

3 HAND CAR WASH AT 50-54 JOHN STREET PAKENHAM

FILE REFERENCE INT1644440

RESPONSIBLE GENERAL MANAGER Phil Walton

AUTHOR Isla English

RECOMMENDATION

That Planning Permit T150531 be issued for the use of the land for a car wash and a reduction in car parking requirements of Clause 52.06 for the existing Marketplace development at 50-54 John Street, Pakenham subject to the conditions attached to this report.

Attachments

- 1 Locality plan 1 Page
- 2 Development plans 24 Pages

EXECUTIVE SUMMARY:

APPLICATION NO.:	T150531
APPLICANT:	Magic Hand Car Wash
LAND:	50-54 John Street, Pakenham Victoria 3810
PROPOSAL:	Use of the land for a car wash and a reduction in car parking requirements of Clause 52.06 for the existing Marketplace development
PLANNING CONTROLS:	Commercial 1 Zone Development Contributions Plan Overlay Schedule 1, Development Plan Overlay Schedule 2 & Land Subject to Inundation Overlay.
NOTIFICATION & OBJECTIONS:	Pursuant to Clause 43.04-2 of the Development Plan Overlay the application is exempt from notice under Section 52 (1) (a) (b) and (d) of the Planning and Environment Act 1987
KEY PLANNING CONSIDERATIONS:	Impact of use and car parking reduction
RECOMMENDATION:	Grant a Planning Permit

BACKGROUND:

The site has been subject to previous planning permit approval (T090530) for construction of buildings and works associated with the development of the land to accommodate shops, food and drink premises, office, medical centre and associated car parking. A permit was issued for the use and development to part of the land including in the Public Acquisition Overlay in accordance with the approved plans and a reduction in car parking in accordance with Clause 52.06 of the Cardinia Planning Scheme and erection and display of advertising signage. This permit was amended to alter a condition relating to advertising signage and to convert the use of the medical centre to a gym.

The title of the land is subject to two Section 173 Agreements relating to the overall development of the site this proposal does not breach either of these agreements.

SUBJECT SITE

The site is located on the south east side of John Street and is located at the basement level of the existing shopping complex known as Marketplace.

The site is developed with a shopping centre and associated parking with a number of uses including a number of retail outlets, food and drink premises, offices and gym. The centre abuts external Council parking areas to the south west and the rear of commercial properties fronting Main Street. The overall complex is bounded by roads to the north west (John Street – commercial precinct), north east (Henry Street – mixed use precinct) and south west (Cook Drive- commercial precinct).

The proposed use will be located in the north west corner of the established basement parking area and will be contained within 31 parking spaces abutting the south west wall of the basement parking space.

PROPOSAL

The proposal is for the use of a hand car wash within the existing parking area of the Marketplace shopping centre, which have become common in a number of shopping centres. The car wash will be established within thirty one (31) parking spaces located in the north west corner of the basement parking area.

The use involves the provision of small building including a waiting and pay booth and storage area, two detail bays, two wash bays, two vacuum bays and four finishing bays, in addition 15 customer parking bays will be used for cars waiting to be washed or cars that have completed their wash and will be located along the south west wall of the basement parking area.

The use generally operates between 7am – 8pm, 7 days a week and staff numbers include 1 store management and between 6 -10 car washers.

The process of the use is generally that customers will drive in and park within one of the designated queuing bays with the cars left with the attendant. The services include internal and external hand washing and cleaning including vacuum cleaning, steam cleaning and use of a polisher machine.

The use will include appropriate signage although internal and with external signage is less than 8 square metres as such does not require a planning permit.

PLANNING SCHEME PROVISIONS

State Planning Policy Framework (SPPF)

The relevant clauses of the SPPF are:

- Clause 11.01 Activity Centres
- Clause 17.01-1 Business
- Clause 18.02-5 Car Parking

Local Planning Policy Framework (LPPF)

The relevant clauses of the LPPF are:

- Clause 21.04 Economic development
- Clause 21.04-1 Employment
- Clause 21.04-3 Activity Centres

Relevant Particular/ General Provisions and relevant incorporated or reference documents

The relevant provisions/ documents are:

- Clause 52.06 Car parking
- Clause 52.13 Car Wash
- Clause 65 Decision guidelines

Zone

The land is subject to the Commercial 1 Zone

Overlays

The land is subject to the following overlays:

- Development Contributions Plan Overlay (DCPO1)
- Development Plan Overlay (DPO2)
- Land Subject to Inundation Overlay (LSIO) in part

PLANNING PERMIT TRIGGERS

The proposal for a car wash and a reduction in car parking requirements of Clause 52.06 for the existing Marketplace development requires a planning permit under the following clauses of the Cardinia Planning Scheme:

- Pursuant to Clause 34.01-1 of the Commercial 1 Zone a planning permit is required for the use of a car wash.
- Pursuant to Clause 52.06 of the car parking provisions a planning permit is required for a reduction in car parking.

PUBLIC NOTIFICATION

Pursuant to Clause 43.04-2 of the Development Plan Overlay of the Cardinia Planning Scheme the proposal is exempt from the notice requirements of Section 52(1)(a), (b) and (d) of the Planning and Environment Act 1987.

REFERRALS

The application has no statutory planning referrals and given the exemption for notice under the DPO this prevented comments from the EPA and Melbourne Water although appropriate conditions have been provided to ensure no run off from the proposed car wash will impact on the surrounds.

DISCUSSION

Use and Clause 52.13 Carwash Requirements

Clause 52.13 of the Cardinia Planning Scheme specifically relates to car wash facilities. The two purposes of this Clause are to ensure that:

- *Amenity, site layout and design are considered when land is to be used for a car wash, especially if the site adjoins a residential zone; and*
- *Use of land for a car wash does not impair traffic flow or road safety.*

The proposed car wash is a low scale manual car wash that will cater for shoppers of the established shopping complex where it is located. The use is suitably located within the basement car parking area within close proximity of the entrance of the parking area although suitably offset to ensure that the location will not impact on the traffic circulation throughout the car parking area. Further the location at basement level will ensure minimal off site amenity impacts in terms of noise or nuisance to other surrounding uses.

In terms of discharge from the site the applicant has noted:

Drainage of the site will be via the public sewer and will be designed to comply with all Environmental Protection Authority (EPA) requirements and that of the local water authority. The developer has prepared a stormwater drainage and sewer plan for approval by the required

Authorities. There will be a bunded area around the wash bays area so that all the wastes water can be contained and pass through an oil separator before it is discharged into sewer.

Council's engineers and Council's Health department have no objections to the proposal. Although the application was not referred for comment to Melbourne Water or EPA (exempt under DPO), it is considered that appropriate conditions can be incorporated within the approval to ensure that discharge from the site is in accordance with the authorities requirements.

Car parking

In considering a parking reduction, Council must consider the availability of alternative parking in the locality, availability of public transport, impact on adjoining uses, previous uses and impact on the local traffic management of the area.

As the proposed use will be occupying 31 of the existing spaces, a planning permit is required for a reduction in the car parking requirement for the existing Marketplace development. In considering a reduction to car parking, the amendments to the initial planning permit for the Marketplace development need to be considered. The initial permit included a Medical centre (requiring 20 spaces) which has now been replaced with a gym with significantly less parking demand, it is considered that only an additional 11 space reduction is required to enable the proposed carwash to occupy 31 spaces.

The car parking reduction is justified given that people who use the car wash will be shopping while they wait providing multi-purpose trip with the parking areas occupied will be used for the customers of the shopping centre reducing any potential overflow of parking to adjoining properties. In addition, the underground car park is often under-utilised, as such a reduction in car parking is considered appropriate in this circumstance.

Whilst the development has a shortfall in car parking, the proposed development will provide for economic growth in relation to business development and job opportunities within Pakenham. As such, a balanced approach to ensuring business, business growth, business retention and job opportunities are created, against the potential impact of the car parking reduction. For the above reasons, it is officer's view that this proposal achieves this balance.

CONCLUSION

That planning permit T150531 be issued for the Use of the land for a car wash and a reduction in car parking requirements of Clause 52.06 subject to conditions. It is considered that the proposed use for a manual car wash within the basement parking area of the established shopping complex will provide a complementary use to the overall site and the reduction in car parking will not result in detrimental impacts to surrounding properties as such should be supported.

CONDITIONS

1. The layout of the site and the size of the proposed buildings and works, as shown on the approved plans, must not be altered or modified without the consent in writing of the Responsible Authority.
2. Water contaminated with waste oil, grease, chemicals or sediments must not be discharged beyond the boundary of the premises and be collected and disposed of off-site by an EPA approved contractor or sent to sewer under a Trade Waste Agreement.
3. All wastewater must be discharged into the reticulated sewerage system to the satisfaction of the Responsible Authority. A secondary containment system must be provided for liquids which if spilt are likely to cause pollution or pose an environmental hazard, in accordance with the EPA Publication 347.1 'Bunding Guideline2015' or as amended.
4. Vehicles under the control of the operator of the building, including staff vehicles, must not be parked in any nearby road.
5. The amenity of the area must not be detrimentally affected by the use or development 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, wastewater, waste products, grit or oil; or
 - d. Presence of vermin.
6. Noise levels emanating from the premises must not exceed those permissible levels determined under:
 - (a) State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade), No. N-1.
 - (b) State Environment Protection Policy (Control of Music Noise from Public Premises), No. N-2.
7. The operator (including all occupiers of businesses operating at the premises) must ensure that litter is not deposited beyond the boundary of the premises.

8. The site must be so ordered and maintained as not to prejudicially affect the amenity of the locality by reason of appearance.
9. No external sound amplification equipment or loudspeakers are to be used for the purpose of announcements, broadcasts, playing of music or similar purposes.
10. Without further written consent of the Responsible Authority any use established within the building must not be used for the purpose shown with a Note 1 or Note 2 in table to Clause 52.10 of the Cardinia Planning Scheme.

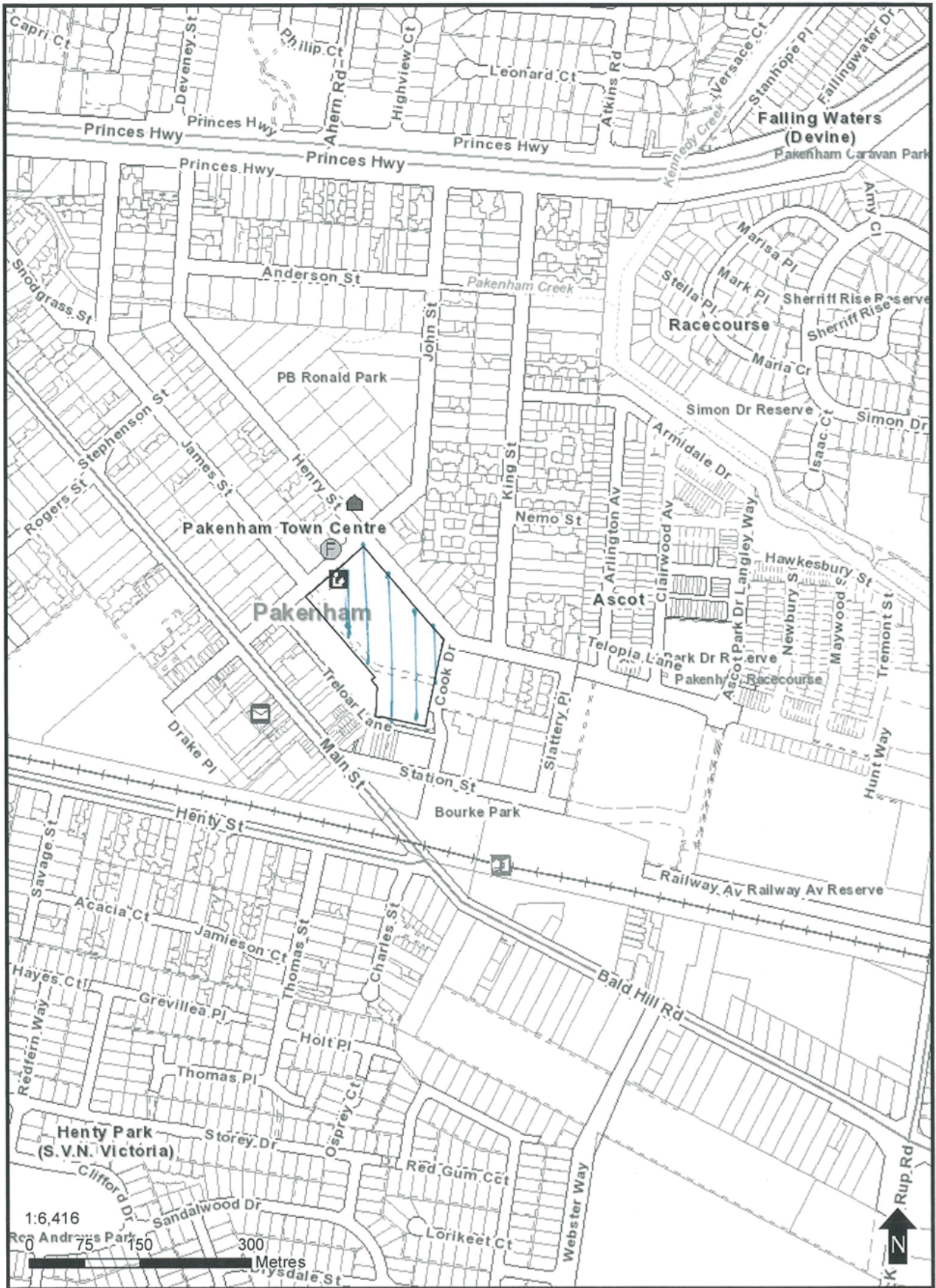
Expiry of permit:

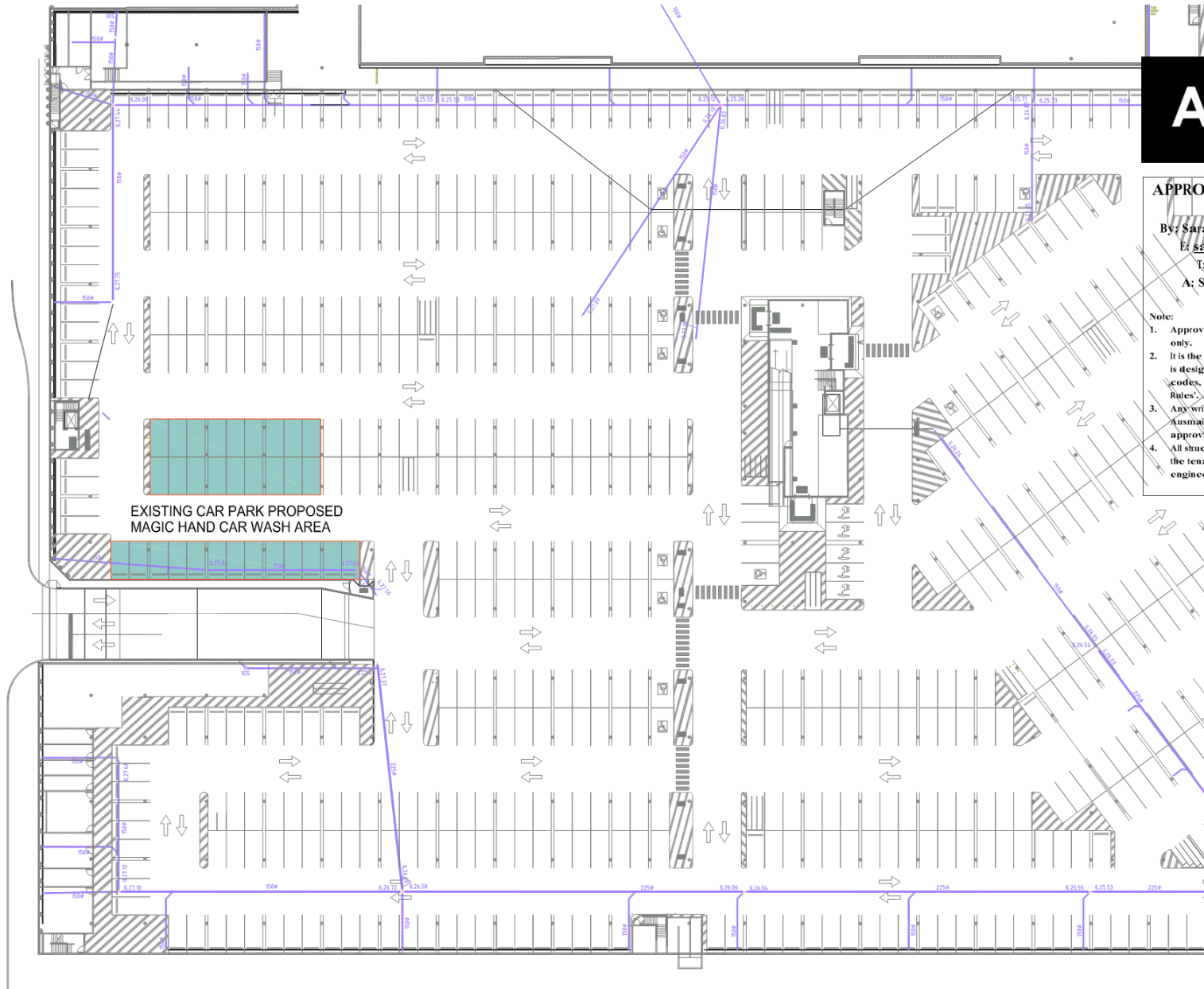
In accordance with Section 68 of the Planning and Environment Act 1987, this permit will expire if one of the following circumstances applies:

- a) The use is not started within two years of the date of this permit.

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*.

50-54 John Street Pakenham





APPROVED FINAL TENANCY DESIGN

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 Mosman NSW 2088.

Note:

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4. All structural design elements remain the responsibility of the tenant + must be approved by a qualified structural engineer.

No. _____ Amendment _____ Date _____

MAGIC HAND CARWASH
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 F: 03 9419 6465
 e: info@magic.com.au

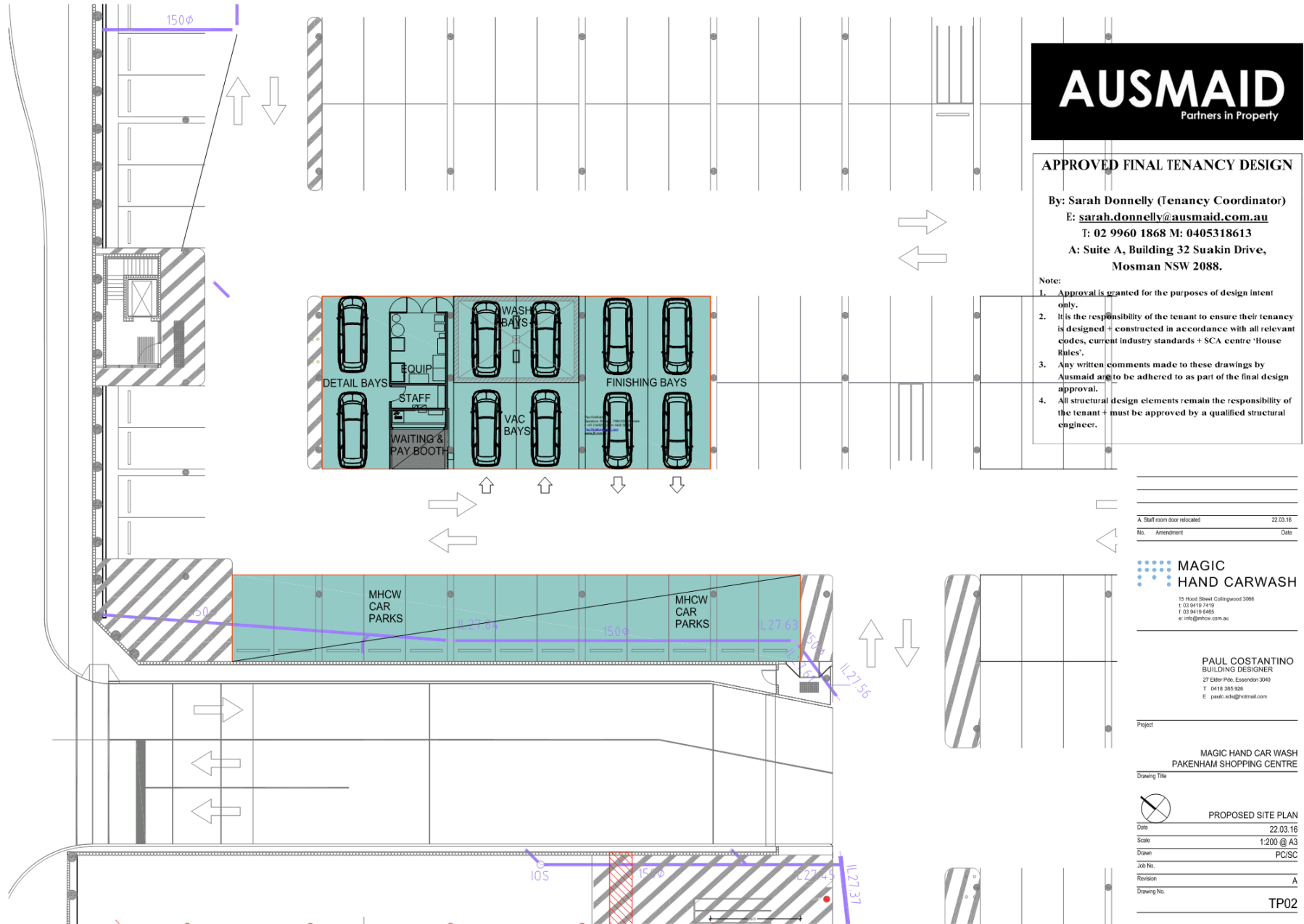
PAUL COSTANTINO BUILDING DESIGNER
 27 Essex Place, Essendon 3080
 T: 0418 385 926
 E: paul@sch@hotmail.com

Project _____

**MAGIC HAND CAR WASH
 PAKENHAM SHOPPING CENTRE**

EXISTING SITE PLAN
 Date: 22.03.16
 Scale: 1:500 @ A3
 Drawn: PC/SC
 Job No.: _____
 Revision: _____
 Drawing No.: _____

TP01



AUSMAID
Partners in Property

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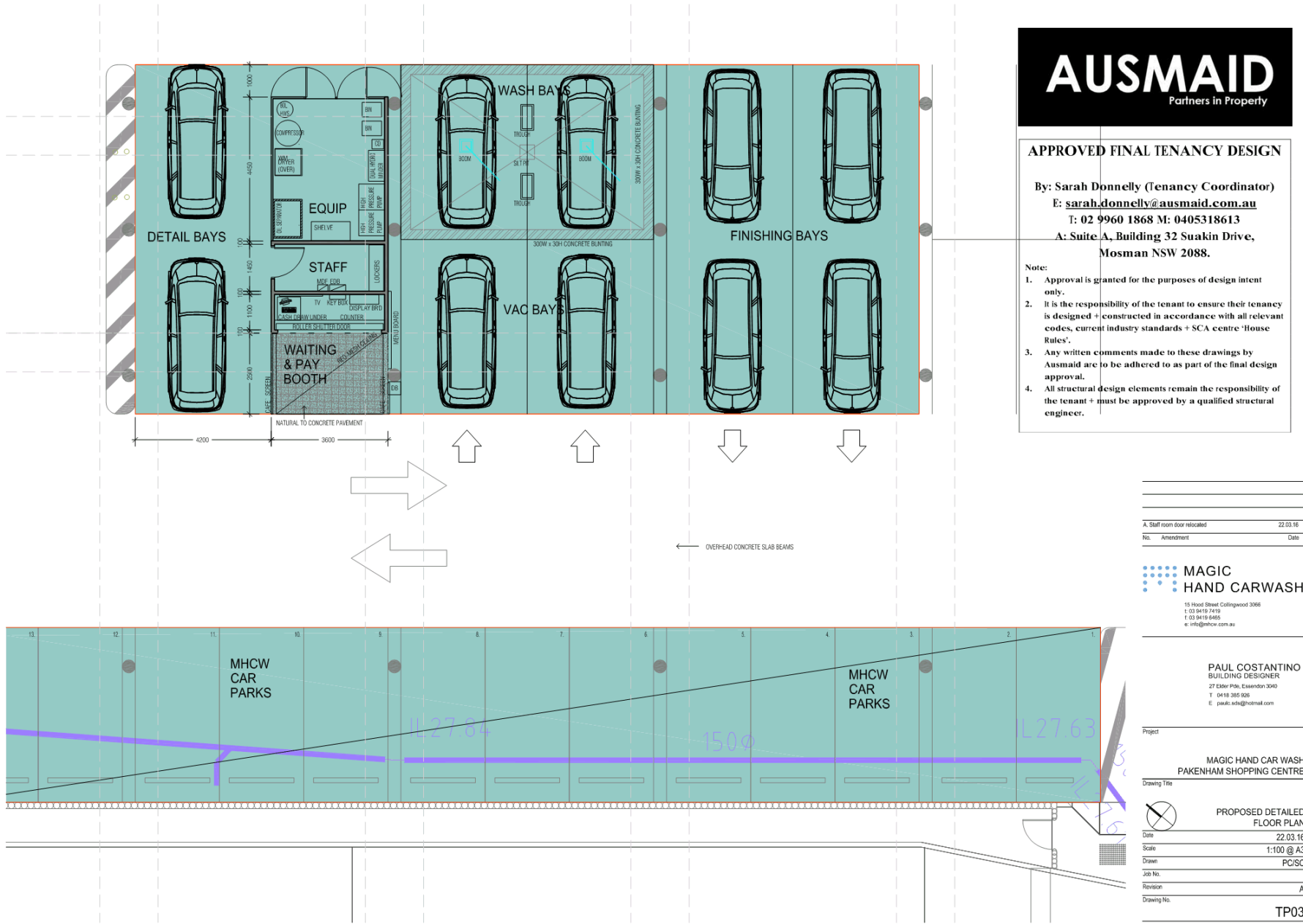
No.	Amendment	Date

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Project
MAGIC HAND CAR WASH PAKENHAM SHOPPING CENTRE

Drawing Title
PROPOSED SITE PLAN
Date: 22.03.16
Scale: 1:200 @ A3
Drawn: PC/SC
Job No.:
Revision: A
Drawing No.: **TP02**



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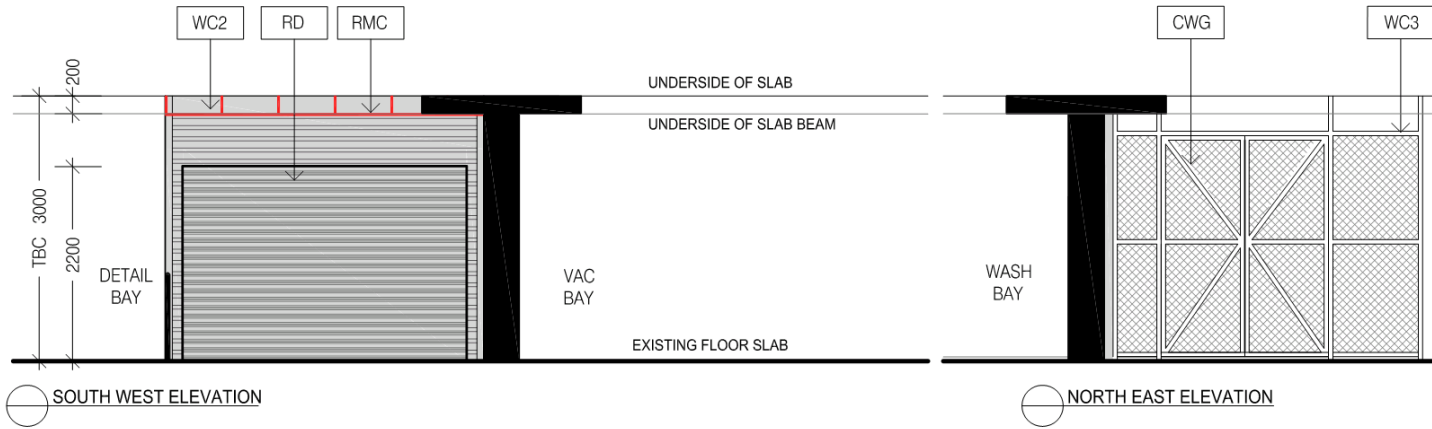
A. Staff room door relocated		22.03.16
No.	Amendment	Date

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Project: MAGIC HAND CAR WASH
 PAKENHAM SHOPPING CENTRE
 Drawing Title:

PROPOSED DETAILED FLOOR PLAN	
Date	22.03.16
Scale	1:100 @ A3
Drawn	PC/SC
Job No.	
Revision	A
Drawing No.	TP03

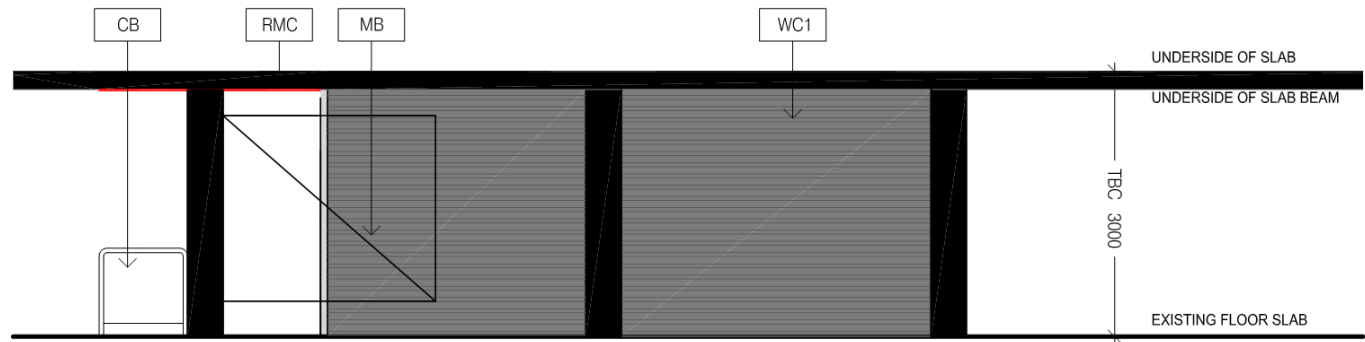


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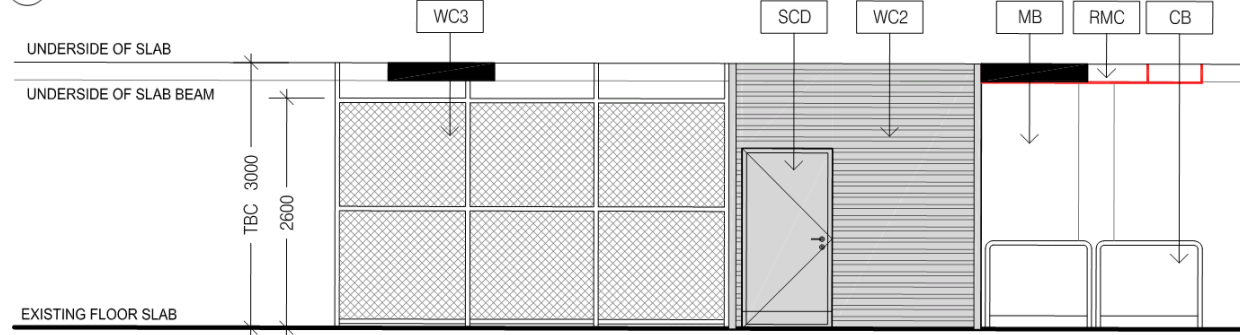
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SOUTH EAST ELEVATION



NORTH WEST ELEVATION

MATERIAL SCHEDULE

- WC1 COLORBOND SPANDECK WALL CLADDING COLOUR - NIGHT SKY
- WC2 COLORBOND SPANDECK WALL CLADDING COLOUR - SHALE GREY
- WC3 BLACK PVC COATED CHAIN WIRE WITH BLACK SHADE CLOTH TO INSIDE FACE BLACK COATED GALVANISED STEEL POSTS WITH BASE PLATE AT TOP AND BOTTOM FIXED TO GROUND AND CEILING SLAB
- RMC RED MESH CEILING PANEL SUSPENDED FROM UNDERSIDE OF CEILING SLAB COLOUR - BLACK
- MB MENU BOARD 2400mm x 2400mm REFER TO SIGNAGE PACKAGE
- CB CAFE BARRIERS - BY BUILDERS MARKETING TO DESIGN
- SCD TIMBER SOLID CORE DOOR - PAINTED TO MATCH COLORBOND SHALE GREY
- CWG 2 x 900mm WIDE GATES FINISHED AS PER WC3
- RD 3200mm WIDE x 2400mm HIGH AUTOMATIC ROLLER DOOR COLOUR - SHALE GREY

MAGIC HAND CARWASH

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Project: **MAGIC HAND CAR WASH PAKENHAM SHOPPING CENTRE**

PROPOSED ELEVATIONS

Date: 22.03.16
Scale: 1:50 @ A3
Drawn: PC/SC
Job No.:
Revision: A
Drawing No.: TP04



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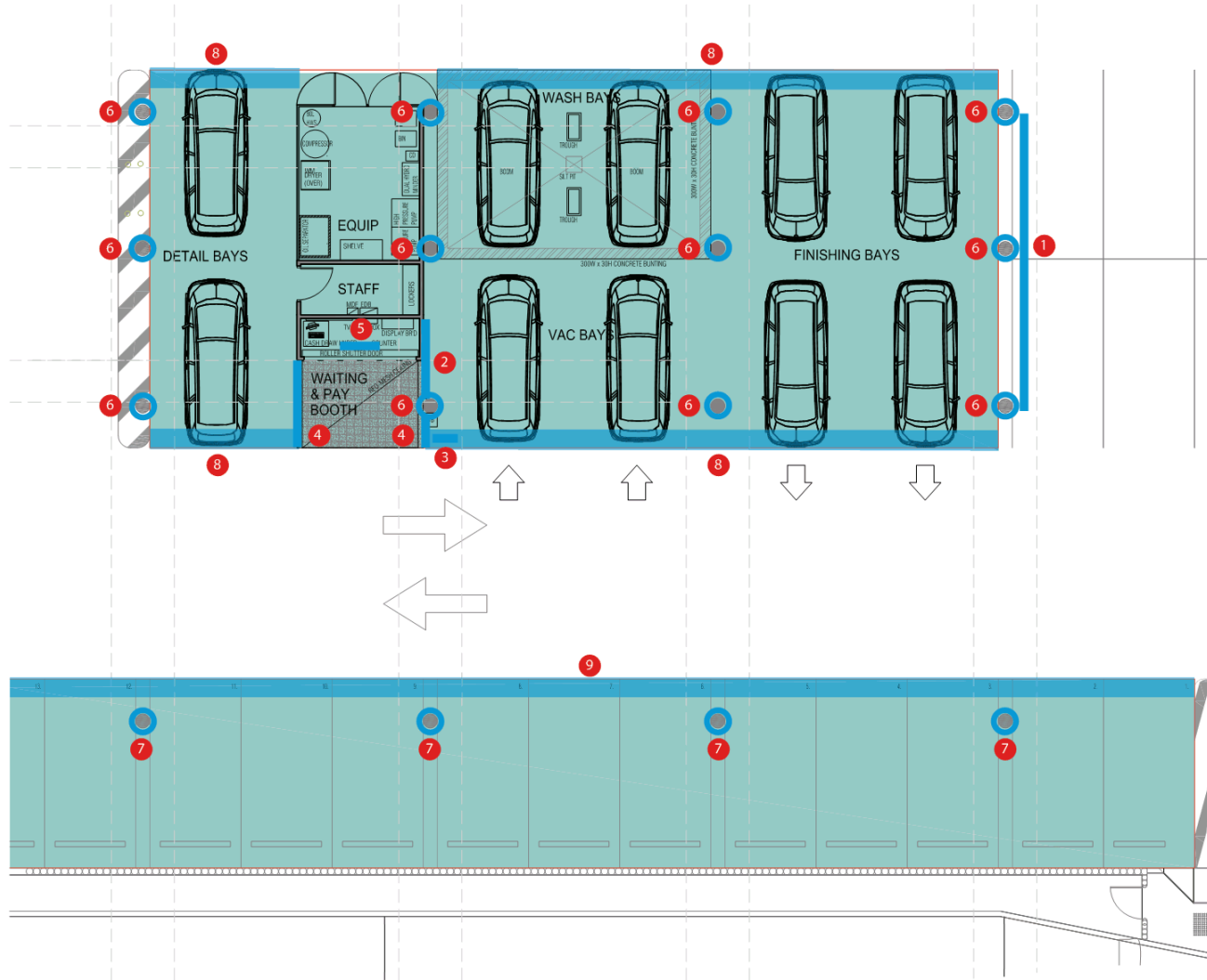
PAKENHAM MARKETPLACE

SITE SIGNAGE v1.4

Approved with
comments as
noted



PRIVATE AND CONFIDENTIAL.
MAGIC HAND CAR WASH FRANCHISOR 2016.



TENANCY OVERVIEW

1. Identity
2. Wash menu
3. Disclaimer
4. Cafe barriers
5. Counter
6. Column wraps - Magic
7. Column wraps - parking
8. Linemarking - solid
9. Linemarking - parking



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HANGING LETTERFORMS AT
MAGIC PACIFIC WERRIBEE



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1. IDENTITY

Internally lit LED letterforms suspended from ceiling.

Underside of letterforms to allow for clearance height of 2300mm.

Dimensions TBC.

Checked AS -
AS22890-2.
2.3m high OK.

checked BCA -
2.1m OK
Centre's 2.3m limit



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2. Wash menu

Alucobond panels with digitally printed graphics. Pricing applied in removable vinyl to allow for future updates.

Single sided.

Supported by floor to ceiling beams.

Construction and fixing details to be confirmed by sign writer.



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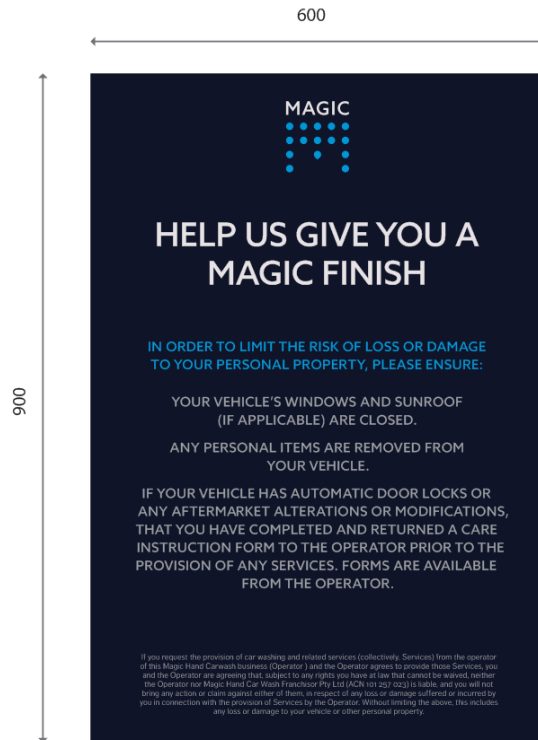
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3. Disclaimer

Freestanding a-frame sign with two digitally printed corflute panels.



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confirm dimensions onsite prior to manufacture or installation with Ausmaid

4. Cafe barriers

Black framed cafe barriers with double sided digital print.

Dimensions TBC.



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5. Counter

10mm acrylic letterforms and dots.

Reflective vinyl to faces.

Dimensions TBC.



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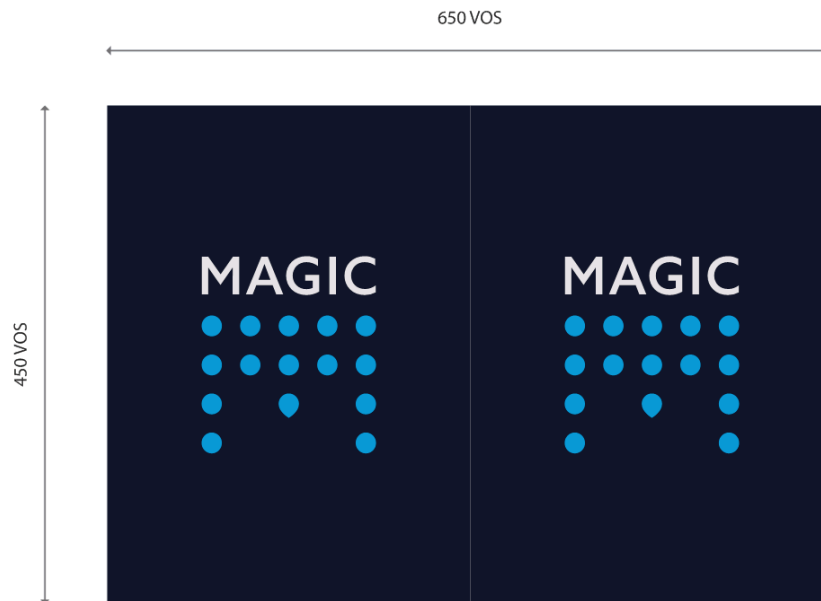
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6. Column wraps - logo

Flexible acrylic sleeves with continuous print.

Logo in reflective vinyl.

Sleeves to be fully removable.

Sign writer to confirm dimensions of all columns.



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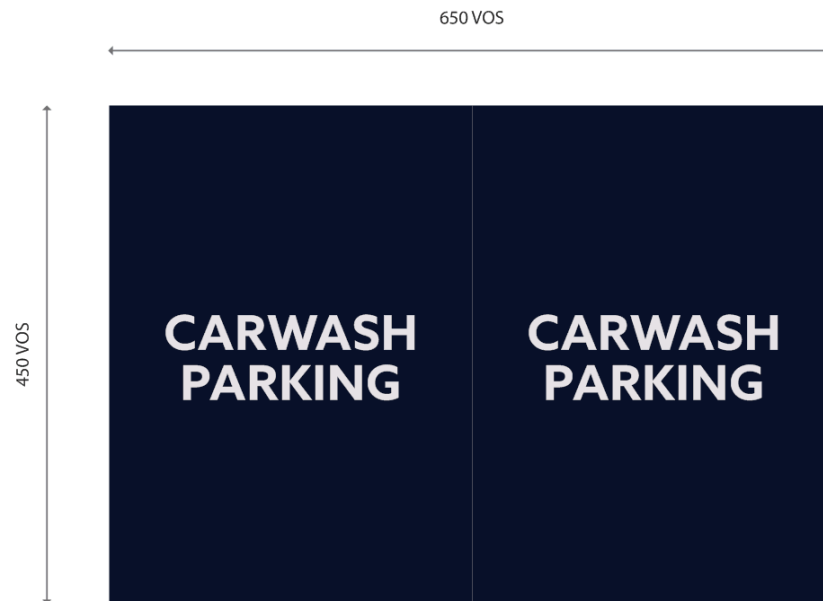
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7. Column wraps - parking

Flexible acrylic sleeves with continuous print.

Text in reflective vinyl.

Sleeves to be fully removable.

Sign writer to confirm dimensions of all columns.



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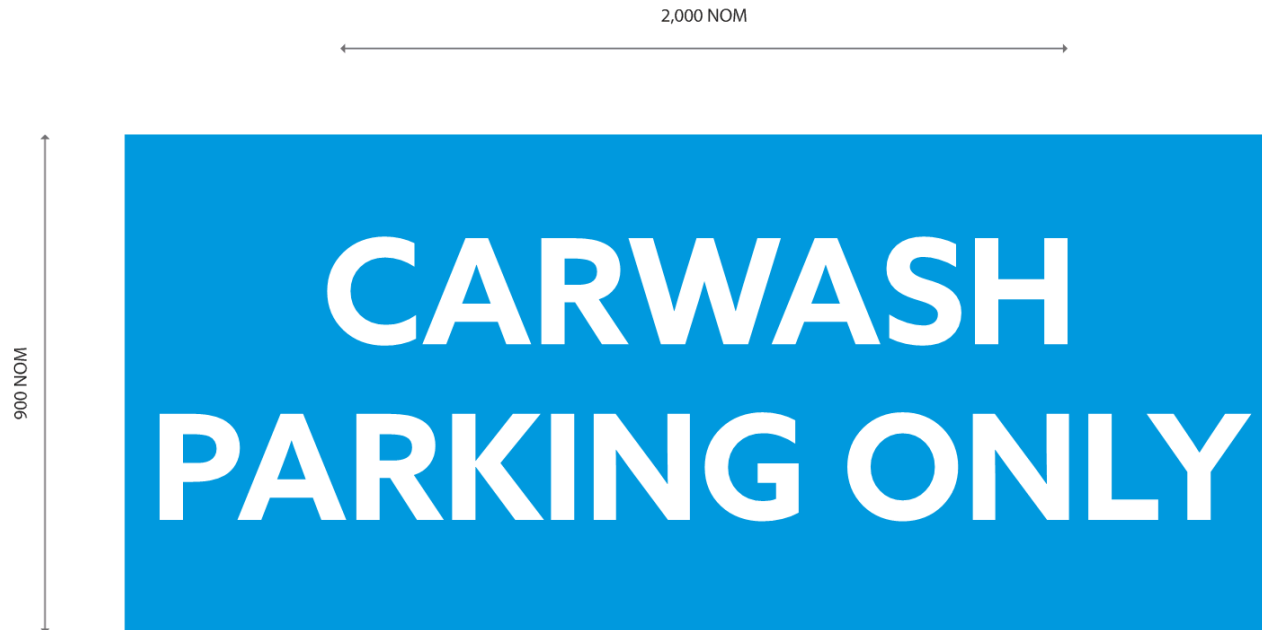
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9. Linemarking - parking

Linemarking applied across production bays in Dulux Disabled Blue. Text painted over in white.



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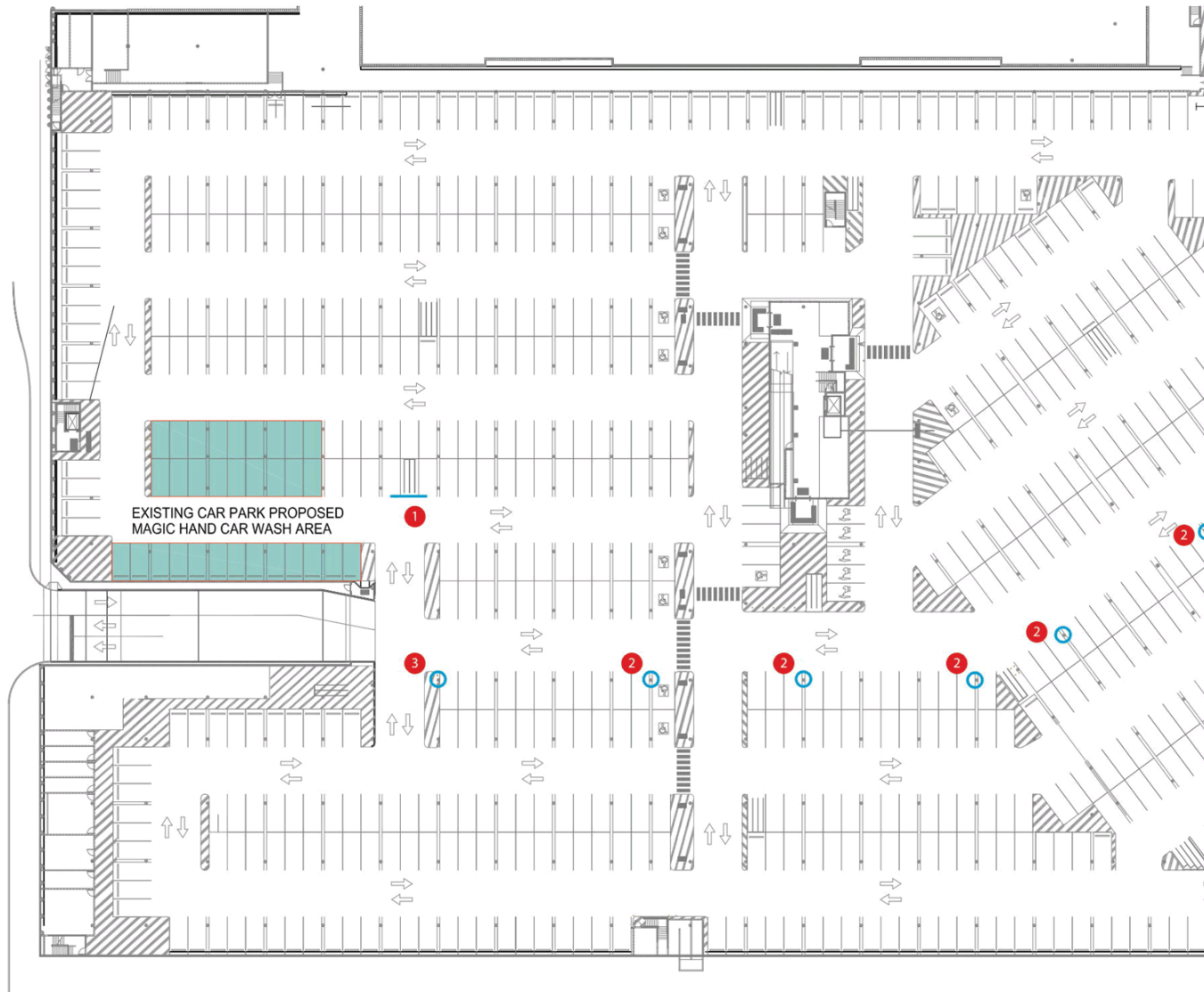
PAKENHAM MARKETPLACE

DIRECTIONAL SIGNAGE v1.2

Approved with
comments as
noted.



PRIVATE AND CONFIDENTIAL.
MAGIC HAND CAR WASH FRANCHISOR 2016.



DIRECTIONAL OVERVIEW

- 1. Directional lightbox
- 2. Column wraps
- 3. Column wrap
- 4. Cook St. entry (not shown)
- 5. Mini pylon (not shown)



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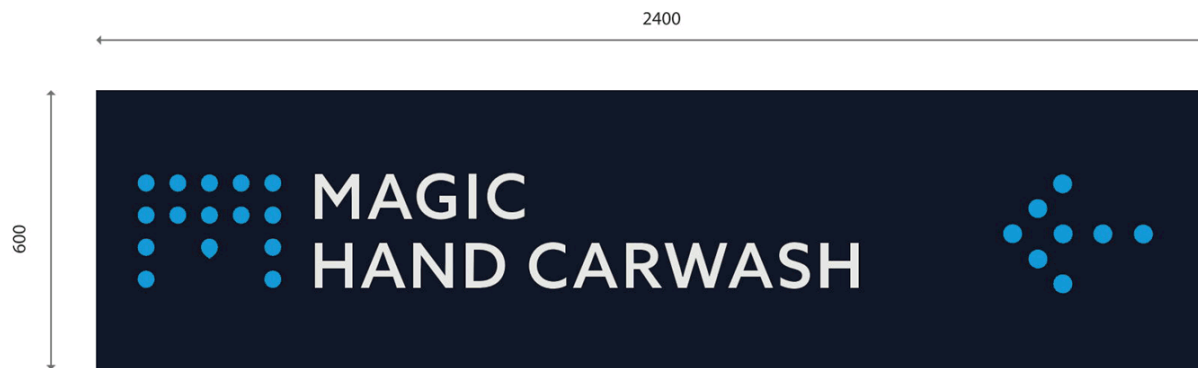
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1. Directional overview

Slimline LED lightbox suspended from overhead slab.

Illumination to logo and arrow only.

Double sided.

Construction and fixing details to be confirmed by sign writer.



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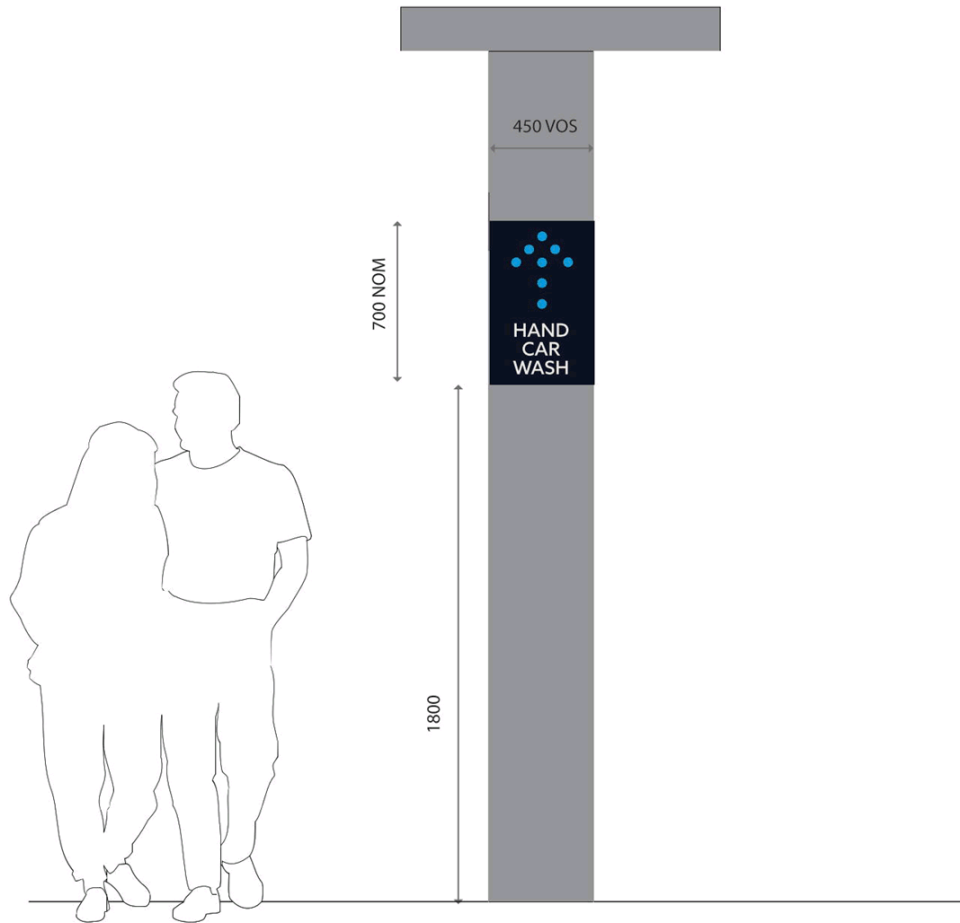
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2. Column wraps

New wraps applied to columns as marked.

Reflective faces to leftforms and arrow.



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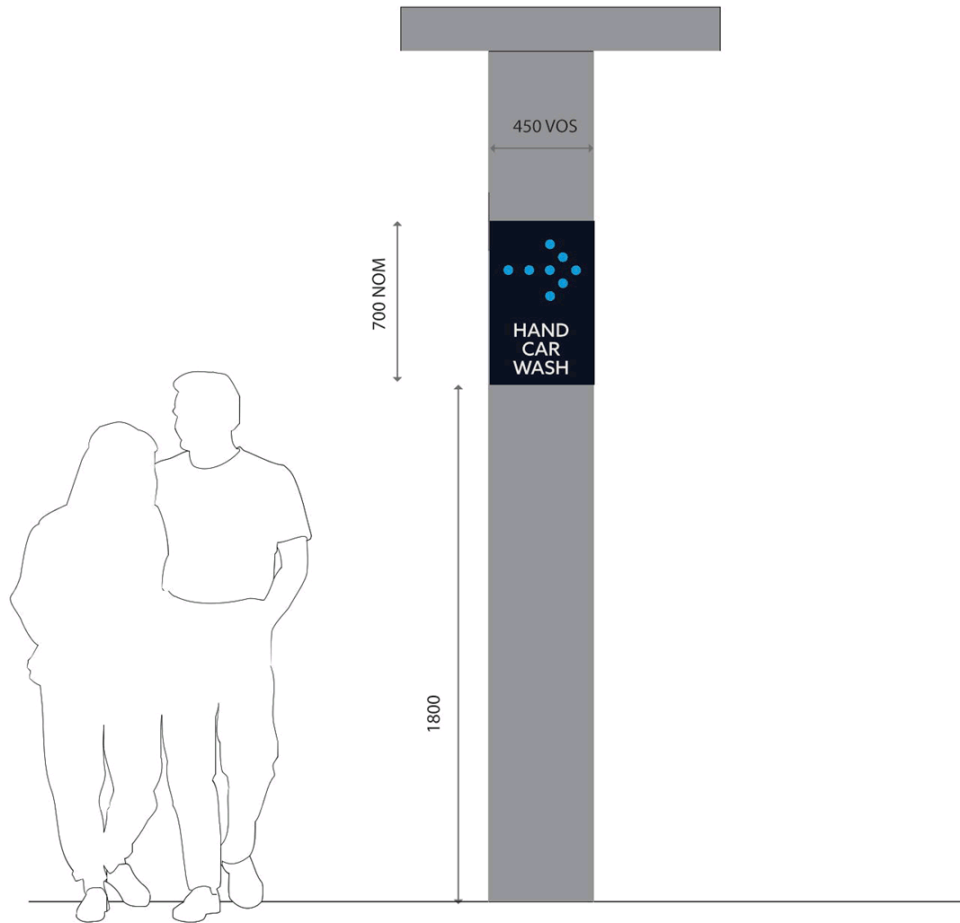
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3. Column wrap

New wrap applied to one column as marked.

Reflective faces to letforms and arrow.



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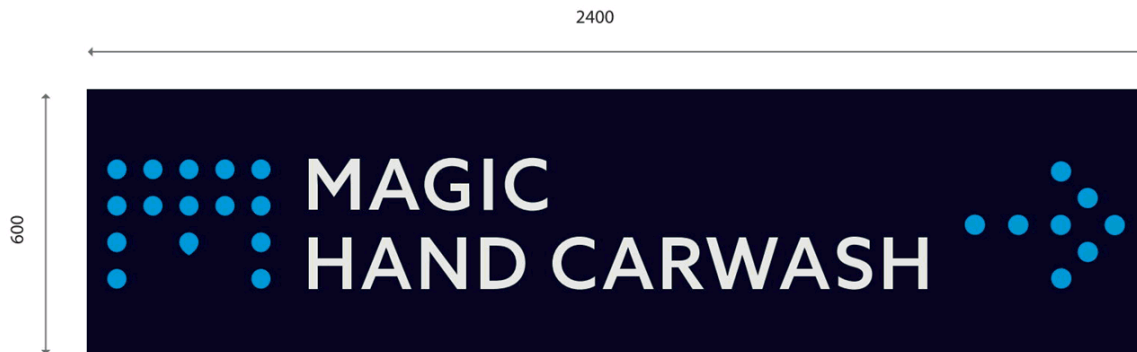
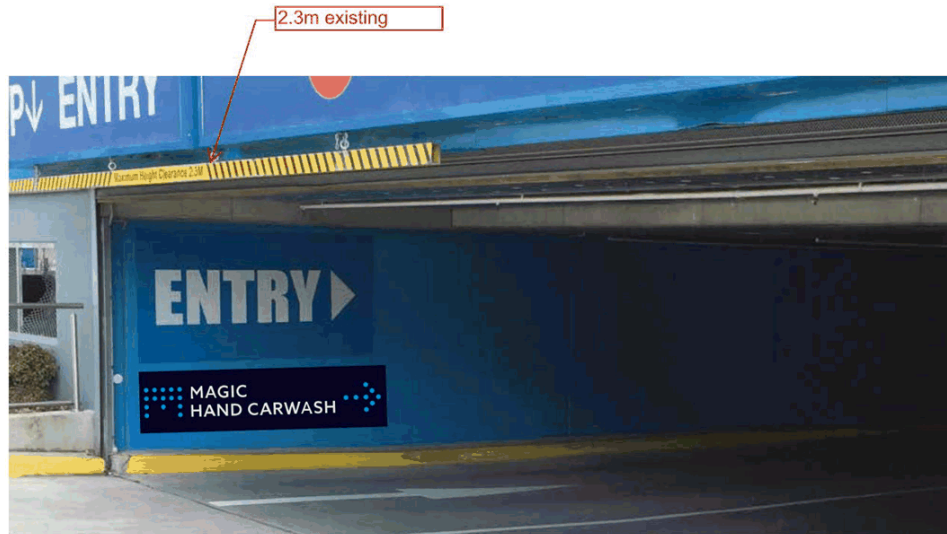
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4. COOK ST. ENTRY

Alucobond panel with UV resistant digital print.

Reflective faces to letterforms and arrow.

Conceal fixings to wall.



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31/08/2015

Application for a Magic Hand Car Wash

Premises at: Tenancy TB3
Pakenham Central Marketplace
Henry Street
Pakenham. Vic