

APPLICATION FOR CONSIDERATION
DELEGATES REPORT



CARDINIA

Application Details:

Application is for:	Amend plans
Applicant's/Owner's Name:	Hygain Feeds Pty Ltd
Date Received:	16/06/2008
Statutory Days:	
Site Area	3.09 hectares
Application Number:	T060155B
Planner:	Mike Ferey
Land/Address:	Lot 28 LP7847, 10 Hicksons Road, Officer
Zoning:	Industrial 1
Overlays:	Floodway
Under what clause(s) is a permit required?	Clause 33.01-4 of the provisions of the Industrial 1 zone and clause 44.03-1 of the provisions of the Floodway overlay.
Restrictive covenants on the title?	A Section 173 Agreement is on the title. The Agreement relates to the construction of Hicksons Road from Officer South Road to land owned by Public Transport Corporation.
Current use and development:	Factory

Proposal

Approval is sought to carryout a minor amendment to the plans that were endorsed as part of planning permit issued on the 8th August 2006.

The amended plans show a vehicle unloading building, relocation of 4 silos and location of a weigh bridge with all other requirements of planning permit No T060155 remaining unchanged.

The vehicle unloading facility comprises a covered area consisting of a building open at the ends, 15 metres high, approximately 11 metres long, approximately 7.5 metres wide and covering an area of 79.5 square metres.

The new vehicle unloading area is offset approximately 6.5 metres from the northern boundary and east of the silo area.

The four additional silos are located adjacent to the southern area of where it is proposed to install 40 silos.

The weighbridge is adjacent to the east side of the warehouse to be built as part of stage 2 of the development of the site.

All additional items are part of stage 2 development of the extension to the existing horse feed production and storage facility and are considered to be included in the planning permit allowing the extensions of the facility.

Subject site & locality

The property is situated on the south side of Hichsons Road approximately 69 metres east of South Officer Road Officer. The land has a width of 61.95 metres, a depth of 148.86 metres and an area of 9105 square metres.

The land contains various silos, factory buildings, plant and equipment used in the storage, manufacture and distribution of a complete line of horse feeds and nutritional supplements.

Surrounding land use and development includes:

- North: The Officer Railway station which is on the Pakenham – Melbourne suburban railway line.
- South: vacant rural land
- East: Industrial uses
- West: Industrial uses.

Permit/Site History

- Planning permit T 060155 was issued on the 8/08/2006 by consent orders of VCAT for the use and development of the land for the purpose of horse feed production and storage.
- Plans of the development were endorsed on the 2/11/2006.
- Amended plans were endorsed on the 8/06/2007.

Public Notification

The application was exempt from being advertised in the planning scheme.

Consultation

Consultation was not undertaken prior to lodgement of the plans to be amended.

Referrals

The original planning permit application was referred to a number of referral authorities as well as referring the application to a number of council Officers. Their comments were incorporated as conditions on the planning permit that was issued.

Assessment

The zoning of the land and any relevant overlay provisions

The land is zoned Industrial 1 under the Cardinia Planning Scheme and is subject to a Floodway overlay.

Pursuant to Clause 33.01-4 of the provisions of the Industrial 1 zone and clause 44.03-1 of the provisions of the Floodway overlay a planning permit is required to construct the buildings.

The State Planning Policy Framework (SPPF)

State policy on Industry, clause 17.03-1 is relevant to the application.

The objective within the State policy for industry is to ensure availability of land to facilitate the sustainable development and operation of industry and research and development activity.

The Local Planning Policy Framework (LPPF)- including the Municipal Strategic Statement (MSS) and local planning policies

The local policy on Industry (Clause 21.06-4) is relevant to this application.

The objective of the Industrial policy is to encourage the manufacture and service industries to provide services to local residents and business and provide for local employment, and to ensure that industrial precincts reflect a high standard of urban design.

The strategies that support the policy are:

- Establish a strategic industrial node at Pakenham.
- Seek and encourage the establishment of key industries in the municipality, particularly those which create local employment opportunities.

Relevant Planning Scheme amendments

There are no relevant planning scheme amendments that affect the property.

Summary of Key Issues

The planning permit contains a condition that allows Council to consider amended plans.

The amendment is not considered to be significant as they do not significantly alter the shape and bulk of the building or for what the permit was issued for.

Therefore applying the amended plan test under Section 73 of the Act, the following is determined:

- The amended plans do not change any condition of the permit
- The amended plans do not change the effect of any condition on the permit
- The amended plans do not adversely affect the interest of a referral authority, or is acceptable to the relevant referral authority
- Is consistent with the planning scheme currently applying to the land the subject of the permit. The land is within the Industrial 1 zone, and subject to a Floodway overlay. This was the zone that applied at the time the application was considered. Consequently there are no material change in circumstances between the time the permit was granted and the time the amended plans were received.
- The amended plans will not cause an increase in detriment to any person. As previously stated the alterations are not considered to be significant. Moreover the development that was approved has not changed.

- The amended plans do not change the use for which the permit was granted. The permit was granted for the use and development of the land for the purpose of horse feed production and storage. The amended plans are still for the use and development of the land for the purpose of horse feed production and storage

Therefore after applying the Section 73 amended plan test it is considered that the amended plans satisfies the various tests and therefore the amended plans are able to be endorsed.

Conclusion

That the amended plans identified as DESIGN RESPONSE AND DEVELOPMENT PLAN - PROPOSED SITE PLAN and DESIGN RESPONSE AND DEVELOPMENT PLAN - SOUTH, WEST, NORTH, EAST ELEVATIONS, drawing Number H-8560 sheets 2/3 & 3/3 (2 sheets) submitted for the construction of a factory and warehouse authorised under Planning Permit No T060155 issued on the 8th August 2006 be endorsed.

Planner Mike Ferey
Responsible: Senior Planning Officer

Signature: _____

Date: 11/07/2008.