

Monash Planning Scheme

Whitehorse Planning Scheme

Amendment GC248

Explanatory Report

Overview

The Suburban Rail Loop (SRL) East project is delivering twin 26-kilometre rail tunnels from Cheltenham to Box Hill, with six new underground stations at Cheltenham, Clayton, Monash, Glen Waverley, Burwood and Box Hill. Draft Structure Plans have been developed to guide growth and change to create thriving neighbourhoods around each SRL station.

The *Draft Burwood SRL East Structure Plan* (Structure Plan) has been prepared for the Burwood Structure Plan Area (Figure 1). The Burwood Structure Plan Area sits within the municipalities of Monash and Whitehorse.

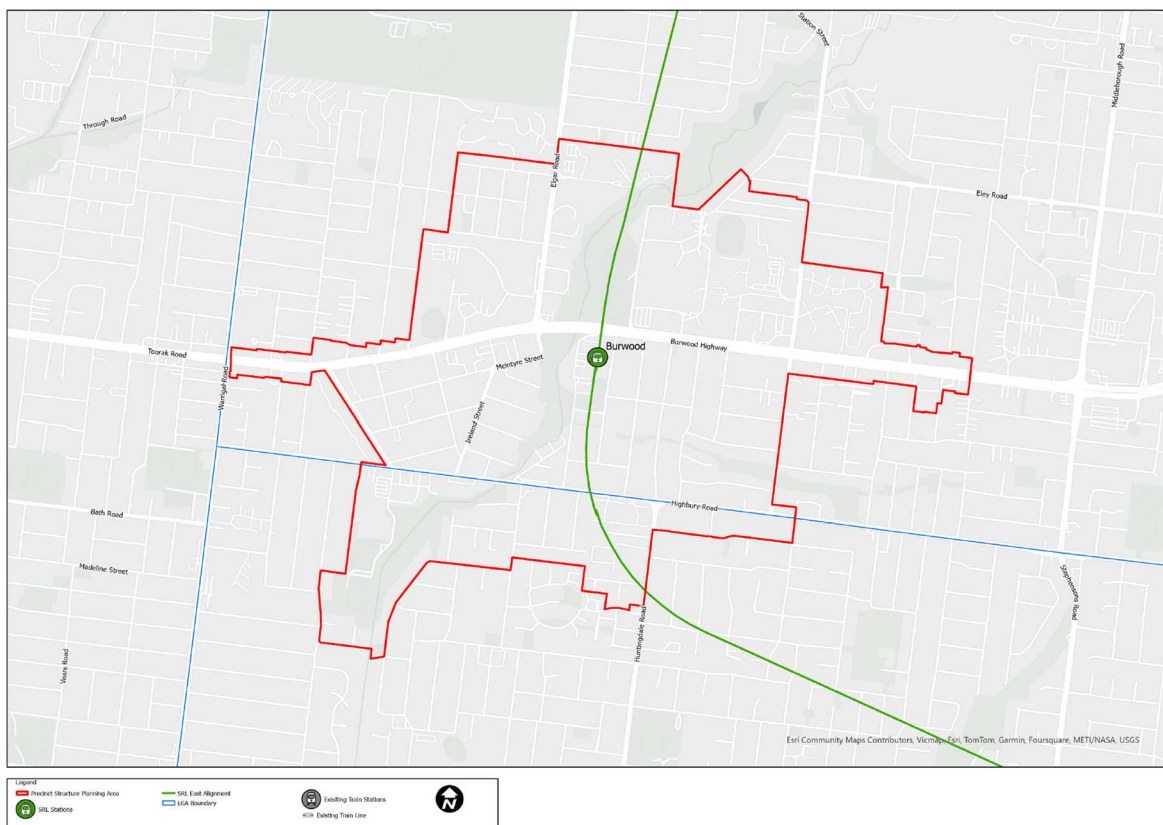


Figure 1: Burwood Structure Plan Area

The amendment is required to introduce new planning settings to the Monash and Whitehorse Planning Schemes to give effect to the key directions and outcomes of the Structure Plan.

Where you may inspect this amendment

The amendment is available for public inspection, free of charge, during office hours at the following places:

- Monash City Council: 293 Springvale Road, Glen Waverley
- Whitehorse City Council: 379-397 Whitehorse Road, Nunawading
- Whitehorse City Council: 1022 Whitehorse Road, Box Hill

The amendment can also be inspected free of charge at the Engage Victoria website at <https://engage.vic.gov.au/suburban-rail-loop> or by contacting the SRLA office on 1800 105 105 to arrange a time to view the amendment documentation.

Submissions

Any person may make a submission to the planning authority about the amendment. Submissions about the amendment must be received by 11.59pm Tuesday 22 April 2025.

A submission can be sent to: <https://engage.vic.gov.au/suburban-rail-loop> or alternatively can be posted to:

Suburban Rail Loop Authority

PO Box 24214

Melbourne 3001

Details of the amendment

Who is the planning authority?

This amendment has been prepared by the Suburban Rail Loop Authority, which is the planning authority for this amendment.

Land affected by the amendment

The amendment applies to land within the Burwood Structure Plan Area, which includes land within both Monash and Whitehorse municipalities as shown in Figure 1.

What the amendment does

The amendment gives effect to the Structure Plan by introducing new and updated planning policy, applying the Precinct Zone (PRZ) and Built Form Overlay (BFO) to the majority of land within the structure plan, applying the Parking Overlay, Public Acquisition Overlay and Environmental Audit Overlay to relevant land. The amendment also updates particular, general and operational provisions in the Planning Scheme, as relevant.

Specifically, the amendment makes the following changes to land within the Burwood Structure Plan Area:

Monash Planning Scheme

- Inserts the following background documents into the Schedule to Clause 72.08:
 - *SRL East Structure Plan – Burwood* (SRLA, 2025)
 - *SRL East Implementation Plan – Burwood* (SRLA, 2025)
 - *Precinct Parking Plan – Burwood* (AJM, 2025)
- Inserts:
 - Clause 11.03-6L-01 SRL East Structure Plan Areas
 - Clause 11.03-6L-05 Burwood SRL East Structure Plan Area
 - Clause 33.03 Industrial 3 Zone
 - Clause 37.10 Precinct Zone and Schedule 7 (PRZ7) to Clause 37.10
 - Clause 43.06 Built Form Overlay and Schedule 13 (BFO13), Schedule 14 (BFO14), Schedule 15 (BFO15) to Clause 43.06
 - Clause 45.09 Parking Overlay and Schedule 7 (PO7) to Clause 45.09
- Amends:
 - Clause 02.01 Context
 - Clause 02.03-1 Settlement
 - Clause 02.03-4 Built environment and heritage
 - Clause 02.03-5 Housing
 - Clause 03.02-6 Economic development
 - Clause 02.03-7 Transport
 - Clause 02.03-8 Infrastructure
 - Clause 02.04 Strategic Framework Plans
 - Clause 11.03-1L-01 Activity centres - Monash
 - Clause 15.01-2L-01 Industry and business built form character
 - Clause 15.01-5L Monash preferred neighbourhood character
 - Clause 16.01-1L-01 Housing supply - Monash
 - Schedule to Clause 72.03 What Does This Planning Scheme Consist Of?
 - Schedule to Clause 72.08 Background Documents
 - Schedule to Clause 74.01 Application of zones, overlays and provisions
- Rezones:
 - Land within the Burwood Structure Plan Area from Commercial 1 Zone (C1Z), General Residential Zone Schedule 3 (GRZ3), Industrial 1 Zone (IN1Z), Mixed Use Zone (MUZ), Neighbourhood Residential Zone Schedule 2

(NRZ2) to Precinct Zone Schedule 7 (PRZ7)

- Applies:
 - Clause 45.03 Environmental Audit Overlay (EAO) to properties listed in Attachment 1 to this explanatory report
- Deletes:
 - Schedule 1 (VPO1) to Clause 42.02 Vegetation Protection Overlay from land within the Burwood Structure Plan Area.

Whitehorse Planning Scheme

- Inserts the following background documents into the Schedule to Clause 72.08:
 - *SRL East Structure Plan – Burwood* (SRLA, 2025)
 - *SRL East Implementation Plan – Burwood* (SRLA, 2025)
 - *Precinct Parking Plan – Burwood* (AJM, 2025)
- Inserts:
 - Clause 11.03-6L-01 SRL East Structure Plan Areas
 - Clause 11.03-6L-02 Burwood SRL East Structure Plan Area
 - Clause 37.10 Precinct Zone and Schedule 1 (PRZ1) and Schedule 2 (PRZ2) to Clause 37.10
 - Clause 43.06 Built Form Overlay and Schedule 1 (BFO1), Schedule 2 (BFO2), Schedule 3 (BFO3) and Schedule 4 (BFO4) to Clause 43.06
 - Schedule 2 (PO2) and Schedule 3 (PO3) to Clause 45.09 Parking Overlay
- Amends:
 - Clause 02.01 Context
 - Clause 02.03-1 Settlement
 - Clause 02.03-5 Built environment and heritage
 - Clause 02.03-6 Housing
 - Clause 02.03-7 Economic development
 - Clause 02.03-8 Transport
 - Clause 02.03-9 Infrastructure
 - Clause 02.04 Strategic Framework Plans
 - Clause 11.03-1L-04 Burwood Heights Major Activity Centre
 - Clause 15.01-5L Preferred neighbourhood character
 - Clause 15.01-5L-01 Tree conservation
 - Clause 16.01-1L Housing change
 - Clause 16.01-1L Student accommodation
 - Schedule 4 to Clause 43.02 Design and Development Overlay (DDO4)
 - Schedule to Clause 45.01 Public Acquisition Overlay to include 141 Highbury Road, Burwood
 - Schedule to Clause 45.12 Specific Controls Overlay
 - Schedule to Clause 72.03 What Does This Planning Scheme Consist Of?
 - Schedule to Clause 72.04 Incorporated documents
 - Schedule to Clause 72.08 Background documents

- Schedule to Clause 74.01 Application of zones, overlays and provisions
- Rezones:
 - Land within the Burwood Structure Plan Area from C1Z, C2Z, GRZ1, GRZ3, IN1Z, IN3Z, MUZ, NRZ5, RGZ1 and RGZ2 to Precinct Zone Schedule 1 (PRZ1)
 - Land within the Station Development Area, generally bounded by Burwood Highway, Gardiners Creek, McComas Grove and Sinnott Street, from GRZ3, Public Park and Recreation Zone (PPRZ) and Public Use Zone 1 (PUZ1) to Precinct Zone Schedule 2 (PRZ2)
- Applies:
 - Clause 45.01 Public Acquisition Overlay (PAO) to the property at 141 Highbury Road, Burwood
 - Clause 45.03 Environmental Audit Overlay (EAO) to properties listed in Attachment 1 to this explanatory report
- Deletes:
 - Schedule 9 (SLO9) to Clause 42.03 Significant Landscape Overlay from land within the Burwood Structure Plan Area
 - Schedule 4 (DDO4) to Clause 43.02 Design and Development Overlay from land within the Burwood Structure Plan Area
 - Schedule 7 (DDO7) to Clause 43.02 Design and Development Overlay from the planning scheme.

Strategic assessment of the amendment

Why is the amendment required?

The amendment is required to introduce planning policies and controls which will guide the development of land within the Burwood Structure Plan Area for the next 15 years in line with the vision and objectives of the Structure Plan. The Structure Plan recognises the education sector as a key driver of Burwood's economy, with educational institutions playing a major role in job growth and stimulating demand for services and activities in other sectors. It seeks the development of a new commercial and civic heart and facilitates significant housing growth at a variety of densities and types across the Structure Plan Area. Changes to the planning schemes reflect this vision.

Rezoning of land

The majority of land within the Burwood Structure Plan Area will be rezoned to a Precinct Zone. This will enable such land to be used and developed in a manner consistent with what the Structure Plan envisions.

Application of Built Form Overlay

A BFO will be applied to the majority of land within the Burwood Structure Plan Area. The overlay will help guide development within the area so that it is consistent with

the objectives and outcomes sought by the Structure Plan.

Application of Environmental Audit Overlay

The overlay will be applied to land within the Burwood Structure Plan Area where new sensitive uses will be permitted under the Precinct Zone (where those uses would previously have been prohibited) and the land has been identified as potentially contaminated.

Application of Public Acquisition Overlay

A PAO will be applied to land at 141 Highbury Road, Burwood. The overlay will allow for long term development of critical road links consistent with the objectives and outcomes sought by the Structure Plan.

Application of Parking Overlay

The overlay will be applied to land within the Burwood Structure Plan Area to excluding publicly zoned land, to encourage sustainable transport patterns and alternative forms of parking throughout the precinct.

How does the amendment implement the objectives of planning in Victoria?

The amendment implements the objectives of planning in Victoria as outlined in section 4(1) of the *Planning and Environment 1987 Act* (the Act) by introducing a land use and development framework for the Burwood Structure Plan Area.

The amendment will apply policy, zone and overlay controls and update particular, general and operational provisions to implement the Objectives, Strategies and Actions within the Structure Plan. The Structure Plan forms the strategic basis for the amendment and is supported by technical investigations covering topics such as traffic and transport, urban design, housing needs, employment and climate resilience.

How does the amendment address any environmental, social and economic effects?

Environmental effects

The amendment introduces policy and applies tailored schedules to the Precinct Zone and Built Form Overlay to encourage land use and development around the new SRL Station, increasing opportunities for walking, cycling, and public transport use. This will generate social and environmental benefits by reducing car use.

Additionally, the planning controls include making provision for canopy tree planting, setting Green Star rating requirements for specific larger developments, and requiring preparation of Sustainable Management Plans for other new development.

The Environmental Audit Overlay (EAO) will be applied to land that has been identified as potentially contaminated that is proposed to be rezoned to allow for a

sensitive use for the first time, where that use would have previously been prohibited. This allows for current uses to continue to operate and ensures any future sensitive use is protected from potentially contaminated land.

Noise impacts from applied industrial zones could create amenity concerns. New developments or works associated with the use of land for Accommodation, Education centre (other than Tertiary institution) or Hospital within 300 metres of an applied industrial zone will be required to undertake an acoustic report as part of the permit application requirements. These requirements are consistent with Clause 58.04-3.

Social effects

The amendment introduces new planning policy to capitalise on improved connectivity of the Structure Plan areas and the associated social and economic opportunities.

Proposed new and amended planning controls will enable development of a greater range of housing types, sizes and tenures in residential areas; delivery good amenity outcomes in growing neighbourhoods; and incentivise affordable housing in areas of greater housing growth.

A Voluntary Public Benefit Uplift Framework, enacted through the Precinct Zone schedules, incentivises the delivery of nominated public benefits. These include:

- Affordable housing
- Public realm works
- Open space
- Strategic land use.

This framework is designed to encourage the delivery of a nominated 'public benefit' in exchange for development rights. These benefits will result in social benefits.

Economic effects

New and amended planning policy proposed by the amendment will facilitate the delivery of thriving mixed use precinct around the new SRL station creating new jobs and housing opportunities in immediate proximity to the station amenity.

Economic activation will also be supported in key areas of the Burwood Structure Plan, including:

- Designating areas for employment growth and mixed use development within the Burwood Central Neighbourhood, around the SRL Station, to leverage the station's location.
- Directing the addition of employment floorspace within the Employment Neighbourhoods.
- Supporting local retail and mixed-use development within most Neighbourhoods to encourage regeneration.
- Encouraging growth in health and medical services around the new station.

Does the amendment address relevant bushfire risk?

The amendment will not increase the risk to life, property, community infrastructure and the natural environment from bushfire.

Does the amendment comply with the requirements of any other Minister's Direction applicable to the amendment?

Section 12(2)(a) of the P&E Act requires that in preparing an amendment, a planning authority must have regard to the Minister's Directions. The following Ministerial Directions are relevant to this amendment:

Ministerial Direction - Form and Content of Planning Schemes

The amendment is consistent with the *Ministerial Direction on the Form and Content of Planning Schemes* under section 7(5) of the *Planning and Environment Act 1987*.

Ministerial Direction 1 - Potentially Contaminated Land

The amendment is consistent with *Ministerial Direction 1: Potentially Contaminated Land* through its recognition of the historical context of the area as a mixture of housing, employment and industry uses. This amendment introduces the Environmental Audit Overlay over land recognised as having a high or medium likelihood of contamination, which is proposed to be rezoned to allow for sensitive uses for the first time, where those uses would have previously been prohibited. This will ensure that a preliminary risk screen assessment statement or an environmental audit statement is obtained prior to the commencement of sensitive uses where this is required.

Ministerial Direction 9 - Metropolitan Strategy

The amendment aligns with the Metropolitan Planning Strategy, *Plan Melbourne 2017-2050*, achieving Policies and Directions across Outcomes 1-6 of Plan Melbourne. The amendment responds to the requirement to undertake a precinct-wide approach to planning for new development and investment opportunities on the existing and planned public transport network. Plan Melbourne identifies a hierarchy of places throughout the city that will accommodate different levels of change. State-significant precincts, such as the area around the SRL station, are expected to grow and flourish as liveable, productive and connected neighbourhoods in line with Plan Melbourne's objectives.

Ministerial Direction 11 - Strategic Assessment of Amendments

The amendment has been prepared having regard to *Ministerial Direction 11 - Strategic Assessment of Amendments* under section 12 of the *Planning and Environment Act 1987* as set out in the Explanatory Report.

Ministerial Direction 19 - Preparation and Content of Amendments that may significantly impact the environment, amenity and human health

The Ministerial Direction (MD19) requires planning authorities to seek the views of the Environment Protection Authority (EPA) in the preparation of a planning scheme that could result in use or development of land that may result in significant impacts on the environment, amenity and human health due to potentially contaminated land.

Discussions with EPA on MD19 matters commenced in late 2023. As required by MD19, SRLA sought the written views of the EPA in December 2024 about the potential impacts of the draft amendment and structure plan on the environment, amenity and human health.

The documents provided to the EPA included SRLA's response to potentially contaminated land, noting that matters associated with potentially contaminated land are discussed above in relation to Ministerial Direction 1.

SRLA and the EPA met on 21 January 2025 to discuss the EPA's preliminary views, which were then provided in writing to SRLA on 31 January 2025. The EPA confirmed that further information is required from SRLA before written views can be provided by the EPA. The requested information was provided to EPA in January 2025, and SRLA will continue to work with EPA to resolve any outstanding issues.

How does the amendment support or implement the Planning Policy Framework and any adopted State policy?

The amendment is consistent with the following clauses of the Planning Policy Framework and will assist in achieving objectives of these clauses.

State and Regional Policy

Clause 11.01-1S – Settlement

The amendment is consistent with the strategy to *“develop sustainable communities through a settlement framework offering convenient access to jobs, services, infrastructure and community facilities”*.

Clause 11.01-1R – Settlement – Metropolitan Melbourne

The amendment is a key result of the strategy to *“develop the Suburban Rail Loop through Melbourne's middle suburbs”* and will *“facilitate substantial growth and change in major employment, health and education precincts and activity centres beyond the central city at an appropriate scale to address the needs of Melbourne's rapidly growing population”*.

The amendment also aligns with strategy to *“create mixed-use neighbourhoods at varying densities, including through the development of urban-renewal precincts, that offer more choice in housing, create jobs and opportunities for local businesses and deliver better access to services and facilities”*.

Clause 11.02-2S Structure planning

The amendment enacts this policy through the delivery of a land use and development framework based on comprehensive strategic planning undertaken for the Burwood Structure Plan Area.

Clause 13 Environmental risks and amenity

The amendment supports these clauses by applying decision guidelines within the zone schedules require consideration of where an industry or warehouse use is proposed, the effect that the proposed use may have on the amenity of nearby residential areas or other uses which are sensitive to industrial off-site effects.

Clause 15.01-1S/R Urban design

Built form controls support the strategy to “*create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity*”.

Clause 15.01-2S Building design

Built form controls respond to strategy to deliver “*building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development*”.

Clause 16.01-1R Housing supply – Metropolitan Melbourne

The amendment supports this clause to deliver increased housing supply within an urban renewal precinct, activity centres, and areas near existing and proposed railway stations that can support transit-oriented development.

Clause 16.01-2S Housing affordability

Increased housing closer to jobs, transport and services enabled by the amendment will help to improve housing affordability.

Clause 16.01-5S Residential aged care facilities

New local policy encourages residential aged care and independent living development within the Burwood Central Neighbourhood to allow people to age in place.

Clause 17.01-1R Diversified economy - Metropolitan Melbourne

The amendment has a strong focus on supporting the employment and servicing role of the Heath and Education precinct within Burwood, as well as in diversifying employment generating uses and supporting employment and investment in industrial land.

Clause 17.02-1S Business

The new planning controls encourage development that will meet the community's needs for retail, entertainment, office and other commercial services.

Clause 18.01-1S Land use and transport integration

The amendment facilitates access to social, cultural and economic opportunities by

leveraging the opportunity for increased development intensity associated with the accessibility afforded by the new SRL station at Burwood and integration with existing public transport.

Clause 18.02 Movement networks

This clause is broadly supported through the provision of active transport links within the Burwood Structure Plan Area, as well as in policy and development application requirements relevant to reduced car parking and provision of sustainable transport initiatives.

Monash Planning Scheme

15.01-1L-02 Tree conservation for a Garden City

Applications must consider standards for canopy tree cover, as well as landscaping.

Clause 15.01-2L-02 Environmentally sustainable development

The amendment support this local policy by introducing planning controls to drive an improved climate response across the Burwood Structure Plan Area, with provisions that seek to elevate sustainable development outcomes, mitigate urban heat, and contribute positively to sustainable transport patterns.

Clause 16.01-1L-01 Housing supply - Monash

The new planning controls aim to deliver increased diversity and density of housing to meet the needs of the community.

Clause 17.01-1L Diversified economy

The amendment has a strong focus on revitalising employment areas and encouraging development of a high standard. It also supports the growth of the knowledge economy through policy specific to servicing the Health and Education precinct.

Whitehorse Planning Scheme

Clause 12.01-1L Protection of biodiversity

The amendment support this clause through introducing additional policy relevant to protecting and enhancing the Gardiners Creek (Kooyongkoot) corridor and associated parklands. Applications must also consider standards for canopy tree cover.

Clause 15.01-2L Environmentally sustainable development

The amendment support this local policy by introducing planning controls to drive an improved climate response across the Burwood Structure Plan Area, with provisions that seek to elevate sustainable development outcomes, mitigate urban heat, and contribute positively to sustainable transport patterns.

Clause 17.03-2L Sustainable industry

Although industrial land is to be rezoned to the PRZ in most instances within the

Burwood Structure Plan Area, this policy is supported by encouraging renewal of industrial areas including through lot consolidation.

How does the amendment support or implement the Municipal Planning Strategy?

The amendment supports the Municipal Planning Strategy (MPS) of the Monash and Whitehorse Planning Schemes by implementing controls which facilitate the coordinated and staged planning and delivery of the Structure Plan, in a manner which will enhance the vision of the municipality.

Specifically for the Monash Planning Scheme, the amendment will help realise the focus areas of the municipal vision relevant to a Sustainable City and Enhanced Places set out in Clause 02.02 by enacting considered planning controls which seek to deliver high-quality land use and built form outcomes while supporting significantly increased development intensity in a fair and orderly manner, taking advantage of the increased accessibility afforded by the new SRL station.

Strategic directions relevant to settlement, environmental risks and amenity, built environment and heritage, housing, economic development and transport set out within Clause 02.03 are supported by the amendment. In particular, the amendment encourages a variety of mixed use development and more intensive, diverse housing in appropriate locations, enhancing streetscapes and access including public transport, walking and cycling, and creating attractive environments for the benefit of the local community.

In Whitehorse, the vision for resilience, belonging, natural environment, sustainability and a dynamic community is supported. The amendment provides a land use and development framework based on the Structure Plan, specifically designed to deliver “a thriving urban centre growing responsibly in its natural environment to create a sustainable suburb”.

Strategic directions set out within Clause 02.03 consider a variety of matters across the municipality. The amendment seeks to implement many of these directions relevant to the Burwood Structure Plan Area, including growing safe and attractive activity centres which contribute to the economy and respond to the needs of the community; protecting and enhancing the Gardiners Creek (Kooyongkoot) corridor and associated parklands; increasing housing growth while maintaining the high-quality residential environment; and focusing increased employment densities in compatible locations.

Changes will be made to local policy in the Monash and Whitehorse Planning Scheme to give effect to and implement the Burwood Structure Plan.

Does the amendment make proper use of the Victoria Planning Provisions?

The amendment makes proper use of the Victoria Planning Provisions by updating

and amending the Planning Policy Framework to implement the objectives and strategies to achieve the strategic directions set by the Structure Plan.

The PRZ is the most appropriate zone in the VPP to facilitate substantial urban change, public benefits and a new urban form that reflects the role of the precinct. The zone facilitates land uses and subdivision patterns in accordance with a use and development framework plan and supports sustainable outcomes that maximise public and active transport.

The BFO is the most appropriate tool in the VPP to provide for the outcomes in the structure plan area to which it applies. Using a BFO allows the planning controls to be focussed on built form controls including building height and building setbacks with clear benchmarks for good quality built form outcomes.

The application of the Parking Overlay is the appropriate tool in the VPP to manage car parking in a precinct and specify variations to the standard requirements in clause 52.06 (Car parking).

The application of the EAO is the appropriate tool in the VPP to manage potentially contaminated land.

The amendment modifies existing controls in the planning schemes to remove duplication or avoid conflict with the new planning controls and to reflect the Structure Plan.

The Structure Plan and Implementation Plan will be referenced as background documents, providing the long-term strategic framework which has guided the controls.

How does the amendment address the views of any relevant agency?

The amendment has been prepared in consultation with relevant agencies including Monash and Whitehouse City Councils, Department of Transport and Planning, Melbourne Water and Environment Protection Authority.

The views of relevant agencies will be sought during the formal exhibition process of the amendment.

Does the amendment address relevant requirements of the Transport Integration Act 2010?

The Suburban Rail Loop Authority in itself and acting as a planning authority is an 'interface body' under the *Transport Integration Act 2010*. Under Section 25 of that Act:

(1) An interface body must have regard to the transport system objectives when exercising powers and performing functions under any interface legislation which are likely to have a significant impact on the transport system.

(2) An interface body must have regard to the decision making principles in making decision under any interface legislation which are likely to have a significant impact on the transport system.

The amendment is likely to have a significant impact on the transport system at a local level. It introduced controls into the planning schemes based on the Structure Plan, which has been prepared to reflect the urban renewal opportunity afforded by the SRL station at Burwood. It will allow a significant intensification of development in the area and consequent increased use of the transport system.

The amendment responds to this impact by:

- Promoting social inclusion and economic prosperity by developing residential and employment areas close to the transport network, including the SRL Burwood station, which is accessible by all in the community.
- Enhancing local and regional connectivity in line with environmentally sustainable travel policy and integrated transport and land use principles contained within state planning policy documents.
- Introducing car parking controls to encourage limited vehicle use, supported by the development of strong active transport links and supporting innovative modes which can have a positive impact on the transport system and safety and wellbeing.
- Requiring development applications above a certain size to prepare Green Travel Plans to manage transport demand.
- Requiring the consideration of bicycle parking in development applications to encourage healthy travel outcomes.

Resource and administrative costs

What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?

The amendment may have an impact upon responsible authority resources. The introduction of new planning controls will increase the development capacity throughout the structure plan area, which could result in an increase in permit applications.

It is considered that any impact on resources will be supported by a streamlined decision making process, enabled in the PRZ and BFO, public notice and third-party exemptions and 'deemed to comply' built form requirements.