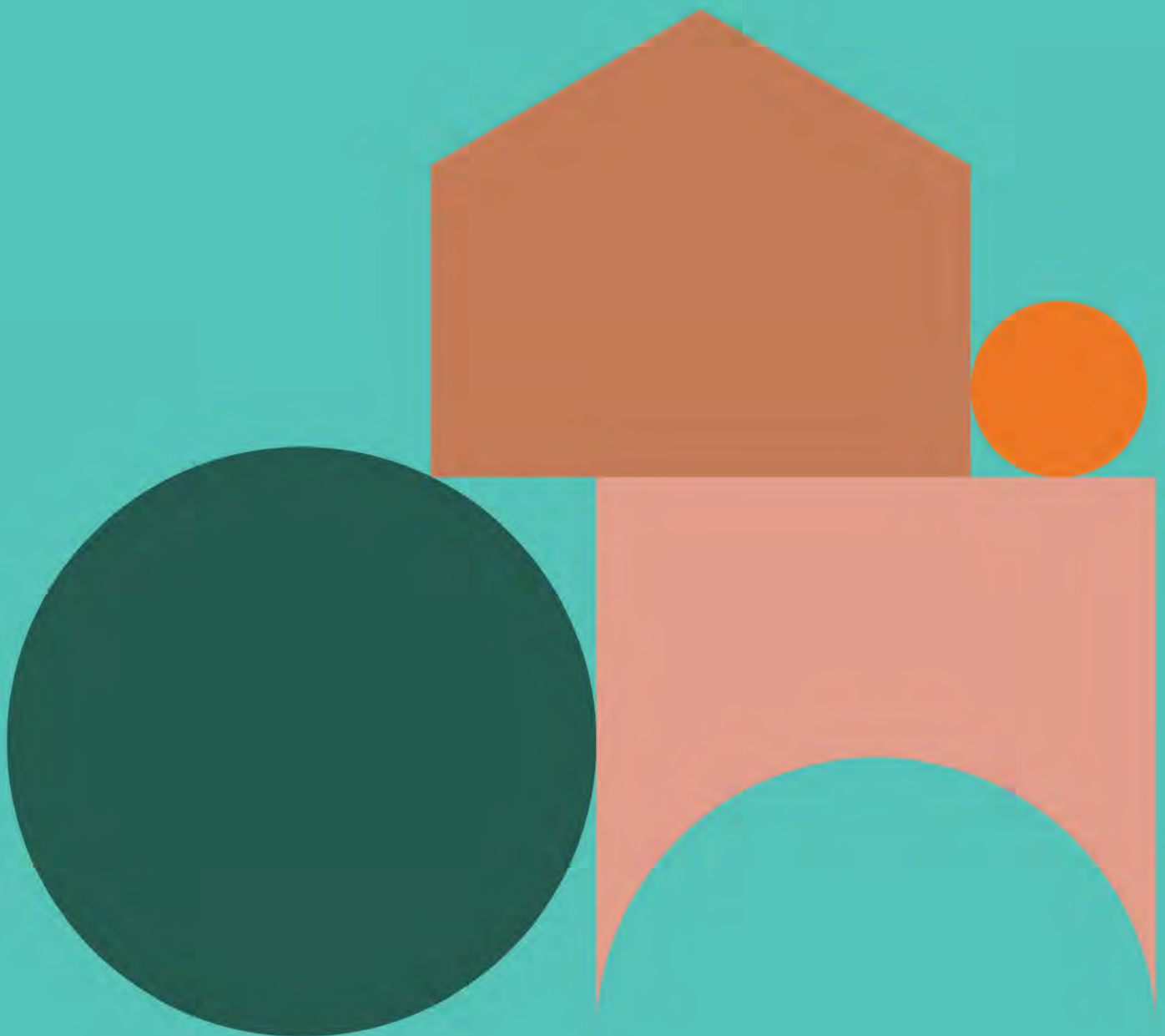




# Town Planning & Urban Context Report

2420 Warburton Highway,  
Yarra Junction

July 2022





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## 1 INTRODUCTION

- 1 This Town Planning & Urban Context Report has been prepared for Warburton Highway Developments Pty Ltd in relation to a town planning application to use and develop the land at 2420 Warburton Highway, Yarra Junction and the adjacent unreserved crown land (Crown Allotment 1A PP5899) (**subject land**) for unmanned fuel sales, an automatic car wash and dog wash.
- 2 The application also seeks planning permission for the removal of vegetation; for business identification signage; and to alter access to the Warburton Highway, being in a Transport Zone, Category 2.
- 3 The proposal will replace the existing automotive repairs and servicing use on the site, removing the existing building, signage and associated hard stand areas.
- 4 The proposal will rely on the existing access via the adjoining unreserved Crown land from the Warburton Highway as has historically been the case and alter the access from Station Street.
- 5 The new works include the service station centrally within the site; car wash bays to the rear (south) of the site; vacuum bays along the sites frontage to the Warburton Highway; and dog wash area along the Station Street (eastern) boundary of the site.
- 6 New landscaping will be provided along the north, south and eastern site boundaries and an acoustic fence is proposed along part of the southern and western boundaries of the subject land.
- 7 Accompanying this application is the following:
  - Architectural plans prepared by TMC Building Design Group
  - Proposed Lighting Plan prepared by TMC Building Design Group
  - Traffic assessment prepared by Traffix Group
  - Acoustic assessment prepared by Clarity Acoustics
  - Arboricultural assessment prepared by Greenwood Consulting
  - Stormwater Management Plan prepared by Farrar D Pty Ltd



- Landscape Plan prepared by John Patrick landscape architects.
- Letter and associated plan from Hazkem Dangerous Goods Consulting in relation to the design, installation and operation of the underground petroleum storage system dated 26<sup>th</sup> July 2022.

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## 2 SITE CONTEXT

### 2.1 Site context

- 8 The subject site is located within the township of Yarra Ranges, recognised in the Planning Scheme as a 'major commercial area' or as a 'Large Neighbourhood Activity Centre'. *Figure 1*
- 9 The subject land is located at the western edge of the Yarra Junction township, at the south/west corner of Warburton Highway and Station Street. *Figure 2 and 3*
- 10 The site is located on the southern side of the Warburton Highway, with the Yarra Junction Recreation Reserve opposite the site, with a range of community uses including bowls club, skate ground, aquatic centre and open space located within the reserve. There is also a physiotherapy centre to the north/east of the subject site. *Figures 2 and 3*
- 11 The Yarra Junction commercial town centre is located to the east of the site, with mixed use zoning on the eastern side of Station Street containing a mix of uses including a hotel, plumbing centre, mowing and chainsaw business and residential properties. The Commercial 1 zone further east contains the supermarket and range of speciality shops. *Figures 2 and 3*
- 12 To the south and west, land is contained within a residential zone and primarily used for residential purposes, noting however that there is a kindergarten / child care directly to the south and a commercial use directly to the west.

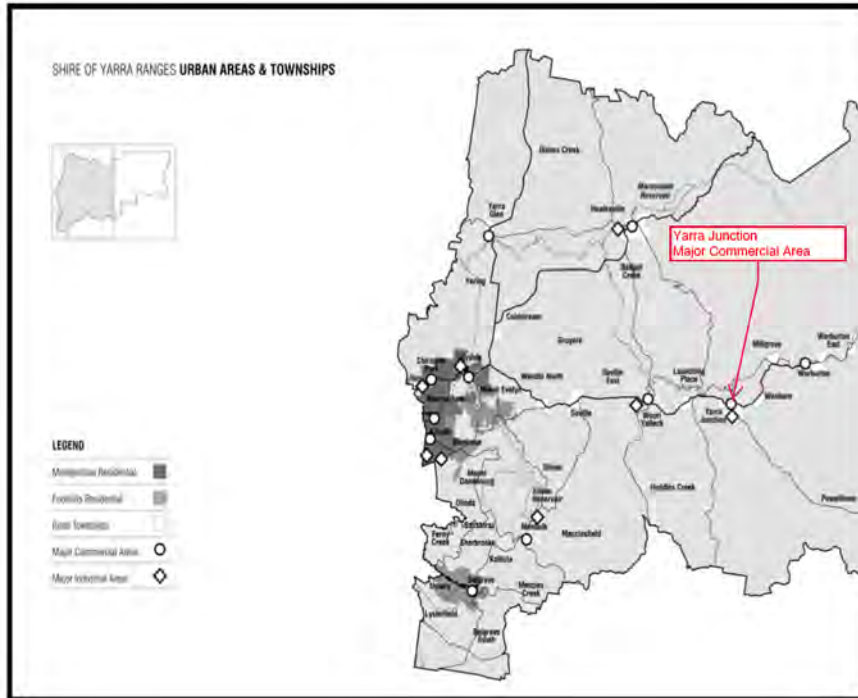


Figure 1 - Major Commercial Area, Planning Scheme

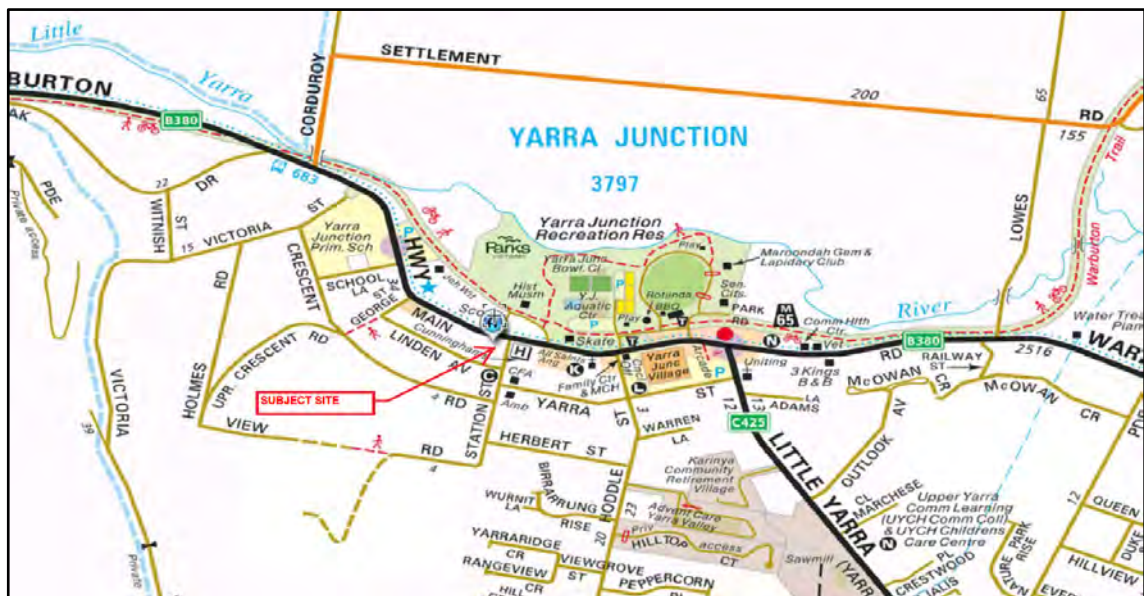


Figure 2 - Location Plan, Street Directory Online



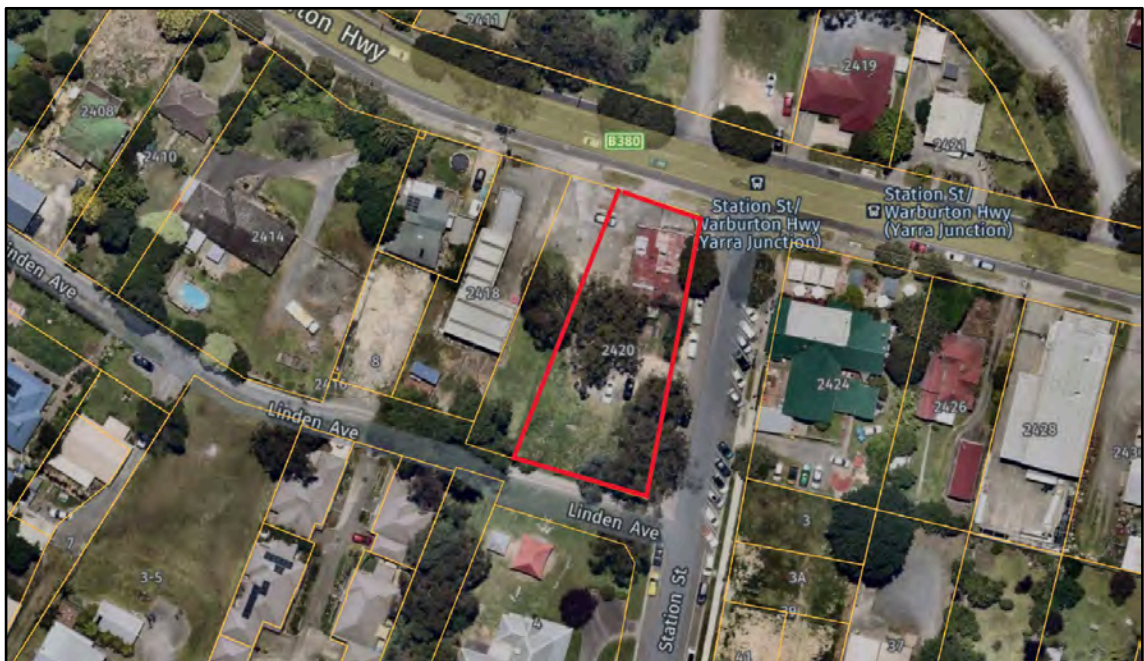


Figure 3 – Zoning plan over aerial photo, Planning Scheme online

## 2.2 Subject Land

- 13 The subject land comprises the primary site at 2420 Warburton Highway, Yarra Junction and also relies on part of the adjoining Crown land to the west of the site.
- 14 The site at 2420 Warburton Highway is an irregular parcel of land with the following dimensions: *Figure 4*
- Northern frontage to Warburton Highway of 17.8 metres.
  - Eastern frontage to Station Street of 60.71 metres.
  - Rear (southern) abuttal to Linden Avenue of 29.6 metres.
  - Western boundary to the crown land of 60.57 metres.
- 15 The site has an overall site area of 1,433 square metres.
- 16 There is a fall of approximately 2 metres from the rear boundary at Linden Street towards the Warburton Highway along the western boundary of the site, and a fall of approximately 3.5 metres along the eastern boundary from the sites rear to the frontage.
- 17 There are a series of trees across the site, as described in the arborist report.

- 18 The site is currently used and developed with the automotive mechanical repairs and tyre service business. It is understood that approximately 20 years ago the site also sold fuel. *Figures 5 and 6*
- 19 The current use includes a single storey building built close to the Warburton Highway / Station Street intersection and the rear (southern) portion of the site is undeveloped. *Figures 5, 6 and 7*
- 20 There are crossovers from both the Warburton Highway and from Station Street. *Figures 5, 8, 9 and 11*
- 21 The site also seeks to rely on the adjoining unreserved Crown land to the west of the site, administrated by the Department of Environment, Land, Water and Planning (**DELWP**) for access from the Warburton Highway, in a manner that the existing site operations do. An overhang of the vacuum bays (at 3.5 metres above ground level), landscaping and the proposed acoustic fence are also proposed within this land. *Figure 11*



*Figure 4 - Subject site and surrounding properties, Nearmap*





*Figure 5 - Existing mechanical repairs business, looking east along Warburton Highway*



*Figure 6 - View of subject site from Station Street looking west along Warburton Highway. Includes the existing sign to be retained and re-badged.*





*Figure 7 - View of existing building from Station Street, looking north towards the Warburton Highway*



*Figure 8 - Existing crossover from Station Street to the subject site*





Figure 9 - View from within the site looking across the crown land to the adjoining use to the west – Hewitt's Glass



Figure 10 - Existing trees within the site



*Figure 11 - Interface between the subject site and the unreserved crown land to the west, and the western elevation of the adjoining property (glazier). The crown land is currently used for access and car parking associated with both neighbouring properties including the subject site.*

## 2.3 Neighbouring Properties

22 The subject site has the following neighbouring properties:

- To the east of the site on the opposite side of Station Street is the Cunninghams Hotel, comprising a bar and restaurant with indoor and outdoor seating areas, on the south/eastern corner of the Warburton Highway and Station Street. *Figure 12*
- To the west of the crown land parcel, is a commercial premises used for a glazier, contained within a single storey building. This site also appears to utilise the crown land for access. *Figure 9*



- To the south of the site, separated by Linden Avenue is a child care centre / kindergarten fronting Station Street, with residential uses located to the south west of the site. *Figure 13 and 14*
- The closest residential properties are to the south and east along Warburton Highway, Station Street, Linden Avenue and Crescent Road.



*Figure 12 - Cunningham's Hotel located to the east of the site*





*Figure 12 - View looking west along Linden Avenue at the rear of the subject site*



*Figure 13 - Kindergarten and child care to the south of the subject site, separated by Linden Avenue*



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### 3 THE PROPOSAL

23 The proposal is to use and develop the land for unmanned fuel sales (service station) and an automatic car wash and dog wash. It also seeks approval for the removal of vegetation; business identification signage; and alteration of access to a Transport Zone 2.

24 More particularly, the proposal seeks the following:

- **Remove the existing building** and associated works including attached shed and hard stand areas (noting no planning permit is required for demolition).  
*Refer Demolition Plan*
- **Removal of vegetation** as outlined in the accompanying arborist report and noted on the plans.
- **Crossovers.** Create a revised two-way (9m) crossover approximately mid-way along the Station Street frontage.
- Remove the existing crossover to 2420 Warburton Highway and reinstate the kerb and nature strip.
- Retain and use the existing crossover to the adjoining crown land to the west for vehicles exiting the premises.
- **Provide for an unmanned service station with six (6) petrol filling bays** under a central canopy (25.2m x 8.6m) within the mid-section of the site. The canopy has a clearance of between 5m and 6.8m. The service station is to be self serve, with payment accepted via credit card at the bowser.
- **Provide for a two (2) bay automatic car wash** at the western end of the site. These bays are to be accessed via Station Street with a waiting bay in front of the carwash, with cars then exiting to the Warburton Highway.
- The car wash is within a building with a maximum wall height of between 5.8 metres to the south of the site extending to a maximum height of 6.7 metres as the land falls away to the north.

- **Provide for four (4) bay vacuum bay** in the northern section of the site under a canopy of 4.5 metres in height, with a clearance of 3.5 metres. These bays are to be setback behind a landscaped frontage to the Warburton Highway.
- **Provide for a two (2) bay dog wash area** along the eastern boundary of the site towards the northern frontage of the site.
- **Provision of a plant room** located between the petrol sales and car wash with adjacent secure store.
- **Provision of an underground fuel tank.** The tanks will accommodate 90,000L of fuel within a double fibreglass tank.
- **New signage**, being:
  - Re-badging the existing sign on the corner of Station Street and the Warburton Highway. No change to the location, height or form. Remain internally illuminated. Colours, materials and wording as per elevations.
  - 4.9 metre high price board sign to the Warburton Highway, being an internally illuminated sign. Colours, materials and wording as per elevations.
  - A non-illuminated 2.4 metre high entry sign at the Station Street entry point. Colours, materials and wording as per elevations.
  - A non-illuminated 2.4 metre high car wash menu board sign located on the left side of each auto wash entry bay, under the car wash canopy. Colours, materials and wording as per elevations.
  - Internally illuminated 'Junction Fuel 24/7' signs on the fascia (north and east) of the fuel canopy, with LED strip lighting to top and bottom of fascia. Colours and materials as per elevations.
  - Painted business identification signage on the buildings, including 'Car Wash', 'Touch Free Automatic'. Colours and materials as per elevations.
  - 'Vacuum bays' sign to be fixed to fascia. Colours and materials as per elevations.
  - There is to be no other form of illumination, with no flood lit signs.



- The internally illuminated signage will be sensor controlled to come on when daylight levels diminish and turn off in the morning when daylight levels increase.
- **Materials and finishes** are to be concrete painted panels in dark blue with white writing, with orange and green feature panels as detailed in the elevations.
- **Proposed Hours of operation.**
  - Auto car wash bays and fuel bowsers – 24 hours a day, 7 days a week
  - Vacuum bays – 5am-10pm, 7 days a week
  - Dog Wash bays – 7am-10pm, 7 days a week.

25 The development has been designed to ensure that the fuel sales can transition over time to an electric charging station or hydrogen fuel (clean fuel) in the future when the technology and demand exists.

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## 4 PLANNING CONTEXT

### 4.1 State Planning Policy Framework

- 26 Clause 11 relates to Settlement with Clause 11.03-1S relating to Activity Centres, of the Yarra Ranges Planning Scheme (**Planning Scheme**) seeks to encourage the concentration of major retail, residential, commercial, administration, entertainment and cultural developments into activity centres that are highly accessible to the community. The subject site is located at the western edge of the Yarra Junction Activity Centre.
- 27 At Clause 13, the Planning Scheme sets out the planning policies relating to Environmental Risks and Amenity.
- 28 Clause 13.01-1S Natural hazards and climate change, the Planning Scheme seeks to minimise the impacts of natural hazards and adapt to climate change.
- 29 At Clause 13.02 Bushfire, the objective is to strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life. Bushfire hazards are to be identified and appropriate risk based assessments undertaken to achieve this objective, for both areas within the Bushfire Management Overlay (**BMO**) and within a designated bushfire prone area.
- 30 At Clause 13.05-1S Noise management seeks to manage noise effects on sensitive land uses. The noise requirements in accordance with the Environment Protection Regulations under the Environment Protection Act 2017 are the relevant policy guidelines.
- 31 Clause 13.07 relates to Amenity, Human Health and Safety and at Clause 13.07-1S the policies relate to Land use compatibility. The objective of this policy is to protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts.
- 32 At Clause 15 – Built Environment and Heritage and Clause 15.01-1S Urban Design, strategies require development to respond to its context in terms of character, cultural identity, natural features, surrounding landscape and climate.

- 33 Strategies include to ensure that development, including signs, minimises detrimental impacts on amenity, on the natural and built environment and on the safety and efficiency of roads.
- 34 Under Clause 17 – Economic development, at Clause 17.01-1S Diversified Economy the policy seeks to strengthen and diversify the economy.
- 35 Clause 17.02-1S – Business encourages development to meet community’s needs for retail, entertainment, office and other commercial services and to provide a net community benefit in relation to viability, accessibility, and efficient use of infrastructure.

## 4.2 Local Planning Policy Framework

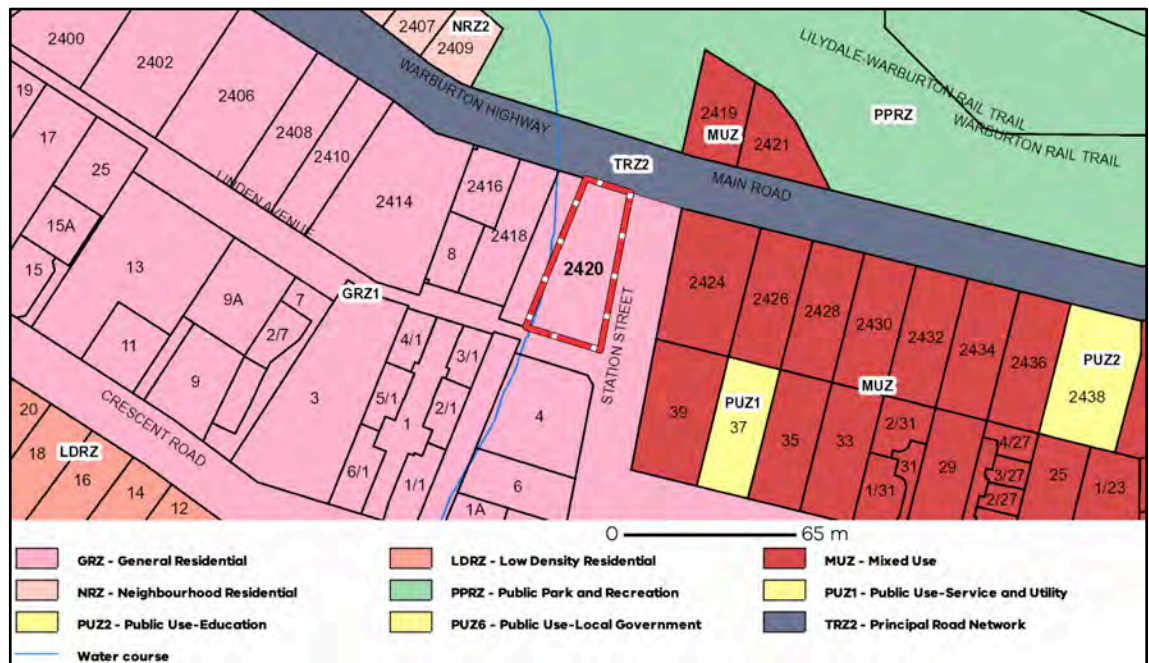
- 36 Yarra Junction is recognised as a major commercial area in the municipality (refer Figure 1), oriented to the Warburton Highway.
- 37 It is one of the larger townships within the Warburton corridor, servicing a broad catchment of surrounding smaller settlements.
- 38 Cause 21.04-2 Commercial encourages commercial uses to primarily locate within the commercial centres, however while the subject site is zoned General Residential, it has historically been used for commercial use.
- 39 Commercial centres are recognised as important for the economy and business development is encouraged to promote the future growth and prosperity of the Shire.
- 40 Surrounding residential areas are to be protected from adverse visual and amenity impacts of business encroachment.
- 41 Objective 3 relates to Local employment seeking to encourage and facilitate the establishment of businesses which can provide employment and business opportunities, while having little or no impact on local amenity.
- 42 At Clause 21.05 Settlement, Objective 1 relates to Sustainable towns, that seeks to create sustainable and attractive townships which can support a range of residential, commercial, retail, community and recreational facilities and services.
- 43 Strategies include encouraging small businesses and their use by local communities.

- 44 It also directs the retention of compact townships and to contain and consolidate existing commercial centres.
- 45 At Clause 21.06 Built Form, direction is provided to ensure protection of visual identity; a sense of place; sustainable urban form; and protection of the environment.
- 46 Clause 21.07 relates to Landscape and seeks to ensure that development will not compromise the landscape, and that design has regard to surrounding development.
- 47 At Clause 21.09 Environment, remnant vegetation is sought to be protected, and building design is directed to be sustainable.
- 48 Local Policies at Clause 22.01 Discretionary Uses Residential and Industrial Zones, has objectives to provide for limited non-residential uses that meet local needs and protect the residential amenity of the area.
- 49 At Clause 22.04 is a local policy relating to Advertising Signs, that seeks to ensure that signage provides effective identification of businesses, however that they do not detract from the amenity and streetscape or landscape character of the surrounding area.
- 50 The local policy at Clause 22.05 relating to Vegetation Protection seeks to protect and enhance the Shire's rich biodiversity and to ensure that consideration is given to the removal of vegetation when assessing proposals to use and develop land.

### 4.3 General Residential Zone, Schedule 1

- 51 The subject site is contained within the General Residential Zone, Schedule 1 (GRZ1) of the Planning Scheme. *Figure 14*
- 52 Schedule 1 relates to Lower Order (Neighbourhood) Consolidation Areas: Mooroolbark, Kilsyth, Healesville, Yarra Junction, Mount Evelyn, Yarra Glen and Chimside Park Activity Centre Buffer Areas.
- 53 There are no neighbourhood character objectives listed in the schedule to the zone.
- 54 The subject site fronts onto the Warburton Highway contained within the Transport Road Zone, Category 2 (TRZ2). Land opposite the site to the north is contained

within the Public Park and Recreation Zone (**PPRZ**) and land to the east and north/east is contained within the Mixed Use Zone (**MUZ**). Land to the west and south is contained within the GRZ1. *Figure 14*



**Figure 14 - Zoning Plan, Yarra Ranges Planning Scheme**

55 The purposes of the GRZ1 are:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To encourage development that respects the neighbourhood character of the area.*
- *To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.*
- *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*

56 The proposed use for a Car Wash is a Section 2, permit required use subject to the following condition:

*The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.*

- 57 The proposed use for a Service Station is a Section 2, permit required use subject to the following conditions:

*The site must either:*

- *Adjoin a commercial zone or industrial zone.*
- *Adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.*

*The site must not exceed either:*

- *3000 square metres.*
- *3600 square metres if it adjoins on two boundaries a road in a Transport Zone 2 or a Transport Zone 3.*

- 58 On the basis that the site adjoins and has access to a road in a Transport Zone 2 (Warburton Highway), and does not exceed 3000 square metres, both uses are discretionary uses within the zone.

- 59 A permit is required to construct a building or construct or carry out works associated with a Section 2 use (CI 32.08-9).

- 60 An assessment against the Decision Guidelines of the GRZ is included at Section 5.3 of the report.

## **4.4 Overlay Controls**

### **4.4.1 Bushfire Management Overlay**

- 61 A narrow strip along the frontage of the site is contained within the Bushfire Management Overlay (**BMO**). *Figure 13*

- 62 This overlay extends to a depth of 4.7 metres at the eastern boundary, increasing to 6.1 metres at the western boundary. *Figure 14*



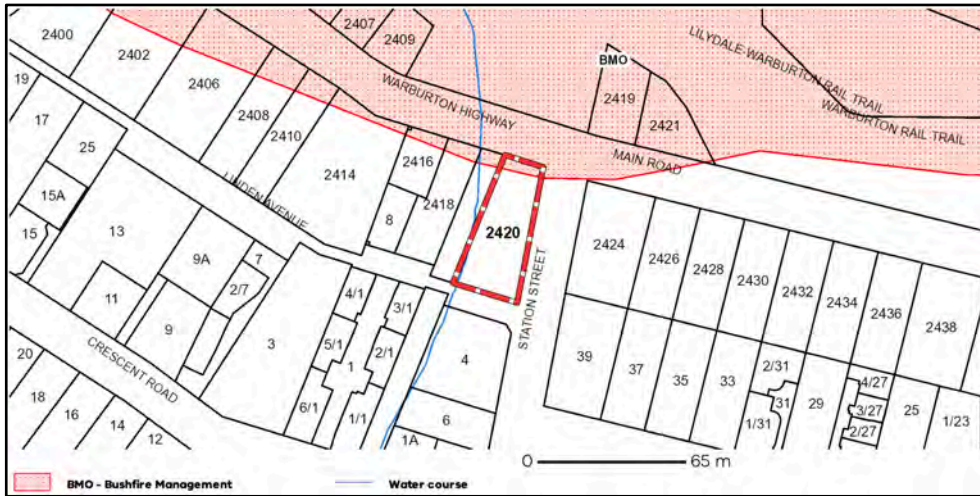


Figure 14 - Bushfire Management Overlay, Yarra Ranges Planning Scheme

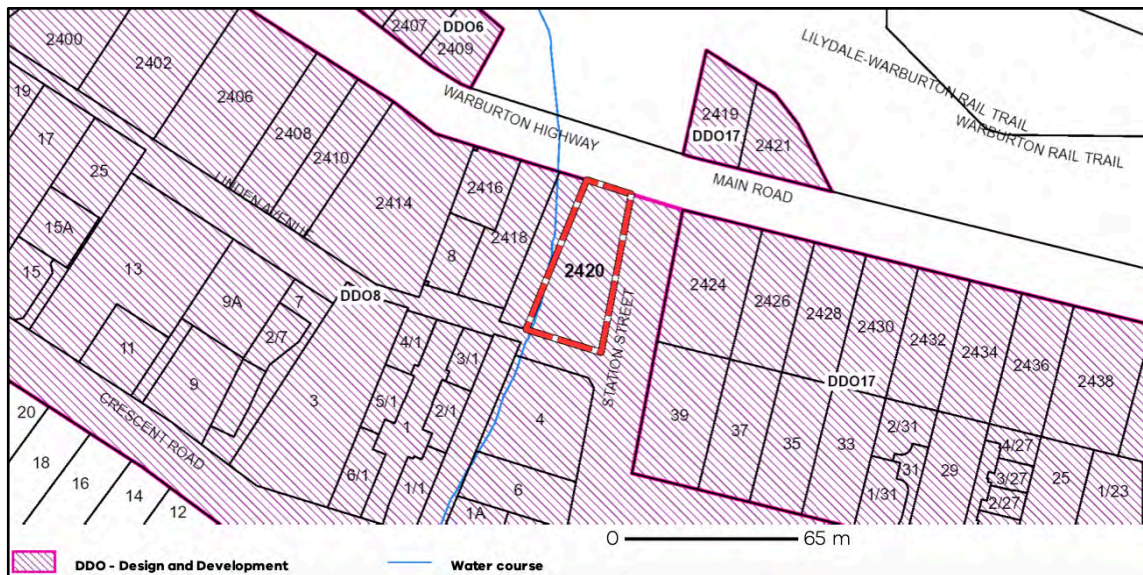


Figure 15 – BMO Definition Plan, DELWP

- 63 The existing accessway is within this BMO, and the proposal seeks to allow for the roof of the vacuum bay canopy to overhang land within the BMO (at a height of 3.5 metres), as well as provide for landscaping and signage within the overlay. There are no other works within this overlay area.
  
- 64 Accordingly, a Bushfire Management Plan is being prepared by Ranges Environmental to respond to the overlay requirements.
  
- 65 The site is also located in a designated bushfire prone area.
  
- 66 Planning policy at clause 13.02 relating to Bushfire Planning, states that in a bushfire prone areas, bushfire risk should be considered when assessing planning applications for the listed uses and development including Accommodation, Child care, Place of assembly etc. The proposal is not for any of the listed uses or development.

#### 4.4.2 Design and Development Overlay, Schedule 8 (DDO8)

- 67 The subject site and surrounding land are contained within the Design and Development Overlay, Schedule 8 (DDO8) Neighbourhood Centres and Rural Township Consolidation Areas. Figure 16



**Figure 16- Design and Development Overlay, Schedule 8, Neighbourhood Centres and Rural Township Consolidation Areas**

- 68 The design objectives of this overlay are:

- *To implement the objectives of the Shire of Yarra Ranges Housing Strategy 2009.*
- *To increase residential density and to provide for a range of housing types within the identified consolidation areas of neighbourhood centres and rural townships.*
- *To encourage the aggregation of existing lots allowing greater flexibility to design quality higher density residential development that complements the existing streetscape.*
- *To encourage higher built form on larger lots to protect the amenity of existing dwellings.*
- *To ensure new development is well articulated and upper storey elements are not bulky or visually obtrusive.*
- *To ensure that the design of new buildings provides an appropriate transition of scale and form to buildings on adjacent lots.*
- *To minimise the impact of driveways and parking areas in multi-unit developments.*  
*To ensure street frontages and open space provide sufficient room for canopy trees and vegetation.*

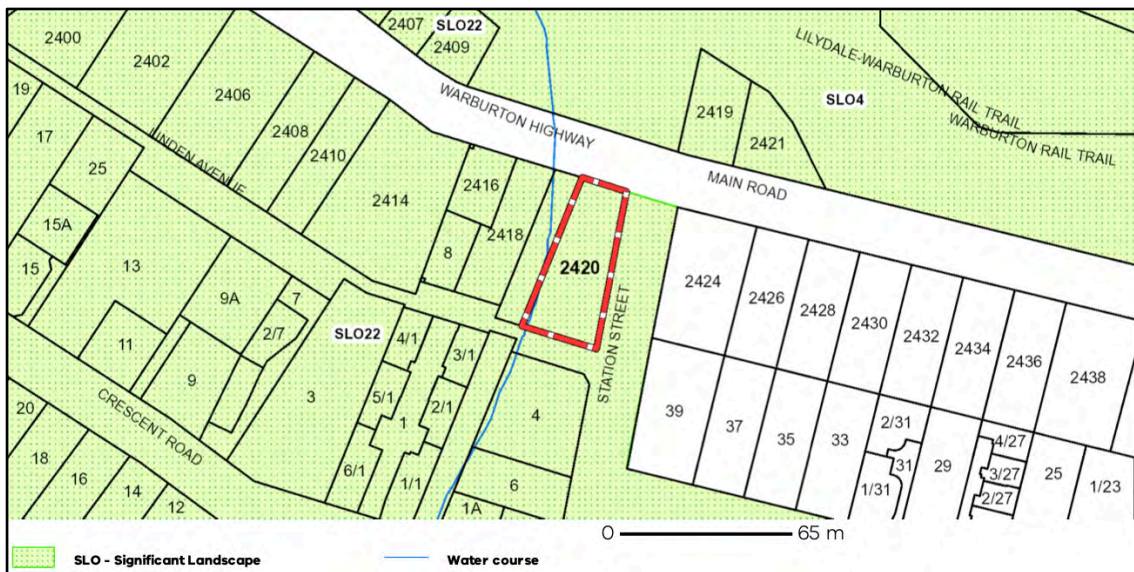
69 A permit is required to construct a buildings or construct or carry out works and the schedule states that the maximum building height should be no greater than 9 metres (for sites less than 1500sqm).

70 The guidelines relating to building form, siting and layout; driveways and car parking; and landscaping and front fencing are addressed in the assessment section below.

#### **4.4.3 Significant Landscape Overlay, Schedule 22, Foothills and Rural Townships**

71 The site is contained within the Significant Landscape Overlay, Schedule 22 (**SLO22**)– relating to *Foothills and Rural Townships*. *Figure 17*





**Figure 17 – Significant Landscape Overlay, Foothills and Rural Townships**

72 The statement of landscape character of Yarra Junction is as follows:

***Yarra Junction** enjoys a spacious country town feel of buildings set into a wider landscape context of the Upper Yarra River and Environs. Large blocks and low level often exotic gardens sit in a landscape that includes rolling paddocks and treed hillsides rising up from the Yarra Valley.*

73 The applicable landscape character objectives to be achieved are as follows:

- *To recognise and conserve the environmental and visual sensitivity of residential areas*
- *To maintain vegetation as a dominant element of the landscape and encourage retention and regeneration of native vegetation*
- *To ensure development is sensitive to the natural characteristics of the land including slope, terrain and any existing vegetation*
- *To ensure setbacks are generous, consistent with nearby dwellings and allow sufficient space for mature plantings*
- *To ensure site cover maintains the ambience and sense of spaciousness*
- *To ensure that buildings and works retain an inconspicuous profile and do not dominate the landscape*

- *To ensure that the health of existing trees is not jeopardised by new development*
  - *To maintain an absence of front fences and informal rural character with either open style front fencing or an absence of front fencing*
  - *To protect and preserve the riparian areas along waterways.*
- 74 A permit is required to construct a building or carry out works if the following requirements are not met:
- *The height of any part of a building is no more than 7.5 metres above the natural surface of the ground directly below it.*
  - *The total building footprint does not occupy more than 30% of the site and the total hard surface area (impervious surfaces) does not exceed 50% of the site*
  - *The buildings and works are at least 4 metres from the base of any substantial tree. Works may occur closer than 4 metres provided they do not alter the existing ground level or topography of the land*
  - *The buildings and works are at least 10 metres from a designated stream*
  - *The buildings and works are at least 10 metres from a designated open Melbourne Water drain.*
- 75 The buildings are lower than 7.5 metres above natural ground level and the works are not within 10 metres of a designated stream (points 1 and 4).
- 76 However a permit is required given the building footprint is greater than 30% (40.1%) and the total impervious area is greater than 50% and the works are located within 4 metres of a substantial tree.
- 77 The decision guidelines are addressed in the assessment section below.

## 4.5 Particular and General Provisions

- 78 Particular and General Provisions of the Yarra Ranges Planning Scheme that are relevant to this application include the following:
- Signs - Clause 52.02.



- Car Parking – Clause 52.06.
- Land Adjacent to the Principal Road Network – Clause 52.29.
- Stormwater Management in Urban Development - Clause 53.18.
- Decision Guidelines – Clause 65.

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## 5 PLANNING ASSESSMENT

### 5.1 Overview

- 79 The proposal is for a new commercial use and development on a site that has been traditionally used for automotive parts and tyre service, at the edge of the Yarra Junction township.
- 80 The site benefits from frontage to the Warburton Highway and a secondary road frontage to Station Street, as well as a rear abuttal to a local road.
- 81 The site also benefits from adjoining commercial uses to the east and west fronting Warburton Highway, as well as opposite the site, with no direct residential abuttals.
- 82 Accordingly, while contained within the GRZ, the site is not considered well suited for residential use.
- 83 The proposal will enhance the site by removing old style buildings and signage and upgrading it with a contemporary fuel service use, as well as car and dog wash service, being uses not provided for within the area.
- 84 The provision of fuel and associated uses are uses are not found within Yarra Junction, and currently the community has to travel to access these services. Therefore the proposal will contribute to the provision of daily services within the township and to the economic health of the town.
- 85 The uses will be contained within low scale buildings to be subservient to vegetation and to integrate with the surrounds, and while some existing trees will need to be removed, new landscaping will enhance the site and its interfaces.
- 86 Over time as the needs of the market changes and technology adapts, the site will evolve to either EVC charging points of hydrogen fuels to service the community.
- 87 The design has sought to manage the impacts on surrounding land, by the provision of landscaping around the perimeter of the site; retaining crossovers in the existing locations (although modified); inclusion of an acoustic fence along part of the southern and western boundaries; low scale buildings with muted colour scheme; lighting sited away from boundaries and baffled to prevent spill; and adhering to all environmental legislation relating to storage and sale of fuel and noise emissions.

## 5.2 Consistency with Planning Policy

### 5.2.1 State Planning Policy

- 88 At the State planning level, settlement policies seek to develop sustainable communities with convenient access to jobs, services, infrastructure and community facilities (CI11.01-1S).
- 89 Activity centres are encouraged to be the focus of business, shopping, working, leisure and community facilities, however the areas around activity centres are also recognised as convenient locations for a range of uses, including for services that serve local community needs.
- 90 The subject land is located at the western edge of the Yarra Ranges activity centre and mixed use area, being a major commercial area / large Neighbourhood Activity Centre, servicing a broad role in terms of facilities and services for the local community and surrounding townships (CI 11.03-1R).
- 91 The subject land meets the requirements for service station, with a frontage to a Transport Zone, Category 2 and having the site area and access arrangements that allow for vehicles, including trucks, to enter and exit the site safely. It is readily accessible to the local community as well as surrounding residents and visitors to the area, fronting the Warburton Highway.
- 92 The subject land is also clustered around other non-residential uses including a range of recreation uses directly opposite the site, and service uses to the east and west of the site.
- 93 Urban design and building design policy directs development to have regard to the sites context and in this case, this includes a frontage to the main highway; side and rear abuttal to roads; adjacency to other non-residential uses; and on a site that has for a very long time been used for non-residential use, namely tyre and automotive sales.
- 94 As such, the proposal for fuel sales, and car and dog wash services, being services within the Yarra Junction township that are currently not provided, is considered appropriate.
- 95 The design and layout of the site has responded to policy regarding environmental risks and amenity (CI13).



- 96 Only a very small portion of the buildings and works are within the BMO, and the use is not a use that warrants further risk consideration being within a bushfire prone area. The bushfire management plan will address the necessary requirements for the site to prioritise the protection of human life.
- 97 The fuel tanks will be installed, managed and filled in accordance with relevant environmental standards and legislation, as confirmed by Hazkem.
- 98 Noise policy (cl 13.05-1S) seeks to ensure development manages noise effects on sensitive land uses. The proposal has responded by implementing the recommendations of the acoustic assessment, to ensure that all noise emissions are managed in accordance with the Environment Protection Regulations under the Environment Protection Act 2017 including providing for acoustic fencing to sensitive interfaces.
- 99 Planning policy (cl13.07-1S) also seeks to protect community amenity, health and safety and ensure that land uses are compatible with adjoining or nearby land uses.
- 100 This site benefits from road frontages on three sides and the crown land parcel to the west. Adjoining land uses are non-residential, and the site has for a very long time been used for non-residential use.
- 101 As noted above, noise impacts are to be managed; light spill will be contained to the site; the location of crossovers will limit traffic intrusion into residential areas; and there will be no car parking impacts from the proposal.
- 102 The built form (cl 15.01-1S) is low scale (single storey) and dark muted colours and new landscaping are to integrate the site with the surrounds.
- 103 The uses will provide for a diversified economy (Cl 17.01-1S), consistent with policies around economic development and again provides services in an area not provided to meet community needs as encouraged by policy relating to business (cl17.02-1S).
- 104 There will be 2-3 employees of the businesses assisting customers with the fuel system as well as the car and dog wash facilities. In addition there will be associated jobs through servicing and supplying the facility.



105 Overall, while recognising that the underlying zoning is residential, give the sites context; features; interfaces and location, the proposed uses and development are considered to be consistent with planning policy for the site and surrounds.

## 5.2.2 Local Planning Policy

106 The proposal is consistent with planning policy in providing for:

- Economic uses currently not provided for within Yarra Junction, located at the edge of the commercial township, and located between other commercial uses.
- Providing for local employment and local services.
- Ensuring that built form is low scale and minimises detriment to surrounding properties.
- Ensuring that traffic generation will be limited to the Warburton Highway and the corner section of Station Street, therefore ensuring cars don't enter the surrounding residential areas.
- Protecting existing trees where possible and providing for replacement planting, and
- Ensuring that signage is used to provide for effective identification of the business without contributing to visual clutter or impacts on surrounding amenity.

107 In terms of the local policy at Clause 22.01 *Discretionary Uses in Residential and Industrial Zones*, this policy seeks to allow for non-residential uses that meet the needs of the local community while protecting residential amenity and are compatible with the visual, environmental and landscape qualities of the neighbourhood.

108 The proposal is considered consistent with the policy by:

- Providing for uses to serve local community needs, currently not provided for within Yarra Junction
- Being located at the western edge of the Yarra Ranges commercial centre, with a hotel to the east and a glazier to the west.

- Located on a main road being the Warburton Highway.
- Being located on a site that has historically been used for commercial purposes, namely automotive repairs (and also a service station some time ago).
- Being of a low scale that sits well below prevailing tree heights and respects the surrounding built form of the area.
- Does not have any direct abuttal to a residential use, and is to provide for setbacks, landscaping and acoustic screening to mitigate the interfaces to surrounding residential uses to the south and west.
- Maintaining car access from Station Street (in a slightly revised location) and to the Warburton Highway, ensuring that cars don't need to travel through local residential streets to access the site.
- Providing for all car parking requirements on site to ensure that there are no parking implications on surrounding streets.
- Maintaining vegetation where possible and providing for new landscaping.

### 5.3 Consistency with GRZ

- 109 The GRZ, in addition to encouraging a range of housing types, also allows for a limited range of other non-residential uses to service local community needs in appropriate locations.
- 110 There is currently no service station in Yarra Junction, despite being one of the larger townships in the municipality classified as a major commercial area. Yarra Junction provides services to the local community as well as the broader surrounds.
- 111 The provision of fuel is considered an essential service and providing for this service within the township will service the local community and reduce travel to existing fuel stations.
- 112 To the east the closest fuel station is approximately 4 kilometres from the site and further east in Warburton approximately 10km away. To the south-east the communities of Gladysdale, Three Bridges, Gilderoy and Powelltown heavily rely on Yarra Junction for daily needs and don't have a fuel offering in their local towns. To the north, the community of Don Valley and surrounds regularly commute into

town to access essential services, again not having fuel or car washing offering in their local area.

113 The site itself is considered an appropriate location for a non-residential use, being located on the Warburton Highway, and with adjacent uses also being non-residential.

114 An assessment of the proposal against the decision guidelines of the GRZ, as appropriate, is as follows:

- The municipal planning strategy and planning policy framework have been addressed at Section 5.2 of this report.
- The purpose of the zone has been addressed above.
- There are no objectives in the schedule to the zone.
- The only applicable decision guidelines in the schedule to the zone seeks to avoid visually dominant buildings and opportunities for landscaping and the planting of mature species. The buildings are low scale and are not visually dominant. The proposal provides for a landscape plan with new landscaping proposed around the perimeter of the site.
- The proposal will not overshadow any rooftop solar energy system on adjoining lots.
- There is no subdivision proposed.
- The use and development are compatible with residential use, insofar as it provides for a service for residential uses; the built form is low scale and will not cause any overshadowing, loss of privacy or visual bulk impacts; and impacts of noise are to be managed through acoustic fencing and hours of operation. It is also noted that there are no immediate residential abuttals to the subject site.
- The use is intended to generally serve the local community, as well as from surrounding smaller townships and people travelling through the area. As noted above, there is currently no fuel or car washing service within Yarra Junction, and the provision of these services within this major commercial centre is considered a positive addition to the range of services provided within the township.

- The use is not expected to have a high intensity of use, being limited in area and capacity, and the scale of buildings are low.
- The buildings and works are low scale, and landscaping is provided around site boundaries. The dominant colour of the built form is dark blue to integrate with the surrounds.
- The proposed landscaping will make a positive contribution to the appearance of the site and provide for landscaped interfaces to surrounding properties.
- The use will not generate any demand for car parking that will impact on local streets.
- All loading can occur within the boundaries of the site and there is limited loading required, with no shop or food service associated with the fuel sales.
- Waste is to be stored within a 1x3metre bin and collected on a weekly basis.
- The traffic assessment has confirmed that the traffic impacts of the proposal are acceptable. The sites location on the corner of the Warburton Highway and Station Street ensures that there will be no traffic entering local residential streets that could have an impact on amenity. Furthermore, the siting and design ensures safe, efficient traffic movements into, within and out of the site.

## 5.4 DDO8 – Neighbourhood Centres and Rural Township Consolidation Areas

- 115 The subject site is contained within the DDO8 that relates to Neighbourhood Centres and Rural Township Consolidation Areas.
- 116 Schedule 8 primarily relates to increased residential density areas, encouraging aggregation of lots to allow for greater flexibility for higher quality residential development and to encourage higher built form on large lots.
- 117 While the proposal is not for housing, there are a range of built form requirements that the proposal has had regard to as follows:

- The maximum building height is 6.7 metres for a small portion of the car wash building, being well below the 9 metres specified in the overlay.
- The new built form is to adopt a similar setback from the street boundary to both the existing building and to the neighbouring building to the west.
- The development is single storey only, and therefore is consistent with the prevailing scale of the surrounds.
- There is minimal excavation provided.
- There is no interruption to any major view lines from public viewing locations.
- Generally trees within the road reserve will be retained and additional planting is proposed in accordance with the landscape plan.
- The development relies on an existing crossover from the Warburton Highway and a relocated crossover from Station Street.
- Vehicles will enter via Station Street and exit to the Warburton Highway, without the requirement for vehicles to manoeuvre within the site.
- Given the previous use occupying a very small portion of the site only, existing trees are required to be removed to facilitate the proposal. New landscaping will provide for additional canopy trees and provide a link between the private and public realms.

## 5.5 Significant Landscape Overlay, Schedule 22

- 118 The Significant Landscape Overlay, Schedule 22 (SLO22) relating to the Foothills and Rural Townships seeks to protect the special features of the municipality, as identified in the *Upper Yarra and Dandenong Regional Strategy Plan*.
- 119 Schedule 22 states that the residential areas of the municipality are recognised as being significant by the quality of the environment, including vegetation.
- 120 While the site is included within the overlay and is contained within the general residential zone, it has historically been used for commercial purposes, as has the adjoining property to the west.
- 121 A permit is required for the removal of any indigenous vegetation or a substantial tree, unless classified as exempt.

- 122 A permit is also required for buildings and works.
- 123 An arboricultural assessment has been prepared by Greenwood Consulting and accompanies the application to Council.
- 124 This report outlines the trees required to be removed with the proposal, as well as protection measures to ensure that others remain viable.
- 125 While it is recognised that the canopy vegetation, including some of the vegetation proposed to be removed contributes to the landscape character of the area, removal is required to appropriately provide for access and movement in and around the site and to establish the new uses.
- 126 New landscaping will be provided in more appropriate locations, and in particular around the boundaries of the site, to offset these losses.
- 127 Trees 1 and 2 within the Station Street reserve are to be retained and given the demolition of the existing structures located close to these trees, the report reveals that the development is likely to create a more favourable growing environment for these trees.
- 128 Having regard to the decision guidelines of schedule 22, it is considered that:
- The development satisfies the key landscape and character objectives by retaining trees where possible and including new landscaping to reflect the surrounding area
  - The removal of vegetation will not impact on any key views across the city and suburbs to the foothills of the Dandenong Ranges
  - The development is low scale and buildings are well below the tree canopy level.
  - The site coverage allows for the planting of canopy trees and other vegetation
  - Existing trees and new planting will continue to allow for habitat for native fauna
  - No front fences are proposed.

## 5.6 Bushfire

- 129 There is a minor encroachment of the proposed buildings and works within the BMO, being the overhang of part of the roof to the vacuum bays close to the Warburton Highway frontage of the site, at a height of 3.5 metres above natural ground level; a new sign; and kerb and landscaping. Accordingly, a bushfire management plan is being prepared by Ranges Environmental.
- 130 It is noted that the fuel station is sited wholly outside the BMO, as is the car and dog wash facilities.
- 131 While the entire site is within the bushfire prone area, these are not uses listed at Clause 13.02 as requiring consideration of bushfire risk. Furthermore the use is not one where large numbers of people will congregate, particularly given the absence of a shop or restaurant facility.

## 5.7 Traffic and Car Parking

- 132 Traffix Group have prepared a traffic engineering assessment for the proposal, that accompanies the application, and have provided input into the design.
- 133 Their assessment concludes:
- a) *the Car Wash use falls under the “industry” land use term for the purposes of statutory car parking requirements,*
  - b) *the car wash use is expected to generate a parking demand for one (staff) space which is met by the on-site provision,*
  - c) *there is no statutory car parking requirement for pay-at-the-pump fuel bowers where no separate on-site convenience shop is provided,*
  - d) *the proposed car parking provision meets the statutory Clause 52.06 requirement,*
  - e) *the dog wash component is an innominate use and accordingly parking provision for this component is required to be to the satisfaction of the responsible authority,*
  - f) *dog wash customers will be advised to park in the vacuum bays,*



- g) *the proposed car parking layout meets the relevant statutory requirements and importantly will work well,*
- h) *adequate provision is made on-site for circulation and queuing and there will not be any adverse off-site impacts,*
- i) *traffic generated by the proposed development can be accommodated on the surrounding road network and intersections without any adverse impacts,*
- j) *there is adequate space for deliveries to be made on the land, including petrol tankers delivering fuel without impacting the flow or safety of traffic, and*
- k) *there are no traffic engineering reasons why a planning permit for the proposed fuel sales, car wash and dog wash at 2420 Warburton Highway, Yarra Junction should not be granted.*

## 5.8 Signage

- 134 The proposed signage includes display of petrol prices at the Warburton Highway frontage of the site; site entry directional signage at the Station Street entry to the site; car wash menu boards within the site adjacent to the car wash bays; and canopy signage integrated with the building and fuel canopy to identify the business.
- 135 The local policy at clause 22.04 of the Planning Scheme relates to Advertising signs.
- 136 This policy recognises the natural beauty of the Shires townships, and the need to provide for effective identification of businesses, and also to avoid the proliferation of advertising signs and poorly designed and located signs.
- 137 Clause 52.05 Signs, seeks to regulate the development of land for signs and associated structures, and to ensure that they are compatible with the amenity and visual appearance of an area. It also seeks to ensure that signs do not contribute to excessive visual clutter or visual disorder or cause a loss of amenity or adversely affect the natural or built environment or safety, appearance or efficiency of a road.
- 138 The sign requirements of the GRZ are in Category 3 – High Amenity Areas. This area is for medium limitation, and seek to ensure that signs are orderly, of good design and do not detract from the building they or on or the surrounding area.

- 139 The signs are business identification and internally illuminated signs that are section 2 signs within Category 3.
- 140 The fuel price sign does not meet the definition of a panel sign, given it doesn't have a clearance of at least 2.7 metres.
- 141 The proposal is considered consistent with the local policy given the following:
- The signage is directly related to the business uses proposed on site
  - The signs are not excessive nor repetitive, rather are to provide for information to allow for logical and easy use of the site and for business identification
  - The signs are unobtrusive and the colours of blue, white, green and small accents of orange are compatible with the surrounding neighbourhood
  - The only illuminated signs are the entry signs associated with the fuel sales, and fuel signs within the fuel canopy that is intended to operate at night times. Signs associated with the car wash and dog wash that are limited to day time use, are not to be illuminated.

## 5.9 Acoustic Assessment

- 142 An acoustic assessment has been prepared by Clarity Acoustics to ensure that noise impacts to nearby residential properties, to the west and south of the subject site and also to the child care centre to the south of the site, are not adversely impacted by the operations of the facility.
- 143 This report has recommended that a two (2) metre high acoustic fence be constructed along part of the western and southern boundaries of the adjoining crown land, between the existing building on the neighbouring property at 2418 Warburton Highway and the edge of the proposed car wash, to mitigate any noise impacts.
- 144 The location of the proposed fence and material requirements are detailed in the accompanying report.
- 145 The fence would be sited 200mm above natural ground level to ensure the free flow of water.

- 146 Based on testing at the subject site and surrounds as well as noise emissions from similar facilities, the acoustic assessment has concluded that the relevant environmental noise criteria for the site can be met subject to implementing the operational and noise control measures outlined in the report, being:
- *Provision of a 2.0 m high (relative to NGL with 200 mm gap at the bottom) acoustic fence to sections of the western and southern site boundaries*
  - *Scheduling fuel deliveries to the site to only occur between 0700-2200 hours, 7 days a week*
  - *Limiting the use of the dog wash to 0700-2200 hours, 7 days a week*
  - *Provision of 35 mm thick solid core doors to the plant room and incorporating a layer of 50 mm thick insulation with foil sarking facing to the underside of the proposed sheet metal roof*
  - *Provision of acoustic roller doors with a minimum sound insulation rating of 20 dB Rw to the exits of both auto car wash bays*
  - *Selection of vacuum units with a maximum sound.*

## 5.10 Lighting

- 147 A proposed Site Lighting Plan has been prepared for the site that forms part of the package of plans.
- 148 Lighting has been designed and sited to ensure a safe site but avoid impacts on surrounding properties.
- 149 There are proposed to be 6 metre light poles at the Station Street entrance to the site, located within the landscaped area on either side of the crossover. These are to be fitted with baffles to avoid light spill onto adjoining land, noting that they are located on the street side boundary rather than being close to any sensitive land uses.
- 150 For the fuel canopy and wash bays, lighting is to be mounted to the underside of the canopy and ceiling, with wall mounted lighting angled down towards the driveway.
- 151 There is to be no light spill to adjoining properties.

## 5.11 Stormwater

- 152 A Stormwater Management Plan has been prepared by Farrar D for the site and accompanies the application to Council.
- 153 This report addresses any impacts to the drainage reserve and proposes water quality measures for the development.
- 154 The operations of the current use includes the adjoining crown land, by allowing for vehicle access, and informal car parking.
- 155 The proposal seeks to maintain this vehicle access, and also to provide for minor works including new hardstand pavement for vehicle movements and construction of kerbs and a low retaining wall along the western edge of the hardstand area.
- 156 The assessment has concluded that:
- The point of discharge within the crown land will be retained with the development.
  - The existing pipe has the capacity to cater for flows to a 1% AEP storm event.
  - Stormwater from roofs and hardstand areas will be captured and treated before connection to the legal point of discharge.
  - An overland flow path has been maintained to allow for flows.

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## 6 CONCLUSION

- 157 In conclusion, the proposal seeks to provide for economic use of the subject site, enhancing the local economy by providing for uses to serve the local community and provide for local employment, at the edge of the Yarra Junction township.
- 158 The design and siting of buildings and works has had regard to surrounding properties, including incorporating an acoustic fence to mitigate noise to sensitive uses.
- 159 Traffic access has been designed to be safe and meet relevant standards and stormwater has also been investigated and managed on site.
- 160 Buildings will be low scale and new landscaping will enhance vegetation required to be removed to facilitate the proposal.
- 161 Overall the proposal is considered to be consistent with the provisions of the Yarra Ranges Planning Scheme.



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