

7.1.3 STATE GOVERNMENT PLANNING UPDATE

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RECOMMENDATION

That Council

1. **Notes that as part of the Activity Centre Program (ACP), the Minister for Planning approved Amendment GC270 on 31 March 2026 that amongst other changes:**
 - a) **increases building heights in the Oakleigh and Hughesdale Activity Centres through the introduction of a Built Form Overlay.**
 - b) **rezones the residential catchments of Holmesglen, Hughesdale and Oakleigh to the Housing Choice and Transport zone.**
 - c) **removes the Oakleigh Structure Plan content from the Monash Planning Scheme.**
2. **Notes that the Housing Choice and Transport zone has been applied to the heritage areas of Hughesdale and Oakleigh.**
3. **Notes that Amendment GC270 rezones Council owned land holdings and this will likely trigger a Windfall Gains Tax event and financial liability for Council.**
4. **Notes that Amendment VC300 introduces the Mid-Rise Code and new deemed to comply assessment provisions for four to six storey residential development in residential zones.**

INTRODUCTION

The purpose of this report is to update Council on the changes to the Monash planning scheme introduced by the State Government's Activity Centre Program (ACP) through amendment GC270 and amendment VC300 which introduces the Mid-Rise Code for residential development.

Amendment GC270 applies new planning controls to the Holmesglen, Hughesdale and Oakleigh activity centres and surrounding residential areas. Amendment GC270 was gazetted on Tuesday 31 March and came into effect on 31 March 2026.

Amendment VC300 applies to residential zones and introduces deemed to comply assessment standards, like the deemed to comply provisions introduced in 2025 with the Townhouse and Low-Rise Code. Amendment VC300 was gazetted on 19 March 2026 and the planning controls came into effect on Thursday 16 April 2026.

COUNCIL PLAN STRATEGIC OBJECTIVES

A well-planned and future ready city

An attractive and well-designed city with connected neighbourhoods, active transport, open spaces, facilities and infrastructure that meets the current and future needs of our community.

A city that promotes environmental sustainability

Where neighbourhoods are designed and developed along environmentally sustainable development and urban design principles, in sympathy with the natural environment.

A council with good governance, strong leadership and community involvement in decision making

A Council that provides governance and leadership for the benefit of our community through community engagement, advocacy, decision making and action.

BACKGROUND

Amendment GC270

The State Government's Activity Centre Program (ACP) is part of a range of projects aimed at facilitating more housing in Victoria. The ACP arises from the Victorian Housing Statement, September 2023.

In October 2024 Hughesdale and Oakleigh Stations were included in the first tranche of 25 centres under the ACP. In February 2025, the second tranche of 25 centres under the ACP was announced adding Holmesglen Station.

The draft ACP building height maps were released in September 2025. The maps consisted of a 3-map set for each activity centre showing:

- current conditions for the central area,
- proposed building heights for the central area, and
- the proposed residential catchment areas likely to be rezoned to facilitate greater densities and height at 4 to 6 storeys.

Council endorsed a submission to the proposed Holmesglen, Hughesdale and Oakleigh building heights on 28 October 2025. A copy of the report can be accessed here

<https://www.monash.vic.gov.au/files/assets/public/v/1/about-us/council/agendas/2025/28-october/7.1.3-activity-centre-program-oakleigh-hughesdale-and-holmesglen.pdf>

Amendment VC300

On 16 April 2026, Clause 57 (formerly known as Four Storey Apartment Standards) was updated to include deemed to comply standards for four to six storey residential developments and the planning scheme was updated by making other consequential changes. The amendments align the assessment approach of Clause 57 (now known as Mid-Rise Code) with Clause 55 (Townhouse and Low-Rise Code), including the use of objectives, standards and decision guidelines, and a consistent approach to site context, neighbourhood character and amenity considerations across residential development typologies.

Consequential amendments were made to Clause 58 (Apartment Design Standards) to reflect the revised operation of Clause 57. Clause 58 now applies to apartment developments of seven storeys or more in the Mixed Use Zone, Township Zone, Residential Growth Zone, General Residential Zone and Housing Choice and Transport Zone. Clause 58 continues to apply to apartment developments in other zones as specified in the planning scheme.

DISCUSSION

Amendment GC270

Amendment GC270 introduced new planning controls for the Holmesglen, Hughesdale and Oakleigh activity centres.

Key changes include:

- Oakleigh - increased building heights in the commercial areas– now 6 to 16 storeys
- Hughesdale - building heights - 6 to 12 storeys
- Holmesglen, Hughesdale and Oakleigh - rezoning the surrounding residential areas to the Housing Choice and Transport zone (HCTZ) - building heights of three to six storey depending on location and lot sizes.
- Removal of the Oakleigh Activity Centre Structure plan controls, including local policy and height controls.

Housing Choice and Transport Zone - building height

The Housing Choices and Transport Zone (HCTZ) has been applied to the residential areas around the activity centres, including areas previously within the Neighbourhood Residential zone.

The HCTZ contains two building height categories, HCTZ1 and HCTZ, which differ in the building height allowed. These are applied based on proximity to the railway stations and commercial land.

HCTZ1 applies to the areas closest to the railway station and commercial core. HCTZ2 applies to the areas generally up to 800m from the commercial core.

Table 1 below lists the maximum HCTZ dwelling heights

Zone	Small lots	Larger lots – Over 1000sqm size and over 20m frontage.
HCTZ1	Four Storeys (13.5 metres)	Six Storeys (21.5 metres)
HCTZ2	Three Storeys (11 metres)	Four Storeys (13.5 metres)

Table 1: Maximum building heights in Housing Choices and Transport Zone.

Attachments 1 and 2 show where the HCTZ has been applied.

Housing Choice and Transport Zone – Heritage Overlay

The application of the HCTZ also covers the residential areas of Hughesdale and Oakleigh that are within the Heritage Overlay.

The purpose of the HCTZ includes:

- *To provide housing at increased densities around activity centres and well-serviced locations, close to employment, services and public transport.*
- *To encourage a scale of development that provides a transition between more intense development to lower-scale residential areas.*

Whilst the Heritage Overlay purpose includes:

- To conserve and enhance heritage places of natural or cultural significance.
- To conserve and enhance those elements which contribute to the significance of heritage places.
- To ensure that development does not adversely affect the significance of heritage places.

Whilst it is acknowledged that the planning controls within the zone set out the general direction and intensity of development, the intensity of development provided by the zone is not normally at odds with local issues identified in overlay controls.

In this case the Heritage Precincts of Hughesdale and Oakleigh have long been recognised in the Heritage Overlay and this has tempered the development potential and level of change expected in these areas.

The application of the HCTZ to residential areas within the Heritage Overlay sets up a direct conflict between the objectives of the HCTZ and the Heritage Overlay.

Built form overlay

In addition to the zone changes the amendment also introduces a Built Form Overlay (BFO) to Hughesdale and Oakleigh Activity centres. The BFO replaces the Oakleigh Structure Plan built form and height controls.

The BFO is a planning control like a DDO but is more prescriptive and drafted in a significantly more complex and less straightforward way.

The BFO for each activity centre covers issues such as urban structure, building height, setbacks, overshadowing, street wall height, public benefit uplift and “deemed to comply” provisions. On larger sites it also includes a requirement for the preparation of masterplans.

The BFO package for the Oakleigh Activity Centre runs to 35 pages and contains a range of:

- interrelated standards,
- standards that may or may not be deemed to comply
- standards that vary depending on site location, and
- discretionary guidelines.

This level of interrelationship between the standards creates a complex assessment path to determine basic siting standards such as setbacks and building heights.

The BFO for Hughesdale and Oakleigh are provided at **Attachment 3**.

Councils October 2025 submission

The Council submission to the consultation on building heights undertaken by Department of Transport and Planning (DTP) in late 2025 sought several changes.

Table 2 below lists Councils key changes and what is contained in Amendment GC270.

Change sought	Amendment GC270	Officer Response
Remove proposed 12 storey height limit in central core of	Height reductions in specific areas: <ul style="list-style-type: none"> • 6 storeys on properties fronting Eaton Mall 	While a reduction, these building heights will still lead to significant

Oakleigh and retain current heights.	<ul style="list-style-type: none"> • 8 storeys to some Portman Street properties. • 12 storeys on Atherton Road north of Eaton Mall. 	overshadowing of Eaton Mall, particularly in winter and Portman Street.
Objects to building heights in Hughesdale, particularly 12 storeys in Arthur Street and 8 storey buildings in Poath Road.	<p>No change to heights.</p> <p>Minor changes made to setback standards of the 12 storey Arthur Street site.</p>	Minor changes will reduce impact, there will still be increased overshadowing of open space and neighbouring properties, particularly in winter.
Reduction to the areas where the HCTZ1 and HCTZ2 are applied due to the flawed methodology used.	Some minor changes have been made. The HCTZ has been reduced on the eastern side of the Oakleigh Activity Centre (the furthest extension from the core) but still extends south to properties along North Road.	Parts of the catchments still extend more than one kilometre from the core commercial area, and these residents are unlikely to meet most of their daily needs without a car.
Retain the Neighbourhood Residential Zone (NRZ) for land in the Heritage Overlay.	Removes the Neighbourhood Residential zone and applies HCTZ2 to all land in the Heritage Overlay.	This increases building heights from the NRZ mandatory 2 storeys to a discretionary 3 or 4 storeys.
Exclude Council owned properties from the amendment.	Council owned properties in residential zones were rezoned to the HCTZ.	A Windfall Gains Tax liability is likely to be triggered due to the potential value increase of Council owned properties.

Table 2: Key changes sought in Council's submission

Amendment VC300 (Mid-Rise Code)

The introduction of deemed to comply provisions with the new Mid-Rise Code (Clause 57) build on the previously introduced deemed to comply provisions under the Townhouse and Low-Rise Code (Clause 55).

The application of each provision is detailed below:

	Zone	3 storeys and below	4 to 6 storeys	7+ storeys
Residential	Neighbourhood Residential Zone Township Zone (outside UGB) General Residential Zone	Clause 55	Clause 57 considered as a decision guideline (if applicable)	Apartments = Clause 58 Note: In NRZ clause 58 is a decision guideline Other residential development = N/A
	Mixed Use Zone Township Zone (inside UGB) Residential Growth Zone Housing Choice and Transport Zone		Clause 57	
Commercial	Commercial 1 Zone Commercial 3 Zone	Apartments = clause 58 Other residential development = clause 55/57 considered as a decision guideline (if applicable)		
Special purpose	Activity Centre Zone	Apartments = clause 58 Other residential development = N/A		
	Special Use Zone Comprehensive Development Zone Capital City Zone Docklands Zone Priority Development Zone Precinct Zone			

Notably, several Standards from Townhouse and Low-Rise Code (Clause 55) and Clause 58 (Apartment Development) have not been included in the Mid-Rise Code, including standards relating to dwelling diversity, protection of adjoining north-facing windows, daylight to habitable room windows and building height. A summary of the key standards of the Mid-Rise Code (Clause 57) has been provided below:

Urban Context:

- Minimum street setbacks (4.5m), side and rear setbacks (4.5m, or 6m – 12m for a southern wall)
- Site coverage standards (70%), increased to support mid-rise development.
- The wall on boundaries provision requirement is consistent with the existing standards within the Townhouse and Low-Rise Code.
- The minimum canopy cover requirements of the Townhouse and Low-Rise Code have been applied, but with some changes to consider setbacks from basements.

Liveability (similar to the Apartment Development requirements of Clause 58):

- Light Courts and Building Separation with minimum dimensions.
- Communal and Private Open Space to include sunlight access to communal open space measured at the September equinox rather than June solstice.

External amenity (notable differences from the Townhouse and Low-Rise Code):

- Overshadowing of secluded open space – this standard only applies to the elements of the building which do not comply with the side and rear setback and wall on boundary standards (under Urban Context).

- Overlooking – Overlooking applies within 6m (reduced from the 9m that applies in Clause 55 and Clause 58) and is only applied to habitable room windows or balconies that do not comply with the side and rear setbacks standard (under Urban Context).

Sustainability (similar to both Clause 55 and 58):

- Energy efficiency and permeability/stormwater management requirements such as 20% permeability.
- Waste and recycling requirements and requirements for acoustic attenuation in high noise environment.

Like the Townhouse and Low-Rise code, the Mid-Rise Code operates as a “deemed to comply” planning provision, meaning where an application complies with the requirements of the Code, (provided there are no other permit triggers, for example a Heritage Overlay) a permit must be issued by Council.

The public notification requirements for a development application have not changed, meaning that adjoining residents would be notified of the development, but if the development application complies with the Code, they can object but no longer have third-party appeal rights.

The practical effect of this is that, although notification is given and objections are received, compliance with the standards of the Code means that a permit must be issued. Prior to this change to “deemed to comply”, permit applications that received objections, proceeded through a Notice of Decision process, with VCAT appeal rights for objectors, prior to the issue of a permit.

Removing these rights means that a Code compliant development can proceed without challenge, leaving residents with no options for proposals that may significantly impact their neighbourhood.

A copy of the Mid-Rise Code is provided at **Attachment 4**.

FINANCIAL IMPLICATIONS

The amendment is anticipated to have significant financial impacts on Council over the short and longer term.

These impacts arise from the introduction of the Infrastructure Contribution Plan in 2027 and the liability for Windfall Gains Tax created by rezoning of Council owned land.

Infrastructure Contribution Plan

New residents accommodated in the new dwellings will place increased demand on services and community infrastructure provided by Councils.

The built form overlays also identify public infrastructure such as pedestrian connections through private land, creating a potential liability for Council to acquire the land.

The Department of Transport and Planning (DTP) is preparing Infrastructure Contributions Plans (ICP's) that are scheduled to come into effect in July 2027. Council will be the collection agency and will incur ongoing costs in collection, monitoring and remitting one third of the ICP charge to the State government.

Whilst the contribution amount is \$11,350 per dwelling, (\$7,491 to Council) what infrastructure is to be included for each activity centre is not known. It is likely that the standard infrastructure

contribution will not be sufficient to appropriately contribute to the infrastructure improvements promised by the DTP infrastructure plans.

Windfall Gains Tax (WGT)

Officers have identified eighteen Council owned properties that have been rezoned as a part of the amendment to the HCTZ1 or HCTZ2. This land is used for a range of purposes, including parks, community services, car parks, former laneways and affordable housing provision.

Although the Council land holdings are in multiple parcels, under the Windfall Gains Tax Act (WGT) the value uplift from the rezoning of each property is aggregated for each landowner to arrive at the final taxable value uplift and WGT rate as per the table below.

WINDFALL GAINS TAX ACT 2021 - SECT 9 What is the rate of windfall gains tax?

WINDFALL GAINS TAX ACT 2021 - SECT 9

What is the rate of windfall gains tax?

The rate of [windfall gains tax](#) is set out in the following table.

<i>Item</i>	<i>Taxable value uplift</i>	<i>Rate of windfall gains tax</i>
1	Not more than \$100 000	Nil
2	More than \$100 000 but less than \$500 000	62.5% of that part of the taxable value uplift that exceeds \$100 000
3	\$500 000 or more	50% of the taxable value uplift

POLICY IMPLICATIONS

The policy of directing additional growth to activity centres is consistent with the Monash Planning Scheme, Monsh Housing Strategy and broader State policy. However, the amendment is applying a 'generic" approach and has deleted most local content for the Oakleigh Activity Centre.

CONSULTATION

The Department of Transport and Planning did not undertake consultation on amendment GC270 or VC300.

SOCIAL IMPLICATIONS

There are no social implications to this report.

HUMAN RIGHTS CONSIDERATIONS

There are no human rights implications to this report.

GENDER IMPACT ASSESSMENT

A GIA was not completed because this agenda item is not a 'policy', 'program' or 'service'.

CONCLUSION

The changes made by Amendment GC270 include building heights of up to 16 storeys in Oakleigh and up to 12 storeys in Hughesdale. These are significant changes from the longstanding planning controls. The increase in building heights will result in overshadowing key public spaces such as Eaton Mall, Portman and Chester Streets, and Galbally Reserve.

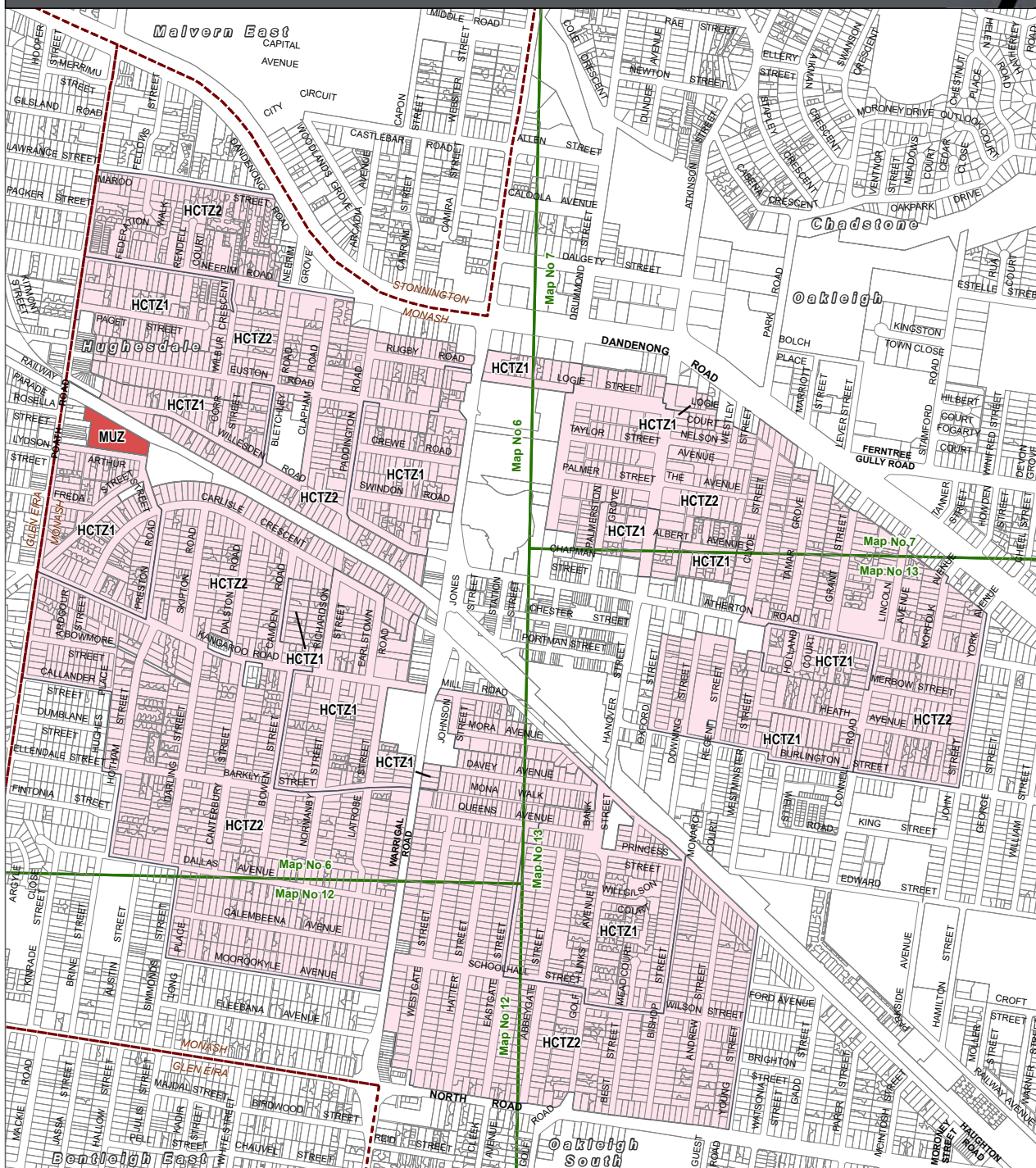
Additionally, the amendment rezoned surrounding residential areas allowing taller buildings in the heritage overlay areas and higher-density development. This includes land located up to 1.2 km from the Oakleigh Activity Centre's core retail precinct, raising concerns about the appropriateness of such changes given their distance from key services and infrastructure.

The rezoning of Council owned properties is likely to result in the creation of a Windfall Gains Tax liability for Council.

ATTACHMENT LIST

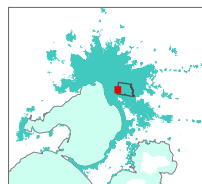
1. Attachment 1 HCTZ map 1 [7.1.3.1 - 1 page]
2. Attachment 2 HCTZ map 2 [7.1.3.2 - 1 page]
3. Attachment 3 - BFO Hughesdale and Oakleigh [7.1.3.3 - 52 pages]
4. Attachment 4 - Mid-Rise Code - VC300 Explanatory report [7.1.3.4 - 10 pages]

**MONASH PLANNING SCHEME - LOCAL PROVISION
AMENDMENT GC270**



LEGEND

- HCTZ - Housing Choice and Transport Zone
- MUZ - Mixed Use Zone
- Local Government Area

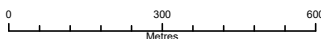


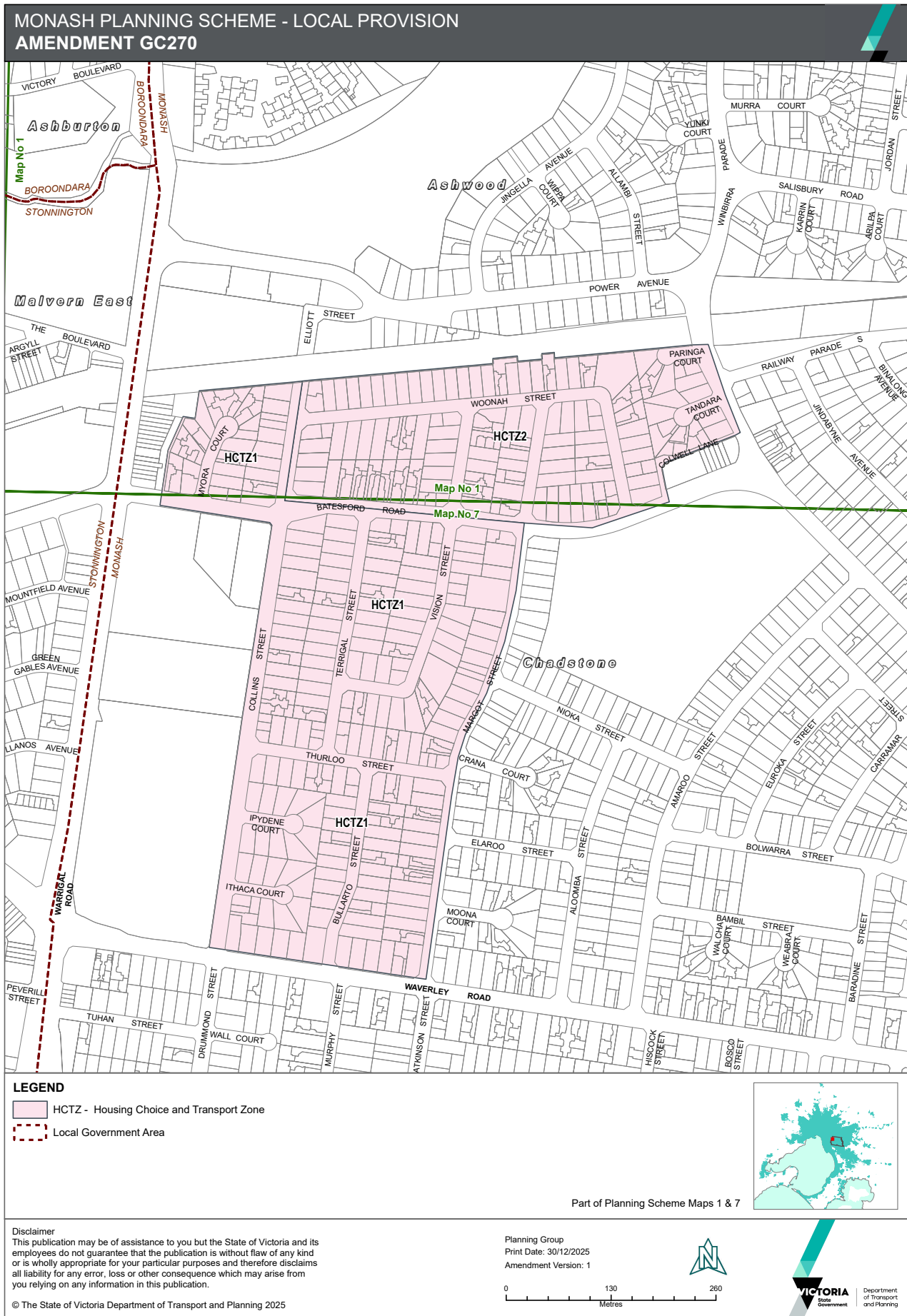
Part of Planning Scheme Maps 6, 7, 12 & 13

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MONASH PLANNING SCHEME

43.06
25/02/2025
VC257

BUILT FORM OVERLAY

Shown on the planning scheme map as **BFO** with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To facilitate higher density development that provides for high amenity living and working environments close to infrastructure and public transport.

To ensure development contributes positively to the functionality and amenity of the area.

To deliver public realm improvements, and where appropriate, additional public benefits in conjunction with new development.

To encourage land consolidation to facilitate higher density development.

To encourage a diversity of housing types and affordable housing.

To identify areas where specific design and built form requirements apply.

43.06-1
25/02/2025
VC257

Development objectives

A schedule to this overlay may specify development objectives.

43.06-2
25/02/2025
VC257

Development framework

A schedule to this overlay must contain a development framework.

The development framework may consist of maps, plans, character statements and tables.

The development framework may:

- Outline the planned urban structure for the land including the distribution of building typologies.
- Contain a table specifying the building typologies and future character for the land or each part of the land.
- Include a movement and place framework that is consistent with *Movement and place in Victoria* (Department of Transport, February 2019).
- Include a public realm and open space framework.
- Specify the anticipated dwelling number and floorspace yields for the land or each part of the land.
- Identify sensitive interfaces and areas where built form needs to transition to the built form in the surrounding area.
- Identify areas where land consolidation will be encouraged to facilitate the preferred scale of development.
- Identify new streets, lanes, arcades and through building connections.
- Identify views to significant landmarks and features that should be maintained.
- Identify land with significant terminating vistas in the public realm that require distinctive development.
- Identify heritage places that are specified in the schedule to the Heritage Overlay.

43.06-3
25/02/2025
VC257

Master plan requirements

A schedule to this overlay may specify land to which the master plan requirements in clause 43.06-3 apply.

Requirement before a permit is granted

If a schedule to this overlay specifies that the master plan requirements in this clause apply to land, a permit must not be granted to use or subdivide the land, or to construct a building or construct or carry out works on the land, until a master plan has been prepared in accordance with this clause to the satisfaction of the responsible authority.

This does not apply if a schedule to this overlay specifically states that a permit may be granted before a master plan has been prepared to the satisfaction of the responsible authority.

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A permit granted must be generally in accordance with the master plan.

Preparation of a master plan

A master plan may consist of plans or other documents and may, with the agreement of the responsible authority, be prepared and implemented in stages.

A master plan must describe:

- The land to which the plan applies.
- The proposed use, development and floor area of each part of the land.
- Any staging or sequencing of development needed.
- The scale of development on the land.
- The siting and orientation of buildings.
- Any open space, vehicle access and pedestrian links required.
- Key interfaces.
- Any stormwater management measures, including any infrastructure and alternative water sources or treatments.
- Any other requirements specified for the master plan in a schedule to this overlay.

The master plan may be amended to the satisfaction of the responsible authority.

Operation

Relationship to other provision of this planning scheme

A schedule to this overlay may specify that if there is any inconsistency between the outcomes and standards in this overlay or a schedule to this overlay and any other provision in this planning scheme, the outcomes and standards in this overlay or a schedule to this overlay prevail.

Outcomes and standards

This overlay includes, and a schedule to this overlay may include:

- **Outcomes.** An outcome sets out the expectations of what will be achieved in a development.
- **Standards.** A standard contains a measure or condition related to the corresponding outcome.
- **Decision guidelines.** Decision guidelines set out the matters that the responsible authority must consider before deciding if an outcome is met.

Each standard in this overlay is, and included in a schedule to this overlay must be, identified as:

- a **discretionary standard** expressed using 'should' or labelled as 'discretionary'; or
- a **mandatory standard** expressed using 'must' or labelled as 'mandatory'.

A standard (whether a mandatory or discretionary standard) may also be nominated as a **deemed to comply standard**, using 'complies if' or labelled as 'deemed to comply'.

If a mandatory or discretionary standard is met, the corresponding outcome may be met.

If a deemed to comply standard (whether a mandatory or discretionary standard) is met, the corresponding outcome is deemed to have been met and the responsible authority must not consider, and is exempt from considering, any decision guidelines corresponding to that outcome.

Quantitative standards (where a specified measure is to be achieved) may be expressed using the terms 'minimum' or 'maximum'.

If a quantitative standard is expressed using the term 'minimum', that standard is met if a development meets or exceeds the specified measure.

If a quantitative standard is expressed using the term 'maximum', that standard is met if a development does not exceed the specified measure.

43.06-4
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VC257

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If a quantitative standard is not expressed using the terms ‘minimum’ or ‘maximum’ but is instead an exact measure, that standard is met if a development exactly meets the specified measure.

A schedule to this overlay may:

- Specify that any outcome in this overlay does not apply.
- Specify that a standard in this overlay does not apply.
- Specify additional standards for any outcome in this overlay.
- Vary, replace or make mandatory any standard in this overlay.
- Specify decision guidelines for any outcome in this overlay.
- Specify outcomes, standards and decision guidelines for any other matter relating to design or built form.

If a schedule to this overlay specifies that an outcome does not apply, any corresponding standard also does not apply.

If a schedule to this overlay specifies that a permit is required to construct a fence, a standard for fencing must be specified in that schedule.

Note: The relevant measures for standards will typically be presented in a schedule to this overlay as maps or tables. The maps and tables in a schedule are to be read in conjunction with the applicable standard in this overlay.

Requirements to be met

Except if a public benefit is provided in accordance with a public benefit uplift framework to the satisfaction of the responsible authority or if a schedule to this overlay specifies otherwise, the construction of a building and the construction and carrying out of works:

- Must meet the outcomes specified in this overlay or a schedule to this overlay.
- Must meet any mandatory standard specified in this overlay or a schedule to this overlay.
- Should meet any discretionary standard specified in this overlay or a schedule to this overlay. However, if the responsible authority is satisfied that an application for an alternative design solution meets the outcome, the alternative design solution may be considered acceptable.
- Can meet a deemed to comply standard, and if it does, it is deemed to meet the corresponding outcome for that standard.

43.06-5
25/02/2025
VC257

Public benefit uplift framework

A schedule to this overlay may specify a mandatory standard that can only be exceeded if a public benefit is provided.

A schedule may set out public benefits and how they are to be calculated.

Public benefits may include:

- Affordable housing.
- Public realm works.
- Public open space.
- Strategic land uses.
- Any other works, services or facilities that benefit the community living in, working in or visiting the area to which this overlay applies.

Notes: 1. Public benefits under this provision are calculated over and above any requirements set out in clause 45.01 (Public Acquisition Overlay), clause 45.06 (Development Contributions Plan Overlay), clause 45.09 (Parking Overlay), clause 45.10 (Infrastructure Contributions Plan Overlay), clause 45.11 (Infrastructure Contributions Overlay) or clause 53.01 (Public open

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space contribution and subdivision) in this planning scheme and any open space requirement specified in a schedule to this overlay.

2. *In activity centres, public benefits are intended to relate to site specific or local area benefits such as new pedestrian links or improvements to the public realm.*

Permit condition requirement

In deciding to grant a permit to construct a building or construct or carry out works that exceeds a standard on the basis that a public benefit will be provided, the responsible authority must include a condition that requires the provision of the benefit to be secured by an agreement made under section 173 of the Act.

The above requirement to include a condition does not apply to a decision to grant an amendment to a permit if the amendment does not increase the extent to which the permitted buildings or works exceed a standard.

43.06-6
25/02/2025
VC257

Buildings and works

Permit requirements

A permit is required to construct a building or construct or carry out works. This does not apply:

- If a schedule to this overlay specifically states that a permit is not required.
- To the installation of an automatic teller machine.
- To an alteration to an existing building facade if:
 - The alteration does not include the installation of an external roller shutter.
 - Standard BF09 is met.
- To an awning that projects over a road if it is authorised by the relevant public land manager.
- To buildings and works which rearrange, alter or renew plant if the area or height of the plant is not increased.
- To external works to provide access for persons with disabilities that comply with all legislative requirements.

A permit is required to construct a fence if specified in a schedule to this overlay.

VicSmart applications

Subject to clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct a fence.	Clause 59.05
Construct a building or construct or carry out works for: <ul style="list-style-type: none"> ▪ A carport, garage, pergola, verandah, deck, shed or similar structure. ▪ An outdoor swimming pool. The buildings and works must be associated with a dwelling.	Clause 59.05
Construct a building or construct or carry out works with an estimated cost of up to \$500,000 where the land is in a commercial zone or special purpose zone (other than the Urban Floodway Zone, Urban Growth Zone or Port Zone).	Clause 59.05

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43.06-7
06/01/2026
VC303

Outcomes and standards

43.06-7.1 Building typology and future character

Outcome

Development that:

- Responds to the planned urban structure, building typologies and future character for the land in the development framework.
- Responds appropriately to any heritage places and transition areas identified in the development framework.
- Delivers walkable neighbourhoods with a high-quality, permeable pedestrian network through the creation of new streets, lanes, arcades or connections through buildings.
- Protects views to significant landmarks or features identified in the development framework.
- Encourages land consolidation to facilitate the preferred scale of development.

Standard BF01

Development must be consistent with the urban structure, building typologies and future character for the land in the development framework.

43.06-7.2 Building heights

Outcome

Building heights that:

- Maintain an inviting and comfortable environment within the public realm in terms of its sense of sunlight, daylight and wind conditions.
- Provide a transition in scale to adjacent areas with less intensive built form expectations.
- Protect views to significant landmarks or features identified in the development framework.

Standard BF02

Building heights:

- Should be consistent with any applicable discretionary standard specified for this outcome in a schedule to this overlay.
- Must be consistent with any applicable mandatory standard specified for this outcome in a schedule to this overlay.

Maximum building heights specified in a standard do not apply to:

- Non habitable architectural features.
- Service equipment and structures including plant rooms, lift overruns, structures associated with green roof areas, including access stairs and lifts, unenclosed pergolas for communal areas, shading devices, and other such equipment.

43.06-7.3 Floor area ratios

Outcome

Floor area ratios that provide a scale and density to support population and employment growth, consistent with the building typologies and future character specified in the development framework.

Standard BF03

The floor area ratio of development:

- Should be consistent with any applicable discretionary standard specified for this outcome in a schedule to this overlay.

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- Must be consistent with any applicable mandatory standard specified for this outcome in a schedule to this overlay.

43.06-7.4 Overshadowing of open space or public realm

Outcome

Development that:

- Maintains solar access to key pedestrian streets and existing or proposed public open spaces identified in a schedule to this overlay.
- Achieves a balance between supporting growth and delivering high levels of amenity in the context of the outcomes that apply to the land.

Standard BF04

Buildings should not cast any additional shadow beyond that cast by the applicable preferred or maximum street wall or front wall height specified in a schedule to this overlay for standard BF05 and existing buildings over:

- The existing or proposed public open spaces identified in a schedule to this overlay for the hours specified in that schedule.
- The existing or proposed key pedestrian streets identified in a schedule to this overlay for the hours specified in that schedule.

This does not apply to shadow cast by:

- Incidental elements such as canopies, kiosks, artworks, screens or trees.
- Buildings and works constructed within the open space or street.

43.06-7.5 Front setbacks, street wall and front wall heights, setbacks above the street wall and front wall, and landscaped setbacks

Outcomes

Front setbacks, street wall and front wall heights, and setbacks above the street wall and front wall that:

- Provide strong spatial definition to the public realm while maintaining good daylight access to open spaces, streets and lower levels of buildings and clear views to the sky, where possible.
- Avoid visually overwhelming the public realm.
- Are sympathetic to:
 - Any heritage place identified in the development framework.
 - The future character specified in the development framework.
- Contribute to the privacy of any ground floor dwellings.
- Distinguish upper levels from the street wall or front wall.

Landscaped setbacks, including setbacks that can accommodate deep soil planting and canopy trees, that enhance the amenity of the public realm in locations identified in a schedule to this overlay.

Standard BF05

Front setbacks, street wall and front wall heights, setbacks above the street wall and front wall and landscaped setbacks:

- Should be consistent with any applicable discretionary standard specified for these outcomes in a schedule to this overlay.
- Must be consistent with any applicable mandatory standard specified for these outcomes in a schedule to this overlay.

MONASH PLANNING SCHEME

Any maximum street wall or front wall height specified in a schedule to this overlay does not apply to non-habitable architectural features that exceed the specified maximum height by not more than 3 metres.

If a new building is on a corner with two different maximum street wall or front wall heights specified in a schedule to this overlay, the taller maximum street wall or front wall height applies to the frontage with the lower maximum street wall or front wall height for a distance of 20 metres along the street frontage.

43.06-7.6 Side and rear setbacks and building separation within a site

Outcomes

Side and rear setbacks that:

- Respond to sensitive interfaces.
- Provide for landscaping.
- Maintain access to daylight and sunlight in streets, laneways and pedestrian connections.
- Deliver high levels of amenity within buildings having regard to outlook, daylight and overlooking.
- Achieve privacy through setbacks rather than screening.

Separation between buildings within the same site that:

- Delivers high levels of amenity within buildings having regard to outlook, daylight and overlooking.
- Offsets direct views between buildings.
- Achieves privacy by building separation rather than screening.

Standard BF06

Side and rear setbacks and building separation within a site:

- Should be consistent with any applicable discretionary standard specified for these outcomes in a schedule to this overlay.
- Must be consistent with any applicable mandatory standard specified for these outcomes in a schedule to this overlay.

Any maximum length for a new wall or carport constructed on a side or rear boundary of a lot specified in a standard for these outcomes does not apply where the slope, retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.

Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into side and rear setbacks.

Landings with an area of not more than 2 square metres and a height of less than 1 metre, stairways, ramps, pergolas, shade sails and carports may encroach into side and rear setbacks provided they do not overshadow neighbouring open space.

43.06-7.7 Building layout and adaptability

Outcomes

Buildings that:

- Can accommodate a range of tenancy sizes, including smaller tenancies in the lower levels of the building.
- Maximise passive surveillance and interaction with the public realm.
- Provide an appropriate interface with the public realm.

Floor to floor heights that:

- Allow retail and commercial uses that support a high level of amenity and adaptation over time.

MONASH PLANNING SCHEME

- Have ground floor heights that allow both retail and commercial uses.

Standard BF07

Buildings should:

- Include upper level balconies and windows with a direct visual connection to the public realm.
- Avoid tinted, opaque or high reflectivity glass which obscures views between the public realm and building interior.
- Sleeve large floorplate tenancies, car parking or service areas where they interface with the public realm.
- Avoid narrow publicly accessible alcoves and recesses that lack a clear public purpose.
- Avoid entrapment areas and areas with limited passive surveillance.

Floor to floor heights:

- Should be consistent with any applicable discretionary standard specified for this outcome in the schedule to this overlay.
- Must be consistent with any mandatory standard specified for this outcome in a schedule to this overlay.

43.06-7.8 Wind effects on the public realm

Outcome

Development that minimises wind impacts to create and maintain a safe and pleasant environment in the public realm for pedestrians to walk, sit or stand.

Standard BF08

Development of five or more storeys, excluding a basement:

- must not cause new or exacerbate existing unsafe wind conditions specified in Table 1 in public land, publicly accessible areas on private land, private open space and communal open space; and
- should achieve comfortable wind conditions specified in Table 1 in public land and publicly accessible areas on private land,

within the assessment distance shown in Diagram 1.

Trees and landscaping should not be used to mitigate wind impacts. This does not apply to sitting areas where trees and landscaping may be used to supplement fixed wind mitigation elements.

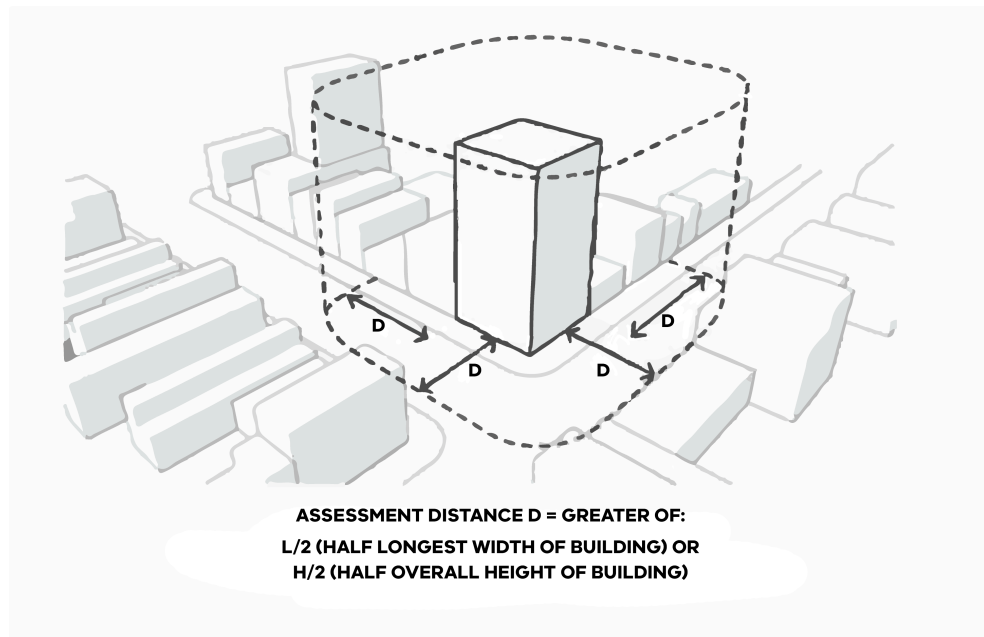
Wind mitigation elements, such as awnings and screens, should be located within the site boundary, unless consistent with the existing urban context or preferred future development of the area.

Table 1: Wind conditions

Unsafe	Comfortable
Annual maximum 3 second gust wind speed exceeding 20 metres per second with a probability of exceedance of 0.1% considering at least 16 wind directions.	Hourly mean wind speed or gust equivalent mean speed (3 second gust wind speed divided by 1.85), from all wind directions combined with probability of exceedance less than 20% of the time, equal to or less than: <ul style="list-style-type: none"> ▪ 3 metres per second for sitting areas. ▪ 4 metres per second for standing areas. ▪ 5 metres per second for walking areas.

MONASH PLANNING SCHEME

Diagram 1: Assessment distance for wind effects



43.06-7.9 Active frontages

Outcome

Active frontages that:

- Contribute to the use, activity, safety and interest of the public realm.
- Provide continuity of ground floor activity along streets and laneways.
- Allow for clear identification of building entries and unobstructed views through openings into the ground floor of buildings.

Standard BF09

An entry or window should be provided for at least the specified percentage of the combined length of the ground level interfaces of a building on frontages specified in a schedule to this overlay. The entry or window measurement includes:

- Stall risers to a height of 700mm.
- Pilasters.
- Window and door frames.
- Windows that have clear glazing without stickers or paint that obscures views.

For corner sites, active frontages on the main street should extend along the side street to create a sense of address with clear glazing and allow for side entry where appropriate.

Security grills or mesh should:

- Be transparent.
- Not block views into tenancies at night.
- Be mounted internally to the shop windows.

The ground level frontage requirements do not apply to the development of a contributory or significant heritage place specified in the schedule to the Heritage Overlay.

MONASH PLANNING SCHEME

Development of a contributory or significant heritage place specified in the schedule to the Heritage Overlay should not reduce existing compliance with this standard.

43.06-7.10 Pedestrian connections

Outcome

Pedestrian connections that are:

- Safe and attractive.
- Accessible by people of all abilities.
- Easily identified and legible.
- Designed to enable extended stays within a space such as sitting and eating.

Standard BF10

If a schedule to this overlay identifies a pedestrian connection as:

- ‘Specific’, development should provide the connection along the alignment indicated.
- ‘Indicative’, development should provide the connection along the alignment indicated or a different alignment that provides the same connectivity.

Pedestrian connections should be:

- Direct, attractive, well-lit and provide a line of sight from one end to the other.
- Safe and free of entrapment spaces and areas with limited passive surveillance.
- Publicly accessible at ground level and appropriately secured by an appropriate mechanism where relevant.
- Overlooked by windows, balconies, or both, on both sides, including at ground floor level.
- Designed to consider the function and design of the full length and width of the connection, including the functional layout, levels and landscaping where it spans multiple lots.

43.06-7.11 Weather protection

Outcome

Weather protection that:

- Delivers pedestrian comfort in the public realm via protection from rain, wind and summer sun.
- Uses canopies that are functional, of high-quality design and contribute to the human scale of the street.

Standard BF11

Development should include continuous weather protection along the streets and lanes identified in the development framework except where a heritage place warrants an alternative approach.

Weather protection canopies should be:

- Between 3.5 metres and 5 metres above ground measured to the underside of the eave.
- Designed to minimise impact on existing or proposed street trees.
- Broken in design to reflect the prevailing grain and width of building frontages.

43.06-7.12 Landscaping and fencing

Outcome

Landscaping and fencing that:

- Delivers a safe and attractive public and private realm.

MONASH PLANNING SCHEME

- Balances occupant privacy with activation and surveillance of the public realm.
- Reinforces underlying natural landscape character including biodiversity values.
- Provides shade in summer, including from canopy trees.
- Does not create long expanses of blank wall facing the public realm.
- Provides appropriate delineation between the public and private realm.

This outcome only applies to a fence if a permit is required to construct a fence under this overlay and a schedule to this overlay specifies a standard for fencing.

Standard BF12

Landscaping should:

- Provide shade to outdoor areas exposed to summer sun by canopy trees or shade structures.
- Provide space for sufficient soil depth to support the proposed vegetation, including canopy trees.
- Use paving and surface materials that lower surface temperatures and reduce heat absorption.
- Include climbing plants or smaller plants in planters and outdoor areas, including communal outdoor open space.
- Respond to the soil type and drainage patterns of the site.
- Be supported by irrigation systems which utilise alternative water sources such as rainwater, stormwater and recycled water.

43.06-7.13 Car parking design

Outcome

Car parking that:

- Minimises the impact of car parking on the public realm.
- Minimises adverse impact on pedestrian and movement networks.
- Use land efficiently.
- May be adapted for alternative uses in the future.

Standard BF13

Vehicle access to car parks should not be located on roads identified in a schedule to this overlay as roads where vehicle access to car parks is discouraged.

Gates or doors to car parks should be fitted close to the building alignment to avoid the creation of unsafe entrapment space, and designed as integrated elements of the building facade.

The location and width of car park entries should:

- Minimise impacts on the pedestrian network.
- Avoid entries on sites where they impact on the activation and safety of the public realm.

Car parks should be designed to enable future adaptation without the need for demolition or significant rebuilding. This may include minimising load bearing walls and ramped areas.

Above ground level car parking should:

- Be sleeved to streets and open spaces with active frontages.
- Have a floor to floor height of at least:
 - 4 metres for the ground floor.
 - 3.5 metres for other floors.

MONASH PLANNING SCHEME

43.06-7.14 Building services

Outcome

Building services that:

- Are integrated in the building design and minimise impacts on the public realm.
- Maximise the quality and activation of the public realm.
- Do not dominate the pedestrian experience and are designed as an integrated design element.

Standard BF14

The location and width of loading bays should minimise impacts on the pedestrian network.

Ground floor building services, including waste, parking and loading access, should be minimised and located away from streets and public spaces, or within basements or upper levels.

Waste and loading access should not be located on the roads identified in a schedule to this overlay as roads where waste and loading access is discouraged.

Spaces for waste or loading should not adversely impact safety and continuity of the public realm.

Access doors to any waste, parking or loading area should:

- Be positioned no more than 500 millimetres from the street edge.
- Be designed as an integrated element of the building.

Service cabinets should:

- Be located internally with waste, parking or loading areas where possible.
- Not visually dominate street frontages.
- Use high-quality materials.

Rooftop plant, services and antennae should be integrated into the overall building form.

43.06-7.15 Exterior design

Outcome

Exterior design that:

- Responds to the preferred built form character of its context.
- Is visually interesting when viewed up close and from a distance.
- Incorporates sufficient design detail in the lower levels of a building to deliver a visually rich and engaging pedestrian experience.
- Delivers high-quality design on all visible sides of a building and on rooftops visible from the public realm.
- Provides visual connection between the public realm and interior spaces at the ground level interface.
- Provides adequate clearance heights that do not obstruct the service functions of a street or laneway.

Standard BF15

Facades should:

- Provide for depth and a balance of light and shadow on the street wall or front wall and upper levels through the use of balconies, integrated shading, rebates or expression of structural elements.
- Avoid finishes with a perpendicular reflectivity of more than 15 per cent, measured at 90 degrees to the facade surface or as specified in a schedule to this overlay.

Blank walls that are visible from the public realm should be articulated by textured materials, patterning or artwork.

MONASH PLANNING SCHEME

Facade projections and balconies should:

- Be at least 5 metres above any public space measured from ground level.
- Allow for growth of existing and planned street trees in upper level projections and canopies.
- Limit upper level projections, such as adjustable screens or windows, cornices or other architectural features, into streets or laneways up to 300 millimetres.
- Not include enclosed balconies or habitable floor space projecting over the public realm.

Materials should be:

- Natural, tactile and visually interesting at the lower levels near the public interface to reinforce a human scale.
- Durable, robust and low maintenance in the higher parts of a building.

Materials and finishes, such as painted concrete or ventilation louvres, should be avoided at the lower levels where they undermine the visually rich, tactile quality of streets and laneways.

43.06-8
25/02/2025
VC257

Subdivision

Permit requirements

A permit is required to subdivide land.

This does not apply if a schedule to this overlay specifically states that a permit is not required.

Any requirement in a schedule to this overlay must be met.

A permit must not be granted which would allow a separate lot to be created for land containing a small second dwelling.

Public open space contribution requirement

A person who proposes to subdivide land must make a contribution to the council for public open space in an amount specified in a schedule to this overlay (being a percentage of the land intended to be used for residential, industrial or commercial purposes, or a percentage of the site value of such land, or a combination of both).

If a public open space contribution requirement is specified in a schedule to this overlay:

- The public open space contribution requirement of clause 53.01 does not apply.
- The exemptions in clause 53.01-1 and clause 53.01-2 apply to the requirement.

If a public open space contribution requirement is not specified in a schedule to this overlay, the requirements of clause 53.01 continue to apply.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Subdivide land to realign the common boundary between 2 lots where: <ul style="list-style-type: none"> ▪ The area of either lot is reduced by less than 15 percent. ▪ The general direction of the common boundary does not change. 	Clause 59.01
Subdivide land into lots each containing an existing building or car parking space where:	Clause 59.02

MONASH PLANNING SCHEME

Class of application	Information requirements and decision guidelines
<ul style="list-style-type: none"> ▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. ▪ An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision. 	
<p>Subdivide land into 2 lots if:</p> <ul style="list-style-type: none"> ▪ The construction of a building or the construction or carrying out of works on the land: <ul style="list-style-type: none"> – Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired. – Has started lawfully. ▪ The subdivision does not create a vacant lot. 	Clause 59.02

43.06-9
25/02/2025
VC257

Application requirements

Buildings and works

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A design response that explains how the proposed design responds to:
 - The development framework and any development objectives specified in a schedule to this overlay.
 - Any applicable outcome and standard specified in this overlay or a schedule to this overlay.
- Correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings.
- Any information specified in a schedule to this overlay.

Subdivision

An application to subdivide land must be accompanied by any information specified in a schedule to this overlay.

43.06-10
25/02/2025
VC257

Exemption from notice and review

An application under any provision of this planning scheme to construct a building or to construct or carry out works, or to subdivide land, is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act unless a schedule to this overlay specifies otherwise.

43.06-11
25/02/2025
VC257

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in clause 65 and any decision guidelines specified in a schedule to this overlay, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The development framework.
- Any applicable public benefit uplift framework.
- *Movement and place in Victoria* (Department of Transport, February 2019).
- The level of amenity for building occupants.

MONASH PLANNING SCHEME

- Movement systems through and around the site including the movement of pedestrians and cyclists, vehicles providing for supplies, waste removal, emergency services, and public transport and car parking.

43.06-12
25/02/2025
VC257

Mandatory permit conditions

The responsible authority must include any mandatory permit condition specified in this overlay or schedule to this overlay in deciding to grant a permit under this overlay or for land for which a master plan has been prepared in accordance with clause 43.06-3.

Floor area ratio mandatory permit condition

If a schedule to this overlay specifies a floor area ratio for a site for the purposes of standard BF03, in deciding to grant a permit for the development of part of that site, unless a schedule to this overlay specifies otherwise, the responsible authority must include a condition that requires the owner of the land to enter into an agreement with the responsible authority under section 173 of the Act, in a form to the satisfaction of the responsible authority, that specifies a floor area ratio that applies to the development of the balance of the site.

43.06-13
25/02/2025
VC257

Signs

Sign requirements are at clause 52.05.

A schedule to this overlay may specify additional requirements for the development of land for signs.

43.06-14
25/02/2025
VC257

Transitional provisions

A schedule to this overlay may specify transitional provisions.

43.06-15
06/01/2026
VC303

Meaning of terms

In this overlay and a schedule to this overlay:

- **building services** means areas used for the purposes of loading, waste management and electrical, communications, gas, water and fire prevention infrastructure;
- **public benefit uplift framework** means a framework included or explicitly referenced in a schedule to this overlay that sets out allowable public benefits and how they are to be calculated;
- **development framework** means the development framework contained in a schedule to this overlay;
- **floor area ratio** means the gross floor area above ground of all buildings on a site, including all enclosed areas, services, lifts, car stackers and covered balconies, divided by the area of the site. Voids associated with lifts, car stackers and similar service elements should be considered as multiple floors of the same height as adjacent floors or 3.0 metres if there is no adjacent floor;
- **laneway** means a road reserve of a public highway 9 metres wide or less;
- **master plan** means a master plan prepared in accordance with clause 43.06-3;
- **pedestrian connection** means a publicly accessible street with a defined footpath, a shared zone, a pedestrian only laneway (covered or open), an arcade, a through building connection and an atrium;
- **sleeve** means to position active uses between large floorplate tenancies, car park or service areas and the public realm.

MONASH PLANNING SCHEME

31/03/2026
GC270

SCHEDULE 10 TO CLAUSE 43.06 BUILT FORM OVERLAY

Shown on the planning scheme map as **BFO10** .

HUGHESDALE TRAIN AND TRAM ZONE ACTIVITY CENTRE

1.0
31/03/2026
GC270

Development objectives

To promote development which achieves a high level of amenity and enhances the public realm with high quality design.

To achieve a scale of growth consistent with the development framework and to discourage underdevelopment.

To promote sustainable development that achieves best practice sustainable design, contributes positively to sustainable transport patterns and provides increased green cover and tree canopy coverage to reduce urban heat.

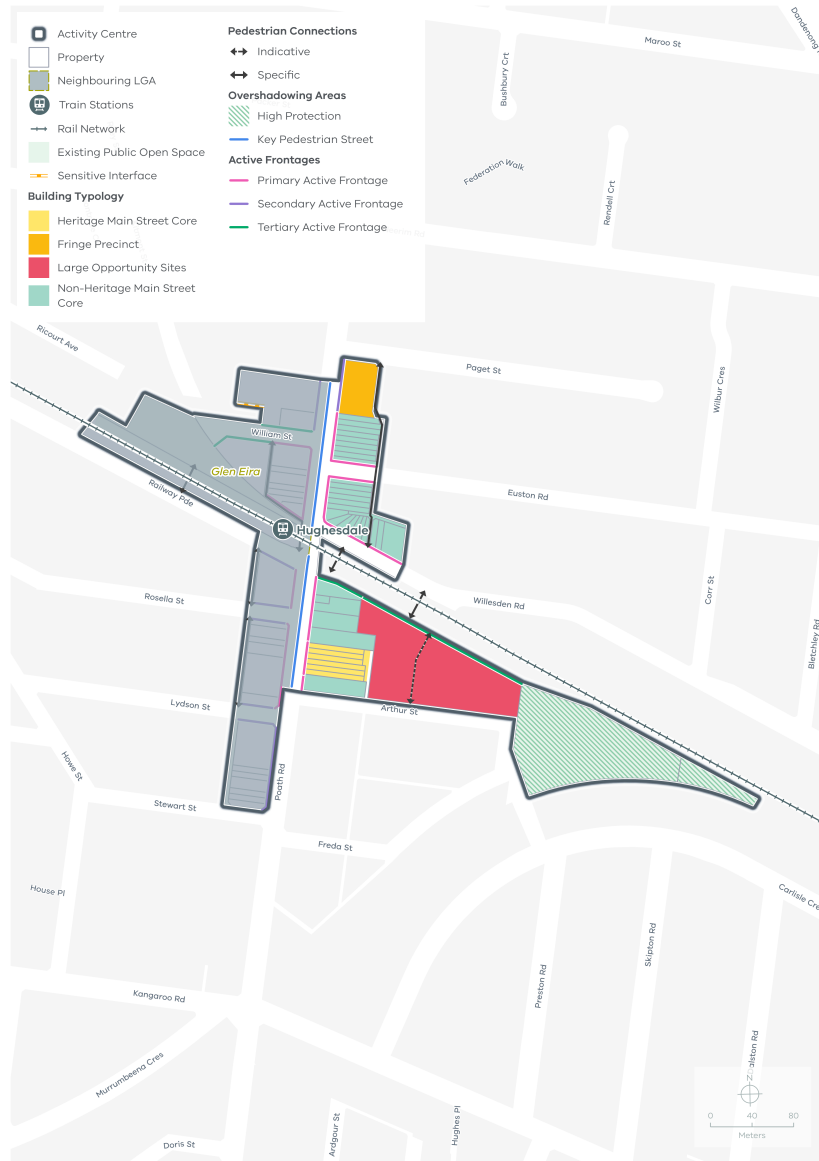
To increase permeability and connectivity for pedestrians and cyclists throughout the activity centre.

MONASH PLANNING SCHEME

2.0
31/03/2026
GC270

Development framework

Map 1 to Schedule 10 to Clause 43.06: Development framework



The building typologies and future character for each part of the land is set out in the following table.

Table 1: Building typology and future character statements

Building typology as shown on Map 1	Future character
Heritage Main Street Core	This typology will retain its heritage character, with heritage façades retained and new buildings respecting the scale and design of pre-existing heritage buildings. The scale of new street walls will be consistent with adjacent heritage façades.

MONASH PLANNING SCHEME

Building typology as shown on Map 1	Future character
	<p>New development will occur above and behind heritage façades, with setbacks ensuring the new development does not dominate the heritage characteristics of the streetscape and the openness of the streetscape.</p> <p>Development will provide active street frontages, with commercial premises at ground level, and vehicle access provided to the rear where possible.</p>
Non-Heritage Main Street Core	<p>This typology will form the main street of the activity centre, with an urban form defined by its active street frontages and consistent streetscape presentation.</p> <p>Being in the heart of the centre, commercial activity will generally be provided at ground level, where a pedestrian environment is prioritised.</p> <p>Taller built form will be setback behind street walls, with streetscapes remaining open and sunny.</p>
Fringe Precinct	<p>This typology will mark a transition between the main street and lower-scale residential areas by providing a reduction in height and increased setbacks to residential interfaces.</p> <p>Commercial uses will be present at ground level, with commercial and residential premises above.</p> <p>Taller built form will be setback behind street walls, with streetscapes remaining open and sunny.</p>
Large Opportunity Sites	<p>Sites that can accommodate multiple buildings in a variety of configurations on larger lots (generally over 5,000 sqm).</p> <p>New buildings should be high-rise (up to 40 metres/12 storeys) with podiums and upper-level setbacks that relate to the width of the street to provide a comfortable public realm in terms of wind conditions and access to sunlight.</p> <p>Development of taller built form on these sites is supported and may exceed the building height standard where off-site amenity impacts are managed and public benefits provided.</p>

3.0
31/03/2026
GC270

Master plan requirements

Land to which the master plan requirements apply

None specified.

MONASH PLANNING SCHEME

Requirement before a permit is granted

None specified.

Requirements for a master plan

None specified.

4.0
31/03/2026
GC270

Public benefit uplift framework

None specified.

5.0
31/03/2026
GC270

Buildings and works

Permit requirement

A permit is not required for land in the Mixed Use Zone to:

- Extend one dwelling or construct or extend a small second dwelling.
- Construct or carry out works normal to a dwelling.
- Construct or extend an outbuilding (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.
- Make structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.

6.0
31/03/2026
GC270

Outcomes and standards

The outcomes and standards in this overlay and this schedule prevail over any inconsistent provision in this planning scheme, including any inconsistent standard set out in Clauses 54 to 58 (except where specified in this schedule). This does not apply to an application that has been made under Clause 53.22, Clause 53.23 or Clause 53.25, which prevail to the extent of any inconsistent provision in the Built Form Overlay.

6.1 Outcomes that do not apply

The outcome in Clause 43.06-7.3, Floor area ratios, does not apply.

6.2 Standards

Any standard specified in this schedule is in addition to any standard in clause 43.06-7 for the corresponding outcome, unless specified otherwise below.

If land is in a Heritage Overlay, or is land adjoining a Heritage Overlay, all standards in this overlay and schedule are not deemed to comply standards.

6.2-1 Building heights

Standard BF02

Standard BF02 does not apply to a heritage place which is included in the Victorian Heritage Register.

MONASH PLANNING SCHEME

Map 2 to Schedule 10 to Clause 43.06: Building heights

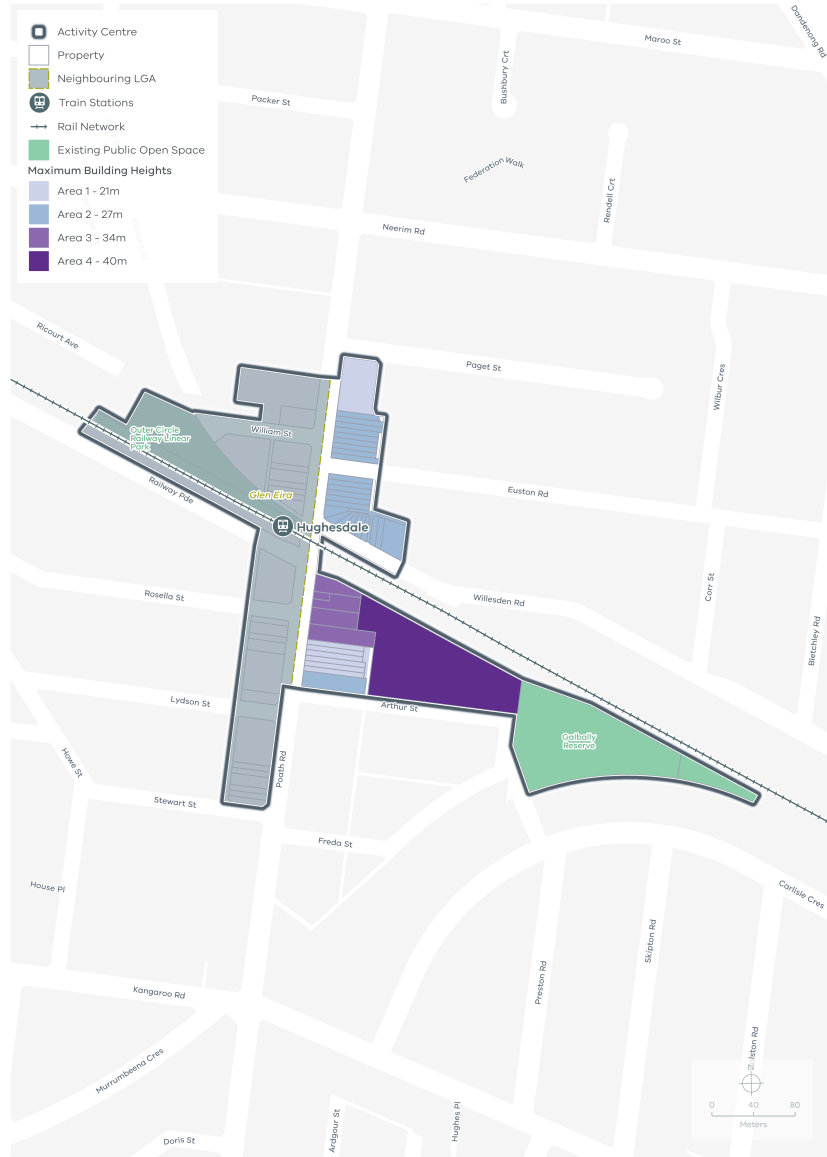


Table 2: Building height

Area as shown on Map 2	Minimum building height	Maximum building height	Discretionary or Mandatory	Deemed to comply
Area 1	10m	21m	Discretionary	Yes
Area 2	13m	27m	Discretionary	Yes
Area 3	13m	34m	Discretionary	Yes
Area 4	None specified	40m	Discretionary	No

MONASH PLANNING SCHEME

6.2-2 Overshadowing of open space or public realm

The following standards replace Standard BF04 at Clause 43.06-7.4.

Buildings are to maintain existing sun access to the overshadowing areas identified at Table 3 using the specified sun access measurement.

This does not apply to shadow cast by:

- Incidental elements such as canopies, kiosks, artworks, screens or trees.
- Buildings and works constructed within the open space or street.

Table 3: Overshadowing of open space or public realm

Overshadowing area	Sun access measurement	Discretionary or Mandatory	Deemed to comply
Existing and proposed streets			
Key pedestrian streets as shown on Map 1	No additional overshadowing to the opposite footpath measured at least 5m from the property boundary between 10am and 2pm on 22 September.	Discretionary	Yes
All other streets	No additional overshadowing of opposite footpaths beyond the theoretical shadow cast by the maximum building envelope in Standard BF02 and BF05 between 10am and 2pm on 22 September.	Discretionary	No
Existing and proposed public open space			
High protection as shown on Map 1	No additional overshadowing between 10am and 3pm on 21 June.	Mandatory	Yes
All other public parks and public open spaces (including proposed public open space)	No additional overshadowing beyond the theoretical shadow cast by the maximum building envelope in Standard BF02, Standard BF05, and Standard BF06 between 10am and 3pm on 21 June.	Discretionary	No

MONASH PLANNING SCHEME

6.2-3 Front setbacks, street wall and front wall heights, setbacks above the street wall and front wall, and landscaped setbacks

Standard BF05

Requirements for land in or adjoining a Heritage Overlay

The following requirements apply to land in or adjoining a Heritage Overlay, in addition to the remaining requirements applying to all land. Where there is inconsistency between these requirements and the requirements applying to all land, these requirements prevail.

For development in a Heritage Overlay, new development should:

- Provide a front setback equal to or greater than the heritage building on the site.
- Match the street wall or front wall height of heritage buildings on the site or match the street wall or front wall height of a heritage building on an adjoining site where there is no heritage building on the site.
- Provide a minimum 6m setback above the street wall or front wall.

For development adjoining a Heritage Overlay, new development should:

- Provide a front setback equal to or greater than a heritage building on an adjoining site with the same frontage.
- Provide a street wall or front wall height no greater than the street wall or front wall height of a heritage building on an adjoining site, for a width of 6m from the property boundary of the adjoining property containing the heritage building.

Requirements applying to all land

For all land, new development should:

- Avoid a tiered built form and incorporate no more than one setback above the street wall or front wall.
- For areas shown as requiring a landscaped setback in Table 4, provide landscaping between the front wall and the front property boundary.
- For areas where no setback is shown at Map 3, provide street walls within 0.3m of the street boundary.

MONASH PLANNING SCHEME

Map 3 to Schedule 10 to Clause 43.06: Front setbacks and landscaped setbacks



Table 4: Front setbacks and landscaped setbacks

Setback shown on Map 3	Minimum front setback	Landscaped setback	Discretionary or Mandatory	Deemed to comply
Setback 2	4.5m	Yes	Discretionary	No

MONASH PLANNING SCHEME

Map 4 to Schedule 10 to Clause 43.06: Street wall and front wall heights and setbacks above the street wall or front wall

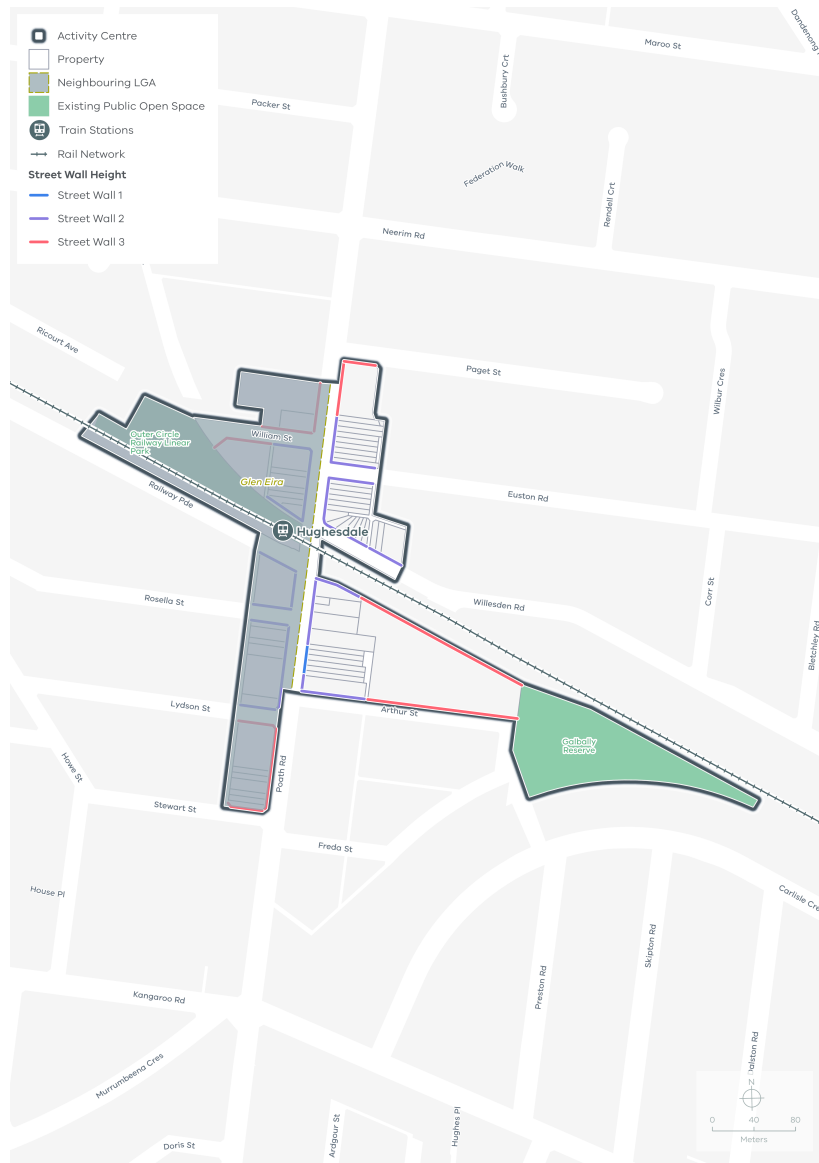


Table 5: Street wall and front wall heights, setbacks above street wall or front walls

Street wall shown on Map 4	Maximum street wall or front wall height	Minimum setback above street wall or front wall	Discretionary or Mandatory	Deemed to comply
Street wall 1	11m	Any part of the building above the proposed street wall or front wall: <ul style="list-style-type: none"> 6m 	Discretionary	Yes

MONASH PLANNING SCHEME

Street wall shown on Map 4	Maximum street wall or front wall height	Minimum setback above street wall or front wall	Discretionary or Mandatory	Deemed to comply
Street wall 2	11m	Any part of the building above the proposed street wall or front wall: <ul style="list-style-type: none"> ▪ 5m 	Discretionary	Yes
Street wall 3	1:1 ratio of road reserve width to street wall or front wall height or 21m whichever is lesser	Any part of the building above the proposed street wall or front wall if the building is no greater than 27m in height: <ul style="list-style-type: none"> ▪ 3m Any part of the building above the proposed street wall or front wall if the building is greater than 27m in height: <ul style="list-style-type: none"> ▪ 5m 	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1.

6.2-4 Side and rear setbacks and building separation within a site

Standard BF06

Development should avoid a tiered built form and incorporate no more than two setbacks to each side and rear boundary above the podium.

Development should be set back from side or rear boundaries in accordance with Table 6, except where one or more of the following applies:

- Where a site adjoins Galbally Reserve as shown on Map 3, buildings should be set back to the boundary of the open space by a minimum of 3m up to and including a height of 21m with landscaping provided within the setback. Above 21m, buildings should be set back in accordance with Table 6.
- Where a wall on boundary is proposed, a building should meet the wall on boundary requirements in Table 7 and 8 below. A wall on boundary should not be provided:
 - For rear boundaries, on a site 1,500 square metres or greater in area.
 - Where a site adjoins Galbally Reserve as shown on Map 3.

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Table 6: Side and rear setbacks and building separation within a site

Part of building	Minimum setback to boundary line	Minimum building separation within a site	Discretionary or Mandatory	Deemed to comply
Up to and including a height of 21m	4.5m	9m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1
Above a height of 21m up to and including a height of 40m	6m	12m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1
Above a height of 40m	10m	20m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1

Note: Where the neighbouring property is separated from the site by a rear or side laneway, the setback requirements in Table 6 should be measured from the centreline of the laneway.

Table 7: Wall on rear boundary

Site size	Maximum height of wall on rear boundary	Discretionary or Mandatory	Deemed to comply
Less than 1,500sqm	11m	Discretionary	Yes

Where a wall constructed on or within 200mm of a rear boundary is proposed, rear setbacks at Table 6 apply above the proposed wall on boundary.

Table 8: Wall on side boundary

Site width*	Maximum height of wall on side boundary	Discretionary or Mandatory	Deemed to comply
Less than 22m	21m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1
Between 22m and 30m	21m on one side boundary 11m on the other side boundary	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1
Greater than 30m	11m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1

*Site width is measured as the site's average width, measured parallel to the frontage.

Where a wall constructed on or within 200mm of a side boundary is proposed, the side setbacks at Table 6 apply above the proposed wall on boundary.

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6.2-5 Building layout and adaptability**Standard BF07**

Apartment development should have a maximum floor plate size of 900sqm per tower, above the maximum street wall or front wall height.

Table 9: Floor to floor height

Floor type	Minimum floor to floor height (metres)	Discretionary or Mandatory	Deemed to comply
Commercial Ground	4.5m	Discretionary	Yes
Commercial Upper	4m	Discretionary	Yes
Residential (all)	3.2m	Discretionary	Yes

6.2-6 Active frontages**Standard BF09****Table 10: Minimum entry or window percentage**

Frontage type as shown on Map 1	Minimum entry or window percentage	Discretionary or Mandatory	Deemed to comply
Primary active frontage	At least 80 percent along the ground level frontage to a height of 2.5m	Discretionary	No
Secondary active frontage	At least 60 percent along the ground level frontage to a height of 2.5m	Discretionary	No
Tertiary active frontage	At least 40 percent along the ground level frontage to a height of 2.5m	Discretionary	No

Note: A ny vehicle entry does not contribute to the calculation of minimum entry or window percentage specified in Table 10.

6.2-7 Pedestrian connections**Standard BF10**

Map 1 indicates the 'Specific' and 'Indicative' pedestrian connection alignments required by this standard.

6.2-8 Weather protection**Standard BF11**

Development should include continuous weather protection along primary and secondary active frontages shown on Map 1, except where a heritage place warrants an alternative approach.

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6.2-9 Landscaping and fencing**Standard BF12**

The following standards do not apply to apartment developments to which Clause 58 applies.

Development should provide the minimum deep soil extent at ground level outlined in Table 11 below.

Table 11: Deep soil requirements

Site size	Minimum deep soil extent at ground level	Discretionary or Mandatory	Deemed to comply
Less than 1,500sqm	0%	Discretionary	Yes
Between 1,500 – 5,000sqm	10%	Discretionary	Yes
Greater than 5,000sqm	15%	Discretionary	No

Development on sites greater than 1,500sqm should provide either of the following:

- At least two trees with a minimum canopy and height at maturity of 8m, with each tree having a minimum deep soil area of 49sqm (min. plan dimension 4.5m).
- At least one tree with a minimum canopy and height at maturity of 12m, within a minimum deep soil area of 121sqm (min. plan dimension 6.5m).

Development on all sites must ensure deep soil is not located above basements or other infrastructure.

6.2-10 Car parking design**Standard BF13**

Vehicle access should be provided from laneways and secondary frontages. Where vehicle access cannot be provided from laneways and secondary frontages, access points should:

- Prioritise pedestrian flow, safety and amenity.
- Minimise impacts on the provision of public transport, and pedestrian and cyclist safety.
- Avoid street trees.

6.3 Other outcomes and standards

None specified.

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Subdivision**Permit requirements**

None specified.

Subdivision requirements

Applications for subdivision should be consistent with the objective to maintain and enhance a subdivision pattern that supports high density development.

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Public open space contribution requirement

Type or location of subdivision	Amount of contribution for public open space
None specified	None specified

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Application requirements**Design response**

For an application to construct a building, in addition to the requirements of Clause 43.06-9, the design response must be accompanied by the following information, as appropriate:

- Explain how the proposed design will:
 - Provide high-quality public realm outcomes and ameliorate shadow and wind effects.
 - Respond to any significant heritage elements on adjoining properties.
 - Respond to adjacent buildings including likely adjacent equitable development envelopes.

Sustainable Design Assessment or Sustainability Management Plan

An application to construct a building must be accompanied by a Sustainable Design Assessment or a Sustainability Management Plan (including assessment using BESS/Green Star, STORM/MUSIC or other methods) and a Green Travel Plan, as relevant to the scale of development outlined at Clause 15.01-2L-02.

The assessment should identify environmentally sustainable development measures proposed in response to the following, having regard to the site's opportunities and constraints:

- Energy performance
- Integrated water management
- Indoor environment quality
- Transport
- Waste management
- Urban ecology

Landscaping Plan

An application to construct a building or construct or carry out works must be accompanied by a Landscaping Plan that addresses:

- Measures to achieve the targeted deep soil areas and canopy trees across the site area.
- Strategies to retain and enhance existing site vegetation where appropriate.
- A maintenance plan for the proposed green cover.
- Any measures to improve the public realm interfaces adjacent the site.

Shadow Diagrams

An application to construct a building must be accompanied by shadow diagrams showing hourly diagrams between the control period specified at Standard BF04 of this schedule.

MONASH PLANNING SCHEME**Wind Impact Report**

An application to construct a building of five or more storeys, excluding a basement, must be accompanied by a wind impact assessment report prepared by a suitably qualified person to consider wind impacts, which must:

- Explain the effect of the proposed development on the wind conditions in publicly accessible areas within a distance equal to half the longest width of the building, measured from all façades, or half the total height of the building, whichever is greater.
- For development with a total building height in excess of 30 metres, model the wind effects of the proposed development and its surrounding buildings (existing and proposed) using wind tunnel testing, unless otherwise agreed by the Responsible Authority.
- Identify the principal role of each portion of the publicly accessible areas for sitting, standing or walking purposes.
- Explain whether the outcome and Standard BF08 at Clause 43.06-7.8 are met.

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Notice and review

None specified.

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Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.06, in addition to those specified in Clause 43.06-11 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

Variations to discretionary standards

Where a proposal seeks to vary a discretionary standard in this clause:

Development – Building scale

- Whether the site area, including as a result of land consolidation, enables the management of amenity impacts from building heights exceeding the maximum building height specified in this schedule.
- Whether the building respects the height, scale and proportions of adjacent heritage buildings.
- Whether the building height responds to the site and adjacent existing or proposed development.
- Whether street wall and front wall heights and setbacks above street wall and front walls are appropriate considering:
 - The existing streetscape and site context.
 - The required floor to floor heights for commercial floor types.

Development – Detail design

- Whether the development provides high quality human scaled environments at ground level that provide visual interest.
- Whether the development provides appropriate landscaping, considering its context and the site's ability to provide meaningful landscaping.

Development – Impacts on adjoining land

- Whether the development provides equitable access on adjoining sites to privacy, daylight and outlook.
- Whether the development respects the amenity of adjoining residential land.

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- Whether any additional overshadowing to the nominated spaces adversely affects the use, quality and amenity of the public space.

Development – Public realm

- Whether there are reasonable opportunities to contribute to and fulfil the completion of a through-block pedestrian connection on adjacent land over time.
- Whether the proposal maintains safe and pleasant pedestrian microclimatic conditions on the footpath adjacent to the development and in the surrounding public realm areas.
- Whether a front setback is designed as part of the public domain and fully accessible to the public where a ground level (non-landscaped) setback is provided.

Decision guidelines applying to all applications

General

- Whether the proposal meets the development objectives and requirements of this schedule.
- Whether development achieves housing and employment at the scale sought by the development outcomes of this schedule.
- Whether the development provides for activation via the use of lobbies and other commercial entries, commercial activities, seating embedded in the façade, and other features which facilitate engagement, use and movement at ground level.

Development – Building scale

- Whether the site area is too small to achieve the preferred scale of development identified in the development framework.

Development – Detail design

- Whether the development allows for the adaptive re-use of existing heritage buildings.
- The extent of building articulation, visual interest and variety over the length of the street frontage.

Development – Sustainability

- The proposed sustainability rating of the building and extent the proposed initiatives address climate change impacts and contribute to mitigation through sustainable design and operational practices.
- Whether sustainable water, waste and energy management is proposed.
- The extent to which the proposed landscape and design response contributes to a greener environment and reduces urban heat.

Subdivision

- Whether a subdivision enables future development opportunities consistent with the scale envisioned in the relevant future character description.

Public benefits

- Whether the proposal results in, or substantially facilitates, the delivery of appropriately secured public benefits including:
 - Affordable housing.
 - Provision of pedestrian connections or public open space in excess of any minimum requirement in this Scheme.

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Mandatory permit conditions

None specified.

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Signs

None specified.

13.0
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Transitional provisions

The requirements of Clause 43.06 and this schedule do not apply to:

- An application made before the approval date of Amendments GC270 to this planning scheme. For the avoidance of doubt, this includes an amended application under section 50, 50A or 57A of the Act if the original application was made before the approval date of Amendments GC270;
- An amended permit application under section 72 of the Act, if the original application in respect of which that permit was first granted (that is, before it was first amended) was either:
 - made before the approval date of Amendments GC270; or
 - an amended application under section 50, 50A or 57A of the Act if the original application was made before the approval date of Amendments GC270.

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SCHEDULE 11 TO CLAUSE 43.06 BUILT FORM OVERLAY

Shown on the planning scheme map as **BFO11** .

OAKLEIGH TRAIN AND TRAM ZONE ACTIVITY CENTRE

1.0
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Development objectives

To promote development which achieves a high level of amenity and enhances the public realm with high quality design.

To achieve a scale of growth consistent with the development framework and to discourage underdevelopment.

To promote sustainable development that achieves best practice sustainable design, contributes positively to sustainable transport patterns and provides increased green cover and tree canopy coverage to reduce urban heat.

To increase permeability and connectivity for pedestrians and cyclists throughout the activity centre.

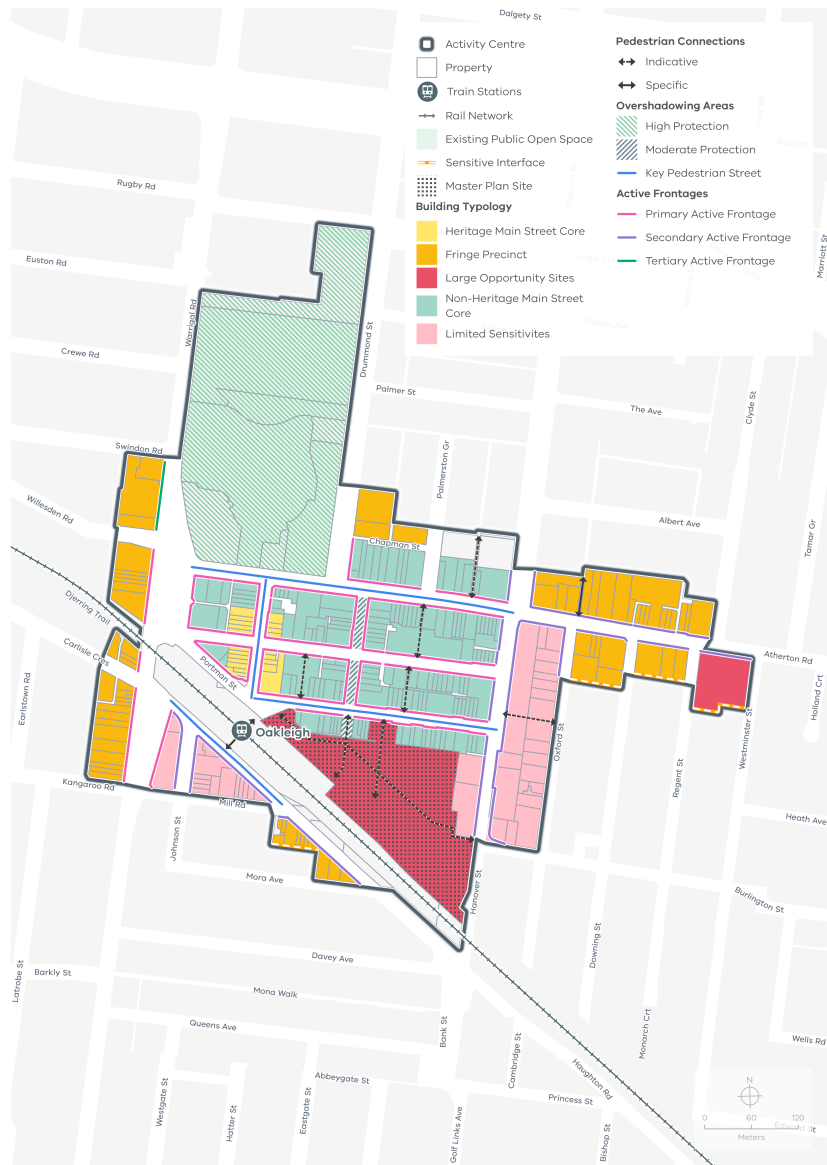
To support residential and commercial growth in the Oakleigh activity centre whilst protecting daylight access to Eaton Mall.

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Development framework

Map 1 to Schedule 11 to Clause 43.06: Development framework



The building typologies and future character for each part of the land is set out in the following table.

Table 1: Building typology and future character statements

Building typology as shown on Map 1	Future character
Heritage Main Street Core	This typology will retain its heritage character, with heritage façades retained and new buildings respecting the scale and design of pre-existing heritage buildings. The scale of new street walls will be consistent with adjacent heritage façades.

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Building typology as shown on Map 1	Future character
	<p>New development will occur above and behind heritage façades, with setbacks ensuring the new development does not dominate the heritage characteristics of the streetscape and the openness of the streetscape.</p> <p>Development will provide active street frontages, with commercial premises at ground level, and vehicle access provided to the rear where possible.</p>
Non-Heritage Main Street Core	<p>This typology will form the main street of the activity centre, with an urban form defined by its active street frontages and consistent streetscape presentation.</p> <p>Being in the heart of the centre, commercial activity will generally be provided at ground level, where a pedestrian environment is prioritised.</p> <p>Taller built form will be setback behind street walls, with streetscapes remaining open and sunny.</p>
Fringe Precinct	<p>This typology will mark a transition between the main street and lower-scale residential areas by providing a reduction in height and increased setbacks to residential interfaces.</p> <p>Commercial uses will be present at ground level, with commercial and residential premises above.</p> <p>Taller built form will be setback behind street walls, with streetscapes remaining open and sunny.</p>
Limited Sensitivities	<p>A mixture of commercial and residential built form is supported in the typology.</p> <p>New development will be expected to provide an active frontage to the public realm.</p> <p>New buildings should be high-rise (up to 40 to 53 metres/12 to 16 storeys) with podiums and upper-level setbacks that relate to the width of the street to provide a comfortable public realm.</p> <p>Taller form is supported on larger sites, particularly where setback standards are maintained.</p> <p>Development may exceed the building heights standard where the site area, including as a result of lot consolidation, supports compliance with the other standards of this schedule.</p>
Large Opportunity Sites	<p>Sites that can accommodate multiple buildings in a variety of configurations on larger lots (generally over 5,000 sqm).</p>

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Building typology as shown on Map 1	Future character
	<p>New buildings should be high-rise (up to 40 to 53 metres/12 to 16 storeys) with podiums and upper-level setbacks that relate to the width of the street to provide a comfortable public realm in terms of wind conditions and access to sunlight.</p> <p>Development of taller built form on these sites is supported and may exceed the building height standard where off-site amenity impacts are managed and public benefits provided.</p>

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Master plan requirements

Land to which the master plan requirements apply

The master plan requirements in Clause 43.06-3 apply to all land shown on Map 1 as master plan sites.

Requirement before a permit is granted

A permit may be granted before a master plan has been prepared to the satisfaction of the responsible authority if the responsible authority is satisfied that both:

- The granting of a permit will not prejudice the preparation of a master plan.
- The proposed use or development will not prejudice the orderly use and development of land in accordance with the objectives of this schedule.

Requirements for a master plan

A master plan must describe, as appropriate:

- Trees to be retained.
- Deep soil planting areas.
- Areas of any new planting for trees, green walls and facades, and other vegetation.
- The location and access arrangements of car and bicycle parking spaces.
- Public realm improvement works.

For the site at 39 Hanover Street, Oakleigh (Oakleigh Central), a master plan must describe:

- Vehicle access arrangements that avoid additional access on Portman Street.
- Pedestrian connections through the site, including connections to the Djerring Trail, Eaton Mall, Oakleigh Railway Station and Hanover Street.
- Ensure that any future redevelopment of the shopping centre can accommodate a diverse range of commercial uses.
- The design response to the Portman Street frontage that provides for activation and a consistent streetscape.

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Public benefit uplift framework

None specified.

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Buildings and works

Permit requirement

None specified.

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Outcomes and standards

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The outcomes and standards in this overlay and this schedule prevail over any inconsistent provision in this planning scheme, including any inconsistent standard set out in Clauses 54 to 58 (except where specified in this schedule). This does not apply to an application that has been made under Clause 53.22, Clause 53.23 or Clause 53.25, which prevail to the extent of any inconsistent provision in the Built Form Overlay.

6.1 Outcomes that do not apply

The outcome in Clause 43.06-7.3, Floor area ratios, does not apply.

6.2 Standards

Any standard specified in this schedule is in addition to any standard in clause 43.06-7 for the corresponding outcome, unless specified otherwise below.

If land is in a Heritage Overlay, or is land adjoining a Heritage Overlay, all standards in this overlay and schedule are not deemed to comply standards.

6.2-1 Building heights

Standard BF02

Standard BF02 does not apply to a heritage place which is included in the Victorian Heritage Register.

For Large Opportunity Sites shown on Map 1, the minimum building height does not apply.

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Map 2 to Schedule 11 to Clause 43.06: Building heights

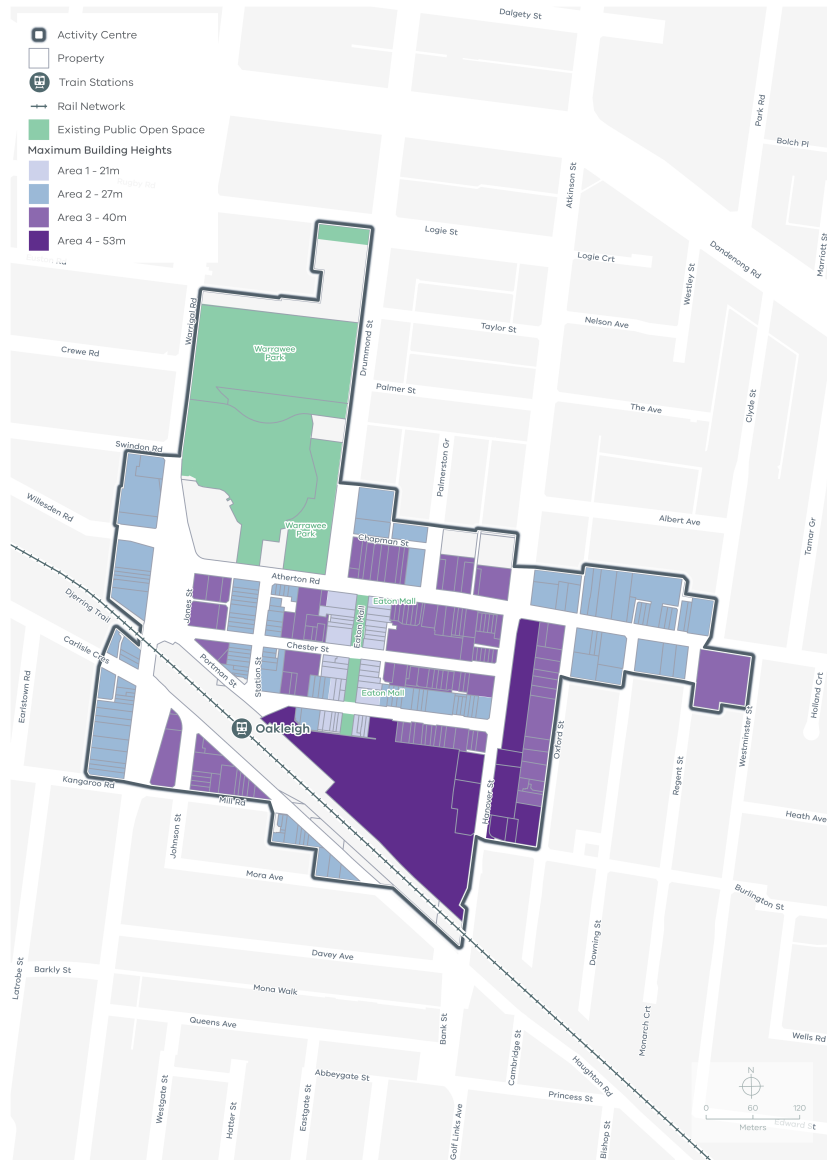


Table 2: Building height

Area as shown on Map 2	Minimum building height	Maximum building height	Discretionary or Mandatory	Deemed to comply
Area 1	None specified	21m	Discretionary	Yes
Area 2	13m	27m	Discretionary	Yes
Area 3	21m	40m	Discretionary	Yes
Area 4	21m	53m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1

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6.2-2 Overshadowing of open space or public realm

The following standards replace Standard BF04 at Clause 43.06-7.4.

Buildings are to maintain existing sun access to the overshadowing areas identified at Table 3 using the specified sun access measurement.

This does not apply to shadow cast by:

- Incidental elements such as canopies, kiosks, artworks, screens or trees.
- Buildings and works constructed within the open space or street.

Table 3: Overshadowing of open space or public realm

Overshadowing area	Sun access measurement	Discretionary or Mandatory	Deemed to comply
Existing and proposed streets			
Key pedestrian streets as shown on Map 1	No additional overshadowing to the opposite footpath measured at least 5m from the property boundary between 10am and 2pm on 22 September.	Discretionary	Yes
All other streets	No additional overshadowing of opposite footpaths beyond the theoretical shadow cast by the maximum building envelope in Standard BF02 and BF05 between 10am and 2pm on 22 September.	Discretionary	No
Existing and proposed public open space			
High protection as shown on Map 1	No additional overshadowing between 10am and 3pm on 21 June.	Mandatory	Yes
Moderate protection as shown on Map 1	No additional overshadowing beyond the theoretical shadow cast by the maximum building podium envelope in Standard BF05 and Standard BF06 between 10am and 3pm on 22 September.	Mandatory	Yes

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Overshadowing area	Sun access measurement	Discretionary or Mandatory	Deemed to comply
All other public parks and public open spaces (including proposed public open space)	No additional overshadowing beyond the theoretical shadow cast by the maximum building envelope in Standard BF02, Standard BF05, and Standard BF06 between 10am and 3pm on 21 June.	Discretionary	No

6.2-3 Front setbacks, street wall and front wall heights, setbacks above the street wall and front wall, and landscaped setbacks

Standard BF05

Requirements for land in or adjoining a Heritage Overlay

The following requirements apply to land in or adjoining a Heritage Overlay, in addition to the remaining requirements applying to all land. Where there is inconsistency between these requirements and the requirements applying to all land, these requirements prevail.

For development in a Heritage Overlay, new development should:

- Provide a front setback equal to or greater than the heritage building on the site.
- Match the street wall or front wall height of heritage buildings on the site or match the street wall or front wall height of a heritage building on an adjoining site where there is no heritage building on the site.
- Provide a minimum 6m setback above the street wall or front wall.

For development adjoining a Heritage Overlay, new development should:

- Provide a front setback equal to or greater than a heritage building on an adjoining site with the same frontage.
- Provide a street wall or front wall height no greater than the street wall or front wall height of a heritage building on an adjoining site, for a width of 6m from the property boundary of the adjoining property containing the heritage building.

Requirements applying to all land

For all land, new development should:

- Avoid a tiered built form and incorporate no more than one setback above the street wall or front wall.
- For areas shown as requiring a landscaped setback in Table 4, provide landscaping between the front wall and the front property boundary.
- For areas where no setback is shown at Map 3, provide street walls within 0.3m of the street boundary.

MONASH PLANNING SCHEME

Map 3 to Schedule 11 to Clause 43.06: Front setbacks and landscaped setbacks

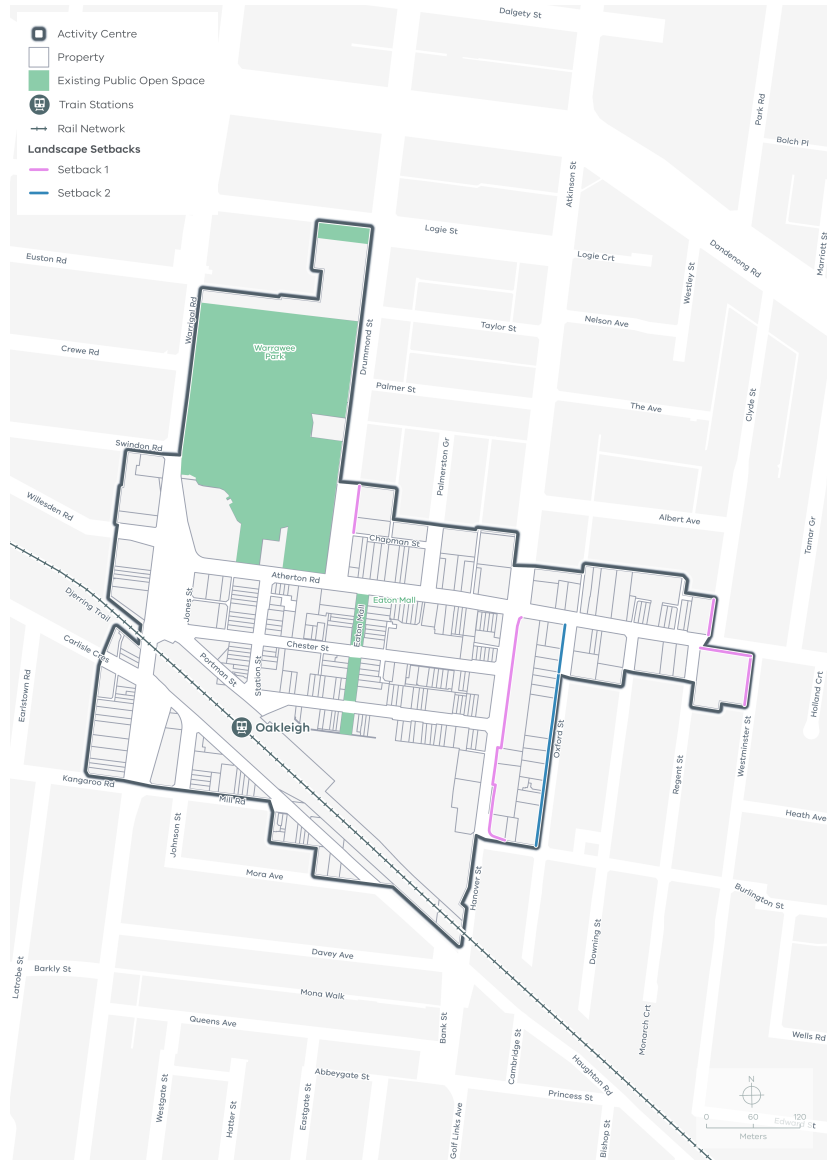


Table 4: Front setbacks and landscaped setbacks

Setback shown on Map 3	Minimum front setback	Landscaped setback	Discretionary or Mandatory	Deemed to comply
Setback 1	2.5m	Yes	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1
Setback 2	4.5m	Yes	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1

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Map 4 to Schedule 11 to Clause 43.06: Street wall and front wall heights and setbacks above the street wall or front wall



Table 5: Street wall and front wall heights, setbacks above street walls or front walls

Street wall shown on Map 4	Maximum street wall or front wall height	Minimum setback above street wall or front wall	Discretionary or Mandatory	Deemed to comply
Street wall 1	11m	Any part of the building above the proposed street wall or front wall: <ul style="list-style-type: none"> 6m 	Discretionary	Yes

MONASH PLANNING SCHEME

Street wall shown on Map 4	Maximum street wall or front wall height	Minimum setback above street wall or front wall	Discretionary or Mandatory	Deemed to comply
Street wall 2	11m	Any part of the building above the proposed street wall or front wall: <ul style="list-style-type: none"> ▪ 5m 	Discretionary	Yes
Street wall 3	1:1 ratio of road reserve width to street wall or front wall height or 21m whichever is lesser	Any part of the building above the proposed street wall or front wall if the building is no greater than 27m in height: <ul style="list-style-type: none"> ▪ 3m Any part of the building above the proposed street wall or front wall if the building is greater than 27m in height: <ul style="list-style-type: none"> ▪ 5m 	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1.

6.2-4 Side and rear setbacks and building separation within a site

Standard BF06

Development should avoid a tiered built form and incorporate no more than two setbacks to each side and rear boundary above the podium.

Development should be set back from side or rear boundaries in accordance with Table 6, except where one or more of the following applies:

- Where a site adjoins a sensitive interface shown on Map 1, buildings should be set back from the specified sensitive interface boundary in accordance with Table 7.
- Where a wall on boundary is proposed, a building should meet the wall on boundary requirements in Table 8 and 9 below. A wall on boundary should not be provided:
 - For rear boundaries, on a site 1,500 square metres or greater in area.
 - Where a site adjoins a sensitive interface shown on Map 1.

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Table 6: Side and rear setbacks and building separation within a site

Part of building	Minimum setback to boundary line	Minimum building separation within a site	Discretionary or Mandatory	Deemed to comply
Up to and including a height of 21m	4.5m	9m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1
Above a height of 21m up to and including a height of 40m	6m	12m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1
Above a height of 40m	10m	20m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1

Note: Where the neighbouring property is separated from the site by a rear or side laneway, the setback requirements in Table 6 should be measured from the centreline of the laneway.

Table 7: Setbacks to sensitive interfaces

Part of building	Minimum setback to sensitive interface boundary line shown on Map 1	Discretionary or Mandatory	Deemed to comply
Up to and including a height of 11m	6m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1
Above a height of 11m up to and including a height of 21m	12m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1
Above a height of 21m	15m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1

Note: Where the neighbouring property is separated from the site by a laneway, the setback requirements in Table 7 should be measured from the centreline of the laneway.

Table 8: Wall on rear boundary

Site size	Maximum height of wall on rear boundary	Discretionary or Mandatory	Deemed to comply
Less than 1,500sqm	11m	Discretionary	Yes

Where a wall constructed on or within 200mm of a rear boundary is proposed, rear setbacks at Table 6 apply above the proposed wall on boundary.

MONASH PLANNING SCHEME

Table 9: Wall on side boundary

Site width*	Maximum height of wall on side boundary	Discretionary or Mandatory	Deemed to comply
Less than 22m	21m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1
Between 22m and 30m	21m on one side boundary 11m on the other side boundary	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1
Greater than 30m	11m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1

*Site width is measured as the site's average width, measured parallel to the frontage.

Where a wall constructed on or within 200mm of a side boundary is proposed, the side setbacks at Table 6 apply above the proposed wall on boundary.

6.2-5 Building layout and adaptability**Standard BF07**

Apartment development should have a maximum floor plate size of 900sqm per tower, above the maximum street wall or front wall height.

Table 10: Floor to floor height

Floor type	Minimum floor to floor height (metres)	Discretionary or Mandatory	Deemed to comply
Commercial Ground	4.5m	Discretionary	Yes
Commercial Upper	4m	Discretionary	Yes
Residential (all)	3.2m	Discretionary	Yes

6.2-6 Active frontages**Standard BF09****Table 11: Minimum entry or window percentage**

Frontage type as shown on Map 1	Minimum entry or window percentage	Discretionary or Mandatory	Deemed to comply
Primary active frontage	At least 80 percent along the ground level frontage to a height of 2.5m	Discretionary	No

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Frontage type as shown on Map 1	Minimum entry or window percentage	Discretionary or Mandatory	Deemed to comply
Secondary active frontage	At least 60 percent along the ground level frontage to a height of 2.5m	Discretionary	No
Tertiary active frontage	At least 40 percent along the ground level frontage to a height of 2.5m	Discretionary	No

Note: Any vehicle entry does not contribute to the calculation of minimum entry or window percentage specified in Table 11.

6.2-7 Pedestrian connections

Standard BF10

Map 1 indicates the 'Specific' and 'Indicative' pedestrian connection alignments required by this standard.

6.2-8 Weather protection

Standard BF11

Development should include continuous weather protection along primary and secondary active frontages shown on Map 1, except where one of the following warrants an alternative approach:

- A heritage place.
- Where a landscaped setback is required under Clause 6.2-3 of this schedule.

6.2-9 Landscaping and fencing

Standard BF12

The following standards do not apply to apartment developments to which Clause 58 applies.

Development should provide the minimum deep soil extent at ground level outlined in Table 12 below.

Table 12: Deep soil requirements

Site size	Minimum deep soil extent at ground level	Discretionary or Mandatory	Deemed to comply
Less than 1,500sqm	0%	Discretionary	Yes
Between 1,500 – 5,000sqm	10%	Discretionary	Yes
Greater than 5,000sqm	15%	Discretionary	No

Development on sites greater than 1,500sqm should provide either of the following:

- At least two trees with a minimum canopy and height at maturity of 8m, with each tree having a minimum deep soil area of 49sqm (min. plan dimension 4.5m).
- At least one tree with a minimum canopy and height at maturity of 12m, within a minimum deep soil area of 121sqm (min. plan dimension 6.5m).

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Development on all sites must ensure deep soil is not located above basements or other infrastructure.

6.2-10 Car parking design

Standard BF13

Vehicle access to car parks is discouraged on Warrigal Road.

Vehicle access should be provided from laneways and secondary frontages. Where vehicle access cannot be provided from laneways and secondary frontages, access points should:

- Prioritise pedestrian flow, safety and amenity.
- Minimise impacts on the provision of public transport, and pedestrian and cyclist safety.
- Avoid street trees.

6.2-11 Building services

Standard BF14

Waste and loading access is discouraged on Warrigal Road.

6.3 Other outcomes and standards

None specified.

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Subdivision

Permit requirements

None specified.

Subdivision requirements

Applications for subdivision should be consistent with the objective to maintain and enhance a subdivision pattern that supports high density development.

Public open space contribution requirement

Type or location of subdivision	Amount of contribution for public open space
None specified	None specified

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GC270

Application requirements

Design response

For an application to construct a building, in addition to the requirements of Clause 43.06-9, the design response must be accompanied by the following information, as appropriate:

- Explain how the proposed design will:
 - Provide high-quality public realm outcomes and ameliorate shadow and wind effects.
 - Respond to any significant heritage elements on adjoining properties.
 - Respond to adjacent buildings including likely adjacent equitable development envelopes.

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Sustainable Design Assessment or Sustainability Management Plan

An application to construct a building must be accompanied by a Sustainable Design Assessment or a Sustainability Management Plan (including assessment using BESS/Green Star, STORM/MUSIC or other methods) and a Green Travel Plan, as relevant to the scale of development outlined at Clause 15.01-2L-02.

The assessment should identify environmentally sustainable development measures proposed in response to the following, having regard to the site's opportunities and constraints:

- Energy performance
- Integrated water management
- Indoor environment quality
- Transport
- Waste management
- Urban ecology

Landscaping Plan

An application to construct a building or construct or carry out works must be accompanied by a Landscaping Plan that addresses:

- Measures to achieve the targeted deep soil areas and canopy trees across the site area.
- Strategies to retain and enhance existing site vegetation where appropriate.
- A maintenance plan for the proposed green cover.
- Any measures to improve the public realm interfaces adjacent the site.

Shadow Diagrams

An application to construct a building must be accompanied by shadow diagrams showing hourly diagrams between the control period specified at Standard BF04 of this schedule.

Wind Impact Report

An application to construct a building of five or more storeys, excluding a basement, must be accompanied by a wind impact assessment report prepared by a suitably qualified person to consider wind impacts, which must:

- Explain the effect of the proposed development on the wind conditions in publicly accessible areas within a distance equal to half the longest width of the building, measured from all façades, or half the total height of the building, whichever is greater.
- For development with a total building height in excess of 30 metres, model the wind effects of the proposed development and its surrounding buildings (existing and proposed) using wind tunnel testing, unless otherwise agreed by the Responsible Authority.
- Identify the principal role of each portion of the publicly accessible areas for sitting, standing or walking purposes.
- Explain whether the outcome and Standard BF08 at Clause 43.06-7.8 are met.

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Notice and review

None specified.

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Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.06, in addition to those specified in Clause 43.06-11 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

Variations to discretionary standards

Where a proposal seeks to vary a discretionary standard in this clause:

Development – Building scale

- Whether the site area, including as a result of land consolidation, enables the management of amenity impacts from building heights exceeding the maximum building height specified in this schedule.
- Whether the building respects the height, scale and proportions of adjacent heritage buildings.
- Whether the building height responds to the site and adjacent existing or proposed development.
- Whether street wall and front wall heights and setbacks above street wall and front walls are appropriate considering:
 - The existing streetscape and site context.
 - The required floor to floor heights for commercial floor types.
- Whether southward views from the Warrigal Road overpass to the Sacred Heart Church are preserved.

Development – Detail design

- Whether the development provides high quality human scaled environments at ground level that provide visual interest.
- Whether the development provides appropriate landscaping, considering its context and the site's ability to provide meaningful landscaping.

Development – Impacts on adjoining land

- Whether the development provides equitable access on adjoining sites to privacy, daylight and outlook.
- Whether the development respects the amenity of adjoining residential land.
- Whether any additional overshadowing to the nominated spaces adversely affects the use, quality and amenity of the public space.

Development – Public realm

- Whether there are reasonable opportunities to contribute to and fulfil the completion of a through-block pedestrian connection on adjacent land over time.
- Whether the proposal maintains safe and pleasant pedestrian microclimatic conditions on the footpath adjacent to the development and in the surrounding public realm areas.
- Whether a front setback is designed as part of the public domain and fully accessible to the public where a ground level (non-landscaped) setback is provided.

Decision guidelines applying to all applications**General**

- Whether the proposal meets the development objectives and requirements of this schedule.

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- Whether development achieves housing and employment at the scale sought by the development outcomes of this schedule.
- Whether the development provides for activation via the use of lobbies and other commercial entries, commercial activities, seating embedded in the façade, and other features which facilitate engagement, use and movement at ground level.

Development – Building scale

- Whether the site area is too small to achieve the preferred scale of development identified in the development framework.

Development – Detail design

- Whether the development allows for the adaptive re-use of existing heritage buildings.
- The extent of building articulation, visual interest and variety over the length of the street frontage.

Development – Sustainability

- The proposed sustainability rating of the building and extent the proposed initiatives address climate change impacts and contribute to mitigation through sustainable design and operational practices.
- Whether sustainable water, waste and energy management is proposed.
- The extent to which the proposed landscape and design response contributes to a greener environment and reduces urban heat.

Subdivision

- Whether a subdivision enables future development opportunities consistent with the scale envisioned in the relevant future character description.

Public benefits

- Whether the proposal results in, or substantially facilitates, the delivery of appropriately secured public benefits including:
 - Affordable housing.
 - Provision of pedestrian connections or public open space in excess of any minimum requirement in this Scheme.

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Mandatory permit conditions

None specified.

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Signs

None specified.

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Transitional provisions

The requirements of Clause 43.06 and this schedule do not apply to:

- An application made before the approval date of Amendments GC270 to this planning scheme. For the avoidance of doubt, this includes an amended application under section 50, 50A or 57A of the Act if the original application was made before the approval date of Amendments GC270;

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- An amended permit application under section 72 of the Act, if the original application in respect of which that permit was first granted (that is, before it was first amended) was either:
 - made before the approval date of Amendments GC270; or
 - an amended application under section 50, 50A or 57A of the Act if the original application was made before the approval date of Amendments GC270.

The following provisions, as in force in relation to relevant land immediately before the approval date of Amendments GC270, continue to apply to applications which this transitional provision applies:

- Schedule 11 to Clause 43.02.

Planning and Environment Act 1987

Victoria Planning Provisions

and all planning schemes

Amendment VC300

Explanatory report

Overview

Amendment VC300 implements the Mid-Rise Code to introduce deemed to comply standards for four-to-six storey residential development. The Mid-Rise Code provides clarity and certainty for development outcomes at this scale. The new provisions:

- facilitate quicker and more efficient decision making on planning permits for mid-rise residential development,
- provide greater transparency and certainty for applicants, decision makers and the community about what acceptable development is and how it should be assessed,
- provide clearer requirements for amenity, sustainability and design that balance the needs of existing and new residents,
- support implementation of commitments under the *National Housing Accord* and *Victoria's Housing Statement: The Decade Ahead 2024-2034*.

Who is the planning authority?

This amendment has been prepared by the Minister for Planning.

The Minister for Planning is the planning authority for this amendment.

What the amendment does

Amendment VC300 makes changes to the Victoria Planning Provisions (VPP) and all planning schemes in Victoria to introduce the Mid-Rise Code, including deemed to comply standards for four to six storey residential development at clause 57 and make other consequential changes. Specifically, the amendment makes changes by:

Planning Policy Framework

- Introducing reference to the *Mid-Rise Design Guide* (Department of Transport and Planning, 2026) as a policy document in clause 11.03-1S (Activity centres and precincts), clause 15.01-2S (Building design) and clause 16.01-1S (Housing supply).

- Amending the formatting of clause 16.01-1S (Housing supply).

Clause 55 (Two or more dwellings on a lot and residential buildings of three storeys or less)

- Amending the heading to clarify that clause 55 applies to two or more dwellings on a lot and residential buildings of three storeys or less.

Clause 57 (Two or more dwellings on a lot and residential buildings of four to six storeys)

- Amending the heading to reflect the application of clause 57 to two or more dwellings on a lot and residential buildings of four-to-six storeys.
- Amending the application of clause 57 to apply to four-to-six storey residential development applications in the Mixed Use Zone, Township Zone (where land is within the urban growth boundary in Metropolitan Melbourne), Residential Growth Zone, and Housing Choice and Transport Zone. Clause 57 no longer applies to planning permit applications in the Neighbourhood Residential Zone or the General Residential Zone.
- Amending the operation of clause 57 to introduce deemed to comply assessment. Features of deemed to comply assessment include:
 - A development must meet all objectives. Where a standard is met, the objective is deemed to be met. Decision guidelines apply only where a standard is not met, and an alternative design solution is proposed to meet the objective.
 - When determining an application under clause 57, responsible authorities are exempt from having to consider the Policy Planning Framework, Municipal Planning Strategy, purpose or decision guidelines of the relevant zone, and the decision guidelines of clause 65, unless an applicable decision guideline specifies otherwise.
 - Third parties cannot seek review at VCAT when all specified standards that form part of clause 57.02 (Urban context) and, if applicable, clause 57.04 (External amenity) are met. Existing notice requirements continue to apply.
- Amending the application requirements to require a written statement of which standards are met or not met and to revise site description requirements to align with the clause 57 standards.
- Amending existing standards within clause 57 and introducing new standards. Changes include:
 - Updated Street setback, Walls on boundaries and Site coverage standards that support a new mid-rise built form.
 - An updated Side and rear setbacks standard designed to limit overshadowing and overlooking, removing the need to provide screening to windows and reducing complex building massing.
 - Amending the operation of the Overshadowing secluded open space standard so that it does not apply where the Side and rear setbacks and Walls on boundaries standards are both met. Any part of a new building that does not meet the Side and rear setbacks and Walls on

boundaries standards is subject to the Overshadowing secluded open space standard.

- Amending the operation of the Overlooking standard so that it does not apply where the Side and rear setbacks standard is met. Any part of a new building that does not meet the Side and rear setbacks standard is subject to the Overlooking standard.
- An updated Tree canopy standard with boundary setback requirements for a basement.
- Introducing minimum transparency requirements to the Front fences standard.
- Revisions to the Private open space standard to make requirements for private open space more consistent for different orientations and storeys within a development, and to introduce a minimum balcony length.
- Specifying that a habitable room window is not in a basement to be deemed to comply for the Daylight to new windows standard.
- New Building separation within a site standard and Light courts standard to provide greater design flexibility and ensure buildings meet acceptable levels of daylight access.
- Removing standards that are not required for mid-rise development or are no longer needed due to being addressed by other standards or policies including:
 - Building height
 - Dwelling diversity
 - Daylight to existing windows
 - Existing north-facing windows
 - Internal views
 - Overshadowing domestic solar energy systems
 - Rooftop solar energy generation area
 - Solar access protection to new north-facing windows
- Minor changes to refine requirements across other standards to better respond to the changes made, and to the mid-rise scale.
- Operational and technical changes to all standards to ensure they are clear, concise and compatible with deemed to comply assessment.
- Introducing the ability to vary the Street setback, Site coverage and Front fences standards in a local schedule to a zone (if the variation is more permissive than the requirement in clause 57) for an application subject to clause 57.

Clause 58 (Apartment development)

- Amending the application to specify that the requirements of clause 58 apply to apartment developments of seven storeys or more in a Mixed Use Zone,

Township Zone, Residential Growth Zone, General Residential Zone, and Housing Choice and Transport Zone. Clause 58 continues to apply to apartment development in other zones as specified.

The amendment makes consequential and operational changes to specified zones in the VPP and applicable planning schemes by:

Mixed Use Zone, Residential Growth Zone, and Housing Choice and Transport Zone

- Amending permit requirements to specify that the requirements of clause 57 apply to residential development of four-to-six storeys and the requirements of clause 58 apply to apartment developments of seven or more storeys.
- Allowing local schedules to the Mixed Use Zone and Residential Growth Zone to include more permissive variations for the Street setback, Site coverage and Front fences standards of clause 57.
- Introducing an exemption from the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if all the applicable standards under clauses 57.02 and 57.04 are met.
- Amending the application requirements and decision guidelines to be consistent with the updated application of clauses 57 and 58.

Township Zone

- Amending permit requirements to specify that the requirements of:
 - Clause 57 apply to a residential development of four-to-six storeys inside the urban growth boundary in metropolitan Melbourne
 - Clause 57 do not apply to a residential development outside the urban growth boundary in metropolitan Melbourne
 - Clause 58 apply to an apartment development of seven or more storeys.
- Introducing the ability for local schedules to the zone to include more permissive variations for the Street setback, Site coverage and Front fences standards of clause 57.
- Introducing an exemption from the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if all the applicable standards under clauses 57.02 and 57.04 are met.
- Amending the decision guidelines to be consistent with the updated application of clause 57 and clause 58.

General Residential Zone

- Amending the permit requirements to specify that the requirements of clause 57 do not apply and the requirements of clause 58 apply to an apartment development of seven or more storeys.
- Amending the decision guidelines and application requirements to be consistent with the updated application of clause 57 and clause 58.

Neighbourhood Residential Zone

- Amending the permit requirements to specify that the requirements of clause

57 and clause 58 do not apply.

- Amending the decision guidelines and application requirements to be consistent with the updated application of clause 57 and clause 58.

Transitional provisions

- Introducing transitional provisions to all relevant zones for applications lodged before the commencement of Amendment VC300.

Strategic assessment of the amendment

Why is the amendment required?

Amendment VC300 is required to support implementation of commitments under the *National Housing Accord* and *Victoria's Housing Statement: The Decade Ahead 2024-2034*. The amendment introduces the deemed to comply Mid-Rise Code for four-to-six storey residential development at clause 57 of the VPP and all planning schemes in Victoria.

National Housing Accord

The *National Housing Accord* is an agreement across all levels of government, institutional investors, and the construction sector to address housing supply and affordability. As part of the *National Housing Accord*, all states and territories committed to undertaking expedited zoning, planning, and land release to deliver the joint commitment on social and affordable housing in well-located areas.

Each state and territory has developed implementation schedules which detail the actions each jurisdiction will take to help achieve the commitments made under the *National Housing Accord*. In its schedule, the Victorian Government committed to delivering planning reforms to make housing supply more responsive to demand over time. These reforms including supporting local council planning processes as outlined in *Victoria's Housing Statement*.

Victoria's Housing Statement, The Decade Ahead 2024-2034

Victoria is the fastest growing state in Australia and is expected to reach a population of more than 10.3 million people by 2051, with Melbourne becoming the nation's largest city.

Victoria's Housing Statement outlines the strategy for delivering additional housing, including a range of initiatives to be undertaken by the Victorian Government to facilitate the development of additional homes.

One initiative is streamlining assessment pathways with a range of new deemed to comply residential standards for different types of homes. This will enable assessors to quickly determine permit applications for dwellings that meet the Mid-Rise Code standards.

Mid-rise development

The Mid-Rise Code has been developed to promote a new built form in Victoria's residential areas that is better suited to mid-rise residential development, including the Train and Tram Zone Activity Centres Program. The code includes updated requirements that provide clarity and certainty over outcomes for siting, design and amenity at this scale.

These clearer requirements support faster decisions on mid-rise development. Facilitating mid-rise residential development in areas close to public transport, jobs and services provides more housing choice, diversity and access for the community.

Alignment with clause 55

In March 2025, Amendment VC267 amended clause 55 to introduce reforms to the operation, requirements and structure of clause 55 standards for residential development of three storeys or less, to implement the Townhouse and Low Rise Code. Amendment VC267 also introduced clause 57, with requirements for four storey residential development. At implementation, clause 57 included requirements consistent with clause 55, but did not include deemed to comply operation, as further work was needed to refine requirements for residential development above three storeys.

Amendment VC300 brings the operation of clause 57 into alignment with the deemed to comply operation of clause 55, with updated standards.

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

The amendment implements the objectives in section 4(1) of the Planning and Environment Act 1987 (the Act). In particular, it supports the objectives:

- To provide for the fair, orderly, economic and sustainable use, and development of land.
- To provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity.
- To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.
- To facilitate development in accordance with the objectives set out above.
- To balance the present and future interests of all Victorians.

Amendment VC300 implements the objectives of planning in Victoria by streamlining assessment of planning permit applications for mid-rise residential development. The Mid-Rise Code includes standards are clear and fit for purpose to support the delivery of housing, while balancing the amenity of future residents and neighbours of new developments.

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

Social benefits

The amendment provides social benefits by making it easier to deliver housing in established areas with access to services and jobs. Updated siting and amenity standards improve liveability for residents of new dwellings by ensuring homes are sustainable and well designed.

Economic benefits

The amendment produces economic benefits by implementing deemed to comply assessment for mid-rise residential development that is clearer, provides greater certainty and is less complex than existing application processes. These changes lower risk and reduce approval times and will in turn decrease costs for permit applicants. The updated siting requirements encourage design outcomes with simplified building forms which enable greater construction efficiency and reduce construction time and costs.

Environmental benefits

The amendment introduces standards that facilitate the delivery of higher-density housing in areas well-served by public transport and close to jobs and services, supporting reduced reliance on private vehicles and travel-related emissions.

How does the amendment consider climate change?

Ministerial Direction 22 (Climate Change Consideration), specifies that a planning authority must have regard to climate change when preparing an amendment to a planning scheme that will:

- Rezone land from a non-urban zone to an urban zone.
- Enable a significant change to, intensification of the use and development of urban land.
- Enable a new use and development of land that may be exposed to a natural hazard that arises from, or is likely to arise from, the impacts of climate change.

The requirements of Ministerial Direction 22 (Climate Change Consideration) do not apply to Amendment VC300 as the amendment does not rezone land or enable any new use or development. While the amendment facilitates the delivery of housing, it does not allow for any new use or development not already permissible in the relevant zone. The amendment also contributes to lower greenhouse gas emissions by facilitating mid-rise residential development in well-served areas close to public transport and jobs. This supports urban renewal and infill development over new greenfield development.

Does the amendment address relevant bushfire risk?

The amendment does not increase the risk of life, property, community infrastructure and the natural environment from bushfire. Applications under clause 57 are likely to be in established urban areas with low or no risk of bushfire.

The amendment does not change the consideration of bushfire risk and the bushfire protection for residential development.

Clause 71.02-3 explicitly requires the protection of human life to be the paramount policy consideration in decision making when assessing a proposal that has, or could have, a bushfire risk.

Planning permit applications are still subject to bushfire planning requirements where a property is covered by the Bushfire Management Overlay. Planning permit exemptions to manage vegetation for bushfire protection around existing dwellings also continue to apply.

In addition, all new buildings in designated Bushfire Prone Areas must be built to minimum specifications under the Australian Standard for construction of buildings in bushfire prone areas (AS 3959-2009).

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

Amendment VC300 complies with relevant Ministerial Directions issued under section 12 of the Act.

This explanatory report has been prepared in accordance with Ministerial Direction No.11 Strategic Assessment of Amendment. The amendment is consistent with this direction which ensures a comprehensive strategic evaluation of a planning scheme amendment and its outcomes.

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

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

The amendment supports the implementation of the Planning Policy Framework, in particular the following provisions:

- Clause 11.01-1S (Settlement) – The amendment supports the objective to facilitate the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements. The amendment also supports associated strategies, including to limit urban sprawl and direct growth into existing settlements. The amendment supports strategies that contribute to net zero emission outcomes, integrate water resource management, and metropolitan and regional climate change strategies.

- Clause 15.01-2S (Building design) – The amendment supports the objective to achieve building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development. Improved and simplified amenity and built form requirements allow for more simple built form and greater flexibility for building design.
- Clause 16.01-1S (Housing supply) – The amendment supports the objective to facilitate well-located, integrated and diverse housing that meets community needs. The updated assessment provisions facilitate housing in established residential areas close to services and infrastructure.

Is the amendment consistent with the delivery of the relevant housing target set out in the Planning Policy Framework?

The amendment enables the delivery of housing targets in clause 16.01-1S (Housing supply) by reducing the time and costs associated with the planning assessment of mid-rise residential development applications. Simplified deemed to comply assessment provisions make it easier to build more housing in well-located areas suited for housing growth.

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

The amendment makes proper use of the VPP by using particular provisions as the appropriate clauses in the VPP to implement the Mid-Rise Code. The amendment makes changes to specified zones to ensure they are consistent with the operation and application of the Mid-Rise Code.

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

No agencies were consulted during the preparation of the amendment.

How does the amendment have regard to the principles set out in the *Yarra River Protection (Wilip-gin Birrarung murrong) Act 2017* in relation to Yarra River land and other land, the use or development of which may affect Yarra River land?

Clause 57 applies to land in most residential zones. In certain locations, this includes land near to Yarra River land.

The amendment does not have significant impact on Yarra River land, as it does not alter the existing requirement that a decision made under the planning scheme by a responsible authority is consistent with the *Yarra River Protection (Wilip-gin Birrarung murrong) Act 2017*. The amendment does not rezone any Yarra River land. Planning permit requirements that relate to the protection of waterways (such as environmental, landscape and land management overlays) and cultural heritage

sensitivity requirements continue to apply to applications under clause 57.

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

The amendment is unlikely to have a significant impact on the transport system. Supporting provision of housing in established areas with access to infrastructure, including public transport, is consistent with the objectives and decision-making principles in the Transport Integration Act 2010.

Resource and administrative costs

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

The amendment will reduce the resource and administrative costs of the responsible authority through simpler assessments of planning permit applications for mid-rise residential development.

Where you may inspect this amendment

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

Barwon South West/Grampians Region

- Geelong office, Level 4, 27 Brougham Street, GEELONG VIC 3220 (by appointment only)
- Ballarat office, Level 3, 101 Armstrong Street Nth, BALLARAT VIC 3350

Loddon Mallee / Hume Region

- Bendigo office, Galkangu – BendigoGovHub, 189-229 Lyttleton Terrace, BENDIGO VIC 3550
- Wangaratta office, Level 1, 62 Ovens Street, WANGARATTA VIC 3676

Gippsland Region

- 120 Kay Street, TRARALGON VIC 3844

The amendment can also be inspected free of charge at the Department of Transport and Planning website at planning.vic.gov.au/public-inspection or by contacting the office on 1800 789 386 to arrange a time to view the amendment documentation.