

**1.1 530-540 SPRINGVALE ROAD, GLEN WAVERLEY  
EXTENSION OF TIME – DEVELOPMENT OF MULTI-LEVEL OFFICE BUILDINGS, A  
GYMNASIUM AND NATIVE VEGETATION REMOVAL  
TPA/38965**

**EXECUTIVE SUMMARY:**

An application has been received for an extension of time to Planning Permit TPA/38965 issued for development of a 6 storey and a 4 storey office building, a two storey building for the use gymnasium and a 2 tiered car park, with the removal of native vegetation. The original permit was issued on the 17 August 2011. The permit has been extended on three previous occasions.

Public notification of the application for an extension of time is not considered necessary given that the approved development is consistent with existing applicable planning controls and policy.

**The proposed extension of time is appropriate and it is recommended that a two (2) year extension to the permit is granted accordingly.**

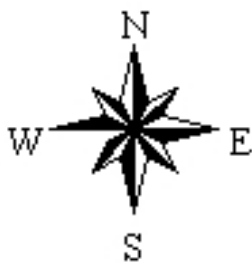
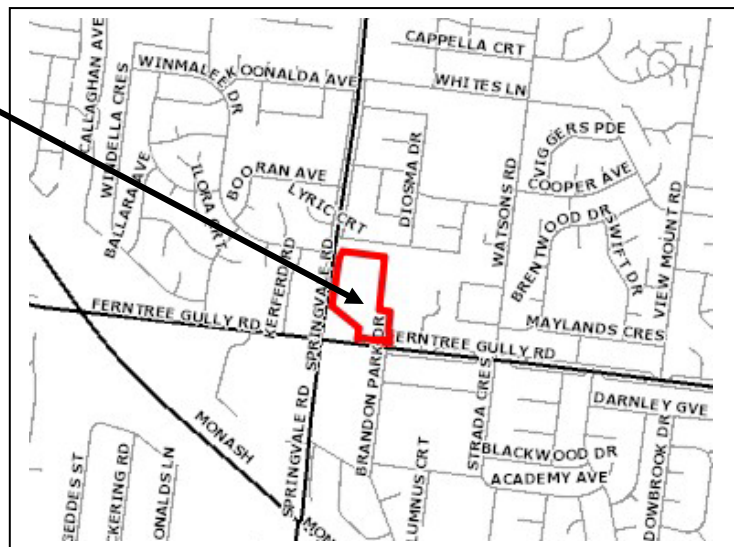
<b>RESPONSIBLE DIRECTOR:</b>	<b>Peter Panagakos</b>
<b>RESPONSIBLE MANAGER:</b>	<b>Natasha Swan</b>
<b>RESPONSIBLE PLANNER:</b>	<b>Lisa Groenewegen</b>
<b>WARD:</b>	<b>Mulgrave</b>
<b>PROPERTY ADDRESS:</b>	<b>530-540 Springvale Road, Glen Waverley</b>
<b>ZONING:</b>	<b>Commercial 1 zone</b>
<b>EXISTING LAND USE:</b>	<b>Commercial- Brandon Office Park</b>
<b>OVERLAY:</b>	<b>Design and Development Overlay- Schedule 8</b>
<b>RELEVANT POLICY:</b>	<b><u>Planning Policy Framework</u></b> <b>Clause 11 - Settlement</b> <b>Clause 15 - Built Environment</b> <b>Clause 17 – Economic Development</b> <b><u>Local Planning Policy</u></b> <b>Clause 21- Municipal Strategic Statement</b> <b>Clause 22.03 - Industry and Business Development and Character Policy</b> <b>Clause 22.04- Stormwater Management Policy</b>
<b>RELEVANT LEGISLATION:</b>	<b>Section 69 of the P&amp;E Act 1987</b>

### LOCALITY PLAN



**SUBJECT SITE**

### NEIGHBOURHOOD PLAN



**RECOMMENDATION:**

That Council resolves to issue an **Extension of time** to Planning Permit No. **TPA/38965** for Buildings and works for the development of a 6 storey office building and a 4 storey office building both with basement car parking, a two storey building for the use as an indoor recreation facility (gymnasium) and a 2 tier car park, with the removal of native vegetation and associated landscaping at 530-540 Springvale Road, Glen Waverley, pursuant to the provisions of Section 69 of the Planning and Environment Act 1987.

The permit expiry dates extended as follows:

- The development is not started before 17 August 2021
- The development is not completed before 17 August 2023

**BACKGROUND:****History**

Planning permit **TPA/38965** was issued on the 17 August 2011 allowing for the development of a 6 storey and a 4 storey office building, a two storey building for the use as a gymnasium and a 2 tiered car park, with the removal of native vegetation.

The original application was decided by Council due to the value of the proposed works.

Council has extended the permit on three previous occasions. The current expiry date was 17 August 2019. The current extension of time request was made on 9<sup>th</sup> October which is within 6 months of the expiry date in accordance with the requirements of the *Planning and Environment Act 1987*.

**The Site and Surrounds**

The subject site is located to the north-east of Springvale Road and Ferntree Gully Road in Glen Waverley, to the rear of the separate corner site, which is occupied by a Service Station.

The subject site has a frontage of approximately 170 metres to Springvale Road, 105 metres to Ferntree Gully Road, and a total area of approximately 3.7 hectares.

The site, also known as the 'Brandon Office Park', was first developed for offices in the late 1980's, and was one of the first office parks to locate outside of central Melbourne.

Today, the site is occupied by 5 office buildings varying from 2 to 4 levels in height, significant 'at grade' car parking areas and a variety of onsite amenities.

Abutting land uses include a well-established residential estate to the north, the Council owned Brandon Park reserve to the east, Police and MFB buildings to the south-east and the Shell Service station to the south-west. Opposite, on the south side of Ferntree Gully Road is Brandon Park Shopping Centre.

### **PROPOSAL:**

The applicant has requested an extension for a further two (2) years to commence construction. The applicant has requested this to allow for the development team to finalise the necessary documents for approval to enable the commencement of the development.

### **DISCUSSION:**

Pursuant to the provisions of Section 69(1A) of the *Planning and Environment Act 1987*:

*"The owner or occupier of land to which a permit for a development applies may ask the responsible authority for an extension of time to complete the development or a stage of the development if:*

- a) The request for an extension of time is made within 12 months after the permit expires; and*
- b) The development or stage started lawfully before the permit expired".*

The request was made on 9 October 2019 which is less than 6 months after the development was due to be commenced. Accordingly, Council is able to consider a further extension to the commencement date for the development under the *Planning and Environment Act 1987*.

### **Assessment**

VCAT decision *Kantor v Murrindindi Shire Council (1997)* established the following tests to determine if a permit should be extended:

#### **Whether there has been a change of planning policy.**

The zoning has changed from Business 2 to Commercial 1 since the permit was granted in 2011. This occurred as a result of a zoning reform implemented by VC100 on 15 July 2013. The zoning of the land has maintained its commercial intent with a purpose of the land to contain retail, office and business uses.

The Design and Development overlay has also been amended from Schedule 1 (Industrial and Commercial Design and Development area to Schedule 8 (Brandon Park Major Activity Centre) by Amendment C86 implemented in August 2018. The new design and development overlay implements the

structure plan for the Brandon Park Activity Centre. The development is consistent with the policy objectives.

Amendment VC148 implemented the Principal Public Transport Network (PPNT). The site is identified within this area. This amendments provides for reduced car parking rates for the permitted uses, as such the development would now provide more car parking than the requirement.

Whether the land owner is seeking to "warehouse" the permit.

The land owner is not seeking to "warehouse" the permit. The property has been purchased by new owners in 2015 who have been actively working at improving the existing facilities on the land and putting together a development management team to facilitate the permitted development. Given the scale of the development it is reasonable that this undertaking would take some time. It is not considered the permit is being warehoused.

Intervening circumstances bearing on the grant or refusal of the extension

There are no intervening circumstances regarding this request.

The total elapse of time.

Eight (8) years have elapsed. In this time, the owner has focused on uplifting the existing infrastructure on the site and putting together the necessary team to enable the proposed development to commence. Significant investment in the site has been made by the owner's over this time and on balance providing the owner's additional time to enable them to focus on the development of the land is appropriate.

Whether the time limit originally imposed was adequate.

The permit was subject to standard time limit conditions. Given the scale of development, a longer time frame to commence works is not unreasonable, particularly given the change in ownership since the permit was issued.

The economic burden imposed on the land owner by the permit.

The conditions of permit did not impose any unreasonable requirements that would cause an economic burden.

The probability of a permit issuing should a fresh application be made

In the circumstances of a fresh application being made, it would most likely be approved. The built form and scale of the proposed buildings is acceptable and in keeping with the character of the area.

The original development had consideration for the Draft Activity Centre Structure Plan for Brandon Park which has now been implemented.

The proposal meets the requirements of the Design and Development Overlay-Schedule 8 in regards to building heights, landscaping provision and building form and design. The proposal meets the setback requirements with the

exception of the two storey gymnasium building which is proposed via permit condition to be setback approximately 5 metres from Ferntree Gully Road, in line with the existing canopy of the adjoining petrol station. The overlay would encourage a 10 metre setback.

The reduced setback of this building is deemed appropriate, this setback will allow the building to be framed and softened by vegetation when viewed from the public realm, which is encouraged by policy objectives and provide a building setback and landscape area consistent with the remainder of the street frontage to Springvale Road.

The requirements for car parking for the proposed uses are satisfied.

The conditions on the existing permit issued are still valid and would be similar to those placed on any permit should it be issued today.

**CONCLUSION:**

It is considered appropriate to grant a further extension of time to the permit. The development outcome is appropriate, the built form will be consistent with the desired future outcome for the activity centre and the permit remains current and relevant.

It is recommended the Council approve an extension of two years for the development to commence.

ATTACHMENT 1

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530-540 Springvale Road, Glen Waverley

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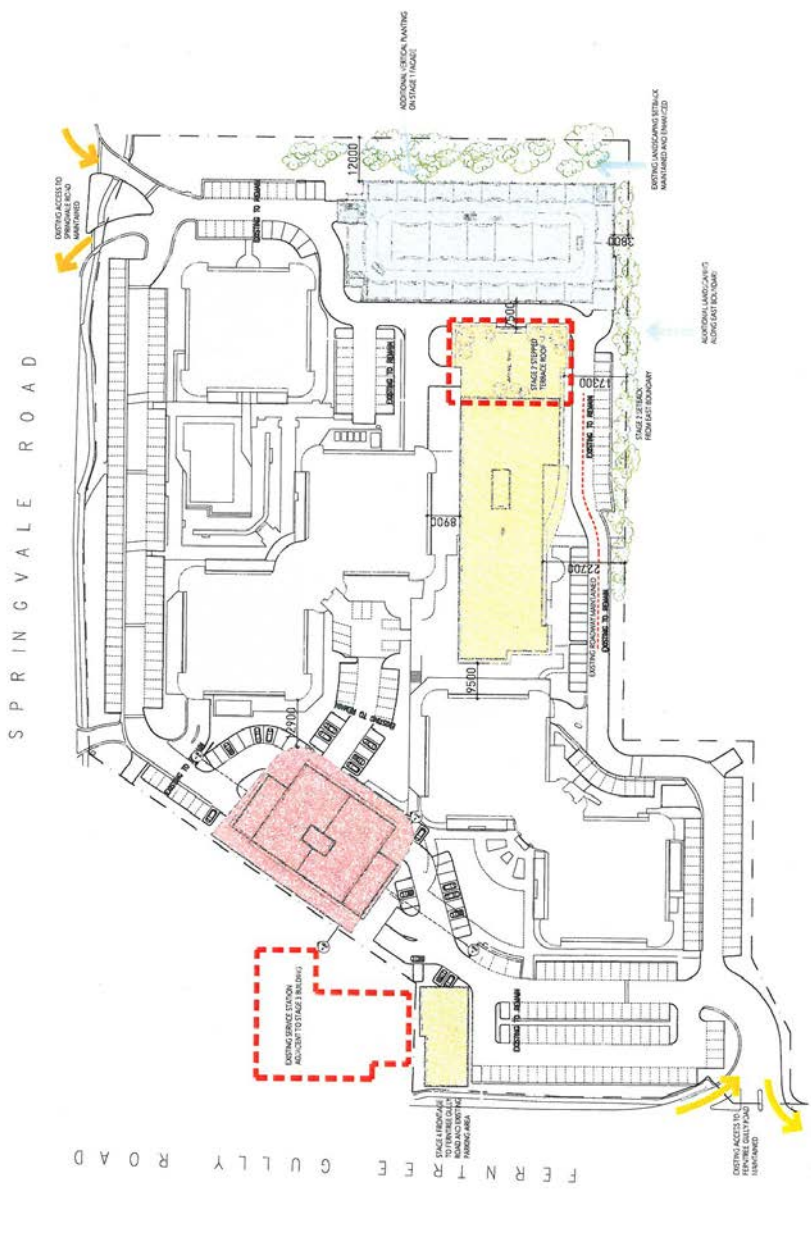
Project No. 2-1538  
Issue: TOWN PLANNING  
Design Date: DEC 19

**TP-006**  
DESIGN RESPONSE

1:500 @ A1

PROPOSED DEVELOPMENT  
STAGE 1  
STAGE 2  
STAGE 3  
STAGE 4

PROPOSED DEVELOPMENT  
STAGE 1  
STAGE 2  
STAGE 3  
STAGE 4



SITE PLAN



ATTACHMENT 1 (Continued)





ATTACHMENT 1 (Continued)



CONCEPT ELEVATION (SOUTH-WEST)

ATTACHMENT 1 (Continued)



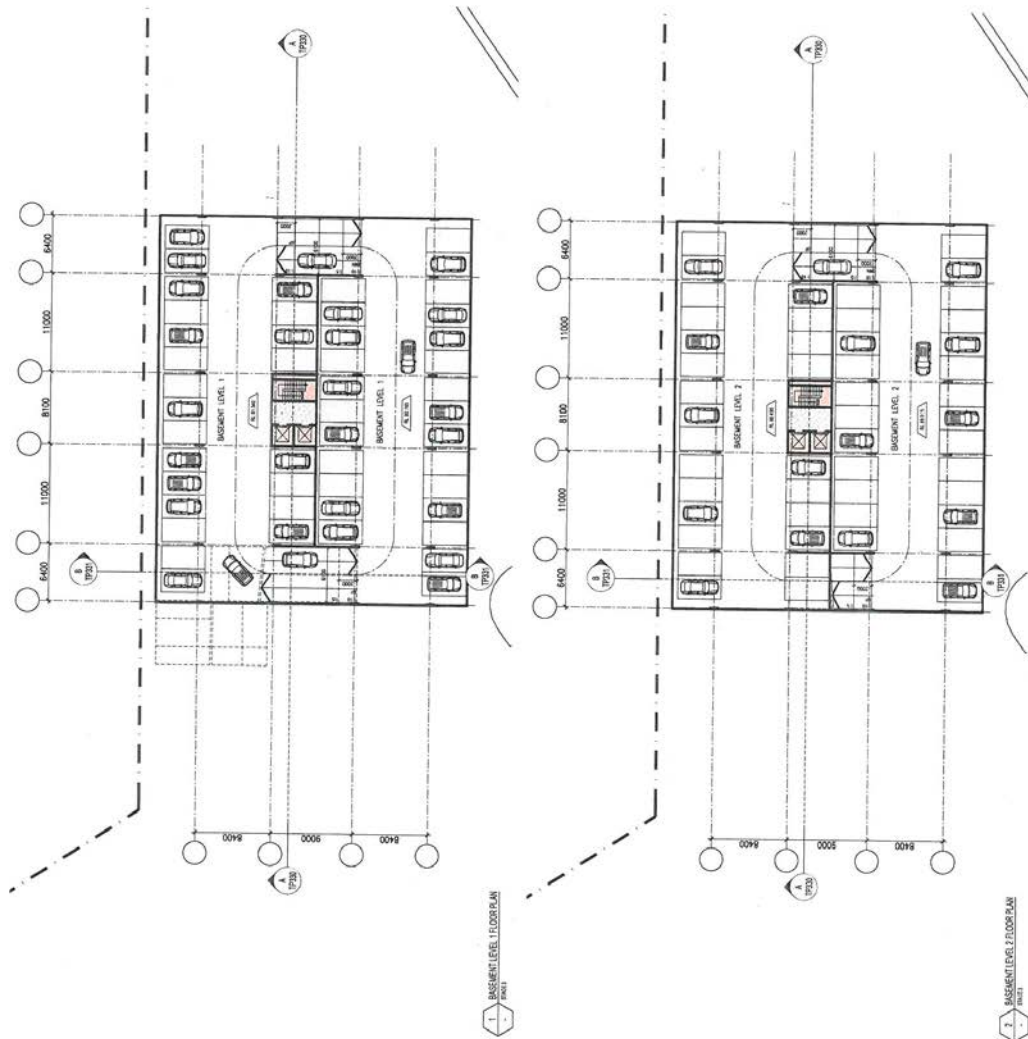
ATTACHMENT 1 (Continued)

**Brandon Office Park**  
530-540 Springvale Road, Glen Waverley

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Project No: 34338  
Client: Melbourne  
Phase: A  
Design Date: Dec 19

**TP-300**  
STAGE 3  
BASEMENT LEVEL 1 & 2  
1:200 G A1



6 STOREY OFFICE BUILDING  
(BASEMENT LEVELS)

ATTACHMENT 1 (Continued)

**Brandon Office Park**  
335-540 Springvale Road, Glen Waverley

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Project No: 1511  
Site: 335-540  
Drawing: 1000 PLANNING  
Revision: 1  
Date: 05/12/19

**TP-310**  
STAGE 3  
GROUND & LEVEL 1  
1:200 @ A1



**6 STOREY OFFICE BUILDING  
(GROUND & 1<sup>ST</sup> FLOOR)**

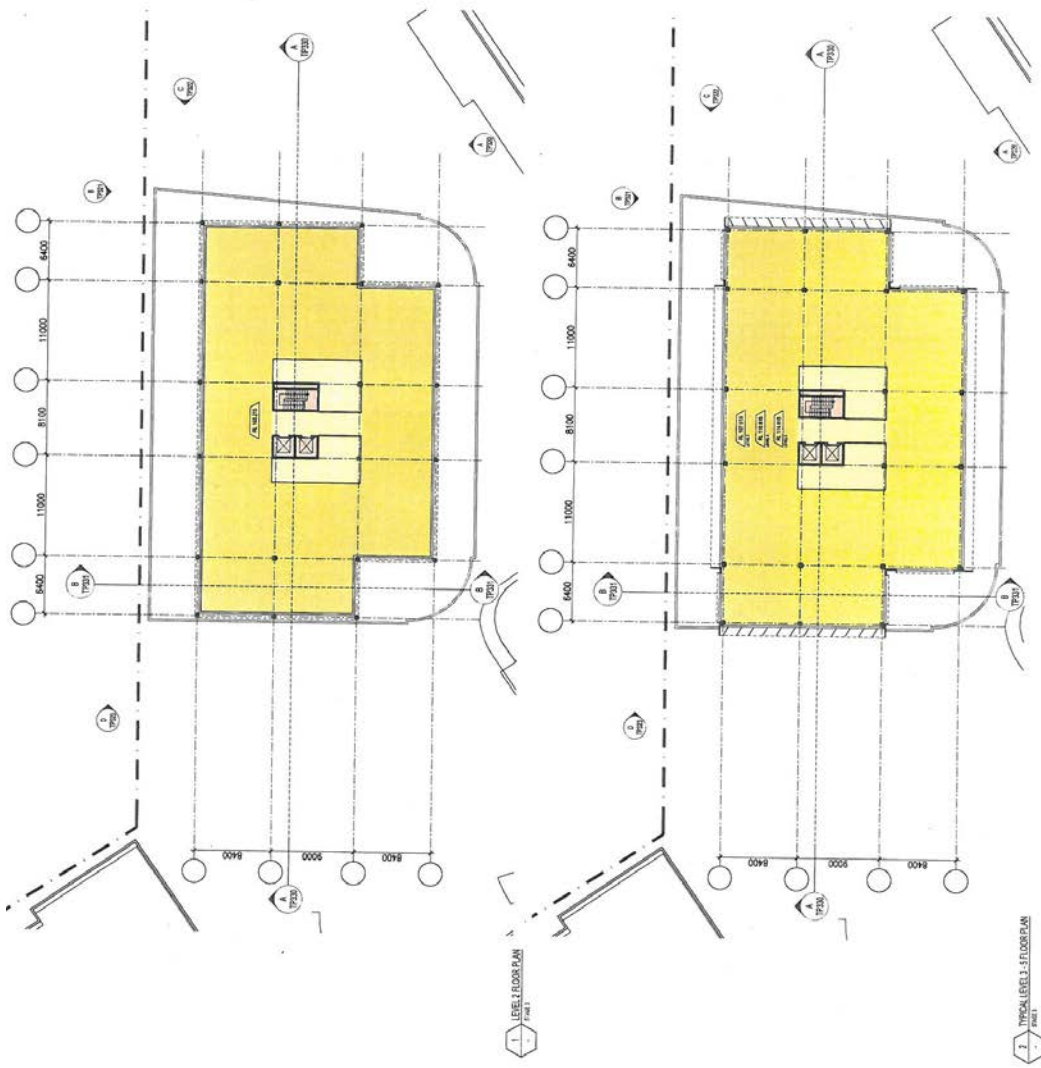
ATTACHMENT 1 (Continued)

**Brandon Office Park**  
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Project No: 14228  
Issue: TOWN PLANNING  
Drawing No: 04.01.19

**TP-311**  
STAGE 3  
LEVEL 2 & LEVEL 3-5  
1:200 @ A1



6 STOREY OFFICE BUILDING  
(LEVELS 2-5)



ATTACHMENT 1 (Continued)

**Brandon Office Park**  
530-540 Springvale Road, Glen Waverley

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Project No: 2107  
Client: TOWN PLANNING  
Division: A  
Design: RIBA, IFC 10

**TP-321**  
STAGE 3  
ELEVATION B  
1:100(BA1)

**STAGE 3 - MATERIALS SCHEDULE**  
MATERIALS SCHEDULE  
SERIES 3 - (M3)

M3-01	FRAMED CURTAIN WALL GLAZING
M3-02	STEEL SUN SHADES
M3-03	GREY FACE RENDER
M3-04	WHITE FACE RENDER
M3-05	GLASS LOUVERS (CARPARK SECTION)
M3-06	RENDED COLUMNS
M3-07	FINISHED CONCRETE
M3-08	VERTICAL STEEL MESH LOUVERS
M3-09	FRAMED GLAZING - SLIT WINDOWS



**6 STOREY OFFICE BUILDING  
(SOUTH WEST ELEVATION)**



ATTACHMENT 1 (Continued)





ATTACHMENT 1 (Continued)

**Brandon Office Park**  
530-540 Springvale Road, Glen Waverley

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Project No: 2-4328  
Client: Town of Waverley  
Design Ref: 02-19

**TP-323**  
STAGE 3  
ELEVATION D  
1:100GA1

**STAGE 3 - MATERIALS SCHEDULE**  
SERIES 3 - (M3)

M3-01	FRAMED CURTAIN WALL GLAZING
M3-02	STEEL SUN SHADES
M3-03	GREY FACE RENDER
M3-04	WHITE FACE RENDER
M3-05	GLASS LOUVERS (CARPARK SECTION)
M3-06	RENDERED COLUMNS
M3-07	FINISHED CONCRETE
M3-08	VERTICAL STEEL MESH LOUVERS
M3-09	FRAMED GLAZING - SLIT WINDOWS



**6 STOREY OFFICE BUILDING (NORTH WEST ELEVATION)**



ATTACHMENT 1 (Continued)

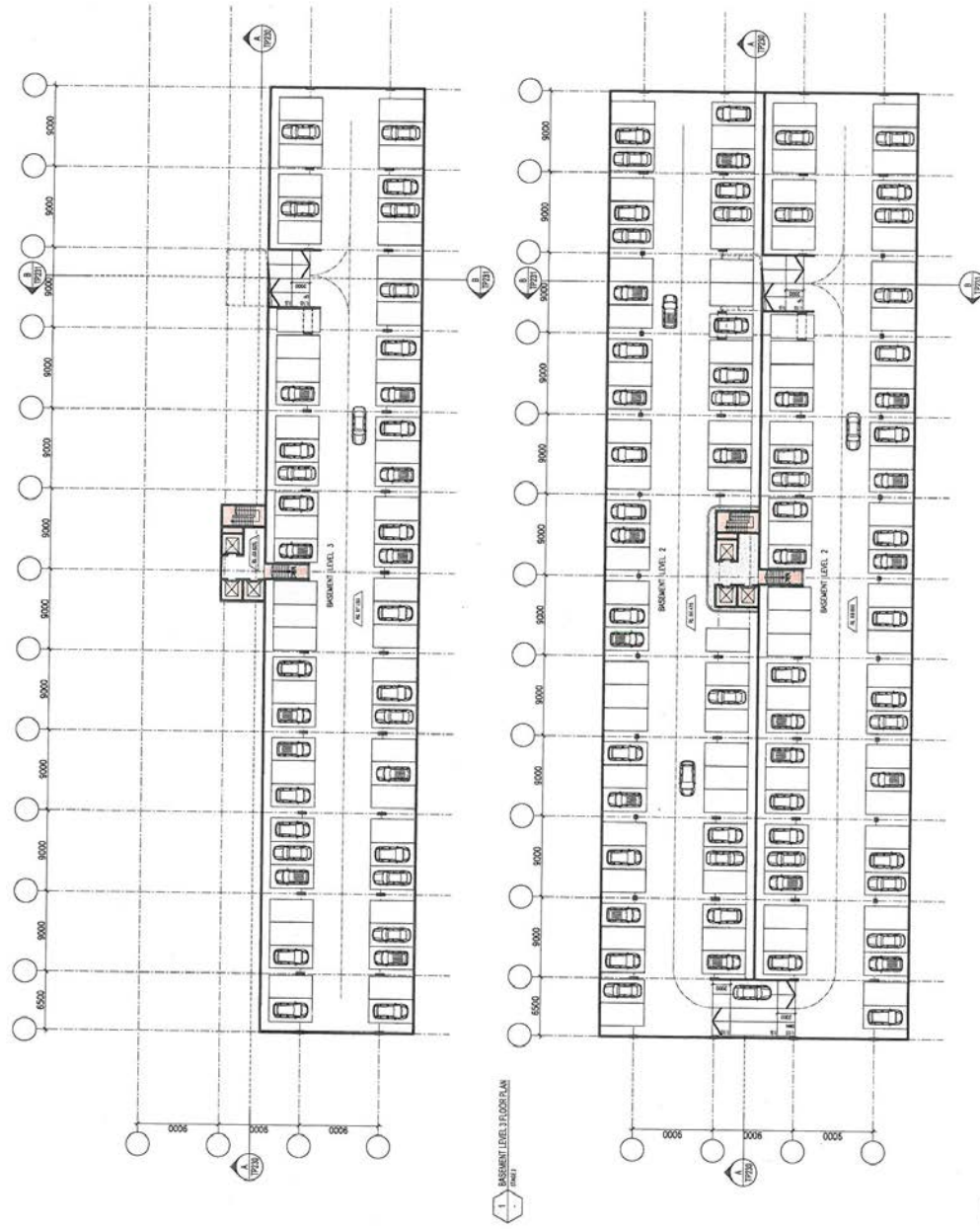
**Brandon Office Park**  
530-540 Springvale Road, Glen Waverley

**PEDOLE THORP ARCHITECTS**  
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Project No: 2-039  
Client: LETHBRIDGE  
Headline: A  
Design Date: DEC 10

**TP-200**  
STAGE 2  
BASEMENT & LEVEL 3-2

1:200 (G A1)



**4 STOREY OFFICE BUILDING  
(BASEMENT LEVELS)**

ATTACHMENT 1 (Continued)

**Brandon Office Park**  
530-540 Springvale Road, Glen Waverley

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Project No: 201801  
Revision: A  
Drawn: A  
Design Date: 05/12/18

**TP-210**  
STAGE 2  
BASEMENT L1 & GROUND

1:200 @ A1



**4 STOREY OFFICE BUILDING  
(BASEMENT LEVEL 1 & GROUND FLOOR)**

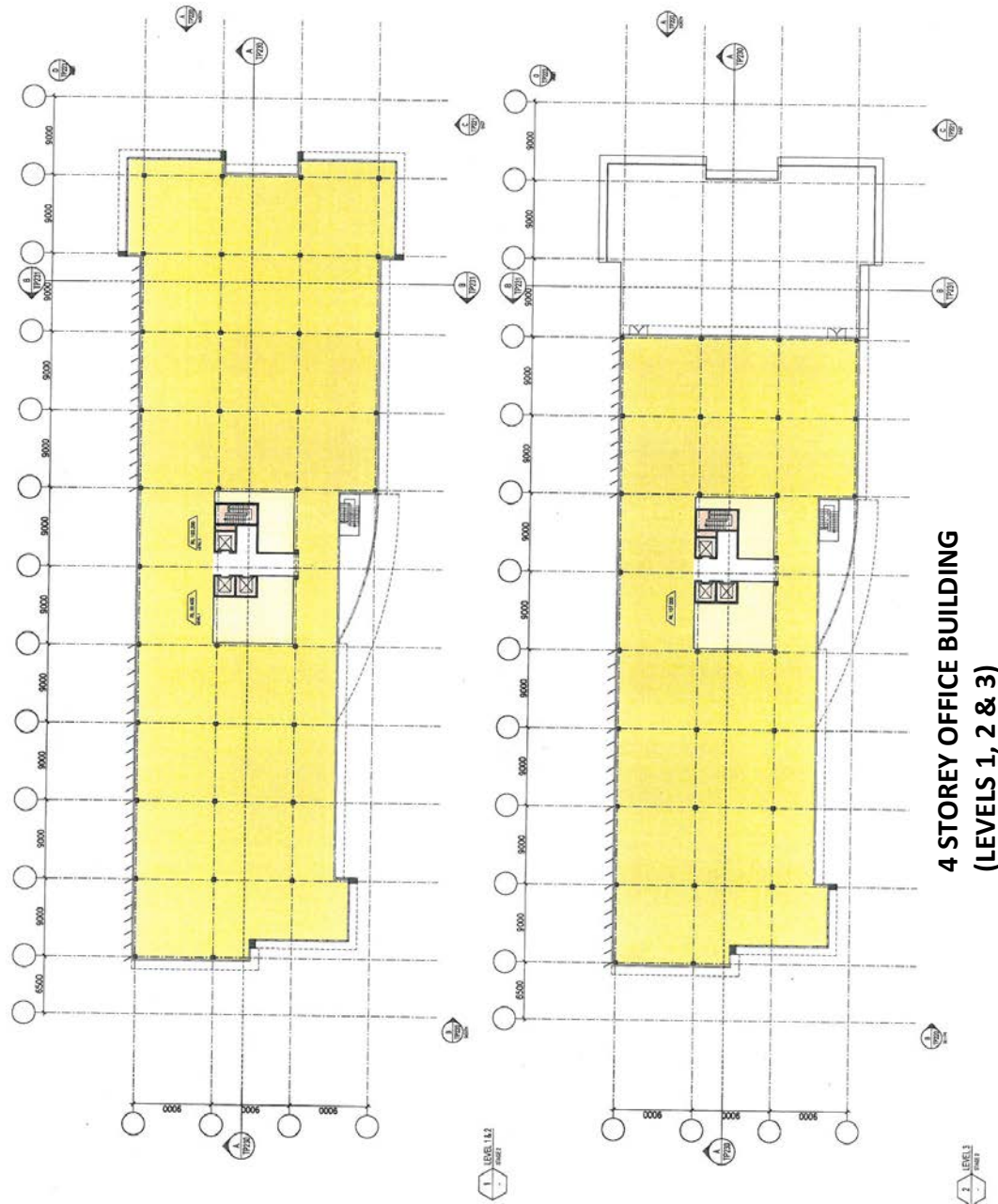
ATTACHMENT 1 (Continued)

**Brandon Office Park**  
530-540 Springvale Road, Glen Waverley

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ABN: 52 517 221 221

Project No: 2-0338  
Issue: 1 TENDERS DRAWING  
Drawing No: 022-10

**TP-211**  
STAGE 2  
LEVEL 1-2 & 3  
1:200 (IG A1)



ATTACHMENT 1 (Continued)

**Brandon Office Park**  
530-540 Springvale Road, Glen Waverley

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www.redde-thorp.com.au  
Arch: 2015, 2016, 2017

Project No: J-4338  
Owner: TOWN PLANNING  
Design: 2018, 2019  
Design Team: GDC, JTB

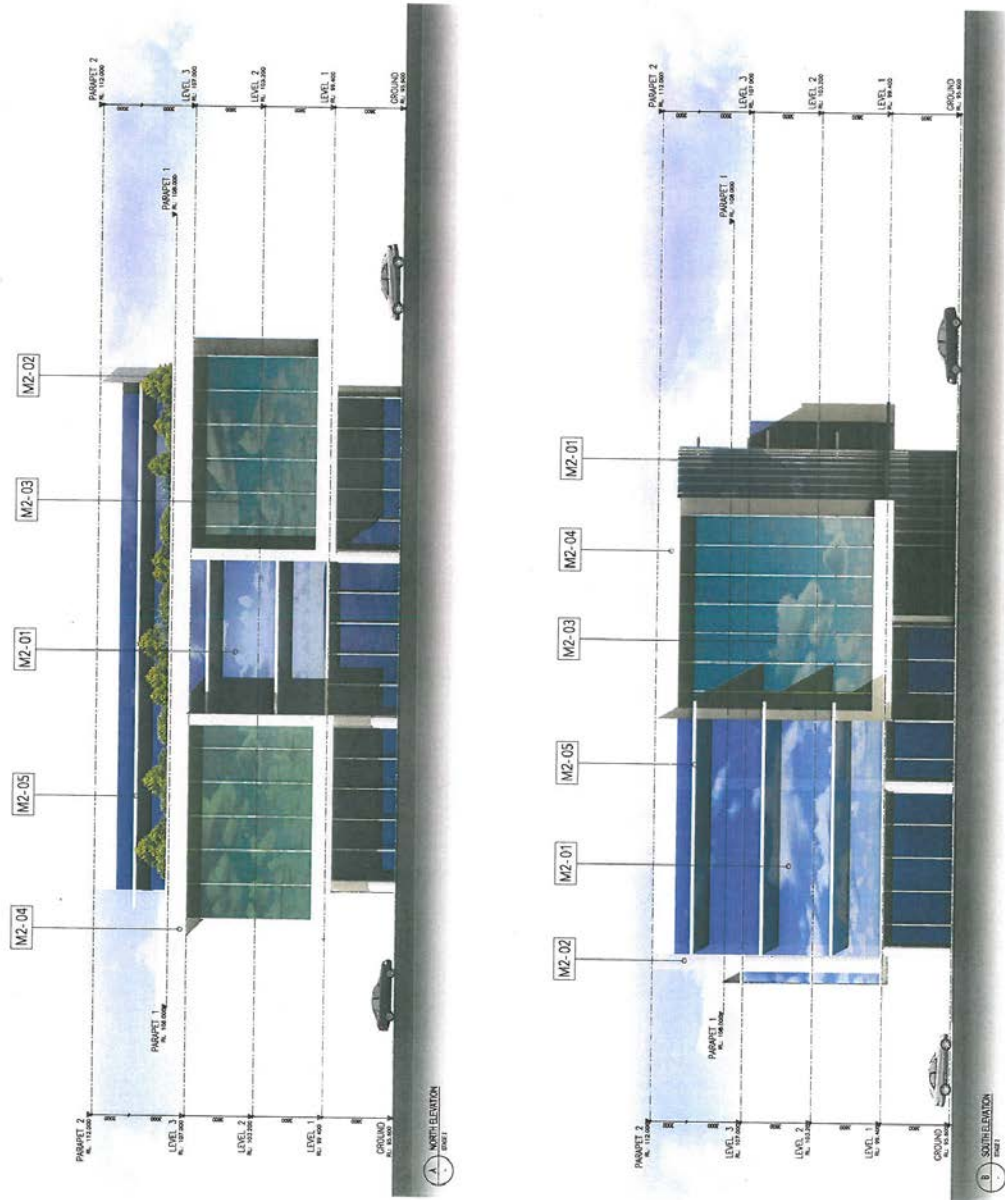
# TP-220

STAGE 2  
NORTH & SOUTH ELEVATION

1:100@A1

**STAGE 2 - MATERIALS SCHEDULE**  
MATERIALS SCHEDULE  
SERIES 2 - (M2)

M2-01	FRAMED CURTAIN WALL GLAZING
M2-02	VERTICAL STEEL MESH LOUVERS
M2-03	FRAMED CURTAIN WALL GLAZING (GREEN TINT)
M2-04	ALUCOBOND CLADDING



**4 STOREY OFFICE BUILDING  
(NORTH & SOUTH ELEVATIONS)**

ATTACHMENT 1 (Continued)

**Brandon Office Park**  
530-540 Springvale Road, Glen Waverley

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Project No: J-3028  
Name: TOWN PLANNING  
Address: 530-540 Springvale Road  
Stage Date: DEC 19

**TP-221**  
STAGE 2  
EAST ELEVATION PART 1  
1:100

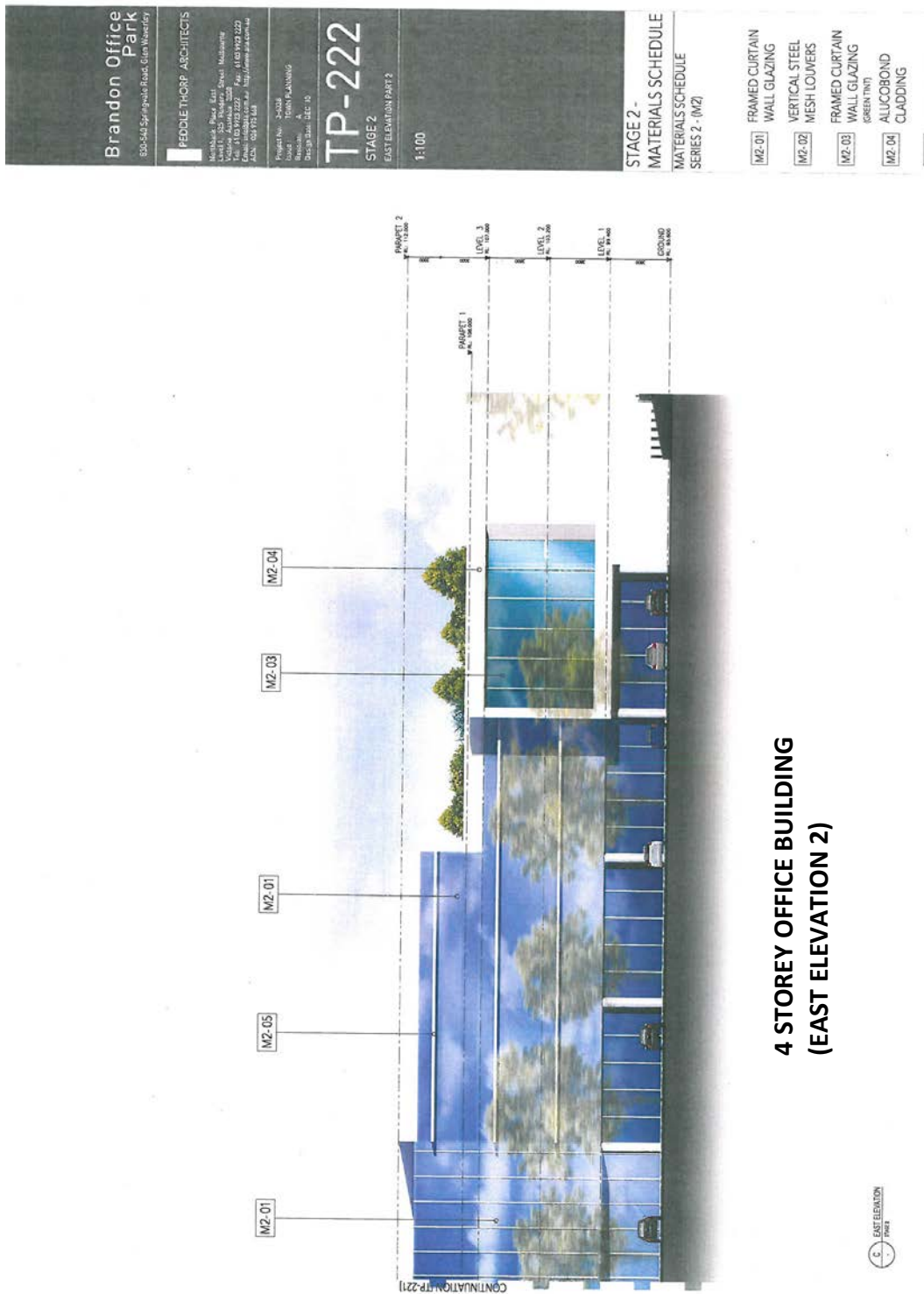
**STAGE 2 - MATERIALS SCHEDULE**  
MATERIALS SCHEDULE  
SERIES 2 - (M2)

M2-01	FRAMED CURTAIN WALL GLAZING
M2-02	VERTICAL STEEL MESH LOUVERS
M2-03	FRAMED CURTAIN WALL GLAZING (GREEN TINT)
M2-04	ALUCOBOND CLADDING

**4 STOREY OFFICE BUILDING  
(EAST ELEVATION 1)**



ATTACHMENT 1 (Continued)



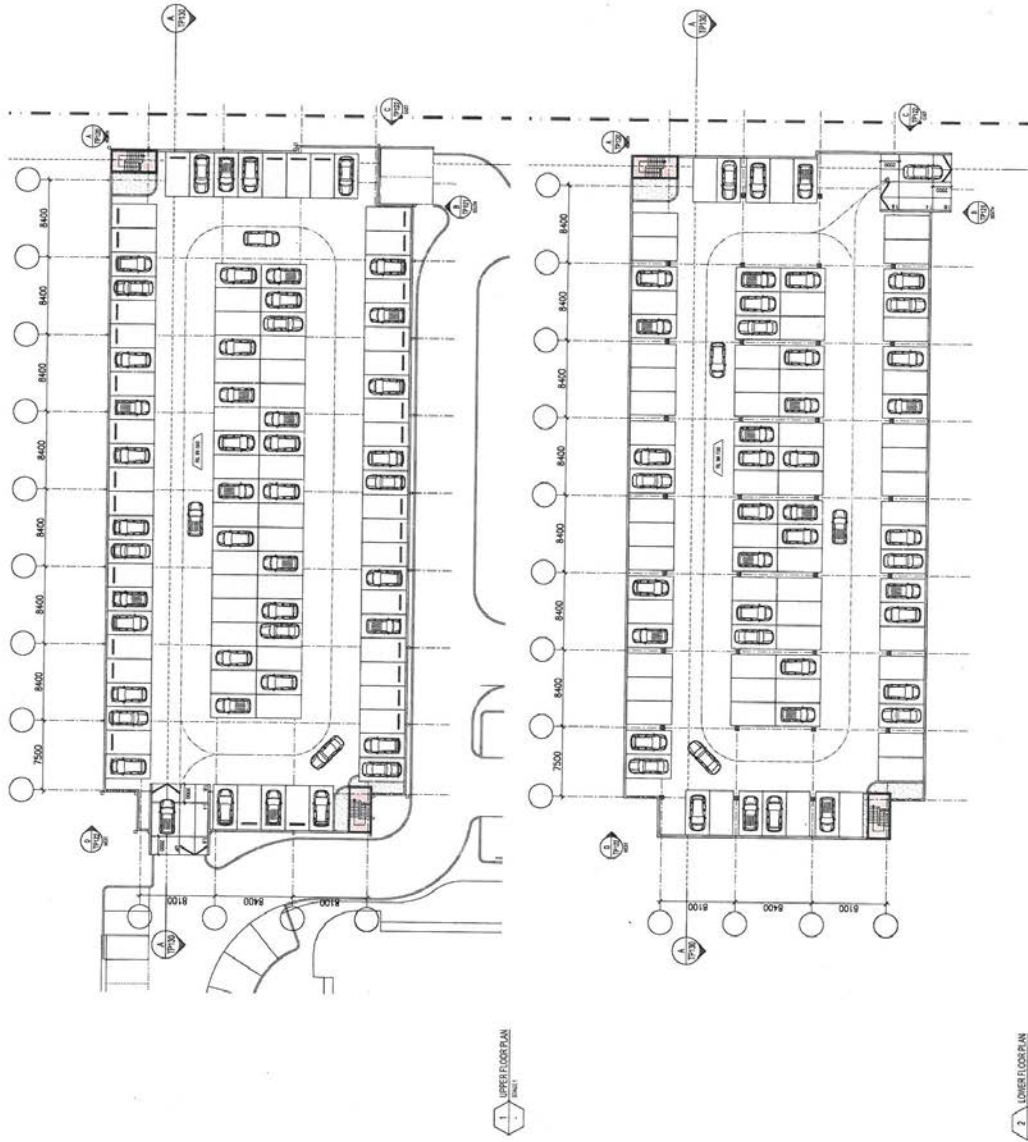
ATTACHMENT 1 (Continued)

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530-540 Springvale Road, Glen Waverley

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Project No: 2-4038  
Name: TOWN PLANNING  
Date: 05/12/19  
Disc Date: 05/12/19

**TP-100**  
STAGE 1  
UPPER & LOWER LEVELS  
1:200 @ A1



**2 TIERED CAR PARK  
(FLOOR PLAN)**



ATTACHMENT 1 (Continued)

**Brandon Office Park**  
530-540 Springvale Road, Glen Waverley

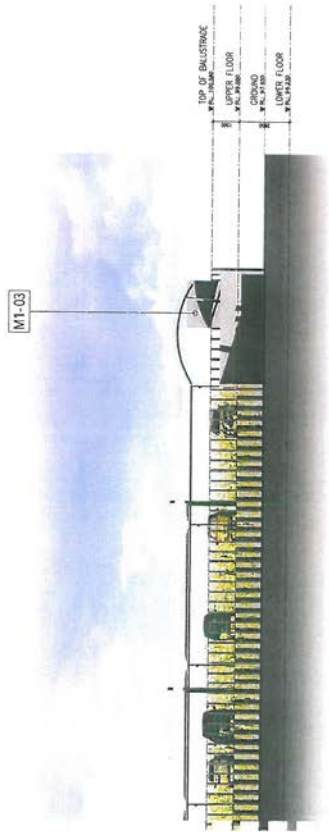
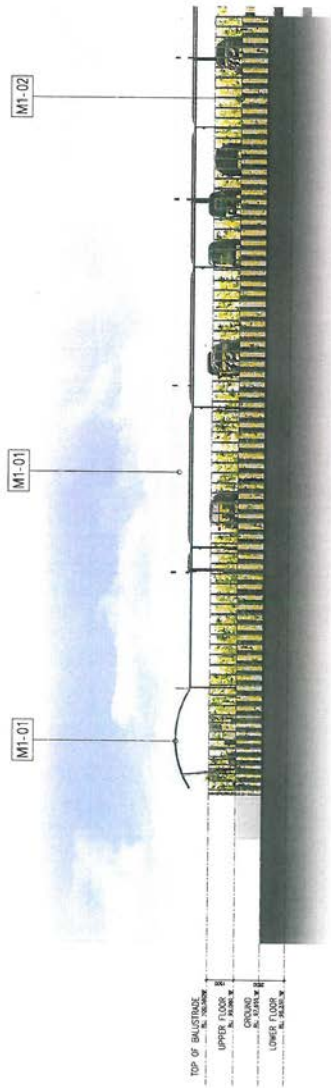
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Project No: 7-14-2019  
Issue: A  
Revision: A  
Design Date: 02/12/19

**TP-120**  
STAGE 1  
NORTH ELEVATION  
1:100

**STAGE 1 - MATERIALS SCHEDULE**  
MATERIALS SCHEDULE  
SERIES 1 - (M1)

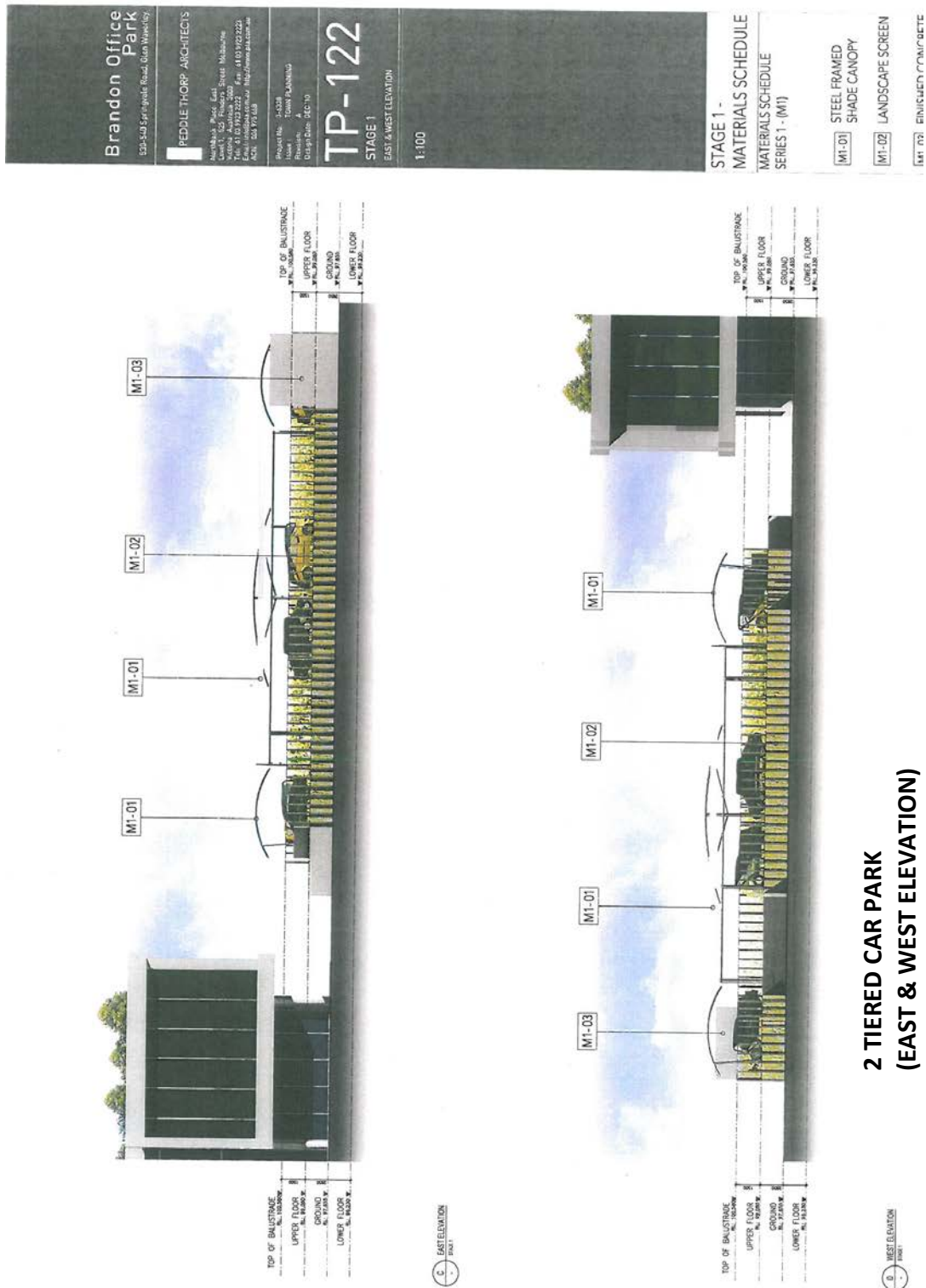
M1-01 STEEL FRAMED SHADE CANOPY  
M1-02 LANDSCAPE SCREEN  
M1-03 FINISHED CONCRETE



**2 TIERED CAR PARK  
(NORTH ELEVATION)**



ATTACHMENT 1 (Continued)



**2 TIERED CAR PARK  
(EAST & WEST ELEVATION)**

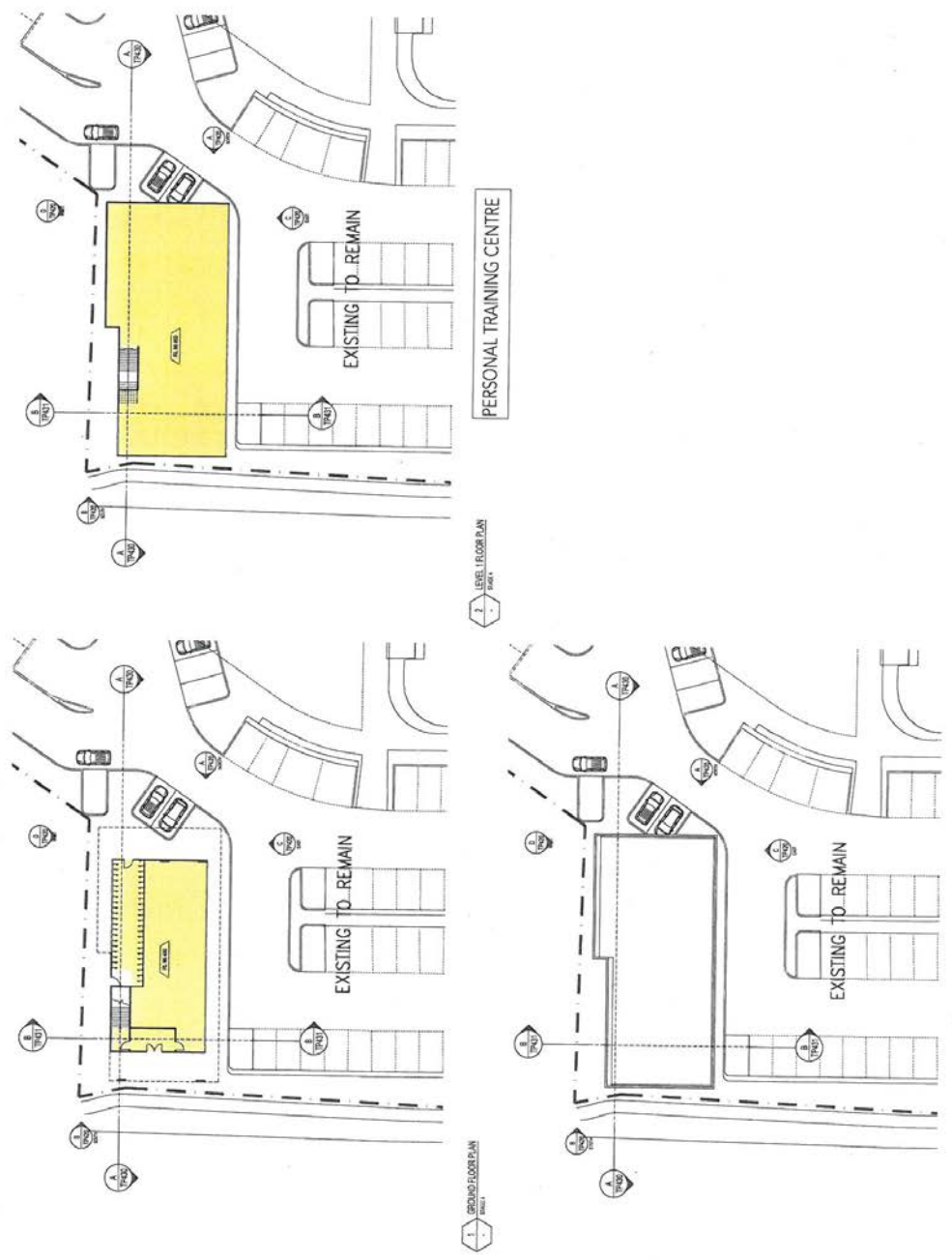
ATTACHMENT 1 (Continued)

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530-540 Springvale Road, Glen Waverley

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Project No: 14-007  
Revision: 2  
Drawing Date: 05-10

**TP-400**  
STAGE 4  
GROUND, LEVEL 1 & ROOF PLAN  
1:200 (G A1)



**GYMNASIUM BUILDING  
(FLOOR PLANS)**

ATTACHMENT 1 (Continued)

