RECOMMENDATION

That Council having considered all the matters required under Section 60 and pursuant to Section 69 of the Planning and Environment Act 1987, decides to grant the extension of time for Planning Permit No. 27515 under the provisions of the Monash Planning Scheme in respect of the land known and described as 721-733 Springvale Road and 287-293 Wellington Road Mulgrave, for buildings and works, together with associated car parking and landscaping and the use of the land for offices, and extend the permit dates as follows:

- The development and use are not started before 13 December 2012.
- The development and use is not completed before 13 December 2014.

BACKGROUND

The subject site comprises two allotments located near the intersection of Wellington Road and Springvale Road, Mulgrave. Together the lots form an ‘L’ shape behind the existing McDonald’s premises located on the north west corner of Wellington Road and Springvale Road.

Locality and Neighbourhood Maps are at Attachment 1.

Council issued Planning Permit No 27515 for the development of land comprising buildings and works for the development of 3 buildings together with associated car parking and landscaping and use of the land for offices on 13 December 2000.

Council has extended the permit on eight (8) previous occasions. Each time the extension for the commencement of the development was for one year only.

The current expiry date of the permit is 13 December 2011.

It should be noted that Council approved Planning Permit No 34220 on 11 October 2006 for an alternative proposal on the land comprising development and use of a convenience shop, convenience restaurant, restaurant, take away food premises and medical centre, alteration to the access to Springvale Road (RDZ1) and advertising signage at the site. This permit has been extended twice and expires on 11 October 2012.
PROPOSAL

Council has received a request for a further extension of the commencement of the permit of one year to 13 December 2012, due to the current lease arrangement with the tenant on the land and that they have not been unable to secure a pre-commitment for the development.

The development as approved under Planning Permit No 27515 comprises the following:

- The development of three office buildings on the site comprising a total floor area of 12,438 square metres.
- A three storey office building to be located centrally within the site and 2 two storey office buildings each fronting Springvale Road and Wellington Road.
- 20 metre landscape frontage setback along both Wellington Road and Springvale Roads.
- Provision of at grade car parking and basement car parking to comply with a ration of 3.5 spaces to each 100 square metres of leasable floor area.
- Entry/Exit via the service road of Springvale Road at the northern end of the site.
- Entry/Exit via Wellington Road at the eastern boundary of the site.

The design of the office buildings incorporate significant areas of glazing and curved entry facades constructed of anodised aluminium in keeping with the style of buildings recently approved within the area.

Plans and Elevations of the proposal are at Attachment 2.

POLICY IMPLICATIONS

The request for an extension of time is in accordance with the requirements of Section 69 of the Planning and Environment Act 1987.

The subject is located within a Business 3 Zone under the provisions of the Monash Planning Scheme and is also affected by a Design and Development Overlay. The planning controls affecting the site have not altered since the permit was granted.

ASSESSMENT

Council requires, where appropriate a number of matters to be taken into consideration under Council’s “A Guide to Extension of Time – Permits in Monash”.

The matter particularly relevant to this case relates to whether any intervening circumstances rendered it unreasonable that the owner/applicant should be held to the time originally fixed.

The proposal is considered to be visually appropriate and of a high standard, and consistent with other recent developments in the area.

The approved proposal is in accordance with Council policy under the Monash Planning Scheme applicable both when first issued and currently.
It should be noted that there is no impediment to a site having more than one valid permit.

**CONCLUSION**

Considering the planning controls relating to the site have not changed, and that the development meets the relevant requirements of the Monash Planning Scheme, it is considered appropriate to allow a further extension of time for the commencement of the permit. Given the circumstances it is also considered prudent to allow for a two year extension of time.