

APPLICATION FOR CONSIDERATION

DELEGATES REPORT



Application Details:

Application is for:	The development of the land for the purpose of an extension to an existing warehouse, generally in accordance with the approved plan/s.
Applicant's/Owner's Name:	Hygain Property Management Pty Ltd
Date Received:	8 February 2010
Statutory Days:	50 days
Site Area	0.91 hectares
Application Number:	T100068
Planner:	Simone Martin
Land/Address:	Lot: 1 TP90608M, 10 Hickson Road, Officer
Zoning:	Industrial 1 Zone (IN1Z)
Overlays:	Nil
Under what clause(s) is a permit required?	IN1Z - Pursuant to Clause 33.01-4 of the zone a permit is required to construct a building or construct or carry out works.
Restrictive covenants on the title?	Section 173 Agreement AD838446M however it is not relevant to this proposal.
Current use and development:	Industry / Warehouse

Proposal

Approval is sought for the development of the land for the purpose of an extension to an existing warehouse.

The proposed extension will be approximately 42 metres from the northern boundary, 30 metres from the western boundary, and 6 metres from the eastern boundary.

The proposed extension will be approximately 15 metres x 25 metres and will be approximately 8.5 metres in height. It will be to one of the existing factories/warehouses on the site, and increase the height of the roof to match that of the existing factory.

The proposed extension will be constructed of colourbond materials "Wilderness" to match the existing building.

Subject site & locality

The site is located on the northern side of Hickson Road, Officer, which is not actually constructed. Access to the site is via a driveway off Officer South Road.

The subject site is approximately 0.91 hectares in size and contains approximately 5 buildings, which include an office, warehouse, and factories. There are a number of silos to the north of the site, and with the exception of a number of shrubs surrounding the existing office; there are no trees or vegetation on the site.

Surrounding land use and development includes:

- North:** To the north of the subject property is land which appears to be used as car parking for the subject land and the railway line which is further north of the subject land.
- South:** To the south of the subject land is Hickson Road, which has not been constructed, and beyond that there is a property which is currently vacant. This property contains no vegetation or trees.
- West:** Land to the west of the subject land contains warehouses and each site also contains a few trees.
- East:** Land to the east of the subject land is currently used for the same purposes as the subject land. There are a number of buildings present on this property and silos which are to the north of the property. No trees or vegetation are present on this site.

Permit/Site History

- Planning Permit T060155b was issued on 11 July 2008 for the use and development of horse feed production and storage.
- Planning Permit T060155 was issued on 8 August 2006 for the use and development of the land for the purpose of horse feed production and storage.
- Enforcement Order - 6 December 2005 - Reference P437/2005 as they were in contravention of conditions 1(a) and 11, of planning permit T960614, condition 4 of permit T020214, and condition 3 of permit P2180B.
- Planning Permit T960614 was issued on 28/11/1996 for a warehouse.
- Planning Permit P2180B was issued for use and development of a grain and stockfeed factory..
- Planning Permit T020214 was issued on 9/07/2002 for buildings and works for an additional one bay warehouse to existing factory premises.

Public Notification

The application has been advertised pursuant to Section 52 of the *Planning and Environment Act 1987*, by:

- Sending notices to adjoining owners/occupiers

The notification has been carried out correctly between the following dates: 24 February 2010 and 12 March 2010

Council have received no objections to date.

Consultation

Consultation was not undertaken.

Referrals

External Referrals/Notices Required by the Planning Scheme:

Referrals/Notice	Advice/Response/Conditions
Section 55 Referrals	There were no Section 55 referrals.

Internal Council Referrals	Advice/Response/Conditions
Engineering Department	No objections, subject to conditions.
Health Department	No objections, subject a condition.
Strategic Planning Department	No objections, subject to conditions.

Planning Scheme Provisions

The subject land is zoned Industrial 1 Zone (IN1Z) under the Cardinia Planning Scheme.

Zone – Industrial 1 Zone (IN1Z)

The purposes of the zone are:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To provide for manufacturing industry, the storage and distribution of goods and associated uses in a manner which does not affect the safety and amenity of local communities.*

Pursuant to Clause 33.01-4 of the zone a permit is required to construct a building or construct or carry out works.

The State Planning Policy Framework (SPPF)

Clause 12.01 “A more compact city” aims to *facilitate sustainable development that takes full advantage of existing settlement patterns, and investment in transport and communication, water and sewerage and social facilities.*

Clause 12.02 “Better management of metropolitan growth” aims to *locate metropolitan growth close to transport corridors and services and provide efficient and effective infrastructure to create benefits for sustainability while protecting primary production, major sources of raw materials and valued environmental areas.*

Clause 12.03 “Networks with the regional cities” aims to *develop Metropolitan Melbourne and the surrounding regional cities as a network of cities to provide a choice of places to live, set up business and find a job.*

Clause 12.04 “A more prosperous city” aims to *create a strong and innovative economy.*

Clause 12.05 “A great place to be” aims to *create urban environments that are of better quality, safer and more functional, provide more open space and an easily recognisable sense of place and cultural identity.*

Clause 12.07 “A greener city” aims to *minimise impacts on the environment to create a sustainable path for future growth and development.*

Clause 12.08 “Better transport links” aims to *create a more sustainable transport system by integrating land-use and transport.*

Clause 14.01 “Planning for urban settlement” aims to:

- *Ensure a sufficient supply of land is available for residential, commercial, industrial, recreational, institutional and other public uses.*
- *Facilitate the orderly development of urban areas.*

Clause 17.02 “Business” aims to *encourage developments which meet community’s needs for retail, entertainment, office and other commercial services and provide net community benefit in relation to accessibility, efficient infrastructure use and the aggregation and sustainability of commercial facilities.*

Clause 17.03 “Industry” aims to *ensure availability of land for industry and to facilitate the sustainable development and operation of industry and research and development activity.*

Clause 19.03 “Design and built form” aims to *achieve high quality urban design and architecture that:*

- *Reflects the particular characteristics, aspirations and cultural identity of the community.*
- *Enhances livability, diversity, amenity and safety of the public realm.*
- *Promotes attractiveness of towns and cities within broader strategic contexts.*

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

Clause 21.06-1 “Economic development” aims to *foster economic development with an emphasis on the key areas of agriculture, tourism, industry and services.*

Clause 21.06-4 “Industry” aims to *encourage the development of manufacturing and service industries to provide services to local residents and businesses and provide for local employment, and to ensure that industrial precincts reflect a high standard of urban design.*

Clause 21.09-1 “Environment” aims to *protect the environment and ensure that proper consideration is given to environmental issues, recognising that the environment is a key element in achieving sustained economic growth and a high standard of living for the community in the municipality.*

Clause 22.03 “Aboriginal Archaeological Sites” aims to *protect sites of Aboriginal cultural heritage and archaeological significance.*

Relevant Particular/General Provisions

The decision guidelines of Clause 65

Amongst other things, these guidelines require the Responsible Authority to consider:

- *The matters set out in Section 60 of the Act.*
- *The purpose of the zone, overlay or other provision.*
- *The orderly planning of the area.*
- *The effect on the amenity of the area.*
- *Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.*

Other relevant adopted State policies/strategies – (e.g. Melbourne 2030.)

Melbourne 2030 is a strategic plan to manage growth and change across Melbourne. This policy directs the majority of additional growth to be located in and around designated activity centres that demonstrate good access to services and major growth corridors. The policy contains eight key directions which aim to ensure that land use and transport planning and investment contributes to economic, social and environmental goals.

Relevant incorporated or reference documents

- Draft Officer Precinct Structure Plan (Officer PSP)

Summary of Key Issues

1. State & Local Planning Policy Framework

The proposal has been assessed against and is consistent with the requirements of the SPPF, LPPF, zone, overlay and the orderly planning of the area. As discussed in the above report, notification of the proposal was given to adjoining owners/occupiers and no objections were received. There are a number of state and local policies that are relevant to this application and they have also been considered.

2. Industrial 1 Zone (IN1Z)

The proposed warehouse extension has been assessed against the decision guidelines of the Industrial 1 Zone and is considered to be consistent with the requirements. The proposed extension will not result in an increase in floor area; therefore no additional car parking spaces are required. There are a number of existing buildings on the site, and the proposed extension will blend with these buildings, and the existing character of the site. Conditions will be placed on the permit to ensure that all storm water is discharged to the satisfaction of council.

3. Draft Officer Precinct Structure Plan (Officer PSP)

The Officer Structure Plan is currently in draft stages, however it identifies the subject land as commercial/business purposes in the future, therefore Hygain Property Management will be required to vacate the site in the future in order to make way for the preferred development to occur. There is an existing Section 173 agreement which affects the subject land which states that in the future, termination of access from Officer South Road will occur, and as a result of this, the owner/s of the subject land must design and construct the Access Road as an all weather gravel road in accordance with the Plan, to the satisfaction of Council, and that they must widen and strengthen the Hickson Road Bridge, over the Officer South Drain, at the intersection of Hickson Road, Officer and South Road, Officer to cater for truck traffic, to the satisfaction of Council. This will occur in the near future in order to upgrade the existing railway station. An underpass constructed, and high density residential land is proposed to the north of the railway line. As the Officer Precinct Structure Plan is only in draft stages, the proposed warehouse extension meets the current planning scheme requirements and can therefore be supported.

Conclusion

That planning permit T100068 be approved subject to standard planning, engineering and health conditions. It is considered that the proposed warehouse extension is appropriate for the area and will not have a negative impact on the character or appearance of the area.

Recommendation

That Council having caused notice of Planning Application No. T100068 to be given under Section 52 of the *Planning and Environment Act 1987* and/ or the planning scheme and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides to grant a Planning Permit for the development of the land for the purpose of an extension to an existing warehouse, generally in accordance with the approved plan/s at the land known as Lot: 1 TP90608M, 10 Hickson Road, Officer subject to the following conditions:

1. The layout of the site and the size of the proposed buildings and works, as shown on the approved plan/s, must not be altered or modified without the consent in writing of the Responsible Authority.
2. Once the development has commenced, it must be continued and completed to the satisfaction of the Responsible Authority.
3. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
4. All storm water must be conveyed by means of drains to satisfactory points or areas of discharge approved by the Responsible Authority so that it will have no detrimental affect on the environment or adjoining property owners.
5. All earthworks must be undertaken in a manner that minimises soil erosion, and any exposed areas of soil must be stabilised to prevent soil erosion to the satisfaction of the Responsible Authority.
6. The exterior colour and cladding of the extension must not result in any adverse visual impact on the environment of the area and all external cladding and trim of the building, including the roof, must be of a non-reflective nature.
7. Odour should not be detected beyond the site boundary.

Expiry of permit

8. In accordance with Section 68 of the *Planning and Environment Act 1987*, this permit will expire if one of the following circumstances applies:
 - a) The development is not commenced within two (2) years of the date of this permit; or
 - b) The development is not completed within four (4) years of the date of this permit.

In accordance with Section 69 of the *Planning and Environment Act 1987*, the Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires, or within three (3) months afterwards.

Planner Responsible: Simone Martin Team Leader: Brett Jackson

Signature: _____ Signature: _____

Date: 13 April 2010 Date: _____