

**1.4 17-31 FRANKLYN STREET, HUNTINGDALE
USE AND DEVELOPMENT OF THE LAND AS WAREHOUSE, STORE, OFFICE AND
FOOD AND DRINK PREMISES
(TPA/53506)**

EXECUTIVE SUMMARY:

This application proposes the construction and use of eight (8) buildings for the purpose of warehouse, storage units, office tenancies and food and drink premises, together with associated car parking.

The application was subject to public notification. Twenty-five (25) objections to the proposal have been received.

Key issues to be considered relate to the appropriateness of the proposed use of land, built form, building height and setbacks, car parking provision, traffic generation, landscaping and amenity impacts.

This report assesses the proposal against the provisions of the Monash Planning Scheme including the relevant state, regional and local planning policy framework, the adopted Huntingdale Precinct Plan and issues raised by objectors.

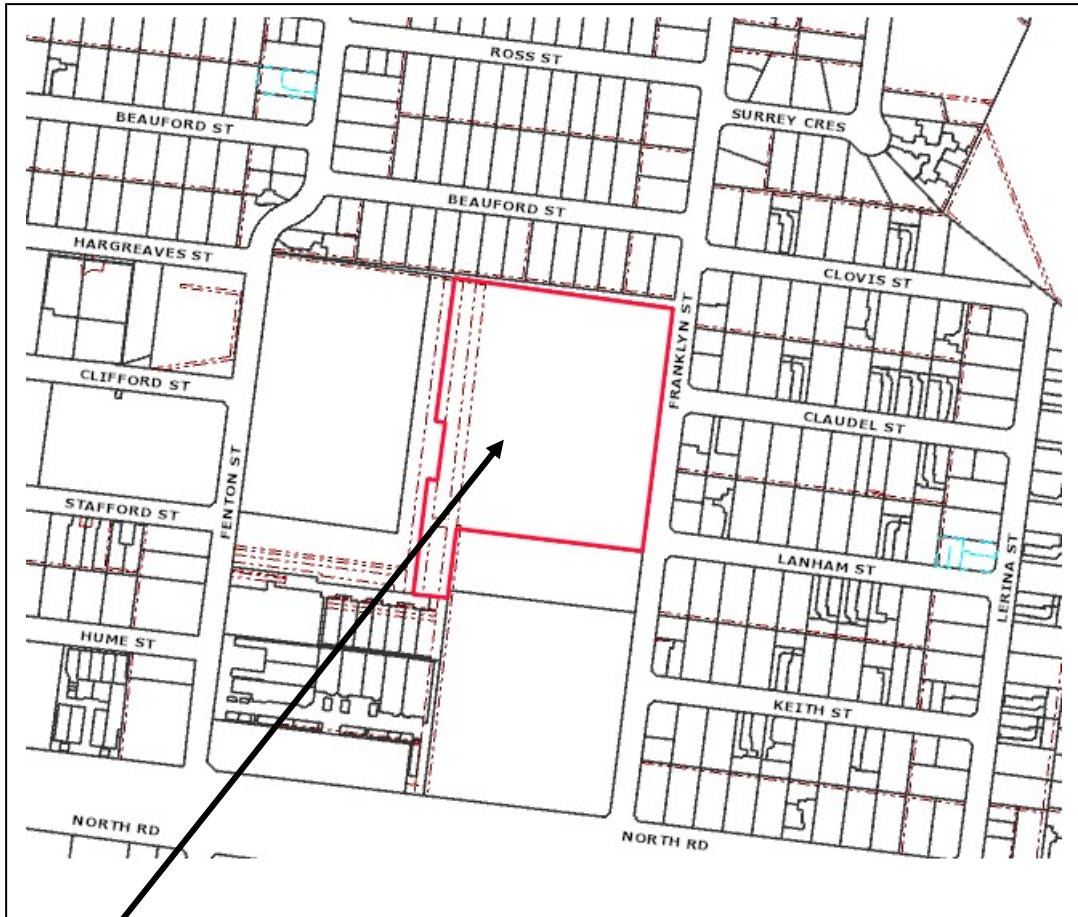
The reason for presenting this report to Council is the proposed development cost of \$25.5 Million.

The proposed development is considered consistent having regard to the relevant provisions of the Monash Planning Scheme and the aspirations envisaged by the Huntingdale Precinct Plan. It is recommended that Council resolve to issue a Notice of Decision to Grant a Planning Permit, subject to conditions.

RESPONSIBLE DIRECTOR:	Peter Panagakos
RESPONSIBLE MANAGER:	Catherine Sherwin
RESPONSIBLE PLANNER:	Jeanny Lui
WARD:	Oakleigh
PROPERTY ADDRESS:	17-31 Franklyn Street, Huntingdale
EXISTING LAND USE:	Industry
PRE-APPLICATION MEETING:	Yes
NUMBER OF OBJECTIONS:	Twenty-five (25)
ZONING:	Industrial 1 Zone

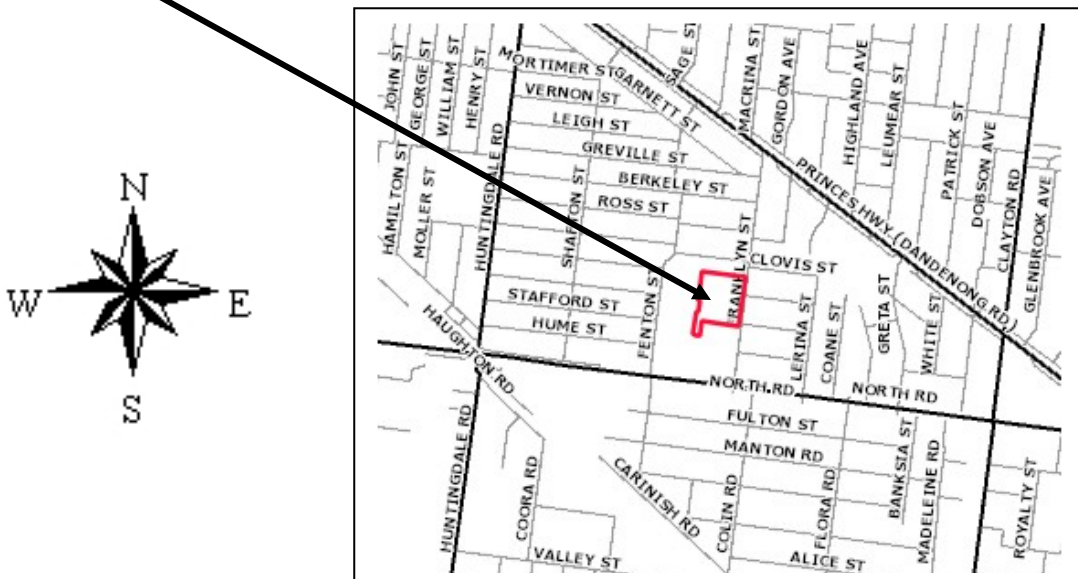
OVERLAY:	Design and Development Overlay Schedule 1
RELEVANT CLAUSES: <u>Planning Policy Framework</u> Clause 11.01-1R- Settlement – Metropolitan Melbourne Clause 11.02-1S- Supply of Urban Land Clause 13.07-1S- Land Use Compatibility Clause 15.01-1S&R- Urban Design Clause 15.01-2S- Building Design Clause 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 17.03-1S- Industrial Land Supply Clause 18.01-1S- Land Use and Transport Planning 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- Municipal Strategic Statement) 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 22.13- Environmentally Sustainable Development Policy <u>Particular Provisions</u> Clause 52.06- Car Parking Clause 52.34- Bicycle Facilities Clause 53.18- Stormwater Management in Urban Development Clause 65 – Decision Guidelines
STATUTORY PROCESSING DATE:	27 September 2022
DEVELOPMENT COST:	\$25.5 Million

LOCALITY PLAN



SUBJECT SITE

NEIGHBOURHOOD PLAN



RECOMMENDATION:

That Council resolves to issue a **Notice of Decision to Grant a Planning Permit (TPA/53506)** for the use and development of the land as warehouse, store, office and food and drink premises at 17-31 Franklyn Street, Huntingdale subject to the following conditions:

Amended Plans Required

1. Before the development and use starts, one copy of amended plans drawn to scale and correctly dimensioned, must be approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be generally in accordance with the plans submitted to Council prepared by Archsign (Revision 8) and dated 29 July 2022, but modified to show:
 - a) All crossovers widened to accommodate medium rigid vehicle. A swept path diagram must be submitted to support the proposed width of the crossovers;
 - b) Labelling of onsite car parking spaces for the different uses;
 - c) Reallocation of 5 car parking spaces from office to warehouse use;
 - d) A minimum of 2 bicycle spaces provided to the food and drink premises;
 - e) The provision of outdoor seating to the café area, whilst maintaining a minimum 1.5 metre landscape area to the street boundary. This may include up to two of the eastern-most car parking spaces immediately north of the café premises.
 - f) Provision of weather protection for pedestrians, and solar protection to windows to improve thermal performance of the buildings;
 - g) Location of adjoining residential properties corrected on the plans;
 - h) A notation to read 'all existing easements within the property are to be expunged';
 - i) Indicative location of a new 6 metre by 6 metre easement at the south-western boundary (where the most southern two car spaces are located);
 - j) Provision of a corner splay or area at least 50% clear of visual obstructions (or with a height of less than 1.2 metres), which may include adjacent landscaping areas with a height of less than 0.9 metres, extending at least 2.0 metres long x 2.5 metres deep (within the property) on both sides of each vehicle crossing to provide a clear view of pedestrians on the footpath of the frontage road;

- k) Any required fire services, electricity supply, gas and water meter boxes discreetly located and/or screened to complement the architectural intent of the development to the satisfaction of the Responsible Authority. Any required services must be clearly detailed on plans;
- l) Any changes required in accordance with the recommendation of the Waste Management Plan of Condition 6; and
- m) Any changes required in accordance with the recommendation of the Sustainability Management Plan of Condition 9.

all to the satisfaction of the Responsible Authority.

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.

Landscaping Plan

3. Concurrent with the endorsement of any plans requested pursuant to Condition 1, a landscape plan prepared by a Landscape Architect or a suitably qualified or experienced landscape designer, drawn to scale and correctly dimensioned must be 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 Etched Projects Pty Ltd, Revision A dated 28 June 2022, except that the plan must be modified to show:

- a) The location of any retaining walls associated with the landscape treatment of the site;
- b) Details of all proposed surface finishes including pathways, accessways, patio or decked areas;
- c) An in-ground, automatic watering system linked to rainwater tanks on the land must be installed and maintained to the common garden areas to the satisfaction of the Responsible Authority;
- d) The location of external lighting (if any);

all to the satisfaction of the Responsible Authority. When approved, the plans will be endorsed and then form part of the Permit.

4. Before any permitted use on site commences, an amended landscape plan incorporating the strip of land immediately north of the subject land must be submitted to and approved by the Responsible Authority. The plan must be prepared by a Landscape Architect or a suitably qualified or experienced landscape designer, drawn to scale and correctly dimensioned to show:

- a) Details of any retailing walls and fencing;
- b) Proposed surface finishes; and
- c) Proposed planting of shrubs, screen plantings and canopy trees

all to the satisfaction of the Responsible Authority. When approved, the plans will be endorsed and then form part of the Permit.

An updated Survey Plan, and proof of completion of the acquisition of this parcel of land must be provided with the landscape plan.

5. Before the uses start, landscaping works as shown on the endorsed plans under Conditions 3 and 4 must be completed to the satisfaction of the Responsible Authority and then maintained to the satisfaction of the Responsible Authority thereafter.

Waste Management Plan

6. Concurrent with the endorsement of plans required pursuant to Condition 1, a Waste Management Plan (WMP) must be approved by the Responsible Authority. The plan must provide details of a regular private (including recyclables) 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 and size of private waste vehicles and swept path analysis.

When approved, the plans will be endorsed and then form part of the Permit. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Car Parking Management Plan

7. Before the use commences, a Car Park Management Plan must be submitted to the satisfaction and approved by the Responsible Authority. When approved, the Car Park Management Plan will be endorsed and will

form part of this permit. The Car Park Management Plan must address, but not be limited to, the following:

- a) The number and location of car parking spaces allocated to each tenancy;
- b) The number and location of car spaces for shared use, including time of shared use;
- c) The methods proposed for the management of visitor car parking spaces and security arrangements for occupants of the development, including details on how residential visitors are to access car parking;
- d) Details of way-finding, cleaning and security of end of trip bicycle facilities;
- e) Policing arrangements and formal agreements;
- f) A schedule of all proposed signage necessary to ensure the safe and smooth operation of the parking including directional arrows and signage, informative signs indicating location of disabled bays and bicycle parking, exits, restrictions, pay parking system;
- g) The collection of waste and garbage including the separate collection of organic waste and recyclables, which must be in accordance with the Waste Management Plan required by this Permit; and,
- h) Details regarding the management of loading and unloading of goods and materials.
- i) The plan is to regularly reviewed and updated to manage on going parking demands and changes of tenants when required.

The provisions, recommendations and requirements of the endorsed Car Parking Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Construction Management Plan

8. Prior to the commencement of any site works (including any demolition, vegetation removal and excavation), a Construction Management Plan (CMP) must be submitted to and approved by the Responsible Authority. Once approved, the CMP will form part of the permit and must be implemented to the satisfaction of the Responsible Authority. The CMP must address the following issues:
 - a) Pedestrian and cyclist access through and around the construction site including ongoing connections to the adjoining shared user path network;
 - b) Appropriate measures to control noise, dust and water and sediment laden runoff;
 - c) Appropriate measures to prevent silt or other pollutants from entering into the Council's drainage system or onto the road network;

- d) Appropriate measures relating to removal of any 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 so as to prevent material leaving the site and being deposited on Council's road network or drainage system;
- f) A program for the regular cleaning and maintenance of the 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) Measures to provide for public safety and 24 hour site security;
- i) A plan showing the location of parking areas for all construction and sub-contractors' vehicles on and surrounding the site, to ensure that vehicles associated with construction activity cause minimum disruption to the surrounding location. Any basement car park on the land must be made available for use by sub-contractors/tradespersons upon completion of such areas, without delay;
- j) A Traffic Management Plan showing truck routes to and from the site;
- k) A swept path analysis, using the largest truck anticipated on site, demonstrating the ability of trucks to enter and exit the site in a safe and timely manner.
- l) Appropriate measures to ensure that sub-contractors/tradespersons operating on the site are aware of and adhere to the requirements of the CMP;
- m) The provision of 24 hour contact details of key construction site staff; and
- n) Restriction on hours of work on site, including demolition, excavation or general construction works, to the following hours:
 - Monday to Friday (inclusive) – 7.00am to 6.00pm;
 - Saturday – 9.00am to 1.00pm;
 - Saturday – 1.00pm to 5.00pm (Only activities associated with the erection of buildings that does not exceed the EPA guidelines)
 - No works are permitted on Sundays or Public Holidays.

Unless prior written consent is provided by the Responsible Authority these hours cannot be varied.

The provisions, recommendations and requirements of the endorsed Construction Management Plan must be implemented and complied with by all contractors to the satisfaction of the Responsible Authority.

Sustainability Management Plan (SMP)

9. Concurrent with the endorsement of plans requested pursuant to Condition 1, a Sustainability Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Sustainability Management Plan will be endorsed and will form part of this permit. The amended Sustainability Management Plan must be generally in accordance with the Sustainability Management Plan prepared by Meinhardt Group (Revision 01) dated 22 December 2021, but modified to show the development in accordance with the amended plans prepared by Archsign (Revision 3) dated 27 June 2022.

The development must incorporate the sustainable design initiatives outlined in the endorsed Sustainable Management Plan to the satisfaction of the Responsible Authority.

Lighting Plan

10. Concurrent with the endorsement of any plans requested pursuant to Condition 1, a Lighting Plan prepared by a suitably qualified or experienced Lighting Engineer must be submitted to and approved by the Responsible Authority. The Lighting Plan must show:
- a) Location of any external lighting;
 - b) Intensity of lighting limited so as not to cause any loss of amenity to occupiers of nearby residential land to the satisfaction of the Responsible Authority.

When approved, the plans will be endorsed and then form part of the Permit.

11. All external lighting must be designed, baffled, located and maintained to prevent light spill from the site causing any unreasonable amenity or environmental impacts on the locality, to the satisfaction of the Responsible Authority.

Car Parking and Accessways

12. Before the uses start, areas set aside for parked vehicles and access lanes as shown on the endorsed plans must be:
- a) constructed to the satisfaction of the Responsible Authority;
 - b) line-marked to indicate each car space for different uses and 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; and
- e) all access lanes
all to the satisfaction of the Responsible Authority.

Parking areas and access lanes must be kept available for these purposes at all times.

13. The loading and unloading of goods from vehicles must only be carried out on the subject land.

Services and Plant Equipment

14. All pipes (except down-pipes), fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from external view, to the satisfaction of the Responsible Authority.
15. 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.
16. 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.

Noise

17. Noise levels generated from the uses on site must not exceed those required to be met under the Environment Protection Regulations 2021 and EPA Publication 1826.4 noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues, or any other equivalent or applicable State or relevant policy and should meet accepted sleep disturbance criteria EPA Publication 1254.2 and any other relevant guideline or Australian Standard.

Storage of Goods

18. No goods must be stored or left exposed outside the building so as to be visible from any public road or thoroughfare.
19. All activities at the premises must comply with the Dangerous Goods Act and regulations.

Amenity of Area

20. 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, smell, fumes, waste water, waste products, grit or oil;
 - d) presence of vermin;
- To the satisfaction of the Responsible Authority.

Food and Drink Premises

21. Except with the prior written consent of the Responsible Authority, the food and drink premises may operate only between the hours of 7am to 5pm Monday to Saturday.

Drainage & Stormwater

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

Satisfactory Continuation

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

Time for Starting and Completion

24. 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 two (2) years from the date of issue.
 - (b) The development is not completed before four (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 and/or use 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 Permit approval must be obtained prior to the commencement of the above approved works.
- B. Engineering permits must be obtained for new or altered vehicle crossings and new connections to Council drains and these works are to be inspected by Council's Engineering Department. A refundable security deposit is to be paid prior to any drainage works commencing.
- C. 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.
- D. Stormwater discharge is to be detained on site to the predevelopment level of peak stormwater discharge. Approval of any detention system is required by the City of Monash prior to works commencing.
- E. An on site detention system for storm events up to the 1% AEP event to be retained on site for the basement carpark. The detention system for the basement is to be separated from the detention system for the property, which is to be at ground level and discharge by gravity.
- F. A Licensed Surveyor or Civil Engineer (who is a Registered Building Practitioner) must certify that the stormwater detention system including all levels, pits, pipes and storage volumes is constructed in accordance with the approved plans. The certifier's registration number must be included on the certificate.
- G. Any work within the road reserve must ensure the footpath and nature strip are to be reinstated to Council standards.
- H. 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.
- I. 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 nature strip 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).*
If the point of connection cannot be located, then notify Council's Engineering Department immediately.

- J. Approval of each proposed crossing, and a permit for installation or modification of any vehicle crossing is required from Council's Engineering Department.
- K. The existing redundant crossings are to be removed and replaced with kerb and channel. The footpath and nature strip are to be reinstated to the satisfaction of Council.
- L. Any new vehicle crossover or modification to an existing vehicle crossover must be constructed to the satisfaction of the Responsible Authority.
- M. All new vehicle crossings 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.
- N. Unless no permit is required under the planning scheme any signs must not be constructed or displayed without a further permit.
- O. Disabled access to the building must be provided to the satisfaction of the relevant Building Surveyor. All work carried out to provide disabled access must be constructed in accordance with Australian Standards Design for Access and Mobility AS 1428.1.
- P. The full cost of reinstatement of any Council assets damaged as a result of demolition, building or construction works, must be met by the permit applicant or any other person responsible for such damage, to the satisfaction of the Responsible Authority.
- Q. Noise from the premises must comply with State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1 (SEPP N-1).
- R. Any request for a variation of this Permit shall be lodged with the relevant fee as determined under the Planning & Environment (Fees) Regulations 2016.
- S. Any request for time extension of this Permit shall be lodged with the relevant administration fee at the time the request is made.

BACKGROUND:**The Site and Surrounds**

The subject site is located on the west side of Franklyn Street, between Dandenong Road and North Road in Huntingdale. The land is irregular in shape with a frontage of 153.37 metres to Franklyn Street, a maximum depth of approximately 138 metres, and a total area of approximately 22,126 square metres. The site has a

slope of over 7 metres falling from the northeast to the southwest corner of the site.

The land is currently developed with a large industrial building that has been used for varying industrial uses over time. The building is currently constructed to the Franklyn Street boundary, setback approximately 4-6 metres from the southern and western boundaries and setback a minimum of 29 metres to the northern boundary. Informal on-site car parking and accessways are located between the existing building and the northern property boundary which has interface with residentially zoned land. There are multiple vehicle crossovers along the Franklyn Street frontage, and the site is devoid of any significant vegetation.

The site sits within the north-eastern periphery of the Huntingdale Activity Centre Precinct. This area contains a range of older and emerging renewed or redeveloped employment opportunities including warehouse, offices and manufacturing. In line with the Huntingdale Precinct Plan, adopted by Council on 27 March 2020, the existing employment/industrial zones are undergoing renewal and redevelopment.

More specifically, details of adjoining properties are as follows:

North: A strip of land having no known ownership currently exists along the full length of the northern boundary, having a width of 5.15 metres at the north east boundary and tapering down to a width of 2.85 metres at the north west boundary of the site. This land has been utilised by the owners of the subject site for the parking of vehicles since the 1960's and the developer of the subject site has started the process of an adverse possession claim over this parcel of land. This parcel of land does not currently form part of this application as the adverse possession claim is not complete. North of this vacant strip of land is the rear of 58 to 74 Beauford Street which are residentially zoned, currently developed with a mix of single and two storey dwellings.

East: Residential land developed with a mix of single and two storey dwellings, including multiunit development.

South and West:

Properties to the west and south of the site are zoned Industrial and are developed with single and two storey industrial buildings, used as warehouses and other light industrial uses.

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

Permit History

TPA/40684

Planning Permit TPA/40684 was issued in May 2013 enabling buildings and works to the existing building and the construction of new buildings to be used as warehouses and storage. The approved development did not commence before 1 May 2015 and the permit has since expired.

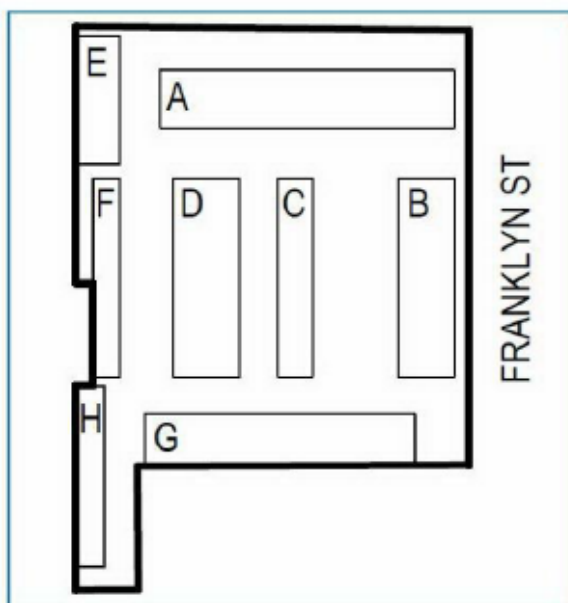
PROPOSAL:

This application is for construction of eight (8) buildings for the purpose of warehouse (with ancillary offices), office tenancies, storage units and a food and drink premises. All buildings are two storeys in height except for Buildings C and H which are three storeys in height. The development provides a total of 273 onsite car parking spaces, accessed via four vehicle crossovers along Franklyn Street.

The proposed buildings are setback 5 metres from the front boundary to Franklyn Street, between 6 to 13.5 metres from the northern boundary, 5.4 metres from the western boundary and zero setback to the southern boundary. A row of at-grade car parking spaces are provided along the northern boundary, setback 2.5 - 3.5 metres from the northern boundary (the northern boundary of the site tapers down west to east).

The proposed buildings are primarily to be used for warehouse with ancillary offices, with the exception of Building B which has a frontage to Franklyn Street. This building contains a food and drink premise (café) at the northern end and 10 office premises. Car parking is provided within the development on both ground and lower ground levels.

The diagram below outlines the proposed site layout:



BUILDING	USE	SCALE
A	17 x warehouse tenancies	Two storeys
B	9 x office tenancies 1 x food and drink premise (café)	Two storeys
C	7 x warehouse tenancies	Three storeys
D	14 x warehouse tenancies	Two storeys
E	4 x warehouse tenancies	Two storeys
F	7 x warehouse tenancies	Two storeys
G	9 x warehouse tenancies	Two storeys
H	8 x warehouse tenancies	Three storeys
Below C, D & F	65 x storage units	Below ground

Due to the 7 metre fall of the land, Buildings A, B, C, D, E & F are located on the higher side, whilst Buildings G & H are located on the lower side of the land.

Overall, the development can be broken down into the following floor areas:

PROPOSED USE	FLOOR AREA
Office x 10	2,346 square metres
Warehouse and ancillary office x 66	11,986 square metres
Storage x 65	2,867 square metres
Café/Food and drink premises x 1	320 square metres

Car Parking and Bicycle Facilities

- A total of 273 car parking spaces are provided across the site, at-grade and individual tenancy garaged car parking areas.
- Vehicle access is proposed via four crossovers in Franklyn Street, two services the higher side and two services the lower side of the site.
- No bicycle parking spaces are provided.

Amended Plans Post Public Notice:

Amended plans (Revision 8 and dated 29 July 2022) were lodged with Council on 29 July 2022, following the public notification period. The amended plans seek to lower the finished floor levels of the car park and proposed buildings, provide increased landscape setbacks to the Franklyn Street frontage and the northern boundary, increased landscaping opportunities within the development and improved building façade presentation to Franklyn Street. The amended plans also increase the building setback along the northern boundary for Building E.

The amendments are not expected to cause any further impact to the adjoining and opposite residential properties and therefore further notice was not required.

This report is prepared based on the amended Section 57A plans.

Attachment 1 details plans forming part of the application.

PERMIT TRIGGERS:Zoning

The site is located within an Industrial 1 Zone (IN1Z). Pursuant to Clause 33.01-1, a permit is required to use the land for warehouse, store, office and food and drinks premises as the land is located within 30 metres of residential land.

Pursuant to Clause 33.01-4, a permit is required to construct buildings and carry out works within the IN1Z.

Relevant Decision Guidelines

Clause 33.01 provides particular decision guidelines for buildings and works within this zone. The responsible authority must consider the following decision guidelines:

- The Municipal Planning Strategy and the Planning Policy Framework.
- Any natural or cultural values on or near the land.
- The effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.
- The effect that nearby industries may have on the proposed use.
- Streetscape character.
- Built form.
- Landscape treatment.
- Interface with non-industrial areas.
- Parking and site access.
- Loading and service areas.
- Outdoor storage.
- Lighting.
- Stormwater discharge.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.

These decision guidelines will be discussed in the assessment section of this report.

Overlay

The site is affected by the Design and Development Overlay, Schedule 1 (DDO1). Pursuant to Clause 43.02-2. A permit is required to construct a building on land covered by DDO1.

DDO1 specifies buildings and car park areas should be setback from the front boundary at least 7.6 metres from the front boundary.

Clause 43.02 of the scheme outlines the following design guidelines:

- Whether the development is consistent with the desired future character statement for the applicable industry or business Character Type identified in Clause 22.03.
- Whether the development will significantly add to the stormwater discharge entering the Council's drainage system.
- Whether the building setbacks are generally consistent with the setbacks in the applicable industry or business Character Type and are consistent with the desired future character statement identified in Clause 22.03.
- Whether streetscape and engineering details are consistent with streetscape and engineering details within existing streets.
- Whether side and front fences are in keeping with the character of the neighbourhood.
- Whether the landscape treatment in the side and front setbacks contributes to the Garden City Character.
- Whether any existing vegetation that contributes to neighbourhood character will be removed by the development.
- Whether any large native or exotic trees have been proposed that will contribute to neighbourhood character.
- Whether the development has any adverse visual impact on adjacent areas of public open space.
- Whether any steps have been taken to minimise visual clutter caused by overhead services.
- Whether adequate on-site car parking has been provided.
- Whether driveway crossovers have been located to avoid street trees.

Particular & General Provisions

Clause 52.06: Car Parking

Pursuant to Clause 52.06-3, the proposal generates a statutory car parking requirement of 265 spaces with 273 spaces being provided on the land. The proposal satisfies the statutory car parking requirement.

Clause 52.34: Bicycle Facilities

Pursuant to Clause 52.34-2, a permit is required to reduce the required number of bicycle spaces. The proposal requires a total of 2 bicycle parking spaces for the proposed food and drink premises, and no spaces are provided and this will be required via condition.

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 19 January 2022. In this letter, officers raised the following preliminary concerns:

- The proposed design should be more responsive to the site context to minimise adverse amenity impacts to the northern adjoining residential properties.
- The proposed vehicle crossovers and volume of traffic generated from the proposal may adversely impact on the amenity of nearby residential properties.

The Permit Applicant responded to this letter on 14 February 2022 by providing the requested information. In relation to the preliminary concerns, the Applicant provided a design response to demonstrate the proposal achieves a high level of compliance with ResCode setback along the north interface. A more detailed Traffic Assessment was also provided to assist Council's Traffic Engineer in providing advice.

Following public notice and a more detailed assessment of the proposal was undertaken. Further consultation between the permit applicant and Council took place resulting in the submission of Section 57 amendment application, which now forms the basis of this assessment to further address landscaping and interface concerns to the north with Buildings A and E.

The Applicant was advised that this application is scheduled for the August Council meeting. In addition, a letter has been sent formally advising them of the details of the Council meeting. The Applicant has been advised that the application is recommended for approval subject to conditions, and an outline of the recommended conditions has been explained.

Public Notice

The application was advertised in accordance with section 52 of the *Planning and Environment Act 1987* by sending notices to the surrounding property owners/occupiers, and displaying three large signs on the Franklyn Street frontage.

Twenty-five (25) objections were received. Objections raised the following concerns:

- Car parking, vehicle access, increase in traffic volume and large vehicles causing traffic issues and safety hazards. The traffic report only considered peak hours but the development will also increase traffic in non-peak hours
- The proposed vehicle crossovers are directly opposite residential properties
- External amenity impact to nearby residents including visual impact, loss of privacy, increase in noise and pollution
- Type of products stored in the storage facilities and warehouses may cause safety hazards
- Disruptions to local residents during demolition and construction
- Safety hazard caused by asbestos during removal of the existing building
- Architectural presentation of the development
- Adequacy of landscaping

- Increase in density
- Incorrect information on plans
- Decrease in property value
- Concerns about the section of land along the northern boundary that is not owned by the owner of the subject land.

Attachment 4 details the location of objector properties.

Referrals

Internal Referral

Traffic Engineer

Council's traffic engineers have no concerns with the application however have advised that the vehicle crossovers should be designed to be able to accommodate a Medium Rigid Truck as occasionally tenants may use bigger sized vehicles than a standard Semi Rigid Vehicle (SRV). In addition, two bicycle parking spaces should be provided for the café use; and additional car parking spaces should be allocated to the warehouse use. Further detailed comments are provided in the discussion below.

Drainage Engineer

Council's drainage engineers require a 6 metre by 6 metre drainage easement to be created at the south-western corner of the land (where the two most southern car parking spaces are located), in order to protect Council's drainage pit. All other existing easements within the property are to be removed.

The new created drainage pit can be fitted with a medium-duty gatic lid which makes it trafficable to allow retention of the two car parking spaces over the easement.

Strategic Planning

Strategic Planning have confirmed that the site is located within Precinct 5 of the adopted Huntingdale Precinct Plan (HPP).

The HPP identifies the southern boundary of this site for a midblock pedestrian link. It is considered that there is facilitation of a mid-block link to the south and that the development remains sufficiently open that would encourage people to walk through if other sites to the west or south also facilitated access. The proposal also provides an adequate 5 metre building setback to Franklyn Street and the submitted landscape plan details canopy trees having a mature height of 12 metres and canopy spread of 6 metres, also consistent with the HPP.

Overall the proposal is considered consistent with the HPP.

It is advised that weather protection should be provided for pedestrians, and external shading devices to windows to improve thermal performance of the

buildings. Additional requirements to improve energy efficiency could also be achieved via permit conditions should a permit issue.

In addition, it is noted that in Plan Melbourne and other state, regional and local planning policies there is a growing shortfall in employment and industrial land in the east and south east of Melbourne. It is considered that the proposed mix-use development will provide additional employment opportunities, and is strategically supported.

Concern has been raised that the amended proposal has removed the outdoor seating which was indicated forward of the café and within the front landscape setback. This provided activation of that area. As the outdoor seating was detailed on the advertised plan, it is considered appropriate to re-introduce this in order to activate the café frontage. Any condition should include the maintenance of a landscaped area to the street boundary. Given the surplus of parking on site, there would be no concern with including two of the eastern-most car parking spaces immediately north of the café premises as part of this activation.

DISCUSSION:

Consistency with State, Regional and Local Planning Policies

State Planning Policy Framework (PPF)

The proposal is in keeping with the aspirations of the Planning Policy Framework which seek to provide appropriately located supplies of residential, commercial and industrial land to meet the community needs; and to provide for local employment opportunities. The proposal allows for the continuation of the existing industrial use with smaller warehouse units and offices well suited to small business operators. The subject land is located within the Monash National Employment and Innovation Cluster (MNEIC) and Principal Public Transport Network (PPTN). It provides for good access for employees and goods transport (Clause 17.03-1S).

The development is designed to minimise unreasonable off-site amenity impacts (Clause 13.05-1S & 13.07-1S).

Local Planning Policy Framework (LPPF)

The proposed warehouse and storage units, along with small office tenancies is consistent with the strategies in strengthening the existing industrial area by offering a mix of contemporary tenancies suited to a range of small to medium scaled businesses. The variety of warehouses proposed within this development are indented to cater for a range of businesses. The Applicant has indicated:

“With the boost in e-commerce over the years, there has been a significant increase with the space that what were previously micro businesses require. They are after spaces that are the ‘cleaner’ and ‘more modern’ industrial which is based on storing their goods for later dispatch and working from

responding to their online store enquiries. Related to this and also supported by local trades people and car storage users, the storage component of the development caters for overflow storage from local residents and business owners. To date, the development has seen enquiry coming from over 65% from within the Monash LGA. Early registrations of interest in the development have also been from local investors who would like to diversify their investments but also have it close to their home. These people have lived in the area for some time and enjoy the connectivity that the area provides.”

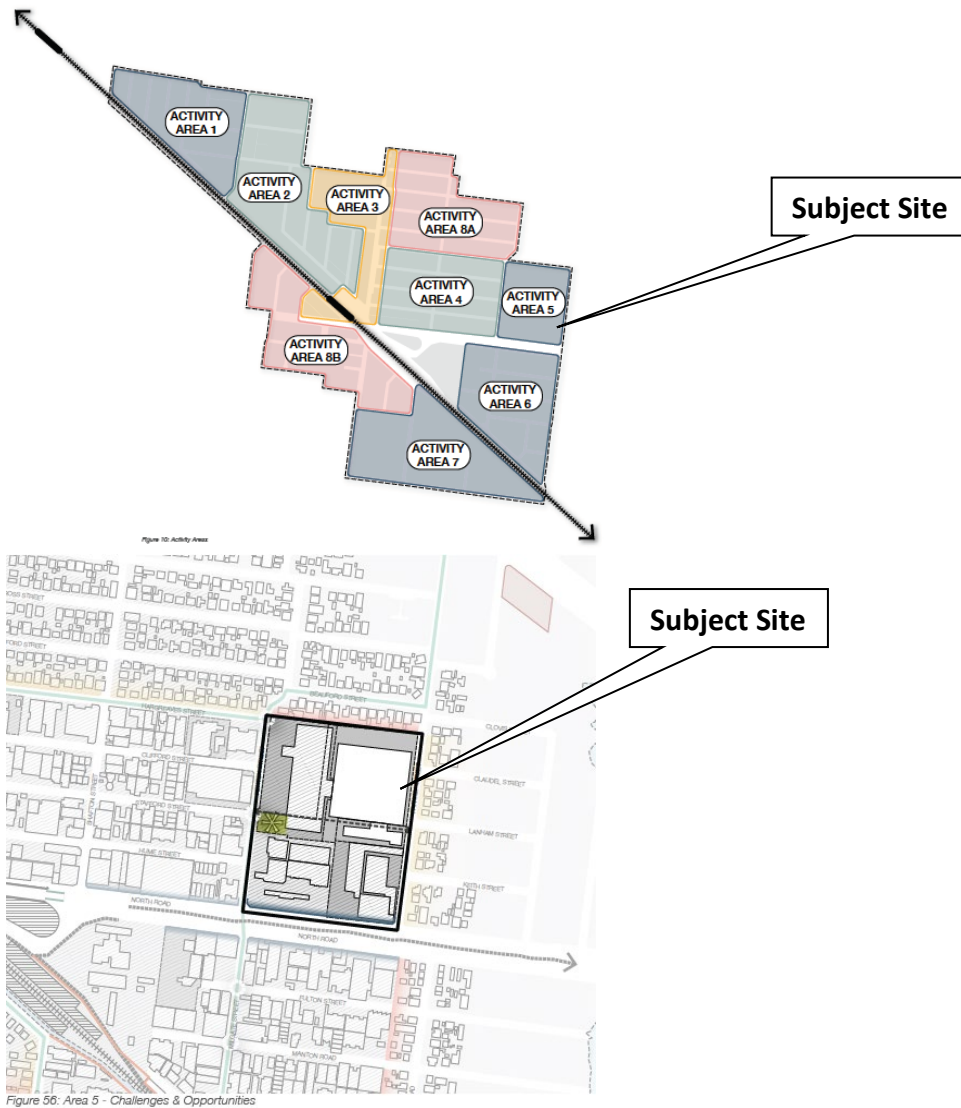
The proposed uses will contribute to the diversity of industry, business and variety of land use. The development will provide additional employment and business development opportunities through flexible and adaptable work spaces which will assist in facilitating employment, investment and business growth as sought by local policy objectives (Clause 21.05-3).

Huntingdale Precinct Plan

At its meeting on 27 March 2020, Council adopted the HPP (*May 2019, modified March 2020*). Whilst the document is yet to proceed to a Planning Scheme Amendment, it is a seriously entertained document adopted by Council.

The objective of the HPP is to articulate a transformative vision for Huntingdale in its role as a key Precinct within the Monash National Employment and Innovation Cluster (MNEIC) and identify how changes in land use activity and built form will transform the Huntingdale Precinct. It proposes a vision for Huntingdale as a premier location for knowledge intensive based business with an emphasis on education, health, technology and manufacturing. The Precinct will become a diverse village providing a range of employment, recreation and residential opportunities.

The subject site is located towards the north-eastern part of the Precinct and is identified to be in the ‘Activity Area 5’. This area is a neighbourhood focused on employment opportunities in clean industry, warehousing and associated commercial sectors. Larger lots will provide through-site links improving connectivity and built form will be setback from sensitive residential uses, and include generous landscape buffers.



Huntingdale Precinct Plan May 2019, Modified March 2020

This Activity Area is envisaged for a mixture of industrial, wholesale and warehousing use; and encourage creation of new pedestrian links through large blocks to increase pedestrian permeability. Administrative and office components are to be located at the street frontage for improved access, streetscape activation and engagement with the public domain. Long or large-footprint buildings should incorporate articulation in their facades, such as expressed recesses or protruding elements. This area envisages a preferred maximum building height of 4 storeys (or 13.5 metres). Assessment of the proposal against the Huntingdale Precinct Plan:

	HPP Requirement	Proposed Plan
Preferred maximum building height	4 storeys (13.5 metres)	Complies 2-3 storeys (maximum 11.15 metres)
Setback to Franklyn Street	5m	Complies 5m

The section below outlines an assessment of the proposed development against the DDO and HPP provisions.

Assessment

Design and Development Overlay, Schedule 1

The site is located within the Design and Development Overlay, Schedule 1 (DDO1) which applies to industrial and commercial design. The overlay specifies a preferred building setback of 7.6 metres to all 'other streets' which in this case includes Franklyn Street. The development occupying the land currently provides a zero lot line front building to Franklyn Street with no landscaping.

Whilst the proposed 5 metre landscape setback does not meet the preferred setback as identified in the DDO1, it does accord with the outcomes envisioned by the HPP and is considered acceptable in the context of the existing site and surrounds. The clear 5 metre landscape setback to Franklyn Street will provide sufficient room for canopy tree planting and meaningful landscaping, thus meeting the objectives of the DDO1.

The amended proposal shows vehicle access and car parking arrangements located behind the front setback, reducing the visual intrusion of these 'hard' areas to the street frontages. Additional landscaping is also provided within the development to soften the hard surfaces associated with car parking and accessways.

Building Height, &Setbacks

Building height and scale

The HPP identifies a preferred maximum building height for this site of 4 storeys (13.5 metres), with preferred setback of 5 metres to the boundary of Franklyn Street. Vehicle crossovers should be minimised and located separate to main pedestrian routes to building entries. Car parking and loading areas are to be located to the side or rear of the buildings.

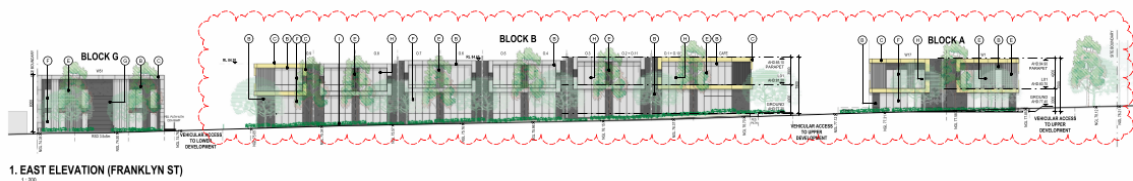
The proposal comprises of two and three storey buildings with maximum building height of 11.3 metres, not exceeding the height envisioned in the HPP. The proposed 5 metre setback to the Franklyn Street boundary meets the preferred setback of the HPP, and provides adequate room for canopy tree planting and landscaping as expanded above.

The proposed buildings present as double storey to the Franklyn streetscape, with additional building height located towards the centre of the site. The adjoining residential area comprises of single and double storey dwellings. This area, being zoned General Residential, allows residential dwellings to be constructed up to 3 metres in height. It is considered that the proposed built form will fit comfortably within the existing industrial and residential context with adequate landscaping

and opportunities for canopy tree planting to soften the visual appearance of the development to the residential interfaces.

Presentation to Franklyn Street

The proposed two storey buildings of Building A, B and G are designed taking advantage of the slope of the land to allow the buildings to step down which provides some articulation to these buildings. Additional framing elements further assists in break up the continuous built form of Building B and increase its visual interest to Franklyn Street. The framing element also highlights pedestrian access to the development from the Franklyn Street frontage.



East elevation provided by Applicant

The building façades are articulated through the use of a variety of materials and finishes to provide visual interest and to break down the length of the façades. The proposal utilises a pattern of projecting and recessive elements to the façade of Building B along Franklyn Street to break up the length of this façade along the street frontage. The façades provide for good level of visual interest appropriate to the overall massing of the development and overall, combined with the landscaping across the frontage, will be a significant improvement to the street to that presently provided on site. The proposal will also provide passive surveillance across the entire frontage with windows facing the street.

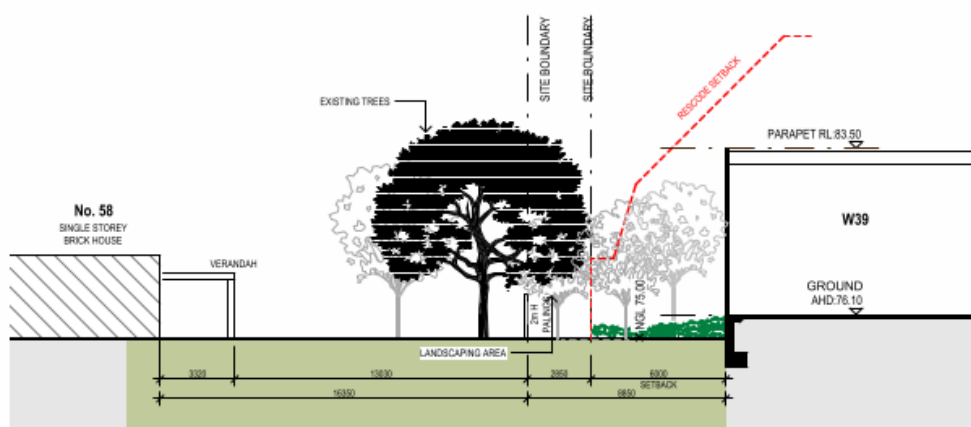
Setbacks to northern boundary

The current proposal proposes a 2.5 to 3.5 metre setback to the northern boundary, which is considered sufficient for the establishment of medium to large sized trees to buffer the visual appearance of the proposed development to the north. The applicant is in the process of acquiring the strip of land along the northern boundary which is not currently contained within the Title of the subject site. Assessment of this application only considers the current title boundaries, however it is anticipated that the acquisition of the northern parcel of land will be successful for the permit applicant and that this will provide for increased landscaping opportunities and addresses the concern raised by objectors in relation to maintenance of this parcel of land that is currently not within the title boundaries of the site. A condition will be included ensuring that if this parcel of land changes into the ownership of the applicant that a revised landscape plan is provided incorporating this additional setback area.

Objectors also raised concerns relating to the visual impact of Building E to the northern residential properties. In response to this concern, the submitted Section 57 amended plans further reduced the finished floor level of Building E and the building height of Building E from 9.5 to 8.3 metres. The setback of Building E to

the northern boundary has also increased from 3.7 to 6 metres providing additional area for landscaping and overall improving the relationship between the two opposing land uses. Together with the 2.85 metre wide strip of land between the site and the adjoining residential properties, the result is a building setback of 8.2 metres from the closest northern adjoining residential property boundary. Visual impact to the residential properties is therefore not considered unreasonable and that landscaping will soften the building element. The revised building setback is also in line with the adjacent warehouse to the west.

The diagram below suitably demonstrates the interface between the residential property immediately north of the site, and shows compliance with ResCode requirements - although not applicable to this application it provides a useful visual aid.



5. ADJOINING RESIDENTIAL INTERFACE DIAGRAMATIC SECTION

1 : 200

REGULATION 79 : SIDE AND REAR SETBACK DIAGRAM

Proposed plan- elevations 1 (the red dotted line shows setback from the subject site's northern boundary more than the ResCode requirement)

Streetscape activation and pedestrian links

The streetscape interface provides an activated glazed, facade with offices and food and drink premises presenting to Franklyn Street and suitable landscaping opportunities provided. The design response appropriately achieves improved pedestrian connectivity through the site as the development remains sufficiently open that would encourage people to walk through, meeting the objective of the HPP. Although there is no direct pedestrian entry provided to the office tenancies from Franklyn Street, pedestrian access from the rear is considered appropriate given the location of car parking within the centre of the site and opportunity to maximise landscaping. It was also found that due to the fall of the site pedestrian access would require steps, significant ramping and encroachment into the landscaped area which would diminish planting opportunities.

External Amenity Impacts

Overlooking

A number of objections to the application raised concerns regarding overlooking to the nearby residential properties in Franklyn Street. There are no overlooking concerns given the two storey height of the office building facing Franklyn Street and the nearest residential property to the east having a minimum distance of 15 metres.

Similarly, Building A is setback a minimum of 17.4 metres from the northern boundary and there are no overlooking concerns. Building E is setback 8.2 metres from the northern adjoining residential property, and no windows are proposed on the northern wall. Officers are satisfied that the proposal does not result in any overlooking issues.

Overshadowing

The HPP encourages developments to maintain human scale with a 3-4 storey (13.5 metres) street wall height that allows solar access to the streetscape. The proposed Buildings A and B have street wall heights of two storeys (9.44 and 10.05 metres) which is significantly lower than the street wall height allowed in the HPP and provides the human scale sought. The HPP requires development to minimise the overshadowing impact on the public realm and open space. Shadow diagrams show that the development does not overshadow the Franklyn Street footpath until after 1pm given the orientation of the site and the proposed two storey building height along the street frontage. The extent of overshadowing is not considered unreasonable given the site context and considering the preferred built form outcome stipulated in the HPP.

Overall, the development has been designed to achieve built form outcomes and policy objectives sought by the HPP adopted by Council.

Use of Warehouse, Store, Office & Food and Drink Premises

Clause 33.01 *Industrial 1 Zone* specifies the following decision guidelines for use of land (as relevant):

- The Municipal Planning Strategy and the Planning Policy Framework.
- The effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.
- The effect that nearby industries may have on to the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.

The proposed uses of warehouse and store would generally be a Section 1 use (Permit not required) under the provisions of the Industrial 1 Zone, however as the site is within 30 metres of residentially zoned land a permit requirement is

triggered for this use. These uses are considered appropriate for this site as they will have comparatively low impact to the residential properties to the east and north given the zoning and historical land use. The proposal will also provide a buffer from the more intense industrial activities further west, whilst being appropriate for the site and consistent with the objectives for the zone.

The small and medium sized warehouse and storage units will cater to a variety of business, and allow flexibility to consolidate and/or modify tenancy types in response to market demand. The provision of additional office space within the area will provide for increased employment, meeting the relevant planning policy framework.

The small food and drink (café) tenancy is considered appropriate and will provide for improved amenity to the surrounding workplaces. The cafe will likely service persons employed within the development and immediate surrounding area. The use of the tenancy will complement the primary use of the site for warehousing, storage and offices. The food and drink premises is considered unlikely to generate any substantial external traffic or car parking demand.

The proposed hours of operation of the food and drink premises between 7am to 5pm Monday to Saturday is considered appropriate to avoid unreasonable impacts the amenity of the nearby residential properties and align with business hours and expected customers

Car parking and accessways associated with the proposed uses have been designed to be easily managed within the development. A management plan will be required to ensure that car parking will be managed in a manner that the uses will not cause unreasonable external amenity impacts.

Overall, the proposed uses are considered appropriate meeting the purpose of the Industrial zone to provide for manufactory industry, storage and distribution of good. These uses are unlikely to result in significant amenity impacts that exceed the expectation of industrial zoned land.

Car Parking, traffic and access

The land is located within the Principal Public Transport Network (PPTN). The requisite number of car parking spaces required under Clause 52.06 is shown in the following table:

Use	Net Floor Area (square metres)	Clause 52.06 Requirement under the Planning Scheme	Car spaces required under the Planning Scheme	Car spaces provided
Warehouse* (and ancillary office)	66 individual warehouse totalling 11,986 sqm	2 spaces to each premises + 1 space to each 100sqm of net floor area	194 spaces	189 spaces

Office	2,346 sqm	3 spaces to each 100 sqm of net floor area	60 spaces	73 spaces
Food and drink premises	320 sqm	3.5 space to each 100m ² of leasable floor area	11spaces	11 spaces
Storage	2,863 sqm	10% of site area	286.3sqm	700sqm
Total			265 spaces + 286.3sqm	273 spaces + 700sqm
Surplus				8 spaces & 413.7sqm

*Warehouses are generally considered individually when calculating the statutory car parking requirement, instead of based on the total floor area of all warehouses.

Based on the calculation of Council's Traffic Engineer, the statutory requirement for the proposed warehouse use is 194 spaces and the proposal to provide 189 spaces results in a shortfall of 5 spaces. However, there is a surplus of 13 spaces for the office use. It is recommended that additional 5 spaces be allocated to the warehouse use to satisfy the statutory requirement.

Allocation of car parking for different uses in this development should be clearly labelled on the site. It is also anticipated that customers of the food and drink premises will be drawn primarily by visitors to the site, or persons walking distance from the site.

A traffic report prepared by IMPACT Traffic Engineering was provided with the application. The report has undertaken a traffic generation assessment providing the following conclusions:

- Traffic generation estimation for the office and food and drink premises use is estimated to be 35 and 7 movements per peak hour.
- Traffic generation for the warehouse use is estimated to be a total of 82 movements per hour.
- This level of additional traffic would not be discernible to residents along Franklyn Street and motorists that regularly use Franklyn Street.

Council's Traffic Engineer has also advised the following:

- The traffic generation estimation for the office and food and drink premises use is considered to be reasonable. The calculation was based on the *first principal assessment* which assumed that 0.5 movement per peak hour per space is generated, which is conservative meaning the actual traffic generation could be less than estimated.

- The traffic generation for the warehouse use is calculated based on the case study of different warehouse developments. The report adopted a rate of 0.7 movements per 100sqm for the proposed site, and estimated that a total of 82 movements per hour will be generated from the warehouse section. According to the *NSW's Guide to Traffic Generating Developments*, a reasonable rate for a similar development is considered to be 0.43 movements per 100sqm. The adopted rate of 0.7 movements per 100sqm is also considered conservative.
- The traffic generation for the storage use is unlikely to generate any meaningful numbers during peak hours.
- It is estimated that a total of 124 movements per hour will be generated from the proposed uses.
- The existing site is used as a warehouse with a total area of 22,362sqm. Taking a conservative calculation, the existing use is estimated to generate a total of 89 movements per hour; i.e the proposed development will generate 35 additional movements per hour along Franklyn Street.
- As the above calculations are based on a conservative approach, the actual number of additional vehicles generated from the development could be less than estimated.
- Based on the last survey of Franklyn Street in March 2021, the existing peak hour volume in the morning and afternoon were 199 and 251 vehicles respectively. The additional 35 movements from the proposed development will result in an increase of 18% and 14% to the peak hours. This increase is considered reasonable, and should not have a significant impact on the traffic movement along Franklyn Street.
- The swept path submitted shows a Semi Rigid Vehicle (SRV) exiting the site requiring to go onto the middle of the road to be able to make the turn. However, it is also possible that are bigger trucks used and the vehicle crossings should be widened to be able to accommodate a Medium Rigid Truck.

A significant proportion of the objectors raised concern about the increase in traffic volume and parking demand in the area. As described in detail above, Council's Traffic Engineers advised that the level of traffic generated by the proposed uses is reasonable and is expected to have minimal impact on the safety and operation of Franklyn Street and the surrounding road network.

Bicycle Parking

Bicycle parking in accordance with the requirements Clause 52.34 is provided for the development as follows:

Use	Size (net floor area)	Clause 52.34 Requirement	Bicycle spaces required	Bicycle spaces provided
Food and drink premises	320 sqm	1 space per 300sqm of floor	1.06 spaces (round up to 2 spaces)	

(retail premises)		area for employees. 1 space per 500sqm of floor area for visitors	0 spaces	
Total			2 spaces	0 spaces
Shortfall			2 spaces	

The proposed warehouse, storage or office tenancies but the food and drink premises generate a requirement of 2 spaces. It is recommended that a minimum of 2 spaces be provided for the benefit of the café tenancy.

Sustainability Management Plan (SMP)

Clause 22.13 (Environmentally Sustainable Development Policy) requires the Submission of a SMP. A report was prepared by Meinhardt Group and includes a BESS assessment. The assessment has been undertaken to meet minimum sustainability policy provisions contained within the Planning Policy Framework and Local Planning Policy. However, it should be updated to reflect any changes required from the amended development plan submitted after public notification.

Cultural Heritage Management Plan Requirement

The land is located within an area identified as having cultural heritage sensitivities and as such may require preparation of a Cultural Heritage Management Plan (CHMP) under the *Aboriginal Heritage Act 2006*.

A letter prepared by Jem Archaeologist dated 13 February 2022 shows the assessment for the proposed activity which is considered a high impact activity. The assessment concluded that it is extremely likely that the entirety of the activity area has been subjected to significant ground disturbance as defined by the *Aboriginal Heritage Regulations 2018* and therefore no longer constitutes an area of cultural heritage sensitivity. Consequently, a mandatory CHMP is not required to be prepared for this development.

Objections not previously addressed

- Location of proposed vehicle crossovers

Currently the entire eastern boundary along Franklyn Street is used for vehicle access to the site. The proposed development proposes to reduce the number of vehicle crossovers to (4) four which is a significant improvement to refine vehicular access and will allow for nature strip planting along Franklyn Street in addition to the 5 metre wide landscaping strip proposed within the site frontage.

Council's Traffic Engineer does not raise any concerns about the location or number of proposed vehicle crossovers, and outcome of proposal is

considered acceptable. It is noted that all vehicles can enter and exit the proposal in a forward direction.

- External amenity impact to nearby residential properties including visual impact, loss of privacy, increase in noise and pollution has been raised.

As discussed earlier in this report, the setbacks to the north and eastern residential interfaces are considered appropriate to address any visual impact or privacy concerns.

Landscaping to these interfaces will also assist in softening the presentation of the proposed building.

Many objectors raised concerns about increased noise from the proposed uses. It is considered that the noise likely to be generated as a result of this application will be within the acceptable limits for a use in an industrial zone. Permit conditions relating to noise impacts and the requirement to comply with relevant EPA requirements will be placed on any permit that is to issue.

Additional requirements will be placed on any permit issued relating to opening hours of the food and drink premises, and waste collection to protect residential amenity of adjoining residential areas.

- Concern has been raised that the type of products stored in the storage facilities and warehouses may cause hazardous to nearby residents.

The application is for the use of the site for the purpose of warehouse, store, office and food and drink premises. Any future use will need to take into consideration Clause 53.10 of the Monash Planning Scheme which relates to *Uses and activities with potential adverse impacts*. This will restrict the likelihood of any possible adverse amenity impacts through inappropriate use close to residential land.

- Concern has been raised regarding amenity impacts and disruptions to local residents during demolition and construction.

A construction management plan including details of staging of the construction works and construction vehicle access should be a requirement of any permit issued. A construction management plan to minimise amenity and construction impact of the proposed development on the surrounding area, provide for details of construction staging, and construction vehicle access.

The extent of excavation and any required stabilisation measures will be considered by the appointed Building Surveyor as part of the Building Permit process.

Concerns regarding asbestos safety hazards during the removal of the existing buildings will be addressed under the Building Regulations by the relevant Building Surveyor, during the building permit process.

- Increase in density

The subject site is within the HPP and the plan recognizes Huntingdale as a key precinct within the Monash National Employment and Innovation Cluster (MNEIC). The site is identified to focus on employment opportunities in clean industry, warehousing and associated commercial sectors.

The proposed development and uses meet the objectives and requirements of the HPP, which has been discussed in this report.

- Incorrect information on the plans

A few objectors raised concerns about the submitted plans contains some incorrect information regarding the features of adjoining residential properties. The context of the subject land has been considered together with the relevant State, Regional and Local planning policies. It is considered that the level of detail on the plans is adequate to for Council's assessment, however, condition 1 will require the information to be accurately reflected.

- Decrease in property value

This is not a planning consideration.

- Concerns relating to the section of land not owned by the owner of the subject land have been raised.

The Permit Applicant advised that the owner of the subject land is in the process of pursuing a claim under adverse possession for the area to be included into the title of the subject land. That parcel of land is currently not included in this planning application, however if the adverse possession claim succeeds the land will be consolidated into the subject site, landscaped and maintained by the owner of the land. The applicant has engaged a legal representative for the adverse possession process. In the event that the claim is unsuccessful, it is considered that the existing setback of buildings and car parking to the northern Title boundary is adequate to mitigate any amenity impacts.

CONCLUSION

The proposal is appropriate given the zoning of the land and the proposed design response which is generally consistent with the objectives and requirements of the relevant state, regional and local policies. The proposed mixed use is appropriate for the site and will make a positive built form and landscaped

contribution to this existing industrial area. It is considered that the design is site responsive, has appropriate regard for objectives of the Design and Development Overlay Schedule 1 and meets the design requirements of the adopted Huntingdale Precinct Plan.

This proposal is a great opportunity to revitalise this area and the proposed built form is of a standard that will improve the attractiveness of the subject site, and subject to condition will provide opportunities for new canopy tree planting and landscaping that will enhance the Garden City Character in this established industrial area.

It is not considered that the proposed uses will result in unreasonable amenity impacts that exceeds the expectation of an industrial area. Overall, it is recommended that a Notice of Decision to Grant a Permit be issued subject to conditions.

LIST OF ATTACHMENTS:

Attachment 1 – Proposed Development Plans.

Attachment 2 – Aerial Photograph (February 2022).

Attachment 3 – Zoning and Overlays Map.

Attachment 4 – Objector Properties Location Map.