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. 38721.

The Council having considered planning application No. 37620 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 2-4 Nexus Court, Mulgrave, for the development and use of a four storey office building including basement car parking generally in accordance with the plans submitted with the application and 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. Before the development and use starts, three copies of amended plans drawn to scale and dimensioned, must be submitted to and approved by the Responsible Authority. When approved the plans will be endorsed and will then form part of the permit.

The plans must be generally in accordance with the plans submitted with the application, but modified to show:

a) Minimum basement accessway aisle and ramp width of 6.4m;

b) Minimum clearance width of 0.3m to the side of all end car spaces and any obstructions such as columns or basement wall (basement level 1, car space 1 impacted);

c) The ramp gradient a maximum of 1:20 between the edge of the pedestrian path for the first 6m into the car park (overall building height have to be marginally increased to accommodate the required height clearance);

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

3. Once the development and use has started it must be continued and completed to the satisfaction of the Responsible Authority.
4. 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.

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;
   e) others as appropriate.

6. No form of public address system may be installed so as to be audible from outside the building / site.

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

8. 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.

9. 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.

10. 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.

11. Disabled access to the building must be provided to the satisfaction of the Responsible Authority. All work carried out to provide disabled access must be constructed in accordance with Australian Standards Design for Access and Mobility AS 1428.1.

12. 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 pit number 22 as shown on Council’s drawing no. 20882 sheet 3 (Grogan Richards Plan, Drawing No. 104167) to be constructed 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.

13. 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 (300mm minimum 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

14. Driveways are to be designed and constructed using appropriate engineering standards.

15. Before the use and development permitted starts, 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.

16. The driveway and parking area should be designed in accordance with the Australian Standard for Off-Street Parking, AS/NZS 2890.1/2004, 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.

17. 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.

18. 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.

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. Any new drainage connections onto a Council easement drain / 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.

4. Engineering permits must be obtained for new or altered vehicle crossings and for connections to Councils drains / Council pits / kerb & channel and these works are to be inspected by Council (tel. 9518 3690).

5. An on site detention system for storm events up to the 1% AEP event to be retained on site for the basement car park.
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 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 north east corner of the intersection of Dunlop Road and Nexus Court, Glen Waverley. Springvale Road abuts the land to the east with the Monash Freeway abutting the site to the immediate north. The land is irregular in shape having an area of 46,760 square metres.

The land forms part of Nexus Corporate Park developed by Salta Properties. The site has street orientation to Dunlop Road to the south and Springvale Road to the east. Nexus Court which is contained within the centre of the site is accessed via Dunlop Road.

Planning Permit No. 31706 was issued on 1 September 2004 allowing the development and use of an office building with associated car parking. The approved two storey building with undercroft and at grade parking has been completed and occupies the south west corner of the land.

Planning Permit No. 35159 was issued on 18 July 2007 allowing the development and use of a three storey office building, cafe with licensed premises and associated at grade and basement car parking. The approved development has been completed and occupies the north west corner of the land.

Planning Permit No. 31553 was issued on 11 October 2004 allowing a 6 lot staged subdivision of the land. The subdivision is yet to be finalised with the land remaining on a single Title.

Surrounding land to the west and south is developed with a mix of office and warehouse uses. The Monash Freeway is located to the immediate north. The area to the east of the site across Springvale Road is residential in use and development comprising of a mix of single and double storey detached dwellings.

PROPOSAL

The application proposes the development and use of a four storey office building with basement car parking.
The plans submitted with the application provide for the following (Attachment 2):

- Setback of 20 metres to Springvale Road, 15.1 metres to Dunlop Road and 11.8 metres to Nexus Court;
- Net office floor area of 5,736 square metres;
- Office space spread over 4 levels varying in size between 1,382 square metres to 1,490 square metres per level. Each level will be provided with amenities including toilets. An outdoor terrace is provided to the north-east corner of the first, second and third floor;
- Main pedestrian access to the building via Nexus Court. A secondary entrance on the northern facade of the building provides access via the at grade car parking area;
- Two lifts and a staircase providing internal access to all levels;
- A total of 201 car parking spaces for the proposed development including a two level basement car park providing for 170 car parking spaces and 31 at grade car parking spaces to the north of the proposed office building adjacent to the building entrance;
- Bicycle parking/storage for 32 bicycles including 12 within the at grade parking area and 20 within the basement. Male and female change/shower facilities are located within the basement;
- Vehicle access via two crossovers from Nexus Court to the basement and at grade parking area.

The architectural styling of the proposal is contemporary modern. Materials and finishes include non-reflective glazing, rendered blockwork, and a colour palette of light grey and charcoal grey.

The proposed development seeks to achieve a four-star, green star energy rating. Passive and energy efficient measures incorporated into the design include a thermal efficient passive facade glazing system that reduces the thermal load and shading coefficient of the glass to be less than 50%. A central plant system will operate the heating and cooling system to reduce energy consumption.

**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. The MSS highlights the significance of the Monash Technology Precinct and locational advantages of the municipality within metropolitan Melbourne.

Clause 21.02-2: Maintaining the Garden City Character

“The Garden City Character is a legacy of the early planners of Monash and a very important defining feature of the municipality. It is characterised by a general feeling of “greenness” created by significant tree canopy cover contained within large, vegetated setbacks and areas of open space.”

Clause 21.03-3: Monash 2012 – A Strategy for the Future
With regard 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 22.02: Monash Technology Precinct Policy
Relevant objectives:

- “To assist the sustainable and complementary development and operation of industrial, office and high technology land uses that provide a variety of employment centres of high amenity, quality and enduring local image;
- To encourage high quality built form and streetscape throughout the Precinct so as to ensure a quality environment for activities pursued in the Precinct. This is regarded as a critical component in attracting new business investment to the Precinct;
- To promote a high level of amenity in streetscape and built form that reinforces the Precinct’s significance on a local, regional, national and international scale;
- To encourage development which is based upon Ecologically Sustainable Development (ESD) principles.”

Clause 22.03: Industry and Business Development and Character Policy
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 prevent 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 permit is required for use of land offices where the office leasable floor area exceeds 1,800 square meters.

Pursuant to the requirements of Clause 34.03-4 a permit is required to construct a building.

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.

Particular Provisions
Clause 52.06: Car Parking
Clause 52.34: Bicycle Parking

CONSULTATION

Notification
Due to the nature of the proposal, the Business zoning of the land and the surrounds, notification of the application was not required. It is considered that the proposal will not cause any material detriment to the amenity of the surrounding area.

Referral
The application was referred to Council’s Drainage and Traffic sections for comment.
There is no objection to the proposal subject to conditions being placed on any permit issued. Some minor modification is required to ramp gradients, along with accessway, ramp and car park widths to improve internal traffic movement.

**ASSESSMENT**

The proposal is considered satisfactory in that it suitably complies with the requirements of the Monash Planning Scheme including relevant state and local policies.

The proposed use of premises for office is considered appropriate given the location and the growing demand for additional contemporary office space within the vicinity. The provision of additional office space within the area will likely contribute to the economic development and provide for increased employment opportunities.

The architectural form of the proposal is considered satisfactory in that it complements the character of the surrounding area through a high quality and contemporary design. The proposal has been designed to act as a gateway building to the Nexus Corporate Park and addresses all street frontages including Springvale Road. The building has been well articulated with glazed facades punctuated by contrasting vertical elements. The design adopts an attractive palette of materials to minimise the perception of visual bulk.

The development has been designed to achieve a high energy rating and incorporates insulated facade treatments that reduce reliance on heating and cooling. Stormwater is to be collected and harvested in an underground tank and utilised for landscaping irrigation.

Adequate street setbacks have been provided in accordance with the requirements of Clause 43.02 and have taken into consideration the future widening of the Dunlop Road and Springvale Road intersection. Consistent with Council’s Garden City Character Policy scope is provided within the street setbacks to provide for meaningful landscaping including canopy tree planting.

Car parking is provided in accordance with the requirement specified by Clause 52.06-6 of the Monash Planning Scheme. The table below details the number of car parking spaces required and provided:

<table>
<thead>
<tr>
<th>Use</th>
<th>Clause 52.06-5 Requirement</th>
<th>Floor Area (square metres)</th>
<th>Car parking requirement generated</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office</td>
<td>3.5 spaces / 100m²</td>
<td>5,736m²</td>
<td>201 car spaces</td>
</tr>
</tbody>
</table>

The proposed 201 car spaces provided including 2 designated disabled spaces comply with the applicable car parking requirement.

Bicycle parking for 32 bicycles along with associated storage and amenities are provided in excess of the requirements of Clause 52.34 of the Monash Planning Scheme.
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, landscaping, car and bicycle parking in accordance with the relevant requirements of the Monash Planning Scheme including state and local planning policies. Accordingly it is recommended that a planning permit be issued subject to appropriate conditions.