

9 DEVELOPMENT AND INFRASTRUCTURE

9.1 PLANNING PERMIT APPLICATION PLP212/18 FOR THE USE AND DEVELOPMENT OF THE LAND FOR TRADE SUPPLIES AND RESTRICTED RETAIL PREMISES, ALTERATION OF ACCESS TO A ROAD ZONE - CATEGORY 1, REDUCTION OF BICYCLE PARKING REQUIREMENTS AND DISPLAY OF SIGNAGE AT 63 ANZAC AVENUE SEYMOUR

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File No: *PLP212/18*

Attachments:

1. *63 Anzac Avenue Seymour - policy framework*
2. *63 Anzac Avenue Seymour - heritage advice*
3. *63 Anzac Avenue Seymour - proposed plans*

Property No.:	100083
Title Details:	Lot 5 on Plan of Subdivision 310138R Volume 10048 Folio 943
Applicant:	Peninsula Planning Consultants Pty Ltd
Zoning:	Industrial 1 Zone
Overlays:	None
Objections Received:	17, at the time of this report
Cultural Heritage Management Plan Required:	No, the subject site is not located within an area of cultural heritage sensitivity
Officer Declaration of Conflict of Interest:	No officers involved in the preparation of this report have any direct or indirect interest in this matter

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SITE MAP



SUMMARY

The application is seeking approval for the use and development of the land for trade supplies and restricted retail premises (Bunnings warehouse), alteration of access to a Road Zone – Category 1, reduction of bicycle parking requirements and display of signage. The land is located within the Industrial 1 Zone of the Mitchell Planning Scheme, with no overlays affecting the site.

The application was advertised via letters to adjoining landowners and occupiers and those within the surrounding area. Two signs were also displayed on the subject site (one fronting Victoria Street and the other fronting Anzac Avenue). A total of 17 objections have been received at the time of writing this report.

The primary matters discussed later in this report are related to the appropriateness of the proposed land use, residential interfaces and amenity, urban design, access and heritage considerations.

This report recommends that a Notice of Decision to Grant a Planning Permit be issued for the proposed use and development of the land, as it is considered that the proposal is consistent with the objectives of the Mitchell Planning Scheme and the Seymour Structure Plan particularly for economic and employment growth.

It is considered that the proposal would result in a positive planning outcome, subject to conditions regarding photographic archives and reinterpretation of the heritage values of the existing Ansett Knitting Mill factory.

SITE AND SURROUNDS

Subject Site Description

The subject site is located on the northeast corner of Anzac Avenue and Victoria Street, with frontages to both streets. The site area is 9,341 square metres and is irregularly

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shaped. The site contains the Ansett's Knitting Mill factory, which has most recently been used for car sales and as a vehicle depot. A dwelling is also located on the site, to the east of the factory building, and an old hall which was used in association with the Ansett's Knitting Mill to the north of the factory.

Access to the site is currently obtained via a crossover at the south-western corner of the site, at the intersection of Anzac Avenue and Victoria Street. Two additional crossovers are located along Victoria Street. The site is relatively flat, with vegetation within the subject site consisting of planted species around the old hall and dwelling.

The Ansett's Knitting Mill factory building is an example of mid-century industrial design, with a brick façade fronting onto Anzac Avenue and Victoria Street and a saw-tooth roof. The site is not affected by a Heritage Overlay.



Planning Background

A search of Council's electronic record system has revealed that a previous planning permit (PLA304594/06) was issued for an indoor/outdoor market for the hall at the rear of the factory building.

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Title/Restrictions/Agreements

The copy of title submitted with the application indicates that the site is affected by Easement E-2 within the eastern part of the site for the purpose of sewerage.

Surrounding Area

The subject site is located along Anzac Avenue, which contains a mix of residential and commercial interfaces within the eastern part of the Seymour township. Immediately west of the site there are residences fronting Anzac Avenue and Victoria Street. These lots contain single detached dwellings.

Anzac Avenue forms part of the Goulburn Valley Highway, linking the township with Yea to the east and Shepparton to the north (via Tallarook Street and Emily Street). Anzac Avenue is a dual lane carriageway under VicRoads management. There is a central reserve splitting the east-west lanes. An ANZAC war memorial is located within the central reserve approximately 90m to the east of the subject site, with a number of native trees planted along the central reserve for the length of the Avenue.

Victoria Street is a predominantly residential street, with the northern end of the street containing a wide intersection between Watson and Wimble Street. Wimble Street connects to the truck route along Oak Street to the east.

West:

Along Anzac Avenue is a small commercial shopping strip containing a sporting goods store, a hardware store, a number of food and drink premises and other retail/office uses. Behind the commercial strip is a residential area.

South:

A residential neighbourhood consisting of a mix of later nineteenth century and early twentieth century dwellings is located to the south of Anzac Avenue. Seymour P-12 College is also located further south of Loco Street.

East:

A mix of industrial, commercial and office uses are located to the east. Seymour Field and Game is located to the immediate east of the site, with AusNet also having offices adjacent to the subject site. Wine x Sam is located on the corner of Anzac Avenue and Oak Street and is contained within the old Seymour Dye Works. A commercial strip is located along Anzac Avenue east of Oak Street.

North:

The Salvation Army hall and retail premises is located immediately to the north, along with a number of residential properties and a kindergarten. The kindergarten is located approximately 115 metres to the north of the subject site.

PROPOSAL

The application is seeking approval for the use and development of the land for a restricted retail premises and trade supplies (Bunnings), alteration of access to a Road Zone – Category 1, reduction of bicycle parking requirements and display of signage.

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Opening hours were not provided as part of the application.

Twenty five percent of the floor area is considered to be defined under the land use restricted retail premises with the remaining area used for trade supplies.

Area

The Bunnings warehouse site is a total of 4,798 square metres and consists of the following:

- Main warehouse (2,425.58 square metres);
- Bagged goods canopy (464.79 square metres);
- Outdoor nursery (422.45 square metres); and
- Timber trade supplies (1,458.55 square metres).

Setbacks

Along Anzac Avenue (south elevation) and partially along Victoria Street (western elevation), the garden supplies and bagged goods is proposed to be built to the boundary. The main warehouse structure is proposed to have a 6.2 metres setback to the southern boundary (minimum), 2.58 metres setback to the western boundary, 14.2 metres to the eastern boundary and a 6.947 metres setback to the northern boundary.

Maximum Height

The warehouse will have a maximum height of 8.323 metres (two storey section containing the offices), with the trade supplies to contain a maximum height of 6.271 metres.

Materials and Finishes

The external materials are to consist of the standard Bunnings green cladding, with white and red business identification signage (to read: Bunnings) to the walls of the structure. A semi-permeable fence is proposed to southern and part of the western façade fronting Anzac Avenue and the corner of Victoria Street.

Advertising Signage

The Bunnings branding is to be displayed on all elevations. The 'lowest prices everyday...' slogan is also to be displayed on the northern and western elevations. Floodlighting is proposed to the eastern, western and northern signage. Floodlighting is not proposed to the southern elevation which fronts Anzac Avenue.

Note: Amended plans were submitted on 30 May 2019 to remove the previously proposed pylon sign and address urban design concerns associated with the front fencing treatment.

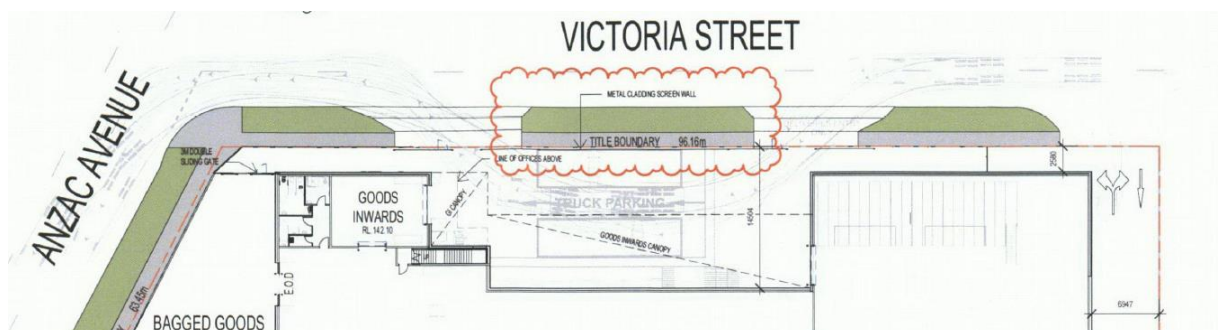
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(3D rendering of the proposed Bunnings warehouse from Anzac Avenue, supplied by the applicant).

Access, Car & Bicycle Parking, Delivery & Loading, Waste

- **Car Parking:** A total of 75 car parking spaces. Access to the car park will be via a left in/out from Anzac Avenue and a new crossover on Victoria Street.
- **Bicycle Parking:** Five bicycle spaces are proposed to be located on south east corner of the car park.
- **Delivery & Loading:** The delivery bay is located fronting Victoria Street, with two designated crossovers. The delivery bay is screened with a metal cladding wall.
- The traffic impact assessment submitted with the application indicated that between 13 and 18 deliveries would be made to the proposed store each weekday (including waste collection vehicles) between the hours of 7am and 4pm. Delivery trucks would consist of a mix of semi-trailer, rigid trucks and small vehicles (including utes and vans). No deliveries are proposed to occur on Saturday or Sunday. Peak vehicle traffic (customer) is expected to be generated between Friday afternoon and Saturday from 12pm-1pm.



(Proposed delivery bay, as supplied by the applicant).

- **Waste:** Waste collection is proposed to also occur within the delivery & loading area, with waste collection vehicles measuring 8m to 10m in length and able to manoeuvre within the loading area.

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APPLICATION HISTORY

The application was received by Council on 21 August 2018. Further information was requested on 4 September 2018, which was received in full on 15 January 2019.

Public notification of the application commenced on 31 January 2019 and concluded on 18 February 2019. The application was advertised via letters to landowners and occupiers along Victoria Street, along Wimble Street (between Watson and Oak Street), Oak Street (between Wimble Street and Anzac Avenue), and Anzac Avenue (between Goulburn Street and Anglesey Streets to the south, and between Madeleine Street and Oak Street on the northern side of Anzac Avenue). A total of 263 letters were sent out.

Two signs were displayed on the subject site (one fronting Anzac Avenue and the other fronting Victoria Street), and the application was displayed as a major application on the Mitchell Shire Council website.

A total of 17 objections have been received in response to the application.

The application was referred to Council's Engineering Services Unit, Council's Urban Design Coordinator and VicRoads.

PLANNING SCHEME PROVISIONS

Zoning

Industrial 1 Zone (IN1Z)

Pursuant to Clause 33.01-1, a planning permit is required for the use of the land for a restricted retail premises and trade supplies. Further, a planning permit is also required, pursuant to Clause 33.01-4, to construct a building or construct or carry out works.

Overlays

The site is not affected by any overlays.

Particular Provisions

Clause 52.05 (Signs)

Pursuant to Clause 33.01-5, sign requirements are held within Category 2 (office and industrial) of Clause 52.05. Pursuant to Clause 52.05-12 (Category 2), a planning permit is required for business identification signage with a total display area greater than 8sqm to the premises and floodlit signage.

Clause 52.06 (Car parking)

Restricted Retail Premises

3 car parking spaces to each 100sqm of leasable floor area is required for a restricted retail premises. As the restricted retail premises is proposed to utilize 25% of the total floor area of the warehouse (1,200sqm), the car parking requirement for this use is 36 car parking spaces.

Trade Supplies

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A total of 10% of the site area is required for parking provision for trade supplies. For a subject site with a land area of 9,341sqm, 934.1sqm of land must be set aside for car parking spaces. Therefore, a total of approximately 1,080sqm of car parking must be provided. Given that the total land area required for a single car parking space with a 2.6m width is 30.94sqm (including the accessway required for immediate access to the space), a total of 31 car parking spaces are required for the trade supplies use ($934/30=31.1333$).

Therefore, a total of 67 car parking spaces are required for the trade supplies and restricted retail premise. A total of 75 car parks are provided, including 2 disabled spaces and 2 trailer spaces. Therefore, the car parking requirements are considered to be satisfied.

Clause 52.29 (Land adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay for a Category 1 Road)

As Anzac Avenue is a Road Zone – Category 1, a planning permit is required to alter access to the subject site from Anzac Avenue pursuant to Clause 52.29-2.

Clause 52.34 (Bicycle facilities)

Pursuant to Clause 52.34-5, 1 bicycle parking space is required to each 300sqm of leasable floor area for employees and 1 space to each 500sqm is required for shoppers and visitors. Given that both the restricted retail premises and trade supplies are both nested within retail premises pursuant to Clause 73.04-12 of the Scheme, the total applicable floor area is 4,798.1sqm.

Therefore, 16 bicycle parking spaces are required for employee purposes and 10 bicycle parking spaces are required for visitor and shopper purposes. As a total of 26 bicycle parking spaces are required, and only 5 bicycle parking spaces are proposed to be provided, a planning permit is required to reduce the bicycle parking requirements pursuant to Clause 52.34-1 of the Scheme.

Planning Policy Framework (PPF)

A number of policies within the Planning Policy Framework and Local Planning Policy Framework are relevant to this application and can be found at attachment 2.

Other Considerations

Seymour Structure Plan (May 2018)

The adopted Seymour Structure Plan seeks to rezone the existing industrial area along Anzac Avenue (between Victoria Street and Oak Street) to Commercial 2 Zone to encourage more active uses along Anzac Avenue.

The Seymour Structure Plan identifies the importance of improving the amenity along the Anzac Avenue streetscape, through encouraging transparent and engaging shop fronts that make positive contributions to street life and ensure a flow of activity along Anzac Avenue. Strategies for Anzac Avenue within the Structure Plan include:

- *S2.2: Support additional tree planting and landscaping in streetscapes and car parks.*

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- *S2.5: Develop built form guidelines for activity centres that reinforce strategies and actions identified in this Structure plan and seek to:*
 - o *Locate car parks to the rear of developments, or below or above ground level so that the buildings can address the street with active and engaging frontages.*
 - o *Minimise the visual bulk of large buildings through breaks and recesses in building massing.*
 - o *Ensure buildings are built to the front street boundary where possible and ensure consistency of future front setbacks across activity centres.*
 - o *Encourage high quality building or landscape treatments at prominent corners.*

PUBLIC NOTIFICATION (ADVERTISING)

Formal notification of the application was given by means of letters to adjoining owners and occupiers, two signs on the subject site and displayed on the Council website. A total of 17 objections have been received and are addressed in the section Objectors' Concerns later in this report.

REFERRALS

External

The application was referred to VicRoads pursuant to Section 55 of the *Planning and Environment Act 1987*, who provided conditional consent to the application.

Internal

The application was referred to Council's Engineering Services Unit who provided comments and conditions that should be included in any permit issued.

The application was also referred to Council's Urban Designer who provided comments regarding car parking landscaping treatments.

DISCUSSION

Built form and neighbourhood character

The proposed development of a Bunnings store on the site will result in the demolition of the existing warehouse, dwelling and hall. The proposed structure is to be located within the western half of the subject site, with built form along the southern boundary (Anzac Avenue) and western boundary (Victoria Street). These streets contain both residential and commercial interfaces, therefore, consideration must be made as to the impact of the overall built form on the amenity and character of the surrounding area.

The proposal is of a standard design and appearance to other Bunnings warehouses. Given the scale of the proposed works and being on the corner of Anzac Avenue and Victoria Street, the design of the structure should provide a positive response to the surrounding character of the area. The interface of the proposal with the corner of Victoria Street and Anzac Avenue contains a mix of built form (precast wall) with the

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Bunnings logo on it fronting Anzac Avenue and mesh fencing. Clauses 15.01-1S, 15.01-2S and 21.06-1 of the Planning Policy Framework seek to ensure that the quality of development contributes to the character of the surrounding area and provides a high level of amenity and attractiveness.

The proposed wall/fencing treatment to the garden supplies area is considered to be an appropriate response to ensure visual interest and articulation to the front of the warehouse. Given the semi-permeable nature of the wall treatment, passive surveillance will also be achievable. To further increase amenity outcomes, and in respect of the varying setbacks on neighbouring properties, conditions will include a requirement for a setback of built form of least one metre from Anzac Avenue to include a suitable landscaping treatment. Given that the built form on the corner is in a prominent location, it is also considered appropriate to require amended plans to show an appropriate corner treatment of the structure.

In addition, it is noted that along the Victoria Street frontage there is an approximate two and a half metre setback of built form, conditions in any permit issued will require a suitable landscape treatment to these setbacks as well as more appropriate treatment of fencing along this frontage. Increased setbacks to Anzac Avenue and landscaping within the setbacks along Anzac Avenue and Victoria Street will assist in creating a cohesive streetscape character by adopting the style of the adjacent Field and Game building to influence the form of the wall treatment to the front of the site.

The residential interface to the west, north and south requires the installation of noise attenuated fencing to ensure that the loading bay does not detrimentally impact on the amenity of adjoining landowners. This noise attenuated fencing has been identified on the site plan and is considered appropriate. The cyclone mesh fencing section to the north of the loading bay is not considered to blend with the other fencing styles proposed as part of the application. Therefore, amended plans showing this fencing section to be of a similar style to the either the loading bay fencing or the garden supplies wall treatment should be required.

Overall, the built form of the Bunnings warehouse is considered to be an appropriate outcome given the context of the proposed use of the land for a restricted retail premises and trade supplies. Given the access restrictions to Anzac Avenue for truck movements, locating the delivery area fronting Victoria Street is the logical solution, with the noise attenuated fence considered to be sufficient visual and audible screening. The provision of a two-storey section for the offices will provide articulation to the roof form, with the overall building height considered appropriate within the context of the surrounding area (maximum of 8.323m for the offices and 6.271m for the rest of the roof structure).

The location of the car parking area is considered to be appropriate to ensure safe and efficient vehicle movements to and from the site. In order to increase amenity outcomes for the site, it is considered appropriate to require the provision of canopy trees within the parking area. This requirement would consist of at least one canopy tree per four car parking spaces within tree diamonds to ensure that the number of car parking spaces is not reduced, and that adequate shaping of the hardstand area is provided. To further increase amenity outcomes in terms of landscaping, it is also considered appropriate to require the provision of street trees of an appropriate species to avoid

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impacting the overhead powerlines along the nature strips of Anzac Avenue and Victoria Street.

Heritage considerations

The subject site is not affected by a Heritage Overlay, although submissions to the application raised the social significance of the site. The site was previously a major employer for the township, particularly for women, as a knitting mill. The character of the existing warehouse is an example of mid-century industrial development and is an interesting built form within the surviving industrial development found in the Seymour township. The site has experienced a number of different land uses post knitting mill, including as a car dealership, market and depot.

Heritage advice of the Ansett's Knitting Mill has been provided by the permit applicant from Bryce Raworth (see attachment 3), which provided information that the building was constructed in 1945 for the purpose of wool and textile production post war.

The history of the site holds a special place within the Seymour township, including local historical and architectural significance. The heritage advice provided that if a heritage overlay applied, it would not necessarily prevent redevelopment, however any such proposal would be required to demonstrate a net community benefit. Further, the advice also included that archival photographic recording of the building should be a standard requirement prior to demolition and an interpretive display in a publicly accessible area of the proposed development (which would include historical photographs and images of the factory, particularly the 'Seymour Textile Industries' sign) would allow for the history of the site to be recognised and appreciated. The permit applicant has indicated that they are willing to provide this interpretation within the new development. A condition is recommended that requires details of the heritage interpretation to be provided.

A structural assessment was also provided for Ansett's Knitting Mill and other buildings on the subject site. Details included that the lack of maintenance of the structures over the history of the site has resulted in a series of non-compliances with current standards and a likelihood of localized failure to the cladding and ceiling linings as a result of water leaks from cracks and openings within the walls and roof. The report stated that the buildings were not unstable, although were in very poor condition and the cost of repairing the factory to a compliant standard would be far in excess of the cost of a new development. On balance and in addition to the above comments regarding the inclusion of a heritage interpretation within the proposed development, it is considered that the demolition of the existing structures on the site and their replacement with a modern warehouse will not detrimentally impact on the site and surrounds.

Signage

The proposed signage is considered to be of an appropriate scale and design to the purpose of the proposed use and development. The signage to the facades of the proposed warehouse are considered appropriate given as they are for business identification and will assist in visually breaking up the single coloured walls. Further, the external illumination of all signage will be appropriately conditioned to ensure that

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the light spread is baffled to prevent spilling onto adjacent properties. This will ensure that residential properties are not adversely impacted by the proposed signage at night.

Operating and delivery hours

As the permit applicant did not provide proposed opening hours, it is considered appropriate to look at other Bunnings stores within regional townships in similar contexts. The Bendigo store is located in areas that are on the edge of residential neighbourhoods and industrial areas. This store has the following opening hours:

- Monday-Friday: 7:00am to 9:00pm
- Saturday and Sunday: 7:00am to 7:00pm.

It is also considered appropriate to restrict delivery and waste collection hours to between 7am and 4pm on Monday to Friday to prevent adverse amenity impacts to the dwellings along Victoria and Wimble Streets. Deliveries are not to occur on the weekends to ensure an appropriate amenity outcome for surrounding residential properties, particularly given that peak customer traffic occurs on Saturdays. To further protect amenity outcomes, it is also considered appropriate to restrict deliveries on public holidays and include a condition requirement that store operations on Anzac Day must not impact on the Anzac Day memorial parade which occurs adjacent to the subject site along Anzac Avenue. Conditions outlining the above opening hour and delivery requirements are recommended to be included within any issued permit.

Access

The application proposes to follow the majority of the designated truck route through Seymour, although the delivery route is proposed to deviate at the Wimble Street and Oak Street intersection to travel down Victoria Street. Access to the site will be obtained via three crossovers to Victoria Street (one for customer access to the parking area, and two for left in-left out access to the delivery area) and one crossover to Anzac Avenue (also left in-left out).

The application was also referred to Council's Engineering Services Unit who required upgrades to the intersection of Victoria Street and Wimble Street to facilitate truck movements and the upgrade of the asphalt of Victoria Street (for the length of the western property boundary). These upgrades will ensure that the increased heavy vehicle movements in these locations will not detrimentally impact on the road quality of Victoria Street.

The application was referred to VicRoads in relation to the alteration of access to Anzac Avenue, who had no objection the proposal subject to conditions regarding left in-left out only movements to the arterial road and detailed design plans for the intersection of Anzac Avenue and Oak Street. VicRoads are seeking to ensure that truck movements coming from the subject site back onto Oak Street from Anzac Avenue are able to manoeuvre within the existing confines of the intersection without crossing into the opposite lane of Oak Street. VicRoads will be able to use this information to determine whether any infrastructure upgrades to the intersection are required, such as concrete islands to prevent vehicles crossing into the opposite lane.

Concerns were also raised regarding the safety of pedestrians and cyclists, particularly in relation to the Seymour Pre-School (19 Victoria Street, Seymour) which is located