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Proposed  
GC246

## **SCHEDULE 3 TO CLAUSE 37.10 PRECINCT ZONE**

Shown on the planning scheme map as **PRZ3**.

### **CHELTENHAM SUBURBAN RAIL LOOP EAST STRUCTURE PLAN AREA: SOUTHLAND SHOPPING CENTRE**

#### **1.0 Role of the precinct**

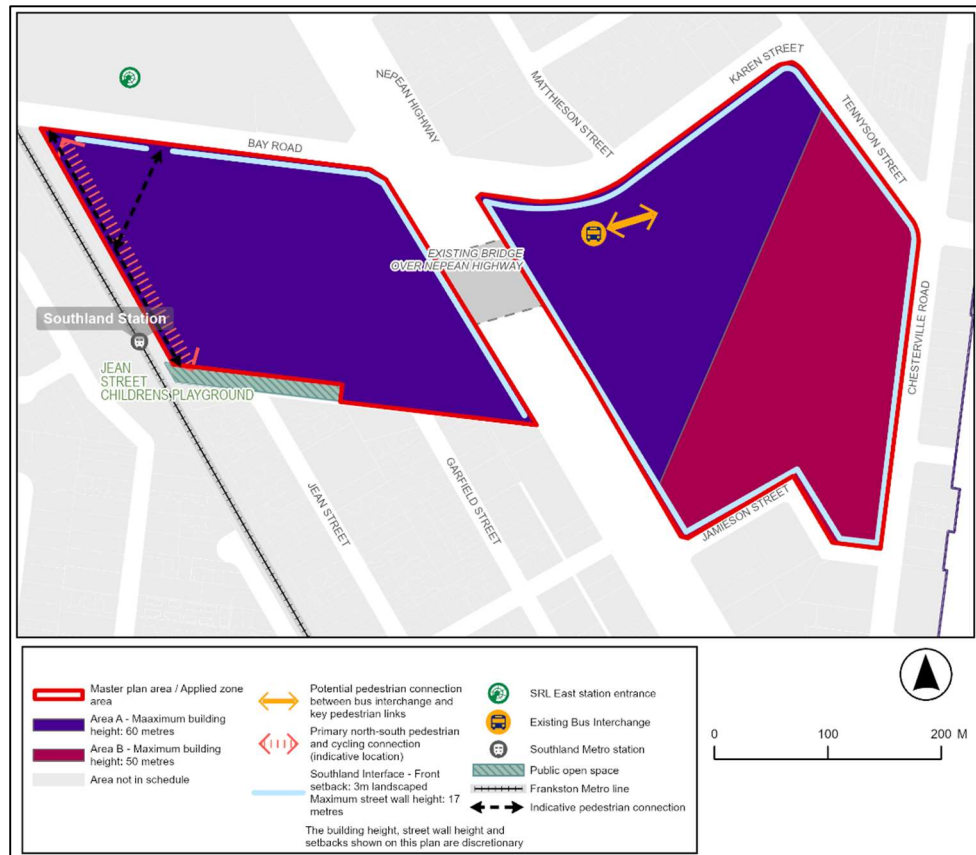
The Southland Shopping Centre (shown on Map 1) is the pre-eminent regional economic hub within the Cheltenham Suburban Rail Loop (SRL) East Structure Plan Area and provides opportunities for substantial employment and housing growth in immediate proximity to the SRL station. An expanded range of office, residential, community and entertainment uses will be supported across the site, including the integration of new high built form scale housing options that benefit from the transport and community amenity located within the site's immediate context. Opportunities to improve the site's permeability and built form engagement with external interfaces and create new areas of high-quality public realm will be prioritised as the site evolves.

#### **2.0 Use and development objectives**

- To promote the use and development of land that is consistent with the Use and development framework plan (Map 1) at a scale and intensity to accommodate substantial growth in office, retail and residential uses.
- To recognise the strategic importance of the Southland Shopping Centre within the Cheltenham Structure Plan Area as a place for transformational change and mixed-use activation, supporting an expanded range of retail, office, residential, entertainment and community and health uses and a vibrant night-time economy.
- To encourage high-quality contemporary architecture, urban design and landscape outcomes that deliver public benefit.
- To ensure development protects sunlight penetration to key open spaces and footpaths, allows for sky views, and facilitates comfortable wind conditions, to deliver a high-quality public realm.
- To encourage active frontages and street level activation particularly along Bay Road, Karen Street and Chesterville Road, and improved external edge conditions to other street interfaces for enhanced pedestrian safety and legibility.
- To ensure building frontages to the north-south strategic cycling route along the Frankston rail line provide an attractive interface with ample space for pedestrian and cycle movement, and safe access to buildings.
- To improve permeability and connectivity between Southland Shopping Centre, the Southland Station, and SRL Station and bus interchange through the provision of new active links, public realm enhancements and public arrival spaces.
- To promote sustainable development that achieves best practice sustainable design, contributes positively to sustainable transport patterns and increased green cover and tree canopy coverage to reduce urban heat.

### 3.0 Use and development framework plan

#### Map 1 to Schedule 3 to Clause 37.10: Use and development framework plan



### 4.0 Master plan requirements

#### Requirements before a permit is granted

A permit may be granted to use or subdivide land, construct a building or construct or carry out works before a master plan has been prepared to the satisfaction of the responsible authority.

Before granting a permit, the responsible authority must be satisfied that the permit will not prejudice the future use and development of the land in an integrated manner and in accordance with the objectives and requirements for the site contained in this schedule.

#### Requirements for a master plan

The following requirements apply to an application for a master plan under clause 37.10 in addition to those specified in clause 37.10-3 and elsewhere in the scheme which must show or include the following information, as appropriate, to the satisfaction of the responsible authority.

The master plan must be prepared having regard to the Use and development framework plan (Map 1) and must be prepared for the entire site, or as otherwise agreed by the responsible authority.

#### Urban Context and Design Response Report

An Urban Context and Design Response Report which must show or make provision for:

- An explanation of the key planning, design and contextual considerations and influence on the proposed buildings and works.

- A description of the urban context of the area in which the proposed buildings and works are to be located including key characteristics of the land.
- The location of new office, health and retail floorspace, opportunities for integration of mixed use and high built form scale residential development, existing and new building locations, vehicle, bicycle and pedestrian accessways and public open spaces.
- Building envelopes including the height, siting, setbacks and street-wall heights of existing and proposed buildings, generally in accordance with the Use and development framework plan at Map 1 to this schedule.
- Regard is given to whether the development exceeds the Floor Area Ratio specified at clause 5.0.
- Built form that reinforces prominent intersections along Nepean Highway that supports a gateway function for the Southland Neighbourhood.
- Strategies to activate key external edges of the site and deliver a safe, accessible, and engaging public realm to Southland Station, Bay Road, Karen Street and Chesterville Road.
- A north-south pedestrian and cycle link through the western portion of the site as indicatively shown in the Use and development framework plan.
- Strategies to achieve passive surveillance to the Jean Street Reserve.
- Active frontages shown on the Use and development framework plan (Map 1) 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.
- A wind impact assessment report to consider the proposed massing and forms and the effect in publicly accessible areas having regard to the principal role of each portion of the publicly accessible areas for siting, standing or walking purposes.
- Any matters arising from the technical assessments required under this schedule.

### **Integrated Transport and Access Plan**

An Integrated Transport and Access Plan prepared in consultation with the Department of Transport and Planning and Kingston City Council which includes:

- Site access locations and movement networks within the site for vehicles, bicycles and pedestrians.
- The likely traffic generation of the proposed uses and development including results from traffic modelling showing the potential traffic impacts on surrounding sites, the broader road network and public transport services.
- A public transport access plan showing existing and proposed active transport linkages that connect the site to the major public transport network within its immediate context, including the Southland Metro Station and the SRL Station at Cheltenham and new bus interchange on Bay Road.
- Strategies to promote reduced car use and sustainable travel.

### **Public Realm Plan**

Preparation of a Public Realm Plan which identifies:

- Streetscape improvement works, including any new street tree planting and general public realm improvements along Bay Road and Nepean Highway.
- Principles for how development will contribute to improving the public realm and promote inviting pedestrian public spaces.
- Urban biodiversity, canopy trees and greening enhancements through the site.
- Proposed landscaping associated with the buildings including communal terraces, and podium and rooftop spaces (as relevant).

- Integration of Water Sensitive Urban Design techniques to enhance sustainable water outcomes and optimises water collection, storage, treatment and reuse.
- Any areas of open space available to the public.
- An enhanced landscaped interface with the Jean Street Reserve.
- Indicative landscape and urban design concepts for streetscapes including typical street cross sections.

#### Staging plan

- A Staging Plan showing the likely sequence and indicative timing of development which includes a description of the key components to be delivered in each stage.

#### Concept plan

None specified.

### 5.0 Public benefit uplift framework

A permit must not be granted or amended to construct a building or construct or carry out works with a floor area ratio that exceeds the mandatory maximum for land shown on the Use and development framework plan (Map 1):

- Area A 7.5:1
- Area B: 6.5:1

unless a public benefit is provided, as set out and calculated in accordance with the *Suburban Rail Loop East Voluntary Public Benefit Uplift Framework*, as amended from time to time.

For the purposes of this schedule the floor area ratio is 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 services elements should be considered as multiple floors of the same height as adjacent floors or 3 metres if there is no adjacent floor.

### 6.0 Use of land

The requirements in the table of uses of the following zones in the planning scheme apply to the use of land, by reference to the Use and development framework plan (Map 1) of this schedule.

#### Table of applied zones

Land	Applied zone
All land shown on the Use and development framework plan (Map 1)	Applied zone provisions Clause 34.01 – Commercial 1 Zone

#### Use of land requirements

None specified.

### 7.0 Subdivision

#### Permit requirements

A permit is required to subdivide land.

#### Subdivision requirements

None specified.

## 8.0 Buildings and works

### Permit requirements

A permit is required to construct a building or construct or carry out works. Any application should be generally in accordance with the Master Plan requirements as specified at Clause 4.0 of this schedule.

No permit is required to construct a building or construct or carry out works for the following:

- Buildings and works which rearrange, alter or renew plant if the area or height of the plant is not increased.
- External works to provide access for persons with disabilities that comply with all legislative requirements.
- 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.

### Buildings and works requirements

None specified.

### Buildings and works requirements that do not apply

None specified.

### Outcomes and standards

None specified.

## 9.0 Application requirements

### Buildings and works

The following application requirements apply to an application for a permit under Clause 37.10, in addition to those specified in Clause 37.10-9 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

#### Urban Context Report

A written and illustrated Urban Context Report which must:

- Explain the key planning, design and contextual considerations and influence on the proposed buildings and works.
- Describe how the application is generally in accordance with the Master Plan, if one applies.
- Describe the urban context of the area in which the proposed buildings and works are to be located.
- Provide streetscape elevations showing the development in the context of adjacent buildings.
- Explain how the proposed buildings and works relate to their urban context including:
  - Architectural elements and materials in the surrounding streetscape including any heritage elements.

- The relationship between the proposal and adjacent buildings (including likely adjacent equitable development envelopes) and open space.
- Identify the key opportunities and constraints supporting the design response, including opportunities for new pedestrian connections.
- Illustrate the following:
  - Concept plans, elevations and section drawings (minimum 1:50) describing the design of the lower levels of the building including entries, shop front design, service doors or cabinets, weather protection canopies and integrated signage elements.
  - A concept landscape plan for any publicly or communally accessible areas, including podium or rooftop spaces detailing proposed hard and soft landscape elements, plant schedule, plant container details and maintenance and irrigation systems.
  - Where car parking is proposed above ground level, demonstration of appropriate sleeving car parking from view from the public realm.
  - Photomontage studies of the proposal within its streetscape context from pedestrian eye level within the street (including surrounding relevant proposals and approvals).

### **Design Excellence**

An application for a permit must be accompanied by a report that demonstrates how the proposal achieves high-quality design. The report must:

- Explain how the application provides high-quality architecture, landscape architecture and urban design which demonstrates function, liveability, sustainability and public contribution to buildings and urban spaces.
- Explain how the application responds to the requirements of this schedule.
- Describe how the development addresses and provides high quality public realm outcomes, particularly around the stations, and appropriately ameliorates shadow and wind effects.
- Where an application seeks to depart from the preferred built form outcomes specified this schedule, it must explain how the outcomes are achieved, and the alternative response demonstrates appropriate built form outcomes having regard to the decision guidelines of this schedule.

Any application which departs from the preferred setback, street wall height or building height by more than 20 per cent may be subject to an independent design review where required by the responsible authority.

### **Wind Impact Report**

A development must be accompanied by a wind tunnel modelling study report prepared by a suitable qualified person. The report 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.
- At a minimum, model the wind effects of the proposed development and its surrounding buildings (existing and proposed) using wind tunnel testing.
- Identify the principal role of each portion of the publicly accessible areas for sitting, standing or walking purposes.
- Not rely on street trees or any other element such as screens, within public areas for wind mitigation.

### **Public benefit uplift framework**

An application to construct a building or construct or carry out works to which Clause 5.0, Public benefit uplift framework, applies must:

- Be accompanied by an assessment and report of the proposed floor area ratio from an independent quantity surveyor.

- Specify what public benefit(s) are to be provided in accordance with *Suburban Rail Loop East Voluntary Public Benefit Uplift Framework*.
- Provide an independent valuation report to determine the value of the land to be used in the calculation of the public benefit in accordance with *Suburban Rail Loop East Voluntary Public Benefit Uplift Framework*.
- Provide an independent valuation assessment of the value rates adopted for the provided form of public benefit(s).

### **Traffic Management Plan**

An application must be accompanied by a Traffic Management Plan that identifies any works necessary to mitigate potential impacts on the road network caused by traffic generated by the proposed development, including the implementation and indicative timing of such works.

### **Green Travel Plan**

An application for a permit for a development involving one or more of the following:

- 10 or more dwellings;
- Greater than 1000 square metres of gross floor area for retail premises, office or leisure and recreation land use;
- Greater than 5000 square metres of gross floor area for industry land use; and
- Education centre land use;

must be accompanied by a Green Travel Plan. The plan must include a variety of transport demand management measures that reduces dependency on private vehicle trips.

### **Sustainable Management Plan**

An application for a permit for a development comprising of 10 or more dwellings, or a building with more than 2500 square metres gross floor area, must be accompanied by a Sustainable Management Plan. A Sustainable Management Plan must address the following requirements:

- At least 75 per cent of the site area, excluding any part of the site that incorporates a solar energy system, or equivalent vertical area, should incorporate:
  - Unshaded hardstand surfaces with a solar reflectance index of greater than 34.
  - Roofing material with a solar reflectance index of greater than 64.
  - Green cover that may include canopy trees, vegetation, landscaped podiums, balconies, green roofs, walls or facades.
  - Native and drought-resilient plant species.
- A building with less than 5000 square metres gross floor area must demonstrate a Built Environment Sustainability Scorecard (BESS) with an 'Excellence' rating. 'Excellence' is defined within BESS as an overall score of 70 per cent or higher, including a 20 per cent higher score in the 'Energy' category.
- A building with 5000 square metres or more of gross floor area demonstrates the proposal has been designed to achieve certification to a minimum 5 Star Green Star Buildings rating with the Green Building Council of Australia (or equivalent third party accredited as built sustainability rating scheme).

### **Urban Greening Plan**

An application to construct a new building must be accompanied by an Urban Greening Plan that is consistent with an approved Public Realm Plan required under clause 4.0 of this schedule and addresses:

- Any proposed green cover across the site area (or equivalent vertical area), which may comprise canopy trees, green roofs, landscaped podiums, green walls, etc.
- Strategies to retain and enhance existing site vegetation where possible.
- The use of a locally common and climate adaptive landscape palette and vegetation selection.

- A maintenance plan for the proposed green cover.

### **Waste Management Plan**

An application for a new permit for a development of a building with more than 5000 square metres gross floor area, must be accompanied by a Waste Management Plan. A Waste Management Plan must demonstrate how the development can:

- Plan for managing future waste streams and separation.
- Achieve 90 per cent diversion of construction and demolition waste from landfill during development.
- Achieve 80 per cent diversion of waste from landfill during the operation of the development.

### **3D digital model of buildings and works**

An application to construct a building greater than 11 metres in height must be accompanied by a 3D digital model of the proposed buildings and works in a format to the satisfaction of the responsible authority. The model may be used for assessing overshadowing and visual impacts caused by the proposal and for general archive, research and public information purposes.

## **10.0 Notice and review**

An application under any provision of this planning scheme 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.

## **11.0 Decision guidelines**

### **Master plan approval**

The following decision guidelines apply to the approval of a Master plan under clause 37.10, which must be considered, as appropriate, by the responsible authority:

- Whether the master plan enables the delivery of key links as shown on the Use and development framework plan (Map 1).
- Whether the Master plan will deliver an appropriate level of intensity and scale of development that reflects the significance of the master plan area.
- Where the maximum Floor Area Ratios are exceeded that a public benefit in accordance with Clause 5.0 is provided.

### **Permit applications**

The following decision guidelines apply to an application for a permit under clause 37.10 in addition to those specified in clause 37.10-11 and elsewhere in the scheme which must be considered, as appropriate, by the response to authority:

#### **General**

- Whether the proposed use and development does not prejudice the future use and development of the land in an integrated manner consistent with the Use and development framework plan (Map 1) or any approved Master plan.

#### **Public benefit uplift framework**

- The acceptability of the public benefit(s) calculated and specified in accordance with the *Suburban Rail Loop East Voluntary Public Benefit Uplift Framework*.
- Where the development exceeds the mandatory Floor Area Ratio, whether the built form outcomes as defined in this schedule have been met.

#### **Use of land**

- The effect of traffic to be generated on roads.



- Where dwellings are proposed, whether the proposal provides an activated ground floor.
- For accommodation uses, whether the proposal supports the employment focus of the Master plan area to be achieved.
- Whether the proposed development contributes to a building typology that can facilitate different uses, including non-residential uses.

#### **Subdivision**

- Whether the proposed subdivision enables the delivery of roads and other pedestrian links shown on the any approved Master plan.
- Whether any proposed staging of subdivision allows for the timely delivery of pedestrian links and development.

#### **Buildings and Works**

- The views of Moorabbin Airport Corporation where buildings exceed the maximum building height shown in the Use and development framework plan (Map 1).
- The extent to which the proposed building heights contribute to a varied and architecturally interesting skyline.
- Whether the proposed street wall height and setbacks are sufficient to distinguish upper levels from the street wall and provide a human scale response to the public realm.
- The relationship between the proposed building setbacks and anticipated building setbacks within a site or adjacent properties to provide equitable access to privacy, daylight and outlook having regard to the proposed internal uses and the height of existing or proposed adjoining built form.
- Demonstration of design excellence through high quality architecture, landscape architecture and urban design for the site as supported, where required, by an independent design review that endorses the proposed outcomes for the site.
- Whether the proposed development implements or provides opportunity for safe pedestrian and cycling permeability.
- How the development supports an increase in mode share for public transport, walking and cycling and seeks to reduce reliance on vehicles as a means of transport.

#### **Bicycle parking**

- The design, location, accessibility and security (including suitable lighting and locking devices) of bicycle facilities.

#### **Sustainability**

- The proposed sustainability rating of the building.
- 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.

## **12.0**

### **Mandatory permit conditions**

A permit granted for the construction of a building or to construct or carry out works must include the following conditions:

#### **Green Star Rating**

A permit granted to construct a new buildings or additions that contain 5000 square metres or more gross floor area must include the following conditions:

- Prior to the commencement of buildings and works, evidence must be submitted to the satisfaction of the responsible authority, that demonstrates the project has been registered to seek a minimum 5 Star Green Star Buildings rating with the Green Building Council of Australia (or equivalent third party accredited as built sustainability rating scheme).

- Within 12 months of occupation of the building, certification must be submitted to the satisfaction of the responsible authority, that demonstrates that the building has achieved a minimum 5 Star Green Star Buildings rating (or equivalent third party accredited as built sustainability rating scheme).

### **Alternative water supply**

A permit granted to construct a new building must include the following conditions, unless otherwise agreed by the relevant water authority:

- A non-potable reticulated dual pipe to be installed to the satisfaction of the relevant authority to supply non-potable outlets within the development for any end use specified by the relevant authority unless otherwise determined in writing by the relevant water authority; and
- An agreed connection point to be provided for the non-potable reticulated dual pipe, designed and constructed to the satisfaction of the relevant authority, to ensure readiness to connect to a future non-potable water supply unless otherwise determined in writing by the relevant water authority.

## **13.0 Signs**

None specified.

## **14.0 Required bicycle facilities**

The following bicycle space requirements apply for the purposes of clause 52.34-5 of this planning scheme.

A bicycle space for an employee or resident must be provided either in a bicycle locker or at a bicycle rail in a lockable compound. At least 50 per cent of resident bicycle spaces are to be floor mounted.

**Table 1 – Bicycle spaces**

<b>Use</b>	<b>Employee/resident</b>	<b>Visitor/shopper/student</b>
Dwelling	1 bicycle space to each one and two bedroom dwelling. 2 bicycle spaces to each three or more bedroom dwelling.	0.25 visitor bicycle spaces per dwelling.
Office (excluding Medical centre)	1 employee bicycle space to each 200sqm of net floor area.	1 bicycle visitor space to each 500sqm of net floor area.
Retail premises (excluding Shop)	1 employee bicycle space to each 300sqm of leasable floor area.	0.6 secure visitor bicycle spaces to each 100sq m of leasable floor area if the leasable floor area exceeds 500sqm.
Education centre (excluding Child care centre and Tertiary institution)	1 secure bicycle space to each 10 employees.	3 bicycle spaces to each 10 pupils, for primary school pupils this applies over year 4.

## **15.0 Transitional provisions**

None specified.