Who is the planning authority?

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

The amendment has been made at the request of the City of Kingston.

Land affected by the amendment

The amendment applies to land in the Mentone Activity Centre as defined by the Mentone Activity Centre Structure Plan (illustrated in Figure 1 below).

![Figure 1: Mentone Activity Centre Area](image-url)
What the amendment does

The amendment proposes to:

- Rezone land in the Mentone Activity Centre to the Activity Centre Zone.

- Introduce the Activity Centre Zone and Schedule 2 to the Activity Centre Zone into the Kingston Planning Scheme.

- Delete Design and Development Overlay – Schedule 18 from the Kingston Planning Scheme and remove it from the land to which it applies.

- Amend Clause 21.05-4 – Residential Land by updating the implementation strategies to reference the use of the Activity Centre Zone to achieve the housing and built form outcomes of the Mentone Activity Centre Structure Plan and to reference the Mentone Activity Centre Structure Plan.

- Amend Clause 21.06-4 – Retail and Commercial Land Use by referencing the Mentone Activity Centre Structure Plan and updating the implementation strategies to reference the use of the Activity Centre Zone to achieve the promotion of retail, office, community services, peripheral sales, commercial and medium to higher density residential development and to provide guidance on the manner in which land within and on the periphery of the centre can be developed consistently with the identified Structure Plan.

- Reference the Mentone Activity Centre Structure Plan in the Kingston Planning Scheme. The Mentone Activity Centre Structure Plan sets out a shared vision for the growth of the Mentone Activity Centre. The Structure Plan contains a clear and robust land use and development framework, sets out policies and objectives for further development, and identifies opportunities and strategies to realise those objectives.

Strategic assessment of the amendment

- Why is the amendment required?

The amendment is required to facilitate the growth of the Mentone Major Activity Centre.

The Activity Centre Zone for the Mentone Major Activity Centre has four main purposes:

- To encourage a mixture of uses and the intensive development of activity centres as a focus for business, shopping, working, housing, leisure, transport and community facilities and to support sustainable urban outcomes that maximise the use of infrastructure and public transport.
- To deliver a diversity of housing at higher densities to make optimum use of facilities and services.
- To create through good urban design an attractive, pleasant, walkable, safe and stimulating environment.
- To facilitate the use and development of land in accordance with a Development Framework for the centre.

The schedule to the Activity Centre Zone defines the boundaries of the centre and identifies seven precincts with different land use and development objectives and guidelines, building
heights and setbacks, and public realm improvements, as articulated in the Mentone Activity Centre Structure Plan.

The Table of Uses included in the schedule gives direction on the preferred location of land uses across the centre. Accommodation and a mix of uses are encouraged in most precincts, but the land use emphasis is determined by specific objectives and guidelines in each precinct. Additional details are included in the schedule for centrewide provisions, precinct provisions, application requirements, decision guidelines and reference documents.

The Design and Development Overlay Schedule 18 is being removed as it is no longer required. The provisions of the proposed Activity Centre Zone Schedule 2 provide the relevant design parameters to guide future development in the activity centre.

The amendment sets out a vision and planning framework to enable the considered growth of this centre in accordance with the Mentone Activity Centre Structure Plan.

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

The amendment is consistent with the objectives of Section 4(1) of the Planning and Environment Act 1987 as it facilitates the development of the Mentone Major Activity Centre to provide a place to live, work and recreate to meet the present and future needs for the area.

In particular, the amendment responds to the following objectives of Section 4 of the Planning and Environment Act 1987:

- to provide for the fair, orderly, economic and sustainable use, and development of land;
- to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;
- to protect public utilities and other assets and enable the orderly provision and coordination of public utilities and other facilities for the benefit of the community;
- to facilitate development in accordance with the objectives set out in paragraphs (a), (b), (c) and (d);
- to balance the present and future interests of all Victorians

- **How does the amendment address the environmental effects and any relevant social and economic effects?**

**Environmental Effects**

The planned growth of the Mentone Major Activity Centre will have environmental benefits as it allows for the creation of new dwellings and jobs within walking distance of the Mentone Train Station, services, shops and amenities.

The amendment also encourages environmentally sustainability design.

**Social Effects**

The amendment will be socially beneficial by facilitating the development of a more vibrant activity centre providing improved employment, retail, residential and recreational opportunities for the community, for visitors, and future residents, employers and employees.

**Economic/Employment Effects**

This amendment will be economically beneficial as it is designed to encourage investment and create jobs. A strong and vibrant activity centre is vital for the growing population’s needs to access to local jobs, alternate housing choices, and a thriving shopping centre.
• **Does the amendment address relevant bushfire risk?**

The amendment does not present a risk to bushfire prone areas as defined by State Planning Policy and the “Planning and building for bushfire protection” practice note of November 2011.

• **Does the amendment comply with the requirements of any Minister’s Direction applicable to the amendment?**

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

The amendment is consistent with *Ministerial Direction No. 9 – Metropolitan Strategy*.

The amendment is consistent with Ministerial Direction 11 – Strategic Assessment of Amendments.

• **How does the amendment support or implement the State Planning Policy Framework?**

The amendment supports and will help to implement the following objectives and strategies of the *State Planning Policy Framework*:

**Clause 11.01 Activity Centre Planning**
The amendment facilitates the provision of high quality development, activity and living for the community of Mentone, in line with Clause 11.01. The amendment will promote the development for present and future residents that will establish a vibrant Mentone Activity Centre.

**Clause 15.01 – Urban Environment**
The amendment will ensure future developments provide for safe, functional, accessible and high quality environments providing a sense of place, protecting places of significance and providing for the cultural identity for the Mentone Activity Centre.

**Clause 15.01 – Cultural Identity**
The amendment will ensure future developments recognise and protect the cultural identity of the Mentone Activity Centre, through appropriate development that responds to the character and builds upon the special characteristics and heritage of the centre.

**Clause 16.01 - Residential Development**
The amendment facilitates the provision of housing that will provide for a mix of housing type and within close proximity to public transport and services in the Mentone Activity Centre.

**Clause 17.01 - Commercial**
The amendment will encourage the investment of development within the Mentone Activity Centre for the needs of the community benefit, providing accessible and vibrant mix of uses within Mentone.

**Clause 18.02 - Movement Networks**
The amendment will facilitate an improved movement network within the Mentone Activity Centre to prioritise walking and cycling and create a safe network by removing conflicts between vehicles and pedestrians. The amendment will promote sustainable modes of transport and provide for a safe and attractive environment.

- **How does the amendment support or implement the Local Planning Policy Framework?**

The amendment is consistent with the Local Planning Policy Framework of the Planning Scheme with particular regard to:

**Clause 21.05 – Residential land use**

Specifically 21.05-1 provides for the following objectives:

- **Opportunities exist for higher densities within Kingston’s activity centres, particularly in the form of shop-top housing and mixed use developments.**

- **To ensure all residential neighbourhoods in Kingston are provided with supporting social infrastructure adequate to the population’s needs.**

- **Protect areas/elements in the built form and natural landscape which have an identified and valued character.**

- **Protect areas/buildings of recognised historical/cultural significance.**

Clause 21.05-3 strategies include:

- **Encourage residential development within activity centres via shop-top housing and mixed use developments, and on transitional sites at the periphery of activity centres. The intensity and scale of such development will need to be in keeping with the scale of these centres.**

- **Promote medium density housing development in close proximity to public transport facilities, particularly train stations.**

- **In areas experiencing rapid growth, ensure appropriate social infrastructure is provided in accordance with the anticipated needs of future residents.**

The amendment will ensure new residential development respects the character and identity of the centre, respects the valued heritage places of significance, is of a high standard, has a positive impact on the amenity of existing areas and is of a scale and intensity in keeping with adopted structure plan.

**Clause 21.13 – Heritage**

Specifically 21.13-2 provides for the following objectives:

- **To identify, protect and enhance places of cultural heritage value and those elements that contribute to the significance of heritage places by the retention of significant buildings, places, trees, monuments and landscapes.**

- **To ensure new development and renovation does not adversely affect the significance of heritage places and areas, and contributes positively to identified heritage values.**
Clause 21.13-3 strategies include:

- Encourage all new development within a Heritage Overlay to visually and harmoniously integrate with and be recessive to the original character of the streetscape or heritage place.
- Ensure new development does not adversely affect the setting or context of the significant heritage place.

The amendment will ensure new development respects the valued heritage places of significance, and ensure their setting and contribution to the centre are enhanced in keeping with adopted structure plan.

Clause 22.11 – Residential Development Policy

Clause 22.11-2 has the following objectives:

- To encourage new residential development to achieve architectural and urban design outcomes that positively respond to neighbourhood character having particular regard to that identified in the Kingston Neighbourhood Character Guidelines – August 2007.
- To ensure that the siting and design of new residential development takes account of interfaces with sensitive and strategic land uses.

The amendment encourages new residential development to achieve architectural and urban design outcomes that positively respond to the heritage of the centre and neighbourhood character having particular regard to that identified in the *Kingston Neighbourhood Character Guidelines*.

Clause 21.12 – Transport

Specific objectives include:

- To create a safe, convenient and efficient road network based on a functional hierarchy of local and regional road linkages, which meets the transport and freight needs of Kingston’s residents, businesses, and through traffic.
- To protect and enhance the amenity of Kingston’s residential areas and other sensitive land uses through appropriate management of transport networks.

And objectives:

- Reinforce the road hierarchy recommended by the Kingston Transport Strategy to ensure that the function of the arterial and local roads, particularly adjacent to residential and shopping areas are maintained.
- Advocate for improvements to the capacity and frequency of the existing public transport network and the development of integrated public transport interchanges at existing activity centres of Southland, Moorabbin, Cheltenham, Mentone, Mordialloc and Chelsea.
- Encourage opportunities for non car based travel by maximising access to public transport, pedestrian and cycling routes.
The amendment promotes safe, efficient and convenient road networks through improved pedestrian linkages and bicycle paths, and maximising access to public transport by non car based travel.

It is therefore considered that the preparation of the proposed Activity Centre Zone Schedule for Mentone meets the relevant objectives, strategies and policies of the LPPF.

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

  The amendment uses the planning tools developed and recommended in the Victorian Planning Provisions:
  - The *Mentone Activity Centre Structure Plan* was developed following the instructions and guidelines of the *Structure Planning For Activity Centres Practice Note (58)*, and using the State Government’s example Structure Plan as a template.
  - The recently introduced *Activity Centre Zone* is used to set the planning framework for the Mentone Major Activity Centre, and follows the instructions and guidelines of the *Activity Centre Zone Practice Note*.

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

  Relevant Referral Agencies and other agencies, such as the Department of Planning and Community Development, were consulted in the preparation of the adopted *Mentone Activity Centre Structure Plan and the development of the proposed Schedule 2 to the Activity Centre Zone* and their comments incorporated in the approved and drafted documents. These agencies will be further consulted during the formal exhibition of the amendment.

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

  The amendment will not have a significant impact on the transport system, as defined by section 3 of the *Transport Integration Act 2010*. The amendment will introduce new housing in close proximity to public transport thereby maximising the use of public transport. The schedule of the amendment also introduces new roads and traffic calming measures in order to make best and safest use of transport infrastructure.

**Resource and administrative costs**

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

  The amendment introduces a simpler and more flexible zone than the conventional mix of zones and overlays that will reduce the resource and administrative cost burden on Council in its role as responsible authority. This will enable a more consistent assessment process for future amendments and planning permit applications, thereby reducing costs to local government, the private sector and local communities.

**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 Kingston, Level 1, 1230 Nepean Highway, Cheltenham.
- City of Kingston, Cnr Brindisi Street and Mentone Parade, Mentone.
- City of Kingston Parkdale Library, 96 Parkers Road, Parkdale
- City of Kingston Cheltenham Library, 12 Stanley Avenue, Cheltenham

The amendment can also be inspected free of charge at the Department of Planning and Community Development web site at [www.dpcd.vic.gov.au/planning/publicinspection](http://www.dpcd.vic.gov.au/planning/publicinspection)