5.1 17-55 NANTILLA ROAD CLAYTON – BUILDINGS AND WORKS COMPRISING A NEW OFFICE / WAREHOUSE BUILDING

(TPA/40158:CF:HМ)
Ward : Oakleigh
Responsible Director: Paul Kearsley
Reason for Council Consideration: Cost of Development
Cost of Development : $3.5 Million
Statutory Processing Date : 10 April 2012
Pre-Application Meeting: N/A

RECOMMENDATION

That 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.40158.

The Council having considered planning application No. 40158 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 17-55 Nantilla Road, Clayton, for the purpose of buildings and works comprising a new office / warehouse building generally in accordance with the plans submitted with the application dated 6 February 2012 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 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. Direct the entire site’s stormwater drainage to the existing point of discharge to the internal drainage system.
5. All on-site stormwater is to be collected from hard surface areas and must not be allowed to flow uncontrolled into adjoining properties.

6. Stormwater discharge is to be detained on site to the predevelopment level of peak stormwater discharge. Approval of any detention system is required by the City of Monash, the Responsible Authority, prior to works commencing.

7. The construction works associated with the use/development and/or subdivision hereby permitted must only be carried out during the following hours:
   - Monday to Friday (inclusive) – 7:00am 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.

8. 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.

NOTES-

1. Forward to Council a copy of the plans (A3-A1 size) for the drainage works for Council’s records. The plans are to show sufficient information to determine that the drainage works will meet all drainage conditions of the 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 site is located on the south west corner of Duerdin Street and Nantilla Road, Clayton. The site is irregular in shape with approximately 300 metres to Nantilla Road, frontage of approximately 250 metres to Duerdin Street, and maximum depth of approximately 350 metres. The site has an overall area of 8.2 hectares. The adjoining properties are developed with industrial and commercial buildings and uses.

The land is occupied by William Adams who is the Caterpillar Dealer in Victoria and Tasmania. At present the land is used to sell and service the full line of Caterpillar products.

Planning Permit No. 34719 was issued on 13 April 2007 for the relocation of the centrally located carpark to be constructed at grade along the southern boundary (setback 98 metres from Nantilla Road frontage). A minor amendment was approved on 5 October 2008 for a formal internal accessway and storage shed on the subject site.

An amendment was approved on 20 December 2010 for the relocation of the single storey office building.

Planning Permit No. 34719A was issued on 30 March 2011 for the construction of a two storey office building.

Planning Permit No. 38796 was issued on 26 November 2010 and allows the use of the land for the purpose of motor vehicle sales.

**PROPOSAL**

The application proposes the construction of a new building comprising offices at ground floor level, together with a dedicated warehouse / workshop area for the servicing of heavy machinery associated with the existing use of the subject site.

The first floor level comprises an additional office area with staff shower / toilet facilities and a customer lounge area. The primary purpose of the upper level office area is for conferences / training associated with the existing use of the subject site.

The building is contemporary in design and is considered to be complementary to the existing use of the subject site by William Adams.

The proposed building will have minimum setbacks of approximately 210 metres from Duerdin Street and approximately 130 metres from Nantilla Road, Clayton.

**POLICY IMPLICATIONS**

The site is located within a Business 3 Zone (B3Z) pursuant to the provisions of the Monash Planning Scheme. An office or warehouse does not require a planning permit for use pursuant to Clause 34.03-1 of the Monash Planning Scheme. However, a
permit is required to construct a building or to construct or carry out works pursuant to Clause 34.03-4 of the Monash Planning Scheme.

The site is also affected by the Design and Development Overlay (DDO1) pursuant to the provisions of the Monash Planning Scheme. A permit is also required to construct a building or to construct or carry out works pursuant to Clause 43.02-2 of the Monash Planning Scheme.

Other relevant State and Local Planning Policies include the following:

**State Planning Policy Framework**
- Clause 11 – Settlement
- Clause 17 – Economic Development

**Local Planning Policy Framework**
- Clause 21.05 – Economic Development
- Clause 21.07 – Business Parks and Industry
- Clause 22.03 – Industry and Business Development and Character Policy
- Clause 22.04 – Stormwater Management Policy

**Particular Provisions**
- Clause 52.06 – Car Parking

**CONSULTATION**

**Notification**
The application has not been advertised because it is not considered that the proposal will cause material detriment to any person.

**Referral**
The application was referred to Council’s drainage engineers. They have no objection to the proposal subject to appropriate conditions.

**ASSESSMENT**

**Car Parking**
Car parking requirements for office and warehouse uses are set out at Clause 52.06 of the Monash Planning Scheme. Assessment of the current application and previous applications / planning permits associated with the subject site indicate that there are adequate on-site car parking facilities within the broader site to accommodate the additional car parking demand generated by the proposed development.

**Amenity / Suitability of Proposal**
It is considered that the proposal is well suited to the subject site and the existing use of the site having particular regard to the zoning and overlay provisions which affect
the land and the relevant planning policies contained within the Monash Planning Scheme.

Further, it is considered that the proposal will not result in any adverse amenity impacts or material detriment to adjoining or nearby properties. To this extent it is reiterated that the proposed building will have minimum setbacks of approximately 210 metres from Duerdin Street and approximately 130 metres from Nantilla Road, Clayton, essentially situated within the central component of this significantly large site.

CONCLUSION

The proposal is considered satisfactory and a planning permit should be issued subject to conditions.