

MONASH PLANNING SCHEME

DRAFT AMENDMENT C156

EXPLANATORY REPORT

Who is the planning authority?

This draft amendment has been prepared by the Victorian Planning Authority (VPA).

Land affected by the amendment

The amendment applies to the land located at 209-211 Carinish Road and 31-49 Browns Road, and land east of Bendix Drive, Clayton (the subject site) as defined by the *PMP Printing Comprehensive Development Plan, September 2020* (the CDP), shown on Map 1 below and known as the PMP Printing Precinct. The CDP affects approximately 10.4 hectares of predominantly industrial land with a small strip of commercial land, bounded by the former Clayton Primary School site (north), residential land along Moriah Street (east), Centre Road (south), and Browns Road (west).

Map 1 – Amendment Area



What the amendment does

The amendment facilitates the use and development of the subject site for commercial, retail, residential, and a mix of other uses generally in accordance with the PMP Printing Precinct Comprehensive Development Plan.

Specifically, the amendment seeks to:

- Rezone the subject site from Industrial 1 Zone to Comprehensive Development Zone and insert Schedule 2 to Clause 37.02 (CDZ2) into the Monash Planning Scheme.
- Delete Clause 43.02 - Design and Development Overlay, Schedule 1 (DDO1) from the subject site.
- Apply Clause 45.03 - Environmental Audit Overlay (EAO) to the subject site.
- Insert Clause 45.06 – Development Contributions Plan Overlay (DCPO) into the Monash Planning Scheme and apply Schedule 1 to the DCPO to the subject site.
- Amend the Schedule to Clause 53.01 – Public Open Space Contribution and Subdivision to require subdivision within the subject site to provide an open space contribution of 10%.
- Amend the Schedule to Clause 72.03 - What Does this Scheme Consist of? to update the relevant planning scheme maps.
- Amend the Schedule to Clause 72.04 – Documents Incorporated in this Planning Scheme to include the “*PMP Printing Comprehensive Development Plan, September 2020*” and “*PMP Printing Development Contributions Plan, September 2020*” incorporated documents.

Strategic assessment of the amendment

Why is the Amendment required?

The amendment intends to facilitate the use and development of the subject site in line with State policy which seeks to deliver new employment and housing at strategic redevelopment sites across metropolitan Melbourne. By rezoning the subject site to CDZ2, the amendment will ensure development occurs in a manner that properly considers the CDP (which will be an incorporated document listed in the schedule to Clause 72.04).

The amendment will result in good planning outcomes, and a net community benefit through the delivery of a planning framework for a mixed-use neighbourhood that offers a high level of amenity for future residents, workers and the surrounding local community. In this regard, the amendment is a specific response to *Action 16 of Plan Melbourne 2017-2050* which calls for a pipeline of urban renewal projects across Melbourne that deliver high amenity, mixed-use neighbourhoods. The amendment is also supported by a range of technical reports including traffic, drainage and environmental site assessment. The Monash Planning Scheme is the most appropriate means for managing the transition in land uses and associated development and which provides for the fair, orderly, economic and sustainable use, and development of land. The proposed changes to scheme, particularly the CDZ2, provides clear details for land-uses and development permitted within the precinct required to facilitate development which achieves the objectives of planning in Victoria and planning objectives set up in planning schemes, along with the statutory requirements for planning permits and permit applications to assist in implementing the CDP.

The DDO1 is removed from the land because the incorporated CDP becomes the relevant plan to guide the development of the land.

The amendment does not duplicate any management provisions for land use and development in other acts or regulations.

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

The amendment implements the objectives of planning in Victoria by:

- Facilitating a mix of uses and a higher density of development that is more economic and sustainable with regard to the land's location in an existing urban area.

- Facilitating the orderly arrangement of land use and development that integrates with the surrounding area.
- Encouraging the development of a pleasant, efficient and safe living environment through new local parks, public open spaces and well-connected streets within the amendment area.
- Balancing the present and future interests of all Victorians by providing additional employment and housing opportunities (including affordable housing) within an existing urban area.
- Appropriately managing the passage and treatment of stormwater through the amendment area.

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

The amendment is likely to have a positive effect on air, land and water quality in the area through the transition of the land from predominantly industrial use to a range of uses with lower potential for adverse amenity, including but not limited to residential, retail and office. An environmental site assessment application requirement has been included within the CDZ2 for land in the Commercial and Mixed-Use precincts on Bendix Drive shown on Plan 1 to ensure applications for non-sensitive uses will respond to potential contamination issues.

The amendment is likely to have a positive impact on community amenity through a reduction in the number of uses that require buffers because of the transition in land use. Applications to construct a building associated with a sensitive use will be required to provide an amenity assessment including recommendations on suitable design measures to mitigate potential amenity impacts (including noise, fumes, odour, light spillage) from surrounding non-sensitive uses. The application of the requirements of Clause 55 and Clause 58 will ensure future apartment buildings address noise impacts at the planning permit stage.

The amendment is likely to improve the health of ecological systems and biodiversity by introducing requirements for new open spaces, landscaping and water sensitive urban design within PMP Printing precinct. Drainage and water treatment on the site will be in line with the requirements of Melbourne Water.

The amendment is likely to have a positive economic and social effect on the community through the rezoning of the land to encourage a more employment intensive development of the site driven largely by office and retail development. This will have a positive effect on public and private sector investment in services and facilities to cater for the additional population. The proposed mix of employment generating uses will provide job opportunities for the existing, surrounding and new residents of PMP Printing precinct.

The inclusion of a greater mix of uses and more pedestrian friendly streetscapes within PMP Printing precinct is likely to improve opportunities for social interaction and change travel patterns for work, shopping and other activities and bring more people out of cars and onto the footpath when travelling within the site.

The amendment will result in a reduction in the amount of industrial activity on the land as the transition to other uses occur. Based on the background report *PMP Printing Precinct, Clayton Economic Assessment – Evaluation Report* (Essential Economics Pty Ltd), the quantum of retail within PMP Printing precinct is expected to support the forecast employee, student and residential population growth and is not considered to threaten the viability of any centre in the region.

High value trees have been identified within the PMP Printing site, which will be protected by introducing a Significant Landscape Overlay across the subject site to ensure project of the significant trees identified in the PMP Printing Site.

Does the amendment address relevant bushfire risk?

The land is not within a designated bushfire prone area, is not subject to a Bushfire Management Overlay or proposed to be used or developed in a manner that may create a bushfire hazard.

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

The amendment has been prepared to comply with the requirements of the **Ministerial Direction on the Form and Content of Planning Schemes** at section 7(5) of the Act.

Direction No. 1 Potentially Contaminated Land

As the land has been intensively used for industry and is proposed for a mix of uses including sensitive use. As such, the amendment applies the EAO to the subject site. This is based on the advice of contamination experts commissioned by the VPA and in consultation with the Environmental Protection Agency (EPA).

VPA engaged with Senversa Pty Ltd in 2018 to prepare an environmental site assessment for the subject site, except for the Bendix Drive properties identified on the plan. Senversa recommends this approach as the conditions contained within the final statement of environmental audit can be tailored to the proposed development at the permit stage, address specific environmental risks, and determine the extent of soil and or groundwater remediation that is required and which is dependent on the layout of the final development.

The EAO requires a Certificate or Statement of Environmental Audit to be issued before sensitive uses can commence or before commencing buildings and works associated with a sensitive use.

In relation to the Bendix Drive properties, an environment site assessment has not occurred to date, as these sites were not included in the amendment area initially. However, an application requirement has been included in the CDZ schedule to ensure that permit applications provide relevant information where a preliminary site investigation has not yet taken place and where an Environmental Audit Overlay (EAO) won't trigger an audit if the uses proposed aren't sensitive.

Direction No. 9 Metropolitan Strategy

The amendment has been prepared with regard to *Plan Melbourne 2017-2050* and in particular implements Plan Melbourne directions in the categories Housing Choice and affordability and Liveable communities and neighbourhoods. The amendment is a specific response to *Action 16 of Plan Melbourne 2017-2050* which calls for a pipeline of urban renewal projects across Melbourne that deliver high amenity, mixed-use neighbourhoods.

Direction No. 11 Strategic Assessment of Amendments

This explanatory report fulfils the requirements of this direction.

Direction 19 Preparation and content of amendments that may significantly impact the environment, amenity and human health

The amendment has considered the views of the Environment Protection Authority (EPA). The EPA provided their written view on the potential impacts of the proposed amendment on the environment, amenity and human health by providing a response under the provisions of Ministerial Direction 19 to the VPA on 17 July 2019.

The EPA supports the application of an Environmental Audit Overlay over the PMP Printing site to effectively deal with proposed sensitive uses on the land. This is coupled with an application requirement for an environmental site assessment (detailed site investigation) for properties along Bendix Drive, which were not included in the environmental assessment report.

Ministerial Direction - Preparation and Content and Reporting Requirements for Development Contributions Plans

A Development Contributions Plan (DCP) has been prepared for the PMP Printing site, prepared in accordance with the Ministerial Direction, and its findings implemented are implemented through the amendment which applies the Schedule 1 to the DCPO to the subject site.

The DCP outlines the levies landowners and developers must pay to the State Government and council to fund infrastructure and facilities for the new community.

The DCP will collect funds for road projects, intersection projects and community facility projects within the PMP Printing precinct.

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

The amendment supports the Government's Melbourne Industrial and Commercial Land Use Plan (MICLUP).

The subject site is identified as a Local Industrial Precinct within the MICLUP. Local Industrial Precincts should be retained for industrial or employment purposes unless a planning authority has identified them for an alternate non-employment purpose.

The proposed land-use and development outcomes to be facilitated by the amendment will cater for a greater diversity of employment opportunities than currently exists on the land while also contributing to the residential diversity in the surrounding, predominately residential neighbourhoods

The amendment implements *Plan Melbourne 2017-2050*.

The redevelopment of the subject site is supported by *Plan Melbourne 2017-2050*, specifically Direction 1.3 to 'Create development opportunities at urban renewal precincts across Melbourne' and Policy 1.3.1 to 'plan for and facilitate the development of urban renewal precincts'. *Plan Melbourne* states that:

'Urban renewal precincts should be developed as mixed-use neighbourhoods that offer a range and choice of housing as well as other services. They should offer high levels of amenity and connectivity and integrate into surrounding neighbourhoods. A number of former industrial and other sites—including government sites—around Melbourne are currently underutilised. Local planning authorities should identify and plan for ways these sites can be repurposed to create jobs and accommodate growth.'

The subject site is also located within the Monash NEIC, as an industrial node in *Plan Melbourne 2017-2050*. *Plan Melbourne* directs that NEICs are to be developed as places with a concentration of linked businesses and institutions providing a major contribution to the Victorian economy, with excellent transport links and potential to accommodate significant future growth in jobs and in some instances housing.

Providing for the mixed-use redevelopment of an industrial precinct in a location well suited to employment, residential and a mix of other uses by virtue of its proximity to open space, community facilities and the transport network.

Streamlining approval processes by including plans with a resolved general layout for the area including primary land uses, critical street networks and required infrastructure and construction standards.

Facilitating diverse housing will suit a range of household configurations and income levels.

Requiring high standards in relation to the treatment of stormwater and environmental building standards. The amendment reflects the planning authority's endeavour to integrate the range of policies relevant to the issues and balance conflicting objectives in favour of net community benefit and sustainable development, for the benefit of present and future generations.

The amendment addressed the range of relevant policy consideration throughout the State Planning Policy Framework as outlined throughout this explanatory report, the amendment itself and the amendment background report published with the amendment.

The amendment supports and gives effect to the following State policies:

13.04-1S – Use of contaminated and potentially contaminated land

The amendment is consistent with the objective of this policy as it will require developers to demonstrate that potentially contaminated land is suitable for its intended future use and development, and that contaminated land is used safely. This will be achieved through the application of the EAO to all land previously zoned IN1Z within the subject site. Furthermore, an environmental

site assessment application requirement for land within the commercial Bendix Drive sub-precinct has been included within the CDZ2 to address the potential impacts of contamination on the land.

13.05 – Noise and 13.06 – Air Quality

The future urban structure of the CDP has been planned to generally direct commercial/office areas along Carinish and Centre Road, which will function as the main street dissecting the subject site and the railway line. This arrangement of land uses will provide for a separation of residential land uses to the north and noise from the railway line.

The amendment will likely facilitate a reduction in noise and air emissions as the land use on the site transitions from industrial to a broader mix of uses.

In addition to the requirements of Clause 55 and Clause 58 of the Monash Planning Scheme for apartment developments, specific application requirements have been included within the CDZ2 to ensure planning applications for development associated with a sensitive use includes an amenity assessment that addresses acoustic and other amenity issues.

15.01-1R Urban design – Metropolitan Melbourne

The amendment has been drafted to encourage architectural and urban design outcomes (addressing street and built form design) that contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties through appropriate built form and siting.

15.01-4R Healthy neighbourhoods- Metropolitan Melbourne

The amendment will facilitate the creation of a mixed-use neighbourhood with a range of housing types and densities that will offer more choice in housing for Clayton. The amendment will also rezone land to allow a wider range of opportunities for local businesses and jobs, in turn delivering better access to services and facilities for future residents of the PMP Printing Site in line with the 20-minute neighbourhood strategy.

16.01 – Residential development

The amendment will increase the supply of housing in an existing urban area by facilitating increased housing yield on currently under-utilised urban land.

16.01-3R Housing diversity – Metropolitan Melbourne and 16.01-4S Housing affordability

The amendment supports the policy objective of providing a range of housing types to meet diverse needs. The PMP Printing precinct will accommodate a combination of apartment and townhouse development close to employment opportunities. The amendment, via the CDZ2, will facilitate the delivery of affordable housing through a requirement for an agreement to deliver 10 per cent of total dwellings as affordable.

17.01-1S Diversified economy

The amendment will increase the availability of as-of-right office space on the land, supporting State policy to ensure for adequate commercial land across Melbourne. In addition, the amendment will facilitate a broad mix of employment generating uses, improving access to jobs for future residents of the PMP Printing precinct and the surrounding community.

17.01-2S – Innovation and research

The land use framework proposed under this amendment has the potential to help people to be innovative and creative, learn new skills and start new businesses by streamlining the planning process to introduce a range of as-of-right uses such as Research centre and Research and development centre that can be established on parts of the land without a planning permit.

19.03 – Development infrastructure

The amendment is consistent with State policy for development infrastructure. The land use framework has been developed to ensure the required development infrastructure (including stormwater, roads, paths etc.) has been planned for and is feasible to be delivered. The amendment includes a CDP nominating the infrastructure required to facilitate the development of the land.

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

The amendment is consistent with the Key Land Use Visions of the MSS at Clause 21.01 as it:

- Develops sustainable employment opportunities to maintain Monash as a predominant business location in Melbourne's eastern region.
- Identifies an area for revitalisation of older industrial premises.
- Integrates land use and transport planning of arterial roads, public transport routes, and pedestrian and bicycle paths around major trip generators in commercial, residential and industrial areas.
- Minimises the impact of stormwater flows in Monash.

Clause 21.05 – Economic Development. The amendment supports this clause by creating an environment which is attractive to investors and fosters business growth by increasing the number and range of viable local employment opportunities. It encourages appropriate mixed-use development while ensuring that the amenity of neighbourhoods is not adversely affected.

Clause 21.08 – Transport and Traffic. The Amendment supports this clause by establishing a safe and efficient road and path network throughout the site and improving the local road network where required as a result of the CDP. The Amendment contemplates an increase in public transport patronage on the land and provides bus capable streets to improve accessibility for future residents, visitors and employees.

The change in land use and increase in population across the site will result in an increase in trips of all modes on the surrounding transport network. The increase in private vehicle movement is proposed to be mitigated through capacity improvements on Centre Road, Carinish Road and Browns Road. The internal street layout and proposed access points will discourage east-west movements through the site and disperse traffic in its vicinity. The increase in demand for public transport will be accommodated by the existing railway line and bus services along Centre Road. Increased numbers of pedestrians and cyclists will be accommodated through improved connections to Clayton Station, the Djerring Trail and the Clayton to Syndal Strategic Cycling Corridor.

Clause 21.10 – Open Space. The Amendment supports this clause through the provision of additional, well planned and easily accessible open space.

Clause 21.11 – Infrastructure. The Amendment envisages the upgrade and provision of drainage and road/path infrastructure required as a result of the proposed changes in land use. Drainage requirements have been included within the CDP to ensure the design of drainage infrastructure within the precinct is prepared to the satisfaction of the responsible authority. Specifically, the CDP requires that development within the precinct must deliver the bioretention systems shown on the plan, informed by the *Alluvium PMP Printing – Stormwater drainage assessment (February 2018)* to the satisfaction of the responsible authority.

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

The amendment uses standard provisions from the Victoria Planning Provisions in the manner set out in the Act and the relevant ministerial directions. The CDZ is considered the most appropriate statutory tool in this instance for the following reasons:

- It provides certainty for both the Council and key stakeholders through incorporating the Plan within the zone itself.
- Removes the necessity for a suite of overlay controls such as a Design and Development Overlay or Development Plan Overlay, as the Comprehensive Development Plan is incorporated.
- Removes the necessity for individual permits if the development is to be generally in accordance with the plan.

- Removes third-party rights where a development proposal is 'generally in accordance' with the intents of the incorporated Comprehensive Development Plan, providing greater certainty to developers and Council.
- Builds in enough flexibility so that permits can be sought where a developer is keen to divert from what is considered 'generally in accordance' to the plan.
- It can tailor and detail particular requirements and guidelines to a specific area to ensure that urban design is a critical component of the desired built form.
- It encourages greater diversity in housing types in certain locations such as surrounding mixed used developments, or open space.
- Provides the ability to deliver a truly mixed-use outcome in parts of a precinct, which allows upper levels to develop a range of uses including residential, retail, office and commercial.
- Acts as a 'one stop shop' in terms of how it deals with the mix of land uses, the built form, building height and an infrastructure through the incorporated plan.

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

The views of relevant agencies have been sought through the preparation of the amendment and have been incorporated into the documentation.

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

The TIA requires a planning authority to have regard to a set of transport system objectives and decision-making principles where a planning scheme amendment is likely to have a 'significant impact on the transport system'.

The proposed additions and changes to the existing transport system in and adjacent to the subject site will meet the transport system objectives by:

- Providing for an interconnected road system that responds to the likely level of use generated by the precinct and hence facilitating investment in housing and local retail services in the area.
- Enabling efficient access to existing and planned employment and services in and around the PMP Printing precinct, and the broader region, through direct connections to the arterial road network and bus and train services.
- Providing locally based employment, recreational, community and retail facilities to reduce the need for extended travel.
- Designing roads that are of a suitable scale and are compatible with the expected travel demand.
- Providing for the efficient construction of infrastructure items concurrent with works associated with subdivision development.

Resource and administrative costs

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

The planning provisions will have limited additional impact on the resource and administrative costs of the responsible authority. No intervening plans are required before permit applications can be considered, which will reduce the administrative burden on Council. The amendment implements a CDP for the subject site, which provide for transparent and orderly planning by indicating as-of-right land-uses depending on their location. In most cases this will obviate the need for further notification of individual permit applications but require more intensive scrutiny of each application.

Where you may inspect this amendment

The amendment is available for public inspection, free of charge, at www.vpa.vic.gov.au/pmp-printing-site.

If you are not able to access the internet to inspect the documentation, please contact the VPA to arrange for a hard copy to be sent to you.

These extra measures have been put in place to ensure accessibility of this amendment in the context of COVID -19 and any changes to office hours.

Submissions

Any person who may be affected by the amendment may make a submission to the Victorian Planning Authority. Submissions about the amendment must be received by **5.00pm on Thursday 29 October 2020**.

A submission must refer to Monash Amendment C156 and be sent to:

Victorian Planning Authority

Level 25
35 Collins Street
Melbourne 3000

Or via email: amendments@vpa.vic.gov.au

Standing Advisory Committee dates

If required, this project will be subject to the VPA Projects Standing Advisory Committee (VPA SAC), appointed pursuant to Part 7, section 151 of the *Planning and Environment Act 1987* (the Act) to advise the Minister for Planning and the Victorian Planning Authority (VPA) on referred projects and plans and associated draft planning scheme amendments.

While the VPA will seek to resolve any issues raised, unresolved issues or particular matters will be referred to the VPA SAC, which will contact submitters and then determine the best way to consider unresolved matters - either by round table discussions, written submissions or a public hearing.

The VPA SAC will provide advice on the amendment to the VPA and Minister for Planning. The VPA will then make recommendations to the Minister for Planning, who will consider the appropriate approval pathway for the amendment.

If required, dates for the VPA SAC are reserved for:

- Directions Hearing: Week commencing 16 November 2020.
- Hearing: Week commencing 14 December 2020