

**1.4 254-294 WELLINGTON ROAD, MULGRAVE
AMENDMENT TO PERMIT ISSUED FOR BUILDINGS AND WORKS AND
CONSTRUCTION OF A STAGED OFFICE DEVELOPMENT
(TPA/47000/E)**

EXECUTIVE SUMMARY:

Planning Permit No. TPA/47000 was issued on 27 April 2017 allowing a staged office development on part of the former Peter's manufacturing precinct. Works on the land have commenced (completion of Stage 1 including two buildings located on the eastern end of the site and construction of the internal boulevard and access from Wellington Road). The Permit has been extended and expires on the 27 April 2023.

This application proposes to amend the Permit and associated plans to allow for the retention of the full extent of the heritage building on the site, introduction of an additional use for a childcare centre and consequential design changes to the remaining buildings on the land. The proposal also seeks to vary the staging of the development.

Public notification of the application was not required. The proposed use and development is consistent with the zoning of the land and is appropriate having regard to surrounding land use and development.

Key issues to be considered relate to building scale, provision of car parking and traffic generation, and provision of landscaping in accordance with the objectives of the Design and Development Overlay.

This report assesses the proposal against the provisions of the Monash Planning Scheme including the relevant state and local planning policy framework.

The reason for presenting this report to Council is the overall proposed development cost of \$130 Million.

The proposal is considered appropriate having regard to the relevant provisions of the Monash Planning Scheme. It is recommended that Council issue an amended Planning Permit subject to conditions.

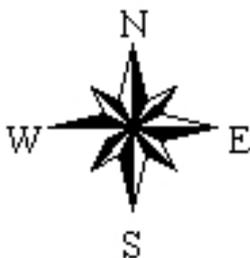
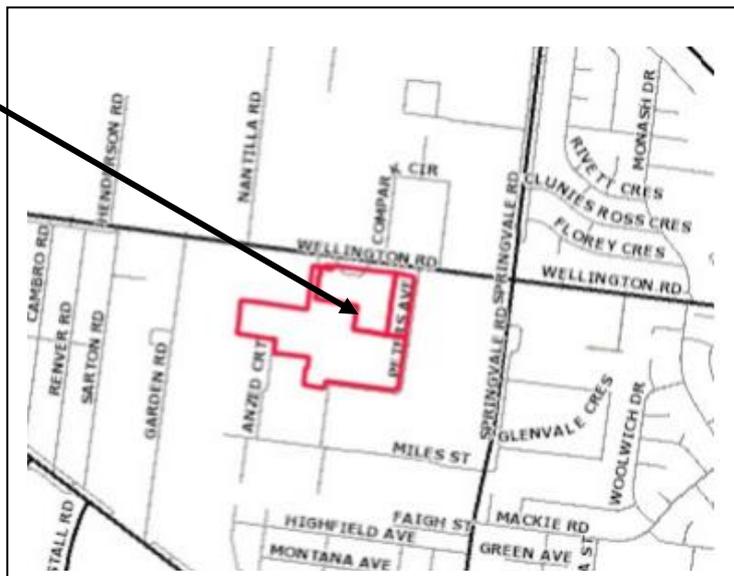
RESPONSIBLE DIRECTOR:	Peter Panagakos
RESPONSIBLE MANAGER:	Natasha Swan
RESPONSIBLE PLANNER:	Alexandra Wade
WARD:	Mulgrave
PROPERTY ADDRESS:	254-294 Wellington Road, Mulgrave
EXISTING LAND USE:	Under Construction
PRE-APPLICATION MEETING:	Yes
NUMBER OF OBJECTIONS:	N/A
ZONING:	Special Use Zone, Schedule 6
OVERLAY:	Heritage Overlay, Schedule 86 Design and Development Overlay, Schedule 1
RELEVANT CLAUSES: <u>Planning Policy Framework</u> Clause 11.01-1S & R- Settlement – Metropolitan Melbourne Clause 11.02-1S- Supply of Urban Land Clause 12.01-2S – Native Vegetation Management Clause 13.07-1S- Land Use Compatibility Clause 15.01-1S&R- Urban Design Clause 15.01-2S- Building Design Clause 15.01-4S & R- Healthy Neighbourhoods Clause 15.02-1S- Energy and Resource Efficiency Clause 17.01-1S&R- Diversified Economy Clause 17.02-1S- Business Clause 18.02-1S & R- Sustainable Personal Transport Clause 18.02-2R– Principal Public Transport Network Clause 18.02-4S- Car Parking Clause 19.03-3S- Integrated Water Management	<u>Local Planning Policy Framework</u> Clause 21- Introduction Clause 21.05 – Economic Development Clause 21.07 – Business Parks and Industry Clause 21.08- Transport and Traffic Clause 21.13- Sustainability and Environment Clause 22.02 – Monash Technology Precinct Policy Clause 22.04- Stormwater Management Policy Clause 22.13- Environmentally Sustainable Development Policy <u>Particular Provisions</u> Clause 52.06- Car Parking Clause 52.29 – Land adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay for a Category 1 Road Clause 52.34- Bicycle Facilities Clause 53.18- Stormwater Management in Urban Development Clause 65 – Decision Guidelines
STATUTORY PROCESSING DATE:	5 June 2021
DEVELOPMENT COST:	\$130 Million

LOCALITY PLAN



SUBJECT SITE

NEIGHBOURHOOD PLAN



RECOMMENDATION:

That Council resolves to **Grant an Amended Planning Permit (TPA/47000/E)** for buildings and works for the construction of a staged office development, use of part of the land for food and drink premises and child care centre, and alteration to a road in a Road Zone Category 1, at 276-294 Wellington Road and 1 Peters Avenue, Mulgrave subject to the following conditions:

1. Before the development of ~~Stages 2-6 starts, three copies of~~, amended 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 be generally in accordance with the plans ~~submitted with the application prepared by Rothelowman Architects dated 11 March 2021,~~ but modified to show:
 - a) The accessible parking spaces ~~should be~~ be designed to ensure that the space and its associated shared area are free from other than transitory obstructions at all times, i.e. no columns between the accessible space and its associated shared area. ~~It is noted that four of the spaces on Level 00 appear to be affected.~~
 - b) That layout of car parking areas designed generally in accordance with the Design Standards for car parking set out in Clause 52.06-9 of the Monash Planning Scheme as detailed below:
 - Car parking space dimensions.
 - Tandem parking spaces (other than designated small car spaces) provided with an additional 500mm in length must be provided between each space.
 - Accessway width.
 - Clearance to car parking spaces.
 - c) ~~Clearance/circulation space to the car parking space south of the Building 4, Level 00 Future in accordance with 52.06-9, Diagram 1 in relation to the placement of a wall, fence, column, tree, tree guard or any other structure that abuts a car space.~~
 - d) Bicycle parking provision and facilities to be clearly identified to comply with Clause 52.34-5.
 - e) The Staging Plan to include the vehicle crossover and access road to Building 2, 3 and 4 within the Wellington Road frontage into Stage 2.
 - f) The use of the ground floor Tenancy within Building 2 to be clearly identified.
 - g) A Tree Management Plan as required by Condition 10 of this Permit.
 - h) A Landscape Concept Plan as required by Condition 11 of this Permit.All to the satisfaction of the Responsible Authority.

2. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
3. Once any stage of the approved the development has started it must be continued and completed to the satisfaction of the Responsible Authority.
4. 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.
5. The unused portion of the property must be kept drained, tidy and mown at all times to the satisfaction of the Responsible Authority.
6. No goods must be stored or left exposed outside the buildings so as to be visible from any public road or thoroughfare.
7. 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.
8. 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.
9. 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.
10. Concurrent with the endorsement of plans requested pursuant to Condition 1, a Tree Management Plan (TMP) must be submitted to and approved by the Responsible Authority. The TMP must be prepared by a suitably qualified and experienced Arborist and must set out recommendations and requirements in relation to the management and maintenance of Tree Nos. 28, 29, 32 and 33 (as identified in the Arborist Report prepared by Arbkey dated 27 January 2021).
 - a) A Tree Protection Plan drawn to scale that shows:
 - i. Tree protection zones and structural root zones of all trees to be retained,

ii. All tree protection fenced off areas and areas where ground protection systems will be used;

iii. The type of footings within any tree protection zones;

iv. Any services to be located within the tree protection zone and a notation stating all services will either be located outside of the tree protection zone, bored under the tree protection zone, or installed using hydro excavation under the supervision of the Project Arborist; and

v. A notation to refer to the Tree Management Plan for specific detail on what actions are required within the tree protection zones.

b) Details of how the root system of any tree to be retained will be managed. This must detail any initial non-destructive trenching and pruning of any roots required to be undertaken by the Project Arborist.

c) Supervision timetable and certification of tree management activities required by the Project Arborist to the satisfaction of the responsible authority; and

d) Any remedial pruning works required to be performed on tree canopies located within subject site. The pruning comments must reference Australian Standards 4373:2007, Pruning of Amenity Trees and a detailed photographic diagram specifying what pruning will occur.

The recommendations contained in the approved tree management plan must be implemented to the satisfaction of the Responsible Authority.

11. Concurrent with the endorsement of any plans requested pursuant to Condition 1, a landscape concept 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. When endorsed, the plan will form part of the Permit. The Landscape Plan must be generally in accordance with the Landscape Concept Plan prepared by Tract Consultants dated September 2020, except that the plan must show:

a) Additional canopy tree and low level planting within the Wellington Road frontage of the site;

b) Low level planting within the Wellington Road frontage of the site adjacent to the Heritage Building; and

12. 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 associated with each stage. The plan must be generally in accordance with the endorsed Landscape Concept Plan and 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 and patio areas.
- Any items

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

13. Before the occupation of the buildings of each stage 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.
14. Before the development of each stage starts, a Sustainable Management Plan must be submitted and approved by the Responsible Authority. The plan must be generally in accordance with the Masterplan Sustainability Management Plan prepared by Sustainable Development Consultants dated September 2020.
15. All existing vegetation shown on the endorsed plans to be retained must be suitably marked before any development starts on the site and that vegetation must not be removed, destroyed or lopped without the written consent of the Responsible Authority.
16. Prior to the commencement of any works that are permitted by this permit, all trees that are to be retained, or are located within or adjacent to any works area, shall be marked and provided with a protective barricade and verified by an authorised officer of the Responsible Authority.
17. All works within five (5) metres of any tree to be retained shall be supervised by a qualified landscape architect or horticulturist who shall ensure that the works are done in a manner which protects and minimises any damage to those trees.

18. No building material, demolition material or earthworks shall be stored or stockpiled under the canopy line of any tree to be retained during the construction period of the development hereby permitted.
19. No vehicle shall park under the canopy line of any tree to be retained.
20. Before the commencement of each stage of the development ~~starts~~, a construction management plan must be prepared and submitted to the Responsible Authority for approval. The plan must be to the satisfaction of the Responsible Authority. Once approved, the plan must be implemented to the satisfaction of the Responsible Authority. The plan must address the following issues:
- a) measures to control noise, dust and water runoff;
 - b) prevention of silt or other pollutants from entering into the Council's underground drainage system or road network;
 - c) the location of where building materials are to be kept during construction;
 - d) site security;
 - e) maintenance of safe movements of vehicles to and from the site during the construction phase;
 - f) on-site parking of vehicles associated with construction of the development;
 - g) wash down areas for trucks and vehicles associated with construction activities;
 - h) cleaning and maintaining surrounding road surfaces;
 - i) a requirement that construction works must only be carried out during the following hours:
 - Monday to Friday (inclusive) — 7.00am to 6.00pm;
 - Saturday — 7.00am to 1.00pm;
 - Saturday — 1.00pm to 5.00pm (Only activities associated with the erection of buildings. This does not include excavation or the use of heavy machinery.)
21. Before the commencement of each stage of 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 sites stormwater must be collected and free drained via a pipe to the 525 mm Council drain on the western boundary of 254-294

Wellington Road via 675mm drains, and 900x600mm junction pits in the easement from the western boundary, which are to be constructed to Council Standards.

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

22. 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:
- trench grates (150mm minimum internal width) located within the property; and/or
 - shaping the driveway so that water is collected in a grated pit on the property: and/or
 - another Council approved equivalent.
23. Stormwater discharge is to be detained on-site to the predevelopment level of peak stormwater discharge. Approval of any detention system is required from Council prior to works commencing. Please refer to the notes section of this permit for additional details.
24. Any redundant crossings are to be removed and reinstated with kerb and channel to the satisfaction of Council.
25. Before the use ~~and development~~ permitted starts for each stage, areas set aside for parked vehicles and access lanes as shown on the endorsed plans must be:
- constructed to the satisfaction of the Responsible Authority;
 - properly formed to such levels that they can be used in accordance with the plans;
 - surfaced with an all-weather sealcoat to the satisfaction of the Responsible Authority;
 - drained, maintained and not used for any other purpose to the satisfaction of the Responsible Authority;
 - 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.

26. ~~No less than 3.0 car spaces per 100m² of net leasable office floor or a must be provided on the land for the office component of the development. Any future subdivision of the land must provide for appropriate allocation of car parking on Title in accordance with this requirement to the satisfaction of the Responsible Authority. Deleted~~

27. ~~No less than 7 car spaces must be provided on the land for each cafe/food and drink tenancy and allocated for staff car parking. Any future subdivision of the land must provide for appropriate allocation of car parking on Title in accordance with this requirement. Deleted~~
28. Prior to occupation of premises approved by this permit a Car Parking Management Plan must be submitted to and approved by the Responsible Authority.
29. The Car Parking Management Plan must provide for adequate allocation of car parking to service all uses to be undertaken on the land including designated allocation of car spaces for staff of ancillary uses and provision of visitor car parking within public realm areas. It shall ensure the following minimum staff parking provisions for each land use:
- 3 car spaces per 100 square metres of office floor area
 - 1 car space per 100 square metres of cafe/food and drink floor area
 - 0.11 car spaces per child for the child care centre.
30. The Car Parking Management Plan must detail any barrier mechanisms and/or paid parking arrangements introduced and implemented in consultation with and to the satisfaction of the Responsible Authority.
31. Once approved the Car Parking Management Plan will be endorsed to form part of this permit. Car parking is to be provided in accordance with the endorsed Car Parking Management Plan and implemented to the satisfaction of the Responsible Authority.
32. No more than 150 patrons are permitted within each cafe/food and drink tenancy at any single time.
33. No more than 120 children in care may be present on the subject land without the further written consent of the Responsible Authority.
34. The loading and unloading of goods from vehicles must only be carried out on the land.
35. The layout of the development shall follow the Design Standards for car parking set out in Clause 52.06 8 of the Monash Planning Scheme as detailed below:
- All driveway gradients to be no steeper than 1 in 10 (10%) within 5 metres of the frontage to ensure safety for pedestrians and vehicles.
 - Ramp grades (except within 5 metres of the frontage) to be designed as follows:

- i. Maximum grade of 1 in 4.
 - ii. Provision of minimum 2.0 metre grade transitions between different section of ramp or floor for changes in grade in excess of 12.5% (summit grade change) or 15% (sag grade change).
- Minimum requirements for car park dimensions to be in accordance with Table 2. Where two spaces are located in tandem and a 500mm separation cannot be provided between 4.9m long car spaces, these spaces must be clearly marked for 'small vehicles'.
 - Clearance to car parking spaces to be in accordance with Diagram 1 in relation to the placement of a wall, fence, column, tree, tree guard or any other structure that abuts a car space.

36. The accessible parking spaces should generally be designed (other than length of space which should be 4.9 metres) in accordance with the Australian Standard for Off Street Parking for people with disabilities, AS/NZS 2890.6. 30.

37. Bicycle parking facilities shall be generally in accordance with the design and signage requirements set out in Clause 52.34 of the Monash Planning Scheme to the satisfaction of the Responsible Authority.

38. Prior to occupation of any stage of development forming part of this permit a Green Trave Plan must be submitted to and approved by the Responsible Authority.

The Green Travel Plan must provide for inclusion of sustainable travel initiatives to be made available to tenants and visitors associated with the development. Once approved the Sustainable Transport Strategy Plan will be endorsed to form part of this permit.

The endorsed Sustainable Transport Strategy Plan must be implemented to the satisfaction of the Responsible Authority.

Vic Roads conditions (ref: 20318/17)

39. Prior to the commencement of works, the following must be submitted to and approved by VicRoads:

- a) An amended Functional Layout Plan (FLP). The FLP must be generally in accordance with the Functional Layout Plan (Drawing No. 16M1236100-01, Issue P5 dated 3 February 2017 prepared by GTA Consultants) and amended to show:
 - i. A 3 metre wide Shared User Path along the Wellington Road frontage of the site.
 - ii. A 95 metre long left turn deceleration lane for vehicles entering the left-in left-out access midway along the Wellington Road frontage.

- iii. The removal of vegetation affected by the roadworks along Wellington Road, and the installation of any roadside barriers that may be required to protect the occupants of errant vehicles from collision with roadside hazards.
 - iv. An amended property boundary, if so required, such that any roadworks pursuant to the FLP, are wholly contained within the road reserve.
- b) The FLP must be accompanied by a functional stage Road Safety Audit (RSA), and amended as per the recommendations of the RSA.
 - c) The FLP must be accompanied by appropriate swept path analysis, demonstrating how the largest reasonably anticipated design vehicle can perform the ingress and egress movements from Wellington Road to the land.
 - d) A traffic signal layout plan.
40. Prior to the commencement of works, an amended ground floor plan must be submitted to and approved by VicRoads. Once approved by VicRoads, the plan may then be endorsed by the Responsible Authority and will form part of the permit. The ground floor plan must be generally in accordance with the advertised plan and amended in accordance with the approved Functional Layout Plan.
41. Prior to the commencement of the use:
- a) Detailed engineering design plans, together with detailed design stage road safety audit must be submitted to, and to the satisfaction of, VicRoads. The detailed design plans must be generally in accordance with the approved FLP and functional stage road safety audit.
 - b) The road works, in accordance with the approved FLP and detailed design plans, must be constructed to the satisfaction of, and at no cost to, VicRoads.
 - c) If so required, pursuant to Condition 29(a)(iv) a plan of subdivision must be submitted to, and approved by, VicRoads showing the vesting of that part of the land where any part of the approved road works, including the footpath, are proposed to be located. The land must be vested as ROAD to the Roads Corporation.
 - d) If so required, pursuant to Condition 29(a)(iv) that part of the land must be vested as ROAD to the Roads Corporation at no cost to VicRoads.
 - e) All disused or redundant vehicle crossings must be removed and the area reinstated to match with the adjacent road environment to the satisfaction of the Responsible Authority, and at no cost to the Responsible Authority or Roads Corporation.
42. No work may be commenced in, on, under or over the road reserve without having first obtaining all necessary approval under the Road Management

Act 2004, the Road Safety Act 1986, and any other relevant Act or regulations created under those Acts.

Public Transport Victoria condition (File: FOL/17/1549, Ref: DOPT2017/0002)

43. The permit holder must take all reasonable steps to ensure that disruption to bus operation along Wellington Road is kept to a minimum during the construction of the development. Foreseen disruptions to bus operations and mitigation measures must be communicated to Public Transport Victoria fourteen days (14) prior.
44. This permit will expire in accordance with section 68 of the Planning and Environment Act 1987, 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.

NOTES-

- A. Building approval must be obtained prior to the commencement of the above approved works.
- B. Disabled access and car parking 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.
- C. Unless no permit is required under the planning scheme, no sign must be constructed or displayed without a further permit.
- D. 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. 5. The plans are to show sufficient information to determine that the drainage works will meet all drainage conditions of the permit.
- E. Detention system requirements for the property are as follows:
- Minimum storage = 424.81 cubic metres
 - Maximum discharge rate = 360.51 litres per second
 - Minimum orifice diameter if using orifice pit = 65mm, otherwise install a Phillips multi cell or similar to control outflow.

- F. Engineering permits must be obtained for new or altered vehicle crossings and for connections to Council pits and these works are to be inspected by Council (tel. 9518 3690).
- G. Any new drainage work within the road reserve requires the approval of the City of Monash's Engineering Division prior to the works commencing. Please refer to the Notes section of this permit for additional details of the requirements to satisfy this requirement.
- H. Driveways are to be designed and constructed using appropriate engineering standards.
- I. Tree planting should be kept clear of the drainage easement.
- J. Premises used for the sale or storage of food in any manner whatsoever are to be registered under the Food Act and require Council approval via the Chief Environmental Health Officer before occupation.
- K. Unless no permit is required under the planning scheme, no sign must be constructed or displayed without a further permit.

VicRoads Notes

- L. The preparation of the functional layout plan, detailed engineering design and the construction and completion of all work must be undertaken in a manner consistent with current VicRoads' policy, procedures and standards and at no cost to VicRoads. In order to meet VicRoads' requirements for these tasks the applicant will be required to comply with the requirements documented as "Standard Requirements - Externally Funded Projects" and any other requirements considered necessary depending on the nature of the work.
- M. Functional layout plans may need to be amended to accommodate any changes that may arise during the detailed design stage review; in response to the road safety audit; in relation to services and their relocation; vegetation; drainage; treatment of hazards within clear zones and other matters.

BACKGROUND:

History

Planning Permit No. TPA/47000 was issued on 27 April 2017 for construction of a staged office development, use of part of the land for food and drink premises, alteration to a road in a road zone category 1, and buildings and works within a Heritage Overlay.

A number of amendments have occurred to the Permit since issued. The current approved plans were endorsed on 19 March 2020.

Stage 1 of the development has been constructed.

At the time that the permit was issued in April 2017, the existing Petersville Factory administration building was located within a Heritage Overlay (H086), however it was not identified as a place of significance on the Victorian Heritage Database. It has since been registered on the Victorian Heritage Register (H2394) on 19 December 2019. The extent of registration of the Petersville Factory Administration Building in the Victorian Heritage Register affects the whole building (exterior and interior) including the land, roads, trees, landscape elements and other features surrounding the building.

The main impact of this inclusion in the register for Council is that a permit is now required from Heritage Victoria for the proposed works (demolition, alterations and additions) to the administration building and any other works within the extent of registration, rather than Council. A Planning Permit is no longer required for demolition, or buildings and works in the Heritage Overlay, however we still must assess the proposed works under the Special Use Zone and the Design and Development Overlay 1.

The Site and Surrounds

The subject land is located on the southern side of Wellington Road in Mulgrave, approximately 280 metres west of its intersection with Springvale Road.

The land having an overall area of 133,259 square metres (13.32 hectares) forms part of the former Peters manufacturing precinct which has occupied the site in various forms since 1964. Peters continues to occupy the rear of the site (254-274 Wellington Road) for manufacturing, cold storage, research and development operations. Peters new corporate premises at 14 Anzed Court (located immediately adjacent to the southwest) was constructed in 2016 and is directly connected to the land through the existing internal accessway.

Surrounding development generally comprises a mix of office development, factory and warehouse complexes.

The property is located within the Monash Technology Precinct and the Monash National Employment Cluster as designated by Plan Melbourne.

An aerial photograph of the subject site and surrounding land can be found attached to this report (Attachment 2).

PROPOSAL:

This report is based on amended plans which were submitted to Council on 6 April 2021, prepared by Rothelowman dated 11 March 2021.

The key reason for the proposed amendments is the elevation of the heritage status of the existing Petersville Factory administration building, now included on Victorian Heritage Register database. The proposal has been designed in

conjunction with various discussions with Heritage Victoria / Department of Environment, Land, Water and Planning (DELWP), with a focus on improving the heritage built form outcomes. It is understood that an application has been lodged with the department for approval of the works to the Heritage Building.

The overall intent of the proposal, to develop the land for a staged office development, remains the same and the general siting and layout of the buildings are maintained.

Key details of the original approval and proposed amendments are summarised below:

	Current Approval Endorsed 19 March 2020 (Amendment D)	Proposed Plans
Overall Development Summary	Total office floor area: 60,939sqm. Food and drink premises (4 tenancies): 880sqm. Total floor area for workshop / motor repairs: 1,863sqm.	Total office floor area: 60,757.5sqm. Food and drink premises / take away food premises (5 tenancies): 818sqm. Total floor area for workshop / motor repairs: 5,030sqm. Childcare Centre: 120 places, 860sqm (new use proposed).
Office Building 1	7 storey building. NSA (Net Saleable Area) office floor area: 12,887sqm.	6 storey building. NSA office floor area: 9,656.9sqm. 38 car parking spaces.
Car Park Building 1	5 levels. 482 car spaces	Deleted
Office Building 2	8 storey building. NSA office floor area: 15,576sqm.	9 storey building. NSA office floor area: 1,4725.5sqm. 36 car spaces.
Office Building 3	8 storey building NSA office floor area: 15,576sqm.	9 storey building. NSA office floor area: 1,5163.5sqm. 36 car spaces.
Car Park Building 2 & 3	Car Park Building 2 – 6 levels, 558 car spaces. Car Park Building 3 - 6 levels. 558 car spaces	Car Park Building 2 and 3 joined. 10 storeys. Total of 2,040 car spaces. 3,167.9sqm workshop floor area.

Office Building 4	9 storey building. Net leasable area floor space: 15,149m ² . 71 car spaces.	No change. Completed Construction.
Car Park Building 4	9 levels. Workshop (industry) floor space: 1395m ² . 749 car spaces.	No Change. Completed Construction.
Heritage Office Building	Net leasable area floor space: 2,040sqm.	Net leasable area floor space: 3,803.7sqm.
Total number of car spaces	2,580 car spaces, including 86 at grade visitor spaces.	3,152 spaces total, including 87 at grade visitor spaces.

Figure 1 – Staging Plan (Stage 1 complete)



A number of changes are proposed to the Planning Permit, including:

- Amendment to the address of the land to reflect updated address details as a result of previous subdivision. The corrected address proposed is 276-294 Wellington Road and 1 Peters Avenue, Mulgrave.
- Preamble of Permit to add use of the land for a child care centre, and to delete the reference to buildings and works within a Heritage Overlay (given a Planning Permit is no longer required from Council).
- Amendment to Condition 1 to replace existing Condition 30, and to reflect proposed 'small car spaces'.
- New condition proposed to reflect submission of Masterplan Sustainable Management Plan, requiring a more detailed Sustainable Management Plan prior to the commencement of each stage.

- Condition 10 and 11 (Landscaping requirements), 17 (Construction Management Plan), Condition 18 (Drainage Plans), Condition 22 (Provision of car parking), Condition 34 (VicRoads Condition) amended to reflect the staging of development.
- Deletion of Conditions 23 and 24 (car parking rates), and integrate these requirements into Condition 25 (Car Parking Management Plan), including updated car parking rates and the addition of the car parking rate for a childcare centre.
- Deletion of Conditions 28, 29 and 30 (car parking and bicycle parking design). The applicant submits that these conditions are proposed to be reflected in Condition 1d.

Attachment 1 details plans forming part of the application.

PERMIT TRIGGERS:

Zoning

The subject site is zoned Special Use – Schedule 6 under the provisions of the Monash Planning Scheme. Pursuant to Clause 37.01-1, a permit is required for use of a food and drink premises and a childcare centre. No permit is required for use of land for an office or industry (includes workshop).

Pursuant to Clause 37.01-4 a permit is required to construct a building or construct or carry out works.

Overlays

Pursuant to Clause 43.02-2 (Design and Development Overlay, Schedule 1) a permit is required to construct a building or construct or carry out works.

Pursuant to Clause 43.01-2 (Heritage Overlay), a heritage place which is included in the Victorian Heritage Register is subject to the requirements of the *Heritage Act 2017* and no planning permit is required.

Particular & General Provisions

Clause 52.06 (Car Parking) - a new use must not commence without providing car parking in accordance with the requirements of Clause 52.06. The proposal satisfies the requirements of Clause 52.06. This is detailed within the car parking assessment section within the report.

Clause 52.29: Land adjacent to a Road Zone, Category 1 - A permit is required to create or alter access to a road in a Road Zone, Category 1.

Clause 52.34 (Bicycle Facilities) - a new use must not commence until the required bicycle facilities and associated signage has been provided on the land. This is detailed within the bicycle parking assessment section within the report.

Attachment 3 details the zoning and overlays applicable to the subject site and surrounding land.

CONSULTATION:

The Applicant was advised that this application was coming to a Council meeting, in addition to a letter that was sent to the Applicant formally informing them of the details of the Council meeting. The Applicant has been verbally advised that this application is recommended for approval subject to conditions, and an outline of the conditions and the ramifications of the conditions on the proposal has been explained.

Public Notice

Pursuant to the provisions of Clause 37.01-2, 37.01-4, 43.02-2 and 52.29-2 the proposal is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

Referrals

External Referral

Department of Transport

The Head, Transport for Victoria has considered the application and does not object to the grant of a Permit. The conditions in the original Planning Permit are to remain.

Department of Environment, Land, Water and Planning (Heritage Victoria)

DELWP is not a determining referral authority, however was referred to ensure that they were aware of the application being made. A Permit is required through Heritage Victoria for all demolition works and construction works to the Heritage Building on the site. Comments identified a number of positive aspects of the design. More specifically, it was noted:

“Heritage Victoria acknowledges the provision of additional car parking spaces within the overall site, split across the various buildings, largely accessed via the Boulevard running through the site. The VHR site has limited curtilage and additional parking should be restrained to the redevelopment of the larger site, rather than within the VHR. It is noted that some loading activity is also envisaged for the café/takeaway and childcare and again (there (sic)) is the provision for this to be provided within the greater area of the revised development”.

It is noted that the loading area to the front of the Petersville building has been removed from the plan and ongoing discussions are being held with DELWP through the application process.

Internal Referral

Strategic Planning

Supportive of the proposed amendments, particularly the retention and use of the heritage building for uses including café, take away premises, child care and office will provide workers on the broader site and within the vicinity with necessary services and facilities that are in scarce supply in this area. The focus on a pedestrian friendly and accessible precinct with separation from vehicles is also a positive feature that has been enhanced by deleting the originally approved Building 1 from its location behind the main heritage building and its relocation to the west.

There was concern that the ground level of the two buildings fronting Wellington Road would be used for car parking rather than having an active frontage to Wellington Road and identified that the revised design has focussed ground floor activity to the rear connecting across the new roadway to the car parks to the south and to the Petersville building via pedestrian walkways to the west which is a lost opportunity.

Traffic Engineer

No concerns subject to conditions relating to car parking being maintained on the Permit.

Drainage Engineer

No concerns subject to standard conditions being maintained on the Permit. Previous comments made in relation to the site are still relevant.

Waste Services

Council's Waste Services advised that the submitted Waste Management Plan has met Council's requirements.

DISCUSSION:

Planning Policy Framework (PPF)

The Monash Technology Precinct forms part of the Monash National Employment and Innovation Cluster (NEIC) providing for a mix of education and research organisations, corporate headquarters and industry. The cluster supports 58,500 jobs and has the largest concentration of employment outside Melbourne's CBD.

Clause 17.01-1R seeks to

“Facilitate the Development of National Employment and Innovation Clusters” by ensuring they:

- *Have a high level of amenity to attract businesses and workers.*
- *Are supported by good public transport services and integrated walking and cycling paths.*
- *Maximise investment opportunities for the location of knowledge intensive firms and jobs”.*

Clause 17.02-1S seeks:

“To encourage developments that meets the community’s needs for retail, entertainment, office and other commercial services”.

Plan Melbourne is the Metropolitan Strategy that planning authorities must consider when assessing applications for planning permits. The key directions that are of particular relevance to the proposal are:

- *“Strengthen the competitiveness of Melbourne’s employment land.*
- *Plan for jobs closer to where people live.*
- *Facilitate the development of national employment clusters.”*

The proposed amendments are consistent with the abovementioned policies and objectives. The proposed development will continue to result in the construction of a substantial office building with additional services which will encourage employment and continued investment on the subject land.

Local Planning Policy Framework (LPPF)

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.

The objectives of Clause 22.02 (Monash Technology Precinct Policy) includes encouraging leading businesses and fields to locate within the precinct, and encouraging the clustering of businesses. It also seeks to encourage a range of non-technology based commercial activities which enhances economic development and which services the needs of the businesses.

The purpose of the Special Use Zone, Schedule 6 is:

- *To encourage the integrated development of offices and manufacturing industries and associated commercial and industrial uses.*
- *To facilitate the provision of short term accommodation and complementary business services.*

It is considered that the proposed uses, including the proposed childcare centre are in keeping with the objectives of the Local Planning Policy Framework and the zoning of the land.

Clause 22.02 also seeks (in conjunction with the Design and Development Overlay) to provide high quality developments and enhance the Garden City Character by providing a strong landscaping character to the street.

Built Form

The design response is generally consistent with the scale of existing development in the precinct.

The design response maintains a setback of 20 metres to Wellington Road in accordance with applicable setback requirements of Design and Development Overlay. The proposed setbacks are consistent with the established built form of the surrounding area and the desired future character statement identified in Clause 22.03.

No height limit is prescribed under DDO1. The amendment seeks to increase the heights of Office Building 2 and 3 to nine storeys, and Car Park Building 2 and 3 to ten storeys whilst reducing the height of Office Building 1 to six storeys.

The proposed Office Buildings 2 and 3 will sit below the maximum height of the existing Office Building 4 (constructed with Stage 1) located on the corner of Wellington Road and Peters Avenue. The proposed combined Car Parking Building 2 and 3 are lower in height than the office buildings proposed (given the lower floor to ceiling heights).

The amendments to Office Buildings 2 and 3 provides for greater separation between the two buildings and the heritage building to be retained. These buildings have been designed to provide ground floor connectivity to the new internal boulevard and to the heritage Petersville building via pedestrian walkways to the west. This has resulted in car parking located to the front of the buildings. Sectional diagrams show the variance of levels of the building in comparison to Wellington Road and the lower car parking area will not be readily visible to the street due to the cut into the site. Given this, and the existing approved roadway within the front setback of the site, it is not considered that a strong pedestrian linkage and activation is required, nor would it be appreciated, to Wellington Road. The levels provide a landscape presentation of the site to Wellington Road.

The focus on a pedestrian friendly and accessible precinct with separation from vehicles is a positive feature that has been enhanced by deleting the originally approved Building 1 from its location behind the main heritage building with the retention of the existing building and addition of a walkway and landscaping through the centre of the site. The internal boulevard is also enhanced by the addition of office spaces at the ground floor of the Car Park Building 2 and 3.

Although the Car Park Building 2 and 3 have been combined and have been substantially increased from 4 levels to 10 levels, this building will still sit lower in height than the Office Buildings 2 and 3 to the north on Wellington Road, so the impact of this level increase will be insignificant from the north (Wellington Road). Whilst the building will also be built closer to the southern and western boundaries of the site, there are no concerns given the insensitive interfaces and the setback from Peters Avenue.

Locating office uses at the front of Car Park Building 2 and 3 on the ground floor and next three levels activates this area and assists in linking the building with other buildings in the precinct.

The scale of the proposed development will appropriately complement existing and emerging development within the area.

The revised architectural response provides for high quality design, scale and height that achieve increased density objectives for new office development within the Monash Technology Precinct.

The design response has been appropriately articulated utilising contrasting materials and finishes, inclusion of architectural features, building siting that provides for breaks in building massing and integrated landscaping. The proposed development demonstrates high quality design with a scale and height that is complimentary to surrounding development.

Landscaping and Vegetation Retention

The proposal does not seek the removal of any additional trees. It is noted that Tree No. 27 (Sugar Gum) identified for removal was previously approved. Importantly, the two native scattered trees as identified in the Biodiversity Report prepared in October 2015 are proposed to be retained. Further detail of the proposed landscape batter adjacent to Scattered Tree 1 (Tree 32), 28, 29 and 33 will be required to ensure their retention.

Whilst additional hard paving is proposed between Buildings 3 and 4 for a row of car parking, it is considered that the loss of space for landscaping in this area of the site is compensated by the additional planting areas between and around Buildings 1, 2 and the heritage building.

Given the ongoing eradication of landscaping within the 'landscape buffer' along Wellington Road, it is considered that additional landscaping is required within the frontage of the site. The landscaping should flow on from the landscaping treatment which has been approved for Building 4 and include both new canopy tree planting and low level planting. The landscaping plan provided with the application suggests that no additional landscaping is proposed within this area. A proposed condition will require an amended landscape concept plan to be submitted, and further detailed landscape plans to be submitted prior to the commencement of each stage of the development.

Car Parking, traffic and access

The requisite car parking spaces required under Clause 52.06 would be provided as shown in the following table:

Use	Size	Clause 52.06 Requirement	Car spaces required	Car spaces provided
Office	60,758sqm	3 spaces per 100sqm	1,822 spaces	3,152 car spaces
Workshop (Motor Repairs)	5,030sqm	3 employee spaces per 100sqm + 1 space per customer vehicle	150 spaces	
Childcare Centre	120 children / places	0.22 spaces per child	26 spaces	
Café & Take Away (Food and Drinks Premises)	818sqm	3.5 spaces per 100sqm	28 spaces	
Total			2,026 spaces +workshop customer spaces	

Therefore the proposal satisfies the car parking requirements of Clause 52.06. The proposal seeks to provide an additional 572 car spaces on the site than that previously approved.

Some car spaces, located in tandem fail to provide the minimum 500mm separation between the car spaces. However, the number of these spaces are limited and can be marked as 'small car spaces' given the excess of car parking provided on the site.

It is considered that the additional traffic generation will be adequately accommodated within the surrounding road network. The Department of Transport had no objection to the proposed amendments.

Whilst the vehicle accessway along the Wellington Road frontage in front of Office Buildings 2 and 3 was initially designed for larger trucks only, it is considered that the car parking areas serviced by this access road in the amended plans is limited and will not result in excessive numbers of vehicles utilising this accessway.

The proposed staging of the development, with the construction of the Car Parking Building 2 and 3 as part of Stage 2, will ensure that adequate parking is provided on the site for each of the buildings upon completion of each of the respective stages.

Bicycle Parking

Clause 52.34 requires a total of 212 spaces for staff / employees, and 64 spaces for visitors across the site for all uses. A total of 22 change rooms / showers are also required.

Bicycle facilities are proposed in the basement of Building 1, and upper levels of Buildings 2 and 3. The application suggests that the areas set aside for bicycle parking and services will allow this requirement to be met. A proposed condition will require amended plans showing the required bicycle parking numbers and facilities.

Discussion of Proposed Staging

The initial application did not include a formal staging plan. Given the changes to conditions and the scale of the development, a formal staging plan has been provided with the application.

It is noted that the accessway for trucks via Wellington Road to Building 4 (completed building), which will also provide access to Buildings 2 and 3 is shown to be included within Stage 5. Given this access is to be utilised currently, this area (including the landscaping area to the north of the accessway) should be included within Stage 2. A proposed condition will require the staging plan to be amended.

Discussion of Changes to Conditions

It is considered that the applicant's proposed changes to conditions are generally acceptable and appropriately reflect the staging of the development.

However, the deletion of Conditions 28, 29 and 30 (Car parking Design Requirements, Accessible Parking requirements and Bicycle Parking Requirements) in lieu of its location in Condition 1 is not supported. These conditions should be maintained, with the addition of a proposed condition requiring the location of all bicycle spaces proposed to be shown on the development plans, as this ensures compliance with these requirements where specific detail is not shown on endorsed plans.

The added wording to Condition 34 (now Condition 41) allowing for detailed engineering drawings and functional layout plans for the proposed vehicle crossings and accessways prior to the commencement of each stage is not supported as this condition was initially imposed by VicRoads, a referral authority, who has not directly supported the change. It is also considered that these traffic matters must be handled on the site as a whole rather than per stage.

CONCLUSION:

The proposed development is consistent with applicable requirements and objectives of the Monash Planning Scheme including relevant state and local policies.

The proposal for a large scale office development with associated uses continues to provide significant investment in the site and reinforcing the importance of the Monash Technology Precinct and the broader National Employment Innovation Cluster (NEIC) as an employment generator within the metropolitan context.

The design response is of high architectural quality consistent with Monash Technology Precinct Urban Design Guidelines and Industry and Business Development and Character Policy. The proposed development appropriately compliments the surrounding built form within the surrounding area. Well landscaped street setbacks will be maintained, with areas of landscaping provided throughout the site.

It is recommended that the proposed amendments to the approved development be supported subject to conditions.

LIST OF ATTACHMENTS:

Attachment 1 – Proposed Development Plans.

Attachment 2 – Aerial Photograph (February 2020).

Attachment 3 – Zoning and Overlays Map.