

**1.3 45-49 MCNAUGHTON ROAD, CLAYTON  
DEVELOPMENT OF THE LAND FOR 8 WAREHOUSES AND ASSOCIATED OFFICE,  
AND A REDUCTION OF THE STANDARD CAR PARKING REQUIREMENTS  
(TPA/51462)**

**EXECUTIVE SUMMARY:**

This application proposes to construct eight warehouses within four buildings across the site with associated office spaces. A Permit is sought for the buildings and works within the Industrial 1 Zone and the Design and Development Overlay, in addition to a reduction in the standard car parking requirements prescribed in Clause 52.06 of the Planning Scheme.

The application was not subject to public notification.

Key issues to be considered relate to car parking provision and traffic generation, building setback to the street (McNaughton Road), landscaping opportunities and tree retention.

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

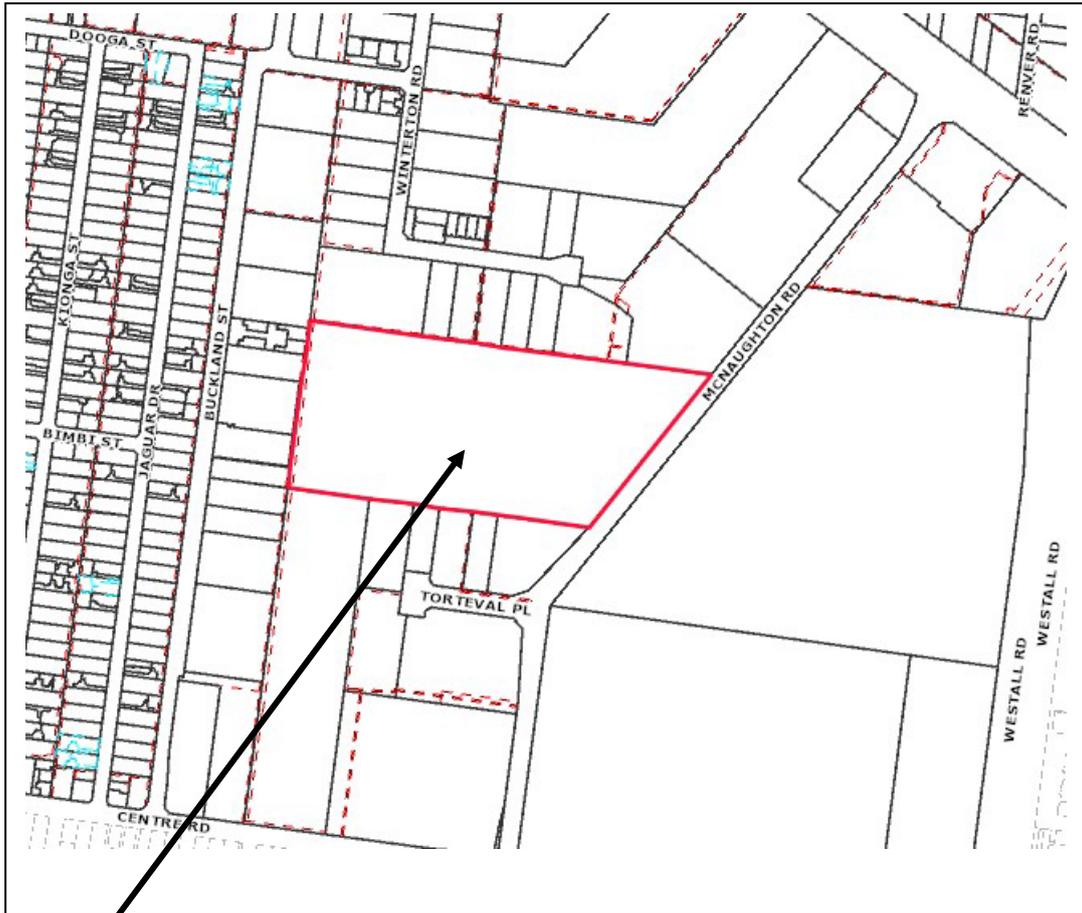
**The reason for presenting this report to Council is the proposed development cost of \$30.35 Million.**

**Subject to conditions, the proposal is considered appropriate having regard to the relevant provisions of the Monash Planning Scheme. It is recommended that Council issue a Planning Permit.**

<b>RESPONSIBLE DIRECTOR:</b>	<b>Peter Panagakos</b>
<b>RESPONSIBLE MANAGER:</b>	<b>Natasha Swan</b>
<b>RESPONSIBLE PLANNER:</b>	<b>Alexandra Wade</b>
<b>WARD:</b>	<b>Oakleigh</b>
<b>PROPERTY ADDRESS:</b>	<b>45-49 McNaughton Road, Clayton</b>
<b>EXISTING LAND USE:</b>	<b>Vacant (previous warehouse)</b>
<b>PRE-APPLICATION MEETING:</b>	<b>Yes</b>
<b>NUMBER OF OBJECTIONS:</b>	<b>Nil. The application was not advertised.</b>
<b>ZONING:</b>	<b>Industrial 1 Zone</b>
<b>OVERLAY:</b>	<b>Design and Development Overlay, Schedule 1</b>

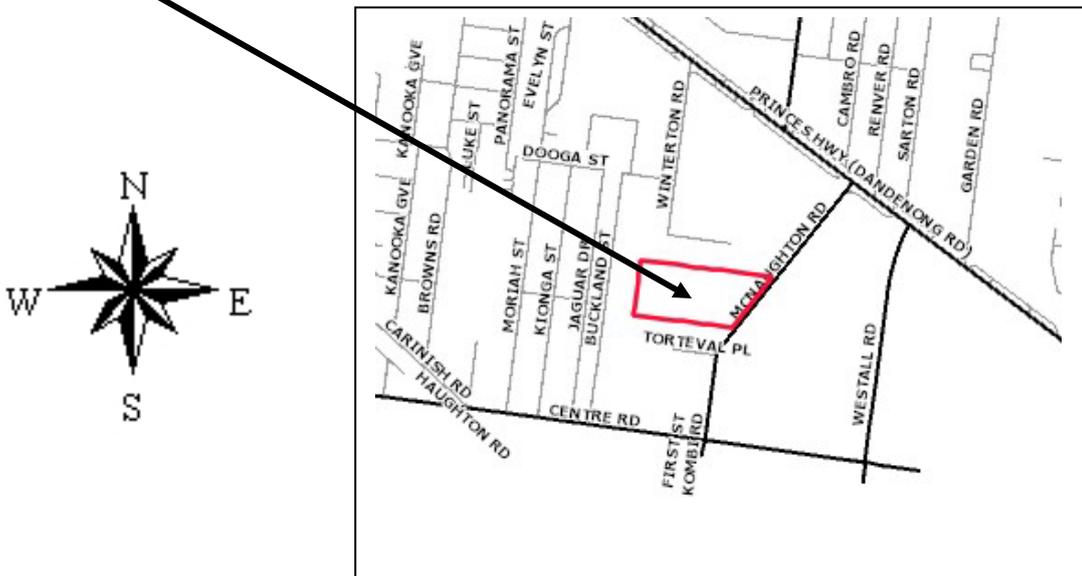
<p><b>RELEVANT CLAUSES:</b></p> <p><b><u>Planning Policy Framework</u></b></p> <p>Clause 11.01-1S – Settlement                  Cause 11.01-01R01MM – Settlement                  Clause 11.02-1S – Supply of Urban Land                  Clause 17.01-1S&amp;R – Diversified Economy                  Clause 17.03-1S – Industrial Land Supply                  Clause 17.03-2S – Sustainable Industry                  Clause 18.02-4S – Car Parking</p>	<p><b><u>Local Planning Policy Framework</u></b></p> <p>Clause 21.01 – 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 22.03 – Industry and Business Development and Character Policy                  Clause 22.04 – Stormwater Management Policy                  Clause 22.05 – Tree Conservation Policy                  Clause 22.13 – Environmentally Sustainable Development Policy</p> <p><b><u>Particular &amp; General Provisions</u></b></p> <p>Clause 52.06 – Car Parking                  Clause 65.01 – Approval of an Application or Plan</p>
<p><b>STATUTORY PROCESSING DATE:</b></p>	<p><b>25 July 2020</b></p>
<p><b>DEVELOPMENT COST:</b></p>	<p><b>\$30.35 million</b></p>

### LOCALITY PLAN



**SUBJECT SITE**

### NEIGHBOURHOOD PLAN



**RECOMMENDATION:**

That Council resolves to **Grant a Planning Permit (TPA/51462)** for the buildings and works associated with a warehouse and ancillary office space and a reduction of the standard car parking requirements, at 45-49 McNaughton Road, Clayton subject to the following conditions:

**Amended Plans Required**

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The plans must be drawn to scale and dimensioned. When the plans are endorsed they will then form part of the Permit. The plans must be generally in accordance with the decision plans prepared by Nicholas & Alexander Architects, Revision C dated 7 May 2020 but modified to show:
  - a) The building (including any raised parking areas and front fencing) to be generally set back a minimum of 13.7 metres from McNaughton Road to the satisfaction of the Responsible Authority.
  - b) A total of 411 car spaces to be provided on the land. In the event that the proposed floor space is reduced, the development will provide for the required car spaces under the planning scheme minus any applicable parking credits that exist for the land.
  - c) The relocation of the proposed substation to allow for the retention of Trees No. 1, 3 and 5 as identified within the Arborist Report prepared by Arbkey, dated 19 May 2020, whilst ensuring trees No. 10, 18 and 20 continue to be retained.
  - d) Existing trees to be retained to be numbered in accordance with the Arborist Report prepared by Arbkey dated 19 May 2020.
  - e) Dimensions of car spaces and accessways to meet the requirements of Clause 52.06.
  - f) All car spaces to be numbered on plans.
  - g) Clarification of all directional signage and line markings within the accessways within the south-east and north east corners of the site.
  - h) Concave mirrors or other traffic management measures to assist with potential conflict of vehicles travelling from the accessway adjacent to the northern boundary of the site and from the first floor car parking area adjacent to Warehouse 1.
  - i) Details of any car park control equipment in accordance with Condition 17.

- j) Landscaping features (i.e. Islands) within the parking area located over the easement adjacent to the western boundary of the site every 5 bays to mitigate heavy vehicle loads.
- k) The location of existing crossovers to be removed and reinstated with kerb and channel to be clearly identified on the site plan.
- l) Any required fire services, electricity supply, gas and water meter boxes must be discreetly located and/or screened to compliment the development.
- m) A Landscape Plan in accordance with Condition 3 of this Permit.
- n) A Waste Management Plan in accordance with Condition 4 of this Permit.
- o) A Sustainable Management Plan in accordance with Condition 5 of this Permit.
- p) A Tree Management Plan in accordance with Condition 6 of this Permit.

**Layout not to be Altered**

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

**Landscape Plan**

3. Concurrent with the endorsement of any plans pursuant to Condition 1, 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. 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 Urbis Pty Ltd, Revision C dated 19 May 2020, except that the plan must show:
  - a) Retained trees to be numbered in accordance with the Arborist Report prepared by Arbkey, dated 19 May 2020;
  - b) Details and dimensions of required TPZ during construction for trees to be retained
  - c) Further details of the proposed first floor planting;
  - d) All changes in accordance with Condition 1 of this Permit.

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.

**Waste Management Plan**

4. Concurrent with the endorsement of any plans pursuant to Condition 1, a Waste Management Plan must be submitted and approved by the Responsible Authority. The plan must provide details of a regular private collection service for the subject land and be prepared in accordance with the Multi-Unit and Commercial Developments Waste Management Plan Guide for Applicants. The plan must include the following:
- a) The method of collection of all waste from the land;
  - b) Waste volume calculation and total waste generated per waste stream;
  - c) Frequency of Waste collection and permitted collection times;
  - d) Plans showing the location of bin storage areas, required bin storage equipment and features, number of bins and location of temporary bin storage at collection point(s);
  - e) Provision of bin cleaning equipment, washing facilities and sewer disposal within the waste storage area; and
  - f) Type / Size of private waste vehicles.

**Amended Sustainable Management Plan (SMP) Required**

5. Concurrent with the endorsement of any plans required by Condition 1, an amended Sustainable Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Management Plan will be endorsed and will form part of this permit. The amended Sustainable Management Plan must be generally in accordance with the Sustainable Management Plan prepared by D2 dated April 2020 but modified to include or show changes as required by Condition 1 of this Permit.

The provisions, recommendations and requirements of the endorsed Sustainable Design Assessment must be implemented and complied with to the satisfaction of the Responsible Authority.

**Tree Management Plan**

6. Concurrent with the endorsement of amended plans required by Condition 1 and prior to any demolition or site works, 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. 1, 3, 5, 10, 18 and 20 (as identified in the Arborist Report submitted with the application, prepared by Arbkey dated 29 May 2020).

The TMP must be approved by the Responsible Authority prior to the commencement of any works, including demolition and/or levelling of the site. The TMP must make specific recommendations in accordance with the Australian Standard AS4970: 2009 - Protection of Trees on Development Sites and detail the following to the satisfaction of the Responsible Authority ensuring the trees to be retained remain healthy and viable during construction:

- 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.

### **Construction Management Plan**

7. Prior to the commencement of any site works (including excavation), a Construction Management Plan must be submitted and approved by the Responsible Authority. No works are permitted to occur until the Plan has been endorsed by the Responsible Authority. Once endorsed, the

Construction Management Plan will form part of the permit and must be implemented to the satisfaction of the Responsible Authority. The plan must address the following issues:

- a) Hours for construction activity in accordance with any other condition of this permit;
- b) Measures to control noise, dust and water and sediment laden runoff;
- c) Prevention of silt or other pollutants from entering into the Council's underground drainage system or road network;
- d) Measures relating to removal of hazardous or dangerous material from the site, where applicable;
- e) A plan showing the location and design of a vehicle wash-down bay for construction vehicles on the site;
- f) Cleaning and maintaining surrounding road surfaces;
- g) A site plan showing the location of any site sheds, on-site amenities, building waste storage and the like, noting that Council does not support the siting of site sheds within Council road reserves;
- h) Public Safety and site security;
- i) A plan showing the location of parking areas for construction and sub-contractors' vehicles on and surrounding the site, to ensure that vehicles associated with construction activity cause minimum disruption to surrounding premises. Any basement car park on the land must be made available for use by sub-constructors/tradespersons upon completion of such areas, without delay;
- j) A Traffic Management Plan showing truck routes to and from the site;
- k) Swept path analysis demonstrating the ability for trucks to enter and exit the site in a safe manner for the largest anticipated truck associated with the construction;
- l) Measures to ensure that sub-contractors/tradespersons operating on the site are aware of the contents of the Construction Management Plan;
- m) Contact details of key construction site staff;
- n) Any other relevant matters, including the requirements of VicRoads or Public Transport Victoria.
- o) Hours of construction to be in accordance with EPA requirements.

**Use of the land**

8. This Permit does not include permission for the use of the land. The land must be used for a purpose other than that listed within Section 1 of Clause 33.01-1 unless authorised by the Responsible Authority.
9. The floor area of the warehouse tenancies must not be increased without the written permission of the Responsible Authority (including the provision of mezzanine floor spaces).
10. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.

**Landscaping and Tree Protection**

11. Before occupation of any of the buildings, landscaping works as shown of the endorsed plans must be completed to the satisfaction of the Responsible Authority and then maintained to the satisfaction of the Responsible Authority.
12. Works associated with the removal of the existing street tree No. 28 (Willow Bottlebrush) must not be undertaken without the further consent of the Responsible Authority.
13. 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.
14. The owner and occupier of the site must ensure that, prior to the commencement of buildings and works, all contractors and tradespersons operating on the site are advised of the status of trees to be retained as detailed in the endorsed arborist report and are advised of any obligations in relation to the protection of those trees.
15. No building material, demolition material, excavation or earthworks shall be stored or stockpiled within the Tree Protection Zone (TPZ) of any tree to be retained during the construction period of the development hereby permitted without the prior written consent of the Responsible Authority.

**Car Parking and Accessways**

16. Details of any car park control equipment must be submitted to and approved in writing by the Responsible Authority. These details must include a car park control device which can be accessed by visitors to the

development including clear instructions on how to operate any security system.

17. All loading and unloading of vehicles must be carried out within the boundaries of the land/ designated loading bay and must be conducted in a manner that does not cause any interference with the circulation and parking of vehicles on the land, to the satisfaction of the Responsible Authority.
18. Before the development of each building permitted is completed, areas set aside for parked vehicles and access lanes for each building 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.

19. Any required fire services, electricity supply, gas and water meter boxes must be discreetly located and/or screened to compliment the development to the satisfaction of the Responsible Authority. Any required services must be clearly detailed on endorsed plans forming part of this permit.

#### **Stormwater**

20. The site must be drained to the satisfaction of the Responsible Authority.

#### **Time for Starting and Completion**

21. In accordance with section 68 of the Planning and Environment Act 1987, this permit will expire if one of the following circumstances applies:
  - a) The development is not started before 2 years from the date of issue.
  - b) 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.

- (i) within six (6) months afterwards if the development has not commenced; or
- (ii) within twelve (12) months afterwards if the development has not been completed.

Council and the Victorian Civil and Administrative Tribunal are unable to approve requests outside of the relevant time frame.

NOTES:

- A. This is not a Building Permit. Building approval must be obtained prior to the commencement of the above approved works.
- B. Council's Horticulture Department must be contacted regarding the removal of the street trees proposed. The trees will be removed by Council at a cost to the Permit holder.
- C. The lot/unit numbers on the "Endorsed Plan" are not to be used as the official street address of the property. Street numbering is allocated in accordance with Australian/New Zealand Standards 4819:2001- Rural and Urban Addressing. Any street addressing enquiries should be directed to Council's Valuation Team on 9518 3615 or 9518 3210.
- D. Unless no permit is required under the planning scheme, no sign must be constructed or displayed without a further permit.
- E. All new vehicle crossings and access roads are to be no closer than 1.0 metre, measured at the kerb, to the edge of any power pole, drainage or service pit, or other services. Approval from affected service authorities is required as part of the vehicle crossing application process.
- F. Engineering permits must be obtained for new or altered vehicle crossings and new connections to Council pits and these works are to be inspected by Council's Engineering Department. A refundable security deposit of \$1000 is to be paid prior to the drainage works commencing.
- G. The redundant crossings are to be removed and reinstated with kerb and channel to the satisfaction of Council. The footpath and naturestrip are to be reinstated to the satisfaction of Council.
- H. The minimum Finished Floor Level is to be at least 63.8 metres Australian Height Datum (AHD ).

- I. No buildings are permitted within 6.8 metres of the northern and western boundaries of the property to allow for overland flow to pass through.
- J. All stormwater collected on the site from all hard surface areas must not be allowed to flow uncontrolled into adjoining properties or the road reserve.
- K. One copy of the plans for the drainage and civil works must be submitted to and approved by the Engineering Department prior to the commencement of works. The plans are to show sufficient information to determine that the drainage works will meet all drainage conditions of the permit.
- L. The nominated point of stormwater connection for the site is to 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 rear easement to be constructed to Council standards. (A new pit is to be constructed to Council standards if a pit does not exist, is in poor condition or is not a Council standard pit). Note: If the point of connection cannot be located then notify Council's Engineering Department immediately

**BACKGROUND:****History**

A Planning Permit was issued on 16 April 1999 for the construction of buildings and works (TPA/26468) associated with the existing warehouse use.

Planning Permit TPA/51394 was issued for the removal of native vegetation and construction of buildings and works on 17 April 2020. This permit allowed for the clearance and preparation of the site for the current planning permit application to develop the land. Native vegetation was present within the south-west corner of the site which required a Permit for removal. This included remnant scattered grass patches. There were no offset requirements as a result of this vegetation removal given its minimal nature.

This Permit has been acted upon, and therefore the buildings on the site have been demolished and the site levelled.

**The Site and Surrounds**

The site is located on the Western side of McNaughton Road, approximately 95 metres north of Torteval Place and 360m south of Dandenong Road, in Clayton. The Site has the following features:

- The land forms a trapezoid shape due to the angle of McNaughton Road. The site has a frontage of 205.41 metres with a maximum depth of 419.91 metres, yielding a total site area of 6.478ha.

- The site has a significant fall to the west of the site, within the rear portion of the site.
- A 4.57m wide easement is located along the rear of the site, and two easements located towards the front of the site, located centrally (where the existing vehicle entry is located).
- Three vehicle crossovers are located on McNaughton Road, spread across the frontage of the site.
- A total of eight (8) street trees are located adjacent to the site.
- A total of twenty (20) trees are located within the frontage of the site. Whilst some of these trees are native, these trees have been planted and therefore do not require a Permit for their removal pursuant to Clause 52.17.
- There is no parking permitted on McNaughton Road adjacent to the site.

Surrounding properties are all located within the Industrial Zone, and are used for warehousing or industrial purposes. The closest residentially zoned land is located on the western side of Buckland Street, approximately 100 metres from the rear boundary of the site.

Notably, no parking on McNaughton Road is permitted, which typically leads to vehicles parking on the nature strip or within Torteval Place. Council have received a number of complaints with respect to parking within Torteval Place.

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

#### **PROPOSAL:**

The proposal is for the construction of a warehouse development including a reduction in the standard car parking requirement. Details of the proposal are as follows:

- The eight warehouse tenancies are proposed to be arranged within 4 buildings across the site with a total floor area of 32,666sqm for the warehouse spaces.
- Eight separate office spaces with a total of 4,503sqm are proposed. Each office space is accessed via the ground floor and is provided with internal access to the first floor. It does not appear that there is any internal access between the warehouses and office spaces.
- Three vehicle crossovers are proposed for the site, with the central access point being for large vehicles and deliveries to the site. The remaining two crossovers are to provide access for standard vehicles (staff and visitors).
- Each of the proposed crossovers are to be shifted south of the existing vehicle crossovers.
- Car parking for staff and visitors is proposed to be located within the front setback (at the ground and first floors), central to the site within the building

breaks (between warehouses 2 and 3, and 6 and 7) and to the rear (west) of the site.

- A total of 362 car parking spaces are proposed on the site including eight accessible car spaces.
- The buildings are three storeys in height (noting however that the warehouses are shown as an empty shell) with a maximum height of 16.25m. An awning extends from each building into the central access area covering the loading areas.
- A 1.8 metre high fence is proposed to the front of the site, with the setback staggered to sit just in front of the building / car parking area.
- The front setback to buildings varies along the frontage with a minimum setback of 5.12 metres from McNaughton Road.
- The buildings are proposed to be finished with a mixture of materials including metal wall cladding and aluminium slat screens for the warehouses, and metal decorative screens, timber look panels and precast concrete for the car parking and office components.
- Three (3) trees are proposed to be retained within the frontage of the site being trees 10 (Wallangarra White Gum), 18 (Manna Gum) and 20 (Manna Gum).
- Two street trees are proposed to be removed (Tree 28 & 32 – Willow Bottlebrush) due to the proposed substation and central vehicle crossover.

Attachment 1 details plans forming part of the application.

### **PERMIT TRIGGERS:**

#### **Zone**

The site is located within the Industrial 1 Zone. Pursuant to Clause 33.01-4 of the Monash Planning Scheme a planning permit is required to construct a building or construct or carry out works.

It is noted that a Permit is not required for the use of the land for a warehouse subject to a number of conditions relating to threshold distances to sensitive uses.

#### **Overlays**

The land is covered by a Design and Development Overlay, Schedule 1. Pursuant to Clause 43.02-2, a Permit is required to construct a building or carry out works.

The Schedule to the Overlay prescribes discretionary controls with respect to the setback of buildings, car parking areas and front fencing.

#### **Particular Provisions**

Pursuant to Clause 52.06, a Planning Permit is required to reduce the number of car parking spaces required under Clause 52.06-5.

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

### **CONSULTATION:**

Further information was requested of the Permit Applicant on 4 May 2020. In this letter, officers also raised the following preliminary concerns:

- Non-compliance of the development with the prescribed front setback requirements of the Design and Development Overlay resulting in lack of opportunity for landscaping;
- The extent of Car parking reduction sought;
- Car parking arrangement within front setback;
- Proposed works over the easements within the site; and
- Impact of the proposal on street trees.

Officers advised the Applicant in writing that should these concerns not be addressed, that this application was unlikely to be supported.

The Permit Applicant responded to this letter on 12 May 2020 by providing the requested information. In relation to the preliminary concerns, the Applicant advised that they were not prepared to make any changes to the proposal.

The Applicant was advised on 10 June 2020 that this application was coming to the July 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**

The application was not advertised, as it is considered not to cause any material detriment to the surrounding properties given the location of the site within the industrial zone and its lack of any interfaces with residential properties.

### **Referrals**

**Department of Transport (VicRoads)** – Whilst not a statutory planning referral requirement, the application was referred to VicRoads due to the number of expected vehicle movements to and from the site, and its potential impact on the surrounding VicRoads roads. The Department determined that the traffic generation would not be significant compared to the previous use on the site and would not significantly impact Dandenong Road or Clayton Road.

**Drainage Engineering** – No concerns subject to conditions. Build over easement approval is required for the car parking spaces over the western boundary easement. Council’s engineering department are generally supportive of the proposed works subject to conditions including the requirement for landscape features (islands) within the parking envelope every 5 bays to mitigate heavy vehicle loads.

**Transport Engineering** – Concerns regarding the car parking reduction sought are raised. The required parking dispensation is considered excessive. It is not considered appropriate to accept a reduction in parking from the statutory requirement, and it is recommended that the net floor area of the proposed warehouse development be reduced to meet the statutory parking requirements. Modification / further detail of accessways and parking areas are also recommended to ensure efficient vehicle movement.

**Horticulture** – Both street trees can be considered for removal, if required given condition of trees and existing dieback within crowns of trees.

#### **DISCUSSION:**

##### **Planning Policy Framework**

The planning policy framework (Clause 17.03-1S and Clause 17.01-1R) encourages the maintenance of land for industry in appropriate locations, protecting these areas from non-industrial land uses that will prejudice the availability of land for these uses.

The site is located within the Monash National Employment and Innovation Cluster, within the Clayton South Industrial Precinct which seeks to continue to support employment uses and industry in order to foster innovation, growth and diversification of employment.

Manufacturing and storage industries that generate significant volumes of freight to locate close to air, rail and road freight terminals. The site is located with good access to the Monash Freeway and several main arterial roads.

Sustainable industry is encouraged by the policy framework which seeks to ensure buffers are provided between industrial uses and sensitive areas. Warehouse is a use that does not require a Planning Permit provided the activity meets safety buffer distances to the nearby residential land and there are a variety of these that would cover a range of warehouse uses. As the future tenants are not known at this stage and the application has not sought permission for warehouses uses that exceed the buffer distances, no permit is being granted for use. Future tenants will need to seek further permission if they cannot meet the buffer distances. A condition is proposed should a permit issue to identify this.

Clause 18.02-4S seeks to ensure an adequate supply of car parking is appropriately designed and located. Land is to be set aside for car parking subject to the existing

and potential modes of access including public transport, the demand for off-street car parking, road capacity and the potential demand for car parking.

The proposed warehouse and ancillary office use is supported and in fact encouraged in this location. However, the design should be tempered to respond to the character guidelines outlined in the local policy framework and sufficient car parking should be provided to meet the needs of the proposed use and therefore not causing impacts to the surrounding street network.

### **Industrial 1 Zone**

The Industrial 1 Zone seeks to provide for manufacturing industry, the storage and distribution of goods and associated uses in a manner which does not affect the safety and amenity of local communities. The following decision guidelines are included within the zone (as relevant):

- The Planning Policy Framework and Municipal Strategic Statement;
- Streetscape Character;
- Built Form;
- Landscape Treatment;
- Parking and Site Access;
- Loading and Service Areas;
- Outdoor Storage;
- Lighting; and
- Stormwater Discharge.

These elements are discussed in further detail within the assessment section of this report.

### **Local Policy Framework**

The local planning policy framework seeks to support employment within Melbourne's South East Region.

Industry, business and activity centres in Monash need to continue to positively attract and retain local business to provide employment opportunities and investment. This may be achieved by proactively supporting the industry and business communities, retaining and enhancing the competitive advantages of Monash, and by creating viable, attractive and convenient industry, business and activity centres.

Monash is experiencing a loss of traditional industrial uses which are being replaced with commercial office-type premises. This is eroding the industrial employment base within the municipality and is likely to have socio-economic implications within the community such as diminished access to blue-collar employment and inflated overheads for existing businesses in these areas.

The proposed development will enable the continued use of the land for industry / warehouse purposes. Whilst there is a component of office use on the site, this is considered to be ancillary to the warehouse use. Each warehouse is provided with a small office component with a total office space of 4,503sqm for the site which equates to 12% of the building area. Whilst the offices are not directly accessible from the warehouse this is not unusual and it is considered that these spaces are an ancillary component of the warehouse use to provide day to day administration support.

The industry and business character identified in Clause 21.07 recognises that Monash has a long history of creating industrial development in a garden industrial environment. This character is important to the business community of Monash and to Council. Controls were introduced into the planning scheme in the 1950s with specific requirements for well-designed building facades, enhanced street planting and substantial building setbacks to provide large landscaped setbacks with canopy trees. These controls have resulted in industrial areas with well landscaped settings with substantial setbacks that provides a distinctive Garden City Character.

Clause 21.07-2 specifically identifies that substantial building setbacks planted with trees and other vegetation are regarded as very important in maintaining and enhancing the established Garden City Character and economic image of Monash.

Clause 22.03-1 (Industry and Business Development and Character Policy) identifies the site as being within the 'Industrial 4' character area. This policy works in conjunction with Clause 21.07-2, seeking to maintain landscaped front setbacks, noting specifically that poorly sited and designed business or industrial developments have the ability to progressively erode the basic fabric of the Garden City Character.

This policy identifies the precinct as currently having generally large, low rise buildings often with loading or service bays within the front facades. The majority of the industrial buildings are well set back from the roads. However, unlike in the former City of Waverley, only a small landscape strip separates the building from the road. The majority of the setback is taken up with parking, forecourts or service areas. The planting within the front setback generally consists of trees and shrubs. In most cases the planting is insufficient in scale to balance the scale of the industry and consequently the hard elements visually dominate the Character Type.

This policy also identifies current shortcomings of the area including security fences which are normally galvanised chain-link a minimum of 2 metres in height and are usually placed on the property boundaries. When viewed from an oblique angle they are visually impenetrable and reduce the impact of any planting on the building side of the fence. It also identifies that parking is in large and often prominent on-site car parks. Some of the older industries clearly have insufficient on-site parking and consequently there are numerous cars lining the roads adjacent to these properties.

The desired future character of this area seeks to:

- Retain the industrial character;
- Architecture to be appropriate in form and scale to the functional requirements of the industry;
- Buildings that are energy efficient and conform to sustainable principals are encouraged;
- As industrial sites are redeveloped site layouts should allow for an extensive landscaped setback on each lot frontage. This should be planted with large native trees that should eventually provide a dense tree canopy that should extend throughout the entire area and unify the diverse range of building styles;
- Car parking should be progressively provided at the rear and sides of the buildings; and
- Large sites with extensive areas of unpaved land should include on-site methods of dealing with stormwater should be developed, adding an additional layer of landscape interest in the form of wetlands or ponds.

The height of the proposal is consistent with surrounding buildings, and provides for a functional warehouse outcome. The building is set back from both side boundaries which respects the rhythm within the streetscape.

The proposed architecture is contemporary in design and considered to be of high quality, as evidenced through the use of materials. The building design provides both vertical and horizontal elements which balances the façade and provides visual interest. Whilst car parking is located to the front of the building, it is considered that the parking areas are integrated within the design of the building and therefore their presence towards the front of the building is not of a concern. However, the current proposal fails to provide sufficient setbacks from McNaughton road to allow for sufficient tree planting, which is a concern and discussed in more detail later in this report.

A number of canopy trees are proposed to be removed along the frontage of the site, acknowledging that many are in poor health. A proposed condition will require the relocation of the proposed substation, allowing for the retention of three trees on the site of moderate retention value.

#### **Design and Development Overlay**

The Design and Development Overlay, Schedule 1 provides a number of design objectives and policies with respect to building setbacks, fencing and landscape treatment.

Any building, car parking or front fencing should be set back a minimum of 13.7 metres from McNaughton Road. The building is proposed to be set back in the order of 5 metres increasing to 16 metres from McNaughton Road and therefore fails to satisfy this requirement.

The setback identified seeks to:

- Ensure that development, including front setbacks, is in keeping with and contributes to the Garden City Character as set out in the Municipal Strategic Statement
- Ensure that fences or planting along property boundaries do not adversely affect urban character or adjacent open space.
- Ensure that the landscape treatment within the front setback contributes to the positive aspects of the applicable industry or business Character Type identified in Clause 22.03.
- Ensure that car parking, vehicle access and service areas do not visually impinge on front setbacks or affect streetscape elements such as trees and nature strips.
- Minimise visual clutter.

As identified in Clause 22.03, a number of older developments in McNaughton Road do not conform with this setback requirement, and fail to provide for the 'Garden City Character'. There is yet to be any new development within this streetscape which has been approved with the current Design and Development Overlay in place. Justification for a reduced setback simply because other existing developments in the streets fail to provide this setback is not sufficient justification in and of itself. If new developments are approved against this requirement, it will result in the future streetscape failing to meet the strategic objectives of the DDO in the future. Whilst existing buildings cannot be modified under existing controls, it is expected as properties are redeveloped they will appropriately to the planning controls in place, including the DDO that applies to the site. Further to this, the proposal does not seek a minor encroachment due to the angle of the title boundary as suggested, but a significant encroachment for much of the building and car parking areas. The reduced setback will have a significant impact on the provision of landscaping and openness sought by the Design and Development Overlay and Local Planning Policies. A proposed condition will require the development to be amended to generally reflect the 13.7 metre front setback. Minor encroachments such as architectural features may be permitted to encroach into this setback due to the angle of the front title boundary of the land.

The proposed black coated palisade fence at a height of 1.8 metres is considered acceptable in terms of design. However similarly to the buildings, this fence also needs to be set back further from the street, with the fence currently sitting a minimum of 6 metres from the street.

The policy also suggests that:

- All services, including electricity and telecommunication facilities, must be located underground.
- Rubbish enclosures and service areas must be screened and located to the rear of buildings.

- Rubbish bins, enclosures and loading docks must not be visible from a street.

A proposed condition will require the substation to be relocated to allow for retention of three additional trees within the frontage of the site. Given the width of the site and the minimal trees being retained along this frontage, it is considered that a more appropriate location can be found. A proposed condition will also require for a Waste Management Plan and the location of all services to be identified on plans.

### **Car Parking, traffic and access**

The requisite car parking spaces required under Clause 52.06 shown in the following table:

Use	Floor Area	Clause 52.06 Requirement	Car spaces required	Car spaces provided
Warehouse	37,169sqm	2 spaces to each premises plus 1.5 car spaces to each 100sqm of net floor area	573 spaces	362 spaces (211 spaces sought to be reduced)

The application therefore seeks a reduction of 211 spaces for the proposed development. A car parking rate of 0.97 spaces per 100 square metres is proposed.

The previous use on the land was for various industrial uses, with a total floor area of approximately 18,900sqm with 386 car spaces. The statutory parking rate and credits associated with this use are shown in the following table:

Use	Floor Area	Clause 52.06 Requirement	Car spaces required	Car spaces provided	Car parking credit
Industry	18,900sqm	2.9 spaces per 100sqm of floor area.	548 spaces	386 spaces	162 spaces

Clause 52.06 allows for the consideration of car parking credits associated with a previous use on the land. Taking this into account, the proposed use should provide for a total of 411 spaces to meet the statutory car parking rate. The current proposal provides for 362 spaces which falls 49 spaces short of this requirement.

Following on from the requirements identified by Council's drainage department relating to parking along the easement to the rear of the site, the amendments required are likely to also result in further loss of car parking on the site, due to the provision of landscaping islands between every 5 car parking bays.

The applicant's traffic report suggests that in their experience, warehouses can generate a variety of parking rates depending on their size and location. A case study was provided of warehouse developments within Altona North which generate an average car parking demand of 0.91 spaces per 100 square metres.

The site is not located within the principal public transport network, and does not have good access to public transport and it is therefore expected that all staff will require car parking.

The lack of specific detail of the type of use for each building also does not allow for consideration to be made with regards to a specific operation model, albeit this would be difficult to manage at any rate given warehouse is not generally a permit required use.

No parking is permitted on McNaughton Road, and any overflow parking generated from the site will occur in the neighbouring streets. A review of aerial photos of the area and site inspections indicate that Torteval Place has been regularly used as unrestricted parking spaces. In addition, the number of parking complaints Council has been receiving from businesses of Torteval Place suggest there are existing parking issues in the area.

Sufficient justification has not been provided for the significant car parking reduction sought for the proposal. The lack of any buildings on the site, and the size of the land (over 6 hectares) suggests that the site can provide car parking in accordance with the statutory car parking rate prescribed within the Planning Scheme. A proposed condition will require a total of 411 car spaces be provided on the site which meets the statutory car parking rate, whilst taking into consideration car parking credits from the previous use on the land. Should floor areas be reduced, as a consequence of other conditions, or as may be proposed by the permit applicant, the required parking numbers will also reduce in like with the planning scheme requirements and having regard to the credits that exist in the site.

The car parking layout of the southern accessway point (within the south-east corner of the site) is complicated. In this location vehicles are entering and exiting three different areas - the ground floor parking area in the front setback, ramp to first floor parking area and accessway to the rear of the site. Priority of each of the accessways are required to be clearly identified or the accessways are to be modified. It is suggested that greater separation of the entrances of the two parking areas within the front setback is required. However, greater setback of the building and parking areas from the street as proposed conditions refer will assist in improving this arrangement.

It does not appear that all car spaces comply with the design requirements of Clause 52.06 (specifically clearances to adjoining walls and structures that abut a car space). A proposed condition of the Permit will require further detail of the

car parking areas to be provided to meet the requirements of the design standards.

Whilst some parts of the building cantilever over car spaces and accessways, clearances provided will ensure the safe movement of vehicles.

It is not expected that the traffic generation from the site will have a significant impact on the surrounding road network.

A Waste Management Plan will be required to be prepared and provided as a condition of the Permit.

A Construction Management Plan will also be required as a condition of the Permit including the requirement of a Traffic Management Plan due to the scale of the development.

**CONCLUSION:**

The proposed development is generally consistent with the applicable requirements and objectives of the Monash Planning Scheme including relevant state and local policies with respect to the use and overall scale of the development. The proposal results in significant investment in the site and reinforcing the importance of the Monash Technology Precinct as an employment generator within the metropolitan context.

The design response is of good architectural quality consistent with Monash Technology Precinct Urban Design Guidelines and Industry and Business Development and Character Policy. However, the proposed development fails to provide for a sufficient landscaping interface to the streetscape with sufficient building setbacks, and sufficient provision of car parking. However, these items can be conditioned requiring amended plans to be submitted.

It is recommended that the proposal be approved subject to the conditions on the Planning Permit.

**LIST OF ATTACHMENTS:**

Attachment 1 – Proposed Development Plans.

Attachment 2 – Aerial Photograph (February 2020).

Attachment 3 – Zoning and Overlays Map.