

## 5.3 T210968 PA - Use and Development of Land for a Child Care Centre 1-3 Savage Street, Pakenham

**Responsible GM:** Lili Rosic  
**Author:** Benjamin Jones

### Recommendation(s)

That a Notice of Decision to Grant Planning Permit T210968 be issued for the 'Use and Development of Land for a Child Care Centre' at 1-3 Savage Street, Pakenham VIC 3810 subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and then form part of the permit. The plans must be drawn to scale and be generally in accordance with the plans prepared by Melvic Homes, Revision G, dated 21/03/22 submitted with the application but modified to show:
  - a. All site plans to show acoustic fencing along the side and rear property boundaries in accordance with Section 5.0 (Recommendations for Noise Mitigation) of the Acoustic Assessment prepared by Waveform Acoustics, dated 23/03/22.
  - b. A separate plan to show the construction method and materials of the acoustic fencing and screening for plant equipment in accordance with the recommendations of the Acoustic Report prepared by Section 5.0 (Recommendations for Noise Mitigation) of the Acoustic Assessment prepared by Waveform Acoustics, dated 23/03/22.
  - c. Sightline triangles in accordance with Design Standard 1 (Accessways) of Clause 52.06-9
2. Before the development starts, drainage plans must be submitted to and approved by the Responsible Authority. The plans must show the provision of a stormwater detention system. The stormwater detention system will become the responsibility of the property owner or body corporate to maintain to the satisfaction of the Responsible Authority.
3. The development as shown on the endorsed plan/s must not be altered without the written consent of the Responsible Authority.
4. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.
5. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority and used for no other purpose. Any dead, diseased or damaged plants are to be replaced.

### Use:

6. The use as shown on the endorsed plan/s must not be altered without the written consent of the Responsible Authority.
7. No more than seventy-six (76) children may be cared for on the premises at any time without the prior written consent of the Responsible Authority.
8. Except with the written consent of the Responsible Authority, the childcare centre may only have staff present on the site Monday to Friday between 6.30am and 6.30pm.

9. Except with the written consent of the Responsible Authority, the use may only operate:
  - a. Monday to Friday between 6.30am and 6.30pm.
10. Except with the written consent of the Responsible Authority, children shall be permitted within the outdoor play areas only during the hours of:
  - a. Monday to Friday between 7:30am to 6.00pm.

Tree protection:

11. Before works start, a fence must be erected around trees shown for retention on the endorsed plan. This fence will protect the trees by demarcating the tree protection zone and must be erected at a radius of  $12 \times$  the diameter of the trunk at a height of 1.3 metres above ground level, to a maximum of 15 metres but no less than 2 metres from the base of the trunk of the trees (excepting the approved area of encroachment for construction as shown on endorsed plans) to the satisfaction of the Responsible Authority. The protection fence must be constructed of star pickets and flagging tape/chain mesh or similar to the satisfaction of the Responsible Authority. The protection fence must remain in place until all works are completed to the satisfaction of the Responsible Authority. Except with the written consent of the Responsible Authority, within the tree protection zone, the following are prohibited:
  - a. vehicular access.
  - b. trenching or soil excavation.
  - c. storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products.
  - d. entry and exit pits for underground services.
  - e. any other actions or activities that may result in adverse impacts to retained native vegetation.

Amenity (during construction):

12. The works associated with the construction of the development must not detrimentally affect the amenity of the area, through the:
  - a. Transport of materials, goods or commodities to or from the land;
  - b. Inappropriate storage of any works or construction materials;
  - c. Hours of construction activity;
  - d. Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste and storm water runoff, waste products, grit or oil;
  - e. Presence of vermin; or
  - f. In any other way.

To the satisfaction of the Responsible Authority.

Amenity (ongoing):

13. Noise emissions from the land shall comply with EPA Publication 1826 – Noise Limit and Assessment Protocol for the Control of Noise from Commercial, Industrial and Trade Premises and Entertainment Venues (or as amended) at all times.
14. The acoustic fencing must be constructed and maintained in accordance with the recommendations of the Acoustic Assessment prepared by Section 5.0 (Recommendations for Noise Mitigation) of the Acoustic Assessment prepared by Waveform Acoustics, dated 23/03/22 as shown on the endorsed plans to the satisfaction of the Responsible Authority.

15. 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, flumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;
  - d. Presence of vermin; or
  - e. In any other way.To the satisfaction of the Responsible Authority.
16. No external sound amplification equipment or loudspeakers are to be used for the purpose of announcements, broadcasts, playing of music or similar purposes.
17. External lighting of the areas set aside for car parking, access lanes and driveways must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on adjoining land.
18. All external plant and equipment must be acoustically treated or placed in soundproof housing to reduce noise to a level at all times satisfactory to the Responsible Authority.
19. All pipes, fixtures, fittings and vents servicing any building on the subject land must be concealed in service ducts or otherwise hidden from view at all times to the satisfaction of the Responsible Authority.
20. The site including all buildings and works must be so ordered and maintained as not to prejudicially affect the amenity of the locality by reason of appearance to the satisfaction of the Responsible Authority.
21. The exterior colour and cladding of the development must not result in any adverse visual impact on the environment of the area and all external cladding and trim of the development must be of a non-reflective nature in accordance with the endorsed plans.

#### Waste Management:

22. Expect with the prior written consent of the Responsible Authority, waste may only be collected from the site:
  - a. Monday to Saturday between 7.00am and 6.00pm.
23. All waste generated by the use of the land must at all times be managed in accordance with the Waste Management Plan for the land prepared by Low Impact Development Consulting (LID), dated 25/03/2022 and approved by the Responsible Authority.
24. Provision must be made on the subject land for the storage and collection of garbage and other solid waste. This area must be graded and drained and screened from public view to the satisfaction of the Responsible Authority.
25. All waste must be stored effectively to prevent odours from affecting neighbouring properties.

#### Earthworks:

26. Earthworks must be undertaken in a manner that minimises soil erosion. Exposed areas of soil must be stabilised to prevent soil erosion. The time for which soil remains exposed and unestablished must be minimised to the satisfaction of the Responsible Authority.
27. Sediment control measures must be undertaken during construction to the satisfaction of the Responsible Authority to ensure that the development subject land is adequately managed in such a way that no mud, dirt, sand, soil, clay or stones are washed into or allowed to enter the stormwater drainage system.

Stormwater Management:

28. Stormwater must not be discharged from the subject land other than by means of an underground pipe drain discharged to an outlet in the street or to an underground pipe drain to the satisfaction of the Responsible Authority.
29. Stormwater works must be provided on the subject land so as to prevent overflows onto adjacent properties.

Prior to Occupation:

30. Prior to occupation:
  - a. All proposed areas set aside on the approved plan/s for access, circulation and car parking must be constructed with concrete, asphalt or other approved hard surfacing material, drained and the parking areas delineated to the satisfaction of the Responsible Authority. Once constructed, these areas must be maintained to the satisfaction of the Responsible Authority.
  - b. All redundant existing vehicle crossing(s) must be removed and the nature strip and kerb and channel reinstated at the cost of the owner and to the satisfaction of the Responsible Authority.
  - c. Commercial standard concrete vehicle crossing/s as shown on the approved plans must be constructed to the approval and satisfaction of the Responsible Authority.
  - d. The landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
  - e. The acoustic fencing as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority.
  - f. A bin storage area must be provided as shown on the endorsed plans and screened so as not to be detrimental to the visual amenity of the neighbourhood to the satisfaction of the Responsible Authority.
  - g. All external plant and equipment must be acoustically treated or placed in soundproof housing to reduce noise to a level satisfactory to the Responsible Authority.

**Expiry:**

31. A permit for the development and use of land expires if-
  - a. the development does not start within two (2) years after the issue of the permit; or
  - b. the development is not completed within four (4) years after the issue of the permit; or
  - c. the use does not start within two (2) years after the completion of the development; or
  - d. the use is discontinued for a period of two (2) years.

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.

**Notes:**

- Council recommends that prior to activating this permit, a registered building surveyor be contacted to ensure the development complies with the Building Act and Building Regulations.
- Prior to commencement of the proposed use a Building Permit must be obtained for any retaining wall exceeding 1.0 metres in height.



- A 'Vehicle Crossing Permit' must be obtained from the relevant authority prior to the commencement of any works associated with the proposed vehicle crossing.
- As the development has an impervious ratio greater than 35%, the developer shall engage the services of a suitably experienced Engineer to design a stormwater detention system that will reduce the intensity of the storm water discharge entering Council's drainage system, i.e.: a detention system. The storm water detention system shall provide for the same five (5) year ARI peak discharge as that for a standard house lot with no storm water detention. A standard house lot is assumed to have a fraction impervious area of 35%. Calculations and a plan shall be submitted to Council for approval prior to construction. The storm water detention system must be constructed prior to the occupation of the proposed development.

### Attachments

1. Locality Map [5.3.1 - 1 page]
2. Development Plans [5.3.2 - 7 pages]
3. Copy of Objections (Redacted) [5.3.3 - 9 pages]

### Executive Summary

<b>APPLICATION NO.:</b>	T210968
<b>APPLICANT:</b>	Emma Nicolson Urban Arc Planning Pty Ltd
<b>LAND:</b>	L4 LP50825, 1-3 Savage Street Pakenham VIC 3810
<b>PROPOSAL:</b>	Use and Development of Land for a Child Care Centre
<b>PLANNING CONTROLS:</b>	General Residential Zone – Schedule 1 Development Contributions Plan Overlay – Schedule 1
<b>NOTIFICATION &amp; OBJECTIONS:</b>	Pursuant to Section 52 of the <i>Planning and Environment Act 1987</i> , the application was advertised by the placing of signs on site and sending notices in the mail to nearby property owners.  Six (6) objections were received.
<b>KEY PLANNING CONSIDERATIONS:</b>	Activity Centres Urban Design Streetscape Character Amenity Car Parking Traffic
<b>RECOMMENDATION:</b>	That a Notice of Decision to Grant a Planning Permit be issued, subject to the conditions within this report.

## Background

Planning Permit Application T170462 which sought approval for 'Use and Development of Land for Residential Building (Boarding House)' was Refused by Council on 07 March 2018.

An application for review of Council's decision was subsequently lodged with the Victorian Civil and Administrative Tribunal on 23 March 2018 – however was subsequently withdrawn prior to hearing on 24 August 2018.

There is no other Planning history for this site.

## Subject Site



The site, comprising two allotments, is located on the west side of Savage Street, Pakenham approximately 150m south from Pakenham Town Centre. The parcel is generally square in shape, has a combined frontage to Savage Street of 40.2m and a total area of 1680sqm. No. 1 Savage Street is currently developed with a single dwelling setback 9.1m from the frontage with No.3 undeveloped.

There is a land rise of less than 1.0m from the front to the rear (flat). There is established vegetation located along the front title boundary. Vehicle access to each parcel is provided via a crossover and driveway along the northern boundary. 1.6m high timber paling fencing defines the side and rear boundaries.

No. 1A Savage Street and 2/25 Henty Street both adjoin the northern boundary and are each developed with a single dwelling setback between 2.0m and 3.0m from the common boundary. There are multiple habitable room windows that directly face the site within 9.0m. Secluded private open space (SPOS) is located to the north and west of each dwelling. There is no significant vegetation that abuts the common boundary.

No. 3/26 Henty Street and 4 and 5/6 Ann Crescent all adjoin the western boundary and are each developed with a single dwelling setback between 2.4m and 3.5m from the common boundary. There are multiple habitable room windows that directly face the site within 9.0m. SPOS is located to the side and rear of each dwelling. There is established vegetation that abuts the common boundary.

No. 5 Savage Street adjoins the southern boundary and is developed with a single dwelling setback 7.9m from the common boundary and 15.1m from the frontage. There are multiple habitable room windows that directly face the site within 9.0m. SPOS is located to the rear. There is no significant vegetation that abuts the common boundary.

Land on the south side of Henty Street and is used and developed for residential purposes. Vegetation is typically subordinate to the built form within the streetscape. Land on the north side of Henty Street is used and developed for commercial purposes (Pakenham Town Centre). Pakenham Rail Station is located 650m from the subject site.

### **Proposal**

Approval is sought for the use and development of the land for a Use and Development of Land for a Child Care Centre.

The childcare centre offers places to children that range in age from infants to 5-year old's and includes an integrated preschool/kinder program. Internally the development provides for a total 5 childcare rooms, a kitchen, staff, and management offices, 4 bathrooms (1 disabled), reception area and a laundry.

A minimum front building setback to Savage Street is proposed at 9 metres and side and rear built form setbacks are confirmed as being 3.005m to northern boundary, 12.88m to the southern boundary and 5.01m to the western boundary.

The building has been designed with a single storey building height and a modern, modular form. The building adopts a flat roof profile and incorporates window proportions and building materials that ensure built form reads as a residential form of architecture and is generally in keeping with the surrounding character of the area.

Access is provided via a 6.1m wide accessway directly from Savage Street leading into a 17-space car park.

Outdoor play areas are located to the North, South and East of the proposed building with all existing fencing between outdoor play areas and existing dwellings to be replaced with acoustic fencing and abutting the car park.

A maximum 76 children are to be accommodated within the building at any one time and the hours of operation are proposed to be Monday to Friday 6.30am – 6.30pm.

Waste is to be collected by a private contractor. Waste is to be stored within the designated waste storage area and collected from Savage Street or the internal car park area.

### **Planning Scheme Provisions**

#### **Zone**

The land is subject to the following zones:

- General Residential Zone – Schedule 1

#### **Overlays**

The land is subject to the following overlays:

- Development Contributions Plan Overlay - Schedule 1

#### **Planning Policy Framework (PPF)**

The relevant clauses of the PPF are:

- Clause 11.01-1S – Settlement
- Clause 11.02-1S - Supply of Urban Land
- Clause 13.05-1S - Noise Abatement
- Clause 13.07-1S - Land Use Compatibility
- Clause 15.01-1S - Urban Design
- Clause 15.01-2S - Building Design
- Clause 15.01-5S - Neighbourhood Character
- Clause 17.01-1S - Diversified Economy
- Clause 18.01-1S – Land Use and Transport Integration
- Clause 18.02-4S – Roads
- Clause 19.02-2S - Education Facilities

#### **Local Planning Policy Framework (LPPF)**

The relevant clauses of the LPPF are:

- Clause 21.01 – Cardinia Shire Key Issues and Strategic Vision
- Clause 21.03-2 – Urban Established Area – Beaconsfield and Pakenham
- Clause 21.04-1 – Employment
- Clause 21.05-3 – Local Roads
- Clause 21.05-6 - Community Services and Facilities
- Clause 21.06-1 – Urban Design

#### **Relevant Particular/General Provisions and Relevant Incorporated or Reference Documents**

The relevant provisions/ documents are:

- Clause 52.06 – Car Parking
- Clause 52.34 – Bicycle Facilities
- Clause 65 – Decision Guidelines
- Clause 66 – Referral and Notice Provisions

#### **Planning Permit Triggers**

The proposal for the use and development of the land for a residential building requires a planning permit under the following clauses of the Cardinia Planning Scheme:

- Pursuant to Clause 32.08 – 2, a planning permit is required for the use of the land for a Childcare Centre.



- Pursuant to Clause 32.08 – 9, a planning permit is required for buildings and works associated with a Section 2 Use.

### Public Notification

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

- Sending notices to the owners and occupiers of adjoining and nearby land; and
- Placing a sign on site.

The notification has been carried out correctly, and the statutory declaration has been submitted to Council on 31 May 2022.

Council has received six (6) objections to date.

The key issues that were raised in the objections are:

- Appropriateness of Land Use in Residential Area
- Provision of Car Parking
- Increase in Traffic Congestion and Local Road Network
- Waste Collection
- Noise Impacts
- Potential Future Use and/or Development

A response to the concerns raised above is provided in the relevant section of the assessment further in this report.

With respect to any future potential use or development of the subject site, this can only be assessed on its merits and the Cardinia Planning Scheme at the time.

### Referrals

#### External Referrals/Notices:

Referrals/Notice	Referral Authority	Brief summary of response
Section 55 Referrals	Head, Department of Transport [Determining]	No objection (no conditions)

#### Internal Referrals:

Internal Council Referral	Advice/ Response/ Conditions
Engineering	No objection (subject to conditions)

Traffic	No objection (subject to conditions)
Waste	No objection (subject to conditions)
Strategic Planning	No objection (subject to conditions)
Urban Design	No objection (subject to conditions)

### Discussion

The proposal has been assessed against the Cardinia Planning Scheme and is considered to be consistent with the aims and objectives of the Scheme.

### Planning Policy

A number of state and local policies are relevant to this application.

Clause 11.01-1S (Settlement) seeks to promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements, including by developing compact urban areas that are based around existing or planned activity centres to maximise accessibility to facilities and services and ensuring retail, office-based employment, community facilities and services are concentrated in central locations. Clause 11.02-1S (Supply of urban land) seeks to ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.

- The proposal is considered to adequately respond to these policies as it proposes a use and development that is compatible with the location being within a residential area, accessible from two significant municipal roads (McGregor Road & Main Street) and within close proximity to the Pakenham Activity Centre and Railway Station.

Clause 13.05-1S (Noise abatement) seeks to assist the control of noise effects on sensitive land uses. Clause 13.07-1S (Land use compatibility) seeks to protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts.

- The proposal adequately responds to these policies. Childcare centres are considered an acceptable land use in a residential area if amenity impacts are appropriately managed. An acoustic assessment was provided with the application and proposes acoustic fencing to deal with noise impacts to neighbours from children in the outdoor play areas. The hours of operation are also considered reasonable to ensure that offsite amenity impacts from noise are managed and avoided where possible. The residences adjoining the property also have backyards interfacing with the site, all of which creates some separation between the neighbouring residential uses.

Clause 15.01-1S (Urban design) seeks to create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity. Clause 15.01-2S (Building design) seeks to achieve building design outcomes that contribute positively to the local context and enhance the public realm. Clause 15.01-5S (Neighbourhood character) seeks to recognise, support and protect neighbourhood character, cultural identity, and sense of place.

- The proposal appropriately responds to these policies. The design is considered to be a appropriate size and scale for the residential area. The built form is single storey and generous front, side and rear setbacks have been provided.

Clauses 17.01-1S (Diversified economy) and 21.04-1 (Employment) seeks to strengthen and diversify the economy, supporting local economies to grow and diversity by facilitating growth in a range of employment sectors, including education, based on the emerging and existing strengths of each region.



- The proposal adequately responds to these policies. The proposal provides for an opportunity for centrally located, local employment within a growth area which is supported by both State and Local policy.

Clauses 18.02-4S (Roads) and 21.05-3 (Local roads) seek to facilitate an efficient and safe road network that integrates all movement networks and makes best use of existing infrastructure.

- The proposal is considered an appropriate interface with Savage Street and have appropriate access to the local road network. The proposal was supported by Council's Traffic Engineer and also supported by the Head, Department of Transport (under Clause 66.02-11) as the site is considered to appropriately respond to these policies.

Clauses 19.02-2S (Education facilities) and 21.05-6 (Community services and facilities) seek to assist the integration of education and early childhood facilities with local and regional communities.

- The proposal is considered to adequately respond to these policies as it has considered the demographic trends (including the existing and future needs) for childcare in the Pakenham area, and provides for a well located and accessible childcare centre within a growing suburb.

Based on the above assessment, the proposal is considered to adequately respond to both Planning Policy Framework and Local policies and should be supported.

### **General Residential Zone (Schedule 1)**

The relevant purpose of the General Residential Zone for this application is to implement the MPS and PPF, to ensure that development respects the neighbourhood character of the area and allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations. A permit is triggered for both the use and development of the land for a Childcare Centre in the GRZ1 under the following provisions:

- Pursuant to Clause 32.08-2 (GRZ1) a planning permit is required to use the land for a Section 2 Use (Childcare Centre).
- Pursuant to Clause 32.08-9 (GRZ1) a planning permit is required to construct a building or construct or carry out works associated with a Section 2 Use (Childcare Centre).

The decision guidelines of this zone cover several matters, such as the purpose of the zone and the objectives, standards and decision guidelines for non-residential use and development. The specific decision guidelines are:

#### General

- *The Municipal Planning Strategy and the Planning Policy Framework.*

As discussed above, the proposal is considered to adequately address planning policy.

- *The purpose of this zone.*

The proposal is considered consistent with the purpose of the General Residential Zone which allows education centres (includes Childcare centres) to be located within residential areas where they are well located. The site is considered to achieve this. It is within a centralised residential location and is adjacent to the Pakenham Town Centre and two significant municipal roads (McGregor Road & Main Street). The site is also in close proximity to Pakenham Train Station.

- *The objectives set out in the schedule to this zone.*

There are no applicable objectives set out in Schedule 1 of the Zone.

- *Any other decision guidelines specified in a schedule to this zone.*

Addressed below.

- *The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.*

There are no existing rooftop solar energy systems on dwellings on adjoining lots.

#### Non-Residential Use and Development

- *Whether the use or development is compatible with residential use.*

As discussed above and as recognised by both Planning Policy Framework and Local planning policy, childcare centres can be appropriate land uses within residential areas when appropriately located. The location of the proposed childcare centre centrally located within a residential area, adjoining Pakenham Activity Centre and easily accessible by Pakenham Train Station and two significant municipal roads (McGregor Road & Main Street) ensuring that the non-residential use is appropriately located.

- *Whether the use generally serves local community needs.*

Childcare centres are considered by their nature to serve a local community need. Pakenham is a growing area where a number of young families live, and therefore, the addition of this well-located Childcare Centre to help service the growing community should be supported.

- *The scale and intensity of the use and development.*

Being single storey in design and well setback from adjoining boundaries, the proposed scale of the building is appropriate for the predominately single storey, residential character of the area. The intensity of the use is also considered reasonable in this context, as the 76 place childcare centre can provide for all its required car parking on-site and as the site easily accessible from two significant municipal roads (McGregor Road & Main Street), the road infrastructure can also cope with an intensification of use on the site.

An Acoustic Report, prepared by Waveform Acoustics, has been submitted in support of this application which concludes that noise generated from the proposed use is acceptable in this residential context subject to the installation of appropriate acoustic fencing and screening of plant equipment. This will be conditioned on any permit issued.

- *The design, height, setback and appearance of the proposed buildings and works.*

As discussed above, the single storey design of the building is considered in keeping with the predominately single storey character of the area. The height of the building is also considered in keeping with this character. As discussed above the setbacks proposed as also in keeping with the character of the area and maintain a sense of spaciousness between built form. The design of the building, whilst contemporary, is considered modest and is not considered to detrimentally impact the character of the area. From an urban design perspective, the development promotes street activation and passive surveillance which is an enhancement on existing conditions.

- *The proposed landscaping.*

The landscaping proposed is considered adequate for the development. Landscaping is proposed within all open areas of the site, including along the frontage, and within the play areas. The landscaping proposed includes a mixture of ground covers, shrubs and canopy trees. Some existing, good quality vegetation in the road reservation have been retained.

- *The provision of car and bicycle parking and associated accessways.*

The development has been provided a total of seventeen (17) car parking spaces, which complies with the statutory requirement under Clause 52.06 (Car Parking). The accessways are appropriately designed and comply with the accessway design standards of Clause 52.06. Childcare centres are not required by Clause 52.34 (Bicycle Facilities) to provide bicycle spaces, therefore, no spaces have been provided.

- *Any proposed loading and refuse collection facilities.*

The proposed waste collection area is easily accessible from the car parking area for collection by a private waste collector from the internal car parking area. The waste storage area is appropriately screened from the car parking area, the road and the neighbouring properties, which is considered acceptable. The submitted Waste Management Plan will form part of the endorsed documents.

- *The safety, efficiency and amenity effects of traffic to be generated by the proposal.*

The site is accessible from two significant municipal roads (McGregor Road & Main Street) via Henty Street which is capable of accepting and safely and efficiently managing the additional traffic that will be generated by the proposal. Given that this is a larger local road, there is not expected to be any negative amenity effects caused by traffic on the wider area. For this reason, the application was supported by Council's Traffic Engineer (refer to Clause 52.06 assessment for more detail).

Based on the above assessment, the proposal is considered to be an acceptable and well-located proposal within a General Residential Zone and should be supported.

### **Development Contributions Plan Overlay – Schedule 1**

The purpose of this provision is to identify areas which require the preparation of a development contributions plan for the purpose of levying contributions for the provision of works, services and facilities before development can commence.

In accordance with the Pakenham Township Development Contributions Plan, September 1997 Section 1.10, a contribution is required:

*On the basis of nexus residential development in the identified DCP-PAK area is liable for development contributions for the infrastructure described in the DCP. There are no exemptions. More detail is given under each individual infrastructure item below.*

The proposal is not for residential development within the area covered by the Pakenham Township Development Contributions Plan, September 1997, and therefore in accordance with Section 4.0 of Schedule 1 to the DPO, this land is excluded from the requirement and no contribution is required.

### **Clause 52.06 Car Parking**

Pursuant to Clause 52.06-5 the number of car parking spaces required under Table 1, is 0.22 spaces per child. The proposed childcare centre is to accommodate 76 children; therefore, the use generates a requirement for 16 car parking spaces. A total of 17 car parking spaces are proposed on site which meet the relevant standards. The dimensions of each car parking space and aisle width are compliant with Clause 52.06-9 with all vehicles able to exit the site in a forward direction.

Whilst it's acknowledged that the proposed non-residential use will generate additional traffic along Savage Street, the subject site is 2 allotments south of a collector road (Henty Street) with efficient access onto Henty Street. It is further noted that the increase in traffic movement is only during peak periods Monday to Friday (drop off and pick up times). As the statutory car

parking rate is met, there is no dependency on on-street parking during peak times. Having regard to the sites' location, it can also be expected that many families will walk to and from the subject site. Public transport options can also be utilised by employees/families which will minimise impacts to the road network.

The application was referred to Council's Traffic Department who have reviewed the application documents (including a Traffic Impact Assessment prepared by ML Traffic Engineers) and have not raised concerns with the proposal.

Having regard to the above assessment, the objectives of this provision are met.

#### **Clause 52.34 Bicycle Parking**

In accordance with the Table to Clause 52.34- 4 (Bicycle facilities) no bicycle spaces, showers or change facilities are required to be provided for a Childcare centre.

#### **Clause 65 Decision Guidelines**

The application has been assessed against the Clause 65 – Decision Guidelines. It is considered that the application, as discussed above complies with the relevant state and local policies and the purpose of the zone and overlays that apply to the site. On balance, the proposal will provide a high net community benefit without unreasonably compromising amenity in the surrounding residential area.

As such it is considered that the application has appropriate regard to the decision guidelines and should be supported.

#### **Conclusion**

The proposed use and development are considered consistent with the relevant Planning Policy Framework, the purpose of the General Residential Zone – Schedule 1 and relevant Particular Provisions. It is therefore recommended that a Notice of Decision to Grant a Planning Permit be issued for the 'Use and Development of a Child Care Centre', subject to conditions outlined below.

**Conditions**

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and then form part of the permit. The plans must be drawn to scale and be generally in accordance with the plans prepared by Melvic Homes, Revision G, dated 21/03/22 submitted with the application but modified to show:
  - a. All site plans to show acoustic fencing along the side and rear property boundaries in accordance with Section 5.0 (Recommendations for Noise Mitigation) of the Acoustic Assessment prepared by Waveform Acoustics, dated 23/03/22.
  - b. A separate plan to show the construction method and materials of the acoustic fencing and screening for plant equipment in accordance with the recommendations of the Acoustic Report prepared by Section 5.0 (Recommendations for Noise Mitigation) of the Acoustic Assessment prepared by Waveform Acoustics, dated 23/03/22.
  - c. Sightline triangles in accordance with Design Standard 1 (Accessways) of Clause 52.06-9
2. Before the development starts, drainage plans must be submitted to and approved by the Responsible Authority. The plans must show the provision of a stormwater detention system. The stormwater detention system will become the responsibility of the property owner or body corporate to maintain to the satisfaction of the Responsible Authority.
3. The development as shown on the endorsed plan/s must not be altered without the written consent of the Responsible Authority.
4. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.
5. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority and used for no other purpose. Any dead, diseased or damaged plants are to be replaced.

**Use:**

6. The use as shown on the endorsed plan/s must not be altered without the written consent of the Responsible Authority.
7. No more than seventy-six (76) children may be cared for on the premises at any time without the prior written consent of the Responsible Authority.
8. Except with the written consent of the Responsible Authority, the childcare centre may only have staff present on the site Monday to Friday between 6.30am and 6.30pm.
9. Except with the written consent of the Responsible Authority, the use may only operate:
  - a. Monday to Friday between 6.30am and 6.30pm.
10. Except with the written consent of the Responsible Authority, children shall be permitted within the outdoor play areas only during the hours of:
  - a. Monday to Friday between 7:30am to 6.00pm.

**Tree protection:**

11. Before works start, a fence must be erected around trees shown for retention on the endorsed plan. This fence will protect the trees by demarcating the tree protection zone and must be erected at a radius of  $12 \times$  the diameter of the trunk at a height of 1.3 metres above ground level, to a maximum of 15 metres but no less than 2 metres from

the base of the trunk of the trees (excepting the approved area of encroachment for construction as shown on endorsed plans) to the satisfaction of the Responsible Authority. The protection fence must be constructed of star pickets and flagging tape/chain mesh or similar to the satisfaction of the Responsible Authority. The protection fence must remain in place until all works are completed to the satisfaction of the Responsible Authority. Except with the written consent of the Responsible Authority, within the tree protection zone, the following are prohibited:

- a. vehicular access.
- b. trenching or soil excavation.
- c. storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products.
- d. entry and exit pits for underground services.
- e. any other actions or activities that may result in adverse impacts to retained native vegetation.

Amenity (during construction):

12. The works associated with the construction of the development must not detrimentally affect the amenity of the area, through the:
  - a. Transport of materials, goods or commodities to or from the land;
  - b. Inappropriate storage of any works or construction materials;
  - c. Hours of construction activity;
  - d. Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste and storm water runoff, waste products, grit or oil;
  - e. Presence of vermin; or
  - f. In any other way.

To the satisfaction of the Responsible Authority.

Amenity (ongoing):

13. Noise emissions from the land shall comply with EPA Publication 1826 – Noise Limit and Assessment Protocol for the Control of Noise from Commercial, Industrial and Trade Premises and Entertainment Venues (or as amended) at all times.
14. The acoustic fencing must be constructed and maintained in accordance with the recommendations of the Acoustic Assessment prepared by Section 5.0 (Recommendations for Noise Mitigation) of the Acoustic Assessment prepared by Waveform Acoustics, dated 23/03/22 as shown on the endorsed plans to the satisfaction of the Responsible Authority.
15. 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, flumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;
  - d. Presence of vermin; or
  - e. In any other way.

To the satisfaction of the Responsible Authority.



16. No external sound amplification equipment or loudspeakers are to be used for the purpose of announcements, broadcasts, playing of music or similar purposes.
17. External lighting of the areas set aside for car parking, access lanes and driveways must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on adjoining land.
18. All external plant and equipment must be acoustically treated or placed in soundproof housing to reduce noise to a level at all times satisfactory to the Responsible Authority.
19. All pipes, fixtures, fittings and vents servicing any building on the subject land must be concealed in service ducts or otherwise hidden from view at all times to the satisfaction of the Responsible Authority.
20. The site including all buildings and works must be so ordered and maintained as not to prejudicially affect the amenity of the locality by reason of appearance to the satisfaction of the Responsible Authority.
21. The exterior colour and cladding of the development must not result in any adverse visual impact on the environment of the area and all external cladding and trim of the development must be of a non-reflective nature in accordance with the endorsed plans.

#### Waste Management:

22. Expect with the prior written consent of the Responsible Authority, waste may only be collected from the site:
  - a. Monday to Saturday between 7.00am and 6.00pm.
23. All waste generated by the use of the land must at all times be managed in accordance with the Waste Management Plan for the land prepared by Low Impact Development Consulting (LID), dated 25/03/2022 and approved by the Responsible Authority.
24. Provision must be made on the subject land for the storage and collection of garbage and other solid waste. This area must be graded and drained and screened from public view to the satisfaction of the Responsible Authority.
25. All waste must be stored effectively to prevent odours from affecting neighbouring properties.

#### Earthworks:

26. Earthworks must be undertaken in a manner that minimises soil erosion. Exposed areas of soil must be stabilised to prevent soil erosion. The time for which soil remains exposed and unestablished must be minimised to the satisfaction of the Responsible Authority.
27. Sediment control measures must be undertaken during construction to the satisfaction of the Responsible Authority to ensure that the development subject land is adequately managed in such a way that no mud, dirt, sand, soil, clay or stones are washed into or allowed to enter the stormwater drainage system.

#### Stormwater Management:

28. Stormwater must not be discharged from the subject land other than by means of an underground pipe drain discharged to an outlet in the street or to an underground pipe drain to the satisfaction of the Responsible Authority.
29. Stormwater works must be provided on the subject land so as to prevent overflows onto adjacent properties.

#### Prior to Occupation:

30. Prior to occupation:
  - a. All proposed areas set aside on the approved plan/s for access, circulation and car parking must be constructed with concrete, asphalt or other approved hard

surfacing material, drained and the parking areas delineated to the satisfaction of the Responsible Authority. Once constructed, these areas must be maintained to the satisfaction of the Responsible Authority.

- b. All redundant existing vehicle crossing(s) must be removed and the nature strip and kerb and channel reinstated at the cost of the owner and to the satisfaction of the Responsible Authority.
- c. Commercial standard concrete vehicle crossing/s as shown on the approved plans must be constructed to the approval and satisfaction of the Responsible Authority.
- d. The landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
- e. The acoustic fencing as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority.
- f. A bin storage area must be provided as shown on the endorsed plans and screened so as not to be detrimental to the visual amenity of the neighbourhood to the satisfaction of the Responsible Authority.
- g. All external plant and equipment must be acoustically treated or placed in soundproof housing to reduce noise to a level satisfactory to the Responsible Authority.

**Expiry:**

31. A permit for the development and use of land expires if-

- e. the development does not start within two (2) years after the issue of the permit; or
- f. the development is not completed within four (4) years after the issue of the permit; or
- g. the use does not start within two (2) years after the completion of the development; or
- h. the use is discontinued for a period of two (2) years.

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.

**Notes:**

- Council recommends that prior to activating this permit, a registered building surveyor be contacted to ensure the development complies with the Building Act and Building Regulations.
- Prior to commencement of the proposed use a Building Permit must be obtained for any retaining wall exceeding 1.0 metres in height.
- A 'Vehicle Crossing Permit' must be obtained from the relevant authority prior to the commencement of any works associated with the proposed vehicle crossing.
- As the development has an impervious ratio greater than 35%, the developer shall engage the services of a suitably experienced Engineer to design a stormwater detention system that will reduce the intensity of the storm water discharge entering Council's drainage system, i.e.: a detention system. The storm water detention system shall provide for the same five (5) year ARI peak discharge as that for a standard house lot with no storm water detention. A standard house lot is assumed to have a fraction impervious area of 35%. Calculations and a plan shall be submitted to Council for approval prior to construction. The storm water detention system must be constructed prior to the occupation of the proposed development.





**T210968 PA - Locality Map**

127.0 0 63.50 127.0 Meters

1:2,500

Data Source: State & Local Government. © CARDINIA SHIRE COUNCIL

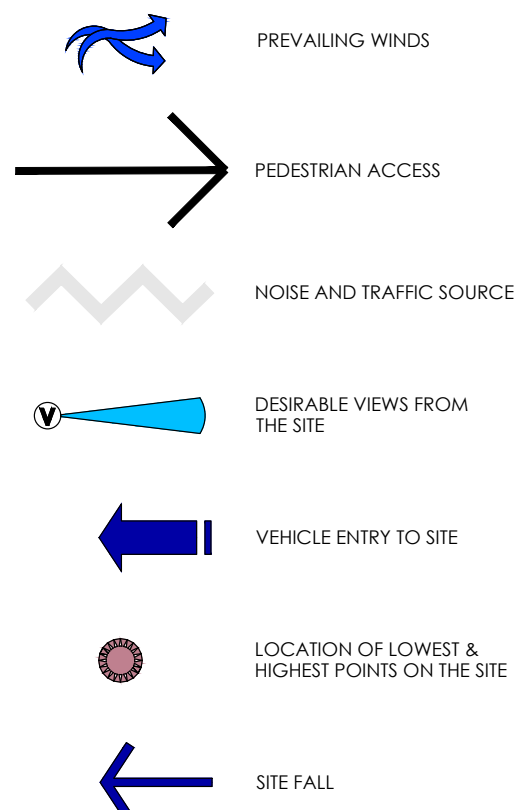
25-Aug-2022

Notes





## LEGEND



LOCATION TO C.B.D.	73.0 KM TO MELBOURNE
PROXIMITY TO	


PARKS	ROSALIE COURT RESERVE PARK	350M
PAKENHAM SPRINGS PRIMARY	SCHOOL	1.3KM
PAKENHAM SECONDARY COLLEGE	SCHOOL	1.6KM
ANDREWS COMMUNITY	KINDERGARTEN	1.4KM
WOOLWORTHS	SHOPPING	1.2KM

PUBLIC TRANSPORT

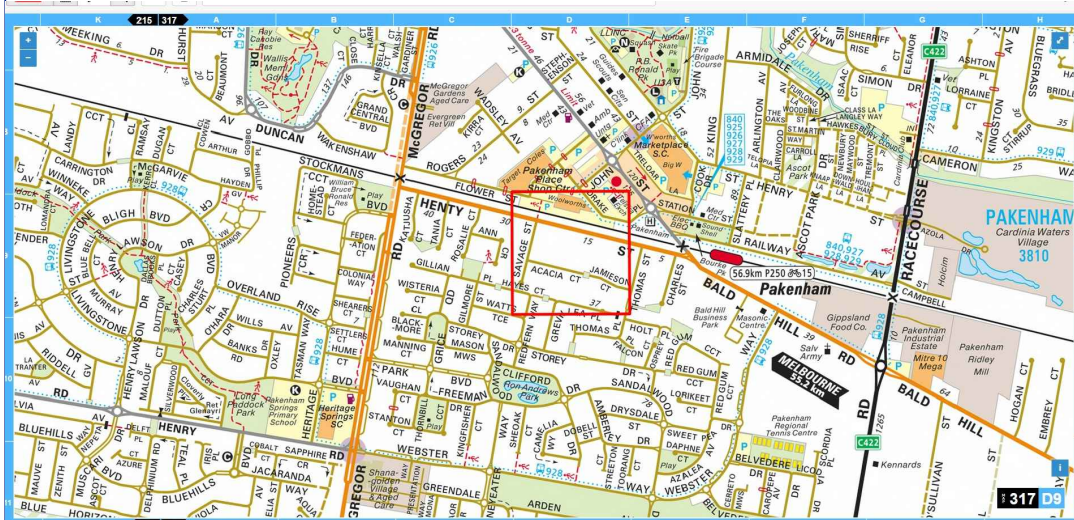
BUS STOP	N/A	N/A
TRAIN STATION	STATION	650M

## SITE ANALYSIS PLAN CERTIFICATION

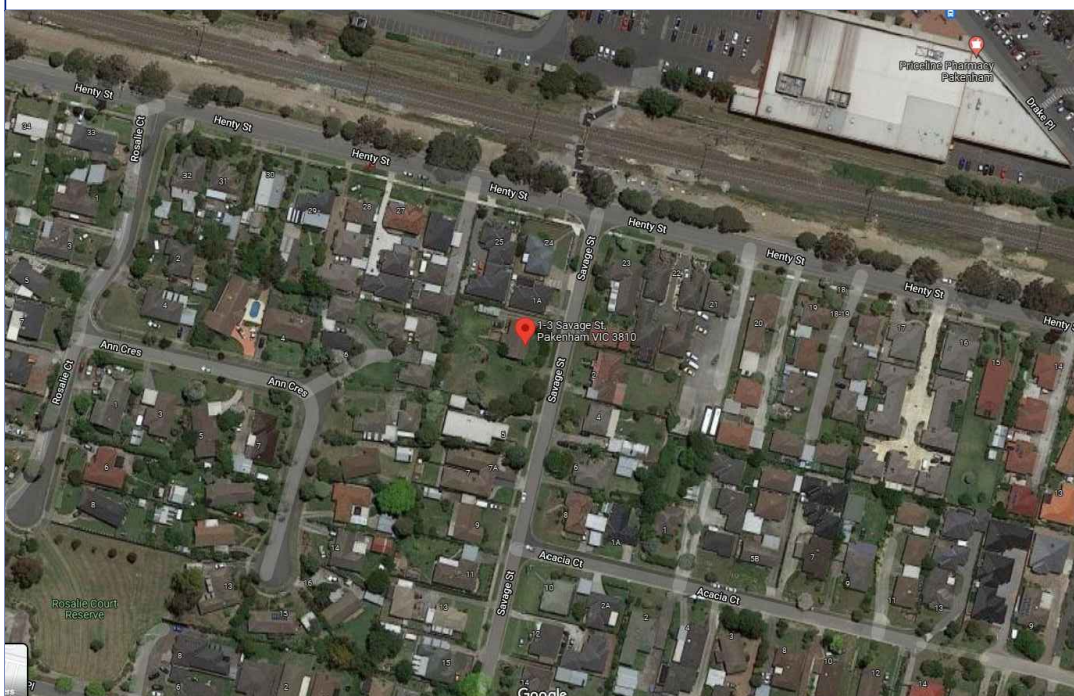
THIS SITE CONTEXT PLAN HAS BEEN PREPARED FROM SITE VISITS, LICENSED SURVEYOR'S SURVEY & STATUTORY AUTHORITY RECORDS & IS A FAIR REPRESENTATION OF EXISTING CONDITIONS & FEATURES OF THE PROPOSED SUBJECT SITE & SURROUNDING ENVIRONS. FOR THE PURPOSE OF MEDIUM DENSITY DEVELOPMENT AS REQUIRED BY "RES-CODE". NEIGHBOURS DIMENSIONS AND PLANT SPECIES ARE AS ACCURATE AS POSSIBLE

SIGNED:  REF No: \_\_\_\_\_  
ON BEHALF OF THOMAS ANDERSON DESIGN DATE: \_\_\_\_\_

MELWAYS REF: 317D9

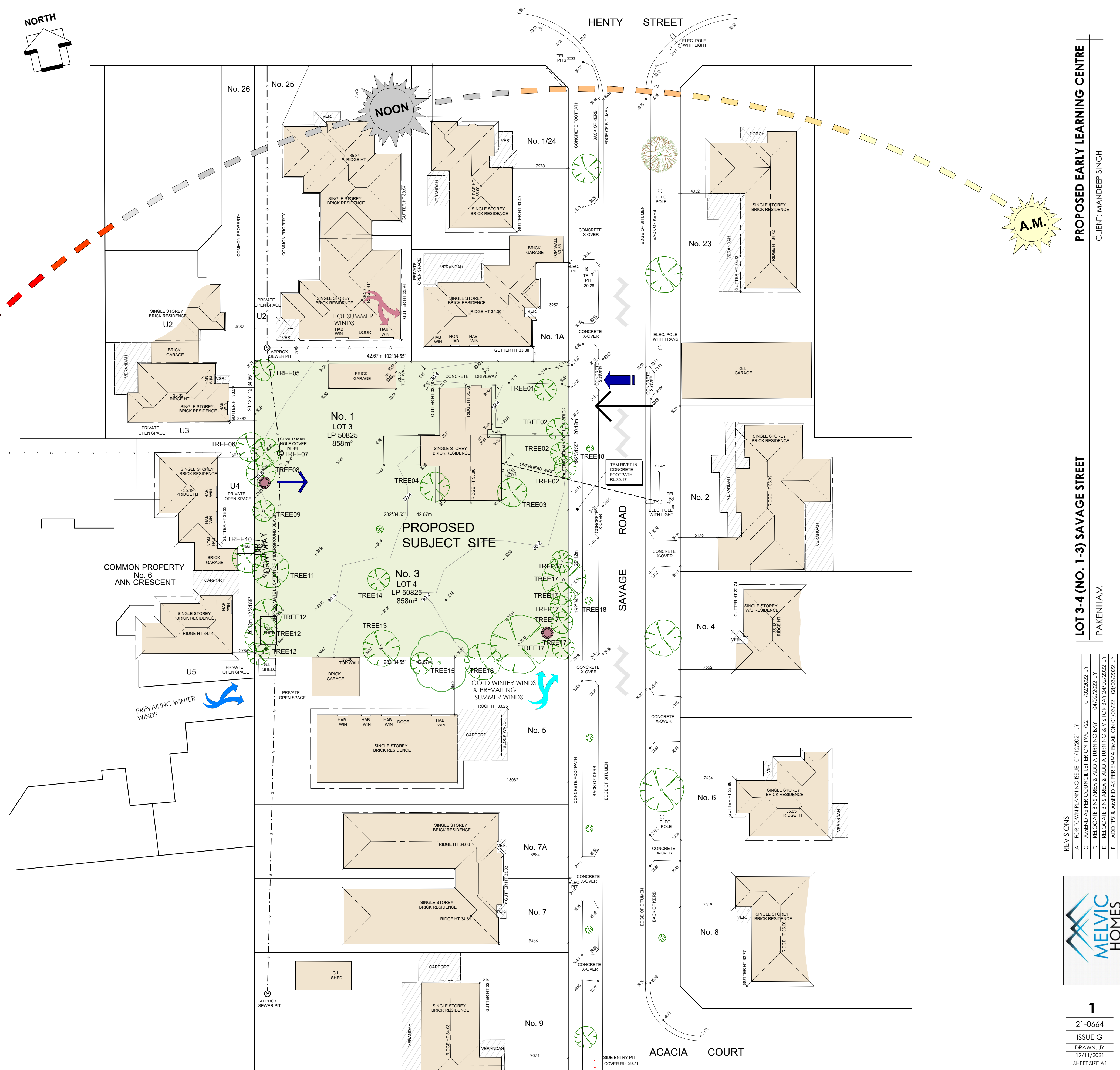


## AERIAL MAPS



## EXISTING CONDITIONS PLAN

SCALE 1:250



PROPOSED EARLY LEARNING CENTRE

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CLIENT: MANDEEP SINGH

LOT 3-4 (NO. 1-3) SAVAGE STREET  
PAKENHAM

A	FOR TOWN
---	----------

A	FOR TOWN PLANNING ISSUE	01/12/2021	JY
C	AMEND AS PER COUNCIL LETTER ON 19/01/22	01/02/2022	JY
D	RELOCATE BIN AREA & ADD A TURNING BAY	04/02/2022	JY
E	RELOCATE BIN AREA & ADD A TURNING & VISITOR BAY	24/02/2022	JY
F	ADD TPZ & AMEND AS PER EWMA EMAIL ON 01/03/22	08/03/2022	JY
G	FIX TPZ&AMEND BIN AREA PER DENNIS EMAIL ON 17/03	21/03/2022	JY



21-0664  
ISSUE G  
DRAWN: JY  
19/11/2021  
SHEET SIZE A1



LEGEND

SUBJECT SITE

POS - DIMENSION UNDER 3.0M/ POS

SEALED REINFORCED CONCRETE DRIVEWAY

1.8M HIGH NON CLIMBABLE FENCING

EXTENT OF 600MM HIGH LATTICE EXTENSION

FINISHED FLOOR LEVEL

FINISHED SURFACE LEVEL, (CUT - FILL LEVEL)

CLOTHES LINE

SECURITY LIGHT: "SENSOR LIGHT"

BOLLARD LIGHT

TAP

LETTER BOX

OPTIONAL WATER TANK LOCATION

REMOTE METER

RUBBISH AND RECYCLE BIN LOCATION

COLLAPSABLE COLORBOND SHED IN MUTED TONES ON 100MM CONC. SLAB

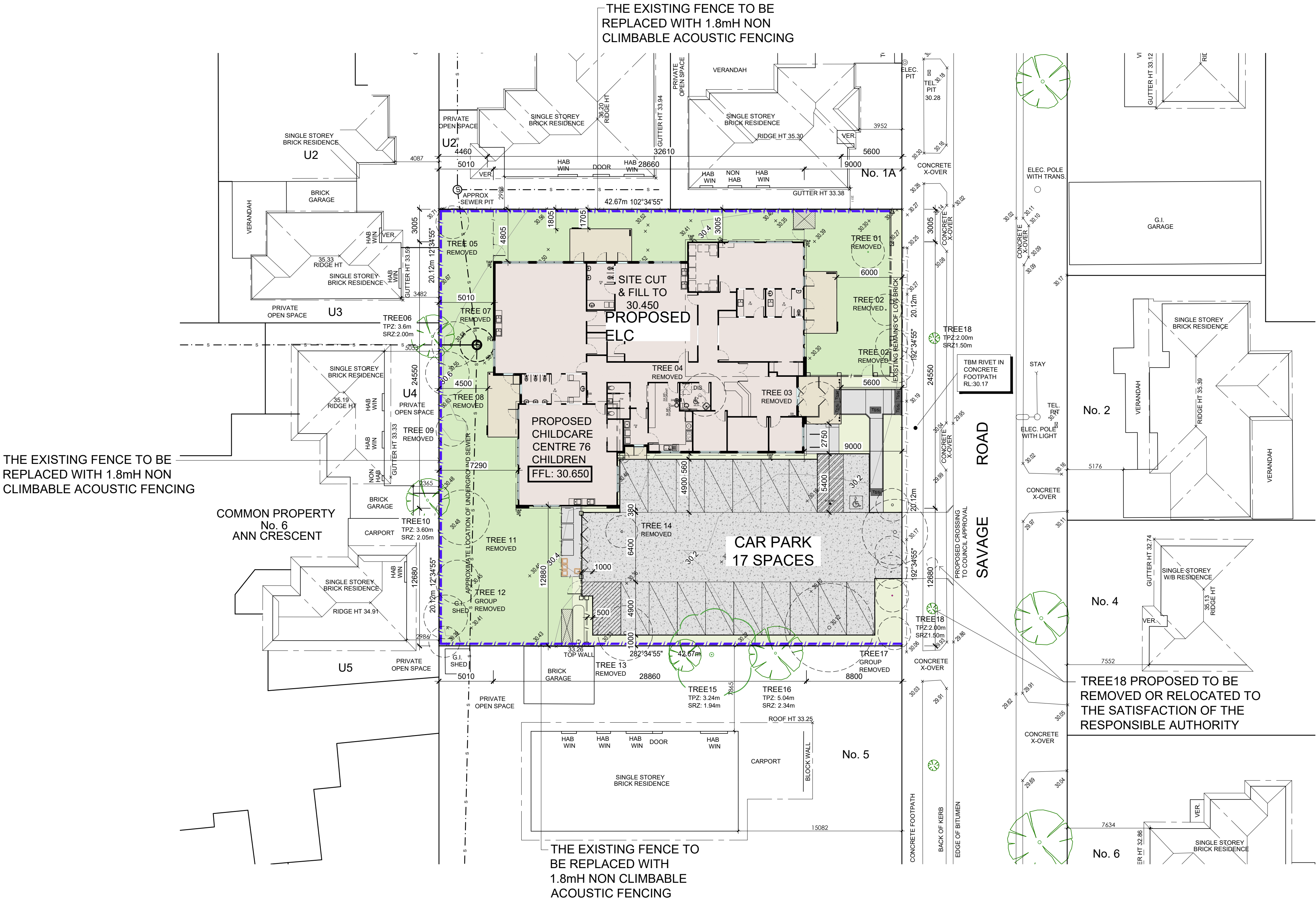
NEW CONCRETE CROSSOVER

EXISTING TREES TO BE RETAINED

EXISTING TREES TO BE REMOVED

SITE STATISTICS	
Total Site Area	1717.0 m²
Total Site Cover	621.4 m²
Total Site Cover Ratio	36.2 %
Car Parking Area	431.9 m²
Total Concrete Paving	45.6 m²
Total Hard Cover Area	1099 m²
Total Hard Cover Ratio	64.0 %
Permeable Area	618.1 m²
Permeable Area Ratio	36.0 %
Carparking Required	
Carparking Provided	17
Visitor Carparking	

THE BUILDING HAS TO MAKE PROVISION FOR FUTURE RECYCLED WATER USAGE (AS PER CONDITION IMPOSED BY SEW ON ALL BUILDINGS IN THE BUSINESS PARK)



PROPOSED EARLY LEARNING CENTRE

CLIENT: MANDEEP SINGH

LOT 3-4 (NO. 1-3) SAVAGE STREET

PAKENHAM

REVISIONS			
A	FOR TOWN PLANNING ISSUE	01/12/2021	JY
B	AMEND AS PER COUNCIL LETTER ON 19/01/22	01/02/2022	JY
C	AMEND AS PER COUNCIL LETTER ON 19/01/22	04/02/2022	JY
D	RELOCATE BINS AREA & ADD A TURNING BAY	24/02/2022	JY
E	RELOCATE BINS AREA & ADD A TURNING BAY	24/02/2022	JY
F	ADD TPZ & AMEND AS PER EMA EMAIL ON 01/03/22	06/03/2022	JY
G	FIX TPZ AMEND BINS AREA PER DRINK EMAIL ON 17/03	21/03/2022	JY



PROPOSED DESIGN RESPONSE PLAN / SITE PLAN SCALE 1:200 @ A1

2

21-0664

ISSUE G

DRAWN: JY

19/11/2021

SHEET SIZE A1



LEGEND

- SUBJECT SITE
- POS - DIMENSION UNDER 3.0M/ POS
- SEALED REINFORCED CONCRETE DRIVEWAY
- 1.8M HIGH NON CLIMBABLE FENCING
- EXTENT OF 600MM HIGH LATTICE EXTENSION
- FINISHED FLOOR LEVEL
- FINISHED SURFACE LEVEL (CUT - FILL LEVEL)
- CLOTHES LINE
- SECURITY LIGHT; "SENSOR LIGHT"
- BOLLARD LIGHT
- TAP
- LETTER BOX
- OPTIONAL WATER TANK LOCATION
- REMOTE METER
- RUBBISH AND RECYCLE BIN LOCATION
- COLLAPSABLE COLORBOND SHED IN MUTED TONES ON 100MM CONC. SLAB
- NEW CONCRETE CROSSOVER
- EXISTING TREES TO BE RETAINED
- EXISTING TREES TO BE REMOVED

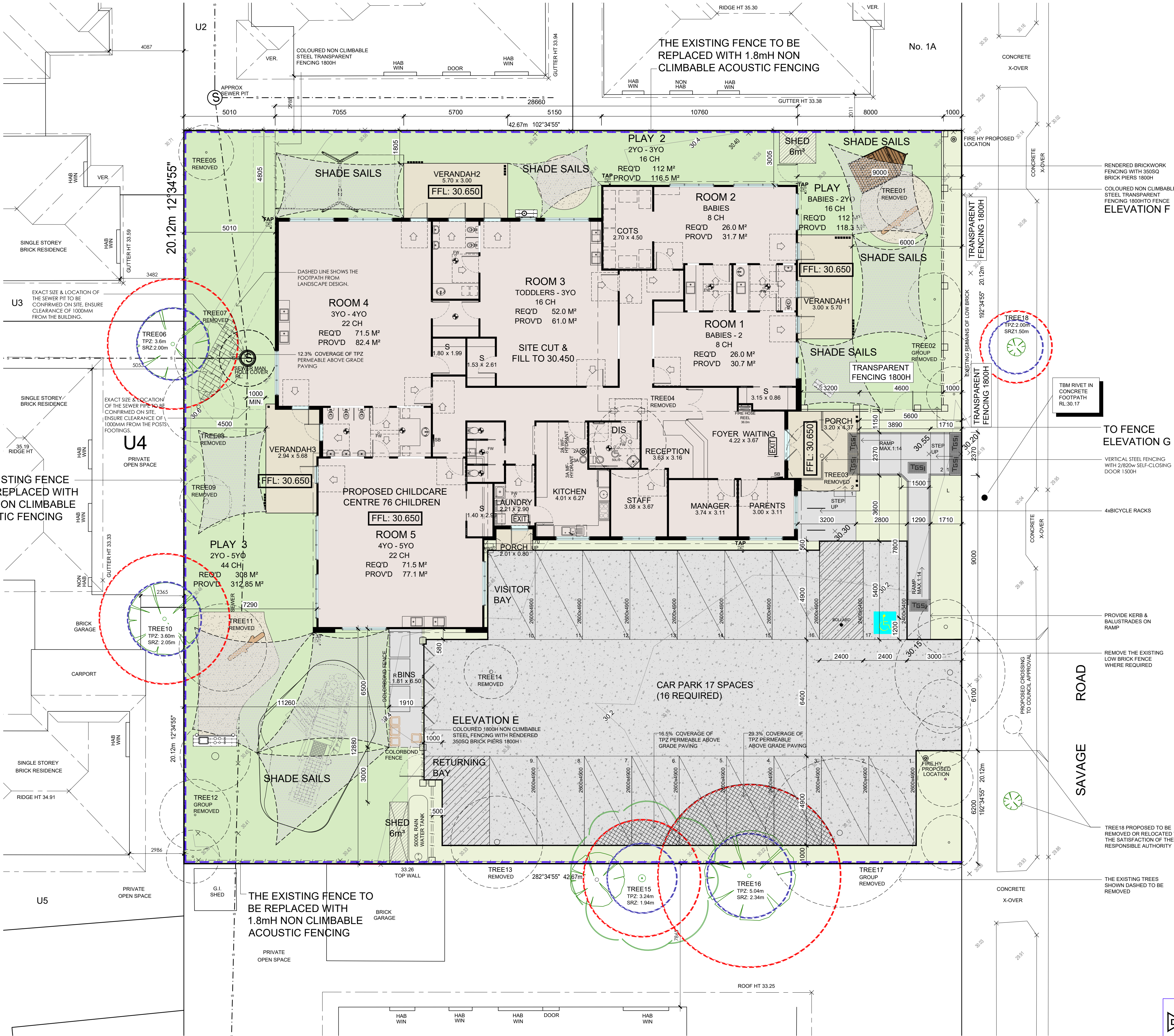
AREA:

PROPOSED CHILD CARE	
Centre Floor Area	551.8 m2
Porch	19.0 m2
Total Verandahs	50.6 m2
TOTAL	621.4 m2



FLOOR PLAN

SCALE 1:100



PROPOSED EARLY LEARNING CENTRE

CLIENT: MANDEEP SINGH

LOT 3-4 (NO. 1-3) SAVAGE STREET

PAKENHAM

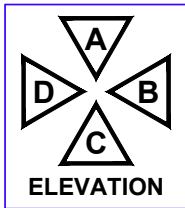
REVISIONS

NO.	DESCRIPTION	DATE
A	FOR TOWN PLANNING ISSUE	01/12/2021 JY
B	AMEND AS PER COUNCIL LETTER ON 19/01/22	01/02/2022 JY
C	RELOCATE BINS AREA & ADD A TURNING BAY	04/02/2022 JY
D	RELOCATE BINS AREA & ADD A TURNING BAY	04/02/2022 JY
E	ADD TPZ & AMEND AS PER EMMA EMAIL ON 01/03/22	06/03/2022 JY
F	ADD TPZ & AMEND AS PER EMMA EMAIL ON 01/03/22	06/03/2022 JY
G	FIX TPZ AMEND BINS AREA PER DENISE EMAIL ON 17/03	21/03/2022 JY

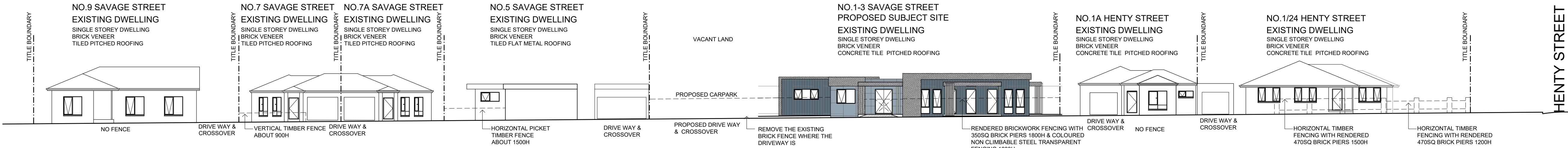


3

21-0664  
ISSUE G  
DRAWN: JY  
19/11/2021  
SHEET SIZE A1







NO. 1-3 STREET SCAPE ( SAVAGE STREET) SCALE 1:200

SUSTAINABLE DESIGN STATEMENT  
GREEN SPECIFICATION.

ENERGY

- \* ENERGY RATING OF BUILDING ENVELOPE ACHIEVES A MINIMUM 6 STARS INCLUDING:
  - R5.0 BULK INSULATION TO CEILING
  - R2.5 BATTS TO WALLS PLUS D.S. SISILATION
  - ALUMINIUM IMPROVED WINDOW FRAMES
  - WEATHER STRIPS TO ALL EXTERNAL DOORS
  - GAPS & CRACKS SEALED WITH IMPERMEABLE BARRIER (LAP & TAP SISILATION AT ALL JOINTS, OPENINGS AND PENETRATIONS)
- \* HOT WATER SYSTEM TO HAVE ENERGY EFFICIENCY OF LEAST 4 STAR
- \* ALL HEATING AND COOLING UNITS ARE CERTIFIED UNDER MEPS, AND ALL DUCTWORK WILL COMPLY WITH THE BCA GUIDELINES FOR SERVICES
- \* FLUORESCENT LOW ENERGY DOWN LIGHTS AND / OR BATTEN HOLDERS WITH LOW ENERGY GLOBES

WATER

- \* WATER EFFICIENCY RATING OF TAPS TO BE 4 STARS WELS
- \* WATER EFFICIENCY RATING OF CISTERNS TO BE 4 STARS WELS
- \* WATER EFFICIENCY OF SHOWER HEADS TO BE 3 STARS WELS

STORMWATER

- \* MINIMUM 2000L TAINWATER TANK TO BE INSTALLED IN SUCH A WAY TO RECEIVE A MINIMUM 50MM OF ROOF AREA. TANKS TO BE PROVIDED WITH AN AUTOMATIC OR MANUAL INTERCHANGE DEVICE TO PROVIDE A CONTINUAL SUPPLY OF WATER FOR SANITARY FLUSHING OR UPGRADED AS PER ENGINEER'S DRAINAGE DESIGN.

MATERIALS

- \* THE SELECTION OF NEW MATERIALS TO BE ENVIRONMENTALLY FRIENDLY
- \* REUSABILITY AND RECYCLABILITY OF MATERIALS WHERE PRACTICAL

TRANSPORT

- \* ALLOCATED BICYCLE PARKING SPACES IN ACCORDANCE WITH EXTERNAL SECURE PARKING AS2999.3 OR INTERNAL SPACE ALLOCATED IN GARAGES / SHEDS.

WASTE

- \* ALLOCATED SPACE FOR WASTE MANAGEMENT NOMINATED (EG. GENERAL WASTE, RECYCLING, GREEN WASTE AND COMPOSTING BINS)

LANDSCAPING

- \* THE PLANTING PALETTE SELECTED SHOULD CONSIST OF PROVEN DROUGHT TOLERANT, NATIVE AND / OR LOCALLY INDIGENOUS PLANT SPECIES. THESE SPECIES ARE SUITABLE FOR USE IN THE LOCAL CLIMATE AND SOIL CONDITIONS AND DO NOT REQUIRE EXCESSIVE WATERING TO ENSURE SURVIVAL.
- \* ALL TIMBER PRODUCTS TO BE TREATED PINE, RECYCLED OR PLANTATION GROWN. JARRAH, RED GUM OR NATIVE (WHITE) CYPRUS PINE (CALITRIS COLUMNELLARIS) SHOULD NOT BE USED UNLESS DEMONSTRATED THEY ARE A RECYCLED PRODUCT.

COLOR SCHEDULE:

RENDERED FC SHEET  
CLADDING IN WHITE SURFMIST  
OR SIMILAR COLOUR

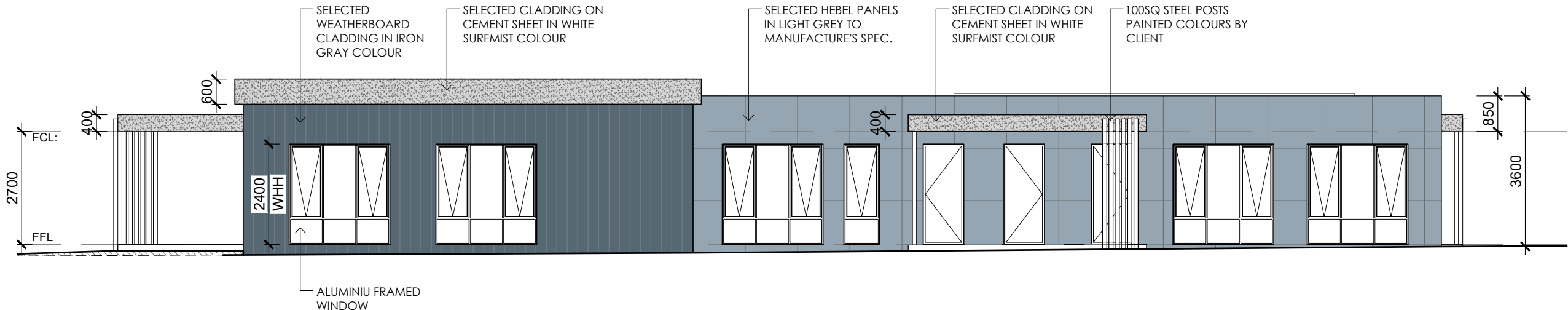
SELECTED HEBEL CLADDING  
IN LIGHT GREY OR SIMILAR  
COLOUR

JAMES HARDIE LINEA  
VERTICAL WEATHER BOARD  
IN IRON GRAY OR SIMILAR  
COLOUR

COLORBOND ROOFING  
FINISH @ 2° PITCH IN  
SURFMIST COLOUR

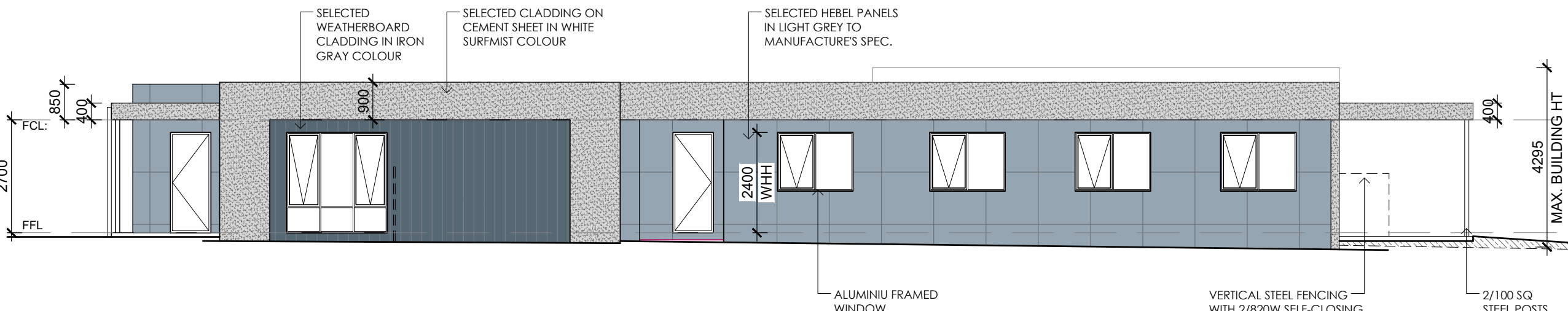
ALUMINIUM FRAMED  
WINDOWS @ DOORS IN  
CREAM COLOUR

CLEAR GLAZING TO ALL WINDOWS.



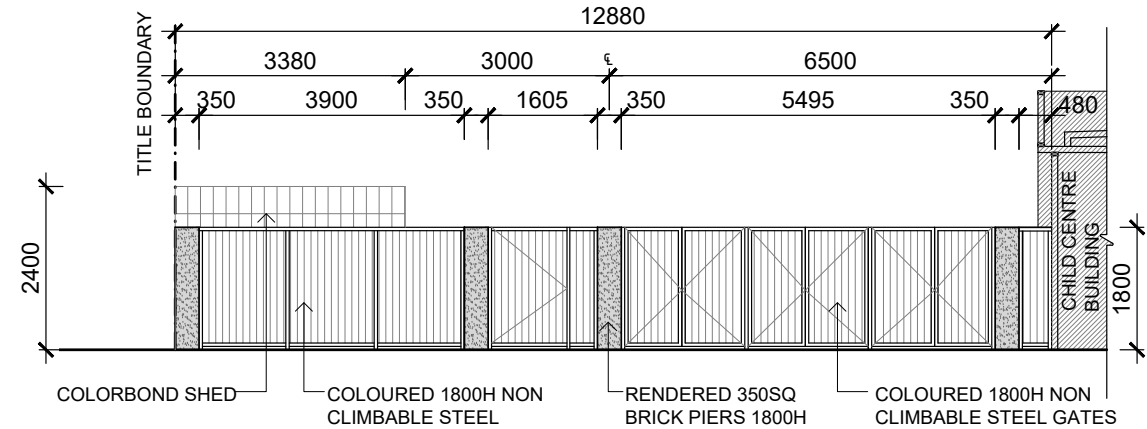
NORTH EAST ELEVATION - (ELEVATION A)

SCALE 1:100



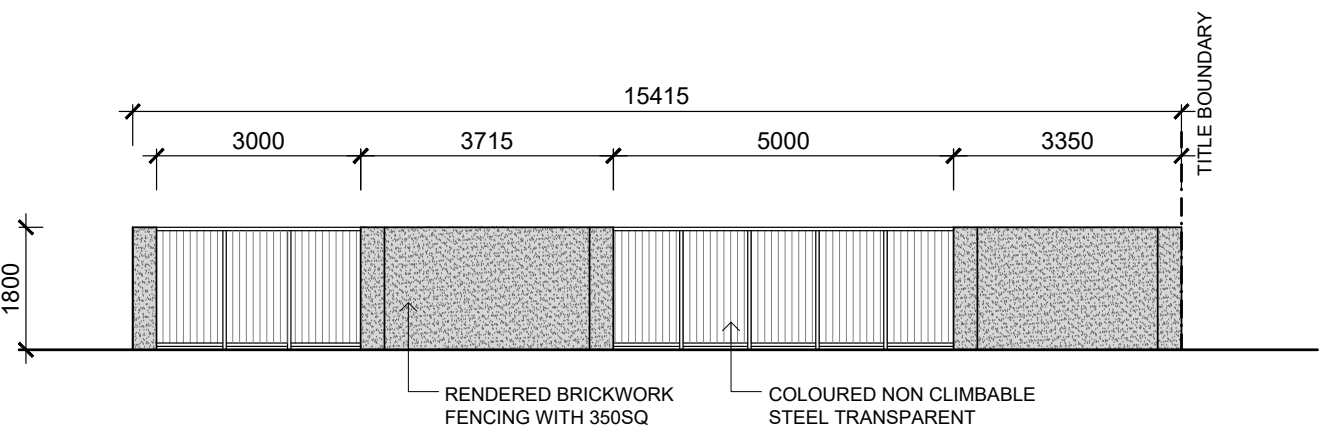
SOUTH WEST ELEVATION - (ELEVATION C)

SCALE 1:100



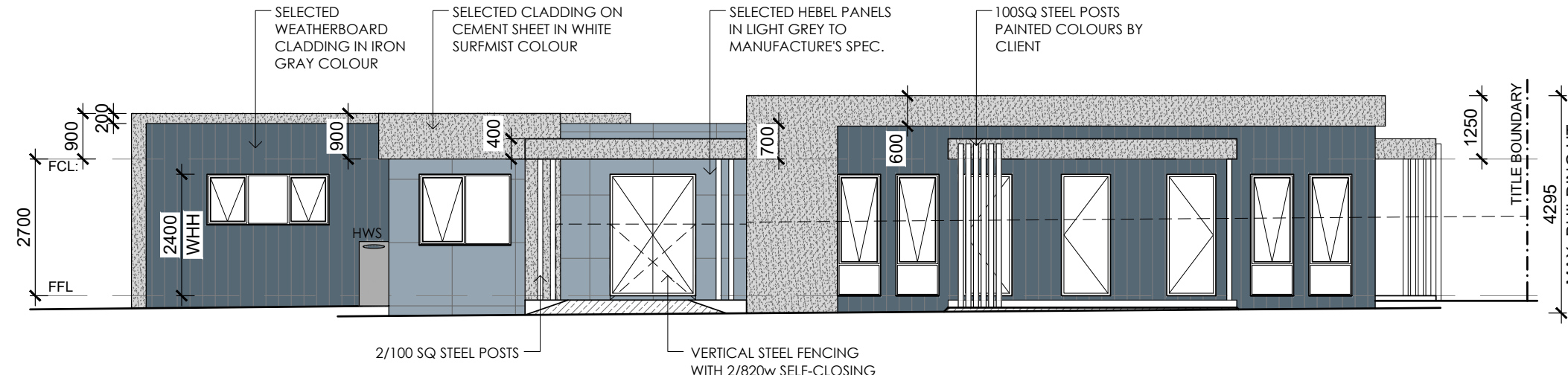
FENCE ELEVATION E

SCALE 1:100



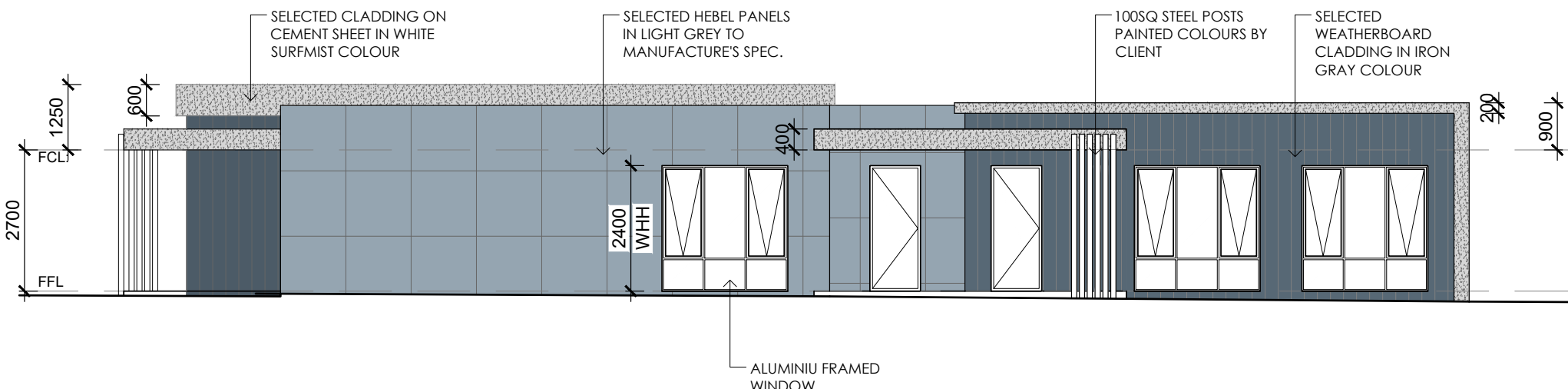
FENCE ELEVATION F

SCALE 1:100



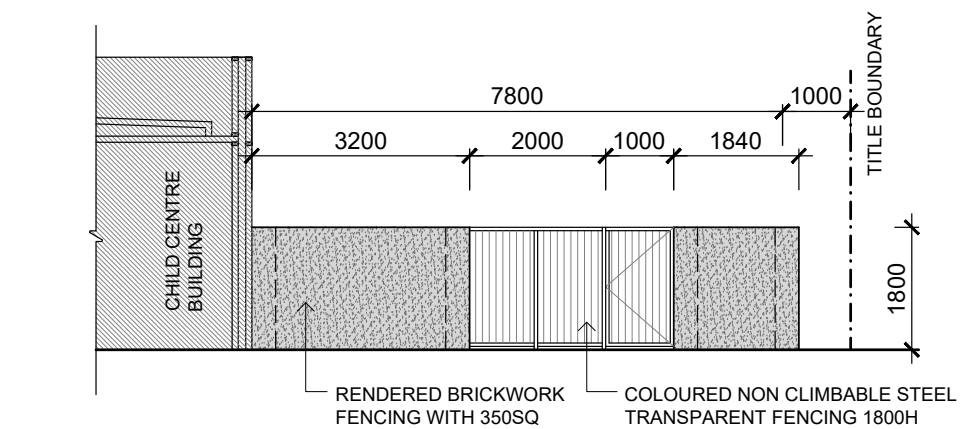
SOUTH EAST ELEVATION - (ELEVATION B)

SCALE 1:100



NORTH WEST ELEVATION - (ELEVATION D)

SCALE 1:100



FENCE ELEVATION G

SCALE 1:100

PROPOSED EARLY LEARNING CENTRE

CLIENT: MANDEEP SINGH

LOT 3-4 (NO. 1-3) SAVAGE STREET

PAKENHAM

REVISIONS

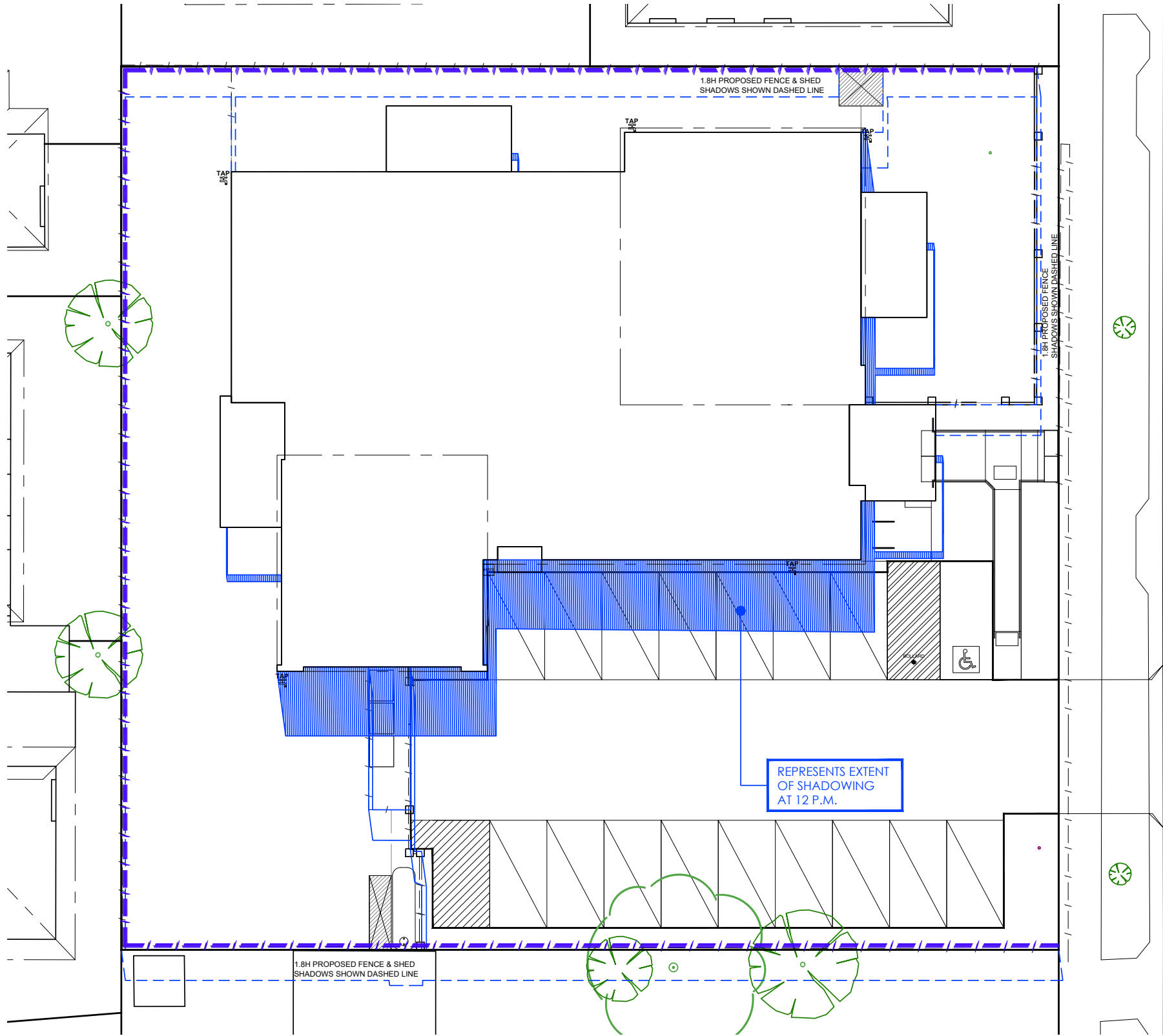
NO.	DESCRIPTION	DATE
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D	RELOCATE BINS AREA & ADD A TURNING & VISITOR BAY	24/02/2022 JY
E	ADD TPZ & AMEND AS PER ENVA EMAIL ON 01/03/22	06/03/2022 JY
F	FIX TPZAMEND BIN AREA PER DRAIN EVAL ON 17/03	21/03/2022 JY
G		



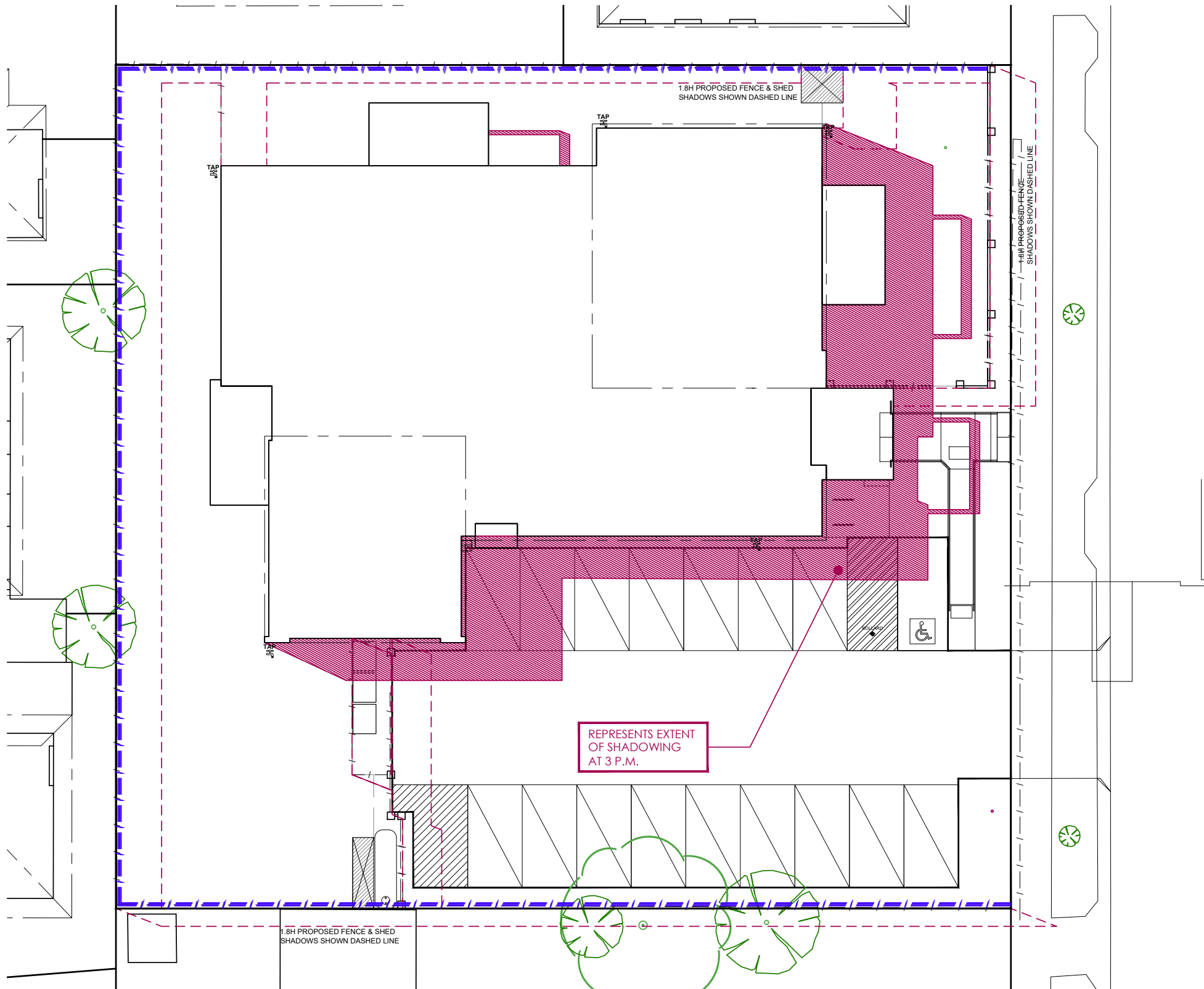




SHADOW DIAGRAM FOR 9 A.M.  
22 SEPTEMBER (EQUINOX)

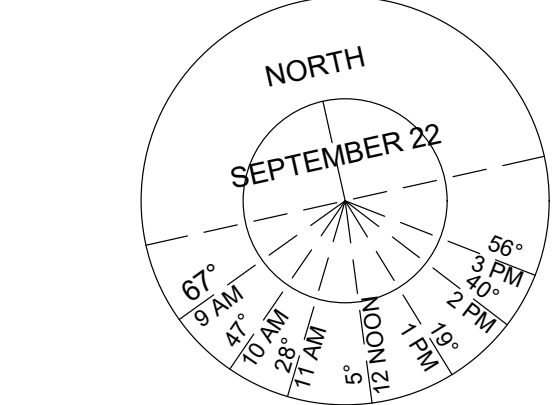
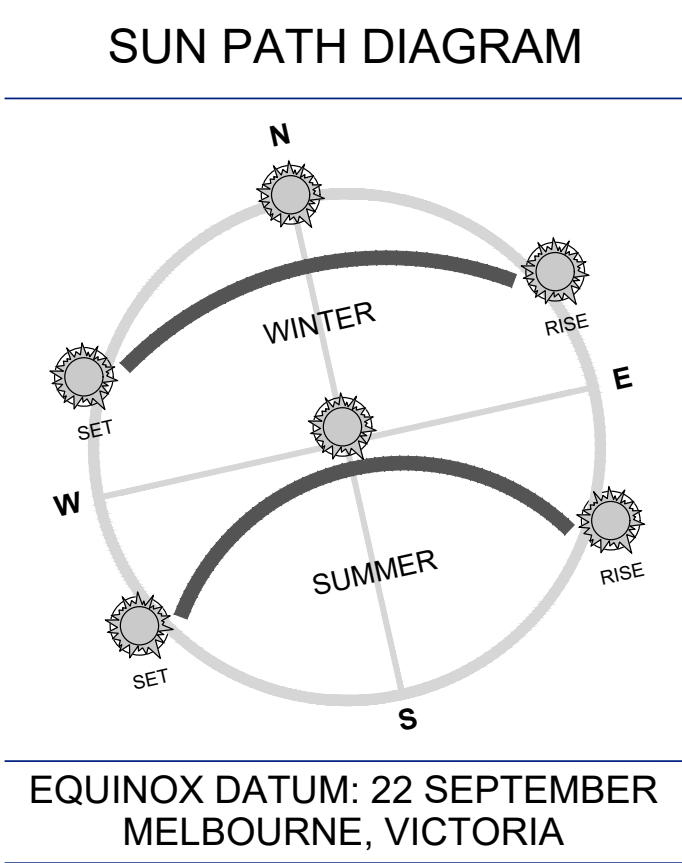


SHADOW DIAGRAM FOR 12 P.M.  
22 SEPTEMBER (EQUINOX)



SHADOW DIAGRAM FOR 3 P.M.  
22 SEPTEMBER (EQUINOX)

SHADOW DIAGRAMS  
SCALE 1:200



SHADOW	TIME
	9 A.M. SEPTEMBER 22
	12 NOON SEPTEMBER 22
	3 P.M. SEPTEMBER 22

PROPOSED EARLY LEARNING CENTRE  
CLIENT: MANDEEP SINGH

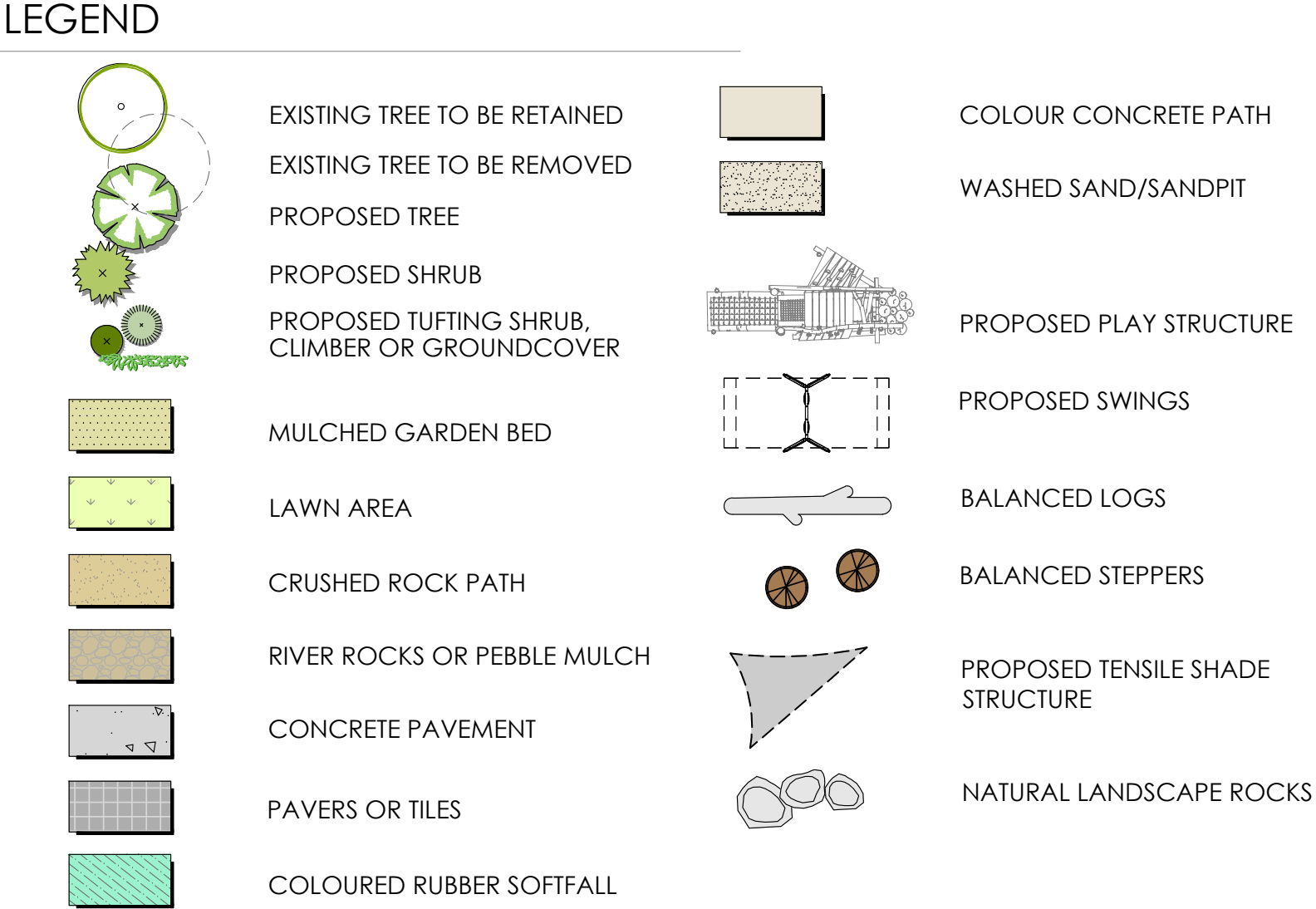
LOT 3-4 (NO. 1-3) SAVAGE STREET  
PAKENHAM

REVISIONS  
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B AMEND AS PER COUNCIL LETTER ON 19/01/22 01/02/2022 JY  
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D RELOCATE BINS AREA & ADD A TURNING & VISITOR BAY 24/02/2022 JY  
E ADD TPZ & AMEND AS PER EMMA EMAIL ON 01/03/22 06/03/2022 JY  
F AMEND AS PER EMMA EMAIL ON 17/03 21/03/2022 JY

MELVIC HOMES

5  
21-0664  
ISSUE G  
DRAWN: JY  
19/11/2021  
SHEET SIZE A1





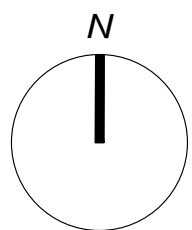
NOTES

- Contractor to verify location of all underground services prior to commencement of work.
  - Remove weeds from all areas shown on the drawings as garden bed and lawn. Herbicide to be used sparingly.
  - Grade site into garden beds, lawn or gravel areas. Adjust grading accordingly when water tracks or ponding is apparent.
  - Determine pH of soil using pH kit available at most nurseries. The soil should have a pH slightly acidic to neutral (pH - 5.5 to 7.0). If outside of this range contact your local nursery to obtain advice on improving the pH level. Plant tolerance of high or low pH varies.
  - Clay soils should be checked for responsiveness to gypsum which can allow plant roots to penetrate the soil. If required, add gypsum according to manufacturer's directions.
  - Minimise cultivation of existing soil and improve with organic material such as well rotted manures, soil improvers or compost prepared to AS.4454-2003. Top dress existing soil with this matter and cover with mulch. If existing topsoil is not available then imported topsoil that complies with AS.4419-2003 should be used.
  - Plant selection shall be as per the plant schedule in locations as shown on the drawings. Plant quantities are to be confirmed by the contractor and any discrepancies between the plant schedule and plan are to be reported to the Landscape Architect before proceeding. Plants are to have well developed root systems and be free of pest and disease.
  - A drip watering system should be installed to all garden beds and connected to a rainwater tank if available. If unavailable, a rainwater tank should be sized and installed as per plumbing regulations and local guidelines. Builder to confirm location and style on site.
- REFER TO LOCAL WATER AUTHORITY DURING PERIOD OF WATER RESTRICTION
- Apply organic mulch to all garden bed areas to a depth of 75mm as per planting details. Recommended sources of mulch should be Pine or local common Eucalyptus. Rare timbers such as Red Gum or Jarrah should not be used.
  - Seasol is an ideal fertiliser to apply upon initial planting. Seasol targets roots and promotes healthy & balanced growth. Phostogen is an ideal liquid fertiliser that can be applied to the entire garden every three months. Individual plant species have varying requirements. Consult your local nursery for advice.
  - All timber products to be treated pine, recycled or plantation grown. Jarrah, Red Gum or Native (White) Cypress Pine (*Callitris columellaris*) should not be used unless demonstrated that they are a recycled product.
  - Stake trees for one to two years as per detail. Use two or three 38x38x1800 HW stakes per tree and fasten with 50mm fabric ties.
  - All climbers require wire or trellis climbing frame to be attached to the adjacent surface. Unless otherwise noted on plan, use timber edging as per detail between all garden bed, crushed rock paths & lawn areas.
  - Areas shown as lawn on the drawings are to be re-graded to provide smooth contours and raked to remove soil clods and rubble. It is recommended that lawn areas be seeded with non-invasive grass species such as: Queensland Blue-Grass (*Dicantheum sericeum*), Red-leg Grass (*Bothriochloa macra*), Weeping Grass (*Microloaena stipoides*), Creeping Bent Grass (*Agrostis stolonifera*), Clustered Wallaby Grass (*Danthonia racemosa*), Kentucky Blue-Grass (*Poa pratensis*), Tall Fescue (*Festuca arundinacea*). Water lawn areas during establishment in accordance with State guidelines as advised by Local Water Authority.
  - Follow-up maintenance should be undertaken every 4-6 weeks for 2 years following establishment. Dead or diseased plants should be replaced. Continue to monitor for weed species and remove as required. Eradicate any pest animals or insects. Continue to water plants according to individual species' moisture needs, seasonal conditions and as advised by Local Water Authority. All plants and trees to be monitored and pruned as required, according to AS 4373 (Pruning of Amenity Trees). Mulch to be replenished annually in Spring.

TITLE:  
CHILDCARE CENTER

CLIENT:  
MELVIC HOMES

ADDRESS:  
1-3 SAVAGE STREET, PAKENHAM



CONCEPT PLAN ONLY  
NOT TO BE USED AS WORKING DRAWING

ISSUE	DATE	DESCRIPTION
A	24/03/2022	TOWN PLANNING APPLICATION

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DRAWN:	REFERENCE:
KCS	21-0664
SCALE:	DATE:
1:100	03/2022
SIZE:	ISSUE: SHEET:
A1	A L1



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w.www.genusla.com.au



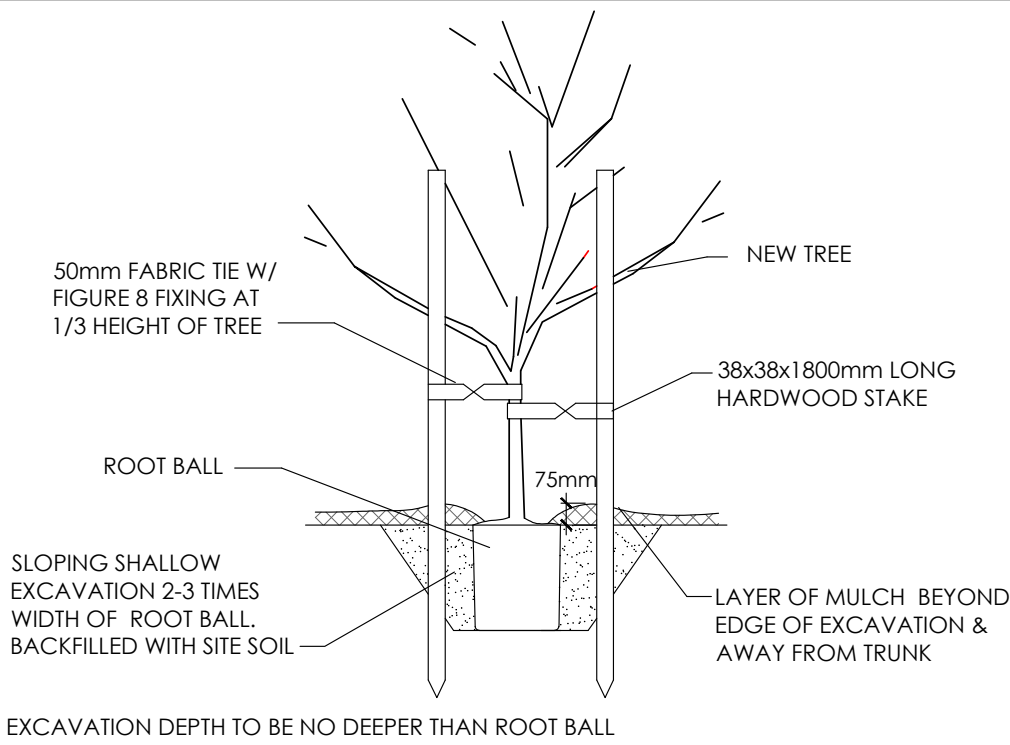
PLANT SCHEDULE

TREES						
CODE	BOTANIC NAME	COMMON NAME	H	W	PLANTED SIZE	QTY
El	Eucalyptus viminalis ssp. pryoriana	COAST MANNA GUM	10.00	6.00	2.0M TALL	2
Em	Eucalyptus mannifera	'LITTLE SPOTTY'	7.00	4.00	2.0M TALL	2
Li	Lagerstroemia indica	CREPE MYRTLE	6.00	4.00	2.0M TALL	2
GRASSES & GROUND COVERS						
CODE	BOTANIC NAME	COMMON NAME	H	W		
AGv	Anigozanthos 'Gold Velvet'	KANGAROO PAW	0.50	0.50	150 DIA POT	14
CGa	Carpobrotus glaucescens	PIGFACE	0.20	1.00	150 DIA POT	7
CH	Chrysocephalum apiculatum	COMMON EVERLASTING	0.30	1.00	150 DIA POT	52
LLt	Lomandra longifolia 'Tanika'	DWARF LOMANDRA	0.60	0.60	150 DIA POT	139
SMan	Senecio mandraliscae	BLUE CHALK STICKS	0.30	0.75	150 DIA POT	21
SHRUBS						
CODE	BOTANIC NAME	COMMON NAME	H	W		
ACi	Acacia cognata	'LIMELIGHT'	1.00	1.00	150 DIA POT	2
ASe	Adenanthos sericeus	COASTAL WOOLY BUSH	3.00	3.00	300 DIA POT	6
CA	Correa alba	WHITE CORREA	1.50	1.50	200 DIA POT	22
GRn	Grevillea	'NED KELLY'	1.50	1.50	150 DIA POT	12
LS	Leucadendron salignum	DEVILS BUSH	1.00	1.00	150 DIA POT	7
SYa	Syzygium australe	'BUSH CHRISTMAS'	2.00	1.50	200 DIA POT	59

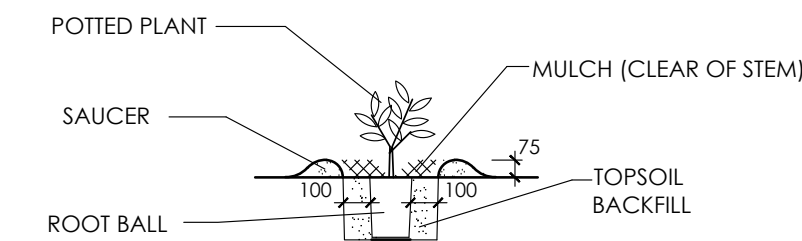
QUANTITIES TO BE CONFIRMED BY CONTRACTOR. REPORT ANY DISCREPANCIES TO LANDSCAPE ARCHITECT BEFORE PROCEEDING.

CONTACT DETAILS OF PLANT SUPPLIERS CAN BE PROVIDED BY LANDSCAPE ARCHITECT IF PLANT SPECIES CANNOT BE SOURCED BY CONTRACTOR.

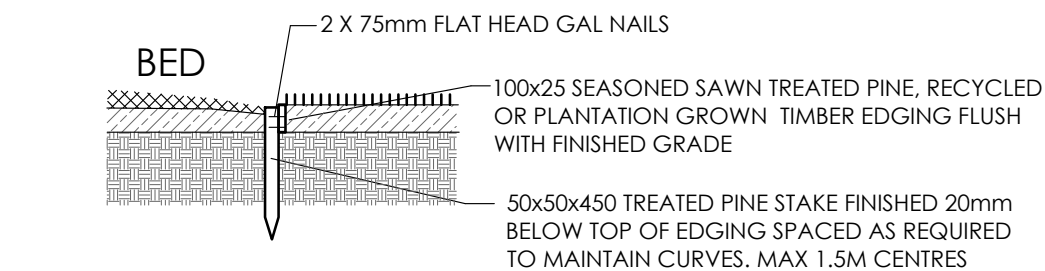
LANDSCAPE DETAILS



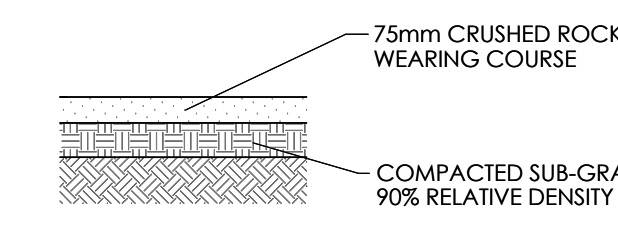
TREE PLANTING  
DETAIL 1:25



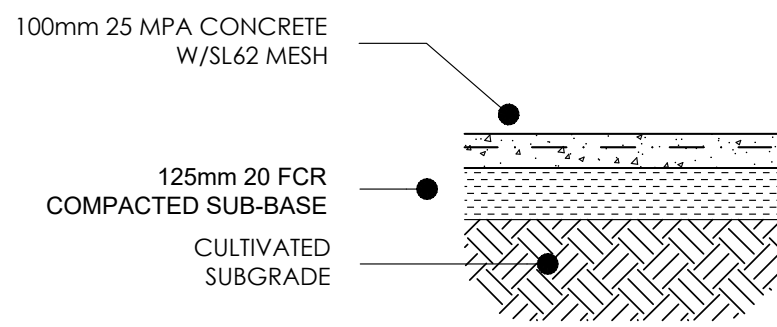
SHRUB PLANTING  
DETAIL 1:25



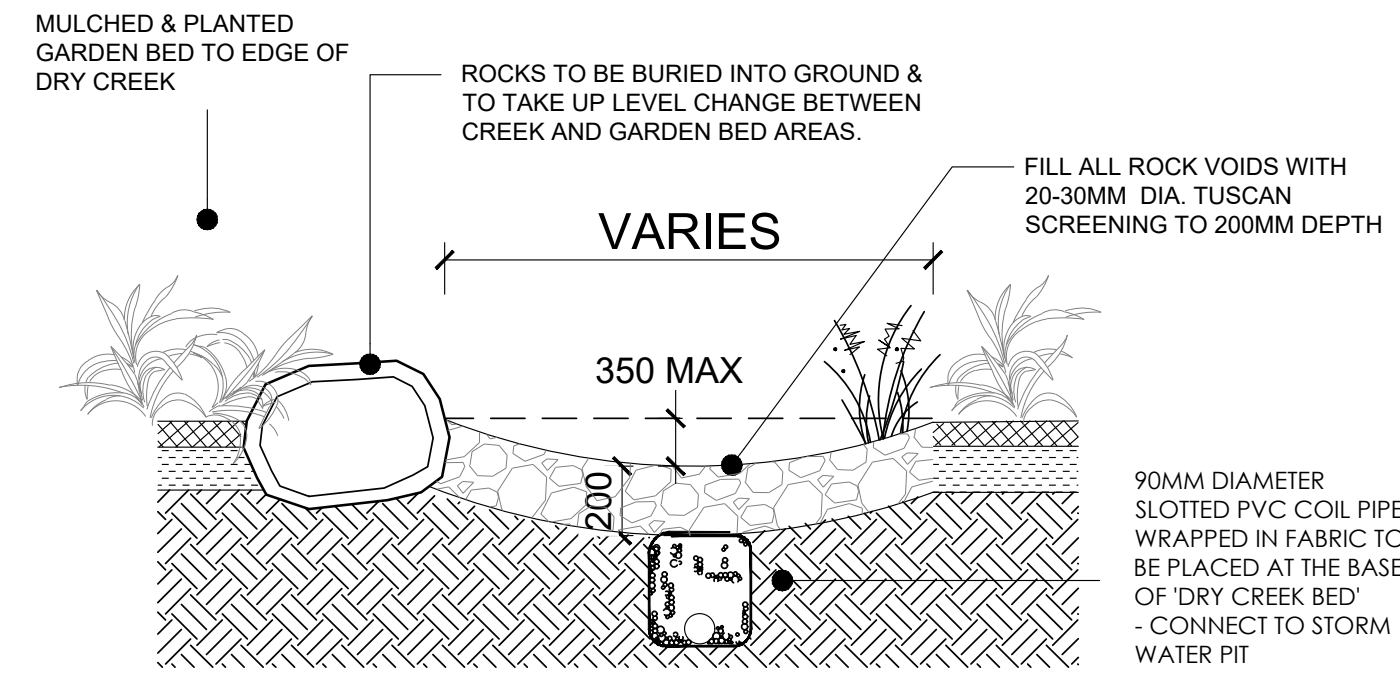
TIMBER EDGE  
DETAIL 1:25



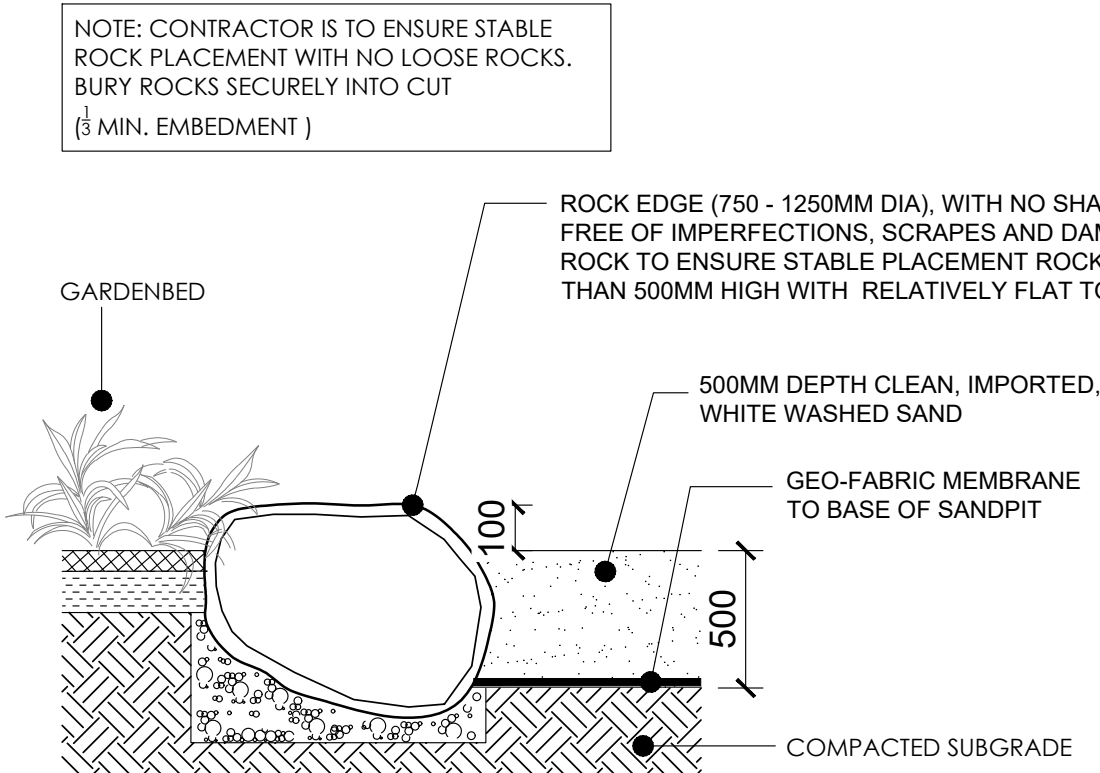
CRUSHED ROCK SURFACE  
DETAIL 1:20



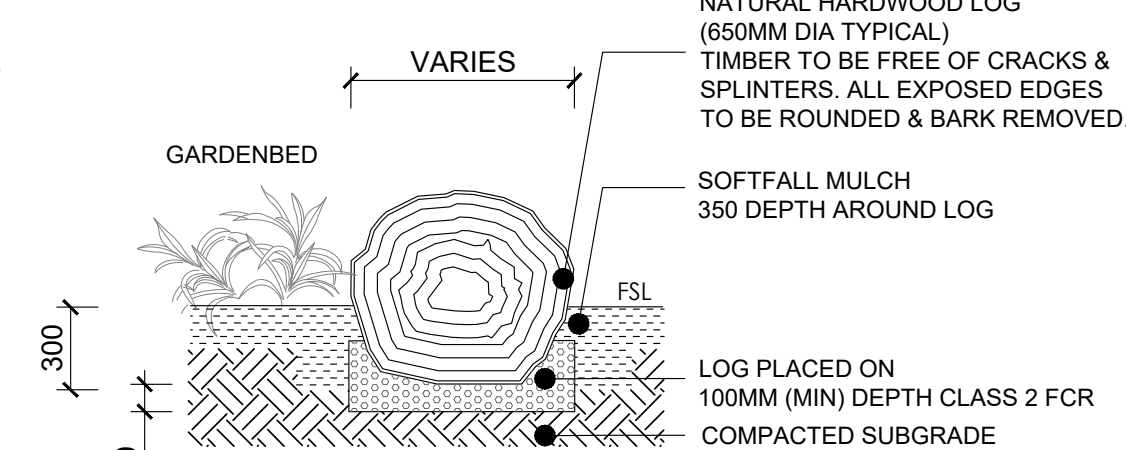
CONCRETE SURFACE DETAIL (TYP)  
DETAIL 1:10



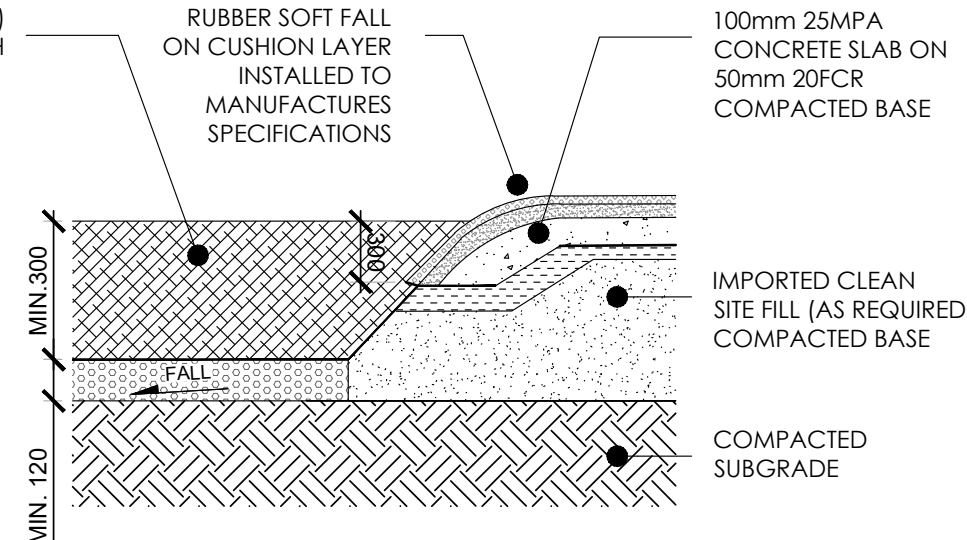
ROCK SWALE- DRY RIVER BED (TYP)  
DETAIL 1:20



SAND PIT / ROCK EDGE DETAIL (TYP)  
DETAIL 1:20

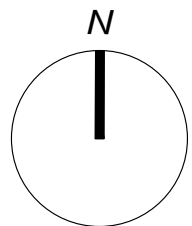


GARDEN BED LOG DETAIL (TYP)  
DETAIL 1:25



RUBBER SOFT FALL DETAIL (TYP)  
DETAIL 1:20

TITLE: CHILDCARE CENTER  
CLIENT: MELVIC HOMES  
ADDRESS: 1-3 SAVAGE STREET, PAKENHAM



CONCEPT PLAN ONLY  
NOT TO BE USED AS WORKING DRAWING

ISSUE	DATE	DESCRIPTION
A	24/03/2022	TOWN PLANNING APPLICATION

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DRAWN: KCS	REFERENCE: 21-0664
SCALE: AS SHOWN	DATE: 03/2022
SHEET: A1	SHEET: L2



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7th June 2022

To: Cardinia Shire Council by email: mail@cardinia.vic.gov.au

Dear Sir/Madam,

Re: 1-3 Savage Street Pakenham  
Planning Permit Application T210968  
Applicant: Urban Arc Planning Pty.Ltd.

Further to my previous letter of objection dated 24th May 2022 in regard to the above Planning Permit Application I would like to add that additional research has found that there are 52 Childcare Centres in Pakenham, 46 of these have vacancies. There is an over supply of Childcare Centres.

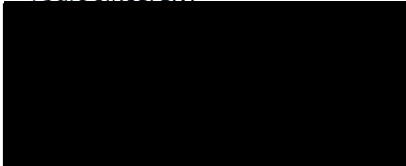
Speaking to a former Mayor in regard to a previous Childcare Centre that was proposed in a no through road, the complaints really started to escalate after the Centre was built and delivery trucks that were needed to keep the centre going were delivering at all hours and had no where to turn so did so in residents driveways.

Also neighbours who legally place their rubbish bins on nature strips will find their bin not emptied because of parked cars each side of the road on bin day. Emergency vehicles, fire trucks and ambulance need clear access to residential houses in the street, they will not get this with cars parked both sides of Savage Street.

Please, no childcare centre.

Would you please acknowledge receipt of this objection.

Yours sincerely,





**From:** MailAtCardinia <mail@cardinia.vic.gov.au> on behalf of mail@cardinia.vic.gov.au  
**To:** [CardiniaOmail@apps.eCloudServices.com.au](mailto:CardiniaOmail@apps.eCloudServices.com.au)  
**Subject:** FW: 1to2 savage st pakenham 3810.L4LP50825.  
**Date:** Thursday, 26 May 2022 11:53:14 AM

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**From:** [REDACTED] >  
**Sent:** Wednesday, 25 May 2022 2:07 PM  
**To:** MailAtCardinia <mail@cardinia.vic.gov.au>  
**Subject:** 1to2 savage st pakenham 3810.L4LP50825.

Application REF NO T210968

There are 54 residents houses that will be affected by this project ,it is a no through rd way to close to busy Henty st.You will average 100 cars aday plus witch will be using other people drive ways not counting all the tooting and car door banging,cars parking in street garbo truck trying to get through.

I have no objection to a child minding centre but fear if not profitable it will be come a mens shelter.

I have lived in acacia crt for thirty four years it is busy enough with out adding another 100 cars aday. P.S The Elderly dont need the noise and stress.

[REDACTED]  
[REDACTED]  
25.5,2022

[REDACTED]

24th May 2022

Cardinia Shire Council  
P.O. Box 7  
Pakenham 3810

By email: [mail@cardinia.vic.gov.au](mailto:mail@cardinia.vic.gov.au)

Dear Sir/Madam,

Re: 1-3 Savage Street Pakenham  
Planning Permit Application T210968  
Applicant: Urban Arc Planning Pty.Ltd.

As owner of [REDACTED] I strongly object to the above applicant obtaining a permit for a Childcare Centre at 1-3 Savage Street Pakenham.

This site is definitely not suited to a Child Minding Centre accommodating 76 children plus Staff, with only 16/17 car spaces provided on the property.

Savage Street is a 'No Through Road' the only street off it is Acacia Court (another No Through Road') Savage Street is too narrow to have cars parked both sides, especially with the type of commercial based four wheel drives you see at school pick-ups these days. How are the garbage trucks and emergency vehicles supposed to get through?

It will be impossible for Savage Street residents to reverse out of their driveways as they are compelled to do now. There will be a lot of parked and turning vehicles in the street. The panel Beaters will be the only ones to benefit from this.

It seems rather strange that the owners and applicants names are all blocked out on the application documents on the Cardinia Shire website! The notice we received in the mail has Urban Arc Planning Pty.Ltd. as the applicant. We have since found that the owner of the property is [REDACTED]

Is it coincidental that the previous owner, who tried to get a permit for a 41 brm mens boarding house is associated with Child Minding Centres, and one in particular in Dumbarton Road Pakenham which they later set up as a men's boarding house and then extended twice? **Like I said, is this a coincidence or are the previous owners connected to [REDACTED]**

No one in their right mind would pass the application permit for a Child Minding Centre in Savage Street this would only introduce traffic chaos into a street that was only ever planned and meant for family dwellings.

Yours sincerely

[REDACTED]



24 May 2022

To: Cardinia Shire Council by email: mail@cardinia.vic.gov.au

Dear Sir/Madam,

Re: 1-3 Savage Street Pakenham  
Planning Permit Application T210968  
Applicant: Urban Arc Planning Pty.Ltd.

I object to the Application for a Childcare Centre at 1-3 Savage Street Pakenham.

The site is in a residential area, and in a no-through road and therefore a major issue! There is only one way in and one way out with no traffic lights on a T-Intersection at Henty Street. 76 children plus staff is equal to at least 152 car movements per day with only 16 car spaces allocated onsite. It is not a normal school drop off, with children of this age they have to be carried or hand held into and out of the centre and in some cases settled down before a parent can leave, which means it will take sometime before they get back to their vehicles, there could be many cars on both sides of the road in peak times. No doubt all cars will be forced to turn into driveways, back and forth, banging, bumping and backing into locally parked cars, and other parent's cars. With hit and run tactics up and down the street. We all know this will happen, it's no good trying to pretend we will not be effected!

I have seen with my own eyes many times in 25 years, two cars legally parked on both sides of this narrow road and the Garbage Truck stops and toots his horn until someone comes out to move their car. Come and see for yourself on Garbage day! Can you envisage the scene with many cars parked on both sides. This Child Minding Centre on a narrow no through road will be a Circus with drop off and pick-ups during peak times!

And now comes the real heavy stuff, if this so-called Child Care Centre is built, this will open the door to the building at a later stage being converted to a Mens Boarding House with a permit obtained through the back door. That is a statement of fact, that is exactly what happened to the Child Minding Centre in Dunbarton Drive, Pakenham. We are fully aware of this con-trick job, it really did happen. Go and see for yourself in Dunbarton Drive! We don't want a repeat of this con-trick in Savage Street!

I would also remind Council they have on their records a Police Freedom of Information Report on Dunbarton Drives Ex-Child Minding Centre that became a Men's Boarding House. Criminal Records: drugs, violence, alcohol, break-ins, theft etc. read it for yourself.

I object once again, no Child Minding Centre in a narrow no-through road in Savage Street, Pakenham!

Yours sincerely



**From:** [REDACTED]  
**To:** [MailAtCardinia](mailto:MailAtCardinia)  
**Subject:** Objection  
**Date:** Wednesday, 25 May 2022 11:58:33 AM

---

***The Responsible Authority.  
Re Child Care centre 1/3 Savage Street, Pakenham  
Application Reference Number T210968.***

***My objection to this is not about a Child Care Centre being built there. It is about Savage Street being a narrow Street which can sometimes result in problems.***

***It can't take any more street parking. There are at times workers are in the street with vehicles larger than cars. With a car parked across the Street from them would result in slowing down any Emergency Vehicles coming past. There are a large amount of Houses/units in Savage Street and Acacia Court with no other way of getting in or out.***

***With the ratio of children to carers along with a cook & a manager would result in around 16 staff at any one time. There are 16 car parking places. My concern being is a child care drop off is about 10 minutes by the time you sign them in & out. If a staff member finds the carpark full then they would park in the Street.***

***I would like to see an extra 4 parking bays on the property to stop this problem.***

[REDACTED]

***25/05/2022***



ePlanning

## Planning Objection Summary

Portal Reference	O2229995
Reference No	T210968

## Basic Information

Proposed Use	Use and Development of Land for a Child Care Centre
Object to Permit No.	T210968
Objection Statement	<p>I vehemently oppose the building of a child care centre at 1-3 Savage Street, Pakenham Building a child care centre on a no through road will meet only the developer's needs, not the community's. This is another very ill conceived proposal. Peak hour traffic bottlenecks so close to Henty Street would be horrendous. Traffic is already at saturation point, with vehicles often parked directly opposite each other on Savage Street, rendering traffic flow impassable. There are four sets of speed humps along Henty Street, two on the western approach to Savage Street and two on the eastern approach. Traffic in the area will be reduced even further by parents turning down Savage Street. Moreover, preparations have begun for the construction of the sky rail and two railway stations, which will not be completed for another two years. Several drivers are known to drive at high speed along Savage Street and Acacia Court. This already poses a threat for local residents and must be acknowledged as a potential threat to parents and children being dropped off. There is a substantial number of senior citizens living in the area who are seeking some semblance of peace in their old age. Having to navigate through heavier traffic in the area, or delay a journey during the peak, would be stressful. Invariably parents would park on Savage Street for convenience when dropping kids off, rather than utilise the extremely meagre 16 spaces (not exclusively for parents) the child care centre offers. [REDACTED].</p> <p>Already this is a turning circle for drivers. If the centre were built, dozens and dozens of vehicles would perform U turns outside my property morning and evening. Residents have a right to peaceful surroundings. Respecting the existing character of the area in no means equates to being congruous with the existing character of the area, which the planned centre by no means would be. A child care centre would easily be distinguishable as non-residential on Savage Street. I have no confidence in how a child care facility would be managed or how staff would respect the aesthetics of the street. The accumulation of weekly waste has not been quantified and I wonder how many overflowing waste bins would be left on nature strips each Monday night and how waste trucks would be able to undertake the task of collecting them during peak drop off times. My former home backed onto a child care centre and the noise of the children outside was unbearable. This is not what residents should be subjected to. For years residents have been hopeful of the sensible construction at the said properties. This latest proposal is more impractical than the previous planning permit application, for a men's hostel. I say absolutely no to this planning permit.</p>
Site Address	1-3 Savage Street Pakenham VIC 3810
Affected Address	[REDACTED]

## Contacts

Type	Name	Address	Contact Details
Objector	[REDACTED]	[REDACTED]	[REDACTED] [REDACTED]



**Civic Centre**  
20 Siding Avenue, Officer, Victoria

**Council's Operations Centre (Depot)**  
Purton Road, Pakenham, Victoria



**Postal Address**  
Cardinia Shire Council  
P.O. Box 7, Pakenham VIC, 3810

**Email:** mail@cardinia.vic.gov.au



**Contact** Monday to Friday 8.30am–5pm

**Phone:** 1300 787 624

**After Hours:** 1300 787 624

**Fax:** 03 5941 3784





## ePlanning

PLEASE NOTE OBJECTIONS ARE NOT CONFIDENTIAL - As required by section 57 of the Planning & Environment Act, Council must make a copy of every objection available to any person to inspect, free of charge, during business hours.

**Lodged By**

Site User	[REDACTED]	[REDACTED]	[REDACTED]
Submission Date	24 May 2022		

**Declaration**

☒ By ticking this checkbox, I, [REDACTED], confirm that I have read and understood the statement above and the Objector (if not myself) has been advised of this requirement.



**Civic Centre**  
20 Siding Avenue, Officer, Victoria

**Council's Operations Centre (Depot)**  
Purton Road, Pakenham, Victoria

**Postal Icon**

**Postal Address**  
Cardinia Shire Council  
P.O. Box 7, Pakenham VIC, 3810  
**Email:** mail@cardinia.vic.gov.au

**Contact Icon**

Monday to Friday 8.30am–5pm  
**Phone:** 1300 787 624  
**After Hours:** 1300 787 624  
**Fax:** 03 5941 3784

**NOTICE OF OBJECTION****TO APPLICATION FOR PLANNING PERMIT NO. T210968**

30 MAY 2022

RECEIVED

**Land affected by the application: L4 LP50825****1-3 Savage Street Pakenham Vic 3820**

Notice is hereby given to Council that we as the rated owners and registered proprietors of the property located at and known as [REDACTED] [REDACTED] **HEREBY OBJECT** to the above application for planning permit for Use and development of the land for child care centre for 79 children at No. 1-3 Savage Street Pakenham as in our considered opinion it is not in a suitable area for this type of development given that the area is inadequate for a development of this nature involving the safety and security for very young children in childcare.

As Landlords and on behalf of our tenants who have expressed major concerns regarding the proposed development, we consider that it is not in the best interests of the residents to grant approval for such application and the type of use to which the development is proposed. The street in which the development is proposed is very narrow, is a “dead” end street and at best would not be able to handle the traffic for such a development. Again, such a development as is proposed, would only compound and increase the risk to not only residents due to the increased traffic conditions but also to those who would be using the narrow roads to gain access to the facility. The risk to all road users and pedestrians would be increased due to the increased volume of traffic not to mention the noise associated with the early drop off’s and late collection of children from the facility both of which would impact the residents’ enjoyment of their properties.

Another concern is that as both Savage Street and Acacia Court are “dead-end” streets with the residents having to pass by the building on a daily basis. It is noted that there will only be car parking facilities for 14 cars – will this include parking for the childcare staff? What happens if car park is full? Will residents be inconvenienced with cars being parked in Savage Street & Acacia Court causing concern for residents? As Council can appreciate there are families some with very young children living in the area and already there is additional and deep concern for their safety especially if this type of development goes ahead which will impact the already very narrow roadways of both Savage Street & Acacia Court.

.1.

We are therefore in agreement with our neighbours and residents of both Savage Street & Acacia Court that this type of development is inappropriate for this area and we urge Council not to approve the development.

Date of Submission: 25/05/2022

