

5.3 331 – 345 JELLS ROAD, WHEELERS HILL – ALTERATIONS AND ADDITIONS TO THE EXISTING MULGRAVE COUNTRY CLUB

(TPA/36051:MD:HM)

Ward : Mulgrave

Responsible Director: Don Cameron

Reason for Council Consideration: Cost - \$3.5 Million

Statutory Processing Date : 17 August 2008

Preliminary Discussions: Yes

RECOMMENDATION

*The Council having caused notice of planning application No. 36051 to be given under Section 52 of the Planning and Environment Act 1987 and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides to **grant a planning permit** under the provisions of the Monash Planning Scheme in respect of the land known and described as 331-345 Jells Road, Wheelers Hill, for alterations and additions to the existing club building and licensed premises under clause 52.27 in accordance with the plans submitted with the application subject to the following conditions, including the specified standard conditions set out in the Council's "Town Planning Standard Conditions" adopted by the Council 16 September 2003:*

- 1. The development and use as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.*
- 2. 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, waste water, waste products, grit or oil;*
 - d) presence of vermin.**
- 3. Before occupation all buildings and works specified in this permit must be completed to the satisfaction of the Responsible Authority. The Responsible Authority must be advised in writing when all construction and works are completed to enable the site to be inspected.*
- 4. The Function Centre may operate only between the hours of 7.00am Monday to Saturday inclusive until 1.00am on the following day and 10.00am until 12 midnight on any Sunday.*
- 5. Functions are not permitted in any other part of the premises apart from business functions within the Committee area between the hours of 7.00am to 5.00pm Monday to Friday inclusive.*
- 6. Details of the extent of the Licensed Premises are to be submitted to*

Council to the satisfaction of the Responsible Authority.

7. *The location of any electricity supply meter box/kiosk/substation must not be located within the front landscape setback area to any road.*
8. *No form of public address system may be installed as to be audible from outside the building.*
9. *Noise from the mechanical service equipment including the basement exhaust system and any music associated with the premises must at all times conform with the State Environment Protection Policies SEPP N-1 and SEPP N-2 respectively.*
10. *The use of any internal public address system or amplified sound system must not exceed the background level (L_{90}) by more than 5dB when measured within the grounds of any nearby residential property.*
11. *All external cladding and trim of the proposed buildings must be of a non-reflective nature. Cladding materials must be coloured or painted in shades to match the existing building. All paintwork must be maintained to the satisfaction of the Responsible Authority.*
12. *No goods must be stored or left outside the building so as to be visible from any public road or thoroughfare.*
13. *The storage and removal of refuse and recyclable materials including bottles shall be to the satisfaction of the Responsible Authority. No waste or materials are to be collected before 8.00am and after 6.00pm from the site. No bottles shall be removed from the property before 8.00am or after 6.00pm.*
14. *All deliveries and goods to the store or the place where goods are kept shall be carried out only between the hours of 8.00am-6.00pm, Monday to Saturday.*
15. *No equipment, services, architectural features or structures of any kind, including telecommunication facilities, other than those shown on the endorsed plans shall be permitted above the roof level of the building unless otherwise agreed to in writing by the Responsible Authority.*
16. *The construction works associated with the permitted use/development and/or subdivision must only be carried out during the following hours:*
 - *Monday to Friday (inclusive) – 7am to 6pm;*
 - *Saturday – 9am to 1pm;*
 - *Saturday – 1pm to 5pm (Only activities associated with the erection of buildings. This does not include excavation or the use of heavy machinery);**unless otherwise approved in writing by the Responsible Authority.*

17. *Before the development permitted is completed, areas set aside for parked vehicles and access lanes as shown on the endorsed plans must be :*
- (a) constructed to the satisfaction of the Responsible Authority;*
 - (b) properly formed to such levels that they can be used in accordance with the plans;*
 - (c) surfaced with an all-weather sealcoat to the satisfaction of the Responsible Authority;*
 - (d) drained, maintained and not used for any other purpose to the satisfaction of the Responsible Authority;*
 - (e) line-marked to indicate each car space and all access lanes to the satisfaction of the Responsible Authority.*
- Parking areas and access lanes must be kept available for these purposes at all times.*
18. *Signage and pavement markings to clearly indicate the direction of vehicle movement within the car park areas must be provided to the satisfaction of the Responsible Authority.*
19. *In areas set aside for car parking, measures must be taken to the satisfaction of the Responsible Authority to prevent damage to fences or landscaped areas.*
20. *Outdoor lighting must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on adjoining land.*
21. *A sign to the satisfaction of the Responsible Authority must be provided directing drivers to the area set aside for car parking and must be located and maintained to the satisfaction of the Responsible Authority. The sign must not exceed 0.3 square metres.*
22. *A landscape plan prepared by a Landscape Architect or a suitably qualified or experienced landscape designer, drawn to scale and dimensioned must be submitted to and approved by the Responsible Authority prior to the commencement of any works. The plan must show the proposed landscape treatment of the site including:-*
- the location of all existing trees and other vegetation to be retained on site*
 - provision of canopy trees with spreading crowns located throughout the site including the major open space areas of the development*
 - planting to soften the appearance of hard surface areas such as driveways and other paved areas*
 - a schedule of all proposed trees, shrubs and ground cover, which will include the size of all plants (at planting and at maturity), their location, botanical names and the location of all areas to be covered by grass, lawn, mulch or other surface material*

- *the location and details of all fencing*
- *the extent of any cut, fill, embankments or retaining walls associated with the landscape treatment of the site*
- *details of all proposed hard surface materials including pathways, patio or decked areas*

When approved the plan will be endorsed and will then form part of the permit.

- 23. Before the occupation of the buildings allowed by this permit, landscaping works as shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority and then maintained to the satisfaction of the Responsible Authority.*
- 24. All new external tennis court lighting must be designed by an appropriate lighting consultant to ensure compliance with Element 5 of the Code of Practice – Private Tennis Court Development under the Monash Planning Scheme to the satisfaction of the Responsible Authority and the lighting must not be used after 11.00pm.*
- 25. The boom gate barrier located within the western accessway must prevent vehicle access to car parking spaces around the tennis courts and bowling green between 11.00pm and 8.00am daily.*
- 26. Except with the further consent of the Responsible Authority the gate granting and denying vehicle access from the service road of Wellington Road is to be maintained and is to be locked to deny such access between the hours of 11:30pm on any day and 6:45am on the following day.*
- 27. All on-site stormwater is to be collected from hard surface areas and must not be allowed to flow uncontrolled into adjoining properties. The on-site drainage system must prevent discharge from each driveway onto the footpath.*
- 28. Before the development starts, a site layout plan drawn to scale and dimensioned must be approved by the Responsible Authority.*

The plans must show a drainage scheme providing for the conveying of the stormwater to the nominated point of discharge. The nominated point of discharge is to the existing internal drainage system.
- 29. A copy of the plans for the drainage works must be submitted to the Engineering Division prior to the commencement of works for their records. The plans are to show sufficient information to determine that the drainage works will meet all drainage conditions of the permit.*
- 30. The minimum height between the floor and an overhead obstruction of the basement car park shall be a minimum of 2200mm.*
- 31. The driveways and parking areas should be designed in accordance with*

the Australian Standard for Off-Street Parking, AS/ANS2890.1/2004, apart from the dimensions of car parking spaces and associated accessways, which must be in accordance with the provisions of Clause 52.06-3 of the Monash Planning Scheme.

NOTES:

1. *Building approval must be obtained prior to the commencement of the above approved works.*
2. *Unless no permit is required under the planning scheme, no sign must be constructed or displayed without a further permit.*
3. *If the point of discharge cannot be located then notify Council's Engineering Division immediately.*

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:

- *The development and use are not started within two years of the date of this permit.*
- *The development is not completed within four years of the date of this permit.*

In accordance with section 69 of the Planning and environment Act 1987, the responsible authority may extend the periods referred to if a request is made in writing before the permits expires, or within three months afterwards.

BACKGROUND

The subject site is located on the north west corner of Wellington Road and Jells Road, Wheelers Hill. The site has frontage to Wellington and Jells Roads of 189 metres and 127 metres respectively. Overall site area is 22,795 square metres. Access to the site is from Wellington Road to the south, from Jells Road to the east and via the Wellington Road service road to the west. (See Attachment 1)

The site currently supports the Mulgrave Country Club comprising an existing two storey club building with frontage to both roads. The building contains dining facilities, gaming room, function areas and members' facilities with administration space provided at first floor level.

In addition the club facilities include three illuminated tennis courts, three squash courts (within a separate building) and three bowling greens.

A basement car park is provided beneath the existing building and provides parking for 72 vehicles. A further 231 car spaces are provided at-grade throughout the site. A one-way internal driveway extends along the western and northern boundaries of the site.

Surrounding development to the north, east and west of the site is generally residential comprising one and two storey dwellings. Land on the south side of Wellington Road forms part of the Waverley Park residential redevelopment. Also to the south is the Victorian Safeway office headquarters and an associated distribution centre.

PROPOSAL

It is proposed to demolish the existing squash court building and a small section of the western part of the existing building facing Wellington Road and construct an extension to the Mulgrave Country Club. The proposed additions and alterations to the existing building are confined to the western area of the site. The plans submitted with application provide for the following: (See Attachment 2)

- Extension to the TAB area
- Reconfiguration of the Members' lounge and amenities
- Four new squash courts
- New building entries along the southern façade
- New exercise room at first floor level
- Two new committee rooms at first floor level in the eastern part of the building
- New basement car park with associated access arrangements, and revised at grade parking layout resulting in a net increase of 17 car parking spaces
- New tennis court with floodlights

The proposal also includes an application for a Licensed Premises to cover the building extensions.

Some of the proposed alterations and additions ie new squash courts and tennis court were approved under the previous Planning Permit No 28688 issued on 23 January 2002 for alterations and extension to the Mulgrave Country Club. This permit has now expired. It is noted however that the majority of the redevelopment works under Planning Permit 28688 were completed.

A traffic and car parking report and an acoustic report have been submitted as part of the application. The details will be discussed later in the assessment section of the report.

POLICY IMPLICATIONS

The policies relevant to the current application include the following:

State Planning Policy Framework

Clause 12: Metropolitan Development

Clause 14.01: Planning for Urban Settlement

Clause 15.05: Noise Abatement

Clause 18.02: Car Parking and Public Transport Access to Development

Clause 18.03: Bicycle Transport

Clause 19.03: Design and Development Overlay

Local Planning Policy Framework

Clause 21: Municipal Strategic Statement

Strategic directions within the Municipal Strategic Statement recognise the retention of assets that contribute to the sporting, recreational, cultural and social life of the community that maximises their benefit to the community and provide lifestyle options.

Clause 22.01: Residential

The site does not fall within a Neighbourhood Character area under the Residential Development and Character Policy, as commercial sites were excluded from the original Monash Urban Character Study. The residential area adjacent to the site is designated as Neighbourhood Character Type 'E3' which is characterised by a variety of dwelling types, mainly one and two storey 1970's and 1980's brick veneer and double fronted villas.

Clause 22.09: Non-Residential Use and Development in Residential Areas

The 'urban design criteria' indicates application of creative design solutions that enhance the quality of all residential areas, particularly in relation to streetscape issues, scale of buildings, provision of open space and setbacks to ensure adequate landscaping.

Zoning

The subject site is located within a Residential 1 Zone. A planning permit is required for the proposed buildings and works.

A purpose of the zone indicates that in appropriate locations educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs are allowed.

Wellington Road and Jells Road are located within a Road Zone – category 1 under the Monash Planning Scheme.

CONSULTATION

Notification of the application was sent by mail to owners and occupiers of land adjoining the site and within the immediate area. Two large notices were also required to be displayed on the land.

In addition a public information session was held during the notification period. One resident attended the session.

No objections have been received to the proposal.

The application was referred to Council’s traffic and drainage engineers for comment. Conditions are required to be placed on any permit issued.

ASSESSMENT

The proposal supports State and Local Policies and the provisions of the Municipal Strategic Statement by upgrading existing recreational facilities to be utilised by the community. Comments on the design detail are as follows.

Layout and Built Form

The layout of the site is essentially the same as the layout proposed under Planning Permit No 28688. The squash courts and tennis court are in the same location as previously approved. Some minor alterations to building works are proposed and a minor relocation of bowling green 2 to the north. In addition car parking spaces located adjacent to the northern boundary of the site will be removed.

Existing setbacks are maintained to both Jells Road and Wellington Road.

The proposal involves a two storey extension of the existing building facing Jells Road providing for 2 committee rooms. In addition, a first floor addition is proposed in the vicinity of the squash courts, facing Wellington Road, and provides for an exercise room and gallery space for the squash courts below.

The upper floor extensions have been designed to complement the existing built form and are well separated from any residential property.

Traffic and Car Parking

A total of 320 car parking spaces are proposed for the redevelopment of the Mulgrave Country Club. Of these 182 are to be provided at grade and 138 within the basement. This represents an increase in 17 spaces on the number that are currently provided on site.

Clause 52.06 of the Monash Planning Scheme specifies that where the floor area of an existing use is increased, the parking requirement only applies to the floor area of any extension of the use. Accordingly car parking for the proposed extension to the Mulgrave Country Club is required as follows:

Use	Change in Floor Area (sqm)	Car Parking Rate	No of Car Parking Spaces
Hotel if the floor area available to the public exceeds 150sqm	-128.2	60 car spaces to each 100sq, of bar floor area available to the public, plus 30 car spaces to each 100sqm of lounge floor area available to the public	-38
Place of Assembly	+ 183	0.2 car spaces to each seat or to each sqm of net floor area, whichever is the greater	+37
Bowling Green	No change	6 car spaces to each rink	-

Squash Court	+1	3 car spaces to each court	+3
Tennis Court	+1	4 car spaces to each court	+4
Restaurant	No change	0.6 car spaces to each seat available to the public	-
Betting Agency	+16.8	8 car spaces to each 100 sqm of net floor area	+1
TOTAL			+7

In addition to the above, there are no specified rates indicated within the Planning Scheme for the proposed exercise room. Council's engineers have accepted the case study data put forward by the applicant's traffic consultant indicating a peak parking rate of 6 spaces to each 100 square metres of floor area. Accordingly this results in an additional 10 spaces being required for the development.

The provision of a total of 320 on site car parking spaces is considered satisfactory. It is noted that the previous proposal was to provide a total of 295 car parking spaces on site, which also included the additional squash court and tennis court included under the current application, therefore there is an effective surplus of 12 spaces.

Under the current application it is proposed to implement a one-way traffic flow through from the Wellington Road service road entrance around the tennis courts to the northern accessway, which will now also provide access to the new section of the basement car park. Traffic currently operates in both directions in this area. A boom gate is to be installed to prevent vehicle access around the tennis courts and bowling green between 11.00pm and 8.00am daily, which accords with requirements on the previous permit. Exit from the basement car park during these hours will be via the exit on the Jells Road side of the site.

It should also be noted that under the previous approval a gate is required to be located at the boundary of the site with the service road of Wellington Road preventing vehicle access between the hours of 11:30pm on any day and 6:45am on the following day. This condition should also be included on the current permit.

Council's traffic engineers advise that the proposal will generate a negligible amount of additional traffic and will have no significant effect on access operation or on the traffic conditions of the surrounding road network which have sufficient capacity to absorb any increase without an adverse impact.

Amenity Issues

The extension to the basement car park is considered satisfactory however as the car park will be mechanically exhausted there may be issues with noise from the outlet. An acoustic report submitted with the application indicates the car park exhaust system which is proposed to be located at the north-eastern corner of the new car park and is to be concealed in a brick veneer clocktower will

require future examination as documentation progresses. A condition should be placed on the permit to ensure compliance with EPA guidelines - SEPP N-1.

It is considered that the removal of the parallel car spaces along the northern boundary of the site will remove the potential for noise impact such as door slams and engine start up as currently exists and will improve the amenity for surrounding residents.

It is noted that there is no tree removal proposed as part of this application.

CONCLUSION

The proposal will provide for appropriate development within the context of the existing built form and adequate car parking is to be provided on site. It is recommended that the application be approved subject to appropriate conditions.