

To Whom It May Concern:

I would like to provide clarification how the use on the McKenzie Street title operates (as approved by DA0692/2017) and how the current application (on Conway Street) is associated.

Our approved plans show we are setting up an online Auction storage facility on title 175296/2 we have now applied for a detailing and wash bay facility on title 175296/3 and are seeking development approval to be used in conjunction with our approved planning permit.

We have submitted these as two separate development applications to try and mitigate any hold up in regard to construction. As the subject property was being used for vehicle storage previously our assumption was including this in any prior application irrelevant due to having existing use as motor vehicle storage.

This new development will have no intensification of use if approved.

Due to:

- This title will be used predominantly for roll on roll off storage
- Our public entrance will be via McKenzie St reducing traffic flow on Conway St
- No vehicles exceeding the road weight limit will enter Conway St
- The subject property was always to be used with approved McKenzie St development

It is imperative to convey to council that the wash bay and detailing facility's will not be a stand alone business and will be used in conjunction with the storage for items being auctioned online.

In response to representation correspondence supplied by the rep

The rep has stated that the wash bay approved on title 175296/2 and moved to 175296/3 was moved due to the negative impact this wash bay would have to the amenity of the office staff.

This comment is completely speculative and incorrect, the reasoning for the change of the location of the wash bay for the following reasons.

- This was the optimal location to obtain maximum storage on site and make use of existing clearways areas.

- We wanted to move vehicle movements as far away from pedestrian areas as possible to adhere to our OHS policies.

The Rep has stated that we initially implied this wash bay would only be used 4-5 times per day and then updated to 10 to 20 times a day and we understand that this may be confusing to residents. To quantify the amount this wash bay may be used and provide some more clarification on this matter I have outlined some definitive information in regard to usage of the wash bay.

- Wash bay in operation from 0 - 5 hours per day
- Hours of operation will stay in line with application.

The rep has stated that non habitable building in commercial zoning along Conway st have setback of between 4.5 – 6 meters. Agree, our plans have been amended in line with reps recommendation.

The reps speculation on how we “may” use our entrance should be alleviated by the updated whole site plan showing use with existing business based on Mckenzie street. As we have an entrance on Conway st it is our view we are still entitled to use it and feel that development of detailing and wash bay will not cause significant increase in traffic flow on Conway st.

Lastly the Rep states he would like air modelling to back up our claims in regard to spray mist. We feel this is not required as we have the following mitigates in place.

- Higher enclosed fence of 2.3m in lieu of the 1.8m that the planning scheme requires
- Landscaping with foliage to reach 5m in height as a second barrier to spray and reduction of amenities.
- Wash bay is enclosed on 3 sides
- This is an approved use as per zoning.
- There is a wash bay that has been approved on neighbouring title that is only 43 meters away from residence. (no air modelling required for approval.)

Response to Reps

23.4.1 Building Height, Set back & siting

Objective:

To ensure that building bulk and form, and siting:

- (a) is compatible with the streetscape and character of the surrounding area; and
- (b) protects the amenity of adjoining lots.

Reps Comment: Does not comply – the development does not meet the objective of the standard because it does not comply with the Acceptable Solutions and does not demonstrate compliance with the performance criteria.

Our Comment: Agree, does not comply with Setback must demonstrate compliance to performance criteria.

Acceptable Solution A2

Setback from a frontage must be:

(a) no less than 5.5m; or

Reps Comment: Does not comply – the proposed frontage set back is 1m, significantly less than the acceptable solution. The applicant must therefore demonstrate compliance with P2.

Our Comment: Agree

(b) no less than the setback of an adjoining building.

Reps Comment: Does not comply – the adjoining buildings to the east and west have frontage setbacks of around 6m. The applicant must therefore demonstrate compliance with P2.

Our Comment: Agree

Performance Criteria P2

Buildings must be sited to be compatible with the streetscape and character of the surrounding area, having regard to:

- (a) the topography of the site;
- (b) the setbacks of surrounding buildings;
- (c) the height, bulk and form of existing and proposed buildings;
- (d) the appearance when viewed from roads and public places;
- (e) the existing or proposed landscaping; and
- (f) the safety of road users.

Reps Comment: Does not comply – no attempt to address any of the above performance criteria. The applicant must demonstrate compliance with P2.

Our Comment: Does Comply to P2 as outlined below

- (a) Meets Requirements
- (b) Does not meet requirements, mitigated via 4.5m setback enclosed fence higher than scheme requirement of 2.3 meters and extensive landscaping with tree High in excess of 5 meters to reduce noise, increase foliage on streetscape
- (c) Meets requirements
- (d) Meets requirements (Covered by 2.3M enclosed fence)
- (e) Meets Requirements
- (f) Meets Requirements

Acceptable Solution A4

Where the site is located on the boundary of the General Residential, Inner Residential and Low Density Residential zones, new buildings or alterations to existing buildings, must:

- (a) be set back a horizontal distance of no less than 3m from the zone boundary;

Reps Comment: Does not comply – the new building is set back 1m from the zone boundary. The applicant must therefore demonstrate compliance with P2.

Our Comment: Now complies due to amendments

- (b) have a solid fence no less than 1.8m high on the zone boundary.

Reps Comment: Complies

Our Comment: no further comment

Closing remarks:

As an SME embarking on an innovative new business venture with significant capital expenditure in the Mowbray Industrial precinct

It does need to be stated that having representations in relation to this development was surprising and specifically in relation to environmental concerns, This site was previously used for automotive wrecking and in complete disrepair, it was our view that the “environmental nuisance” was abolished once we started to develop the property.

We also find it offensive that in the reps closing remarks he labels us as embarking on this project with “entitlement” as is our view that we have tried to accommodate all representation in our development and amendments.

Regards

Adam McMaster