

PLANNING ASSESSMENT REPORT

DELEGATE REPORT

Application Details			
Application Number:	PA20240018	Planner:	Adam Moar
Application Description:	Construction of workers accommodation		
Application Received:	15 May 2024		
Land / Address:	21 Church Street Minyip 3392		
Zoning:	Public Use Zone Health and Community (PUZ3) Transport Zone (TRZ)		
Overlays:	Nil		
Under what clause(s) is a permit required?	<p>Clause 36.01-1: A permit is required for the use of the land as accommodation. (PUZ)</p> <p>Clause 36.01-2: A permit is required to construct and carry out works for an accommodation (Section 2 Use).</p> <p>Clause 52.29-2: A permit is required to create or alter access to a road in a Transport Zone 2.</p>		
Vicsmart	No		
Current Use & Development:	Vacant		
Land Use Terms:	Accommodation		
Cultural Heritage Management Plan details	Not applicable		

Proposal

The proposal is for the construction of an accommodation village to house up to 62 workers associated with the Donald Mineral Sands project. The proposed development will comprise of:

- 62 ensuite single occupant modular units.
- Laundries.
- Dry mess with alfresco area.
- Administration office.
- Shower and lockers facility.
- Undercover outdoor areas.
- internal road
- 47 parking bays.
- Bus pick up / drop off and bus parking area.
- Delivery truck loading area.
- Waste storage and collection area.

The proposed accommodation will be connected to reticulated water, sewerage, and power services which are within proximity to the site.

The site will be fenced off with black PVC-coated chain wire fencing.

The proposed facility will be used for 18 months during the construction of the mining project and 19 years of operation through the project. Once it has reached its end of life, the facility will be decommissioned. The applicant has proposed to engage the community closer to the end of life of the facility to explore options for the decommissioning which could include the sale of the modular units to be repurposed for housing or repurposing the facility for private accommodation.

Subject Site & Locality

The subject site, known as 21 Church Street Minyip (Crown Allotment 1 Section 29 Parish of Nullan), has a total area of 1.21 ha and currently contains:

- a shed
- remnant vegetation
- dirt access road

The main site/locality characteristics are:

- The site is located on the northeast of Church Street on the outskirts of the Minyip township
- On the immediate northwest of the site, there is a medical center which is within a Public Use Zone.
- On the immediate southeast of the site, there is vacant land zoned Township. Further southeast is a grain cleaning and packing facility operated by Wimpak.
- To the south, west and northwest of the site are residential dwellings within the Township Zone (TZ)
- North of the site is the Minyip Recreation Reserve

Site History

Building Permit		
2001.00000054.001	New Garage/Carport/Shed	

Restrictive Covenant / Section 173 Agreement

Restriction Description

Covenant	Nil
Agreement	Nil

Public Notification

The application was advertised to adjoining owners under Section 52 of the Planning and Environment Act 1987 from 17/05/2024 to 21/06/2024. A planning notice was sent to 31 adjoining owners considered to be directly impacted by the proposed development. A planning notice was also circulated via Council's media channels as well as an advert in the *Minyip Lion's Newsletter*. One objection was received during the exhibition period which has been assessed in the decision guidelines below.



Figure 1: Yarrambiack Shire Council newsletter in The Weekly Advertiser May 29 2024 edition.



Figure 2: News story in The Warracknabeal Herald June 14 2024 edition.

Referrals

The application was referred under Section 55 of the Act to the Department of Transport and Planning as a Determining Authority.

Planning Policy Framework (PPF)

The relevant sections of the Planning Policy Framework include:

- 2.01: Context
- 2.02: Vision
- 2.03-1: Settlement
- 2.03-5: Built environment and heritage
- 2.03-6: Housing
- 2.03-7: Economic development
- 11.01-1S: Victoria
- 11.01-1R: Settlement - Wimmera Southern Mallee
- 13.02-1S: Bushfire planning
- 13.05-1S: Noise management
- 13.07-1S: Land use compatibility
- 15.01-2S: Building design
- 15.01-4S: Healthy neighbourhoods
- 15.01-5S: Neighbourhood character
- 15.01-6S: Design for rural areas
- 16.01-1S: Housing supply
- 17.01-1S: Diversified economy
- 17.01-1R: Diversified economy - Wimmera Southern Mallee
- 18.02-4S: Roads
- 18.02-4L: Road access

Zoning

Public Use Zone 3 (PUZ3)

36.01-1: Table of uses

Section 2 Use - A planning permit is required for the use of the land for accommodation.

36.01-2: Permit requirement

A permit is required to:

- Construct a building or construct or carry out works for any use in Section 2 of Clause 36.01-1.

36.01-3: Application requirements

An application for a permit by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally either:

- To the application for permit being made.
- To the application for permit being made and to the proposed use or development.

36.01-4: Decision guidelines

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The comments of any Minister or public land manager having responsibility for the care or management of the land or adjacent land.
- Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.

36.01-6: Table of public land use

Shown on the planning scheme map	Purpose of public land use
PUZ3	Health & Community

Overlays

Nil

Particular Provisions

The relevant Particular Provisions that apply to this application are:

Clause 52 – Car Parking

52.06-1: Scope

Clause 52.06 applies to:

- a new use; or
- an increase in the floor area or site area of an existing use; or
- an increase to an existing use by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.

52.06-2: Provision of car parking spaces

Before:

- a new use commences; or
- the floor area or site area of an existing use is increased; or
- an existing use is increased by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use,

the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay must be provided to the satisfaction of the responsible authority in one or more of the following ways:

- on the land; or
- in accordance with a permit issued under Clause 52.06-3; or
- in accordance with a financial contribution requirement specified in a schedule to the Parking Overlay.

52.06-3: Permit requirement

A permit is required to:

- Reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay.
- Provide some or all of the car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay on another site.
- Provide more than the maximum parking provision specified in a schedule to the Parking Overlay.

A permit is not required to reduce the number of car parking spaces required for a new use of land if the following requirements are met:

- The number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay for the new use is less than or equal to the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay for the existing use of the land.
- The number of car parking spaces currently provided in connection with the existing use is not reduced after the new use commences.

A permit is not required to reduce the required number of car parking spaces for a new use of an existing building if the following requirements are met:

- The building is in the Commercial 1 Zone, Commercial 2 Zone, Commercial 3 Zone or Activity Centre Zone.

- The gross floor area of the building is not increased.
- The reduction does not exceed 10 car parking spaces.
- The building is not in a Parking Overlay with a schedule that allows a financial contribution to be paid in lieu of the provision of the required car parking spaces for the use.

52.06-5: Number of car parking spaces required under Table 1

Table 1 of this clause sets out the car parking requirement that applies to a use listed in the Table.

A car parking requirement in Table 1 may be calculated as either:

- a number of car parking spaces; or
- a percentage of the total site area that must be set aside for car parking.

A car parking requirement in Table 1 is calculated by multiplying the figure in Column A by the measure (for example square metres, number of patrons or number of bedrooms) in Column C.

If in calculating the number of car parking spaces the result is not a whole number, the required number of car parking spaces is to be rounded down to the nearest whole number.

Where the car parking requirement specified in Table 1 is calculated as a percentage of the total site area, the area to be provided for car parking includes an accessway that directly abuts any car parking spaces, but does not include any accessway or portion of an accessway that does not directly abut any car parking spaces.

The car parking requirement specified in Table 1 includes disabled car parking spaces. The proportion of spaces to be allocated as disabled spaces must be in accordance with Australian Standard AS2890.6-2009 (disabled) and the Building Code of Australia.

52.06-7: Application requirements and decision guidelines for permit applications

For applications to reduce the car parking requirement

An application to reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay must be accompanied by a Car Parking Demand Assessment.

The Car Parking Demand Assessment must assess the car parking demand likely to be generated by the proposed:

- new use; or
- increase in the floor areas or site area of the existing use; or
- increase to the existing use by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.

The Car Parking Demand Assessment must address the following matters, to the satisfaction of the responsible authority:

- The likelihood of multi-purpose trips within the locality which are likely to be combined with a trip to the land in connection with the proposed use.
- The variation of car parking demand likely to be generated by the proposed use over time.
- The short-stay and long-stay car parking demand likely to be generated by the proposed use.
- The availability of public transport in the locality of the land.
- The convenience of pedestrian and cyclist access to the land.

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- The provision of bicycle parking and end of trip facilities for cyclists in the locality of the land.
- The anticipated car ownership rates of likely or proposed visitors to or occupants (residents or employees) of the land.
- Any empirical assessment or case study.

Before granting a permit to reduce the number of spaces, the responsible authority must consider the following, as appropriate:

- The Car Parking Demand Assessment.
- Any relevant local planning policy or incorporated plan.
- The availability of alternative car parking in the locality of the land, including:
 - Efficiencies gained from the consolidation of shared car parking spaces.
 - Public car parks intended to serve the land.
 - On street parking in non residential zones.
 - Streets in residential zones specifically managed for non-residential parking.
- On street parking in residential zones in the locality of the land that is intended to be for residential use.
- Any car parking deficiency associated with the existing use of the land.
- Local traffic management in the locality of the land.
- The impact of fewer car parking spaces on local amenity, including pedestrian amenity and the amenity of nearby residential areas.
- The need to create safe, functional and attractive parking areas.
- Access to or provision of alternative transport modes to and from the land.
- The character of the surrounding area and whether reducing the car parking provision would result in a quality/positive urban design outcome.
- Any other relevant consideration.

52.06-8: Requirement for a car parking plan

Plans must be prepared to the satisfaction of the responsible authority before any of the following occurs:

- a new use commences; or
- the floor area or site area of an existing use is increased; or
- an existing use is increased by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.

The plans must show, as appropriate:

- All car parking spaces that are proposed to be provided (whether on the land or on other land).
- Access lanes, driveways and associated works.
- Allocation of car parking spaces to different uses or tenancies, if applicable.
- Any landscaping and water sensitive urban design treatments.
- Finished levels, if required by the responsible authority.

Plans must be provided to the responsible authority under Clause 52.06-8 wherever Clause 52.06 applies, whether or not a permit application is being made under Clause 52.06-3 or any other provision of the planning scheme.

Where an application is being made for a permit under Clause 52.06-3 or another provision of the planning scheme, the information required under Clause 52.06-8 may be included in other plans submitted with the application.

52.06-9: Design standards for car parking

Plans prepared in accordance with Clause 52.06-8 must meet the design standards of Clause 52.06-9, unless the responsible authority agrees otherwise.

Design standards 1, 3, 6 and 7 do not apply to an application to construct one dwelling on a lot.

52.06-10: Decision guidelines

Before deciding that a plan prepared under Clause 52.06-8 is satisfactory the responsible authority must consider, as appropriate:

- The role and function of nearby roads and the ease and safety with which vehicles gain access to the site.
- The ease and safety with which vehicles access and circulate within the parking area.
- The provision for pedestrian movement within and around the parking area.
- The provision of parking facilities for cyclists and disabled people.
- The protection and enhancement of the streetscape.
- The provisions of landscaping for screening and shade.
- The measures proposed to enhance the security of people using the parking area particularly at night.
- The amenity of the locality and any increased noise or disturbance to dwellings and the amenity of pedestrians.
- The workability and allocation of spaces of any mechanical parking arrangement.
- The design and construction standards proposed for paving, drainage, line marking, signage, lighting and other relevant matters.
- The type and size of vehicle likely to use the parking area.
- Whether the layout of car parking spaces and access lanes is consistent with the specific standards or an appropriate variation.
- The need for the required car parking spaces to adjoin the premises used by the occupier/s, if the land is used by more than one occupier.
- Whether the layout of car spaces and accessways are consistent with Australian Standards AS2890.1-2004 (off street) and AS2890.6-2009 (disabled).
- The relevant standards of Clauses 56.06-2, 56.06-4, 56.06-5, 56.06-7 and 56.06-8 for residential developments with accessways longer than 60 metres or serving 16 or more dwellings.
- Any other matter specified in a schedule to the Parking Overlay.

52.06-11: Construction of car parking

Where a plan is required under Clause 52.06-8, the car parking spaces, access lanes, driveways and associated works and landscaping shown on the plan must be:

- constructed and available for use in accordance with the plan approved by the responsible authority; and
- formed to such levels and drained so that they can be used in accordance with the plan; and
- treated with an all-weather seal or some other durable surface; and
- line-marked or provided with some other adequate means of showing the car parking spaces,

before any of the following occurs:

- the new use commences; or

- the floor area or site area of the existing use is increased; or
- the existing use is increased by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.

Clause 55 – Two or more dwellings on a lot and Residential Buildings

This application has been considered as a residential building and accommodation. The standards set out in Clause 55 provide for a suitable assessment of livability for the development and its general overall use. The sections of Clause 55 are summarised below, with a full assessment provided later in this report.

Relevant Clauses are:

55.01-1: Neighbourhood and site description

55.01-2: Design response

55.02-1: Neighbourhood character objectives

- To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character.
- To ensure that development responds to the features of the site and the surrounding area.

55.02-2: Residential policy objectives

- To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.
- To support medium densities in areas where development can take advantage of public transport and community infrastructure and services.

55.02-3: Dwelling diversity objective

- To encourage a range of dwelling sizes and types in developments of ten or more dwellings.

55.02-4: Infrastructure objectives

- To ensure development is provided with appropriate utility services and infrastructure.
- To ensure development does not unreasonably overload the capacity of utility services and infrastructure.

55.02-5: Integration with the street objective

- To integrate the layout of development with the street.

55.03-1: Street setback objective

- To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.

55.03-2: Building height objective

- To ensure that the height of buildings respects the existing or preferred neighbourhood character.

55.03-3: Site coverage objective

- To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.

55.03-4: Permeability and stormwater management objectives

- To reduce the impact of increased stormwater run-off on the drainage system.

- To facilitate on-site stormwater infiltration.
- To encourage stormwater management that maximises the retention and reuse of stormwater.

55.03-5: Energy efficiency objectives

- To achieve and protect energy efficient dwellings, residential buildings and small second dwellings.
- To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.

55.03-6: Open space objective

- To integrate the layout of development with any public and communal open space provided in or adjacent to the development.

55.03-7: Safety objective

- To ensure the layout of development provides for the safety and security of residents and property.

55.03-8: Landscaping objectives

- To encourage development that respects the landscape character of the neighbourhood.
- To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance.
- To provide appropriate landscaping.
- To encourage the retention of mature vegetation on the site.

55.03-9: Access objective

- To ensure the number and design of vehicle crossovers respects the neighbourhood character.

55.03-10: Parking location objectives

- To provide convenient parking for resident and visitor vehicles.
- To protect residents from vehicular noise within developments.

55.04-1: Side and rear setbacks objective

- To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings or small second dwellings.

55.04-2: Walls on boundaries objective

- To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings or small second dwellings.

55.04-3: Daylight to existing windows objective

- To allow adequate daylight into existing habitable room windows.

55.04-4: North-facing windows objective

- To allow adequate solar access to existing north-facing habitable room windows.

55.04-5: Overshadowing open space objective

- To ensure buildings do not significantly overshadow existing secluded private open space.

55.04-6: *Overlooking objective*

- To limit views into existing secluded private open space and habitable room windows.

55.04-7: *Internal views objective*

- To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.

55.04-8: *Noise impacts objectives*

- To contain noise sources in developments that may affect existing dwellings or small second dwellings.
- To protect residents from external noise.

55.05-1: *Accessibility objective*

- To encourage the consideration of the needs of people with limited mobility in the design of developments.

55.05-2: *Dwelling entry objective*

- To provide each dwelling or residential building with its own sense of identity.

55.05-3: *Daylight to new windows objective*

- To allow adequate daylight into new habitable room windows.

55.05-4: *Private open space objective*

- To provide adequate private open space for the reasonable recreation and service needs of residents.

55.05-5: *Solar access to open space objective*

- To allow solar access into the secluded private open space of new dwellings and residential buildings.

55.05-6: *Storage objective*

- To provide adequate storage facilities for each dwelling.

55.06-1: *Design detail objective*

- To encourage design detail that respects the existing or preferred neighbourhood character.

55.06-2: *Front fences objective*

- To encourage front fence design that respects the existing or preferred neighbourhood character.

55.06-3: *Common property objectives*

- To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.
- To avoid future management difficulties in areas of common ownership.

55.06-4: *Site services objectives*

- To ensure that site services can be installed and easily maintained.
- To ensure that site facilities are accessible, adequate and attractive.

Assessment

65.01: APPROVAL OF AN APPLICATION OR PLAN

Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:

- The matters set out in section 60 of the Act.

Planning response:

The application is deemed to have met the matters set out in Section 60 of the Planning and Environment Act 1987.

- Any significant effects the environment, including the contamination of land, may have on the use or development.

Planning response:

The site is currently unoccupied, containing only a shed and remnant vegetation. Therefore, there are no known land contaminants that may impact the use or development of the land.

- The Municipal Planning Strategy and the Planning Policy Framework.

Planning response:

The proposed development meets the requirements set out in the strategic directions and objectives for settlement, housing and economic development within the Municipal Planning Strategy and Planning Policy Framework. The development is also compliments the provisions for natural resource management. Therefore, the proposal is considered to be consistent with both the Municipal Planning Strategy and the Planning Policy Framework.

- The purpose of the zone, overlay or other provision.

Planning response:

The applicant has an agreement with the existing landholder, West Wimmera Health Service, regarding the use and development of the land.

- Any matter required to be considered in the zone, overlay or other provision.

Planning response:

As the provisions of the Municipal Planning Strategy and Planning Policy Framework have already been discussed above, the remaining considerations for the development relate to Clause 55 for the construction of a residential building on the lot. Clause 55 is therefore assessed in the following table.

55.02 NEIGHBOURHOOD CHARACTER AND INFRASTRUCTURE		
55.02-1 Neighbourhood Character objective	Standard B1	Comments
<p><i>To ensure that the design respects the existing neighbourhood character or contributes to neighbourhood character.</i></p> <p><i>To ensure that development responds to the features of the site and the surrounding area</i></p>	<p><i>The design response must be appropriate to the neighbourhood and the site.</i></p>	<p>The site is a 1.21 ha lot located on the outskirts of the Minyip township. The lot adjoins the West Wimmera Health Service on the western boundary and a vacant lot to the eastern boundary which is within Township Zone (TZ). To the south and west of the lot are residential lots which contain weatherboard dwellings. The site is relatively flat, largely undeveloped, containing remnant vegetation, a shed and plant equipment and has vehicular access to Stawell-Warracknabeal Road (principal road network).</p>
	<p><i>The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site</i></p>	<p>The proposal is for the development of a single story, single bedroom/bathroom modular units.</p>

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55.02-2 Residential Policy	Standard B3	Comments
<p><i>To ensure that residential development is provided in accordance with any policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.</i></p> <p><i>To support medium densities in areas where development can take advantage of public transport and community infrastructure and services</i></p>	<p><i>An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.</i></p>	<p>The proposed development is consistent with the provisions for settlement, housing and economic development within the Municipal Planning Strategy and Planning Policy Framework.</p>
55.02-3 Dwelling Diversity	Standard B3	Comments
<p><i>To encourage a range of dwelling sizes and types in developments of ten or more dwellings</i></p>	<p><i>Developments of ten or more dwellings should provide a range of dwelling sizes and types, including:</i></p> <ul style="list-style-type: none"> <i>• Dwellings with a different number of bedrooms.</i> <i>• At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level.</i> 	<p>The development is for the construction of 62 single storey, single bedroom/bathroom modular units.</p> <p>The development also includes a shared shower, bathroom and dining facilities.</p>

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55.02-4 Infrastructure	Standard B4	Comments
<p><i>To ensure development is provided with appropriate utility services and infrastructure.</i></p> <p><i>To ensure development does not unreasonably overload the capacity of utility services and infrastructure.</i></p>	<p><i>Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available.</i></p>	<p>The applicant will be connected to reticulated sewerage, drainage, electricity.</p>
	<p><i>Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.</i></p>	<p>The applicant has engaged with both relevant service authorities, GMMWater and Powercor, regarding connecting services. They will continue to engage regarding any site specific requirements</p>
	<p><i>In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.</i></p>	<p>As addressed above.</p>

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55.02-4 Integration With The Street	Standard B5	Comments
<p><i>To integrate the layout of development with the street</i></p>	<p><i>Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.</i></p>	<p>The site will have vehicle access. There is no pedestrian access available. While there is no constructed footpath across the front of the property, the existing footpath network extends to the health centre adjoining the site. Internal of the site, the buildings are connected by suitable walking paths.</p>
	<p><i>Development should be oriented to front existing and proposed streets</i></p>	<p>The development complies with this provision.</p>
	<p><i>High fencing in front of dwellings should be avoided if practicable</i></p>	<p>No high front fencing is proposed.</p>
	<p><i>Development next to existing public open space should be laid out to complement the open space.</i></p>	<p>n/a</p>

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55.03 SITE LAYOUT AND BUILDING MASSING		
55.03-1 Street Setback	Standard B6	Comments
<i>To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site</i>	<i>Walls of buildings should be set back from streets the distance specified in the Standard.</i>	The setback for all proposed building will be 19 metres from all site boundaries. The proposed development complies with the remaining provisions.
	<i>Porches, pergolas and verandahs that are less than 3.6m high and eaves may encroach not more than 2.5m into the setbacks of this standard</i>	Not applicable
55.03-2 Building Height	Standard B7	Comments
<i>To ensure that the height of buildings respects the existing or preferred neighbourhood character</i>	<i>The maximum building height should not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10 metres.</i>	No building will exceed 9 meters in height.
55.03-3 Site Coverage	Standard B8	Comments
<i>To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site</i>	<i>The site area covered by buildings should not exceed 60 per cent</i>	The development will achieve only approximately 10 percent site coverage.

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55.03-4 Permeability	Standard B9	Comments
<p><i>To reduce the impact of increased stormwater run-off on the drainage system.</i></p>	<p><i>The site area covered by the pervious surfaces should be at least 20% of the site</i></p>	<p>n/a</p>
<p><i>To facilitate on-site stormwater infiltration</i></p>	<p><i>The stormwater management system should be designed to:</i></p> <ul style="list-style-type: none"> <i>• Meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999).</i> <i>• Contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.</i> 	<p>The site and road will be contoured to direct stormwater into the appointed legal point of discharge.</p>

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55.03-5 Energy Efficiency	Standard B10	Comments
<p><i>To achieve and protect energy efficient dwellings and residential buildings</i></p> <p><i>To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy</i></p>	<p><i>Buildings should be:</i></p> <ul style="list-style-type: none"> • <i>Orientated to make appropriate use of solar energy</i> • <i>Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced</i> 	<p>The buildings will predominantly face north and limited elevations facing east and west. The siting of the project takes into consideration the existing dwellings.</p>
	<p><i>Living areas and private open space should be located on the north side of the development if practicable</i></p>	<p>n/a</p>
	<p><i>Developments should be designed so that solar access to north-facing windows is maximised</i></p>	<p>Addressed above</p>

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55.03-6 Open Space	Standard B11	Comments
<p><i>To integrate the layout of the development with any public and communal open space provided in or adjacent to the development</i></p>	<p><i>If any public or communal open space is provided on site, it should:</i></p> <ul style="list-style-type: none"> • <i>Be substantially fronted by dwellings, where appropriate</i> • <i>Provide outlook for as many dwellings as practicable</i> • <i>Be designed to protect any natural features on the site</i> • <i>Be accessible and useable</i> 	<p>The proposed development incorporates outdoor areas, including gazebos, between accommodation blocks. They have been designed to preserve existing trees.</p>

55.03-7 Safety	Standard B12	Comments
<p><i>To ensure the layout of development provides for the safety and security of residents and property</i></p>	<p><i>Entrances to dwellings should not be obscured or isolated from the street and internal accessways</i></p>	<p>Each accommodation building has direct connection to the central path. The proposal complies with this provision.</p>
	<p><i>Planting which creates unsafe spaces along streets and accessways should be avoided</i></p>	<p>The proposal complies with this provision.</p>
	<p><i>Developments should be designed to provided good lighting, visibility and surveillance of car parks and internal accessways</i></p>	<p>The proposal complies with this provision.</p>
	<p><i>Private spaces within developments should be protected from inappropriate use as public thoroughfares</i></p>	<p>n/a</p>

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55.03-8 Landscaping	Standard B13	Comments
<p><i>To encourage development that respects the landscape character of the neighbourhood</i></p> <p><i>To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance</i></p> <p><i>To provide appropriate landscaping</i></p> <p><i>To encourage the retention of mature vegetation on the site</i></p>	<p><i>The landscape layout and design should:</i></p> <ul style="list-style-type: none"> • <i>Protect any predominant landscape features of the neighbourhood</i> • <i>Take into account the soil type and drainage patterns of the site</i> • <i>Allow for intended vegetation growth and structural protection of buildings</i> • <i>In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals</i> • <i>Provide a safe, attractive and functional environment for residents</i> 	<p>The proposed development will retain most of the existing vegetation on site. Open areas will be designed to accommodate the existing vegetation/trees.</p>
	<p><i>Development should provide for the retention or planting of trees, where these are part of the character of the neighbourhood</i></p>	<p>Addressed above</p>
	<p><i>Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made</i></p>	<p>n/a</p>
	<p><i>The landscape design should specify landscape themes, vegetation (location and species), paving and lighting</i></p>	<p>n/a</p>

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55.03-9 Access	Standard B14	Comments
<p><i>To ensure the number and design of vehicle crossovers respects the neighbourhood character</i></p>	<p><i>The width of accessways or car spaces should not exceed:</i></p> <ul style="list-style-type: none"> • <i>33% of the street frontage, or</i> • <i>if the width of the street frontage is less than 20m, 40% of the street frontage</i> 	<p>The development proposed one entry point and one exit point. The width of vehicle access from street is approximately 11 percent of total width of street frontage.</p>
	<p><i>No more than one single-width crossover should be provided for each dwelling fronting a street</i></p>	<p>n/a</p>
	<p><i>The location of crossovers should maximize the retention of on-street car parking spaces</i></p>	<p>n/a</p>
	<p><i>The number of access point to a road in a Road Zone should be minimised</i></p>	<p>n/a</p>
	<p><i>Developments must provide access for service, emergency and delivery vehicles</i></p>	<p>The proposal complies with this provision.</p>

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55.03-10 Parking Location	Standard B15	Comments
<p><i>To provide convenient parking for resident and visitor vehicles</i></p> <p><i>To protect residents from vehicular noise within developments</i></p>	<p><i>Car parking facilities should:</i></p> <ul style="list-style-type: none"><i>• Be reasonably close and convenient to dwellings and residential buildings</i><i>• Be secure</i><i>• Be well ventilated if enclosed</i>	<p>45 parking bays will be provided, surrounding the built area with a 4.2 meter setback from dwellings.</p>
	<p><i>Shared accessways or car parks of other dwellings and residential buildings should be located at least 1.5m from the windows of habitable rooms. This setback may be reduced to 1m where there is a fence at least 1.5m high or where window sills are at least 1.4m above the accessway</i></p>	

55.04 AMENITY IMPACTS		
55.04-1 Side And Rear Setback	Standard B17	Comments
<p><i>To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings</i></p>	<p><i>A new building not on or within 200mm of a boundary should be set back from side or rear boundaries 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.</i></p>	<p>All buildings within the development will be setback 19 metres from all boundaries and, therefore, has satisfied the side and rear setback provisions.</p>
	<p><i>A new building not on or within 200mm of a boundary should be setback from side or rear boundaries 1m, plus 0.3m for every metre of height over 3.6m up to 6.9m, plus 1m for every metre of height over 6.9m</i></p>	<p>n/a</p>
	<p><i>Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5m into the setbacks of this standard</i></p>	<p>n/a</p>
	<p><i>Landings having an area of not more than 2sqm and less than 1m high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard</i></p>	<p>n/a</p>

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55.04-2 Wall On Boundaries	Standard B18	Comments
<p><i>To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings</i></p>	<p><i>A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of a lot should not abut the boundary for a length of more than:</i></p> <ul style="list-style-type: none"> <i>• 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or</i> <i>• Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports,</i> <p><i>whichever is the greater.</i></p>	<p>n/a</p>
	<p><i>A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1m of a side or rear boundary of a lot should not abut the boundary for a length of more than:</i></p> <ul style="list-style-type: none"> <i>• 10m plus 25% of the remaining length of the boundary of an adjoining lot, or</i> <i>• Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or</i> 	<p>n/a</p>

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	<p><i>simultaneously constructed walls or carports, whichever is the greater.</i></p>	
	<p><i>A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.</i></p>	n/a
	<p><i>The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.</i></p>	n/a

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55.04-3 Daylight To Existing Windows	Standard B19	Comments
<i>To allow adequate daylight into existing habitable room windows</i>	<i>Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3sqm and minimum dimensions of 1m clear to the sky. The calculation of the area may include land on the abutting lot</i>	n/a
	<i>Walls or carports more than 3m in height opposite an existing habitable room window should be set back from the window at least 50% of the height of the new wall if the wall is within a 55° arc from the centre of the existing window. The arc may be swung to within 35° of the plane of the wall containing the existing window</i> <i>Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window</i>	n/a

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55.04-4 North Facing Windows	Standard B20	Comments
<p><i>To allow adequate solar access to existing north-facing habitable room windows</i></p>	<p><i>If a north-facing habitable window of an existing dwelling is within 3m of a boundary on an abutting lot, a building should be setback from the boundary 1m, plus 0.6m for every metre of height over 3.6m up to 6.9m, plus 1m for every metre of height over 6.9m, for a distance of 3m from the edge of each side of the window.</i></p> <p><i>A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.</i></p> <p><i>Refer to Diagram B3</i></p>	<p>n/a</p>

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55.04-5 Overshadow Open Space	Standard B21	Comments
<i>To ensure buildings do not significantly overshadow existing secluded private open space</i>	<i>Where sunlight to secluded private open space of an existing dwelling is reduced, at least 75%, or 40sqm with minimum dimension of 3m, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9am and 3pm on 22 September</i>	n/a
	<i>If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced</i>	n/a

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55.04-6 Overlooking	Standard B22	Comments
<p><i>To limit views into existing secluded private open space and habitable room windows</i></p>	<p><i>A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9m (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45° angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7m above the floor level</i></p>	<p>n/a</p>
	<p><i>A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of an existing dwelling within a horizontal distance of 9m (measured at ground level) of the window, balcony, terrace, deck or patio should be either:</i></p> <ul style="list-style-type: none"> <i>• offset a minimum of 1.5m from the edge of one window to the edge of the other</i> <i>• have sill heights of at least 1.7m above floor level</i> <i>• have fixed, obscure glazing in any part of the window below 1.7m above floor level</i> <i>• have permanently fixed external screens to at least 1.7m above floor level and be</i> 	<p>n/a</p>

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	<i>no more than 25% transparent</i>	
	<i>Obscure glazing in any part of the window below 1.7m above floor level may be openable provided that there are no direct views as specified in this standard</i>	
	<p><i>Screens used to obscure a view should be:</i></p> <ul style="list-style-type: none"> • <i>perforated panels or trellis with a maximum of 25% openings or solid translucent panels</i> • <i>permanent, fixed and durable</i> • <i>designed and coloured to blend with the development</i> 	n/a

55.04-7 Internal Views	Standard B23	Comments
<i>To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development</i>	<i>Windows and balconies should be designed to prevent overlooking of more than 50% of the secluded private open space of a lower-level dwelling or residential building directly below and within the same development</i>	n/a

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55.04-8 Noise Impacts Objective	Standard B24	Comments
<p><i>To contain noise sources in developments that may affect existing dwellings</i></p> <p><i>To protect residents from external noise</i></p>	<p><i>Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings</i></p>	<p>The proposed development will include 4 outdoor condenser units per modular unit (15) as well as additional ones for the accessible units, dining hall and office space (total 78). A HVAC system will also service the shared bathroom facilities. In accordance with the noise impact assessment, acoustic screening will be installed around the HVAC serving the changing rooms, cool room condensers, and kitchen exhaust fans.</p>
	<p><i>Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties</i></p>	<p>The site is situated approximately 120 metres west of a grain cleaning and handling facility and therefore the nearest unit is likely to be built 140 metres from the facility.</p>
	<p><i>Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms</i></p>	<p>The nearest unit will be located behind the dining hall and shower/changeroom facility.</p>

55.05 ON-SITE AMENITY AND FACILITIES		
55.05-1 Accessibility	Standard B25	Comments
<i>To encourage the consideration of the needs of people with limited mobility in the design of developments</i>	<i>The dwelling entries of the ground floor of dwellings and residential buildings should be accessible or able to be easily made accessible to people with limited mobility.</i>	Two all-access rooms will be provided on site with accessible walkways through the site. The communal facilities such as the shower/changeroom, dining hall, and administration building will also be all-accessible.
55.05-2 Dwelling Entry	Standard B26	Comments
<i>To provide each dwelling or residential building with its own sense of identity</i>	<p><i>Entries to dwellings and residential buildings should:</i></p> <ul style="list-style-type: none"> <i>• be visible and easily identifiable from streets and other public areas</i> <i>• provide shelter, a sense of personal address and a transitional space around the entry</i> 	The development complies with this provision.

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55.05-3 Daylight To New Windows	Standard B27	Comments
<p><i>To allow adequate daylight into new habitable room windows</i></p>	<p><i>A window in a habitable room should be located to face:</i></p> <ul style="list-style-type: none"><i>• an outdoor space or a light court with a minimum area of 3sqm and minimum dimension of 1m clear to the sky, not including land on an abutting lot, or</i><i>• a verandah provided it is open for at least one third its perimeter, or</i><i>• a carport provided it has two or more open sides and is open for at least one third of its perimeter</i>	<p>The development complies with this provision.</p>

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55.05-4 Private Open Space	Standard B28	Comments
<p><i>To provide adequate private open space for the reasonable recreation and service needs of residents</i></p>	<p><i>A dwelling or residential building should have private open space:</i></p> <ul style="list-style-type: none"> <i>• an area of 40sqm, with one part secluded at the side or rear with a min area of 25sqm, a min dimension of 3m and convenient access from a living room, or</i> <i>• a balcony of 8sqm with a min width of 1.6m and convenient access from a living room, or</i> <i>• a roof-top area of 10sqm with a min width of 2m and convenient access from a living room</i> 	<p>n/a</p>
55.05-5 Solar Access To Open Space	Standard B29	Comments
<p><i>To allow solar access into the secluded private open space of new dwellings and residential buildings</i></p>	<p><i>The private open space should be located on the north side of the dwelling or residential buildings</i></p>	<p>n/a</p>
	<p><i>The southern boundary of secluded private open space should be set back from any wall on the north of the space at least $(2 + 0.9h)$ metres, where 'h' is the height of the wall.</i></p>	<p>n/a</p>

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55.05-6 Storage	Standard B30	Comments
<p><i>To provide adequate storage facilities for each dwelling</i></p>	<p><i>Each dwelling should have convenient access to at least 6m³ of externally accessible, secure storage space</i></p>	<p>Limited sStorage space will be in each unit for residents, in addition to lockers in the communal areas. The accomodation is not proposed to be for long term residential use.</p>

55.06 DETAILED DESIGN		
55.06-1 Design Detail	Standard B31	Comments
<p><i>To encourage design detail that respects the existing or preferred neighbourhood character</i></p>	<p><i>The design of buildings, including:</i></p> <ul style="list-style-type: none"> <i>• Facade articulation and detailing,</i> <i>• Window and door proportions,</i> <i>• Roof form, and</i> <i>• Verandahs, eaves and parapets,</i> <p><i>should respect the existing or preferred neighbourhood character.</i></p>	<p>The proposed residential buildings will have a white/cream Colorbond façade and grey skillion roof. Each room will be provided with two 750-910mm window. A verandah will be provided for each unit which connect each of the units to a pathway to the amenities buildings and car parking.</p>
	<p><i>Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character</i></p>	<p>No garage or carports are proposed.</p>

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55.06-2 Front Fences	Standard B32	Comments
<p><i>To encourage front fence design that respects the existing or preferred neighbourhood character</i></p>	<p><i>A front fence within 3m of a street should not exceed:</i></p> <ul style="list-style-type: none"> • <i>Streets in a Road Zone – 2m</i> • <i>Other Streets – 1.5m</i> 	<p>No front fence is proposed.</p>
55.06-3 Common Property	Standard B33	Comments
<p><i>To ensure that communal open space, car parking, access lanes and site facilities are practical, attractive and easily maintained</i></p> <p><i>To avoid future management difficulties in areas of common ownership</i></p>	<p><i>Developments should clearly delineate public, communal and private areas</i></p> <hr/> <p><i>Common property, should be functional and capable of efficient management</i></p>	<p>The proposed development clearly delineates communal areas for residential use including the amenities buildings (dining hall and shower facilities) as well as outdoor spaces.</p> <hr/> <p>The management of the facility will be undertaken by the applicant and/or agent of the applicant.</p>

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55.06-4 Site Service	Standard B34	Comments
<p><i>To ensure that site services can be installed and easily maintained</i></p> <p><i>To ensure that site facilities are accessible, adequate and attractive</i></p>	<p><i>The design and layout of dwellings and residential buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically</i></p>	<p>Sufficient space has been provided by the proposed residential buildings to accommodate the provision of site services.</p>
	<p><i>Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development</i></p>	<p>n/a</p>
	<p><i>Bin and recycling enclosures should be located for convenient access</i></p>	<p>Bins will be provided to every room as well as to all central facilities.</p>
	<p><i>Mailboxes should be provided and located for convenient access</i></p>	<p>n/a</p>

- The orderly planning of the area.

Planning response:

The proposed development will have a operational life of 20-30 years depending on the amount of minerals within the applicant's project site. Given the limited life of the project, the location of the subject site and the housing shortage within the area, it is considered that the development will not adversely impact on the planning of the area.

- The effect on the environment, human health and amenity of the area.

Planning response:

The proposed development has been assessed under the provisions of Clause 55 as discussed above.

It is expected that the development will generate noise from vehicles accessing the site and mechanical services. As specified in *Attachment D: AECOM, Noise Impact Assessment Accommodation Village, Minyip*, it is estimated that approximately 10 personal vehicles will access the site per hour between the hours of 6am-6pm, two trucks up to two times a week for food delivery and waste removal, and a 15 seater bus entering/exiting the site upto six times in the morning and evening to transport workers to the site. Noise measurements were conducted from Tuesday 28 March to Wednesday 29 March 2023 at the subject site (see the attachments below) to establish the existing background noise and potential noises from the proposed facility.

3.3 Noise Measurement Locations

Figure 3 below shows an aerial map of the locations of the noise measurements conducted on site, described as follows:

- Noise Measurement Location M1: 40m from the subject site
- Noise Measurement Location M2: 170m from the subject site



Figure 3 Noise Measurement Locations

Table 4 Measured Noise Levels

Location	Noise Level	Description of events
M1	Day Period: 35 L _{A90} , dB Evening Period: 40 L _{A90} , dB Night Period: 25 L _{A90} , dB	General background noise. Noise from industrial area was slightly audible during evening period.
M2	Day Period: 31 L _{A90} , dB Evening Period: 39 L _{A90} , dB Night Period: 24 L _{A90} , dB	General background noise. Noise from industrial area was slightly audible during evening period.

4.3 Reference Noise Level Data

The following noise data from AECOM's database of sound level data has been used in the assessment.

Table 5 Reference Noise Source Sound Power Levels

Noise Source	Description	Maximum Sound Power Level, L _{Aeq} , dB
Kitchen Exhaust Fan	2 Serving Kitchen	93
Outdoor Condensers	1 per bedroom (60 in total)	68
Cool Room Condenser	2 Condensers Serving Cool Rooms	75
HVAC	Serving Change Rooms	90
Truck – Food Delivery	2 per week	105
Truck – Waste/Laundry Delivery	2 per week	100
Truck – Other	2 per week	100
Bus (15-seater)	6 movements between 6am -7.30am, and 5pm and 6pm	105
Cars	10 movements every hour between 6am and 6pm	86

5.0 Recommendations

5.1 Design Considerations

As discussed in Section 4.2, without noise mitigation the proposed operation complies only with the day and evening time criteria. To satisfy the requirements of the Noise Protocol, the following mitigation measures have been adopted by the client following AECOM's recommendation:

- Install an acoustic screen around the following;
 - HVAC serving the changing rooms,
 - Cool room condensers, and
 - Kitchen exhaust fans
- Screens to be constructed from a non-perforated material with a minimum 8kg/m² mass.
- Screens to be constructed a minimum 500mm higher than the top of HVAC serving the change rooms and cool room condensers. Minimum 800mm higher than the top of kitchen exhaust fans.
- Screens to be constructed in the locations shown below

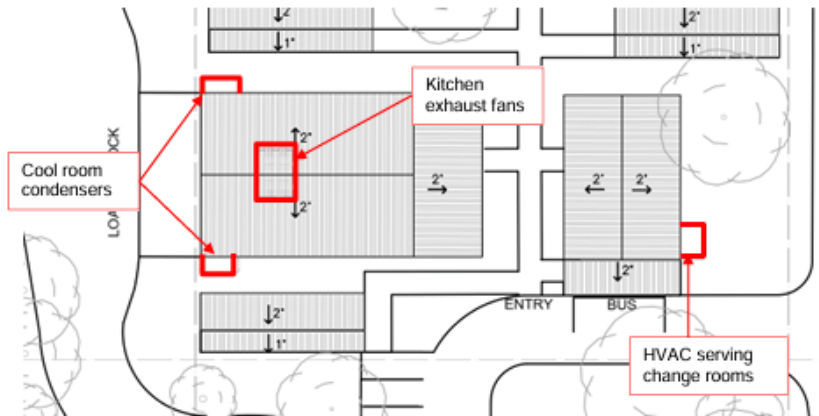


Figure 4 Acoustic Screening Locations

Note, a combination of quieter equipment and acoustic screening may be used.

5.3 Updated Noise Modelling (With Mitigation)

Following the implementation of the recommended mitigation measures in Section 5.1, the predicted noise levels from the operation of the Accommodation Village are shown in Table 7.

Table 7 Summary of Modelled Noise Levels (With Mitigation)

Noise Sensitive Receptor	Period	Noise limits L _{Aeq,30min} dB	Calculated noise level L _{Aeq,30min} dB	Complies?
R1 – Northwest	Day	48	37	✓
	Evening	45	37	✓
	Night	38	35	✓
R2 - Southwest	Day	48	39	✓
	Evening	45	39	✓
	Night	38	37	✓
R3 - South	Day	48	37	✓
	Evening	45	37	✓
	Night	38	35	✓

Based on the initial noise modelling, it was found that the proposal would not meet the requirements of the Noise Protocols set by the EPA for the night period in the north west and south west. Therefore, it is recommended that acoustic screening be installed around HVAC for the changerooms, cool room condensers and kitchen exhaust fans as specified in the *Noise Impact Assessment: 5.1 Design Considerations*.

- The proximity of the land to any public land.

Planning response:

The development adjoins Crown land to the north and east.

- Factors likely to cause or contribute to land degradation, salinity or reduce water quality.

Planning response:

The proposed development is unlikely to cause or contribute to land degradation, salinity or reduce water quality.

- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.

Planning response:

The proposal specifies that stormwater will be directed to an open drain encircling the perimeter of the site. However, it will improve the quality of stormwater within or exiting the site.

- The extent and character of native vegetation and the likelihood of its destruction.

Planning response:

The applicant proposes to remove and potentially relocate a tree on the southern boundary to

accommodate a vehicle crossover on Stawell-Warracknabeal Road. It is recommended that the tree be retained elsewhere on site.

- Whether native vegetation is to be or can be protected, planted or allowed to regenerate.

Planning response:

The proposed development has been designed to accommodate existing trees and vegetation on site.

- The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.

Planning response:

The proposed accommodation has been designed in accordance with recommendations from *Attachment F: Bushfire Planning & Design, Bushfire Attack Level Assessment*. This includes a minimum setback of 19 metres of all buildings from the site boundaries to mitigate bushfire risk from the surrounding grassland area to achieve a BAL12.5 rating.

- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.

Planning response:

The proposed accommodation village includes a vehicle crossover and loading/unloading facilities to accommodate truck deliveries and buses transporting workers to and from the subject site. As specified in *Attachment E - ESR Transport Planning, Traffic Impact Assessment Report*, the site will accommodate up to 62 workers with an expected occupancy rate of 80 percent during the construction phase of the mining site and 60 percent during its ongoing operation. Therefore, it is expected that up to 50 workers will be accessing the site during construction and up to 40 workers during the mine's operation. It is expected that a majority of the workers (98 percent) will be accessing the accommodation via car. In accordance with Clause 52.06, it is considered that the proposed car parking supply of 47 car parking spaces, with the provision of landscaped areas onsite to accommodate potential overflow, is sufficient to accommodate workers accessing the site. Therefore, it is considered that the development will not significantly impact the parking amenity of the area.

According to data from the *Department of Transport and Planning*, Church Street (arterial highway) accommodates an Annual Average Daily Traffic (AADT) of 560 vehicles. Nearby roads Main Street and Stawell-Warracknabeal Road accommodate 400 and 440 vehicles respectively. The northbound entrance speed limit approaching Minyip from Stawell-Warracknabeal Road is 60 km/h and changes to 80 km/h on the southern boundary of the site (see the attachment below). Given the low existing traffic volumes, speed limits, and estimated increase of 100 vehicles per day, it is considered that the road has capacity to accommodate additional traffic without significantly impacting traffic flow and road safety.

This application was referred to the Department of Transport and Planning as a determinin authority under the provisions of the Planning and Environment Act. The Department has responded to the referral with no objection providing a number of considitions are placed on the permit. The conditions relate to access into and out of the site. The Department specficially requires a single driveway to the site, therefore the entry and exit to the site must be combined, revised plans will be required to be provided prior to the plans being endorsed.



Figure 1: Northbound entrance into Minyip which adjoins the subject site, 21 Church Street Minyip.



Figure 2: Southbound view of Stawell-Warracknabeal Road which adjoins the subject site, 21 Church Street Minyip.

- The impact the use or development will have on the current and future development and operation of the transport system.

Planning response:

As discussed above, the proposed development will not impact on the current and future development/operation of the transport system.

The Department of Transport and Planning have required the development to be altered to provide a single driveway onto the Stawell – Warracknabeal Road.

- **Submission:**

One submission was received for this application. The submission read as follows (specific identifying details have been removed):

"I am objecting to proposed accommodation for the following reasons:

At a meeting with DMS late 2023 it was stated that there would only be need for 46 bed accommodation The entrance would be off Morris Street site would be for construction workers, to be decommissioned in 3 to five years

We were also told it was a totally dry and drug free area with security and screening

What is in it for Minyip? There will be no locals used for construction Contractors for catering, cleaning non-local for all this.

Not happy

Site photos are incorrect"

Planning response:

It is considered that whether the facility should be 46 or 62 bedroom is outside the scope of the assessment as the application must be considered as it was submitted and on its merits.

The use of Church Street as a vehicle access point has been assessed in accordance with Clause 65 and both the responsible and referral authorities are satisfied that the development will provide safe outcomes due to the spare capacity and road speed limit.

Unless the application proposes to sell alcohol, this is not a consideration for this application. It is the responsibility of the applicant or the management of the site to maintain the amenity is not impacted by the occupants of the accommodation.

The applicant has not specified who it will engage for the construction and maintenance of the development and these are beyond the considerations of the planning permit application.

RECOMMENDATION

That Planning Permit Application Number **PA20240018** be determined pursuant to the *Planning and Environment Act 1987* by issuing a notice of decision to issue a planning permit for the **construction of workers accommodation on 21 Church Street Minyip (Crown Allotment 1 Section 29 Parish of Nullan)**, subject to the following conditions:

This Permit allows: Construction of workers accommodation.

No. of Conditions: 30

Proposed Conditions:

ENDORSED PLANS AND LAYOUT

1. At all times what the permit allows must be carried out in accordance with the requirements of any document approved under this permit to the satisfaction of the responsible authority.
2. Before the use and development starts, plans must be approved and endorsed by the responsible authority. The plans must:
 - a. be prepared to the satisfaction of the responsible authority
 - b. be drawn to scale with dimensions
 - c. submitted in electronic form
 - d. be generally in accordance with the plans that form part of the application, but amended to show the following details:
 - i. design changes in accordance with Condition 4, as required by the Department of Transport and Planning.
3. The layout of the use and development must not be altered from the layout on the approved and endorsed plans without the written consent of the responsible authority.

DEPARTMENT OF TRANSPORT AND PLANNING

4. Prior to the issue of the permit amended plans must be submitted and approved by the Head, Transport for Victoria. When approved by the Head, Transport for Victoria, the plans must be endorsed by the Responsible Authority and will then form part of the permit. The plans must be drawn to scale and can be submitted electronically. The plans must be generally in accordance with the Site Plan (Drawing No: DMS-2201-A01) dated 02/02/2024 but modified to show:
 - a. One single point of access at the centre point (approx.) of the property boundary that abuts Church Street (Stawell-Warracknabeal Road) and be at least 6m wide to allow for two way movement.
 - b. Clearly delineated line marking (by way of painted arrows or similar) indicating two-way ingress and egress from the subject site to Church Street (Stawell-Warracknabeal Road)
5. Prior to the commencement of construction of the development the crossover and accessway must be constructed to the satisfaction of the Responsible Authority and at no cost to the Head, Transport for Victoria
6. Driveways must be maintained in a fit and proper state so as not to compromise the ability of vehicles to enter and exit the site in a safe manner or compromise operational efficiency of the road or public safety (eg. by spilling gravel onto the roadway).
7. Access to the development shall be designed so that all vehicles can be driven in a forward direction when entering or leaving the subject land.

AMENITY

8. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:
 - a. transport of materials, goods or commodities to or from the land
 - b. appearance of any building, works or materials
 - c. emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil
 - d. presence of vermin

to the satisfaction of the responsible authority.

9. Deliveries to and from the site (including waste collection) must only take place between the following times:
 - a. 7:00 am and 6:00 pm Monday to Saturday
 - b. No deliveries are to occur on Sunday or public holidays.

The responsible authority may consent in writing to vary these requirements.

10. At all times noise emanating from the land must comply with the requirements of the *Environment Protection Regulations 2021* (as amended from time to time) as measured in accordance with the Noise Protocol to the satisfaction of the responsible authority.

Noise Protocol means the Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues, published by the Environment Protection Authority on its website, as in force from time to time.

11. Noise generated from within the premises must not be audible within the habitable rooms with windows closed of any nearby dwellings to the satisfaction of the responsible authority.
12. Roads, storage areas, external stockpiles, vacant or grazed areas must be covered and maintained to avoid dust nuisance to any residential area to the satisfaction of the responsible authority.
13. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the responsible authority.
14. All waste material not required for further onsite processing must be regularly removed from the site to the satisfaction of the responsible authority. All vehicles removing waste must have fully secured and contained loads so that no wastes are spilled or dust or odour is created, to the satisfaction of the responsible authority.
15. All waste and recyclables must be stored in and collected from an area set aside for this purpose. This area must be graded, drained and screened from public view to the satisfaction of the responsible authority.

TRAFFIC, PARKING, LOADING AND ACCESS

16. All car parking spaces must be designed to allow all vehicles to drive forwards when entering and leaving the property.
17. No fewer than 47 car space(s) must be provided on the land.

18. Before the use starts, the areas set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
 - a) Constructed
 - b) Properly formed to such levels that they can be used in accordance with the plans
 - c) Surfaced with an all-weather-seal coat
 - d) Drained
 - e) Line marked to indicate each car space and all access lanes
 - f) Clearly marked to show the direction of traffic along access lanes and driveways

to the satisfaction of the responsible authority.

At all times car spaces, access lanes and driveways must be kept available for these purposes.

Once constructed, these areas must be maintained to the satisfaction of the responsible authority.

19. Before the development is occupied, any new vehicular crossing(s) must be constructed to the satisfaction of the responsible authority and the Department of Transport and Planning.
20. Access to, and egress from the land must only be at the vehicular ingress and egress points shown on the endorsed plans.

The responsible authority may consent in writing to vary these ingress and egress points in consultation with the Department of Transport and Planning.
21. The loading and unloading of goods from vehicles must only be carried out on the land and must not disrupt the circulation and parking of vehicles on the land, to the satisfaction of the responsible authority.

ENVIRONMENT

22. Polluted and/or sediment laden run-off must not be discharged directly or indirectly into Council's drains or watercourses.
23. All works must be undertaken in a manner that minimises soil erosion to greatest extent practicable, and any exposed areas of soil must be stabilised to prevent soil erosion, to the satisfaction of the responsible authority.
24. The site is to be designed and graded such that it drains to a legal point of discharge and does not direct water onto a neighbouring site.

ALL VEGETATION TYPES

25. Before the development starts, tree protection fencing and Tree Protection Zones must be established around all trees which are to be retained. The Tree Protection Zones are to be established in accordance with the Australian Standard AS4970-2009 Protection of trees on development sites.
26. The removal of vegetation must only be to the minimum extent necessary to provide for the construction of roads to the satisfaction of the responsible authority.
27. All vehicles, earth-moving equipment and other machinery must be cleaned of soil and plant material before entering and leaving the site to prevent the spread of weeds and pathogens to the satisfaction of the responsible authority.
28. Any pruning or removal of tree limbs, particularly hollow-bearing tree limbs, must be to the minimum extent necessary to the satisfaction of the responsible authority.

COMMENCEMENT AND EXPIRY

29. This permit will operate from the issued date of this permit.

30. This permit will expire if one of the following circumstances applies:
- a. The development is not started within 2 years of the issued date of this permit.
 - b. The development is not completed within 4 years of the issued date of this permit.
 - c. The use does not start within 2 years of completion of the development.

In accordance with Section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.

PERMIT NOTES

- A The permitted development may need to comply with, or obtain the following further approvals:
1. A building permit under the Building Act 1993.

Assessing Officer

Delegated Officer



James Thomas

Adam Moar

Development Services Officer/Student Planner

Manager Development and Environmental Services

Date: 18 July 2024