

**Monash Planning Scheme Amendment C172mona  
The Monash Boulevards Urban Design Framework**

**Panel Report**

*Planning and Environment Act 1987*

**7 November 2025**

### **How will this report be used?**

This is a brief description of how this report will be used for the benefit of people unfamiliar with the planning system. If you have concerns about a specific issue you should seek independent advice.

The planning authority must consider this report before deciding whether to adopt the Amendment.

[section 27(1) of the *Planning and Environment Act 1987* (the PE Act)]

For the Amendment to proceed, it must be adopted by the planning authority and then sent to the Minister for Planning for approval.

The planning authority is not obliged to follow the recommendations of the Panel, but it must give its reasons if it does not follow the recommendations. [section 31 (1) of the PE Act, and section 9 of the *Planning and Environment Regulations 2015*]

If approved by the Minister for Planning a formal change will be made to the planning scheme. Notice of approval of the Amendment will be published in the Government Gazette. [section 37 of the PE Act]

Planning Panels Victoria acknowledges the Wurundjeri Woi Wurrung People as the traditional custodians of the land on which our office is located. We pay our respects to their Elders past and present.

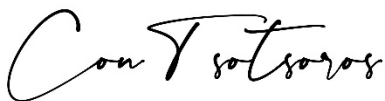
### *Planning and Environment Act 1987*

Panel Report pursuant to section 25 of the PE Act

Monash Planning Scheme Amendment C172mona

The Monash Boulevards Urban Design Framework

**7 November 2025**



Con Tsotsoros, Chair

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## Glossary and abbreviations

the boulevards	Dandenong Road and Springvale Road
Council	Monash City Council
DDO	Design and Development Overlay
DTP	Department of Transport and Planning
GRZ	General Residential Zone
MUZ	Mixed Use Zone
Oakleigh East land	1887-1889 Dandenong Road and 135 Clayton Road, Oakleigh East
PE Act	<i>Planning and Environment Act 1987</i>
Planning Scheme	Monash Planning Scheme
RGZ	Residential Growth Zone
SRLA	Suburban Rail Loop Authority
Urban Design Framework	The Monash Boulevards Urban Design Framework (Tract, 2022)

Note: A number following a zone or overlay code refers to its schedule number

## Overview

### Amendment summary

The Amendment	Monash Planning Scheme Amendment C172mona
Common name	The Monash Boulevards Urban Design Framework
Brief description	Proposes to implement <i>The Monash Boulevards Urban Design Framework (2022)</i> by rezoning land and applying Design and Development Overlay schedules on the subject land
Subject land	Properties along and near Dandenong Road and Springvale Road within the municipality, as shown in Figure 1
Planning Authority	Monash City Council
Authorisation	12 July 2024, with conditions
Exhibition	31 October to 19 December 2024
Submissions	Number of Submissions: 32

### Panel process

The Panel	Con Tsotsoros (Chair)
Directions Hearings	By video, 3 April and 8 September 2025
Panel process	The Panel considered issues based on documents without a hearing
Site inspections	Unaccompanied, 2 October 2025
Parties to the Panel process	Monash City Council Mark Anderson
Citation	Monash PSA C172mona [2025] PPV
Date of this report	7 November 2025

## Executive summary

Monash City Council (Council) recognised the opportunity to transform Dandenong Road and Springvale Road from robust wide road reservations into green boulevards with improved amenity and livability. Council engaged consultants to prepare the Monash Boulevards Urban Design Framework (the Urban Design Framework) which included the following vision:

The Monash Boulevards are great places to live. They are green, safe, well connected, and offer a range of housing choices for all.

The Urban Design Framework sets out four principles relating to built form diversity, movement and connectivity, landscape character and public realm, and sustainable and resilient communities.

Monash Planning Scheme Amendment C172mona (the Amendment) seeks to implement the Urban Design Framework by revising the planning policy framework, rezoning land along and near Dandenong Road and Springvale Road and applying new Design and Development Overlay schedules.

Council exhibited the Amendment from 31 October to 19 December 2024 and received 32 submissions. Key issues raised in submissions related to:

- built form, neighbourhood character and amenity
- traffic and parking
- vegetation, canopy cover and Clause 54 and 55 requirements
- Design and Development Overlay Schedule 6 provisions
- 1887-1889 Dandenong Road and 135 Clayton Road, East Oakleigh.

The Amendment's strategic justification was not an issue raised in submissions. For reasons explained in this report, the Amendment should be adopted subject to recommended changes.

### **Built form, neighbourhood character and amenity**

The proposed building heights are appropriate, particularly with regard to the future preferred neighbourhood character and amenity.

### **Traffic and parking**

A large proportion of Dandenong Road and Springvale Road have service roads which separate slow moving local traffic from faster moving through-traffic. Transport Zone 2 applies to the entire road reservation of these boulevards including the service road which provides access to properties.

It is generally appropriate for Design and Development Overlay Schedule 6 to require a property to avoid access to Transport Zone 2 "*where possible*", though it will be not possible for most properties. Council should consider revising the requirement in Design and Development Overlay Schedule 6 regarding access to Transport Zone 2 to apply specifically to properties without access to a separated local service lane. Similarly, the exhibited Design and Development Overlay Schedule 19 should not be revised to require the relevant site to avoid access to Transport Zone 2 where possible, because it has access to a local service road and side street, without direct access to the main through lanes.

Design and Development Overlay Schedule 6 and 19 should require a traffic impact assessment for permit applications proposing certain developments so that Monash City Council can consider existing and future traffic impacts when assessing an application.

The impact on cyclists resulting from increased dwelling density enabled by the Amendment is reasonable. The impact will improve when cycling infrastructure outlined in the Monash Urban Design Framework is implemented.

### **Vegetation, canopy cover and Clause 54 and 55 requirements**

The proposed vegetation and canopy cover provisions would have resulted in appropriate outcomes along the boulevards, however these provisions can no longer be specified in the Mixed Use Zone, Residential Growth Zone and General Residential Zone schedules due to clause changes introduced by Amendment VC282. Permit applications proposing more than one dwelling will have to respond to the statewide site coverage and tree canopy provisions in Planning Scheme Clauses 55.02-5 and 55.02-7 respectively.

Clause 54 and 55 requirements in the proposed zone schedules should be revised to align with Amendment VC282 and associated changes.

### **Design and Development Overlay Schedule 6 provisions**

Design and Development Overlay Schedule 6 is generally appropriate and would benefit from changes which:

- deletes the Clause 2.0 requirement referring to the interpretation or reading of each building floor level
- replaces the final decision guideline with one that better explains that its objectives, permit requirements, building heights, design considerations and decision guidelines prevail over any inconsistency in a zone schedule.

### **1887-1889 Dandenong Road and 135 Clayton Road, East Oakleigh**

The Amendment and draft Monash Amendment C176mona generally seek similar built form outcomes for 1887-1889 Dandenong Road and 135 Clayton Road, Oakleigh East (Oakleigh East land). Amendment C176mona forms part of the Victorian government's structure planning process for land around the proposed Suburban Rail Loop East project.

The *Planning and Environment Act 1987* envisages that a local planning scheme amendment will include land in a declared Suburban Rail Loop Planning Area, as evident by the requirement for the Minister for Planning to issue a Panel with terms of reference for such land.

Including the Oakleigh East land in Amendment C172mona is appropriate and would not be contrary to the objectives of planning. However, it would be simpler to remove the land from the Amendment, consistent with other properties in declared Suburban Rail Loop Planning Areas that were removed in response to authorisation conditions.

### **Recommendations**

Based on the reasons set out in this Report, the Panel recommends that Council:

1. **Adopt Monash Planning Scheme Amendment C172mona as exhibited with the changes recommended in this report.**
2. **Amend Mixed Use Zone Schedule 3, General Residential Zone Schedule 4 and Residential Growth Zone Schedule 7 to:**
  - a) **replace Standards A3 and B6 (Minimum street setback) with Standards A2-1 and B2-1 – None specified**

- b) replace Standards A5 and B8 (Site coverage) with Standards A2-5 and B2-5 – None specified
  - c) delete standards A6 and B9 (Permeability), B13 (Landscaping), A10 and B17 (Side and rear setbacks) and A11 and B18 (Walls on boundaries)
  - d) replace Standards A17 and B28 (Private open space) with Standards A3-2 and B3-5 – None specified
  - e) relabel Standards A20 and B32 (Front fence height) as Standards A2-7 and B2-8.
3. Amend Design and Development Overlay Schedule 6 to:
- a) revise Clause 2.0 (Buildings and works) to:
    - replace the relevant provision with *“Provide a single vehicle crossover per site and where possible avoid vehicle access to Transport Zone 2”*
    - delete *“Allow for the interpretation or reading of each floor level of the building”* from the ‘Building form, orientation and design’ section
  - b) revise Clause 5.0 (Applications requirements) to require a traffic impact assessment for applications for non-accommodation buildings of three storeys or less, and accommodation buildings of four storeys or more
  - c) replace the final decision guideline with:

*Where there are any inconsistencies between the objectives, permit requirements, building heights, design considerations and decision guidelines of the General Residential Zone, Residential Growth Zone and this schedule, this schedule - Schedule 6 to the Design and Development Overlay prevails.*
4. Amend Design and Development Overlay Schedule 19 to revise Clause 5.0 (Applications requirements) to require a traffic impact assessment.
5. Remove 1887-1889 Dandenong Road and 135 Clayton Road, Oakleigh East from the Amendment.

# 1 Introduction

## 1.1 The Amendment

### (i) Amendment description

The Monash Planning Scheme Amendment C172mona (the Amendment) seeks to implement *The Monash Boulevards Urban Design Framework* (Tract, November 2022) (the Urban Design Framework) by revising the planning policy framework, rezoning land along and near Dandenong Road and Springvale Road to the Residential Growth Zone (RGZ), Mixed Use Zone (MUZ), and new General Residential Zone (GRZ) schedule, applying new Design and Development Overlay (DDO) schedules, and other changes.

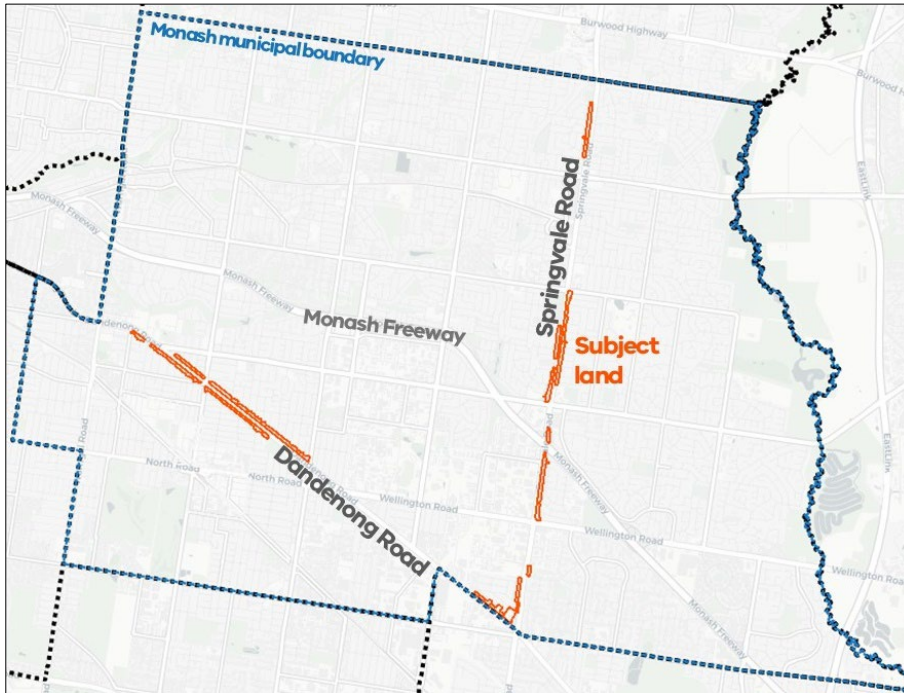
Specifically, the Amendment proposes to:

- amend Clause 15.01-5L by adding new strategies for the Monash Boulevards and revising the Monash residential character areas map
- revise the Clause 72.08 (Background Documents) Schedule to include the Urban Design Framework
- revise the Clause 74.02 (Further Strategic Work) Schedule to delete the work undertaken with the Urban Design Framework and the Amendment
- rezone 21 to 57B Lebanon Crescent, 862 Springvale Road and 2315 Dandenong Road, Mulgrave to General Residential Zone Schedule 3
- rezone 1434A Dandenong Road, Oakleigh to Public Park and Recreation Zone
- rezone 1717 to 1737 and 1873 to 1889 Dandenong Road (Oakleigh East), 2263 to 2275 Dandenong Road (Mulgrave), 726-730 Waverley Road and 1 Kirstina Road, and 523 to 535 Springvale Road and 615-621 Ferntree Gully Road (Glen Waverley) to Residential Growth Zone Schedule 7 (RGZ7)
- rezone all other properties (not listed above) fronting Dandenong Road generally between Warrigal Road and Clayton Road, Blackburn Road and Springvale Road, and Springvale Road generally between Highbury Road and Madeline Street, and Waverley Road and Dandenong Road to General Residential Zone Schedule 4 (GRZ4)
- apply Design and Development Overlay Schedule 19 (DDO19) to 2277 Dandenong Road, Mulgrave
- apply Design and Development Overlay Schedule 6 (DDO6) to all other sites proposed to be rezoned to GRZ4 or RGZ7.

### (ii) The subject land

The Amendment applies to land shown within the orange outline in Figure 1.

Figure 1 Subject land



Source: mapshare.vic.gov.au/vicplan and Planning Panels Victoria

## 1.2 Background

Table 1 Chronology of events

Background summary	
<b>2021</b>	
Aug to Sep	Council started the Urban Development Framework process by consulting on a discussion paper
1 Dec	Suburban Rail Loop legislation was introduced into the PE Act
<b>2022</b>	
Jul to Aug	Council consulted on the draft Urban Development Framework
13 Dec	Council adopted the Urban Development Framework
<b>2023</b>	
26 Apr	Council resolved to request the Minister for Planning authorise the Amendment
7 Dec	The Minister for Planning declared the Suburban Rail Loop planning areas under section 65(1) of the <i>Suburban Rail Loop Act 2021</i>
21 Dec	Council submitted the Amendment to the Department of Transport and Planning for authorisation
<b>2024</b>	
12 Jul	Department of Transport and Planning, under delegation by the Minister for Planning, authorised the Amendment subject to conditions
27 Aug	Council resolved to exhibit the Amendment with the changes required by the authorisation conditions

## Background summary

31 Oct to 19 Dec Council exhibited the Amendment

### 2025

25 Feb Council considered 32 submissions to the Amendment and resolved to request a Panel

11 Mar The Panel was appointed comprising Gabby McMillan (Chair) and Joanna Harrison

3 Apr First Directions Hearing

14 Apr The Panel advise parties it would not proceed with the second Directions Hearing scheduled for 30 April 2025 because it did not have terms of reference required by the PE Act

6 Jun The Panel advised parties that it had not received terms of reference

11 Aug The Minister for Planning provided the Panel with terms of reference

18 Aug The Panel was reconstituted to replace the existing members with Con Tsotsoros

8 Sep Second Directions Hearing

## 1.3 Amendment authorisation conditions

The Amendment was authorised subject to the following conditions:

### Suburban Rail Loop and Activity Centre areas

1. Remove the following areas from the amendment as required by the Suburban Rail Loop Authority:
  - a. Dandenong Road – land between Clayton Road and Blackburn Road, Clayton; and
  - b. Springvale Road – land between Waverley Road and Madeline Street, Glen Waverley.

It is noted that this results in the proposed RGZ8 and EAO<sup>1</sup> being removed from the amendment and the revised maps (Version 5 dated 05/04/2024) and instruction sheet which have been submitted. The ordinance and explanatory report must be updated accordingly.

2. Remove the area along Dandenong Road between Warrigal Road and Poath Road/Chadstone Road, Hughesdale from the amendment. This land forms part of work currently being undertaken by the State Government for the Chadstone Activity Centre.

### Maps

3. Update all relevant maps (Version 5 dated 05/04/2024) to remove the areas required by condition 2.

### Ordinance

4. Delete the mandatory maximum building height from the proposed RGZ7 as it does not meet the criteria for use of a mandatory height control in accordance with Planning Practice Note 59 (PPN59).
5. Update the DDO6 as follows:
  - a. Delete Area C and all references to Area C/RGZ8 as a result of condition 1.
  - b. Delete the discretionary height limit of 11m up to 3 storeys from Area B which applies to the RGZ7. Planning Practice Note 91 (PPN1) states that a maximum building height lower than the maximum building height specified in a residential zone can only be implemented by using an overlay to recognise a special neighbourhood, heritage, environmental, and landscape value or constraint.

<sup>1</sup> Environmental Audit Overlay

- c. Increase the size of the diagrams to improve readability.
- d. Address the comments provided in the DTP markup.
- e. Remove the decision guideline "Whether the development is consistent with the Monash Boulevards Urban Design Framework (City of Monash, November 2022)". In accordance with the Practitioners Guide, a decision guideline should not refer to a background document.
6. Remove Clause 22.01 from the amendment due to the gazettal of Amendment C166mona which implemented the Planning Policy Framework.
7. The changes proposed to Clause 22.01 (Residential character and development policy) must instead be made to the relevant clauses in the Planning Policy Framework (PPF).
8. Update the amended Residential Character Map, which was proposed for inclusion at Clause 22.01 to:
  - a. Remove the areas in conditions 1 and 2, and Precinct SR2 from the Boulevards UDF<sup>2</sup>, which do not form part of the amendment from the 'Monash Boulevards' category. These areas should be white (no category) as they are subject to other strategic work underway.
  - b. Update 'Refer to Clause 22.14' to the relevant PPF clause(s).
9. Consider listing the Monash Boulevards Urban Design Framework (Tract, November 2022) as a background document in the Schedule to Clause 72.08, noting that where a background document is directly related to a policy in clauses 10 to 19 it may be referenced in that specific policy, as well as the schedule to clause 72.08.

Strategic justification

10. Update the explanatory report to explain how the proposed controls will achieve intensification of housing supply consistent with council's housing strategy and state planning objectives. This should include economic considerations of relying on lot consolidation to achieve increased building heights and density and the economic incentive for lot consolidation.

**Other**

- 11 Make corrections and updates to the explanatory report identified in the DTP track changes version of the document and ensure that the addresses and relevant maps in the mapping reference table are correct.
12. Amend all relevant amendment documents, including the amendment description, as a result of the above conditions of authorisation.
13. The Suburban Rail Loop Authority must be notified of the amendment during exhibition.

The following areas were removed from the Amendment in response to the authorisation conditions:

- Residential land on Dandenong Road between Poath Road and Warrigal Road – this land forms part of the Victorian Government's Activity Centre Program
- Residential land on Dandenong Road between Clayton Road and Blackburn Road, and Springvale Road between Madeline Street and Waverley Road – this land forms part of the declared Suburban Rail Loop area.

## 1.4 The Panel's approach

Key issues raised in submissions related to:

- built form, neighbourhood character and amenity
- traffic and parking
- vegetation and canopy cover

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<sup>2</sup> Urban Design Framework

- Design and Development Overlay Schedule 6 provisions
- 1887-1889 Dandenong Road and 135 Clayton Road, East Oakleigh.

The Panel has assessed the Amendment against the principles of net community benefit and sustainable development, as set out in Clause 71.02-3 (Integrated decision making) of the Planning Scheme.

The Panel considered all written submissions made in response to the exhibition of the Amendment, observations from site visits, submissions and other information presented to it during the Panel process. All submissions and information have been considered by the Panel in reaching its conclusions, regardless of whether they are specifically mentioned in the Report.

## 1.5 Limitations

The following issues were raised in submissions and are not discussed further in this report.

### Property title easements

Submissions referred to existing property title easements that restrict the extent of development on a property. Council recognised this restriction, noting such easements benefit other authorities and cannot be easily removed.

### Crime and safety

Submissions considered that increased development and density will increase crime and potential security issues in the area.

Council response:

- There is no demonstrated link between increased housing density and increased crime rates, and no submission provided any.
- Higher densities, when done well, can reduce crime by increasing visual surveillance of streets and public areas.

Panel response:

- Submissions did not explain how the Amendment would result in increased crime and safety issues.
- The Panel agrees with Council's response.

### Local infrastructure capacity

Submissions were concerned there would be insufficient water, sewage and other infrastructure capacity to support future population growth.

Council response:

- This is an established suburban area that is connected to reliable potable water supply.
- These relevant water agencies adjust their infrastructure based on projected demand and were notified about the Amendment.
- Pressure on infrastructure can be mitigated through engineering and design solutions.

Panel response:

- No infrastructure authority advised that existing infrastructure had insufficient capacity or that its capacity could not be increased to service a future larger population.
- Similarly, no submission provided supporting information to explain why they thought there would be insufficient infrastructure capacity.

## 2 Strategic issues

### 2.1 Planning context

This chapter identifies planning context relevant to the Amendment.

Table 2 Planning context

	Relevant references
<b>Victorian planning objectives</b>	- section 4 of the PE Act
<b>Municipal Planning Strategy</b>	- Clause 02.03-5 (MPS – Housing)
<b>Planning Policy Framework</b>	- Clauses 15.01-1R, 15.01-2S, 15.01-4S, 15.01-5S - Clauses 16.01-1S, 16.01-1R - Clauses 21.01 (Settlement), 21.02 (Title) - Clauses 22.01 (Title), 2202 (Title)
<b>Other planning strategies and policies</b>	- Monash Housing Strategy 2014
<b>Planning scheme provisions</b>	- General Residential Zone - Residential Growth Zone - Mixed Use Zone - Design and Development Overlay
<b>Planning scheme amendments</b>	VC282, VC283 and VC289
<b>Ministerial directions</b>	- Ministerial Direction 11 (Strategic Assessment of Amendments)
<b>Planning practice notes</b>	- Planning Practice Note 46: Strategic Assessment Guidelines - Planning Practice Note 91: Using the residential zones

### 2.2 Strategic justification

No submission recommended the Amendment be abandoned due to insufficient strategic justification. Strategic justification is not an issue for the Panel to consider.

For reasons explained in this report, the Panel recommends that Council:

**Adopt Monash Planning Scheme Amendment C172mona as exhibited with the changes recommended in this report.**

## 3 Issues

### 3.1 Built form, neighbourhood character and amenity

#### (i) The issue

The issue is whether the proposed building heights are appropriate, particularly with regard to the future preferred neighbourhood character and amenity.

#### (ii) Background

The Urban Design Framework outlines its approach to building heights and density and sets out its built form objective:

##### 3.1 Built Form Diversity Framework

There are a number of factors that have influenced the approach to building heights and density. These include:

- Gateway locations,
- Large scale redevelopment sites,
- Adjoining sensitive residential and heritage interfaces
- Provision of a service road, or a second frontage for access,
- Proximity to public transport stops and open space,
- Proximity to active transport links,
- Existing Strata titled lots,
- Existing parcel size (acknowledging that lot consolidation may occur), and
- Site topography.

##### Objective

To create a contemporary mid-rise residential character for the Monash Boulevards through high quality building design and architectural form that respects the surrounding context.

The exhibited DDO6 and DDO19 include design objectives and specify discretionary maximum building heights, as shown in Table 3.

**Table 3 DDO6 and DDO19 design objectives, building heights and lot width**

DDO6	DDO19
<b>Objectives</b>	
To provide a consistent, strongly landscaped setback along each boulevard, enhancing the garden city character of Monash.	To provide a consistent, strongly landscaped setback along each boulevard, enhancing the garden city character of Monash.
To provide high quality and environmentally sustainable mid-rise development along each boulevard, with taller built form located at key gateways.	To provide high quality, visually interesting, environmentally sustainable, contemporary building(s) at this key gateway site near the intersection of Dandenong Road and Springvale Road.

DDO6	DDO19
To ensure the height and built form of new buildings provide an acceptable interface, amenity outcomes and transition to adjoining lower scale residential areas in the General Residential Zone and Neighbourhood Residential Zone.	To ensure the height and built form of new buildings provide an acceptable interface, amenity outcomes and transition to adjoining lower scale residential areas in the General Residential Zone.
To encourage lot consolidation in order to achieve the maximum building heights and to provide for sufficient building setbacks to deliver high levels of internal and external amenity.	-
To minimise the need for fencing along street interfaces through appropriate landscaping and building design.	To minimise the need for fencing along street interfaces through appropriate landscaping and building design.
<b>Building height and lot width</b>	
<b>Area A (GRZ4)</b> – Discretionary maximum building height of: <ul style="list-style-type: none"> <li>- 11 metres (3 storeys) for sites less than 24 metres wide</li> <li>- 13.5 metres (4 storeys) for sites greater than 24 metres wide</li> </ul>	<b>2277 Dandenong Road, Mulgrave</b> – Discretionary maximum building height of 27 metres (8 storeys)
<b>Area B (RGZ7)</b> – Discretionary maximum building height of: <ul style="list-style-type: none"> <li>- 13.5 metres (4 storeys) for sites less than 30 metres wide</li> <li>- 21 metres (6 storeys) for sites greater than 30 metres wide</li> </ul>	

**(iii) Submissions**

Submissions seeking less development:

- The proposed built form provisions will:
  - be out of scale with surrounding properties and not consistent with existing character
  - negatively impact amenity and affect privacy
  - enclose existing properties and remove views of the sky and trees
  - result in overlooking and loss of privacy
  - overshadow adjacent properties
  - transform the existing neighbourhood character and community atmosphere that has been long valued by residents.
- Referred to specific locations including:
  - the Gateway Location of 1717-1737 Dandenong Road, Oakleigh East
  - Mulgrave and Glen Waverley neighbourhood character
  - properties surrounding the RGZ7 area.
- The proposed built form provisions may compromise heritage protections.

Submissions seeking more development:

- Increasing development potential than what was exhibited is justified because it will:
  - maximise land potential to accommodate a larger population
  - reduce urban sprawl
  - be often serviced by public transport, reduce car dependency, and improve mobility
  - improve environmental sustainability through a reduced carbon footprint and energy efficiency

- improve economic vitality and housing affordability
- renew and revitalise the urban environment
- improve existing infrastructure use and support local schools and health care
- align with state and regional planning policies.
- Properties along Dandenong Road should have:
  - a maximum building height of 6 storeys rather than the exhibited 4 storeys
  - reduced front setbacks.
- Increasing the setback to side streets from 2 metres to 3 metres will restrict development potential on corner sites.
- The exhibited maximum height of 4 storeys does not align with the Victorian Government's announcements for increased density to support population growth.
- 682-688 Springvale Road, Mulgrave offers more residential development opportunity than proposed by the Amendment.

Council submission regarding built form:

- The Amendment, in concert with relevant planning provisions relevant to new residential development, will provide adequate amenity protection for interfacing properties while increasing the capacity for more housing.
- The potential impacts from the additional building height will be well managed:
  - through the requirements of DDO6 and DDO19
  - following the detailed assessment at the permit application stage.
- The Amendment provides relevant building form guidance through setbacks, wall heights and landscape responses to manage the interfaces between land covered by the Amendment and between the Amendment land and the adjoining residential properties.
- The setback, building façade and landscaping requirements in DDO6 and DDO19 are specific examples of measures to manage offsite amenity impacts.
- The proposed provisions will:
  - be considered with the provisions of Clauses 55 and 57 (and Clause 58 for buildings exceeding 5 storeys)
  - provide further guidance about appropriate setbacks and design details to manage overlooking and overshadowing
  - will ensure that important amenity considerations relating to overlooking and overshadowing are appropriately managed through the permit application process.
- The Amendment, together with the other planning provisions will ensure the right balance is struck between achieving additional built form and densities while appropriately managing the interfaces and impacts of the new development.
- The Amendment does not reduce existing rights of a third party to receive notice or to review a Council decision on a permit application.
- No further changes are required in response to these submissions.

Council submission regarding neighbourhood character:

- A change to the existing character is necessary and appropriate to accommodate additional dwellings.
- The Framework provides sound strategic justification to establish a new character as proposed by the Amendment.
- The Amendment:
  - will lead to a change in the existing character by allowing taller and larger buildings

- seeks to incorporate substantial vegetation to maintain a 'garden city' character along the boulevard interfaces
- seeks to build on important aspects of the existing character through the retention and improvement of canopy tree coverage within the front setbacks of new development.
- The DDO schedules achieve these objectives through:
  - a 7.6 metre front setback
  - a 4 metre rear setback
  - landscaping requirements.
- The landscape requirements:
  - prioritise the retention of significant and large canopy trees
  - maximise deep soil planting
  - seek to have canopy vegetation emerging above the predominant form of the development when viewed from the street
  - set minimum areas for landscaping within the boulevard interface.
- These requirements will be important for maintaining and enhancing the garden city character.
- No further changes are required in response to these submissions.

#### **(iv) Discussion**

The Panel agrees that generally, when well planned, increased development density can achieve positive outcomes related to efficient land use, accessibility and transport connectivity, environmental sustainability, economic viability, housing affordability, urban revitalisation and infrastructure and services efficiency. Such outcomes align with planning policy objectives.

The Amendment proposes planning provisions that will achieve these outcomes over time. The point of difference between the Amendment and submissions is the degree of development opportunities.

The Panel has had regard to whether the proposed planning provisions are appropriate for achieving the future preferred neighbourhood character of the area along Dandenong Road and Springvale Road (the boulevards). Properties along the boulevard interface with a robust high volume road environment, with little relationship to the neighbourhood character within side streets. The character change along the boulevards will therefore have little impact to the character of the area in the side streets behind them.

Regarding the boulevards, the Urban Design Framework identifies opportunities to:

- use the public realm and built form to create identifiable neighbourhoods with a strong sense of place
- mitigate amenity impacts of high traffic volumes to create the Boulevards as attractive housing destinations
- strengthen the 'Garden City' character through high quality landscaping and canopy trees within new townhouse and apartment developments.

The proposed planning provisions will enable development that can achieve these outcomes. The Panel particularly agrees with Council that they will help maintain and enhance the garden city character. The provisions have carefully considered and balanced the need to accommodate further built form to accommodate Monash's growing population with neighbourhood character and amenity.

The maximum building heights of 13.5 metres (four storeys) in most of the boulevard areas combined with generous landscape setbacks and requirements will help buffer the more sensitive residential areas behind these properties from the more robust highway environment. Not all properties proposed to be rezoned are equal so not all of them will be able to achieve the maximum building heights due to other planning considerations.

The Panel agrees with submissions seeking more development that the significant road reservation widths of Dandenong Road and Springvale Road can sustain greater building heights. However, built form considerations alone do not determine the appropriate maximum building heights and setbacks. Other planning objectives related to matters such as sunlight to southern properties, landscaping and tree canopies, and proximity to public transport and an activity centre are a few of many factors to be considered when planning for future development along the boulevards.

The Amendment will introduce an appropriate framework for Council to consider future permit applications. This is when proposal details will be known, and when potential impacts such as shadowing and amenity will be better understood. It would be speculative to assume these impacts at the strategic planning stage of the process. Not all properties are equal so they will not all be able to achieve the maximum development extent enabled by the proposed planning provisions. For example, development on a property north of an existing residential property may need to be designed with a lower building height and greater setbacks to avoid unacceptable overshadowing.

The issue of potential heritage impact is confined to the several properties along Dandenong Road and Springvale Road where the Heritage Overlay applies. There is no identified heritage on most properties along each boulevard. The Amendment will not impact these several properties because it does not propose to remove the Heritage Overlay. Any development proposal on land with the Heritage Overlay will be required to respond to the existing heritage fabric.

The Amendment, supported by the strategic work in the Urban Development Framework, strikes a good balance between planning objectives seeking more housing and greater density with other objectives.

#### **(v) Conclusion**

The Panel concludes the proposed building heights are appropriate, particularly with regard to the future preferred neighbourhood character and amenity.

### **3.2 Traffic and parking**

#### **(i) The issue**

The issue is whether the existing road network can accommodate future traffic volumes and associated parking requirements resulting from increased development and population enabled by the Amendment.

#### **(ii) Submissions**

Submissions – Increased dwelling and population density may:

- result in more people requiring car parking
- reduce available street car parking spaces

- increase traffic congestion and noise on a road network not designed for such traffic volumes
- negatively impact an already congested Springvale Road and Dandenong Road intersection
- result in potential car accidents, including on some existing dangerous service roads.

DTP submission:

- Movement and Place in Victoria (Department of Transport, February 2019) is in the Planning Policy Framework.
- The Urban Design Framework should refer to Movement and Place rather than 'Connectivity' to strengthen section 3.2 (Movement and Connectivity Framework).
- DDO6 and DDO19 should require a Movement and Place Assessment for the whole transport network to assist Council when assessing a planning application in the framework area.
- Permit applications should avoid access, where possible, to Transport Zone 2 and 3.
- DDO6 – add the underline text:

**2.0 Buildings and works**

Car parking and building access, pedestrians and cycling Vehicle crossovers and car parking access should be designed to:

Provide a single vehicle crossover per site and where possible avoid vehicle access to Transport Zone 2 and 3.

Satisfy a Transport Impact Assessment including Movement & Place principles.

- DDO19 – add the underline text:

**2.0 Buildings and works**

...

Car parking and building access, pedestrians and cycling

Focus vehicle access to car parking from Harcourt Avenue and Wilma Avenue (including via the laneway from Wilma Avenue).

Provide a Transport Impact Assessment including Movement & Place principles.

Vehicle crossovers and car parking access should be designed to:

Provide a single vehicle crossover per site and where possible avoid vehicle access to Transport Zone 2 and 3.

Council submission:

- Impacts from increased densities can be managed.
- Council accepted that demand for on street car spaces and traffic movements will likely increase if behaviour does not change when the boulevards are built out.
- Over time, particularly as the vision of the boulevards is delivered, behavioural changes will help mitigate the traffic and parking impacts of additional dwellings.
- It is expected that the reliance on private motor vehicles will reduce and increased pedestrian, cycling and public transport trips will occur over time.
- The Head, Transport for Victoria reviewed the Amendment and:
  - was particularly interested about its impact on the operation of Springvale Road and Dandenong Road
  - did not object or raise any concerns regarding the capacity of Springvale Road or Dandenong Road to accommodate increased vehicle movements as a result of the Amendment.
- requested some changes to DDO6 and DDO19, including:

- that a transport impact assessment be provided with a permit application
- to avoid vehicle access to the Transport 2 Zone
- to provide only a single-width crossover where possible.
- Council has generally accepted these recommendations and included these changes in DDO6 and DDO19.
- These changes will ensure that:
  - detailed traffic and parking implications for each development will be considered
  - new access points to Springvale Road or Dandenong Road will be minimised which will assist with maintaining their primary function as an arterial road.
- Most new development will be able to accommodate most of its resident car parking demand onsite because the Amendment does not change the standard car parking rates in Clause 52.06.
- No further changes are required in response to these submissions.

Council response to DTP submission:

- Requiring a traffic impact assessment is supported but it should be an application requirement in:
  - DDO6 Clause 5.0 (Application requirements – Applications for non-accommodation buildings of three storeys or less, and accommodation buildings of four storeys or more)
  - DDO19 Clause 5.0 (Application requirements).
- Adding “*and where possible avoid vehicle access to Transport Zone 2*” in DDO6 is supported.
- There is no need to refer to Transport Zone 3 because it is not referenced in the Planning Scheme.
- There is no need for DDO19 to seek to avoid vehicle access to Transport Zone 2 and 3 because the site has access to side streets and a service lane and does not have direct access to Dandenong Road.

### **(iii) Discussion**

The Panel agrees with Council’s submission on this matter. There will be increased traffic and parking needs resulting from increased density but this can be managed through the proposed provisions. No submission included information to demonstrate otherwise. The traffic impact assessment required for permit applications proposed larger developments will help to identify and mitigate any potential impact on the road network.

DTP’s request to avoid vehicle access to Transport Zone 2 appears sensible if its intention is to avoid any negative impact on the main through-traffic lanes. However, Transport Zone 2 also applies to local service roads along Dandenong Road and Springvale Road which are generally separated by a median. The service road is designed to safely separate slower moving local traffic from faster moving through-traffic. This is acknowledged by Council’s response regarding DDO19. The requirement to avoid access to Transport Zone 2 does not appear to consider the zone also applies to the local service road.

In most instances, properties will not be able to avoid accessing Transport Zone 2. The words “*where possible*” enables these properties to access Transport Zone 2. To target the intended properties, Council should consider revising the provision to refer only to properties without access to a separated local service road.

There is no need for DDO6 to refer to Transport Zone 3 because this zone is not in the Planning Scheme.

#### (iv) Conclusions and recommendations

The Panel concludes:

- It is generally appropriate for Design and Development Overlay Schedule 6 to require a property to avoid access to Transport Zone 2 “*where possible*”, though it will be not possible for most properties.
- Council should consider revising the requirement in Design and Development Overlay Schedule 6 regarding access to Transport Zone 2 to target only properties without access to a separated local service lane.
- The exhibited Design and Development Overlay Schedule 19 should not be revised to require the relevant site to avoid access to Transport Zone 2, where possible, because it has access to a local service road and side street, without direct access to the main through lanes.
- Design and Development Overlay Schedules 6 and 19 should require a traffic impact assessment for permit applications proposing certain developments so that Monash City Council can consider existing and future traffic impacts when assessing each application.

The Panel recommends:

**Amend Design and Development Overlay Schedule 6 to:**

- revise the relevant provision in Clause 2.0 to “*Provide a single vehicle crossover per site and where possible avoid vehicle access to Transport Zone 2*”**
- revise Clause 5.0 (Applications requirements) to require a traffic impact assessment for applications for non-accommodation buildings of three storeys or less, and accommodation buildings of four storeys or more.**

**Amend Design and Development Overlay Schedule 19 to revise Clause 5.0 (Applications requirements) to require a traffic impact assessment.**

### 3.3 Cycling and public transport

#### (i) The issue

The issue is whether the increased dwelling density enabled by the Amendment will reasonably impact cyclists.

#### (ii) Submissions

Submissions – Increased dwelling and population density may:

- result in more people requiring bicycle parking
- result in dangerous traffic conditions for cyclists resulting from increased traffic on service roads.

Council submission:

- Public transport and cycling infrastructure improvements will be a competitive option for existing and future residents.
- There may be actions and further engagement on cycling infrastructure in the future.

- The Urban Design Framework and the Clayton, Monash and Glen Waverley Suburban Rail Loop Stations will promote public transport and cycling, resulting in less cars on the roads.

### **(iii) Discussion**

The Panel acknowledges concerns raised in submissions regarding cyclist safety and agrees with Council's submission on this matter. Increased traffic alone will not result in unsafe conditions for cyclists. To better understand potential impact, the Panel considered future (rather than existing) conditions. For example, the Urban Design Framework seeks the future improved cycling infrastructure for Dandenong Road – Precinct 6:

- Painted 'sharrows' or other line marking to improve cycle safety and visibility along the northern and southern service road.
- Advocate for lower service road speeds (less than 30km/h) to improve cyclist safety and driver awareness in the shared environment.
- Potential for linemarking of parking bays to delineate carriageway and improve safety for all road users.
- Potential for a shared path cut-through within the verge along the frontage of the Bunnings site.

Such improved cycling infrastructure will provide a safer environment which encourages people to ride rather than drive. As traffic volumes increase in Melbourne, public transport and cycling will become a competitive option over time. Those residing near a future Suburban Rail Loop station may consider public transport as an alternative to driving.

### **(iv) Conclusions**

The Panel concludes:

- The impact on cyclists resulting from increased dwelling density enabled by the Amendment is reasonable.
- The impact will improve when cycling infrastructure outlined in the Monash Urban Design Framework is implemented.

## **3.4 Vegetation, canopy cover, and Clause 54 and 55 requirements**

### **(i) The issues**

The issues are

- whether the proposed vegetation and canopy cover provisions are appropriate
- whether the Clause 54 and 55 requirements in the proposed zone schedules should be revised to align with Amendment VC282 and associated changes.

### **(ii) Background**

The MUZ, RGZ, GRZ schedules specify the following Standard B13 (of Clause 55) landscaping requirements:

New development should provide or retain:

- At least one canopy tree, plus at least one canopy tree per 5 metres of site width.
- A mixture of vegetation.
- A minimum of 60% vegetation and permeable surfaces (including canopy trees) to the setback with Dandenong Road or Springvale Road (or a service road).

- Vertical greening within side and rear setbacks.
- At least one interface of the building being a green roof, green wall or series of greened balconies.

A canopy tree should reach a mature height at least equal to the maximum building height of the new development.

DDO6 includes the following landscaping and fencing requirements:

- Landscaping should be designed to:
  - Prioritise the retention of significant and large canopy trees.
  - Maximise deep soil planting zones within boulevard interface and rear setbacks.
  - Have canopy vegetation of a suitable size and height which emerges above the predominant form of the proposed development visible from the street.
  - Be a minimum of 60 per cent of the total area of the boulevard interface, incorporating grassed and planted areas.
  - Have vertical greening within side (and side street) setbacks to create the effect of the buildings sitting in a landscaped setting. This will preferably include trees with a narrow canopy or shrubs or climbers on fences / walls are to reach a minimum of 1.8 metres high where trees are not feasible.
  - Utilise green roofs, walls and balconies to provide additional landscaping and soften the visual impact of buildings.

### (iii) Submissions

Submissions:

- Planning provisions and landscape advice should include adequate setbacks or designs for plantings and canopy trees along the thoroughfare frontages.
- The DDO6 requirement to prioritise the retention of significant and large trees should not unduly compromising development potential.
- Large trees such as Sycamore or Plane trees should be planted in road reservations.

Council submission:

- The Amendment will lead to appropriate landscape outcomes along the boulevards and will improve the extent of canopy tree planting.
- Vegetation and canopy cover is an important aspect of the Amendment and are strongly interconnected with the concerns about neighbourhood character.
- The requirements in DDO6 and DDO19 seek:
  - to retain and incorporate significant trees into new development
  - new canopy trees to be planted.
- Consistent with the Amendment's vision to enhance the landscape boulevard character, the DDO schedules and the changes to Clause 15.01-5L will improve the extent of canopy cover along the boulevards.
- Amendment VC289 will provide additional protection and consideration of canopy trees, particularly with respect to a 'boundary canopy tree'.
- No further changes are required in response to these submissions.

Council submission regarding Amendment VC282:

- The explanatory report states:
 

Amendment VC282 makes changes to the Victoria Planning Provisions (VPP) and all planning schemes to extend the new deemed to comply residential development planning assessment provisions introduced by Amendment VC267 to single dwelling development at clause 54. The amendment also makes technical corrections resulting from Amendment VC267.

- The Ministerial Direction on the Form and Content of Planning Schemes (Ministerial Direction 7(5)) was amended about the same time that Amendment VC282 was approved.
- Amendment VC282 amended the MUZ, RGZ and GRZ so that their respective schedule can only specify a requirement of standards A2-1, A2-5, A2-7 and A3-2.
- A schedule to these zones can no longer specify a Clause 54 requirement for landscaping, permeability, side and rear setbacks or walls on boundaries.
- Accordingly, Amendment C172mona's proposed Clause 54 variations relating to minimum street setbacks, site coverage and private open space can no longer be included in the MUZ, RGZ and GRZ schedules.
- Council has marked up the exhibited MUZ, RGZ and GRZ schedules to illustrate the effect of Amendment VC282 and the revised Ministerial Direction.<sup>3</sup>
- Any necessary changes to comply with the new format of the MUZ, RGZ, GRZ and Ministerial Direction can be addressed when Council considers whether to adopt the Amendment or when the Minister for Planning decides whether to approve the Amendment.

#### **(iv) Discussion**

The Panel agrees with Council's submission on these matters. The DDO6 and DDO19 requirements seek to retain and incorporate significant trees into new development and to plant new canopy trees.

The exhibited MUZ, RGZ, GRZ schedules sought to apply complementary landscaping requirements through Clause 4.0 (Clause 54 and 55 requirements). It is acknowledged that Amendment VC282 has restricted the degree of flexibility available for the MUZ, RGZ, GRZ schedules to vary Clause 54 and 55 requirements. The Panel agrees with Council's proposed changes to these schedules which align them with Amendment VC282 and changes to Ministerial Direction 7(5).

The Panel was not persuaded by the view that DDO6 should prioritise the retention of significant and large trees without compromising development potential. The Amendment seeks to increase development opportunities while achieving other Planning Scheme policy objectives related to urban heat (Clause 13.01-35), urban design (Clause 15.01-15) and the purpose of Clause 52.37 (Canopy trees).

Planting large trees such as Sycamore or Plane trees in road reservations would certainly help to complement the objectives sought by the Urban Design Framework and relevant planning policy objectives. However, road reservations do not form part of the Amendment and cannot be considered by the Panel.

#### **(v) Conclusion and recommendations**

The Panel concludes:

- The proposed vegetation and canopy cover provisions would have resulted in appropriate outcomes along the boulevards, however these provisions can no longer be

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<sup>3</sup> Documents 23, 24 and 25

specified in the Mixed Use Zone, Residential Growth Zone and General Residential Zone schedules.

- Permit applications proposing more than one dwelling will have to respond to the statewide site coverage and tree canopy provisions in Planning Scheme Clauses 55.02-5 and 55.02-7 respectively.
- Clause 54 and 55 requirements in the proposed zone schedules should be revised to align with Amendment VC282 and associated changes.

The Panel recommends:

**Amend Mixed Use Zone Schedule 3, General Residential Zone Schedule 4 and Residential Growth Zone Schedule 7 to:**

- replace Standards A3 and B6 (Minimum street setback) with Standards A2-1 and B2-1 – None specified**
- replace Standards A5 and B8 (Site coverage) with Standards A2-5 and B2-5 – None specified**
- delete standards A6 and B9 (Permeability), B13 (Landscaping), A10 and B17 (Side and rear setbacks) and A11 and B18 (Walls on boundaries)**
- replace Standards A17 and B28 (Private open space) with Standards A3-2 and B3-5 – None specified**
- relabel Standards A20 and B32 (Front fence height) as Standards A2-7 and B2-8.**

### 3.5 DDO6 provisions

**(i) The issue**

The issue is whether DDO6 provisions are appropriate.

**(ii) Submissions**

Submissions requested DDO6 changes (which Council responded to) outlined in Table 4.

**Table 4 Requested DDO6 changes and Council’s response**

<b>Issue and requested change</b>	<b>Council response</b>
<b>1.0 Design objectives</b>	
Low-rise should be defined as 1-4 storeys, mid-rise as 5-14 storeys and high-rise as 15 storeys or more.	The interpretation of medium rise is consistent with the definition provided by the Australian Bureau of Statistics.
Objective 4 should be separated into two objectives – building height and setbacks.	Not supported. Objective 4 is appropriately worded and the Ministerial Direction on Form and Content requires a maximum of five objectives.
<b>2.0 Buildings and works</b>	
Require a permit to construct a fence within 3 metres of any street interface.	Not supported. DDO6 requires a permit for a fence constructed within the street interface for any development. The boulevard setback is not always the front setback. Standards A20 and B32 only apply to front fences – not side fences or non-residential developments. Specifying fence requirements is now consistent along the boulevard interfaces.

Issue and requested change	Council response
<p><b>Table 1</b> – The preferred building height of 13.5 metres (up to 4 storeys) for Area A (GRZ4) should apply to a site width of 24 metres or more unless more than 50 metres from the Boulevard boundary.</p>	<p>Not supported.</p>
<p><b>Boulevard setback</b></p> <ul style="list-style-type: none"> <li>- A building should be set back a minimum of 4 metres rather than 7.6 metres.</li> <li>- A basement should be allowed to encroach within the boulevard boundary.</li> <li>- The canopy spread to shade at least 80 percent of the boulevard setback is too prescriptive.</li> </ul>	<p>Not supported. The provision provides enough guidance and detail to achieve DDO6 design objective 1 that seeks to <i>“consistent, strongly landscaped setback along each boulevard, enhancing the garden city character of Monash”</i>.</p>
<p><b>Other setbacks</b></p> <ul style="list-style-type: none"> <li>- In ‘Corner and dual frontage sites’, Points 1 and 3 conflict with each other.</li> <li>- In ‘Side setbacks’ and ‘Read setbacks’, the wall height before upper level setbacks should be 11 metres rather than 10.1 metres.</li> <li>- In ‘Rear setbacks’, the setback of 4.5 metres to the common boundary is excessive for ground floor and level 1.</li> </ul>	<p>Not supported.</p> <p>Point 1 relates to the minimum setback of the secondary frontage of corner sites. Point 2 relates to respecting the existing setbacks of the side street if they are setback more than 3 metres requiring that side setbacks should respect the existing setback pattern of the street. The setback should be at least 3 metres if there is no existing setback pattern.</p> <p>A specified wall height and rear setback are appropriate.</p>
<p><b>Building form, orientation and design</b></p> <ul style="list-style-type: none"> <li>- The provision seeking building facades to be designed to <i>“Allow for the interpretation or reading of each floor level of the building”</i> will blur the floor levels and diminish a sense of scale.</li> <li>- It is unclear whether the provision relating to using alternate materials for privacy of open spaces is allowed.</li> </ul>	<p>The building façade provision may be unclear and there is adequate design guidance elsewhere in DDO6. This requirement is now proposed to be deleted.</p> <p>No change is proposed for the alternative materials provision.</p>
<p><b>Landscaping and fencing</b> – The provision to <i>“Prioritise the retention of significant and large canopy trees”</i> should be subject to not compromising development potential.</p>	<p>Not supported. Deep soil planting zones will not compromise the development potential.</p>

Council proposed to revise DDO6 to delete the requirement *“Allow for the interpretation or reading of each floor level of the building”*

**(iii) Discussion**

The Panel agrees with Council’s submission regarding the DDO6 provisions. The requirement regarding the interpretation or reading of each building floor is unclear and should be deleted.

The proposed decision guideline applies wording similar to other provisions in the Planning Scheme and more clearly explains what is intended.

Council will need to consider competing planning objectives and provisions when assessing a planning permit application. This includes whether objectives seeking urban consolidation and housing should have more weight than objectives associated with prioritising significant and large canopy trees.

The Urban Development Framework broadly justifies the built form provisions proposed in DDO6. The Panel has carefully considered the alternative provisions sought through submissions but was unable to find sufficient justification to support them.

#### **(iv) Conclusions and recommendations**

The Panel concludes that Design and Development Overlay Schedule 6 is generally appropriate and would benefit from changes which:

- deletes the Clause 2.0 requirement referring to the interpretation or reading of each building floor level
- replaces the final decision guideline with one that better explains that its objectives, permit requirements, building heights, design considerations and decision guidelines prevail over any inconsistency in a zone schedule.

The Panel recommends:

##### **Amend Design and Development Overlay Schedule 6 to:**

- a) **revise Clause 2.0 (Buildings and works) to delete “*Allow for the interpretation or reading of each floor level of the building*” from the ‘Building form, orientation and design’ section**
- b) **replace the final decision guideline with:**

*Where there are any inconsistencies between the objectives, permit requirements, building heights, design considerations and decision guidelines of the General Residential Zone, Residential Growth Zone and this schedule, this schedule - Schedule 6 to the Design and Development Overlay prevails.*

## **3.6 1887-1889 Dandenong Road and 135 Clayton Road, Oakleigh East**

### **3.6.1 The issues**

The issues are:

- whether 1887-1889 Dandenong Road and 135 Clayton Road, Oakleigh East (the land) should be included in the Amendment
- whether the proposed planning provisions are appropriate for 1887-1889 Dandenong Road and 135 Clayton Road, Oakleigh East.

### **3.6.2 Should the land be included in the Amendment?**

#### **(i) Background**

The Amendments’ authorisation letter included a condition to:

Remove the following areas from the amendment as required by the Suburban Rail Loop Authority:

- a. Dandenong Road – land between Clayton Road and Blackburn Road, Clayton; and
- b. Springvale Road – land between Waverley Road and Madeline Street, Glen Waverley.

In response to authorisation conditions, Council revised the Amendment to remove all properties identified in a declared Suburban Rail Loop Planning Area.

The Suburban Rail Loop Authority (SRLA) subsequently realigned the boundary for the Monash (University) precinct and included 1887-1889 Dandenong Road and 135 Clayton Road in Oakleigh East (the Oakleigh East land). The Amendment continues to meet authorisation conditions because the Oakleigh East land is not located on Dandenong Road between Clayton Road and Blackburn Road, Clayton.

The Oakleigh East land is also included in draft Amendment C176mona (Suburban Rail Loop East). PE Act section 158AA requires the Minister for Planning provide the relevant Panel with terms of reference for land in a declared Suburban Rail Loop Planning Area.

The Minister of Planning provided the Panel with Terms of Reference<sup>4</sup> on 11 August 2025 regarding the Oakleigh East land. The Terms of Reference state:

14. On 31 March 2025, SRLA made a submission to the Panel that (in summary) it is inappropriate and contrary to the objectives of planning for the Land to be subject to Amendment C172mona in circumstances in which the Land is proposed to be subject to draft Amendment C176mona.
- ...
16. In fulfilling its obligations under Division 2 of Part 3 of the PE Act in relation to Amendment C172mona, the Panel must consider whether the Land described in Clause 13 (and, if relevant, any other land) should be removed from Amendment C172mona.
17. Except to the extent necessary for the purposes of Clause 14, the SRL East precinct planning process and draft Amendment C176mona does not fall within the scope of the Panel's consideration.

## (ii) Submissions

SRLA letter to the Panel:<sup>5</sup>

- It is inappropriate and contrary to the objectives of planning, including the principle of orderly planning, for the land to be subject to the Amendment.
- The land is proposed to be included in draft Planning Scheme Amendment C176mona which is proposed to introduce new planning settings to the Planning Scheme to give effect to the key directions and outcomes of the Suburban Rail Loop East Draft Structure Plan for the Monash precinct.
- It would be inefficient, unproductive and unhelpful for the land to be subject to two overlapping and competing strategic planning processes that have different objectives and purposes.
- The Suburban Rail Loop East structure planning process is critically important to Victoria.
- Draft Amendment C176mona should therefore be given priority over Amendment C172mona.
- Accordingly, the Amendment should be revised to remove the land.

Council submission:

- Council officers acknowledge:

<sup>4</sup> Document 17

<sup>5</sup> Document 8

- 1887-1889 Dandenong Road and 135 Clayton Road, Oakleigh East is included in Amendment C176mona (being the Monash station amendment as part of the Suburban Rail Loop Project)
- a Panel recommendation to remove this land from the Amendment would be consistent with the purpose of the authorisation conditions.
- Council is not in a position to present an adopted position in response to the Terms of Reference, though it made the following observations.
- Council officers understand that the authorisation conditions were intended to prevent the Amendment from applying the same land as the structure planning work associated with the proposed Suburban Rail Loop station precincts.
- Whether 1887-1889 Dandenong Road, Oakleigh East and 135 Clayton Road, Oakleigh East should remain in the Amendment is a decision that Council will need to make after it receives the Panel's report.
- Until this decision, officers can only advocate for an outcome that retains the land in the Amendment.
- Council welcomes the Panel's recommendation on whether this land should remain in the Amendment.

### (iii) Discussion

The authorisation condition sought to remove all land in a declared Suburban Rail Loop Planning Area. However, its wording specifically defined the previous planning area which was later realigned to include the Oakleigh East land. The Amendment continues to meet the authorisation conditions because the Oakleigh East land is outside the area defined in the authorisation letter.

The advice sought by the terms of reference is whether the Oakleigh East land should be removed from the Amendment.

The legislation introduced into the PE Act regarding the Suburban Rail Loop project envisages there will be land in a planning scheme amendment that is within a declared Suburban Rail Loop Planning Area. This is because PE Act section 158AA requires the Minister for Planning to provide the relevant Panel with terms of reference for *"land to which a Suburban Rail Loop planning area declaration applies"*.

The PE Act does not require an amendment to exclude land from a declared Suburban Rail Loop Planning Area. Rather, it seeks a planning scheme amendment to carefully consider any potential impact to the Suburban Rail Loop project and its surrounding structure plan areas. The structure plan area around Monash University (Monash precinct) includes the Oakleigh East land.

The PE Act and Victorian planning policy identify the Suburban Rail Loop as of regional significance. The Panel considers that any Victorian or regional planning objectives generally override any conflicting local planning objectives.

The SRLA letter to the Panel did not explain:

- why the provisions proposed by Amendment C172mona conflict with:
  - aspirations and objectives sought for the Suburban Rail Loop Planning Area
  - planning provisions proposed through draft Amendment C176mona
- how including the Oakleigh East land in Amendment C172mona is inappropriate and contrary to the objectives of planning.

Following its review, the Panel found no conflicting policy objectives. Amendment C172mona and draft Amendment C176mona propose similar built form provisions. Both seek to increase development capacity on the Oakleigh East land. For example, draft Amendment C176mona proposes a discretionary maximum building height of:

- 11 metres for a property less than 24 metres wide
- 14 metres for a property 24 metres wide or wider.

Amendment C172mona proposes a maximum building height of:

- 13.5 metres for a property less than 30 metres wide
- 21 metres for a property 30 metres wide or wider.

Their general alignment demonstrates that simply including the Oakleigh East land in both amendments does not necessarily represent a conflict between the two and does not conflict with planning objectives. Arguably, the Amendment C172mona provisions enable greater capacity for housing opportunities and thereby better achieve relevant planning policy objectives.

However, it may be administratively simpler to remove the Oakleigh East land from the Amendment because:

- Amendment C176mona proposes to apply a new zone and overlay, even if they achieve similar built form outcomes to Amendment C172mona
- there is uncertainty regarding the timing and order of the two amendments.

As acknowledged by Council, removing the Oakleigh East land from the Amendment would be consistent with the approach required by the authorisation condition.

### 3.6.3 What provisions should apply to the land?

#### (i) Submissions

The owner of 1887-1889 Dandenong Road and 135 Clayton Road raised issues specific to their property (which Council responded to in its agenda report for its 25 February 2025 meeting), as outlined in Table 5.

**Table 5 Issues regarding 1887-1889 Dandenong Road and 135 Clayton Road and Council’s response**

Issue and requested change	Council response
It is unclear whether the maximum building height is mandatory or discretionary	<p>The maximum heights for land proposed to be rezoned RGZ7 are discretionary. These heights are specified in DDO6 and DDO19 rather than RGZ7 due to a condition of authorisation which removed the ability to make them mandatory provisions.</p> <p>The interaction between the RGZ and DDO6 is unclear because the RGZ sets a maximum discretionary height of 13.5 metres (4 storeys) in its parent provision, and DDO6 allows for a potentially taller height of 21 metres (6 storeys). There is a decision guideline that states that the DDO6 prevails across any inconsistency with the zone. However, it would be clearer to specify the maximum building heights as mandatory provisions in RGZ7.</p>

Issue and requested change	Council response
<p>The minimum street setback of 7.6 metres to Dandenong Road:</p> <ul style="list-style-type: none"> <li>- will significantly limit development opportunities and contradicts the intention of the RGZ</li> <li>- should be reduced</li> <li>- will not allow basement carpark to encroach within 7.6 metres of the sites frontage.</li> </ul>	<p>The 7.6 metre front street setback is:</p> <ul style="list-style-type: none"> <li>- intended to enhance the ‘Boulevard Character’</li> <li>- is required at a minimum to ensure planted trees will survive and have sufficient room for large canopy coverage</li> <li>- has been a consistent setback applied in Monash for many years and is the front setback in the current GRZ2.</li> </ul> <p>Basement carpark entrances are discouraged from encroaching into the boulevard setback so that there is a consistent landscaped setback, sufficient space for deep soil zones for canopy trees, and minimal hard surfacing. A permit can be granted to allow basements to encroach into this setback, if designed well and landscaping is otherwise maximised.</p>
<p>The secondary front setback [side setback] requirement of 3 metres should be reduced where active interfaces can be achieved by other methods.</p>	<p>Not supported. The RGZ7 objective is to provide consistent side and rear setbacks that allow generous space for landscaping and visual consistency. Reducing the secondary setback requirement will:</p> <ul style="list-style-type: none"> <li>- not allow consistency between setbacks</li> <li>- not provide the adequate space needed for landscaping, including canopy trees</li> <li>- compromise the objective of the RGZ7.</li> </ul>
<p>Requiring one street tree every 5 metres is excessive.</p>	<p>Providing at least one canopy tree every five metres of site frontage will achieve the RGZ7 objective to provide a consistent strongly landscaped setback along each boulevard, enhancing the garden city character of Monash. Not all trees are required to be in the front setback, and some can be located elsewhere on site.</p>
<p>The requirement for 30 per cent permeability is excessive. The requirement should be 20 per cent, as specified at Clause 55.</p>	<p>The 30 per cent permeability:</p> <ul style="list-style-type: none"> <li>- is to encourage visual separation and landscaping between buildings</li> <li>- will assist with establishing the ‘Boulevard Setback’, a consistent space for landscaping across the boulevards.</li> </ul> <p>Lot consolidation should be considered if more space for development is required.</p>
<p>There is no need for 75 square metres of private open space.</p>	<p>Requiring 75 square metres of private open space will only apply to Standard A17, which applies to dwellings on lots of less than 300 square metres. There is no proposed variation to Standard B28.</p>
<p>Does the DDO6 allow for additional height beyond the maximum height limits?</p>	<p>DDO6 states “<i>building heights should not exceed the heights identified in Table 1...</i>”. This provides discretion for taller building heights to be assessed by Council. It is only possible to exceed the height limit on land in RGZ7.</p>

Issue and requested change	Council response
There should be a discretionary front and side setback requirement based on the existing streetscape character of the area.	The response regarding discretionary front and side setbacks applies here.
Requiring 60 per cent of the front setback to be landscaped: <ul style="list-style-type: none"> <li>- diminishes development opportunities for the site</li> <li>- will limit creativity and unique interface design.</li> </ul>	The 60 per cent landscaping requirement within the boulevard setback will support the: <ul style="list-style-type: none"> <li>- DDO6 design objectives <i>“to provide a consistent, strongly landscape setback along each boulevard, enhancing the garden city character of Monash”</i></li> <li>- the intention of the Urban Design Framework.</li> </ul>
The proposed 10.6 metre upper level setback will impact residential development on narrow allotments.	The 10.6 metre setback from the boulevard boundary will ensure there is a consistent human scale of buildings fronting the boulevards.

**(ii) Discussion**

The Panel has considered the issues raised in submissions and Council’s response regarding the Oakleigh East land. It has concluded the Oakleigh East land should be removed from the Amendment for administrative reasons. The Panel makes no further comment to avoid prejudicing any future decision made about this land through draft Monash Amendment C176mona.

**3.6.4 Conclusions and recommendation**

The Panel concludes:

- The Amendment and draft Monash Amendment C176mona generally seek similar built form outcomes for 1887-1889 Dandenong Road and 135 Clayton Road, Oakleigh East.
- Including the land in the Amendment would not be inappropriate and would not be contrary to the objectives of planning.
- For simplicity, the land should be removed from the Amendment, consistent with other properties removed in response to authorisation conditions.

The Panel recommends:

**Remove 1887-1889 Dandenong Road and 135 Clayton Road, Oakleigh East from the Amendment.**

## Appendix A Document list

No	Date	Description	Provided by
2025			
1	11 Mar	Directions Hearing notice letter	Planning Panels Victoria (PPV)
2	14 Mar	Letter – To Suburban Rail Loop Authority (SRLA) regarding Panel appointment and invitation to participate in the Panel process	PPV
3	20 Mar	Letter – Inviting SRLA to the Directions Hearing and request for map	PPV
4	20 Mar	Letter – To Monash City Council (Council) regarding Suburban Rail Loop declared area and Clause 55 changes	PPV
5	20 Mar	Submission	Mark Anderson
6	21 Mar	Submitter location map (for Panel only)	Council
7	28 Mar	Letter – From Metropolitan Planning Services (DTP) regarding the terms of reference that will be provided to the Panel under section 158AA of the PE Act	Department of Transport and Planning (DTP)
8	31 Mar	Letter – From SRLA to PPV confirming it will attend the Directions Hearing, and properties to be removed from the Amendment, with: <ul style="list-style-type: none"> <li>a) Map A.1 (Amendment C172mona and draft Amendment C176mona overlap)</li> <li>b) Map A.2 (Enlarged overlap area)</li> </ul>	Suburban Rail Loop Authority
9	7 Apr	Interim Panel Directions and Distribution List (version 1)	PPV
10	14 Apr	Email – To parties advising the second Directions Hearing is deferred	PPV
11	16 Apr	Letter – From DTP providing advice to the Panel regarding the second Directions Hearing deferral	DTP
12	6 Jun	Email – To parties providing a terms of reference update	PPV
13	23 Jun	Letter – From Council regarding Amendment VC267 changes and impacts	Council
14	23 Jun	MUZ3 (tracked changes in response to Amendment VC267)	
15	23 Jun	RGZ7 (tracked changes in response to Amendment VC267)	
16	23 Jun	GRZ4 (tracked changes in response to Amendment VC267)	
17	11 Aug	Letter – From the Minister for Planning to Acting Chief Panel Member PPV with attached terms of reference	DTP
18	5 Sep	Letter – Council to the Panel and parties regarding Hearing process	Council
19	5 Sep	Email – Withdrawing as party to the Hearing	Apricot Group
20	8 Sep	Panel letter and directions advising it will consider the matter based on documents	PPV
21	25 Sep	Email – From Council suggesting site inspection locations	Council

No	Date	Description	Provided by
22	23 Oct	Submission to the Panel	Council
23	23 Oct	General Residential Zone Schedule 4 (tracked changes)	Council
24	23 Oct	Residential Growth Zone Schedule 7 (tracked changes)	Council
25	23 Oct	Mixed Use Zone Schedule 3 (tracked changes)	Council
26	29 Oct	Design and Development Overlay Schedule 6 (tracked changes)	Council
27	29 Oct	Design and Development Overlay Schedule 19 (tracked changes)	Council