

Monash Planning Scheme

Amendment C173mona

Explanatory Report

Overview

The amendment seeks to implement the *Huntingdale Precinct Plan* (City of Monash, 2023) ('the Plan') to land within (and immediately around) the Huntingdale Precinct (The Precinct) by:

- Replacing the existing Design and Development Overlay with a new Design and Development Overlay (DDO) to facilitate development in industrial, commercial and mixed use areas of between 3 and 8 storeys.
- Rezoning a limited number of industrial properties within the commercial core and near the train station to the Commercial 1 Zone (C1Z), and applying the Environmental Audit Overlay (EAO).
- Rezoning residential land along Huntingdale Road to the Mixed Use Zone and all other residential land within the precinct boundary to a new schedule to the General Residential Zone.
- A new planning policy for the precinct to support decision-making.
- Other minor administrative and policy changes.

Where you may inspect this amendment

The amendment can be inspected free of charge at the Monash City Council's website at www.monash.vic.gov.au/amendment-c173

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

- Civic Centre, 293 Springvale Road, Glen Waverley VIC 3150
- Oakleigh Service Centre, 3 Atherton Road, Oakleigh VIC 3166
- Clayton Library, 9-15 Cooke Street, Clayton VIC 3168

The amendment can also be inspected free of charge at the Department of Transport and Planning website at <http://www.planning.vic.gov.au/public-inspection> or by contacting the office on 1800 789 386 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 **1 July 2024**.

A submission must be sent in any of the following ways:

- Email: strategic.planning@monash.vic.gov.au
- Online: shape.monash.vic.gov.au/amendment-c173
- Mail: Strategic Planning Co-ordinator, City of Monash, PO Box 1, Glen Waverley VIC 3150

Panel hearing dates

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- Directions hearing: week beginning 23 September 2024
- Panel hearing: week beginning 21 October 2024

Details of the amendment

Who is the planning authority?

This amendment has been prepared by Monash City Council, which is the planning authority for this amendment.

Land affected by the amendment

The amendment applies to land within (and immediately around) the Precinct as shown in Attachment 1 (Map).

What the amendment does

The amendment seeks to implement the *Huntingdale Precinct Plan* (City of Monash, 2023) ('the Plan') by introducing a new local policy at Clause 22.17, by rezoning land within the commercial core and near the train station to Commercial 1 Zone and applying the Environmental Audit Overlay, by rezoning residential land along Huntingdale Road to Mixed Use Zone 4, by introducing and applying the General Residential Zone Schedule 12 (GRZ12) to residential land within the precinct, by removing the Design and Development Overlay – Schedule 1 (DDO1) from industrial land within the precinct and by introducing and applying Design and Development Overlays Schedule 20 (DDO20) to all commercial and mixed use land and Schedule 21 (DDO21) to all industrial land within the precinct boundary. The amendment also makes other consequential changes to the scheme.

The amendment specifically seeks to:

- Amend Clause 21.06 of the MSS to reflect the role of the Huntingdale Precinct as

both a precinct within the Monash NEIC and a Neighbourhood Activity Centre.

- Introduce a new local policy at Clause 22.17 for the precinct.
- Rezone the following properties from the Industrial 1 Zone (IN1Z) to the Commercial 1 Zone (C1Z) and applies the Environmental Audit Overlay (EAO):
 - 1269 North Road, Oakleigh
 - 144 to 180 Haughton Road, Oakleigh
 - 31 to 39 Railway Avenue, Oakleigh
 - 265 to 271 Huntingdale Road, Oakleigh
- Rezone 250 to 254 and 264 to 276 Huntingdale Road, Huntingdale from the General Residential Zone 2 (GRZ2) to the Mixed Use Zone 4 (MUZ4).
- Rezone 256-262 Huntingdale from the Residential Growth Zone 5 (RGZ5) to the MUZ4, and deletes the RGZ5 schedule from the planning scheme.
- Introduce a new Schedule 12 to the General Residential Zone (GRZ12) / Rezones land to the new GRZ12.
- Rezone the GRZ2 properties outside of the precinct listed in the map to Attachment 1 to the General Residential Zone 3 (GRZ3) to match the adjacent zoning.
- Remove DDO1 from all land within the precinct.
- Apply a new DDO20 to all C1Z and MUZ4 land within the precinct.
- Apply a new DDO21 to all IN1Z land within the precinct.
- Amend the schedule to Clause 52.28 to prohibit gaming machines within the land rezoned to C1Z, forming extensions to the existing shopping strips.

Strategic assessment of the amendment

Why is the amendment required?

The amendment is required to implement the *Huntingdale Precinct Plan* (City of Monash, 2023) (the Plan). The Plan provides a transformative vision and principles for this key precinct within the Monash National Employment and Innovation Cluster (Monash NEIC).

There are currently no built form controls applying to the commercial strips along Huntingdale Road and near the train station on North Road. The design controls in the existing DDO1 that apply to industrial land within the precinct are generic and apply to other industrial and commercial areas within Monash, and constrain development inconsistently with the Plan. The Plan allows for heights of up to 8 storeys within the core of the centre and 3-4 storeys in other precincts.

The amendment is required to implement the Plan into the Monash Planning Scheme to provide housing growth and mixed use development along Huntingdale Road, provide a suitable schedule to the GRZ for residential land within the precinct to facilitate incremental change, and rezone land outside the precinct to the GRZ3 to properly demarcate the precinct from the garden city suburb areas.

The use of the General Residential Zone 12 (GRZ12) in the residential areas of the precinct is justified given:

- It is implementing the Plan, which has designated Activity Areas 8A and 8B for housing diversity and retaining the existing maximum height and front setbacks.
- It doesn't reduce residential capacity compared to what is currently permissible in GRZ2.
- It can accommodate incremental change to meet the Victoria In Future 2023 (VIF2023) projections for residential growth by 2036 for Oakleigh-Huntingdale of around 12,000 dwellings (up from 9,763 dwellings in 2021). It was estimated in 2016 that the capacity of the residential areas in Oakleigh-Huntingdale could increase to 15,875 dwellings – even if they were zoned GRZ3 (which is more restrictive than the proposed GRZ12).
- The focus for residential growth and change is centralised in the commercial and mixed use areas.

The amendment is implementing the Huntingdale Precinct Plan, which has recommended applying the Mixed Use Zone to all of the residential land fronting the eastern side of Huntingdale Road and allowing heights up to six storeys. This includes the site at 256-262 Huntingdale Road, which was rezoned from IN1Z to Residential Growth Zone 5 (RGZ5) via Amendment C131mona in April 2020. Retaining the RGZ5 zoning would result in lesser height (i.e. 4 storeys) and a more limited range of ground level uses compared to what is proposed in this amendment with the MUZ4 and DDO20, and is one of the larger sites in the mixed use area.

The amendment seeks to focus taller development along Huntingdale Road and within close proximity to the retail areas and train station, and transition in scale to nearby residential areas – consistent with the Plan. The Industrial 1 Zone has been retained for the majority of the precinct as this zone remains suitable for the range of land uses intended by the Plan, including modern clean industry, warehousing, manufacturing, limited retail, and offices. The zone also manages bulky goods retailing so that it does not dominate other land uses within the precinct.

The amendment also seeks to facilitate purpose-built student accommodation within close proximity to the train station and bus stops, which have easy access to the Clayton and Caulfield campuses of Monash University.

Overall, the amendment will have a net community benefit by facilitating economic activity through extending the retail areas, allowing housing growth in the form of shop top housing and mixed use development within the core of the centre and facilitating incremental residential change in residential areas, including low-scale apartments in landscape settings, limiting the proliferation of gaming machines within the retail strips, and facilitating specific and appropriate scale of development within the precinct.

The boundary of the precinct was based on guidance in Planning Practice Note No. 58. Residential areas generally within 400m of the C1Z areas were included in the

precinct, considering natural barriers and topography. The boundary of the precinct plan was adjusted during the structure planning process, excluding some lots on the periphery and making the boundary more logical (e.g. excluding land north of Edward and Leigh Streets and the eastern side of Fenton Street). These excluded areas are proposed to be rezoned to GRZ3 to be consistent with the adjacent zoning.

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

The objectives of planning in Victoria in Section 4 of the Planning and Environment Act 1987 relevant to this amendment are to:

- a) to provide for the fair, orderly, economic and sustainable use, and development of land;
- b) to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;
- f) to facilitate development in accordance with the objectives set out in paragraphs (a), (b), (c), (d) and (e); and
- g) to balance the present and future interests of all Victorians.

The amendment seeks to achieve the objectives listed above by providing a strategic framework to manage growth and change within the Precinct into the future. The preparation of the Plan was informed by expert advice provided by town planners, urban designers, economists, traffic engineers, and along with 2 stages of community and stakeholder input.

The Plan acknowledges the significant potential of the precinct as an important incubator within the Monash NEIC, offering start-ups and businesses with connections to Monash University and research facilities to have sufficient space to innovate. The Plan also seeks to improve the function and appearance of the precinct, within both the public and private realm, to make it an attractive and accessible place to live, study and work.

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

Environmental Effects

The amendment will have a neutral environmental effect. As service uses within the rezoned industrial land transition to other uses, preliminary risk screen assessments or environmental audits would be required to ensure the land is suitable for sensitive uses. New residential uses within the centre will be required to protect their own amenity from noise sources such as the train line, the busy North Road overpass and activity along Huntingdale Road.

The importance of landscaping has been emphasised within the built form controls

(within the DDO schedule and GRZ12 schedule), retaining and enhancing setbacks for canopy trees and low level vegetation, and avoiding the use of front setbacks for car parking.

Based on an investigation of historical uses of the land proposed to be rezoned from IN1Z to C1Z, Council has determined that there is potential contamination to this land. Therefore, it is considered appropriate to apply the Environmental Audit Overlay (EAO) to these sites to defer the audit requirements to the planning application stage – if sensitive uses (e.g. dwellings, childcare centres) are proposed, consistent with Planning Practice Note No. 30 and Ministerial Direction No. 1.

Economic Effects

The amendment will have a positive economic effect.

The Precinct fulfils economic roles as a Neighbourhood Activity Centre and as a precinct within the Monash NEIC. It offers a wide range of employment-intensive uses from offices, warehousing, manufacturing, shops, food and drink premises, services and restricted retail. The amendment seeks to rezone some industrial land to allow a wider range of uses (including wider range of retail, shop top housing and student accommodation) within the core of the centre and close to the train station – that are currently either being used for retail, offices or services. The amendment facilitates an increase in potential retail floor area.

The built form controls are tailored specifically for the precinct, with taller built form within the core of the centre and along Huntingdale Road, where this can be accommodated and increase the viability of businesses along this busy strip.

The Precinct is classified as local industrial land in the *Melbourne Industrial and Commercial Land Use Plan* (MICLUP). The industrial zoning is retained for the majority of the precinct.

Social Effects

The Plan seeks to improve accessibility within the centre through public realm improvements. The built form controls within the proposed DDO schedules seek to create / encourage mid-block pedestrian links to improve walkability within the precinct.

The amendment seeks to reduce harm from gaming machines through ensuring they are prohibited within the expanded retail strips, minimising opportunities for convenience gaming and incidence of problem gambling.

Residential growth is focused within the core of the centre, while facilitating incremental change in the residential areas proximate to the train station and activity centre, and providing a transition to surrounding residential areas. Increasing the residential density within the core of the centre will promote walkability and interaction between residents.

Does the amendment address relevant bushfire risk?

The amendment is not expected to have any impact on bushfire risk. The land affected by the amendment is in suburban Melbourne and is not proximate to any Bushfire Prone Areas within Monash or elsewhere.

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

The amendment complies with the Form and Content of Planning Schemes. Ministerial Direction 15 will also apply to the timeframe for administering the amendment.

Ministerial Direction 9 (Metropolitan Planning Strategy) is relevant to this amendment. The Precinct is within the Monash NEIC, while also being a Neighbourhood Activity Centre that can support a 20 minute neighbourhood – supplying a range of local, convenient goods and services, education, employment and transport all within walking distance from residential areas.

Ministerial Directions 1 and 19 are also relevant to this amendment as potentially contaminated land is proposed to be rezoned and could accommodate sensitive uses such as dwellings and childcare centres. Discussion of feedback from the Environmental Protection Authority Victoria (EPA) is provided below in relation to addressing the views of any relevant agency.

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

The amendment is consistent with the Planning Policy Framework. Most relevant are the following objectives and strategies:

- 11.01-1S - To promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.
- 11.02-2S - To facilitate the orderly development of urban areas.
- 11.03-1S - To encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres that are highly accessible to the community. Strategy - Undertake strategic planning for the use and development of land in and around activity centres.
- 15.01-1S - To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.
- 15.01-1R - To create a distinctive and liveable city with quality design and amenity.
- 15.01-2S - To achieve building design outcomes that contribute positively to the local context and enhance the public realm.
- 15.01-5S - To recognise, support and protect neighbourhood character, cultural identity, and sense of place.
- 16.01-1S - To facilitate well-located, integrated and diverse housing that meets

community needs.

- 16.01-1R - Strategy - Manage the supply of new housing to meet population growth and create a sustainable city by developing housing and mixed use development opportunities in locations that are (as relevant): areas designated as National Employment and Innovation Clusters; neighbourhood activity centres - especially those with good public transport connections; and areas near existing and proposed railway stations that can support transit-oriented development.
- 17.01-1R - Strategy - Facilitate the development of National Employment and Innovation Clusters by ensuring they: have a high level of amenity to attract businesses and workers; are supported by good public transport services and integrated walking and cycling paths; and maximise investment opportunities for the location of knowledge intensive firms and jobs.
- 17.01-2S - To create opportunities for innovation and the knowledge economy within existing and emerging industries, research and education.
- 17.02-1S - To encourage development that meets the community's needs for retail, entertainment, office and other commercial services.
- 18.02-1S - To facilitate an efficient and safe walking network and increase the proportion of trips made by walking.

The amendment facilitates development within the Precinct, particularly the core but also encourages renewal and change within the wider employment areas to provide an attractive place for workers while retaining the employment focus and minimising land use conflicts.

The proposed DDO schedules over the industrial and commercial / mixed use precincts will support increased intensification while delivering improved design and amenity outcomes for residents.

Increasing housing density within the core of the centre, near the station and within the mixed use area will improve business viability and provide people with most of their needs on foot, and easy connections to employment within the Monash NEIC and education facilities at either Monash campus.

How does the amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?

The amendment is consistent with the Local Planning Policy Framework, particularly the Municipal Strategic Statement. The most relevant objectives are listed below.

21.04-3 – Residential Development

- To locate residential growth within neighbourhood and activity centres, the Monash National Employment Cluster and the boulevards (Springvale Road and Princes Highway) to increase proximity to employment, public transport, shops and services. This will assist to preserve and enhance garden city character and special character in the balance of the municipality.

- To encourage the provision of a variety of housing types and sizes that will accommodate a diversity of future housing needs and preferences that complement and enhance the garden city character of the city.
- To recognise and provide for housing needs of an ageing population in proximity to neighbourhood and activity centres.

The amendment promotes increased housing density within the activity centre in the commercial and mixed use core through shop top housing and apartments, and in the residential areas to the northeast and south / southwest. The amendment will facilitate increased housing supply and a diversity of types in the centre. The amendment introduces canopy tree provisions in the new General Residential Zone schedule 12 so to enhance the garden city character of the area.

21.05-3 – Economic Development

- To facilitate the revitalisation of key areas and ensure that new development is of a high standard that adds to the attractiveness of business and industrial areas and enhances Garden City Character.

The amendment facilitates the growth of Precinct, while ensuring new development adds to the attractiveness of the precinct through planting of vegetation in setback areas where required.

21.06-3 – Activity Centres

- To develop vibrant major activity and neighbourhood centres with a broad mix of uses appropriate to the type of centre and needs of the target population, that have improved access for walking, cycling and levels of public transport services, and that provide a focal point for the community, fostering social and cultural development.
- Further Strategic Work - Reviewing and/or preparing structure plans for activity centres, and where required, neighbourhood centres.

This amendment is the implementation of the Plan, which is an action under Clause 21.06-3, being to prepare a structure plan for all activity centres. The amendment will facilitate additional retail floorspace allowing for a greater mix of goods and services should the market support it.

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

The amendment makes proper use of the Victorian Planning Provisions. The controls proposed are the most appropriate tools available and have been drafted to be consistent with the Ministerial Direction on *The Form and Content of Planning Schemes*.

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

The Plan was prepared in consultation with a number of key stakeholders, including relevant government agencies. The views of agencies that provided feedback have been taken into consideration in the development of the draft Plan and this amendment.

Ministerial Direction No. 19 – the amendment was referred to the Environment Protection Authority (EPA) prior to resolving to seek authorisation to prepare and exhibit the amendment. The referral included a site history review for the sites proposed to be rezoned to C1Z based on readily available information. Each of the three areas has at least one (or had in the past) motor vehicle repairs premises.

In response to feedback from the EPA, further research has identified several historical uses that could have resulted in potential contamination. This includes the possible use of 1269 North Road, Oakleigh for motor vehicle sales (which may have been used for vehicle servicing), 180 Haughton Road as a service station, lawn mower repairs at 144-154 Haughton Road, 160 Haughton Road and 265 Huntingdale Road, Oakleigh, drycleaners at 168 Haughton Road, Oakleigh, car washing / polishing at 267-269 Huntingdale Road, Oakleigh, and panel beating at 271 Huntingdale Road. This has widened the area of potential contamination further than originally anticipated. This is in addition to the current use of 31 to 39 Railway Avenue being used for car servicing, and 180 Haughton Road being used for open air storage of heavy equipment.

It is appropriate in this instance to require Preliminary Risk Screen Assessments (PRSA) (and, if required, environmental audits) to be undertaken at the planning permit stage. Council is undertaking a cautious approach in applying the EAO to all the rezoned properties. The sites are all in fragmented ownership. Council considers that the deferral of assessments via the EAO is appropriate in this circumstance.

In relation to noise impacts, all the rezoned properties are within proximity to other sites currently within the C1Z that can already contain noise sensitive uses such as dwellings. Development of noise sensitive uses will naturally require them to protect their own amenity, and this has been built into the built form controls. In addition, Clause 58.04-3 would apply to apartment developments in the C1Z and noise impacts from the adjacent railway corridor will be considered as part of the planning application process.

The views of agencies such as the EPA, Melbourne Water, the Suburban Rail Loop Authority, Transport for Victoria, and utility providers, will be sought during the exhibition period.

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

The amendment will not have a significant impact on the transport system. The Precinct is already well serviced by public transport in the form of buses along Huntingdale Road and North Road, and the railway station. The amendment seeks

to consolidate most of the housing growth within the core of the centre along Huntingdale Road and near the train station, encouraging walking. Improvement to the pedestrian streets is one of the priority actions from the Plan.

Resource and administrative costs

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

Once implemented, the amendment will not have a significant impact on resourcing and administration. The amendment will provide greater and specific guidance in relation to building design, setbacks and heights than what is currently provided for. The use of the C1Z in place of the IN1Z may decrease the number of applications for a change in land use on those sites as there is a wider range of Section 1 uses in that zone.

Attachment 1 – Map

