

5.1 AMENDMENT C87 TO THE MONASH PLANNING SCHEME –1041 – 1049 CENTRE ROAD & 346 – 350 WARRIGAL ROAD, OAKLEIGH SOUTH

(TP343:AJ:RMK)

Owner:- 1041 Centre Road Pty Ltd

Applicant:- Spade Consultants Pty Ltd

Ward : Oakleigh

Responsible Director: Paul Kearsley

Reason for Council Consideration: Strategic Planning/Amendment to the Monash Planning Scheme

RECOMMENDATION

1. *That the Minister for Planning be requested to authorise Council to prepare Amendment C87 to the Monash Planning Scheme to:*
 - a. *rezone the site at 1041 – 1049 Centre Road and 346 – 350 Warrigal Road, Oakleigh South from an Industrial 1 Zone (IN1Z) to a Business 3 Zone (B3Z); and*
 - b. *modify the existing Design and Development Overlay 1 (DDO1) for the land at 1041 – 1049 Centre Road and 348– 350 Warrigal Road, Oakleigh South to provide a 6 metres landscape buffer adjacent to both the north and east boundary; and*
 - c. *modify the Schedule to the B3Z-Business 3 Zone to allow the following leasable floor areas: -*
 - *a maximum of 20,000 m² for Office*
 - *a minimum of 1,000 m² for Restricted Retail*
 - *a minimum of 500 m² for Lighting shops**at 1041 – 1049 Centre Road and 348– 350 Warrigal Road, Oakleigh South.*
2. *That Amendment C87 be prepared as outlined in this report and, following authorisation by the Minister for Planning, be placed on public exhibition.*
3. *That following the completion of the public exhibition period a report be prepared that details all submissions received and provides further advice to Council in respect of Amendment C87.*

PURPOSE OF THIS REPORT

To consider rezoning of the site at 1041 – 1049 Centre Road and 346 – 350 Warrigal Road, Oakleigh South from IN1Z-Industrial 1 to B3Z-Business 3 to facilitate office type development and uses. [see Attachment 2].

BACKGROUND

The amendment affects two properties. They are: -

- 1041 – 1049 Centre Road and 348 – 350 Warrigal Road, Oakleigh South (the former Centre Road Quarry); and
- 346 Warrigal Road, Oakleigh.

Both properties are currently zoned IN1Z-Industrial 1, and are subject to the DDO1-Design and Development Overlay 1 provisions of the Monash Planning Scheme.

The DDO1 is a built form control which regulates the setback of buildings from the street and residential boundaries, building heights, fencing and landscaping for new development proposals.

1041 – 1049 Centre Road is predominantly vacant land with a new warehouse building located near the Centre Road frontage, approved by planning permits TPA/34730 & TPA/35598 in February and December 2007.

346 Warrigal Road is occupied by an office building, approved by planning permit TPA/33181 issued in July 2005.

PROPOSAL

The application to amend the Monash Planning Scheme proposes the following:

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- rezone the site at 1041 – 1049 Centre Road and 348 – 350 Warrigal Road, Oakleigh South from IN1Z-Industrial 1 to B3Z-Business 3.
- modify Clause 22.02 to exempt the site from being subject to the provisions of this clause.

Clause 22.02 only applies to land within the Monash Technology Precinct, which is primarily located in Clayton. The Clause assists the development and operation of high technology, office and industrial land uses in the precinct.

- Modify the Schedule to the B3Z-Business 3 Zone to allow development of up to 20,000m² of office and up to 6,000m² of restricted retail on 1041 – 1049 Centre Road and 348 – 350 Warrigal Road, Oakleigh South.

Examination of the detail submitted with the Amendment highlighted the need to modify the amendment to include:-

- rezone the property at 346 Warrigal Road Oakleigh South from IN1Z-Industrial 1 to B3Z-Business 3.
- modify the existing Design and Development Overlay 1 (DDO1) provisions for the property at 1041 – 1049 Centre Road and 348 – 350 Warrigal Road, Oakleigh South, to require a landscape buffer, 6.0 metres wide, adjacent to the northern residential boundary and the eastern boundary abutting Council's reserve.

The purpose of a Business 3 Zone is to encourage the integrated development of offices and manufacturing industries and associated commercial and industrial uses.

The amendment will facilitate the development and use of the former quarry site for offices and recognise the current use of the property at 346 Warrigal Road.

The controls for the development of the sites which will be retained are as follows: -

- Front Setbacks: - Warrigal - 20.0 metres
Centre Road – 20.0 metres
- Building height: - Nominal figure of 7 metres above ground level, however approval can be granted for higher buildings. New development on the former quarry property will be limited in height due to the construction limitations of building on filled land. It is anticipated that buildings will generally be no more than two or three storeys in height.
- Front Fencing: - Located no closer to the street than the nominated front setback figure, subject to conditions
- Engineering Design: - New accessways and streets must be designed using established engineering treatments and fit in with existing streetscape details.
- Services: - Not to be visible from the Street.
- Heights of buildings near residential boundaries: - Half the height of the building plus 1.5 metres. (ie. 5 metres for a 7 metre height building)

The amendment proposed to introduce a 6.0 metre landscape buffer interface requirement to the DDO1 for the property at 1041 – 1049 Centre Road and 348 – 350 Warrigal Road. This setback area is to be landscaped and is not to be used for any building or development, including car parking areas.

This requirement will assist in the management of the amenity issues that usually arise where new office/commercial/industrial uses are proposed to be introduced onto a site which abuts a residential area.

Any specific issue raised by the development of the site such as noise, the location of rubbish areas, loading areas, vehicle access, services, lighting, car parking and security will be managed through the planning permit approvals process at that time.

Similarly, tree retention will be managed through the planning permit process.

These properties are not part of the Monash Technology Precinct and therefore Clause 22.02 should be amended to recognise this exclusion.

In support of the amendment application a Preliminary Concept Plan has been submitted. [see Attachment 3]

The Concept Plan shows vehicle access to both Warrigal and Centre Roads, a number of Office buildings, Restricted Retail (Peripheral Sales) buildings, car parking and landscape areas.

It should be noted that this plan is not submitted for approval but it is only a Concept Plan showing one potential development option. It is provided for discussion purposes and to assist in consideration of the issue relevant to the proposed amendment.

Referring to the table below, this Plan shows a total floor area for all uses of 19,868m², including approximately 15,972m² of office and approximately 3,896m² of restricted retail.

	Office	Restricted Retail	Lighting shop
Concept Plan net floor areas	15,972m ²	3,896m ²	N/A
Applicant's proposed net floor areas to zone schedule	max. 20,000m ²	Max 6,000m ²	N/A
Recommended net floor areas to zone schedule	max. 20,000m ²	min. 1000m ²	min. 500m ²

Notwithstanding the concept plan, the applicant has formally requested the modification of the Schedule to the B3Z-Business 3 Zone to allow development of up to 20,000m² of office.

It is appropriate to nominate a limit on the total office floor area for the property at 1041 – 1049 Centre Road and 348 – 350 Warrigal Road, Oakleigh South to give everyone, the developer and local residents, some level of certainty about the potential development on the site.

A Planning Permit is required for the use if the Schedule office floor area limit is exceeded. A Planning Permit is required for all development.

The Concept Plan, while not detailed to allow comprehensive assessment, has been examined and appears reasonable. Approximately 20,000m² of floor area for the site appears to be appropriate.

Therefore it is considered that a limit of 20,000m² for offices is appropriate for inclusion in the Schedule. This figure would provide the developer the opportunity to develop the site as per the concept plan, or alternatively, exclusively as an office park.

The Schedule also defines minimum floor areas for restricted retail premises and lighting shops to prevent the development of smaller retailing activities in the zone. There is no restriction on maximum floor areas for these uses.

The standard minimums specified in the schedule are 1000m² for restricted retail and 500m² for lighting shops. These figures are also considered to be appropriate for the subject site.

CONSULTATION

The Public Exhibition process involved with the amendment will include: -

- Individual notice to surrounding property owners and occupiers. The extent of the notification proposed is detailed in Attachment 4.
- A public meeting, after normal work hours.
- Display advertisement in the a local newspaper circulating in the area
- Multiple large notices on the sites
- Notification to: -
 - Melbourne Water
 - Vic Roads
 - Minister for Planning
 - Minister for Industry and State Development
 - Minister for Water Environment and Climate Change, and
 - Minister for Energy Industries and Resources
- Notice in the Government Gazette

AMENDMENT PROCESS

The Planning Authority for an application for amendment to the Planning Scheme has the choice to either: -

- refuse to process the application, or
- proceed with the amendment process and place the amendment on public exhibition.

A determination to place an amendment on exhibition does not indicate approval or support for the amendment. The amendment is placed on exhibition, without commitment by Council, as to its final decision.

Council has two (2) further opportunities to determine to abandon or refuse the amendment. I.e. Following exhibition of the amendment or after a Panel hearing, if required.

Further consideration of the merits of the amendment proposal should be undertaken following the exhibition process when a greater understanding of the community's interest and its response to the proposal has been received.

Authorisation is required from the Minister for Planning for the preparation and public exhibition of an amendment to a Planning Scheme.

POLICY CONSIDERATION

Amendment C87 has been assessed against the objectives of the State and Local Planning Policy Framework including the Municipal Strategic Statement and Local Policy.

The Amendment is considered to be complimentary to Clause 12 (Metropolitan Development), Clause 14 (Settlement) and Clause 17 (Economy) of the State Planning Policy Framework.

The Amendment builds on and implements relevant areas of the Local Planning Policy Framework, including Clauses 21.03 (Strategic Framework Plan), 21.05 (Economic Development) and 21.07 (Industry).

More specifically, it is supportive of: -

- Clause 21.03-3 as the proposed DDO1 will ensure appropriate development setbacks and reinforce the Garden City Character of the Municipality
- Clause 21.05-3 as it will facilitate employment opportunities and create an environment which will assist business growth.
- Clause 21.07-3 as it encourages the renewal and development of industrial land.

The Amendment is considered to be consistent with Melbourne 2030, and in particular: -

- Directions 1 – A more compact City.
- Direction 4 – A more prosperous place.
- Direction 5 – A great place to be.

CONCLUSION

It is recommended that Amendment C87 to the Monash Planning Scheme be placed on public exhibition following authorisation by the Minister for Planning.