RECOMMENDATION

That the Council having considered Section 52 of the Planning and Environment Act 1987 and being satisfied that the grant of a permit would not cause material detriment to any person has not required that notice be given for Planning Application No TPA/39685.

The Council having considered planning application No TPA/39685 and 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 24 McDonalds Lane, Mulgrave for the buildings and works for a warehouse, ancillary office and associated car parking and landscaping generally in accordance with the plans submitted with the application, subject to the following conditions, including the standard conditions set out in the Council’s “Town Planning Standard Conditions” adopted by the Council 16 September 2003:

1. Before the development starts, three copies of plans drawn to scale and dimensioned must be submitted to and approved by the Responsible Authority. The submitted plans must clearly delineate and highlight any changes. When approved, the plans will be endorsed and will then form part of the permit.

   The plans must show:
   a) Provision for parking facilities for a minimum of four staff bicycles in close proximity to the front entrance of the building.
   b) The maximum gradient of associated access driveway across the property line to be 1 in 20 (5%).

2. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.

3. 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.

4. 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.
   f) Parking areas and access lanes must be kept available for these purposes at all times.

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, waste water, waste products, grit or oil;
   (d) presence of vermin;
6. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.

7. 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.

8. The unused portion of the property must be kept drained, tidy and mown at all times to the satisfaction of the Responsible Authority.

9. The loading and unloading of goods from vehicles must only be carried out on the land.

10. No goods must be stored or left exposed outside the building so as to be visible from any public road or thoroughfare.

11. No bin or receptacle or any form of rubbish or refuse shall be allowed to remain in view of the public and no odour shall be emitted from any receptacle so as to cause offence to persons outside the land.

12. Adequate provision shall be made for the storage and collection of garbage and other solid wastes and these facilities are to be located on the site to the satisfaction of the Responsible Authority.

13. 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.

14. 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.

15. 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 driveways onto the footpath. Such a system may include either:
   a) trench grates (150mm minimum internal width) located within the property; and/or
   b) shaping the driveway so that water is collected in a grated pit on the property; and/or
   c) another Council approved equivalent

16. 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 collection of
stormwater within the site and for the conveying of the stormwater to the nominated point of discharge.

The nominated point of discharge is the south - west corner of the property where the entire site’s stormwater must be collected and free drained via a pipe to the Council pit in the nature strip to Council Standards. (A new pit is to be constructed if a pit does not exist or is not a standard Council pit).

If the point of discharge cannot be located then notify Council’s Engineering Division immediately.

17. The driveway and parking area (apart from parking space dimensions) should be designed in accordance with the Australian Standard for Off-Street Car Parking, AS/NZS 2890.1/.

18. The layout of the development shall follow the Australian Standard for Off-Street Car Parking, AS/NZS 2890.1/. At blind aisles, the aisle shall be extended a minimum of 1 metre beyond the last parking space. Space 63 is affected.

19. The accessible parking should be designed in accordance with the Australian Standard for Off-Street Parking for people with disabilities, AS/NZS 2890.6.

20. The accessible ramp should be designed in accordance with the Australian Standards for Design for Access and Mobility AS 1428.

21. Clear sight lines shall be provided at the property line to ensure adequate visibility between vehicles leaving the driveway and pedestrians on the frontage road. This requires the provision of a corner splay or area extending at least 2.0 metres long x 2.5m deep (within the property) x less than 1.2 metres height measured from the edge of the exit lane of each vehicle crossing.

NOTES-

1. Building approval must be obtained prior to the commencement of the above approved works.

2. Any new drainage work within the road reserve requires the approval of the City of Monash’s Engineering Division prior to the works commencing. Three copies of the plans (A3-A1 size) for the drainage works must be submitted to and approved by the Engineering Division. The plans are to show sufficient information to determine that the drainage works will meet all drainage conditions of the permit.

3. All new crossings are to provide a minimum 1.0 metre from the turning point of the vehicle crossing at the kerb to the edge of any tree canopy, power pole, drainage or service pit or other services.
4. The existing street tree will be removed and replaced by Council at the cost of the developer. Payment is required prior to the commencement of the development.

5. The redundant crossing is to be removed and reinstated with kerb and channel to the satisfaction of Council. The footpath and nature strip is to be reinstated to the satisfaction of the City of Monash.

6. A permit is required for the installation or modification of any vehicular crossing from Council’s Engineering Department. The proposed crossings are to be in accordance with the City of Monash standards.

7. A Traffic Management Plan is required prior to the issue of Vehicle Crossing Permits.

8. Unless no permit is required under the planning scheme, no sign must be constructed or displayed without a further permit.

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 is not started before 2 years from the date of issue.
• The development is not completed before 4 years from the date of issue.
In accordance with section 69 of the Planning and Environment Act 1987, the responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or within three months afterwards.

BACKGROUND
The subject land is located on the eastern side of McDonalds Lane, approximately 160 metres south of the Monash Freeway and 270 metres west of Springvale Road in Mulgrave. The site has an overall area of approximately 7,000 square metres and is currently vacant. There are no significant trees on the site.

The site is zoned ‘Business 3’ and is also subject to a ‘Design and Development Overlay 1’.

Surrounding land to the north, south, east and west is developed with a mix of industrial and warehouse uses. On the western side of the street are smaller scale industrial buildings with very little landscaping in the front setbacks. On the eastern side of McDonalds Lane both adjoining properties support larger commercial and warehouse developments. A driveway to the adjoining property to the south runs the length of the common boundary. The property to the north at 2-20 McDonalds Lane also has a driveway running the length of the common boundary.
PROPOSAL

The application proposes the use and development of a warehouse with ancillary two storey office and associated car parking and landscaping. The building is a modern, contemporary design with the facade finished in non reflective glazing and powder coated aluminium detailing with the warehouse constructed in concrete panels. The tenancy is to be occupied by a company that imports and stores shoes.

The plans submitted with the application provide for the following (Attachment 2):

- Development of 3,485m² warehouse space and construction of a 960m², two storey office with associated staff amenities.
- The office has an overall height of 7.7 metres and the warehouse has an overall height of 9 metres.
- The office has a front setback to McDonalds Lane of 9.05 metres and the warehouse recessed a further 6.75 metres to provide a front setback of 15.8 metres.
- Two new vehicle crossings are proposed with a crossing at the southern end of the frontage to provide access to four car spaces (including one disabled car space) in the front setback and roller door access to the warehouse. The second crossing at the northern end of the frontage provides access to 61 car spaces to the side of the building and access to an internal loading bay and two additional roller doors.
- Relocation of electric supply pole and removal of a small street tree.

POLICY IMPLICATIONS

State Planning Policy Framework

The following aspects of the State Planning Policy Framework are relevant in consideration of this application:

Clause 10.01: Purpose
Clause 10.02: Goal
Clause 10.04: Integrated decision making
Clause 11: Settlement
Clause 11.04: Metropolitan Melbourne
Clause 14.02-1: Catchment planning and management
Clause 15: Built environment and heritage
Clause 17: Economic Development

Clause 11.04-3 recognises the importance of creating employment opportunities within employment corridors including development of the Monash University/Chadstone to Box Hill, Austin Hospital and Bell Street employment corridor, which the subject land is located within.

Local Planning Policy Framework

Clause 21 being the Municipal Strategic Statement (MSS) outlines the key strategic planning, land use and development objectives for the City of Monash. The MSS
recognises the leafy suburbs and treed streetscape being garden city characteristics of
the municipality.

Clause 21.03-3: Monash 2012 – A Strategy for the Future
The relevant clause relating to economic development seeks to encourage business to
thrive and expand in Monash.

Clause 21.03-4: Strategic Framework Plan
The major strategic directions identified on the plan include:
“Developing sustainable employment opportunities to maintain Monash as a
predominant business location in Melbourne’s eastern region.”

Clause 21.05: Economic Development
Clause 21.07: Business Parks and Industry

Clause 22.03: Industry and Business Development and Character Policy
The clause seeks to enhance the Garden City Character of industrial and business areas.
The desired future character statement states that areas should continue to develop as a
modern industrial and technology park within an attractive landscape setting containing
a large number of large, mature, native trees. Main road frontages should be well
landscaped and contain high profile businesses that should present a positive public
image of the municipality to road users.

Clause 22.04: Stormwater Management Policy

Zoning
Clause 34.03: Business 3 Zone
The land is zoned Business 3 under the provisions of the Monash Planning Scheme.

The purpose of the Business 3 Zone is:
“To encourage the integrated development of offices and manufacturing industries
and associated commercial and industrial uses.”

Pursuant to the requirements of Clause 34.03-1 of the Scheme a warehouse is an as of
right use, subject to conditions. A permit is required for buildings and works under
Clause 34.03-4.

Overlays
Clause 43.02: Design and Development Overlay
The land is subject to the Design and Development Overlay (Schedule 1).

The purpose of the Design and Development Overlay is:
“To identify areas which are affected by specific requirements relating to the design
and built form of new development.”

Pursuant to the requirements of Clause 43.02-2 a permit is required to construct a
building. Schedule 1 to the overlay specifies requirements with regard to design
objectives, buildings and works, decision guidelines and street setbacks.
CONSULTATION

Notification
Pursuant to the requirements of Clause 34.03-4 an application for buildings and works is exempt from the notification requirements of the Act. It is considered that the proposal will not cause any material detriment to the amenity of the surrounding area having regard to the surrounding land use and the nature of the proposal.

Referral
The application was referred to Council’s Horticultural Services, Drainage and Traffic sections for comment.

The proposal is considered satisfactory subject to conditions.

ASSESSMENT
The proposed development and use satisfies the provisions of the Monash Planning Scheme including relevant state and local policies.

Use
The proposed use of warehouse and ancillary office is an as of right use within the Business 3 Zone and consistent with the purpose of the zone. The proposal will contribute to the economic development of the area and provide for increased employment opportunities.

Built Form
The architectural form of the proposal is in keeping with the character of the surrounding area through a high quality and contemporary design.

The height of the proposed building is typical of most other buildings within the immediate area and will not have any adverse impact.

Front Setback
The Schedule to the DDO requires any new development provides a 7.6 metre fully landscaped front setback along McDonalds Lane. The proposed building complies with this setback as the office component is setback 9 metres and the warehouse setback 15.8 metres. The front 7.6 metres is dedicated to landscaping. The four car spaces provided at the front of the site have been located 9 metres from the frontage.

The submitted plans do not provide for a comprehensive landscaping schedule but this can be required as a condition on permit. The setbacks as proposed will allow for the planting of canopy trees across the frontage to satisfy Council’s Garden City Character Policy.

Car Parking
Car parking is provided in accordance with the requirement specified by Clause 52.06-6 of the Monash Planning Scheme as detailed below. As the office is ancillary to the warehouse (occupies less than 30%) the car parking rate for a warehouse has been applied for the whole development.

<table>
<thead>
<tr>
<th>Proposal</th>
<th>Clause 52.06-5 Requirement</th>
<th>Net Floor Area (square metres)</th>
<th>Car spaces Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Warehouse</td>
<td>1.5 spaces / 100m²</td>
<td>4,334</td>
<td>65 spaces</td>
</tr>
</tbody>
</table>

The development provides a total of 65 car spaces on site and satisfies the requirements of the Planning Scheme and Council Policy.

Bicycle Parking
Clause 52.34 of the Monash Planning Scheme requires parking for 4 staff bicycles but visitor spaces are not required for a warehouse. This can be required by condition on the permit.

Delivery Area/Loading Facility
The development provides for adequate loading facilities as there is to be one loading area along the McDonald Lane frontage and a further three loading bays along the northern side of the building. This satisfies the requirements of Clause 52.07.

**CONCLUSION**

The proposed development is an appropriate design response that suitably complements the land use and built form of the surrounding area. The proposal provides for appropriate setbacks and landscaping. Subject to conditions, landscaping and bicycle parking can be provided in accordance with the relevant requirements of the Monash Planning Scheme. Accordingly it is recommended that a planning permit be issued subject to appropriate conditions.