

Planning and Environment Act 1987

MONASH PLANNING SCHEME

AMENDMENT C156

EXPLANATORY REPORT

Who is the planning authority?

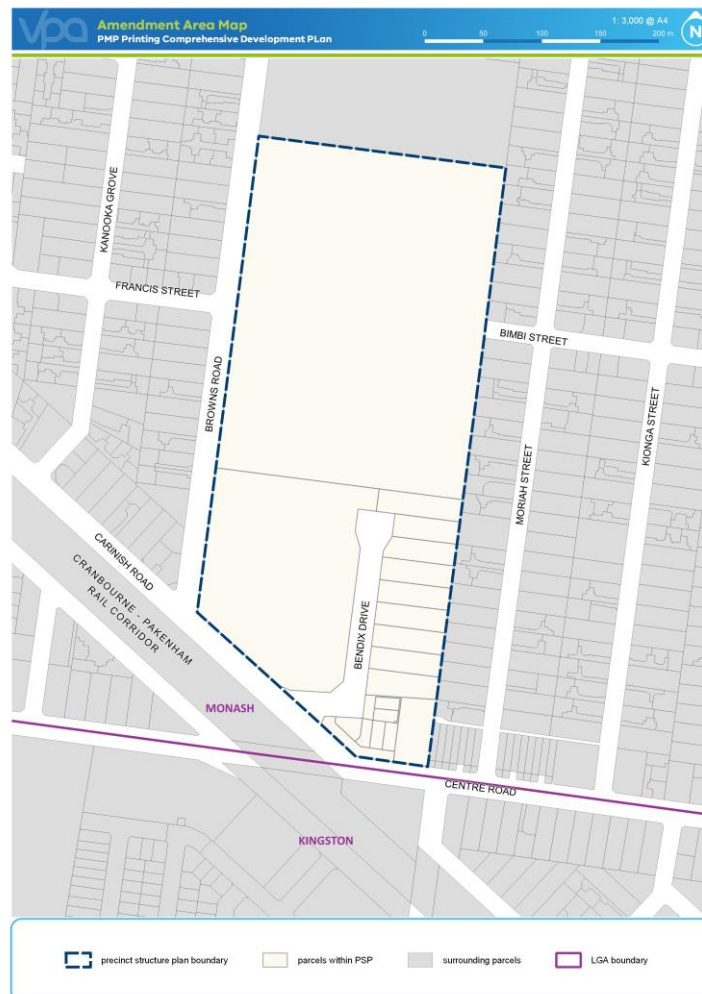
This amendment has been prepared by Monash City Council, which is the planning authority for this amendment.

The amendment has been made at the request of Monash City Council.

Land affected by the Amendment

The amendment applies to the land located at 209-211 Carinish Road and 31-49 Browns Road, Clayton as defined by the *PMP Printing Comprehensive Development Plan, August 2019* (the CDP), shown on Map 1 below and known as the PMP Printing Precinct. The CDP affects approximately 10.17 hectares of predominantly industrial land with a small strip of commercial land, bounded by the former Clayton Primary School site (north), residential land along Moriah Street (east), Centre Road (south), and Browns Road (west).

Map 1 – Amendment Area



What the Amendment does

The amendment makes changes to the Monash Planning Scheme to facilitate the use and development of land within the PMP Printing Precinct for commercial, retail, residential, and a mix of other uses.

Specifically, the amendment seeks to:

- Rezone the land from Industrial 1 Zone to Comprehensive Development Zone and insert Schedule 2 to Clause 37.02 (CDZ2) into the Monash Planning Scheme. Schedule 2 to the CDZ will set out the land use and development controls for the amendment area and requires land use and development within the amendment area to be generally in accordance with the PMP Printing Precinct Comprehensive Development Plan.
- Applies the Environmental Audit Overlay to the amendment area.
- Insert Clause 45.06 – Development Contributions Plan Overlay (DCPO) into the Monash Planning Scheme and apply Schedule 1 to the DCPO to the amendment area.
- Delete the Design and Development Overlay, Schedule 1 from the amendment area.
- Amend the Schedule to Clause 53.01 to require subdivision within the amendment area to provide an open space contribution of 10%.
- Amend the Schedule to Clause 72.03 to update the relevant planning scheme maps.
- Amend the Schedule to Clause 72.04 to include two new incorporated documents into the Monash Planning Scheme titled “*PMP Printing Comprehensive Development Plan, August 2019*” and “*PMP Printing Development Contributions Plan, August 2019*”

Strategic assessment of the Amendment

Why is the Amendment required?

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

The amendment will result in a good planning outcome, and a net community benefit through the delivery of a planning framework for a mixed-use neighbourhood that offers a high level of amenity for future residents, workers and the surrounding local community. In this regard, the amendment is a specific response to *Action 16 of Plan Melbourne 2017-2050* which calls for a pipeline of urban renewal projects across Melbourne that deliver high amenity, mixed-use neighbourhoods.

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

The amendment is supported by a range of technical reports addressing uses including traffic; drainage and environmental site assessment.

The CDZ2 details the uses permitted within the precinct, along with the statutory requirements for planning permits and permit applications to assist in implementing the CDP.

A planning scheme amendment is the most appropriate method for managing the transition in land use and associated development, as the matters relate to land use and development outcomes.

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

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

The amendment implements the objectives of planning in Victoria by:

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

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

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

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

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

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

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

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

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

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

High value trees have been identified within the PMP Printing site. Monash City Council has prepared Amendment C153, which seeks to implement the directions and policies of the *Monash Urban Landscape and Canopy Vegetation Strategy 2018*. This amendment proposes to introduce a new

Significant Landscape Overlay across the whole municipality, replace the existing Vegetation Protection Overlay that applies to part of the municipality and replace Clause 22.05 Tree Conservation Policy with a new Significant Landscape Policy. Approval of this amendment will ensure protection of the significant trees identified in the PMP Printing Site.

Does the Amendment address relevant bushfire risk?

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

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

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

Direction No. 1 Potentially Contaminated Land

As the land has been intensively used for industry and is proposed for a mix of uses including sensitive uses, the amendment applies the EAO to land in the northern portion of the precinct which does not yet have a Certificate or Statement of Environmental Audit under the *Environment Protection Act 1970*, as informed by the background report prepared by Senversa.

The overlay requires a Certificate or Statement of Environmental Audit to be issued before sensitive uses can commence or before commencing buildings/works associated with a sensitive use. An application requirement is included for the sites along Bendix Drive and Centre Road for an environmental site assessment to be prepared.

Direction No. 9 Metropolitan Strategy

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

Direction No. 11 Strategic Assessment of Amendments

This explanatory report fulfils the requirements of this direction.

Direction No. 18 Victorian Planning Authority advice on planning scheme amendments

The Victorian Planning Authority (VPA) has prepared this amendment as a provider. This means that the VPA has had the lead role to prepare the amendment and has worked in partnership with Monash City Council.

The VPA provided written support of the amendment, endorsing the amendment package under Ministerial Direction 18 based on the version of documents provided on 23 August 2019.

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

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

The EPA supports the application of an Environmental Audit Overlay over the PMP Printing site, as recommended at Section 7.2 of the Senversa report, to effectively deal with proposed sensitive uses on the land. This is coupled with an application requirement for an environmental site assessment (detailed site investigation) for properties along Bendix Drive, which were not included in the environmental assessment report.

The written response from the EPA suggested the inclusion of additional text to provide a path forward should the environmental site assessment identify contamination or risk of a level that would warrant

the completion of a statutory environmental audit. In response, schedule 2 to the Comprehensive Development Zone includes additional wording in the application requirement to clearly outline the steps that would need to be taken following the specification to proceed with an environmental audit.

The EPA also suggested that the responsible authority includes a contingency to have a submitted detailed site assessment peer reviewed. This is not necessary as the planning controls already require any information submitted in support of an application to be to the satisfaction of the responsible authority.

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

A Development Contributions Plan (DCP) has been prepared for the PMP Printing site, which has been prepared in accordance with the Ministerial Direction

The amendment inserts Clause 45.06 – Development Contributions Plan Overlay (DCPO) into the Monash Planning Scheme and applies Schedule 1 to the DCPO to the amendment area.

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

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

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

The amendment implements *Plan Melbourne 2017-2050* by:

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

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

Facilitating a diversity of housing products to suit a range of household configurations and income levels.

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

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

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

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

The amendment is consistent with the objective of this policy as it will require developers to demonstrate that potentially contaminated land is suitable for its intended future use and development, and that contaminated land is used safely. This will be achieved through the application of the EAO to all land previously zoned IN1Z within the amendment area. Furthermore, an environmental site assessment application requirement for land within the commercial Bendix Drive sub-precinct has been included within the CDZ2 to address the potential impacts of contamination on the land.

13.05 – Noise and 13.06 – Air Quality

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

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

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

15.01-1R Urban design – Metropolitan Melbourne

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

15.01-4R Healthy neighbourhoods- Metropolitan Melbourne

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

16.01 – Residential development

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

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

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

17.01-1S Diversified economy

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

17.01-2S – Innovation and research

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

19.03 – Development infrastructure

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

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

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

- Develops sustainable employment opportunities to maintain Monash as a predominant business location in Melbourne's eastern region.
- Identifies an area for revitalisation of older industrial premises.

- Integrates land use and transport planning of arterial roads, public transport routes, and pedestrian and bicycle paths around major trip generators in commercial, residential and industrial areas.
- Minimises the impact of stormwater flows in Monash.

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

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

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

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

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

The amendment uses standard provisions from the Victoria Planning Provisions in the manner set out in the Act and the relevant ministerial directions.

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

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

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

Monash City Council, acting under the *Planning and Environment Act 1987*, are an 'interface body' under the *Transport Integration Act 2010* (TIA).

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

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

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

Resource and administrative costs

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

The planning provisions will have limited additional impact on the resource and administrative costs of the responsible authority. No intervening plans are required before permit applications can be considered, which will reduce the administrative burden on Council. The amendment implements a resolved CDP for the area, along with a streamlined CDZ2 that makes many uses as-of-right depending on their location. In most cases this will obviate the need for further notification of individual permit applications but require more intensive scrutiny of each application.

Where you may inspect this Amendment

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

City of Monash
Civic Centre
293 Springvale Road
Glen Waverley 3150

Council's website on www.monash.vic.gov.au

The amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection.

Submissions

Any person who may be affected by the Amendment may make a submission to the planning authority. Submissions about the Amendment must be received by **[insert submissions due date]**.

A submission must make reference to Monash Amendment C156 and be sent to:

City of Monash
PO Box 1, Glen Waverley 3150

Panel hearing dates

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

- Directions hearing: **[insert directions hearing date]**
- Panel hearing: **[insert panel hearing date]**

SCHEDULE 2 TO CLAUSE 37.02 COMPREHENSIVE DEVELOPMENT ZONE

Shown on the planning scheme map as **CDZ2**.

PMP PRINTING PRECINCT COMPREHENSIVE DEVELOPMENT PLAN

Land

This schedule applies to the land located at 209-211 Carnish Road and 31-49 Browns Road, Clayton and is generally bounded by the former Clayton Primary School site (north), residential land along Moriah Street (east), Centre Road (south) and Browns Road (west).

Plan 1 to Schedule 2 to Clause 37.02



Note: This plan is a reproduction of Plan 1 Future Urban Structure in the incorporated PMP Printing Comprehensive Development Plan.

Purpose

To facilitate a transition in land use from industrial to a mix of uses including residential, retail and office while ensuring new development does not unreasonably impact on the amenity of the established surrounding area.

To encourage high quality urban design and architecture that is environmentally sustainable, responsive to its environs, improves local accessibility and permeability through the precinct.

To create a vibrant, safe, diverse and attractive public environment.

To ensure that new sensitive uses do not unreasonably impact on the ongoing operations of existing industrial uses.

1.0

---/---
Proposed
C156mona

Table of uses

Section 1 - Permit not required

Use	Condition
Accommodation (other than Corrective institution and Residential hotel)	Must be located in a residential area as shown on Plan 1.
Animal keeping (other than Animal boarding)	Must be no more than 2 animals.
Art and craft centre	Must not be located in a residential area as shown on Plan 1.
Child care centre	
Education centre	
Exhibition centre	
Home based business	
Informal outdoor recreation	
Minor utility installation	
Medical centre	The gross floor area must not exceed 250 square metres if located in a residential area as shown on Plan 1.
Office (other than Medical centre)	Must not be located in a residential area as shown on Plan 1.
Place of worship	Must not be located in a residential area as shown on Plan 1. The gross floor area of all buildings must not exceed 250 square metres.
Research centre	Must not be located in a residential area as shown on Plan 1.
Restricted recreation facility	Must not be located in a residential area as shown on Plan 1; and The gross floor area of all buildings must not exceed 500 square metres.

Use	Condition
Retail premises (other than Adult sex product shop and Trade supplies)	<p>Must be located in the commercial area as shown on Plan 1; or</p> <p>Must be located in a mixed use area with a leasable floor area not exceeding 150 square metres.</p>
Veterinary centre	<p>Must not be located in a residential area as shown on Plan 1.</p> <p>The gross floor area of all buildings must not exceed 250 square metres.</p>
Warehouse	<p>Must be located in a mixed use area or commercial area as shown on Plan 1.</p> <p>Must not be a purpose listed in the table to Clause 52.10.</p>
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Accommodation (other than Corrective institution and Residential hotel) where the Section 1 condition is not met	<p>Where located in a mixed use area as shown on Plan 1, accommodation must not be located on the ground floor, excluding entry and common areas; or</p> <p>Where located in a commercial area as shown on Plan 1, accommodation must not be located on the ground, first or second floor levels, excluding entry and common areas.</p>
Industry (other than Transfer station)	<p>Must be located in a mixed use area or commercial area as shown on Plan 1.</p> <p>Must not be a purpose listed in the table to Clause 52.10.</p>
Trade supplies	Must be located in commercial area as shown on Plan 1.
Leisure and recreation (other than Informal outdoor recreation)	Must not be located in a residential area as shown on Plan 1.
Place of assembly (other than Exhibition centre and Place of worship)	
Residential hotel	
Retail premises (other than Adult sex product shop, and Trade supplies) - if the section 1 conditions are not met	
Any other use not in Section 1 or 3	

Section 3 - Prohibited

Use

Adult sex product shop

Brothel

Corrective institution

Transfer station

Stone extraction

2.0

--/---
Proposed
C156mona

Use of land

Requirements

All requirements of the incorporated *PMP Printing Precinct Comprehensive Development Plan* must be met.

A use must not detrimentally affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any building, works or materials.
- Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil.

Application requirements

The following application requirements apply to an application for a permit to use land in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- The purpose of the use and the types of activities which will be carried out.
- The likely number of employees for commercial uses.
- The likely effects of the use on the local and regional traffic network.
- The likely effects on the neighbourhood, including noise levels, air-borne emissions and emissions to land and water, rubbish removal and storage, the hours of delivery and despatch of goods and materials, hours of operation and light spill, solar access and glare.
- The means of maintaining land not required for immediate use.
- If an industry or warehouse:
 - The type and quantity of goods to be stored, processed or produced.
 - Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
 - Whether a notification under the Occupational Health and Safety (Major Hazard Facilities) Regulations 2000 is required, a licence under the Dangerous Goods Act 1985 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2000 is exceeded.

Exemption from notice and review

An application for the use of 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, if it is generally in accordance with the incorporated *PMP Printing Comprehensive Development Plan*.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.02, in addition to those specified in Clause 37.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The incorporated *PMP Printing Precinct Comprehensive Development Plan*.
- The effect that existing uses on adjoining or nearby land may have on the proposed use.
- The extent that the layout and design of the new use minimises the potential for off-site impacts, including from noise, fumes, odour or vibrations, ensuring that:
 - existing uses are not compromised by a new use, or
 - a new use is designed to address amenity impacts from, and to, existing uses.
- The availability and provision of utility services.
- The effect of traffic to be generated by the use on the capacity of the local and regional traffic network.
- Whether the use is compatible with adjoining and nearby land uses.
- For non-residential uses, the proposed hours of operation, noise and any other likely off-site amenity impacts.
- If an application is for a dwelling use, the capacity of the local and regional traffic networks, local utilities and community facilities to support the proposed number of dwellings.

3.0

Proposed
C156mona

Subdivision

Permit requirement

A permit for the subdivision of land must be generally in accordance with the incorporated *PMP Printing Comprehensive Development Plan*.

Provision of affordable housing

Prior to the issue of a Statement of Compliance for any subdivision of land, the owner of the land must enter into an agreement with the Monash City Council (Council) under section 173 of the *Planning and Environment Act 1987* for the provision of affordable housing.

For the purposes of the agreement “affordable housing” is to have the same meaning as any definition of that phrase contained within the *Planning and Environment Act 1987*, or any other definition as agreed between the land owner and the Council.

The agreement must include terms which provide for the manner in which the Affordable Housing Contribution is to be made, including when and how the contribution is to be made.

The agreement must provide for the Affordable Housing Contribution that is to be made by the land owner to be determined as follows:

- The delivery of up to ten (10) per cent Affordable Housing by way of one of the following options:
 - Transfer of a land parcel or parcels with the capacity to support the development of 10 per cent of the site’s total dwellings as Affordable Housing dwellings, to be provided to a Registered Housing Agency at nil consideration; or
 - Sale of four per cent of total dwellings as completed dwellings at a 50 per cent discount to the established market value to a Registered Housing Agency for use as Affordable (rental) Housing; or
 - The gifting of two per cent of total dwellings as Affordable Housing, delivered in the form of completed dwellings gifted to a Registered Housing Agency for use as Affordable (rental) Housing; or
 - Any other model that achieves ten per cent of total dwellings as Affordable Housing for a minimum 15-year period, on the condition that these dwellings are managed thorough an

appropriately regulated management arrangement and the model is subject to the approval of the Responsible Authority.

The agreement must also provide that where the parties have agreed on an alternative method by which the Affordable Housing Contribution may be provided, and the land owner makes a contribution that is in accordance with that agreed method, then any obligation of the land owner to make the Affordable Housing Contribution has been fully and finally discharged.

This requirement does not apply if an agreement is registered on the land resulting from a buildings and works permit pursuant to Clause 37.02-4 and under this Schedule.

Standard of open space on transfer to municipal council

All public open space which is to be provided to the Monash City Council must be finished to a standard that satisfies the requirements of Monash City Council prior to the provision of the public open space, including:

- A certificate or statement of environmental audit for the land in accordance with Part IXD of the *Environment Protection Act 1970*.
- Removal of all existing, disused structures, foundations, pipelines and stockpiles;
- Clearing of rubbish, environmental weeds and rocks;
- Levelled, topsoiled and grassed with warm climate grass;
- Provision of water tapping, potable, and where available recycled, water connection points;
- Sewer, gas and electricity connection points to land.

Works to be provided in association with development

Development must provide and meet the total cost of delivering the following infrastructure, unless provided for in an incorporated development contributions plan:

- Connector streets and local streets;
- Local bus stop infrastructure where locations are agreed in writing by Public Transport Victoria;
- Landscaping, and where required by the municipal council, fencing of abutting streets and roads;
- Intersection works and traffic management measures along arterial roads, connector streets and local streets;
- Local shared, pedestrian and bicycle paths along local roads, connector streets, utilities easements, local streets, waterways and within local parks including intersections and barrier crossing points;
- Bicycle parking;
- Appropriately scaled lighting along all roads, major shared and pedestrian paths and traversing the open space network;
- Local drainage system and water quality systems.

Application requirements

The following application requirements apply to an application for a permit to subdivide land under Clause 37.02, in addition to those specified in Clause 37.02 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A written statement that sets out how the subdivision implements the incorporated *PMP Printing Comprehensive Development Plan*.
- A plan showing the location of public reserves or other land proposed to be provided to or vested in a Minister, municipal council or public authority.

- Plans showing the design of streets, paths, parks and any other relevant public facility or infrastructure shown in the CDP, shown in a development contributions plan, or that is necessary as a result of the development.
- A plan showing the proposed subdivision in the context of the incorporated CDP or any other relevant plan in the incorporated CDP.
- A Public Infrastructure Plan which addresses the following:
 - What land may be affected or required for the provision of infrastructure works;
 - The provision, staging and timing of road works internal and external to the land consistent with any relevant traffic report or assessment;
 - What, if any, infrastructure set out in the development contributions plan applying to the land is sought to be provided as "works in lieu" subject to the consent of the collecting agency;
 - The provision of public open space and land for any community facilities; and
 - Any other matter relevant to the provision of public infrastructure required by the responsible authority.

An application for residential subdivision must include a site and context description and design response as required in Clause 56, unless the subdivision is in accordance with an existing permit for buildings and works

An application to subdivide land for an accommodation use, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must be accompanied by:

- A land budget table in the same format and methodology as those within the incorporated CDP applying to the land, setting out the amount of land allocated to the proposed uses and expected population, dwelling and employment yields.

Exemption from notice and review

An application for the subdivision of 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.

This does not apply to an application that proposes to move a street, public open space or trail shown on any plan in the incorporated CDP, from one lot to another lot in different ownership.

Decision guidelines

The following decision guidelines apply to an application for a permit to subdivide land under Clause 37.02, in addition to those specified in Clause 37.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the subdivision is generally in accordance with the incorporated *PMP Printing Comprehensive Development Plan*.
- The appropriateness of the location and function of public reserves, road reserves and other public spaces.
- How any proposed public roads integrate with the surrounding road network.
- The effect of the subdivision on the redevelopment of the site and area in the long term.
- Whether there are clearly defined responsibilities and legal mechanisms proposed for the maintenance of buildings, landscaping and paved areas.

4.0

---/---
Proposed
C156mon

Buildings and works

The development of land for the following must meet the requirements of Clause 55. This does not apply to a development of five or more storeys, excluding a basement:

- A dwelling if there is at least one dwelling existing on the lot.

- Two or more dwellings on a lot.
- A dwelling or extension of a dwelling if it is on common property.
- A residential building or extension of a residential building.

The development of one dwelling on a lot less than 300 square metres must meet the requirements of Clause 54.

An apartment development of five or more storeys, excluding a basement, must meet the requirements of Clause 58.

A permit is not required for the following:

- The construction or extension of one dwelling on a lot with an area of 300 square metres or more.
- Construction or carrying out works normal to a dwelling.
- Construction or extension of an out-building (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.

Or the following where located in a commercial area:

- The installation of an automatic teller machine.
- An alteration to an existing building façade provided:
 - The alteration does not include the installation of an external roller shutter.
 - At least 80 per cent of the building facade at ground floor level is maintained as an entry or window with clear glazing.
- An awning that projects over a road if it is authorised by the relevant public land manager.

Provision of affordable housing

Prior to the issue of a Statement of Compliance for any subdivision of land, the owner of the land must enter into an agreement with the Monash City Council (Council) under section 173 of the *Planning and Environment Act 1987* for the provision of affordable housing, which must provide for the following:

The land owner must make a contribution towards affordable housing (Affordable Housing Contribution) to the satisfaction of the Council.

For the purposes of the agreement “affordable housing” is to have the same meaning as any definition of that phrase contained within the *Planning and Environment Act 1987*, or any other definition as agreed between the land owner and the Council.

The agreement must include terms which provide for the manner in which the Affordable Housing Contribution is to be made, including when and how the contribution is to be made.

The agreement must provide for the Affordable Housing Contribution that is to be made by the land owner to be determined as follows:

- The delivery of up to ten (10) per cent Affordable Housing by way of one of the following options:
 - Transfer of a land parcel or parcels with the capacity to support the development of 10 per cent of the site’s total dwellings as Affordable Housing dwellings, to be provided to a Registered Housing Agency at nil consideration; or
 - Sale of four per cent of total dwellings as completed dwellings at a 50 per cent discount to the established market value to a Registered Housing Agency for use as Affordable (rental) Housing; or
 - The gifting of two per cent of total dwellings as Affordable Housing, delivered in the form of completed dwellings gifted to a Registered Housing Agency for use as Affordable (rental) Housing; or
 - Any other model that achieves ten per cent of total dwellings as Affordable Housing for a minimum 15-year period, on the condition that these dwellings are managed through an

appropriately regulated management arrangement and the model is subject to the approval of the Responsible Authority.

The agreement must also provide that where the parties have agreed on an alternative method by which the Affordable Housing Contribution may be provided, and the land owner makes a contribution that is in accordance with that agreed method, then any obligation of the land owner to make the Affordable Housing Contribution has been fully and finally discharged.

This requirement does not apply if an agreement is registered on the land resulting from a subdivision permit pursuant to Clause 37.02-3 and under this Schedule.

Works to be provided in association with development

Development must provide and meet the total cost of delivering the following infrastructure, unless provided for in an incorporated development contributions plan:

- Connector streets and local streets;
- Local bus stop infrastructure where locations are agreed in writing by Public Transport Victoria;
- Landscaping, and where required by Monash City Council, fencing of abutting streets and roads;
- Intersection works and traffic management measures along arterial roads, connector streets and local streets;
- Local shared, pedestrian and bicycle paths along local roads, connector streets, utilities easements, local streets, waterways and within local parks including intersections and barrier crossing points;
- Bicycle parking;
- Appropriately scaled lighting along all roads, major shared and pedestrian paths and traversing the open space network; and
- Local drainage system and water quality systems.

Application requirements

The following application requirements apply to an application for a permit for buildings and works under Clause 37.02, in addition to those specified in Clause 37.02 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A written statement that sets out how the development implements the incorporated *PMP Printing Comprehensive Development Plan*.
- A plan showing the proposed development in the context of Plan 1 of the incorporated CDP and the relevant precinct plans in the incorporated CDP.
- A land budget table in the same format and methodology as those within the incorporated CDP applying to the land, setting out the amount of land allocated to the proposed uses and expected population, dwelling and employment yields;
- A site analysis plan showing:
 - Existing conditions.
 - The boundaries and dimensions of the site.
 - The location and height of all existing buildings and an indication of those to be retained/demolished.
 - Relevant ground levels to AHD.
 - The location, height and purpose of buildings and works on adjoining land.
 - The location of existing services, easements and encumbrances on the land.

- The location of existing driveways, car parking and loading areas, including the allocation of existing parking spaces on the site.
- The location of private open space of adjoining properties.
- A design response plan drawn to scale which shows:
 - Number of car parking spaces proposed to be provided and visitor car parking.
 - Bicycle parking provision.
 - Details of connections from any internal roads/accessways to existing roads and means of vehicular ingress and egress from the site.
 - Elevation drawings to scale showing the colour and materials of all buildings and works.
 - Details of measures proposed to mitigate noise, odour, vibration and other amenity impacts.
 - Shadow diagrams based on 22 September and shown for existing conditions and the proposed development.
 - Schedule of construction materials, external finishes and colours.
 - Plans showing the design of streets, paths, parks and any other relevant public facility or infrastructure shown in the CDP, shown in a development contributions plan, or that is necessary as a result of the development.
 - 3D images that depict the proposed development (taken from pedestrian eye-level) produced in colour and accurately showing the proposed palette of building materials and finishes.
 - For applications within the mixed use and commercial areas, 1:20 scale elevation drawings of the primary, ground floor (street) level façade, accompanied by a detailed materials schedule and written statement explaining how the design of the ground floor façade encourages pedestrian activity and informal surveillance of the street from within the building.
 - Construction details of all drainage works, driveways, vehicle parking and loading areas.
 - An arboricultural report.
 - A landscape plan which includes the description of vegetation to be planted, the surfaces to be constructed, site works specification and method of preparing, draining, watering and maintaining the landscape area.
 - A waste management plan which includes the following, as appropriate:
 - The location of waste storage facilities on site and on collection days, including bulk waste collection bins or approved alternative and recycling bins
 - The proposed method of waste collection (either private contractor or Monash City Council). If private collection is proposed, it must incorporate recycling services and comply with the relevant EPA noise guideline relating to time of collection.
 - A traffic, parking and access report which includes the following:
 - An assessment of the total vehicle movements to and from the entire precinct during peak periods
 - An assessment of the likely traffic impacts associated with the proposed development on the capacity of the local and regional traffic network.
 - Traffic management works which may be necessary to accommodate the predicted traffic generated by the development;
 - An assessment of the proposed car parking provision including suitability of scale, location and capacity to service the anticipated car parking demand
 - A site remediation strategy prepared by a suitably qualified professional that:
 - Demonstrates the proposed staging of development to accommodate any required remediation works; and
 - Where applicable, provides recommendations regarding the suitability of the site for installation of underground water storage tanks.

- A construction management plan which includes an assessment of the impacts of noise and vibration from the proposed development. The plan should demonstrate that existing residents in the vicinity of the development will experience a reasonable level of amenity during the construction phase.
- A Public Infrastructure Plan which addresses the following:
 - What land may be affected or required for the provision of infrastructure works;
 - The provision, staging and timing of road works internal and external to the land consistent with any relevant traffic report or assessment;
 - What, if any, infrastructure set out in the development contributions plan applying to the land is sought to be provided as "works in lieu" subject to the consent of the collecting agency;
 - The provision of public open space and land for any community facilities; and
 - Any other matter relevant to the provision of public infrastructure required by the responsible authority.

Neighbourhood and site description and design response

An application for any of the following must be accompanied by a neighbourhood and site description and a design response as described in Clause 54.01 or 55.01, as appropriate:

- Construction or extension of one dwelling on a lot of less than 300 square metres.
- Construction of a dwelling if there is at least one dwelling existing on the lot.
- Construction of two or more dwellings on a lot.
- Extension of a dwelling if there are two or more dwellings on the lot.
- Construction or extension of a dwelling on common property.
- Construction or extension of a residential building.

Environmental site assessment – Bendix Drive East

An application to construct a building or construct or carry out works on land shown as Bendix Drive East on Plan 1 of this schedule must be accompanied by an Environmental Site Assessment (Detailed Site Investigation) prepared by a suitably qualified practitioner in contaminated land assessment as set out in the National Environment Protection (Assessment of Site Contamination) Measure (2013) (NEPM).

Should the Detailed Site Assessment identify that an Environmental Audit in accordance with Section 53X of the *Environment Protection Act 1970* is required, then prior to the commencement of buildings and works associated with the use, excluding any demolition or works required by the environmental auditor, an environmental auditor appointed under the Environment Protection Act 1970 must prepare an environmental audit report in accordance with Part IXD of that Act, and either:

- a) A Certificate of Environmental Audit in accordance with Section 53Y of the *Environment Protection Act 1970*; or
- b) A Statement of Environmental Audit under Section 53Z of the *Environment Protection Act 1970*. A Statement must state that the site is suitable for the use and development allowed by this permit.

All the conditions of the Statement of Environmental Audit must be complied with to the satisfaction of the responsible authority, prior to commencement of use of the site. Written confirmation of compliance must be provided by a suitably qualified environmental professional or other suitable person acceptable to the responsible authority. In addition, sign off must be in accordance with any requirements in the Statement conditions regarding verification of works.

Where a Statement of Environmental Audit (SoEA) is provided, all the conditions of the Statement must be complied with to the satisfaction of the Responsible Authority. Before the development is occupied, written confirmation from an EPA appointed auditor for contaminated land must be provided to the satisfaction of the Responsible Authority confirming:

- a) That the conditions of the SoEA have been implemented; and
- b) Whether there are ongoing conditions on the SoEA that require significant ongoing maintenance and/or monitoring.

If the written advice submitted in accordance with the above requirement indicates that there are ongoing conditions on the SoEA requiring significant ongoing maintenance and/or monitoring, a legal agreement to ensure that all future owners/occupants of the building are notified of these conditions must be entered into in accordance with Section 173 of the *Planning and Environment Act 1987* with the Responsible Authority. This Agreement must be executed on title prior to the occupation of the building.

The owner of the site must meet all costs associated with the drafting and execution of this agreement including those incurred by the Responsible Authority.

Amenity assessment – buildings associated with a sensitive use

An application to construct a building associated with a sensitive use must be accompanied by an amenity assessment report that includes the following:

- Acoustic assessment prepared by a suitably qualified professional. The assessment should provide recommendations on suitable design responses to ensure future occupants will experience an appropriate level of acoustic amenity within the proposed building;
- An assessment of other potential amenity impacts from nearby non-sensitive uses including fumes, odour, light spillage prepared by a suitably qualified professional. The assessment should provide recommendations on suitable design responses to ensure future occupants will experience an appropriate level of amenity within the proposed building

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.02, in addition to those specified in Clause 37.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The incorporated *PMP Printing Comprehensive Development Plan*.
- The extent that the layout and design of the new development minimises the potential for off-site impacts, including from noise, fumes, odour or vibrations, ensuring that:
 - existing uses are not compromised by a new development, or
 - a new development is designed to address amenity impacts from, and to, existing uses.
- For a building associated with a residential use, whether the building is designed to effectively mitigate noise, fumes, odour, vibration and other associated amenity impacts from non-residential uses.
- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The effect of traffic to be generated by the development on the capacity of the local and regional traffic network.
- The provision of car parking.
- How the design of ground level building facades contribute to a pedestrian friendly, visually interesting streetscape.
- The streetscape, including the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.
- The location of storage for rubbish and materials for recycling.
- Consideration of the overlooking and overshadowing as a result of building or works affecting adjoining land in a General Residential Zone, Neighbourhood Residential Zone or Residential Growth Zone.
- The availability of and connection to services.

- The design of buildings to provide for solar access.
- The objectives, standards and decision guidelines of Clause 54 and Clause 55.

5.0

---/---
Proposed
C156mona

Signs

Sign requirements are at Clause 52.05. All land located within a residential area is in Category 3. All land located within a commercial area or mixed use area is in Category 1. All other land is in Category 4.

SCHEDULE 1 TO CLAUSE 45.06 DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as **DCPO1**.

PMP PRINTING DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Area covered by this development contributions plan

PMP Printing Site, which is covered by the DCPO1.

2 n

Summary of costs

Facility	Total cost \$	Time of provision	Actual cost contribution attributable to development \$	Proportion of cost attributable to development %
<i>Intersections Projects</i>	\$660,303	Refer to details in the incorporated PMP Printing Development Contributions Plan.	\$660,303	100.0%
<i>Road Projects</i>	\$442,839	Refer to details in the incorporated PMP Printing Development Contributions Plan.	\$442,839	100.0%
<i>Community Building Projects</i>	\$471,000	Refer to details in the incorporated PMP Printing Development Contributions Plan.	\$471,000	100.0%
TOTAL	\$1,574,142		\$1,574,142	100.0%

3 n

Summary of contributions

Facility	LEVIES PAYABLE BY THE DEVELOPMENT			
	Development	Development	Development	Community
	Infrastructure	Infrastructure	Infrastructure	Infrastructure
	MCA 1 (Residential) Per dwelling	MCA 2 (Retail) Per m2 gross leasable floorspace	MCA2 (Commercial) Per m2 gross leasable floorspace	Residential Per dwelling
<i>Intersection Projects</i>	\$240.64	\$44.00	\$9.63	\$0.00
<i>Road Projects</i>	\$161.38	\$29.51	\$6.46	\$0.00
<i>Community Building Projects</i>	\$0.00	\$0.00	\$0.00	\$471.00
TOTAL	\$402.02	\$73.51	\$16.08	\$471.00

4.0

Land or development excluded from development contributions plan

None specified.

Note: This schedule sets out a summary of the costs and contributions prescribed in the PMP Printing Development Contributions Plan. Refer to the incorporated PMP Printing Development Contributions Plan for full details.

31/07/2018
Proposed
C156m003

SCHEDULE TO CLAUSE 53.01 PUBLIC OPEN SPACE CONTRIBUTION AND SUBDIVISION

31/07/2018
Proposed
C156m003

Subdivision and public open space contribution

Type or location of subdivision		Amount of contribution for public open space
Dwellings:	3 lots	2%
	4 lots	3%
	5 lots	4%
	6 or more lots	5%
Land shown as CDZ2 on the planning scheme maps (PMP Printing Comprehensive Development Plan, August 2019)		10%
Other		5%