

# **Coles Express Planning Application 2017**

## **Settle Woodend Information Sheet - September 2017**

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### **Background information**

#### **Address of this application**

59A High Street, Woodend 3442

#### **Application number**

Macedon Ranges Planning Scheme PLN/2017/103

#### **Application description**

This application is for construction and use of an 8 bowser service station and convenience store at the High Street level, together with a 23 patron convenience restaurant at the Woodend railway station level. The application includes associated signage, removal of a 3 metre water easement, removal of existing vegetation and construction of two separate ingress/egress crossovers on a Category 1 Road Zone (High Street).

#### **Application documents**

The MRSC web site lists applications currently in advertising. If the documentation is still available, go to

<https://eservices.mrsc.vic.gov.au/ePathway/Production/Web/GeneralEnquiry/EnquiryDetailView.aspx?id=453045>

#### **Advertising period**

Technically 14 days, but objections can be received up to the time the Council makes a decision on the application. This could be in October or November 2017. Rather than waiting until the Council announces this application will be heard, the sooner you can submit an objection, the better.

#### **Macedon Ranges Planning Scheme**

The application will be assessed **only** against the provisions of the local planning scheme. Relevant provisions are discussed below under Supporting information. The planning scheme can be accessed at

<http://planning-schemes.delwp.vic.gov.au/schemes/macedonranges>

#### **Planning strategies and policies**

Google search and the Council documents are usually available on the MRSC web site.

#### **Previous application for a Coles Express service station**

Macedon Ranges Planning Scheme PLN/2013/319

#### **Previous VCAT decision**

Eureka Operations Pty Ltd v Macedon Ranges SC [2015] VCAT 1977 (21 December 2015)

Accessed at <http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/vic/VCAT/2015/1977.html>

## Submitting an objection

All objections must be submitted as “formal objections” to the Shire Council. They must include your name and contact details, the date, a reference to the planning application and the application’s intended location.

We recommend using the template attached at the end of this document, which contains the a format outlining the information required and addressed to Ms Sophie Segafredo, Director of Planning. You can send your objections directly to her email address, with copies to the general email address for the shire, of the councillors as well as the outgoing CEO. These are all provided on the template.

You also may wish to do as others and type up your letter with objections to the planning application in a separate document and attach it to your email. This is perfectly acceptable, just indicate that is what you have done in your covering email.

## Key points for objections

The key points provided below do not make actual reference to specific planning scheme clauses; however, the points are directly related to specific clauses. If you want to make direct references, you can check the Macedon Ranges Planning Scheme at the website provided on page 1.

Please note, that the Council is restricted to the planning scheme when making their decision. However, you can use each of these points as starting points for your objections, which you should write in your own words and you can expand on each of these points, giving your personal perspective while outlining each point. You can find Supporting information following the table of key points below.

### TABLE OF KEY POINTS

#### Protection of township character and gateway location

- The use of the land for a service station and convenience store is inappropriate in this gateway location and contrary to longstanding planning objectives to protect Woodend’s approaches, entrances and township character.
- The application fails to adequately address the site context, site interfaces and statutory design requirements for this location.

#### Commercial use

- There will be unacceptable amenity impacts on the community if the proposal proceeds.

#### Service station requirements

The proposal does not meet the statutory requirements for service stations and this layout will not result in a better design compared to one that meets these requirements.

## KEY POINTS CONTINUED

### Traffic and carparking

- In the absence of a properly conducted precinct based traffic and carparking analysis, the proposal represents an unacceptable safety risk to road users and emergency vehicles and it may result in an undersupply of carparking in the area.

### Landscaping

- The proposal provides minimal greening to compensate for the loss of trees at this location, which have historically emphasised the gateway transition from rural to township character.

### Overdevelopment of the site

- The proposal will result in an overdevelopment of the land.

## Supporting information

### Protection of township character and gateway location

- The Macedon Ranges Planning Scheme and the Council's strategies for Woodend highlight the visual and aesthetic importance of the entrances to Woodend and the desire to maintain a rural setting in the road approaches.
- The township itself sits within the rural landscape. Protection of this character is central to maintaining the natural values of the Macedon Ranges and Woodend as a tourist destination. The character of the townships in the Shire is to be protected as stated in the Macedon Ranges Planning Scheme and numerous planning documents beginning with Statement of Planning Policy No. 8 in 1975 and most recently in the Macedon Ranges Protection Advisory Committee Final Report, 2016.
- The High Street site is a gateway location for Woodend, as acknowledged at the 2015 VCAT hearing about the first Coles Express application. It is also opposite the town entrance from Mt Macedon (Brooke Street).
- The importance of township character in Woodend's commercial centre is well understood and recently codified in the Macedon Ranges Planning Scheme DDO23. The DDO23 objectives are to achieve new development that retains and enhances town centre character, enhances the values of historic buildings, improves the quality of streetscape treatments, and protects the town entrances from visually intrusive development or signage. Specific requirements for 59 High Street relate to built form and interfaces, carparking and tree retention. The application does not acknowledge the DDO23 and does not meet the requirements of this provision.
- The site sits at the southern end of the Woodend town centre and near the Woodend railway station and approved Coles supermarket development. The application does not adequately address the site context with respect to surrounding built form and activities.
- Whilst an attempt has been made to soften the appearance of the convenience store building, the use of the land for a service station with the usual corporate yellow and red canopy, signage and colours over the petrol bowsers is not an appropriate response to this sensitive location. The design of the convenience store now features "a more

traditional and dutch gable roofline with a chimney element and verandahs”, which according to the application is more in keeping with other buildings in the streetscape and locality. However, the convenience store faces the petrol bowsers whilst turning away from High Street, the Woodend railway station and the northern interface. In addition, the need for a steep, vertical retaining wall is shown on plans for the southern end of the fill area, an element leading to the previous refusal by VCAT, and the northern retaining wall presents a virtually blank appearance to the remainder of the grassed and concrete median.

- The batter slope (a batter slope is a receding **slope** of a wall, structure, or earthwork) on the western side of the site reduces the size of the service station fill area whilst providing for more landscaping at the back of the site than was proposed in the earlier Coles Express application. However, transition heights at the edge of the service station pad are still in the order of 3-4 metres plus the height of safety fencing on top of this, which will create the effect of a high wall when viewed from the Woodend railway station and surrounds.

*For more information -*

Macedon Ranges Settlement Strategy, 2011

Woodend Town Structure Plan and Neighbourhood Character Study, 2014

Macedon Ranges Planning Scheme:

Character and built form: Clauses 15.01, 21.08, 21.13, 22.01

Woodend Town Centre Design and Development (DDO23) overlay: Clause 43.02 and schedule 23

Macedon Ranges Protection Advisory Committee Final Report, 2016

### **Commercial use**

- The site is in a Commercial 1 Zone where a permit is required for the service station/convenience store and to construct all buildings and works. (Please note that a Use permit is not required for a convenience [fast food] restaurant.)
- In this zone relevant issues include traffic and amenity including noise and litter.
- The proposal is for a 24 hour, 7 day a week operation. The extended opening hours are neither necessary nor appropriate in a quiet town where most businesses close by 5 to 6 pm, Coles supermarket at 10 pm and the hotels and restaurants at 11 pm. Due to the extreme quiet at night, any noise travels through the town. Late night lighting and traffic generation will disrupt the amenity and quiet of the community.
- Convenience restaurants have substantial trade in takeaway food. This frequently leads to litter waste in the vicinity of the site. The application does not adequately address waste management and how litter can be minimised once customers leave the restaurant.
- Traffic and carparking will be significant issues – refer below.

*For more information -*

Macedon Ranges Planning Scheme:

Commercial 1 Zone: Clause 34.01

**Service station requirements**

Service stations are to meet minimum standards as shown in the table unless the Council considers that a better design solution will result by modifying these standards.

<p>The site must be at least 1,080 square metres.</p>	<p>It is not clear what the area of the flat pad will be with the proposed cut and fill.</p>
<p>The frontage must be at least 36 metres (30 metres if the site is on a corner) and the depth at least 30 metres.</p>	<p>Does not comply with regard to the depth of the site.</p>
<p>No more than 2 vehicle crossovers may service the site from a road and at the road alignment a crossover [driveway] must be:</p> <ul style="list-style-type: none"> <li>• No wider than 7.7 metres.</li> <li>• At least 4.5 metres from another crossover on the site.</li> <li>• At least 4.5 metres from another road or if a splayed corner, at least 7.7 metres from the splay.</li> <li>• At least 1.8 metres from a crossover on another property.</li> </ul>	<p>Does not comply due to width of crossovers.</p>
<p>Except at crossovers, a kerb or barrier must be built along the road alignment to prevent the passage of vehicles</p>	<p>Complies.</p>
<p>A wall of a building must be at least 9 metres from a road.</p> <p>A canopy must be at least 2.5 metres from a road.</p> <p>Petrol pumps, pump islands, water and air supply points and storage tank filling points must be at least 3.6 metres from a road.</p> <p>Petrol tankers must be wholly on the site when storage tanks are being filled.</p> <p>Driveway space must be sufficient to enable a vehicle 13.8 metres by 2.5 metres to enter and leave the site without reversing.</p> <p>No vehicle may be serviced unless it is wholly on the site</p>	<p>Does not comply.</p> <p>Complies at the southern end but the measurement is not provided at the northern end.</p> <p>Appears to comply.</p> <p>Appears to comply.</p> <p>Appears to comply.</p> <p>Complies with respect to petrol, air and water.</p>

<p>If trailers are for hire on the site:</p> <ul style="list-style-type: none"> <li>• The site must be at least 1,080 square metres.</li> <li>• All trailers must be wholly on the site and must not encroach on landscaping or car parking areas or accessways.</li> <li>• On a corner site, a trailer higher than 1 metre must be parked at least 9 metres from the corner.</li> </ul>	<p>There is no provision for trailer hire on the site.</p>
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*For more information -*

Macedon Ranges Planning Scheme:

Service station: Clause 52.12

### **Traffic and carparking**

- Planning proposals are to consider the effects of a development on traffic and parking generation. The application makes assumptions and conclusions that are not supported by evidence. For example, the application states that the service station will not be a traffic generator but will only attract passing trade. The convenience store does not need parking as only people at the petrol bowsers will enter the store. The convenience restaurant will have 6 car parking spaces but these will be located at the High Street level within the service station site, and in any case the restaurant will only attract people who are already in the area. Woodenders know that all of these arguments are inconsistent with how people use the services and businesses in the town. The conclusions offered by the applicant are not supported by local knowledge or evidence.
- The service station would increase safety risks for vehicles, cyclists, pedestrians and the elderly on mobility scooters as set out in the following points. The application either fails to address these issues or does not address them adequately.
- High Street is the primary road access into and out of the town and an accident at this location would hamper access by police, fire and ambulance.
- The proposal includes entry and exit crossovers in High Street and a new right turn lane for traffic heading south on High Street to turn into the entry crossover. The Brooke Street intersection is already a controlled intersection with no right turns allowed into or out of Brooke Street. This fact should signal that this is a location that already poses significant safety concerns.
- For vehicles travelling north on High Street, there is dip in the road immediately after the crest of the railway bridge (and before southbound traffic crests the bridge), thereby blocking the sightline to vehicles positioned at the proposed entry crossover to the service station site. This has potential to create a significant road hazard if vehicles were to stop to queue at the service station entry in busy times or let pedestrians and cyclists pass.
- Winter road safety is compromised by the presence of black ice on the road, very often on the railway bridge, which is invisible to drivers and a frequent cause of local accidents.

- Traffic in High Street and surrounding roads will grow incrementally as the population grows and potentially with greater visitation to the town and an increase in business activity, noting that Council recently expanded Woodend's commercial area. Increased traffic will also result from greater use of the railway station carpark and the relocation of the Coles supermarket to the Urquhart Street site.
- As traffic increases, the safe movement of cyclists, pedestrians, including children, and the elderly who use mobility scooters crossing High Street in the vicinity of Urquhart Street, and to some extent at Brooke Street, needs to be considered. The application does not address this issue. This should be a real concern for the Council as VicRoads does not appear to require information about non-vehicular movements and safety consideration, especially for road crossings.
- Vic Roads had not responded to the application at 23 June 2017 so its views are not known at this time.
- Victrack has not agreed to access for the convenience restaurant at 23 June 2017.
- The only way that traffic and carparking issues can be satisfactorily understood is for the Council to require or commission independent advice with a precinct traffic and carparking analysis that takes into account all of the above points. This analysis would need to start at the Ashbourne Road lights and include the entirety of the commercial area of Woodend, including the commercial services down the feeder streets into High Street, as well as medical/veterinary services and aged care down Brooke Street, as well as the Woodend railway station. Whilst the application does acknowledge that further work may be needed, yet the applicant wants this to be a condition of a planning permit, to take place once the proposal is approved. This is not satisfactory as Council would not have the information in time to make an informed decision.

*For more information -*

Woodend's Framework for the Future, 1999, and adopted High Street plans

Woodend Town Structure Plan and Neighbourhood Character Study, 2014

Macedon Ranges Planning Scheme:

Vehicle access, deliveries, carparking: Clauses 52.06, 52.07

### **Landscaping**

- The proposal requires the removal of a number of trees around the site and only replacement of two of these, which will be planted on the frontage of the service station land within the small landscaping areas at various locations along the frontage. More substantial landscaping is not possible due to the narrow depth and configuration of the site.
- The batter slope on the west side of the site will reduce the sharp vertical edge to the service station, however, there is still a substantial transition in height proposed here. It is unclear how well the landscaping will thrive under the remaining trees and at the back of the service station pad.

*For more information -*

Woodend Town Structure Plan and Neighbourhood Character Study, 2014

Macedon Ranges Planning Scheme:

Woodend Town Centre Design and Development (DDO23) overlay: Clause 43.02 and schedule 23

**Overdevelopment of the site**

- The application proposes development of what is a severely constrained, narrow and sloping site for 8 petrol bowsers, air and water supply, and a convenience store at the High Street level, and a convenience restaurant at the railway station level. Extensive cut and fill is required to create a flat area at High Street, however, this area is non-conforming and has been reduced further in size from the first Cole Express application to create the batter slope for part of the retaining wall and to include the stair access at the north end of the site. On top of these changes, the application has added a convenience restaurant for 23 patrons. It is challenging to see how this site can comfortably and safely accommodate all of the uses proposed by this application.

**APPENDIX: OBJECTION LETTER TEMPLATE**

TO: ssegafredo@mrsc.vic.gov.au  
CC: mrsc@mrsc.vic.gov.au, [janderson@mrsc.vic.gov.au](mailto:janderson@mrsc.vic.gov.au), [hbleeck@mrsc.vic.gov.au](mailto:hbleeck@mrsc.vic.gov.au),  
[ngayfer@mrsc.vic.gov.au](mailto:ngayfer@mrsc.vic.gov.au), [rjukes@mrsc.vic.gov.au](mailto:rjukes@mrsc.vic.gov.au), [jpearce@mrsc.vic.gov.au](mailto:jpearce@mrsc.vic.gov.au),  
[mmees@mrsc.vic.gov.au](mailto:mmees@mrsc.vic.gov.au), [hradnedge@mrsc.vic.gov.au](mailto:hradnedge@mrsc.vic.gov.au), [atwaits@mrsc.vic.gov.au](mailto:atwaits@mrsc.vic.gov.au),  
[bwest@mrsc.vic.gov.au](mailto:bwest@mrsc.vic.gov.au), [pjohnston@mrsc.vic.gov.au](mailto:pjohnston@mrsc.vic.gov.au)  
SUBJECT: Formal objection PLN2017/103

Your Name  
Address Woodend VIC 3000  
Tel: 03 5427 xxxx Mob: 04xx xxx xxx  
Email: your email address

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10 September 2017

Ms Sophie Segafredo, Director  
Planning & Environment  
Macedon Ranges Shire Council  
PO Box 151  
Kyneton VIC 3444  
*Sent via email*

**RE: Planning Application PLN-2017-103**

Dear Ms Segafredo,

I wish to formally object to Planning Application PLN2017/203, an application for a Coles Express petrol station / convenience store / convenience restaurant café to be built on the northwestern slope of the railway bridge viaduct located at 59A High Street, Woodend.

My reasons for objections are as follows...

- 1.
- 2.
- 3.

It is for all these reasons that I formally request your office refuse this Planning Application.

Submission by,

*SIGNATURE*

Your name

Cc: Cr Jennifer Anderson, Mayor  
Cr Henry Bleeck  
Cr Natasha Gayfer  
Cr Roger Jukes  
Cr Mandi Mees  
Cr Janet Pearce  
Cr Helen Radnedge  
Cr Andrew Twaits

Cr Bill West  
P Johnston, CEO