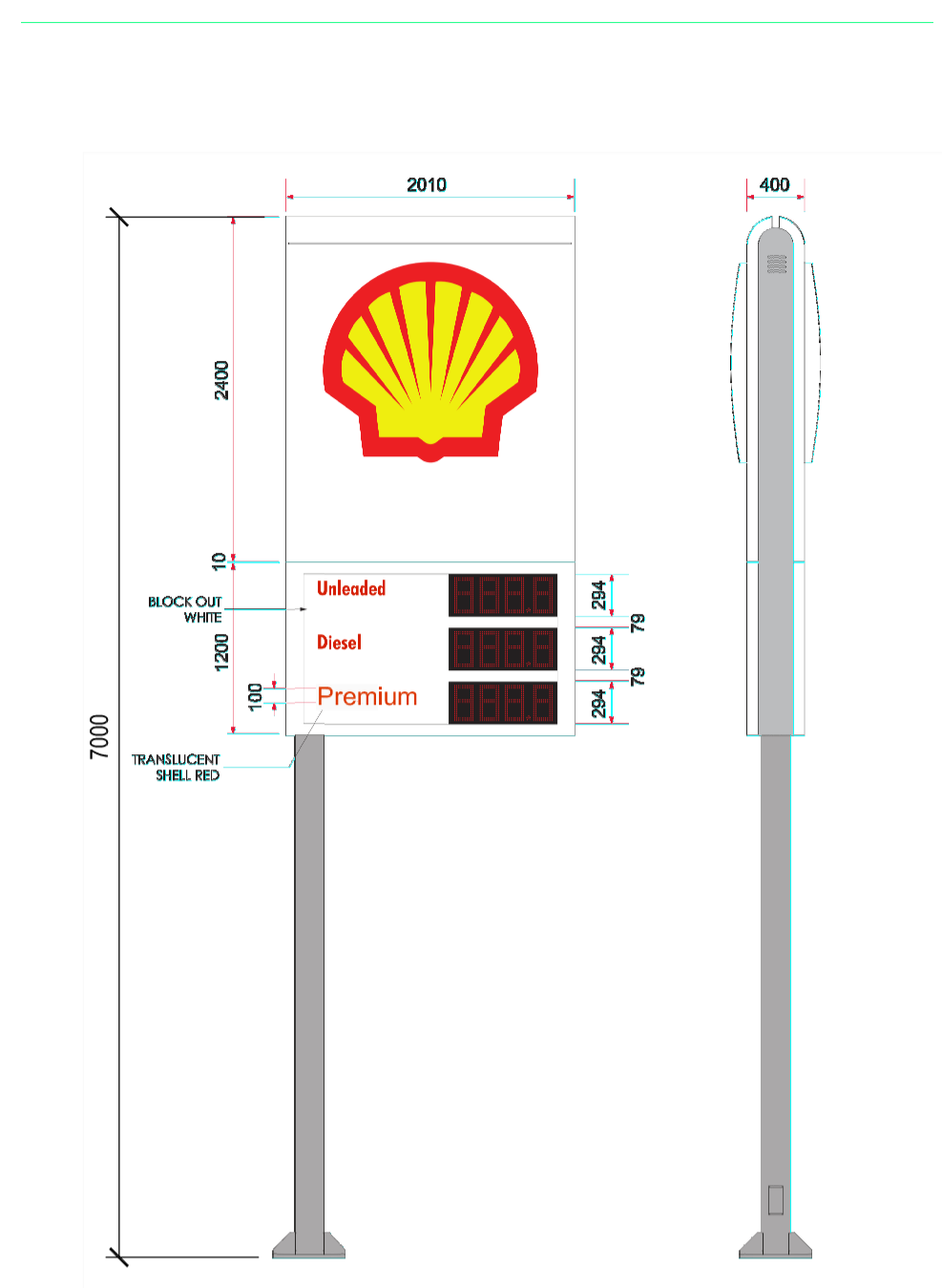
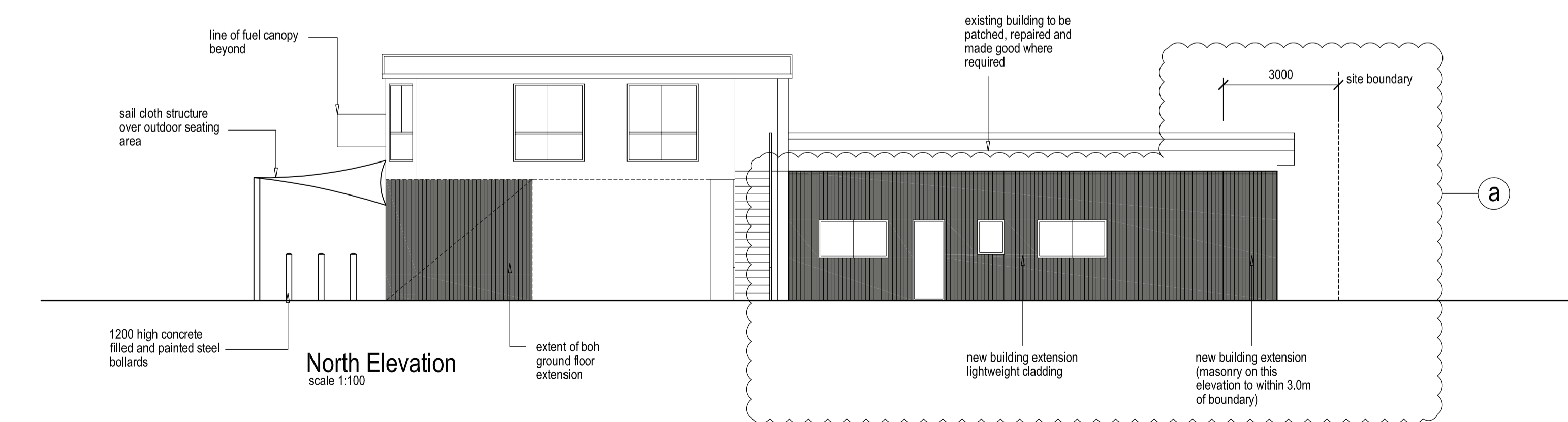
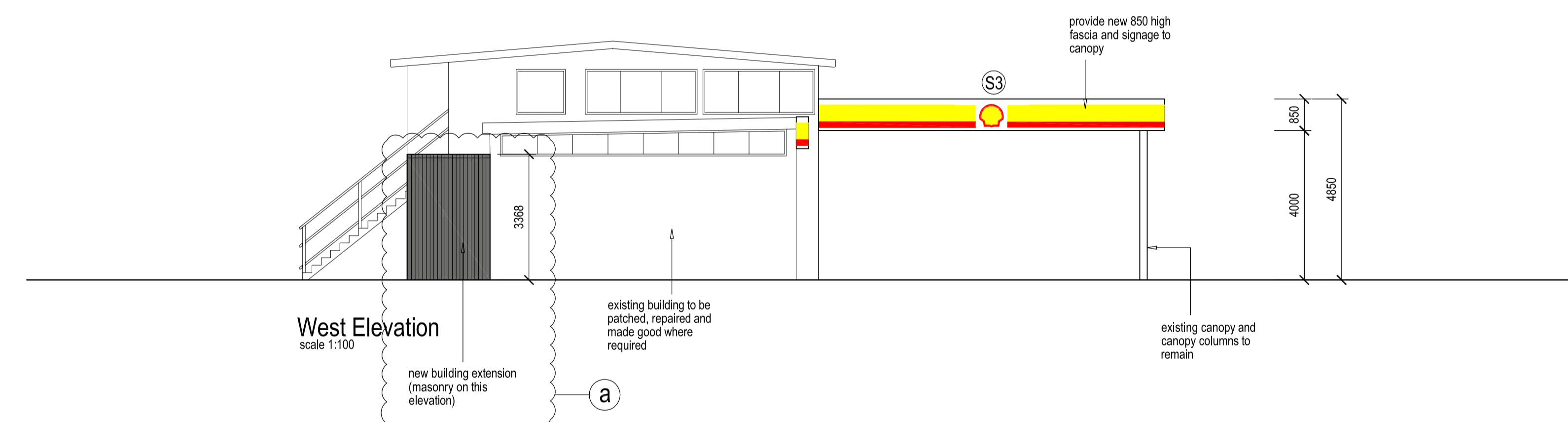
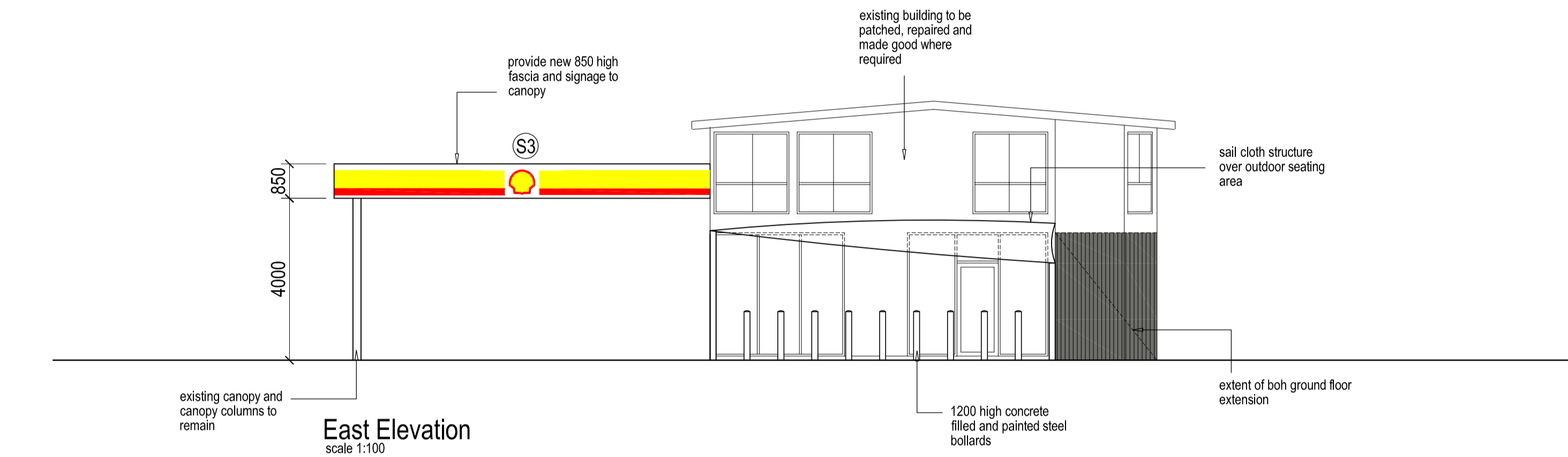
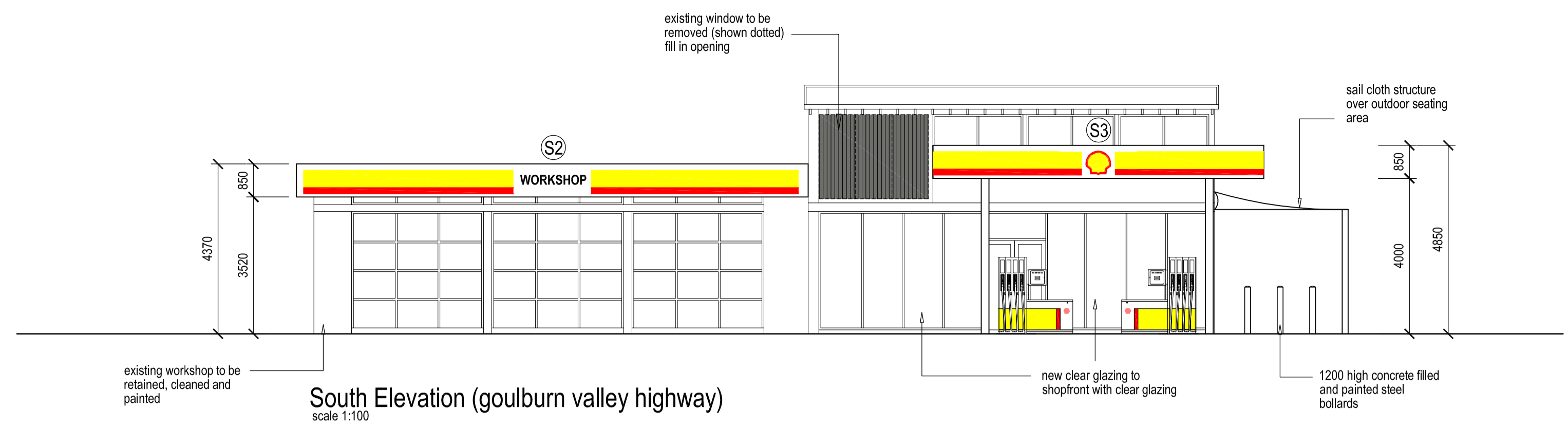
DRAWING TITLE:  
site plan  
floor plan

DRAWING No: tp1  
REVISION No: e



DATE OF ISSUE: march 2019  
No. IN SET: 1 OF 2  
DRAWN: ml DESIGN: ml  
SCALE: as shown ORIGINAL SHEET SIZE: A1  
PROJECT NUMBER: 25018

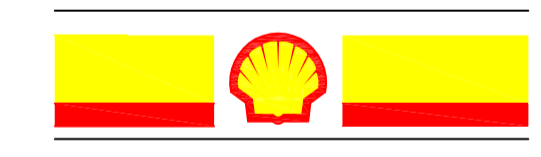
**MCL**  
MCL BUILDING DESIGN PTY. LTD.  
Address: PO Box 2424 Ringwood North VIC 3134  
Telephone: 03 8845 9011  
Email: admin@mclbuildingdesign.com.au



S1 - Internally Illuminated SID Sign.  
scale: nts



S2 - Non Illuminated Workshop Fascia & Wording.  
scale: nts



S3 - Non Illuminated Fuel Canopy Fascia & Shell Pecten.  
scale: nts

| Signage Legend |   |
|----------------|---|
| S1             | internally illuminated sid sign                     |
| S2             | non illuminated workshop fascia and wording         |
| S3             | non illuminated fuel canopy fascia and shell pecten |

| AMENDMENTS |                |         |     |
|------------|----------------|---------|-----|
| No.        | REVISION       | DATE    | APP |
| a          | client updates | 25-8-18 | ml  |
|            |                |         |     |
|            |                |         |     |
|            |                |         |     |
|            |                |         |     |
|            |                |         |     |
|            |                |         |     |
|            |                |         |     |
|            |                |         |     |

**PLANNING ISSUE**  
NOT FOR CONSTRUCTION  
DO NOT SCALE THIS DRAWING.  
USE WRITTEN DIMENSIONS ONLY.

PROJECT: service station  
CLIENT: mr r kelaita  
ADDRESS: 1294 goulburn valley highway, thornton

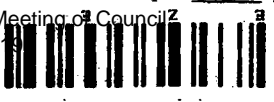


DRAWING TITLE:  
elevations  
signage



DATE OF ISSUE: august 2018  
No. IN SET: 2 OF 2  
DRAWN: ml DESIGN: ml  
SCALE: as shown ORIGINAL SHEET SIZE: A1  
PROJECT NUMBER: 25018

MCL BUILDING DESIGN PTY LTD  
Address: PO Box 2424 Ringwood North VIC 3134  
Telephone: 03 8845 9011  
Email: admin@mclbuildingdesign.com.au



Planning Enquiries  
Phone: (03) 5772 0317  
Email: [planning@murrindindi.vic.gov.au](mailto:planning@murrindindi.vic.gov.au)  
Web: [www.murrindindi.vic.gov.au](http://www.murrindindi.vic.gov.au)

|                                  |   |
|----------------------------------|---|
| <b>Murrindindi Shire Council</b> |   |
| RECEIVED - TM/                   | / |
| Date Lodged: 22 NOV 2018         |   |
| Trim No:.....                    |   |

Office Use Only Application No.:

# Application to AMEND a Planning Permit

If you need help to complete this form, read MORE INFORMATION at the end of this form.

- ▲ Any material submitted with this application, including plans and personal information, will be made available for public viewing, including electronically, and copies may be made for interested parties for the purpose of enabling consideration and review as part of a planning process under the *Planning and Environment Act 1987*. If you have any questions, please contact Council's planning department.
- ▲ This form cannot be used to:
  - amend a permit or part of a permit if the Victorian Civil and Administrative Tribunal (VCAT) has directed under section 85 of the Act that the responsible authority must not amend that permit or that part of the permit (as the case requires); or
  - amend a permit issued by the Minister under Division 6 of Part 4 of the Act (these applications must be made to the Minister under section 971 of the Act).
- ▲ Questions marked with an asterisk (\*) must be completed.
- Click for further information.

Clear Form

## The Land

Address of the land. Complete the Street Address and one of the Formal Land Descriptions.

### Street Address \*

|                             |            |                     |
|-----------------------------|------------|---------------------|
| Unit No.:                   | St. No.: 6 | St. Name: Murchison |
| Suburb/Locality: Marysville |            | Postcode: 3779      |

### Formal Land Description \*

Complete either A or B.

▲ This information can be found on the certificate of title.

If this application relates to more than one address, attach a separate sheet setting out any additional property details.

A Lot No.: 1 TP 654047  Lodged Plan  Title Plan  Plan of Subdivision No.:

OR

B Crown Allotment No.: Section No.: D PCA:29

Parish/Township Name: Steavenson

## Planning Permit Details

### What permit is being amended?\*

Planning Permit No.: 2011/313

## The Amended Proposal

▲ You must give full details of the amendment being applied for. Insufficient or unclear information will delay your application.

### What is the amendment being applied for?\*

- Indicate the type of changes proposed to the permit.
- List details of the proposed changes.

If the space provided is insufficient, attach a separate sheet.

### This application seeks to amend:

- What the permit allows
- Current conditions of the permit
- Plans endorsed under the permit
- Other documents endorsed under the permit

Details:

The Current permit has a General Liquor License from 11am till 11pm, 7 days a week.  
we would like an amendment to have Friday and Saturday nights extended hours until 1am

■ Provide plans clearly identifying all proposed changes to the endorsed plans, together with: any information required by the planning scheme, requested by Council or outlined in a Council checklist; and if required, include a description of the likely effect of the proposal.

## General Licence

Licence No. 31955648

Subject to the provisions of the Liquor Control Reform Act 1998 and any conditions specified in the licence, the licensee is authorised to supply liquor up to and including 31 December 2019

Licensee YHY FAMILY PTY LTD (ACN:612 640 945)

Address for service of notices



Licensed premises address

6 MURCHISON STREET  
MARYSVILLE 3779

Trading as MARYSVILLE PUB

### TYPE OF LICENCE

This licence is a general licence and authorises the licensee to supply liquor on the licensed premises for consumption on and off the licensed premises during the trading hours specified below. This licence does not authorise the licensee to only supply liquor for consumption off the licensed premises.

### AMENITY

The licensee shall not cause or permit undue detriment to the amenity of the area to arise out of or in connection with the use of the premises to which the licence relates during or immediately after the trading hours authorised under this licence. The licensee shall ensure that the level of noise emitted from the licensed premises shall not exceed the permissible noise levels for entertainment noise as specified in the State Environment Protection Policy (Control of Music Noise from Public Premise ) No.N-2.

### MAXIMUM CAPACITY

140 patrons

### TRADING HOURS

Good Friday and ANZAC Day  
On any other day

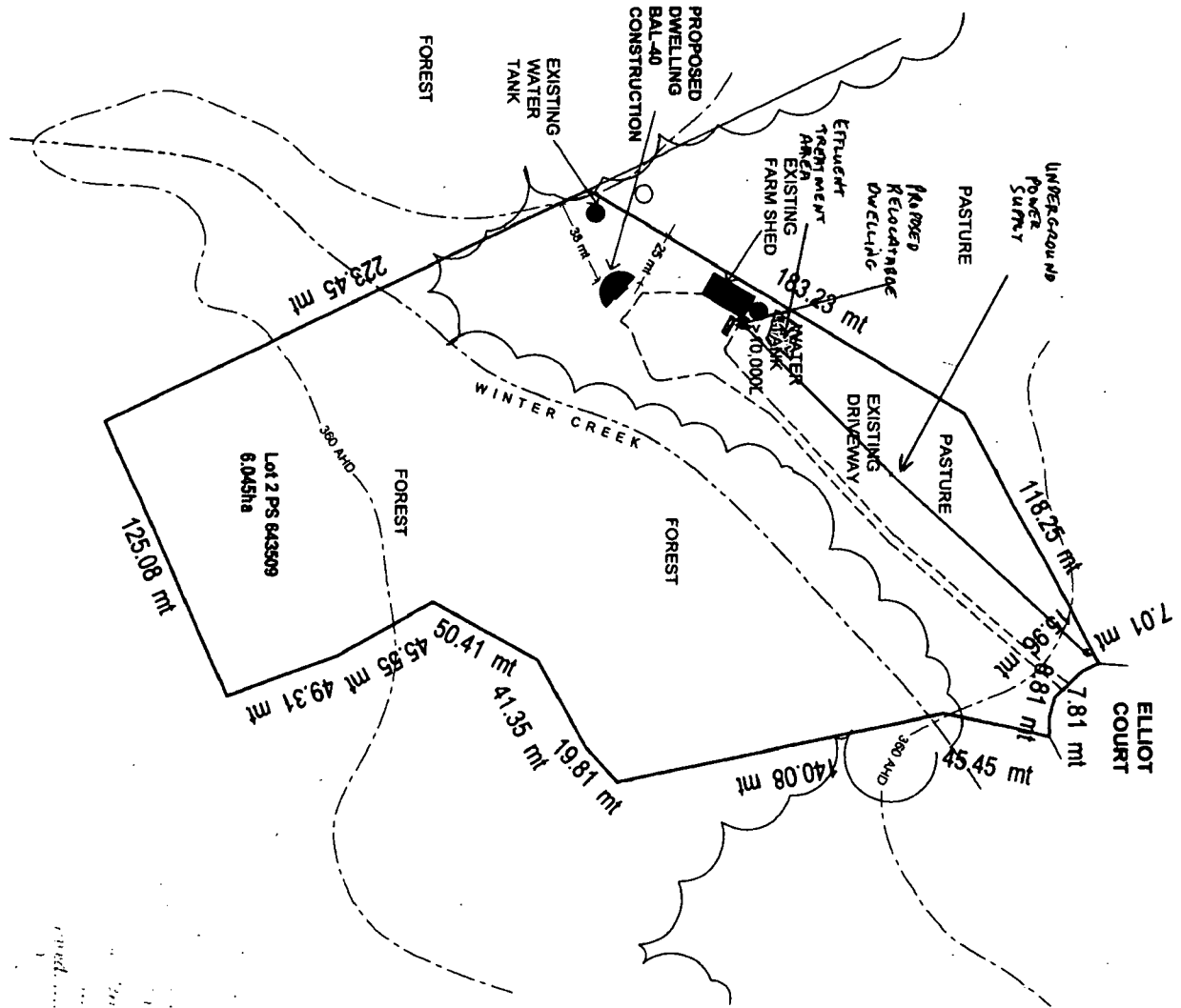
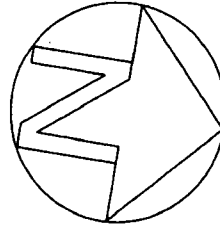
Between 12 noon and 11pm  
Between 11am and 11pm

End of Conditions - Printed on 23/01/2019



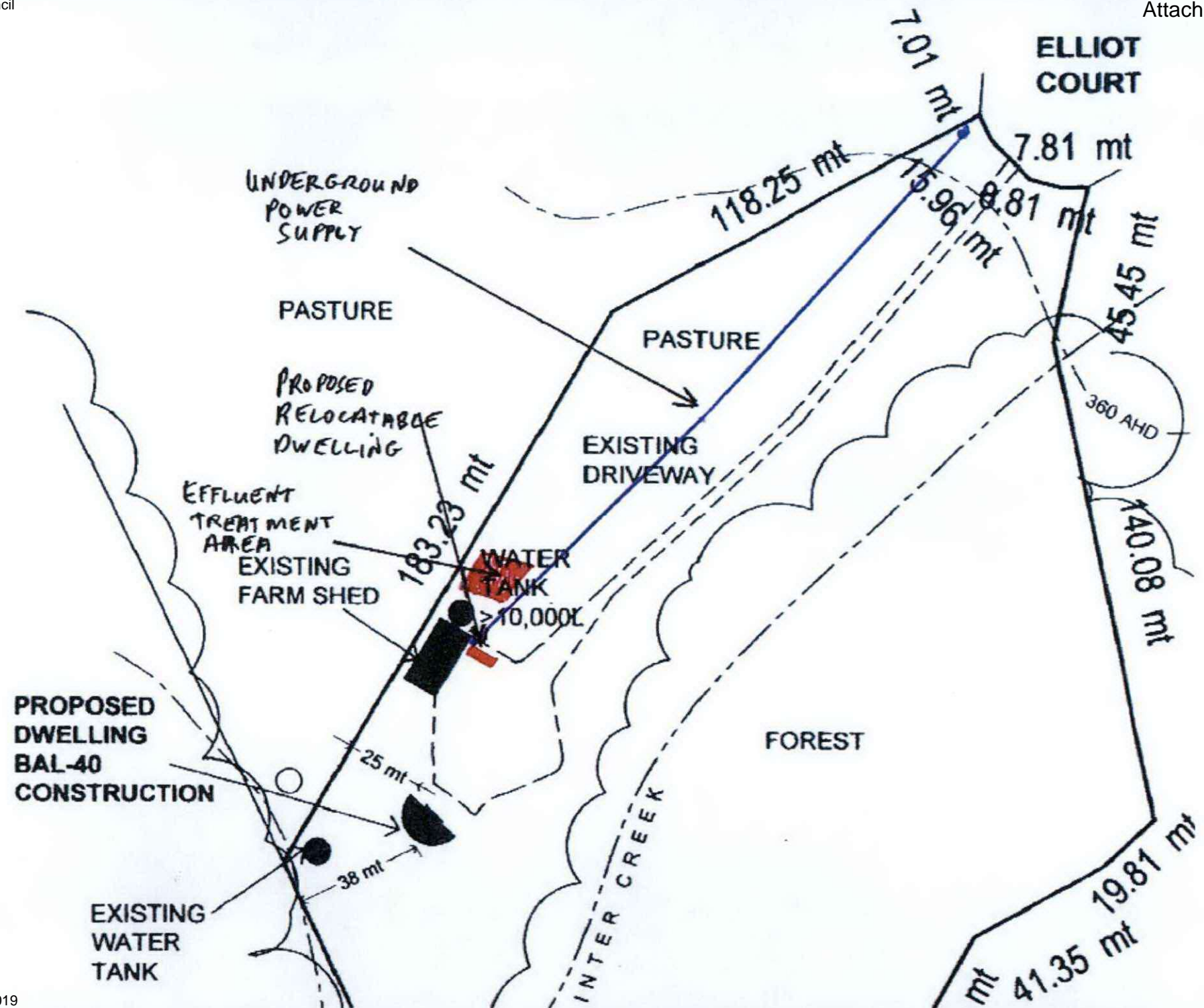


SITE PLAN



1 of 3  
 10/5/17  
 2017/43

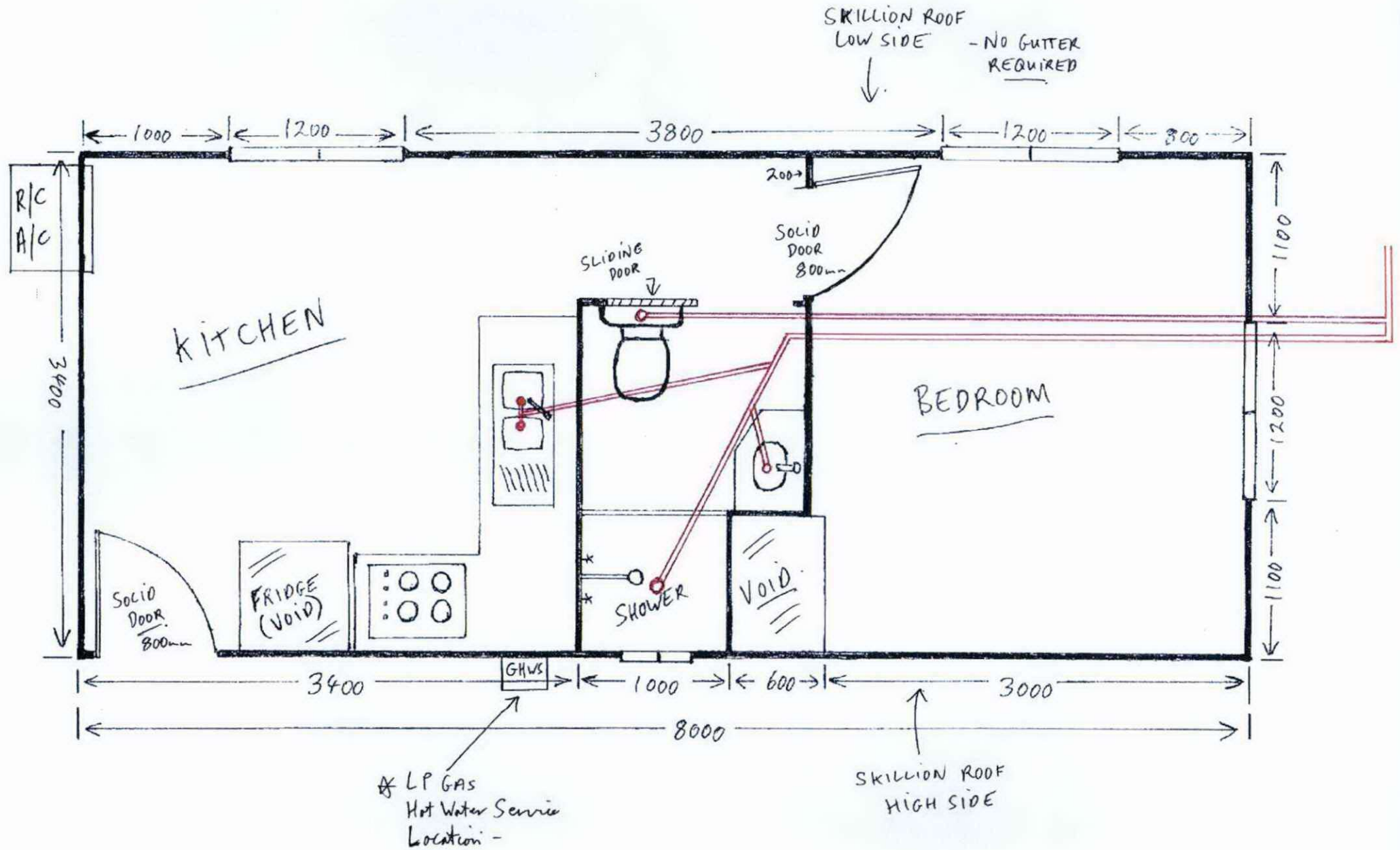
|              |                     |   |          |  |
|--------------|---------------------|---|----------|--|
| DWG NO       | BA.01               | <b>VIEWPOINT DESIGN</b><br>HEATHER MOSS<br>REG BP DP-AD202<br>PW/FAX 03 5774 7459<br>MOB 0438 518 774<br>EMAIL vudesign@activ8.net.au | PROPOSED | <b>DWELLING</b>                        |
| START DATE   | 16.2.17             |   | AT       | <b>38 ELLIOT COURT<br/>BUXTON 3711</b> |
| THIS VERSION | PRELIMINARY.10.3.17 |   | FOR      | <b>D BARTON</b>                        |
| SHEET NO     | 3                   |   |          |  |
| SCALE        | 1:2000 (A3 SHEET)   |   |          |  |



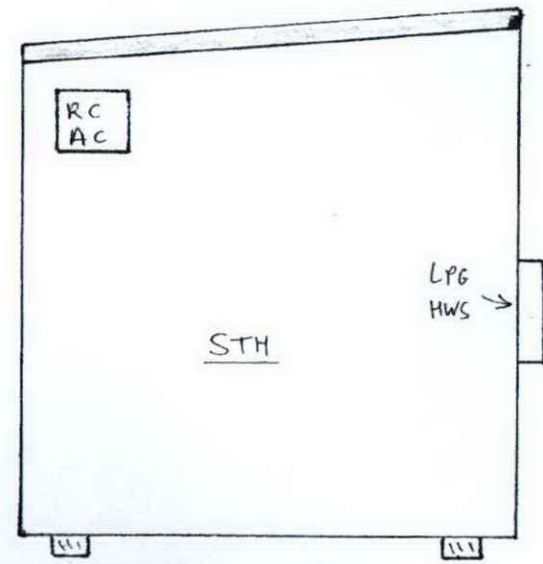
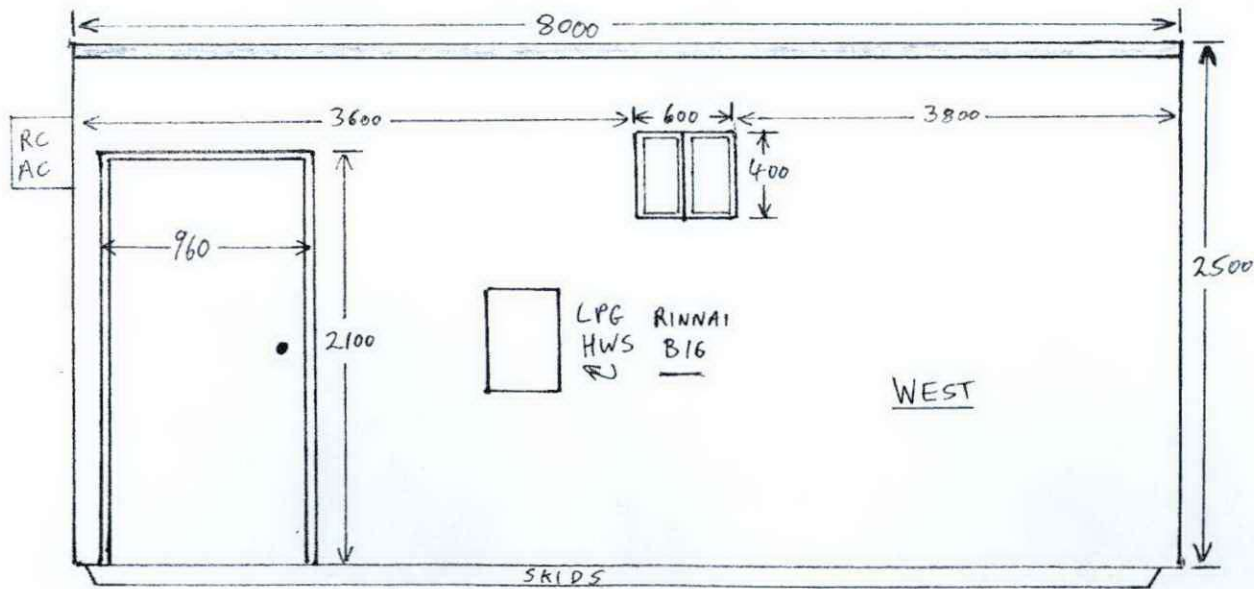
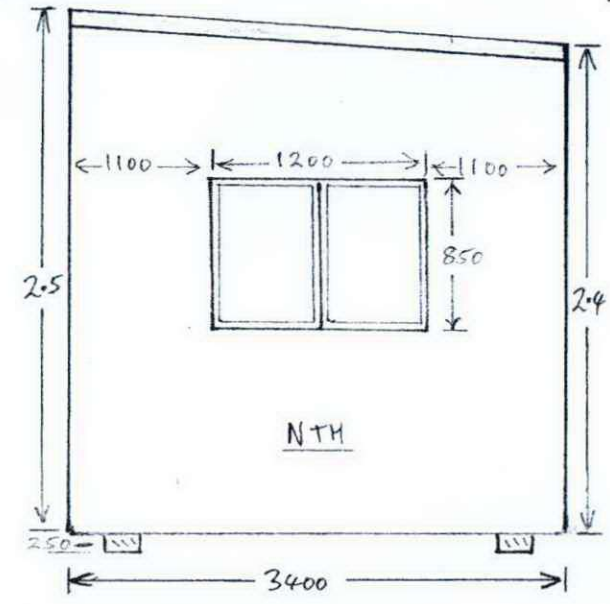
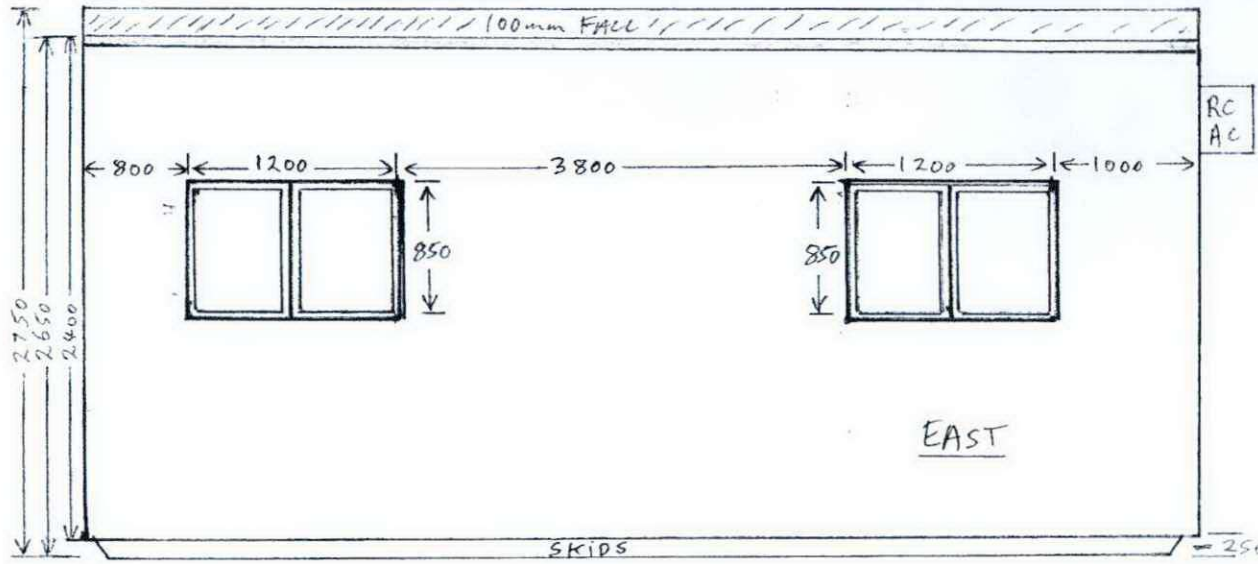
SITE PLAN DETAIL - ATTACHMENT D

ATTACHMENT E

DWELLING FLOOR PLAN -



\* ELEVATIONS - RYE BUCK'S PORTABLES - 38 ELLIOT COURT BUXTON - D. BARTON

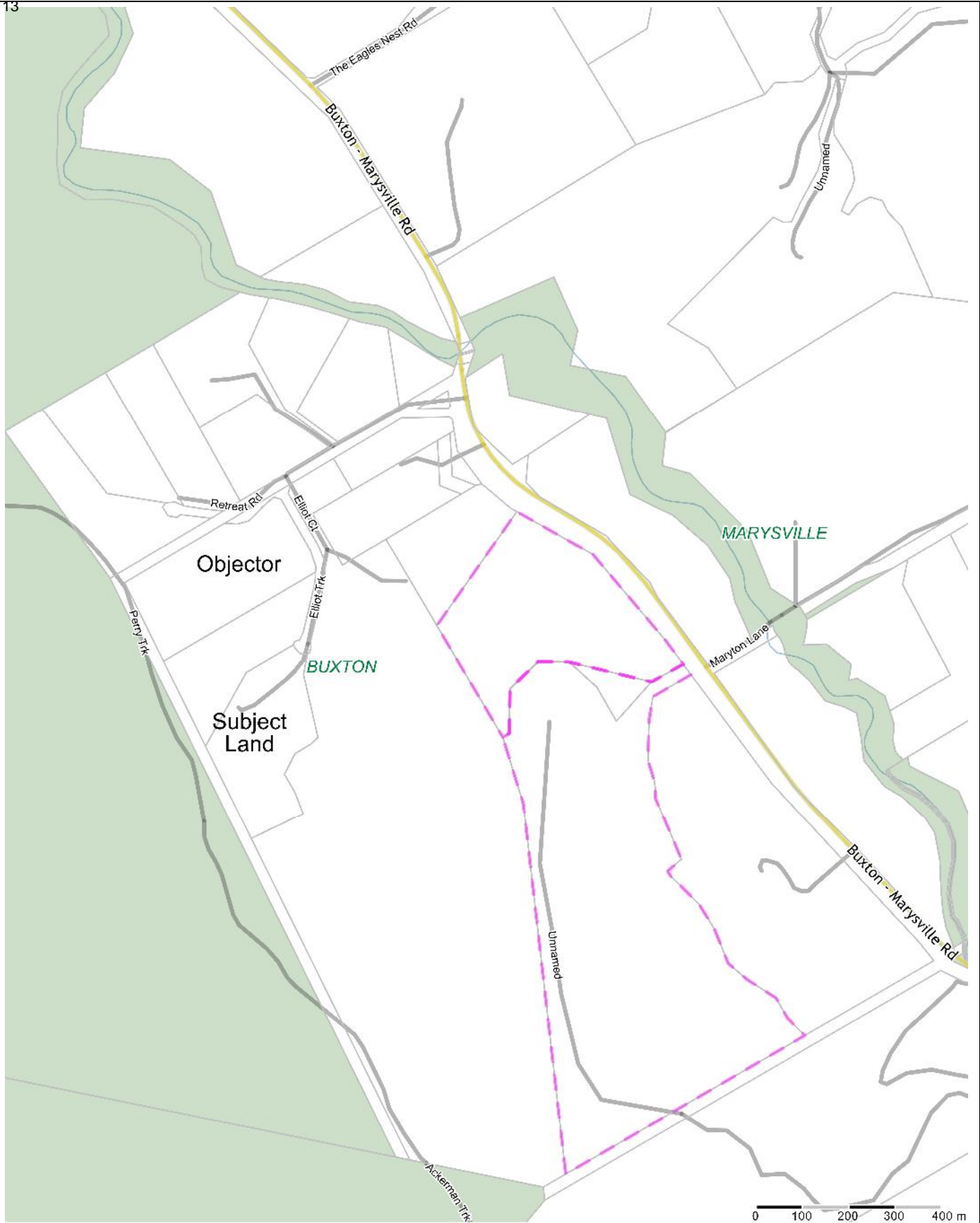


DWELLING ELEVATIONS -

ATTACHMENT F

NB: NOT COMPLETELY TO SCALE.

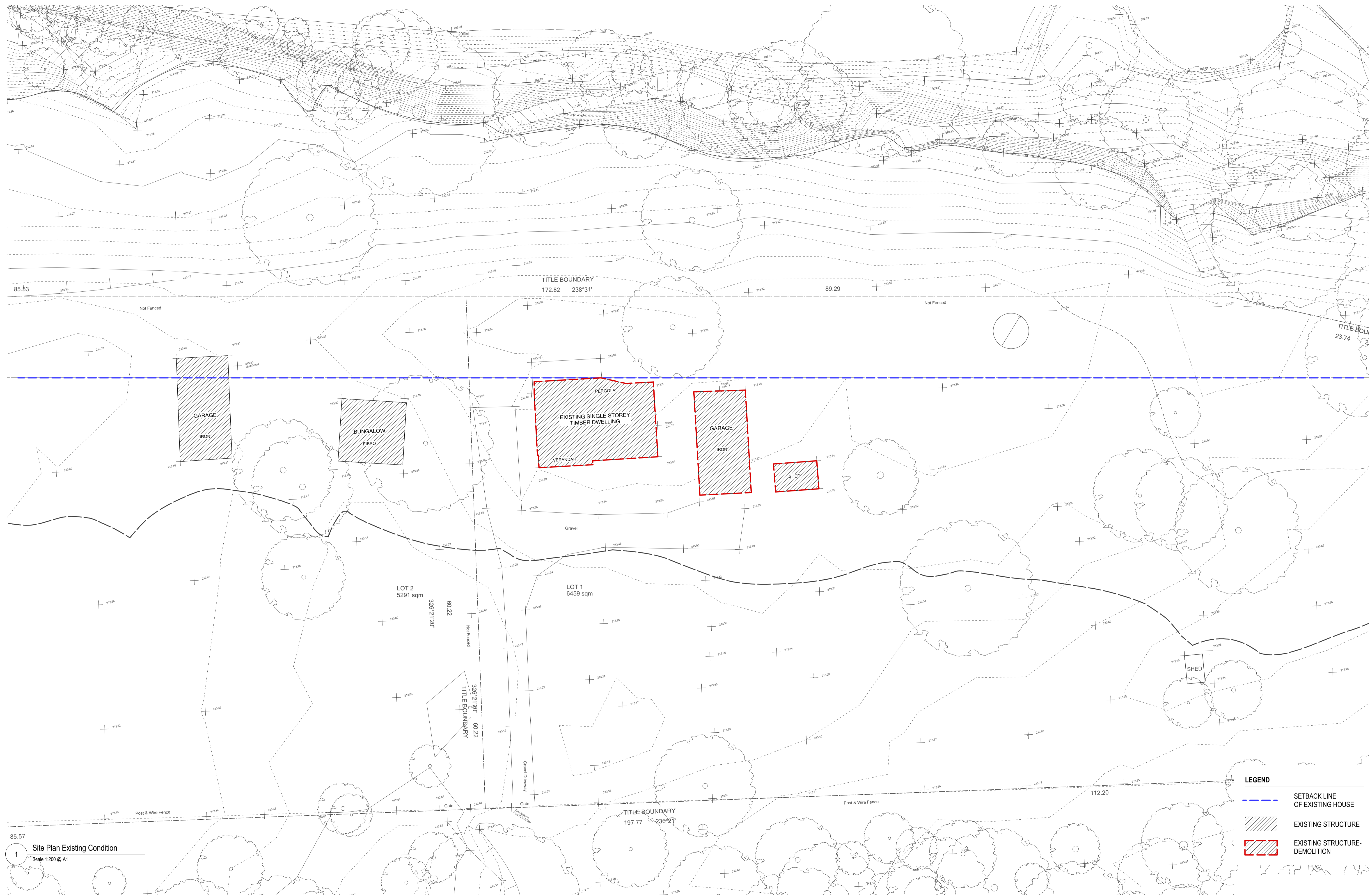
Drawn by: D. BARTON. 18/2/19.



**Disclaimer:** Title boundaries are indicative only. Not to be used for fencing or surveying purposes. Murrindindi Shire Council does not warrant the accuracy of information in this publication and any person using or relying upon such information does so on the basis that MSC shall bear no responsibility or liability whatsoever for any errors, faults, defects or omissions in the information.

|                           |
|---------------------------|
| Subject land and objector |
| 8/07/2019                 |
| 1:11483                   |

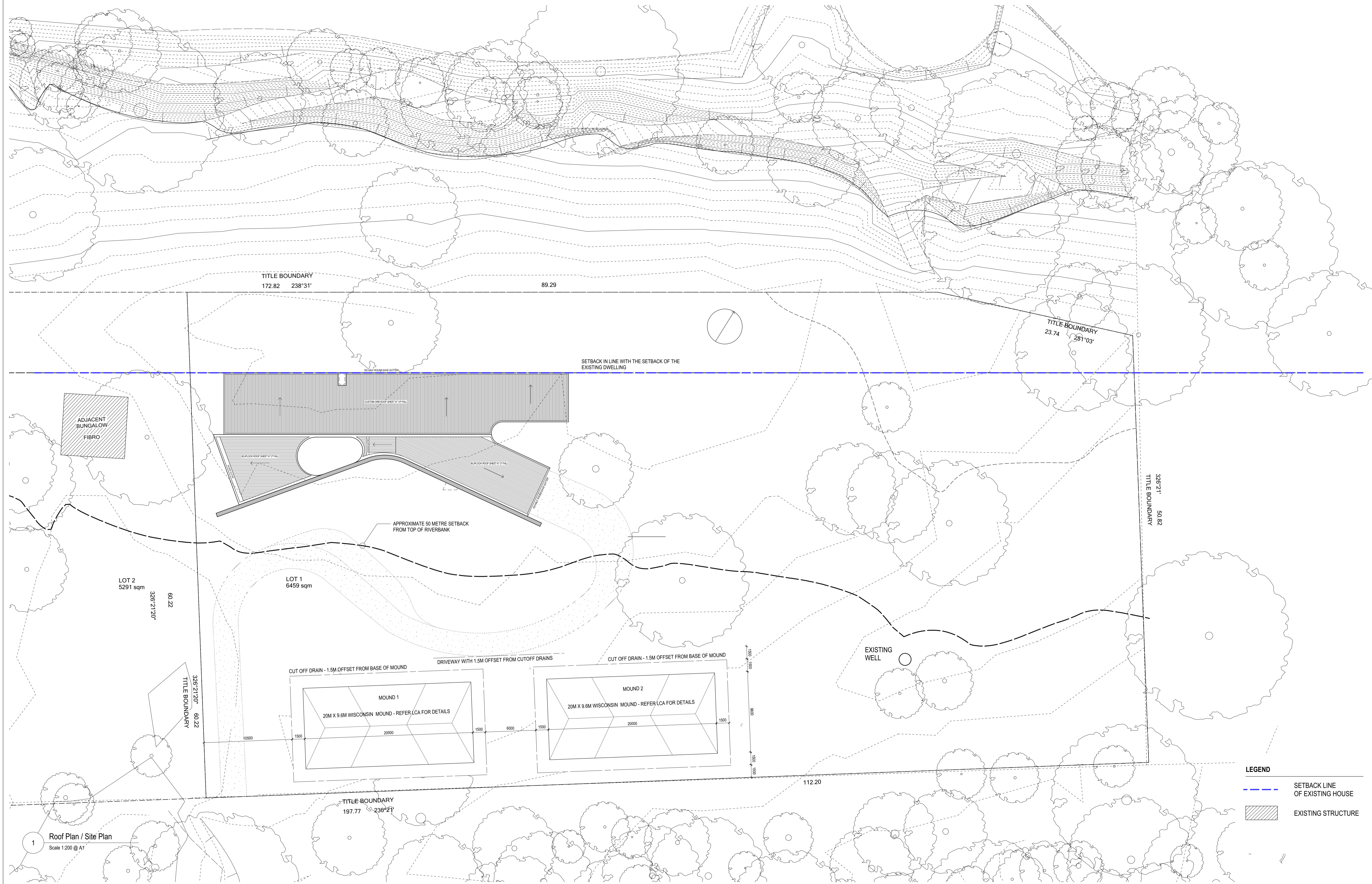




85.57  
1 Site Plan Existing Condition  
Scale 1:200 @ A1

**LEGEND**

- SETBACK LINE OF EXISTING HOUSE
- EXISTING STRUCTURE
- EXISTING STRUCTURE-DEMOLITION



1 Roof Plan / Site Plan  
Scale 1:200 @ A1

**LEGEND**  
 - - - - - SETBACK LINE OF EXISTING HOUSE  
 ▨ EXISTING STRUCTURE



51A HITCHCOCK AVE BARWON HEADS P 03 5254 3335  
 96 CHESTNUT STREET RICHMOND P 03 9429 4126  
 info@auhaus-arch.com.au www.auhaus-arch.com.au

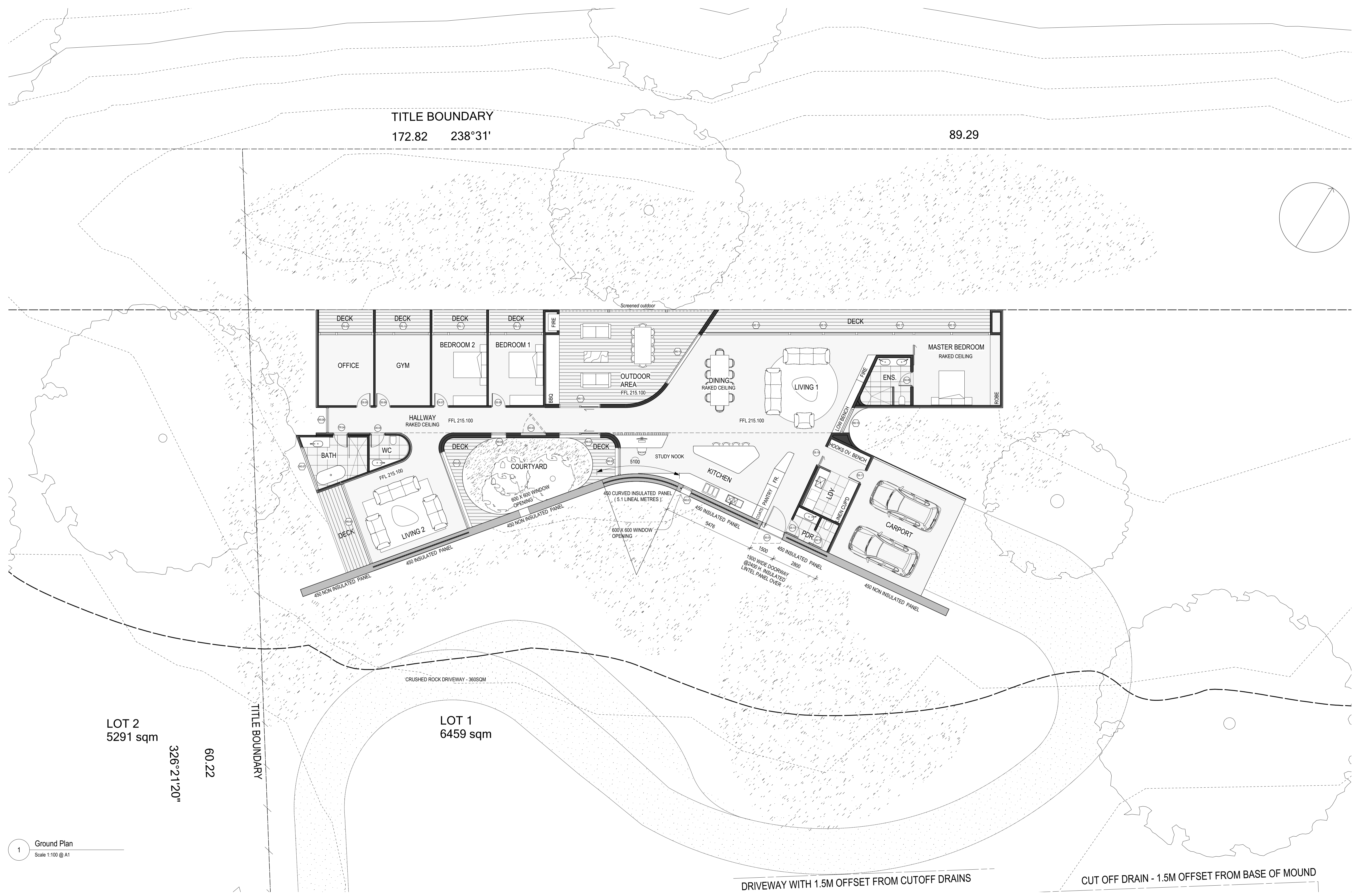
| REV | DESCRIPTION | DATE | DRAWN |
|-----|-------------|------|-------|
|     |             |      |       |

|                 |                                 |
|-----------------|---------------------------------|
| PROJECT NAME    | GOULBURN RIVER HOUSE            |
| PROJECT ADDRESS | 388 GOULBURN VALLEY HWY. EILDON |
| CLIENT NAME     | KERRY AND PETER CHOONG          |

|               |                             |
|---------------|-----------------------------|
| DRAWING NAME  | SITE / GROUND PLAN PROPOSED |
| PROJECT STAGE | DESIGN DEVELOPMENT          |

|         |            |
|---------|------------|
| DATE    | 22.05.2019 |
| DRAWN   | BW         |
| CHECKED | BW         |

|                |            |
|----------------|------------|
| DRAWING NUMBER | DD-1.01    |
| REVISION       |            |
| SCALE          | 1:200 @ A1 |



LOT 2  
5291 sqm  
326°21'20"

60.22

TITLE BOUNDARY

LOT 1  
6459 sqm

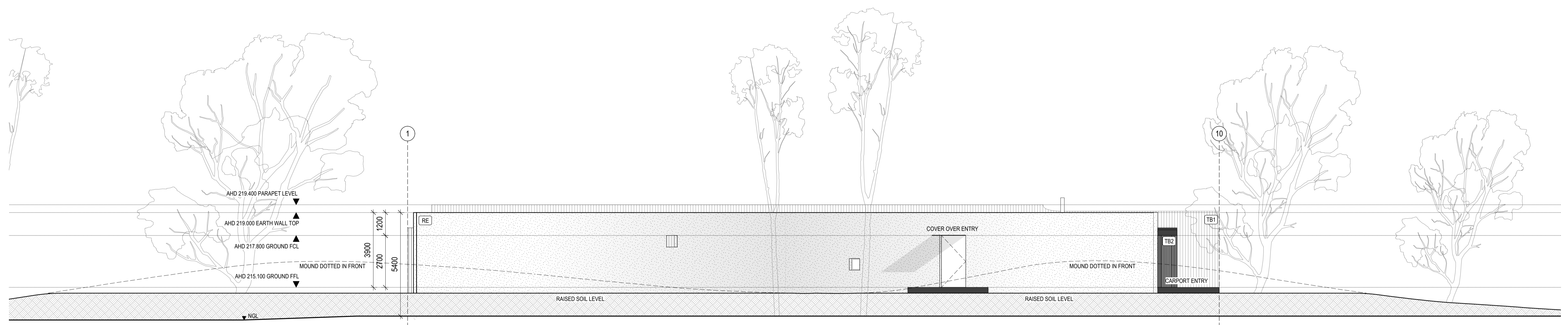
CRUSHED ROCK DRIVEWAY - 360SQM

DRIVEWAY WITH 1.5M OFFSET FROM CUTOFF DRAINS

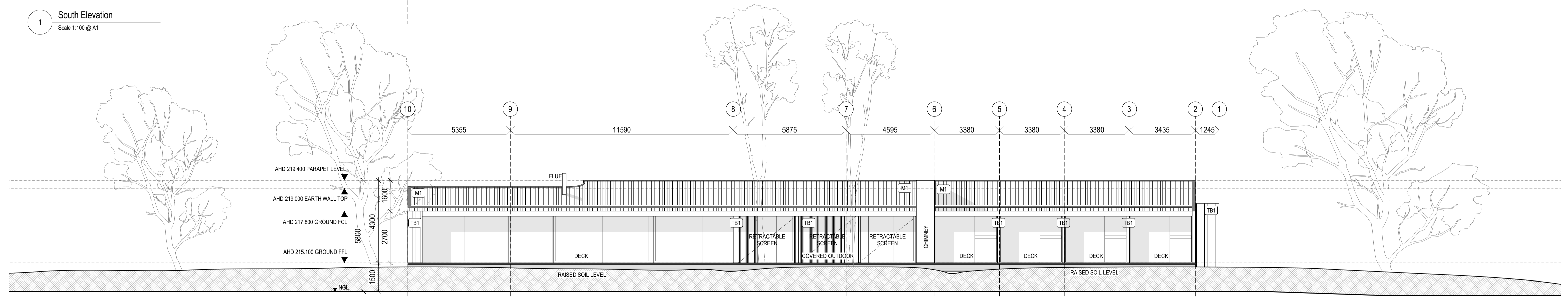
CUT OFF DRAIN - 1.5M OFFSET FROM BASE OF MOUND

1 Ground Plan  
Scale 1:100 @ A1

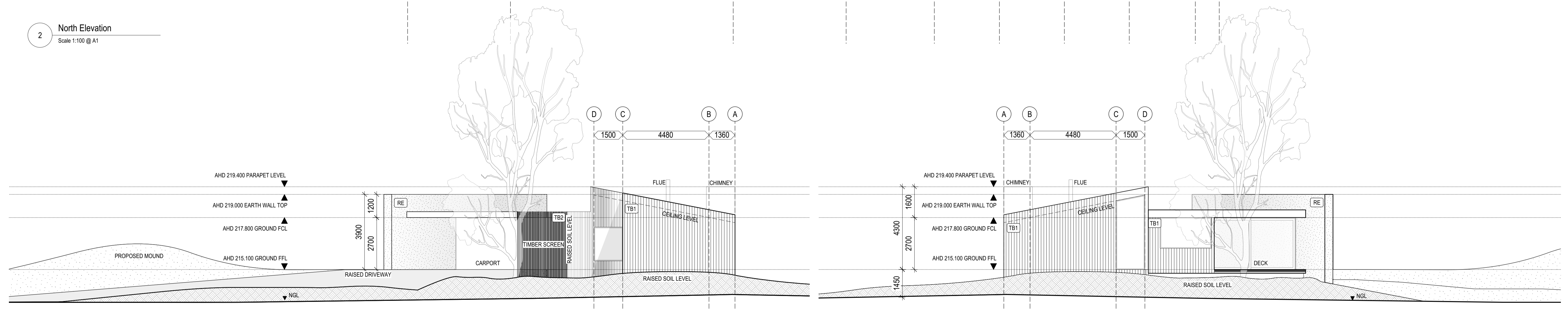




1 South Elevation  
Scale 1:100 @ A1



2 North Elevation  
Scale 1:100 @ A1



3 East Elevation  
Scale 1:100 @ A1

4 West Elevation  
Scale 1:100 @ A1

**EXTERNAL MATERIAL SCHEDULE**

|     |   |     |  |
|-----|---|-----|--|
| RE  | RAMMED EARTH WALL                         | TB2 | TIMBER BATTEN SCREEN<br>-DARK STAIN FINISH |
| TB1 | TIMBER LINING BOARD<br>-DARK STAIN FINISH | M1  | METAL DECK ROOF<br>-CHARCOAL COLOUR        |