

## **2 CONSTRUCTION OF 19 WAREHOUSES, REDUCTION OF CAR PARKING SPACES AND SIGNAGE, LOT 37 PS549308, COMMERCIAL DRIVE, PAKENHAM**

FILE REFERENCE INT1835094

RESPONSIBLE GENERAL MANAGER Andrew Paxton

AUTHOR Jason Gilbert

### **RECOMMENDATION**

That Planning Permit T170799 be issued for Construction of nineteen (19) warehouses and associated buildings and works; Reduction of the number of car parking spaces required under Clause 52.06; Display of a business identification panel sign at Commercial Drive, Pakenham subject to the conditions attached to this report.

### **Attachments**

- |   |                   |         |
|---|-------------------|---------|
| 1 | Locality map      | 1 Page  |
| 2 | Development plans | 7 Pages |

### **EXECUTIVE SUMMARY:**

APPLICATION NO.:	T170799
APPLICANT:	Mr Matthew Wilson
LAND:	Commercial Drive, Pakenham VIC 3810
PROPOSAL:	Construction of nineteen (19) warehouses and associated buildings and works; Reduction of the number of car parking spaces required under Clause 52.06; Display of a business identification panel sign
PLANNING CONTROLS:	Industrial 1 Zone (IN1Z)
NOTIFICATION & OBJECTIONS:	The proposed buildings and works and car parking reduction are exempt from notice requirements. The proposed advertising sign was not advertised as it was considered that it would not result in material detriment.
KEY PLANNING CONSIDERATIONS:	Built form, car parking and traffic impacts
RECOMMENDATION:	Approval

### **BACKGROUND:**

There is no recent Planning Permit history for the subject site.

### **SUBJECT SITE:**

The 1.002-hectare corner site is generally of a square shape and located on the southern side of Commercial Drive and the western side of Export Drive, with frontages of approximately 84.03 metres and 94.59 metres respectively, with a corner splay of 13.73 metres.

The site is cleared and vacant, with no existing fencing and no significant vegetation. Two small trees are present on the site. The topography of the land is generally flat, with the supplied feature survey showing levels of between approximately 21.71 metres and 22.30 metres above AHD.

A 20.12-metre-wide gas supply easement partially extends through the north-east corner of the site and a 2m x 1m electricity reserve is located to the north-west corner of the site.

A covenant (AK832247Q) was registered on the land title on 9 January 2014. The covenant has a number of requirements in relation to the use, development and subdivision of land within the SouthEast Business Park. It also requires plans to be approved by SouthEast Business Park Pty Ltd prior to any development.

The main characteristics of the surrounding area are:

- The site is bounded by Commercial Drive to the north, Export Drive to the east and Lot DD to the south and west, which has an area of approximately 118 hectares and is mostly undeveloped.
- The site forms part of the SouthEast Business Park, which is an approximate 165-hectare master-planned industrial and commercial estate located to the south-east of the commercial centre of Pakenham.
- Of the developed areas of the SouthEast Business Park, most consist of warehouses that are used for light industrial or automotive-related purposes.

## **PROPOSAL:**

The proposal is for the construction of nineteen (19) warehouses and associated buildings and works, as well as a reduction of the number of car parking spaces and the display of a business identification panel sign.

### Warehouses

The nineteen warehouses are arranged in three groups:

- The first group comprises warehouses 1 to 10 and is located to the south of the site, with a setback of 3.008 metres from the eastern boundary. The warehouses will be constructed along the east-west axis, with warehouses 1 to 5 on the south side and warehouses 6 to 10 on the north side.

All 10 warehouses feature ground floor warehouse areas of between 105 square metres and 117 square metres, plus first floor mezzanine levels ranging between 75 square metres and 82 square metres. Each warehouse is provided with a 4m x 3m waste disposal area, 5m by 7.6m loading bay, and toilet and kitchen facilities.

The warehouses are accessed via internal driveways and roads, with no warehouse having direct frontage or access to Export Drive to the east. Each warehouse includes a personal access door, roller access door, and 1 internal bicycle space.

The warehouses incorporate a modern design, with the front facades featuring a range of materials and elements, including aluminium framed glazing, Colorbond glazing, alucobond cladding and painted vertical concrete panels. The warehouses have a maximum height of 8.450 metres above ground level and finished floor level of 22.30 metres above AHD.

The glazing of the front façades of the warehouses partially wraps around to the Export Drive facade. This street frontage will also feature painted concrete fin panels, painted concrete panels and aluminium-framed glazing. The western façade will consist of vertical precast concrete panels.

- The second group comprises warehouses 11 to 13 and is located to the north-east section of the site. The warehouses will be constructed along the east-west axis and include both front and rear access and a main frontage facing Commercial Drive. The warehouses will be setback a minimum of 3.008 metres from the eastern boundary and a minimum of 16.337 metres from the northern boundary.

The three warehouses feature ground floor warehouse areas of 384 square metres, ground floor 'display area' of 120 square metres, and 120 square metres of mezzanine floor area. Each warehouse is provided with a 4m x 3m waste disposal area, 5m by 7.6m loading bay, and toilet and kitchen facilities.

The warehouses are accessed via internal driveways and roads, with no warehouse having direct frontage or access to Export Drive to the east or Commercial Drive to the north. Each warehouse includes 1 internal bicycle space, personal access doors on both the north and south elevations and roller access doors on the southern elevation.

The warehouses incorporate a modern design, with the front facades facing Commercial Drive and featuring a range of materials and elements, including aluminium framed glazing, Colorbond glazing, alucobond cladding and painted vertical concrete panels. The warehouses have a maximum height of 9.2 metres above ground level and finished floor level of 22.30 metres above AHD.

The glazing of the front façade will partially wrap around to the Export Drive elevation on the east and the elevation to the west, which will also include painted concrete panels, and in the case of the Export Drive façade, painted concrete fin panels. The southern elevation consists of vertical precast concrete panels and powdercoated roller shutter doors.

- The third group comprises warehouses 14 to 19, which will be built along most of the western boundary of the site, with a minimum setback of 4.496 metres from the northern boundary and 3.5 metres from the southern boundary.

Warehouse 14 has frontage to both Commercial Drive and the internal driveway and will have a ground floor warehouse area of 533 square metres, ground floor 'display area' of 120 square metres and a mezzanine level of 120 square metres. The remaining warehouses have ground floor warehouse areas of approximately 161 square metres to 188 square metres, and mezzanine levels of between 100 square metres to 127 square metres.

Each warehouse is provided with a 4m x 3m waste disposal area, 5m by 7.6m loading bay, and toilet and kitchen facilities.

The warehouses are accessed via internal driveways and roads, with no warehouse having direct vehicle access to Commercial Drive to the north. Each warehouse includes a personal access door, roller access door, and 1 internal bicycle space.

The warehouses incorporate a modern design, with the eastern façade facing the internal driving and featuring a range of materials and elements, including aluminium framed glazing, Colorbond glazing, alucobond cladding and painted vertical concrete panels. The warehouses have a maximum height of 8.45 metres above ground level and finished floor level of 22.30 metres above AHD.

The materials and design of the eastern façade will also continue around to the Commercial Drive façade on the north, which will also include wood cladding and painted concrete fin panels. The western and southern façades will consist of precast concrete panels.

#### Intended uses

According to the applicant, the warehouses have no defined end users or tenants.

#### Car Parking, Bicycle Facilities and Access

All warehouses will be accessed via shared internal concrete-paved driveways, with three 6m-7m wide crossings provided along the eastern boundary to Export Drive, and one 7.5m wide crossing provided on the northern boundary to Commercial Drive.

A total of 76 car parking spaces are provided within the development, which includes 26 spaces along the southern boundary and 20 spaces within the front setback of warehouses 11 to 13.

All accessways, driveways and car parking spaces will be of concrete construction.

#### Earthworks and vegetation removal

A minor amount of earthworks is required. The site has levels of between approximately 21.71 metres and 22.30 metres above AHD, while the warehouses will have finished floor levels of 22.3 metres.

No significant vegetation is present on site but the plans show the removal of six street trees.

#### Fencing

The proposal includes the construction of 2.1 metre high powdercoated fencing with black metal pickets along the northern and eastern perimeter of the site, and 1.8 metre high black chainwire fencing along the southern boundary.

#### Signage

The application proposes a double-sided sign, which is to be located within the front landscaping strip along the Commercial Drive. The sign measures 9.2m in height by 2.5m in width, resulting in an advertising area of approximately 23 square metres.

#### Subdivision

No subdivision is proposed as part of this application.

#### Landscaping

The proposal includes minimum 3 metre wide landscaped areas with the front setbacks of the development.

### Other

The plans show the provision of a single 5,000-litre above ground water tank on the southern side of warehouse 19, which will be used for toilet reflush of this warehouse.

### **PLANNING SCHEME PROVISIONS:**

#### **State Planning Policy Framework (SPPF)**

The relevant clauses of the SPPF are:

- 11.06-1 Jobs and investment;
- 15.01 Urban environment;
- 15.02 Sustainable development;
- 17.02 Industry; and
- 18.02-5 Car parking.

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

The relevant clauses of the LPPF are:

- 21.04-1 Employment;
- 21.04-4 Industry;
- 21.05-3 Local roads; and
- 21.06-1 Design and built form.

### **Relevant Particular/ General Provisions and relevant incorporated or reference documents**

The relevant provisions/ documents are:

- Cardinia Design Guidelines for Industrial Development;
- Clause 52.05 Advertising Signs;
- Clause 52.06 Car Parking;
- Clause 52.29 Land Adjacent to a Road Zone Category 1;
- Clause 52.34 Bicycle Facilities;
- Clause 65 Decision Guidelines; and
- Clause 66 Referral and Notice Provisions.

### **Cardinia Shire's Liveability Plan 2017-2029**

Cardinia Shire's Liveability Plan has been developed to provide a clear framework for public health planning within the Shire, and it has a number of goals and actions relating to policy domains that include active travel, education, employment and housing. The application is considered consistent with this Plan as it facilitates investment in the local economy and creates the potential for new job opportunities.

### **Zone**

The land is subject to the Industrial 1 Zone (IN1Z).

### **Overlays**

The land is not subject to any overlays.

## PLANNING PERMIT TRIGGERS

The proposal requires a planning permit under the following clauses of the Cardinia Planning Scheme:

- Pursuant to Clause 33.01-4 of the Industrial 1 Zone, a permit is required to construct a building or carry out works;
- Pursuant to Clause 52.06-3, a permit is required to reduce the number of car parking spaces required under Clause 52.06-5; and
- Pursuant to Clause 52.05-8, a permit is required for the display of a panel sign.

## PUBLIC NOTIFICATION

The proposed buildings and works and car parking reduction are exempt from notice requirements for the following reasons:

- Pursuant to Clause 33.04-4 of the Industrial 1 Zone, an application is exempt from the notice requirements of Section 52(1)(a), (b) and (d) of the *Planning and Environment Act 1987*.
- Pursuant to Clause 52.06-4, an application under Clause 52.06-3 is exempt from the notice requirements of Section 52(1)(a), (b) and (d), if:
  - The application is only for a permit under Clause 52.06-3; or
  - The application is also for a permit under another provision of the planning scheme and in respect of all other permissions sought, the application is exempt from the notice requirements of Section 52(1)(a), (b) and (d).

The proposed advertising sign was not advertised as it was considered that it would not result in material detriment to any person for the following reasons:

- The sign is proportionate to the size of the site and the proposed building; and
- The sign is consistent with the industrial character of the area.

## REFERRALS

### APA

The application was referred to APA Group and APA VTS for comment. APA Group had no objection and requested no conditions, while APA VTS has no objection subject to conditions.

## DISCUSSION

The proposal for the construction of nineteen (19) warehouses and associated buildings and works, a reduction of the number of car parking spaces required under Clause 52.06 and the display of a business identification panel sign is consistent with the relevant aims and objectives of the Cardinia Planning Scheme.

## State and Local policies

A number of state and local policies are relevant to this application, including clauses 15.01 (Urban environment) and 21.06-1 (Design and built form), which require development to respond to its context in terms of urban character and surrounding landscape. The proposal is responsive to the surrounding industrial area and is expected to make a positive contribution due to the use of appropriate landscaping, design features, and built form.

Clauses 11.06-1 (Delivering jobs and investment) and 17.02 (Industry) of the SPPF seeks to ensure availability of land for industry and to facilitate the sustainable development and operation of industry and research and development activity. The development is consistent with the industrial nature of the area and should not have any impact on surrounding land uses.

The proposal also responds to clauses 21.04-1 (Employment) and 21.04-4 (Industry) of the LPPF as it will help to create employment opportunities within the Shire and deliver an appropriate streetscape character and working environment.

### **Industrial 1 Zone**

This zone aims 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. The relevant decision guidelines cover a range matters such as streetscape character, built form, landscape treatment, interface with non-industrial areas, parking and site access.

While the streetscape character of the area is still evolving, the proposal is expected to make a positive contribution and complement a number of similar buildings in the wider SouthEast Business Park area. The Commercial Road elevation of the warehouse provides some visual interest due to a well-articulated design and varied colours and materials. While the frontage to Export Drive is not as articulated as the Commercial Road frontage, this is considered appropriate as Export Drive is considered the secondary frontage and the applicant made changes (such as the addition of glazing) during the assessment process to improve the presentation to Export Drive.

The maximum building height of 9.2 metres is considered appropriate and consistent with the established standards for the area.

The proposal includes 3-metre-wide landscaping strips along the Commercial Road and Export Drive boundaries, which will help to soften the appearance of the development and provide a buffer between it and the street.

The landscape treatment, building setback, street interface and parking and site access is considered satisfactory. The proposal is not expected to have any negative impact on the safety or amenity of adjoining land uses or the wider area.

The application has been assessed against the decision guidelines of the Industrial 1 Zone, and this is summarised below:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies:
  - This has been stated previously and the proposal complies with the relevant policies.
- Any natural or cultural values on or near the land:
  - The proposal will not impact on any natural and cultural values on or near the land. The land surrounding the subject site has been zoned for industrial purposes. Any assessment on the above would have been assessed during the rezoning of the land. As a result, it is considered that the proposal will not impact on any natural or cultural values on or near the land.



- Streetscape character:
  - The proposal will be setback within the proposed lots and be generally consistent with the streetscape of the SouthEast Business Park. The SouthEast Business Park design guidelines specify a number of requirements, and the development generally complies with these guidelines, with approval granted from the design review panel.
- Built form:
  - The built form is generally consistent with the surrounding developments and the emerging character of the area.
- Landscape treatment:
  - The landscaping consists of minimum 3m wide landscaping strips along the street boundaries. The landscape plans have been reviewed and supported by Council's Landscape Department.
- Interface with non-industrial areas:
  - The proposed lots do not interface with any non-industrial areas.
- Parking and site access:
  - This has been assessed by Council's Engineering and Traffic departments, which have responded with no objection to the application subject to conditions.
- Loading and service areas:
  - The proposal has appropriate areas for loading and unloading of vehicles. A condition will be placed on the permit to ensure that loading and unloading of vehicles is done within the subject site.
- Outdoor storage:
  - A condition will be placed on the permit to ensure that the amenity of the area will not be impacted upon by the proposed development.
- Lighting:
  - A condition will be placed on the permit to ensure that any lighting does not impact on any surrounding properties.
- Stormwater discharge:
  - A condition will be placed on the permit with regards to stormwater discharge.

### **Clause 52.05 Advertising Signs**

This Clause regulates the display of signs and associated structures and aims to: ensure that signs are compatible with the amenity and visual appearance of an area; ensure signs do not contribute to excessive visual clutter or visual disorder; and ensure that signs do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of a road.

For the purpose of advertising signs, land within the Industrial 1 Zone is classed as 'Category 2' (Low Limitation). The purpose of this category is to provide for adequate identification signs and signs that are appropriate to office and industrial areas.

The application proposes a double-sided sign, which is to be located within the front landscaping strip along the Commercial Drive. The sign measures 9.2m in height by 2.5m in width, resulting in an advertising area of approximately 23 square metres. Based on the size and type of the sign, it is best defined as a business identification panel sign.

Pursuant to Clause 52.05-8, a permit is required for the display of a panel sign in a Category 2 area. There are a number of relevant decision guidelines, including the compatibility of the proposed sign with the existing or desired future character of the area, impacts on views and vistas, the relationship to the streetscape and the relationship to the site and building.



The sign has been sited and designed in a way to complement the proposed warehouses and provide appropriate identification for future tenancies. While large, the sign is considered proportionate to the size of the site and the proposed building and is considered appropriate when regard is given to the industrial character of the area and signs in the surrounding area.

## **52.06 Car Parking**

This Clause has a number of purposes, including to ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.

While no specific land use has been applied for as part of this application, the car parking assessment has been undertaken for a 'warehouse', which requires 2 spaces to each premises plus 1.5 car spaces to each 100 square metres of net floor area.

Based on the floor areas and number of warehouses, the development generates a requirement for 112 car parking spaces.

As the development provides 76 car parking spaces, a permit is required under Clause 52.06-3 to reduce the number of car parking spaces required. The car parking reduction of 32 spaces (or 33 per cent) is considered appropriate for the following reasons:

- The reduction is supported by Council's Traffic Engineering Department;
- The development exceeds the car parking requirements contained in Cardinia's Design Guidelines for Industrial Development;
- The supplied traffic impact assessment includes an empirical analysis of a similar development in SouthEast Business Park, and based on this analysis, it is estimated that the peak parking demand of the proposal could be 1.0 space per 100sqm. Applying this rate to the 5,877sqm of warehouse activity proposed yields a predicted peak demand of 59 spaces, which would result in a surplus of car parking.
- The site has frontages to both Commercial Drive and Export Drive, with a total of approximately 120 to 130 metres (factoring in crossings), which can accommodate up to 19 on-street parking spaces.
- Similar scales of reductions have been approved at 21 Southeast Boulevard (T170380), Commercial Drive (T150796) and Corporate Terrace (T130069).

All car park spaces meet the design standards of Clause 52.06-8.

## **52.34 Bicycle Facilities**

This clause seeks to encourage cycling as a mode of transport and to provide secure, accessible and convenient bicycle parking spaces and associated shower and change facilities.

While no specific land use has been applied for as part of this application, the car parking assessment has been undertaken for a 'warehouse' (industry), which requires 1 bicycle space to each 1000 square metres of net floor area.

The development exceeds this requirement, with each warehouse providing one bicycle space.

## **SouthEast Business Park Design Guidelines and Covenant AK832247Q**

Covenant AK832247Q was registered on 9 January 2014. The covenant has a number of requirements in relation to the use, development and subdivision of land within the SouthEast

Business Park. It also requires plans to be approved by SouthEast Business Park Pty Ltd prior to any development. The proposal is in accordance with the Covenant and has been approved by SouthEast Business Park Pty Ltd. These requirements are generally reinforced by the SouthEast Business Park Design Guidelines. The proposed plans have been approved by SouthEast Business Park Pty Ltd (see INC17117634), with dispensation granted for the reduced setback.

While the covenant requires development to be in accordance with the SouthEast Business Park Design Guidelines, it is noted that the guidelines are not mandatory but represent a set of preferred objectives. For this reason, it is considered acceptable for the development to vary from the requirements of the covenant, such as the reduced street setbacks; especially as the application has been approved by SEBP Pty Ltd.

### **Clause 65 Decision Guidelines**

The proposal is consistent with the SPPF and LPPF, the purpose of the zone and relevant provisions. The proposal does not undermine the orderly planning of the area and the siting and design of the warehouses is considered appropriate and should have no impact on the safety or amenity of adjoining land uses or the wider area.

### **CONCLUSION**

The proposal is consistent with the purposes and objectives of the relevant provisions of the Cardinia Planning Scheme. The proposed development is considered appropriate for the subject site and surrounding area and is not expected to diminish the amenity or detract from the character of the area. Due to the above reasons, it is recommended that Planning Permit T170799 be issued for Construction of nineteen (19) warehouses and associated buildings and works; Reduction of the number of car parking spaces required under Clause 52.06; Display of a business identification panel sign at Commercial Drive, Pakenham subject to the following conditions:

### **CONDITIONS:**

1. The development as shown on the endorsed plan/s must not be altered without the written consent of the Responsible Authority.
2. The location and details of the signs, as shown on the endorsed plans, must not be altered without the written consent of the Responsible Authority.
3. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.
4. Before the development starts, a stormwater management plan showing the stormwater works to the nominated point of discharge must be submitted for the approval of the Responsible Authority. The stormwater management plan must be prepared by a suitably qualified person and show details of the proposed stormwater works including all existing and proposed features that may have impact (including trees to be retained, crossings, services, fences, abutting buildings, existing boundary levels etc.). All works must be undertaken in accordance with the approved stormwater management plan.
5. Before the development starts, a tree protection fence must be erected around the existing street trees to be retained to define a "Tree Protection Area". The fence must be constructed of star pickets and chain mesh or similar to the satisfaction of the Responsible Authority. The tree protection fence must remain in place until construction is completed. No vehicular or pedestrian access, trenching or soil excavation is to occur within the Tree Protection Area

without the written consent of the Responsible Authority. No storage or dumping of tools, equipment or waste is to occur within the Tree Protection Area. Any pruning that is required to be done to the canopy or roots of any tree to be retained is to be done by a qualified arborist to Australian Standard – Pruning of Amenity Trees AS4373-2007 under supervision by Council's arborist.

6. Prior to the commencement of any works, including demolition, within the easement or on land within 50 metres of the gas transmission pipeline easement, a Construction Management Plan must be submitted to and approved by the Responsible Authority. The plan must:
  - a. Prohibit the use of rippers or horizontal directional drills unless otherwise agreed by the operator of the gas transmission pipeline.
  - b. Avoid significant vibration, heavy loadings stored over the pipeline and Heavy vehicle / plant crossings of the pipeline within the easement.
  - c. Be endorsed by the operator of the gas transmission pipeline where the works are within or crossing the relevant gas transmission easement.
  - d. Include any other relevant matter to the satisfaction of the Responsible Authority.

The Responsible Authority must be satisfied that the gas transmission pipeline licensee (APA VTS Australia (Operations) Pty Ltd) has reviewed and approved the Construction Management Plan. The Construction Management Plan must be implemented to the satisfaction of the Responsible Authority. The Construction Management Plan may be amended to the satisfaction of the Responsible Authority.

7. Prior to the commencement of any works within the gas transmission pipeline easement, the proponent must enter a Third Party Works Authorisation agreement with the pipeline licensee/operator (APA VTS Australia (Operations) Pty Ltd). Works within the easement must comply with any conditions attached to a third party works approval.
8. Prior to the development commencing for any stage which includes the gas transmission pipeline easement, landscape plans depicting any planned landscaping, including the planting of vegetation, species details, surface treatments, furniture, structures or improvements on or immediately abutting the gas transmission pipeline easement must be submitted to and approved by the Responsible Authority. A three metre minimum clearance between the pipeline and any vegetation with a mature height greater than 0.5 metres must be maintained. The Responsible Authority will seek the view of the pipeline licensee / operator (APA VTS Australia (Operations) Pty Ltd) in this matter.
9. Buildings, structures, roadway, pavement, pipeline, cable, fence or any other improvement on or under the land within the gas transmission pipeline easement must not be constructed without prior consent in writing from the pipeline licensee/operator (APA VTS Australia (Operations) Pty Ltd). No structure or vegetation will be permitted on the easement that prohibits maintenance of line of sight along the pipeline easement.
10. No civil infrastructure providing for water, sewer, electric, telecommunications and other like services will be accepted within the gas pipeline easement, other than service crossings to the satisfaction of the pipeline licensee/operator (APA VTS Australia (Operations) Pty Ltd).
11. Before the development is occupied:

- a) Commercial/industrial standard concrete vehicle crossings as shown on the approved plans must be constructed to the approval and satisfaction of the Responsible Authority.
  - b) 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.
  - c) The landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority unless otherwise approved in writing by the Responsible Authority.
12. The areas shown on the endorsed plan/s for access and landscaping must not be used for any other purpose and must be maintained to the satisfaction of the Responsible Authority. Any dead, diseased or damaged plants are to be replaced.
13. The dimensions and layout of the proposed access and parking areas must be in accordance with the requirements of Clause 52.06 of the Cardinia Planning Scheme.
14. Bicycle spaces must be provided on the subject land in accordance with Clause 52.34 of the Planning Scheme.
15. Delivery vehicles associated with the warehouses must not be larger than 6.4 metres in length.
16. The areas set aside for car parking shown on the endorsed plans must be made available for use free of charge to employees and visitors at all times and must not be used for any other purposes.
17. The filling of underground tanks, the fuelling and servicing of vehicles, the loading and unloading of goods from vehicles must only be carried out on the subject land within the designated loading bay/s and must not disrupt the circulation and parking of vehicles on the subject land.
18. 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.
19. 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.
20. Stormwater works must be provided on the subject land so as to prevent overflows onto adjacent properties.
21. The sign/s must not be illuminated by external or internal light except with further approval from the Responsible Authority.
22. The sign/s must be displayed and maintained to the satisfaction of the Responsible Authority.
23. All waste water from the development must be discharged into the reticulated sewerage system to the satisfaction of the Responsible Authority.

24. 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 building must be of a non-reflective nature.
25. 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.
26. Without further written consent of the Responsible Authority, any use established within the building must not be for a purpose shown with a Note 1 or Note 2 in table to Clause 52.10 of the Cardinia Planning Scheme.
27. 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) Appearance of any building, works or materials.
  - c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.
  - d) Presence of vermin.
28. All bins and receptacles used for the collection and storage of garbage, bottles and other solid wastes shall be kept in a storage area screened from view to the satisfaction of the Responsible Authority.
29. All pipes, fixtures, fittings and vents servicing any building on the subject land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.

**Expiry:**

This permit for the development of land will expire if one of the following circumstances applies:

- a) The development is not started within **two (2) years** of the date of this permit.
- b) The development is not completed within **four (4) years** of the date of this permit.

This permit for the reduction of the number of car parking spaces **required under Clause 52.06** expires if one of the following circumstances applies:

- a) The associated use does not start within **two (2) years** after the issue of the permit; or
- b) The use is discontinued for a period of **two (2) years**.

This permit for the display of advertising signs expires **fifteen (15) years** after the date it is issued.

The Responsible Authority may extend the periods referred to if a request is made in writing in accordance with Section 69 of the *Planning and Environment Act 1987*.

**Notes:**

- A Building Permit may be required for this development. To obtain a building permit you will need to contact a registered building surveyor.
- A 'Vehicle Crossing Permit' must be obtained from Council prior to the commencement of any works associated with the vehicle crossing.
- Should the future development be used for a commercial enterprise involving handling of food or drink, hairdressing, beauty therapy, myotherapy, colonic irrigation, skin penetration or tattooing or be providing accommodation to more than four (4) persons then the applicant must contact the Environmental Health Department for further advice concerning legislative requirements.
- Permission given under planning legislation cannot be construed as permission relating to any other legislation under Council jurisdiction, such as Public Health and Wellbeing, Food or Tobacco Acts.

**APA VTS Notes:**

- If you are planning on undertaking any physical works on property containing or proximate to a pipeline, or are seeking details on the physical location of a pipeline, please contact Dial Before you Dig on 1100, or APA directly on [APAprotection@apa.com.au](mailto:APAprotection@apa.com.au)
- An early works agreement from APA is required for any assessments/approvals that require greater than 3 days assessment or supervision. Lead in times for agreements can be up to 12 weeks. Please contact APA at [APAprotection@apa.com.au](mailto:APAprotection@apa.com.au) or 1800 103 452 to discuss the issue.
- Infrastructure and services other than perpendicular service crossings will not be supported within the APA VTS gas transmission pipeline easement. Service crossings of the APA VTS gas transmission pipeline easement should be kept to a minimum and grouped wherever possible.
- Where access to the pipeline will not be readily available because of the proposed development e.g. significantly obstructed by pavement etc an assessment of the condition of the pipeline coating will be required prior to development commencing. Any re-coating works required as a result of this assessment, due to future inaccessibility will be at the developers expense and to the satisfaction of the pipeline licensee/operator (APA VTS Australia (Operations) Pty Ltd).





213.8 0 106.91 213.8 Meters

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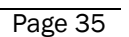
Data Source: State & Local Government. © CARDINIA SHIRE COUNCIL

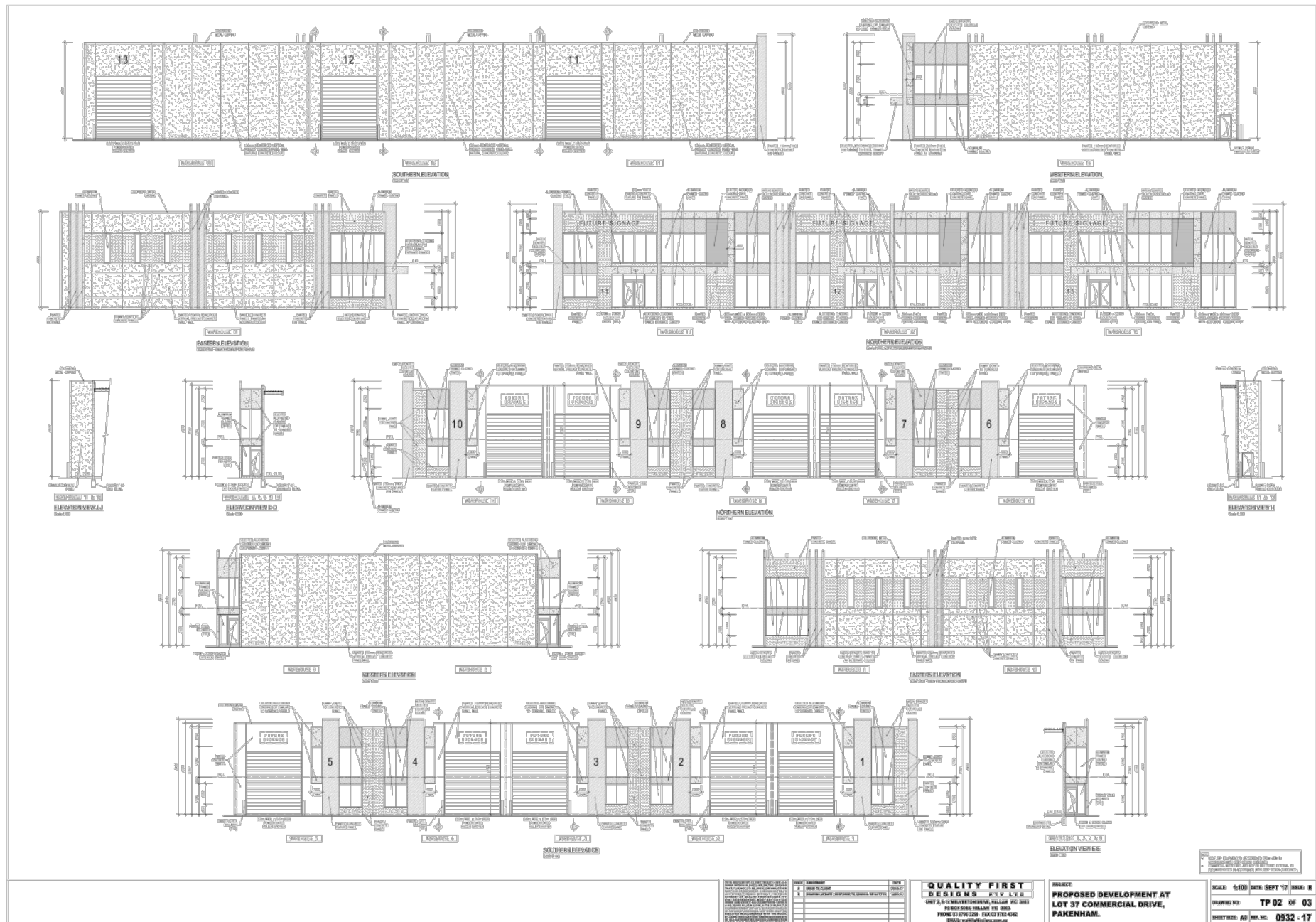
22-May-2018

Notes











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