

Monash Planning Scheme

Kingston Planning Scheme

Amendment GC247

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 Clayton SRL East Structure Plan* (Structure Plan) has been prepared for the Clayton Structure Plan Area (Figure 1). The Clayton Structure Plan Area sits within the municipalities of the City of Kingston and City of Monash.



Figure 1: Clayton Structure Plan Area

The amendment is required to introduce new planning settings to the Kingston and Monash 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:

- Kingston City Council: 1230 Nepean Highway, Cheltenham
- Monash City Council: 293 Springvale Road, Glen Waverley

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 Clayton Structure Plan Area, which includes land within both Kingston and Monash 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), Built Form Overlay (BFO) to the majority of the land within the Structure Plan Area applying the Parking Overlay (PO), Public Acquisition Overlay (PAO) and Environmental Audit Overlay (EAO). The amendment also updates general and operational provisions in the Planning

Scheme, as relevant.

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

Kingston Planning Scheme

- Inserts the following background documents into the Schedule to Clause 72.08:
 - *SRL East Structure Plan – Clayton (SRLA 2025)*
 - *SRL East Implementation Plan – Clayton (SRLA 2025)*
 - *Precinct Parking Plan – Clayton (AJM 2025)*
- Inserts:
 - Clause 11.03-6L-01 SRL East Structure Plan Areas
 - Clause 11.03-6L-03 Clayton SRL East Structure Plan Area
 - Clause 37.10 Precinct Zone and Schedule 5 to Clause 37.10 Precinct Zone (PRZ5)
 - Clause 43.06 Built Form Overlay and Schedule 5 (BFO5), Schedule 6 (BFO6) and Schedule 7 (BFO7)
 - Schedule 4 to Clause 45.09 Parking Overlay (PO4)
- 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 02.03-9 Infrastructure
 - Clause 02.04 Strategic framework plans
 - Clause 11.03-1L-01 Activity centres – Kingston
 - Clause 15.01-1L-04 Landscape design – Kingston
 - Clause 15.01-5L-01 Neighbourhood character – Kingston
 - Clause 17.03-1L Industrial land supply in Kingston
 - Clause 18.02-4L Car parking – Kingston
 - Schedule 25 (DDO25) and Schedule 26 (DDO26) to Clause 43.02 Design and Development Overlay
 - 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
- Applies:
 - Clause 45.03 Environmental Audit Overlay (EAO) to 1418A Centre Road, Clayton South
- Rezones:
 - land within the Structure Plan Area from Commercial 1 Zone (C1Z), Commercial 2 Zone (C2Z), General Residential Zone Schedule 5 (GRZ5), Industrial 1 Zone (IN1Z), Mixed Use Zone (MUZ), Residential Growth Zone

Schedule 1 (RGZ1) and Residential Growth Zone Schedule 3 (GRZ3) to Precinct Zone Schedule 5 (PRZ5)

- Deletes:
 - Schedule 24 to Clause 43.02 Design and Development Overlay from the Kingston Planning Scheme
 - Schedule 25 and 26 to Clause 43.02 Design and Development Overlay (DDO25 and DDO26) from land within the Clayton Structure Plan Area

Monash Planning Scheme

- Inserts the following background documents into the Schedule to Clause 72.08:
 - *SRL East Structure Plan – Clayton (SRLA, 2025)*
 - *SRL East Implementation Plan – Clayton (SRLA, 2025)*
 - *Precinct Parking Plan – Clayton (AJM, 2025)*
- Inserts:
 - Clause 02.04-4 Clayton Suburban Rail Loop East Precinct Plan
 - Clause 11.03-6L-01 SRL East Structure Plan Areas
 - Clause 11.03.6L-02 Clayton SRL East Structure Plan Area
 - Clause 37.10 Precinct Zone and Schedule 1 (PRZ1) and Schedule 2 (PRZ2)
 - Clause 43.06 Built Form Overlay and Schedule 1 (BFO1), Schedule 2 (BFO2), Schedule 3 (BFO3) and Schedule 4 (BFO4)
 - Clause 45.09 Parking Overlay and Schedule 1 (PO1) and Schedule 2 (PO2)
- Amends:
 - Clause 02.01 Context
 - Clause 02.03-1 Settlement
 - Clause 02.03-4 Built environment and heritage
 - Clause 02.03-5 Housing
 - Clause 02.03-6 Economic development
 - Clause 02.03-7 Transport
 - Clause 02.03-8 Infrastructure
 - Clause 02.04-1 Strategic framework plan
 - Clause 02.04-3 Residential development plan
 - 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 1 to Clause 43.02 Design and Development Overlay (DDO1)
 - Schedule 5 to Clause 43.04 Development Plan Overlay (DPO5)
 - Schedule to Clause 45.01 Public Acquisition Overlay (PAO)
 - 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

- Applies:
 - Clause 45.01 Public Acquisition Overlay to the property at 31 Dunstan Street, Clayton
- Rezones:
 - land within the Clayton Structure Plan Area from Commercial 1 Zone (C1Z), General Residential Zone Schedule 2 (GRZ2), General Residential Zone Schedule 3 (GRZ3), General Residential Zone Schedule (GRZ6), Industrial 1 Zone (IN1Z), Residential Growth Zone Schedule 3 (RGZ3) to Precinct Zone Schedule 1 (PRZ1)
 - land within the Station Development Area located immediately north of the railway line, between Clayton Road and Madeleine Road, from Commercial 1 Zone (C1Z), General Residential Zone Schedule 6 (GRZ6) and Residential Growth Zone Schedule 3 (RGZ3) to Precinct Zone Schedule 2 (PRZ2)
- Deletes:
 - Schedule 1 to Clause 43.02 Design and Development Overlay (DDO1) from land within the Clayton Structure Plan Area
 - Schedule 5 to Clause 43.04 Development Plan Overlay (DPO5) from land within the Clayton Structure Plan Area.

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 Clayton Structure Plan Area for the next 15 years in line with the vision and objectives of the Structure Plan. The Structure Plan seeks to retain the significance of the Monash Medical Precinct, while supporting increased residential development, housing options, and stronger synergies between health, medical research, education, and research assets. Changes to the planning schemes reflect this vision.

Rezoning of land

The majority of land within the Clayton 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 Clayton 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 EAO will be applied to land within the Clayton 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 31 Dunstan Street, Clayton. 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 Clayton Structure Plan Area, 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 Act 1987* (the Act) by introducing a land use and development framework for the Clayton Structure Plan Area.

The amendment will apply policy, zone and overlay controls and update 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 SRL station, increasing opportunities for walking, cycling, and public transport use. This will reduce car use to generate social and environmental benefits.

The new planning controls also make provisions for new development to contribute to increasing tree canopy. They set Green Star sustainability rating requirements for specified larger developments and require 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.

Social effects

The amendment introduces planning policy and controls to capitalise on the improved public transport access and connectivity that SRL East will provide to generate social benefits and opportunities.

New and amended planning controls will enable development of a greater range of housing types, sizes and tenures in residential areas; deliver 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 benefits' in exchange for development rights. These benefits will result in social benefits.

Economic effects

The amendment seeks to catalyse economic growth in the health priority area, the retail strip within Clayton Central, and the Audsley Street Employment Area.

These areas will support a higher density of jobs across highly specialised health employment, commercial offices and local retail.

The amendment seeks to:

- Expand and intensify the Monash Health Precinct to reinforce Clayton's role as a premier health, medical and research centre.
- Build on the strengths of the Monash National Employment and Innovation Cluster (NEIC) and the Monash Health Precinct.
- Prioritise health-related land uses in a defined health priority area, supporting health, education, research and complementary uses.
- Encourage commercial and office land uses and intensification in identified areas within the Structure Plan Area, including prioritising retail and hospitality uses in the Clayton Central Neighbourhood to create a vibrant night-time economy.
- Revitalise the Audsley Street Employment Area to attract new businesses and jobs with a shift to advanced manufacturing.

Does the amendment address relevant bushfire risk?

The amendment does 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?

Ministerial Direction - Form and Content of Planning Schemes

The amendment complies with the requirements of *Ministerial Direction on the Form and Content of Planning Schemes* under section 7(5) of the Act.

Ministerial Direction 1 – Potentially Contaminated Land

The amendment complies 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 complies with *Ministerial Direction 11 - Strategic Assessment of Amendments* under section 12 of the *Planning and Environment Act 1987*. The amendment is consistent with this direction which ensures a comprehensive strategic evaluation of a planning scheme amendment and the outcomes it produces.

Ministerial Direction No. 19 – Preparation and content of Amendments that may significantly impact the Environment, Amenity and Human Health (MD19)

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 supports this policy by implementing a land use and development framework based on comprehensive strategic planning undertaken for the Clayton 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 support 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 Clayton Central Neighbourhood to enable people to age-in-place.

Clause 17.01-1R Diversified economy - Metropolitan Melbourne

Controls to be applied to the Monash NEIC will not inhibit its envisaged growth.

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 Clayton 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 Clayton Structure Plan Area, as well as in policy and development application requirements relevant to reduced car parking and provision of sustainable transport initiatives.

Kingston Planning Scheme

Clause 15.01-1L-01 Urban Design - Kingston

Built form controls consider visual impact and solar access.

Clause 15.01-3L Building Design - Kingston

Built form controls have been designed to “support well-designed development that makes a positive contribution to the streetscape and public realm”.

Monash Planning Scheme

Clause 11.03-1L-04 Monash National Employment and Innovation Cluster

The amendment facilitates employment growth around the Monash NEIC.

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 supports this local policy by introducing planning controls to drive an improved climate response across the Clayton 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 employment diversity, and a transition to a knowledge-based economy.

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

The amendment makes changes to the strategic directions in the Municipal Planning Strategy (MPS) to include the Suburban Rail Loop (East) – Clayton Precinct. These changes include the insertion of specific strategic directions for the SRL Clayton Precinct.

The amendment is consistent with the existing MPS of the Kingston and Monash 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.

The amendment supports the stated municipal vision within Clause 02.02 of the Kingston Planning Scheme to achieve an “inclusive, resilient community with a thriving economy, where we all share a safe, sustainable environment” by delivering increased housing opportunity and diversity and enhanced local economies.

Strategic directions set out within Clause 02.03 of the Kingston Planning Scheme to

accommodate increased urban growth in established areas and facilitate ongoing renewal in activity centres to integrate land use and transport, and promote health and wellbeing are implemented by the amendment.

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 of the Monash Planning Scheme, it enacts 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 of the Monash Planning Scheme are supported by the amendment. In particular, the amendment facilitates knowledge-based industries, business and residential development that caters for the needs of Monash NEIC.

Changes will be made to local policy in the Kingston and Monash Planning Schemes to give effect to and implement the Clayton 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 PO 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 application of the PAO is the appropriate tool in the VPP to reserve land for a public purpose.

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 Kingston City Councils, Department of Transport and Planning, Melbourne Water and Environment Protection Authority.

The views of relevant agencies will be further sought during the public notification 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. The amendment introduces planning 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 Clayton. The amendment 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 station at Clayton, 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, 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 on the 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.