

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

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

### **MONASH SUBURBAN RAIL LOOP EAST STRUCTURE PLAN AREA**

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

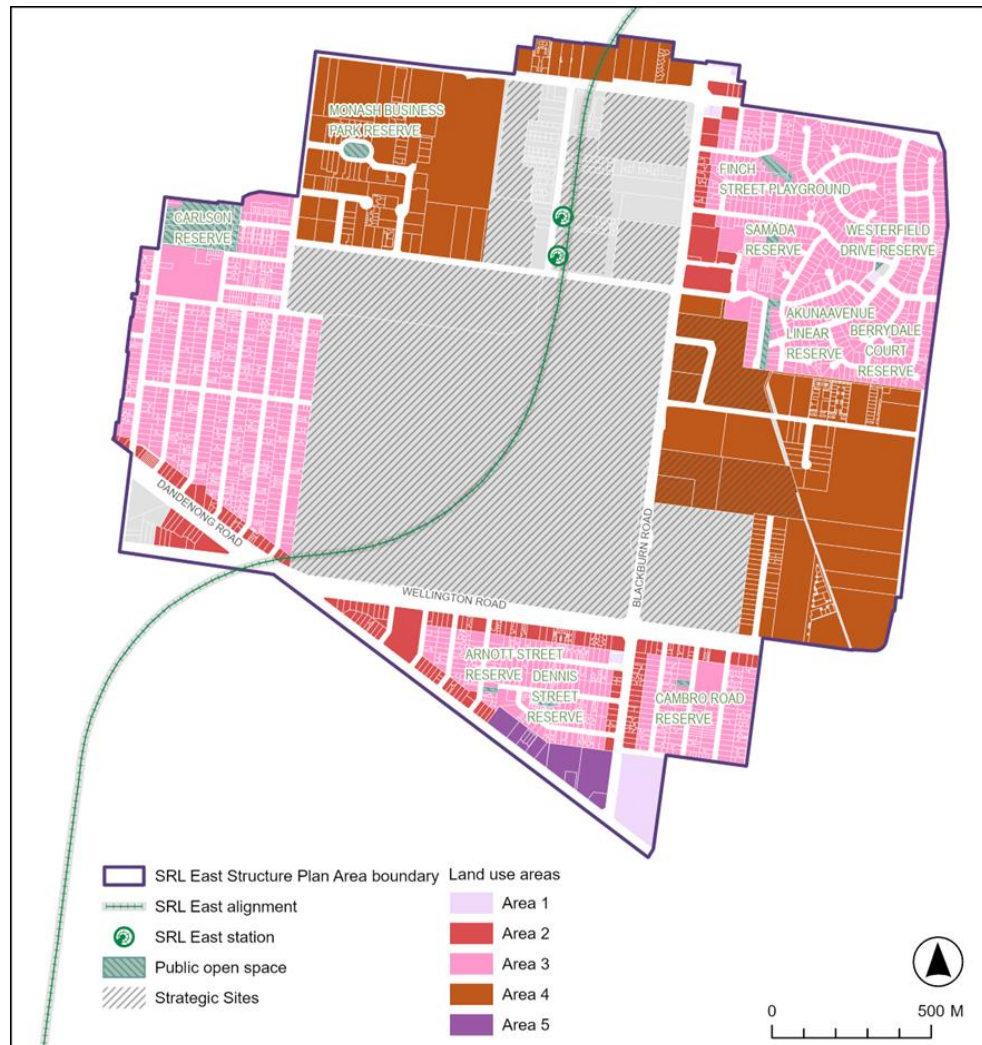
The Monash Suburban Rail Loop (SRL) East Structure Plan Area (shown on Map 1) will support substantial growth in jobs and high growth in housing, enabled by improved transport and access by the SRL odour project. The Structure Plan Area will be a globally-recognised place for research, education and innovation as well as a local destination for professional services and knowledge-based businesses. Surrounding residential areas will grow to incorporate new housing, expanding supply, diversity and choice.

#### **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 and high growth.
- To promote health, medical, advanced manufacturing, research, education and office uses within employment areas in Area 4.
- To facilitate a new urban structure that prioritises active travel, and provides streets and pedestrian connections, to support a mix of land uses and diversity of lot development sizes.
- To direct, retail and population-serving uses to existing commercial centres.
- To increase the diversity of housing types, including the provision of affordable housing.
- 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



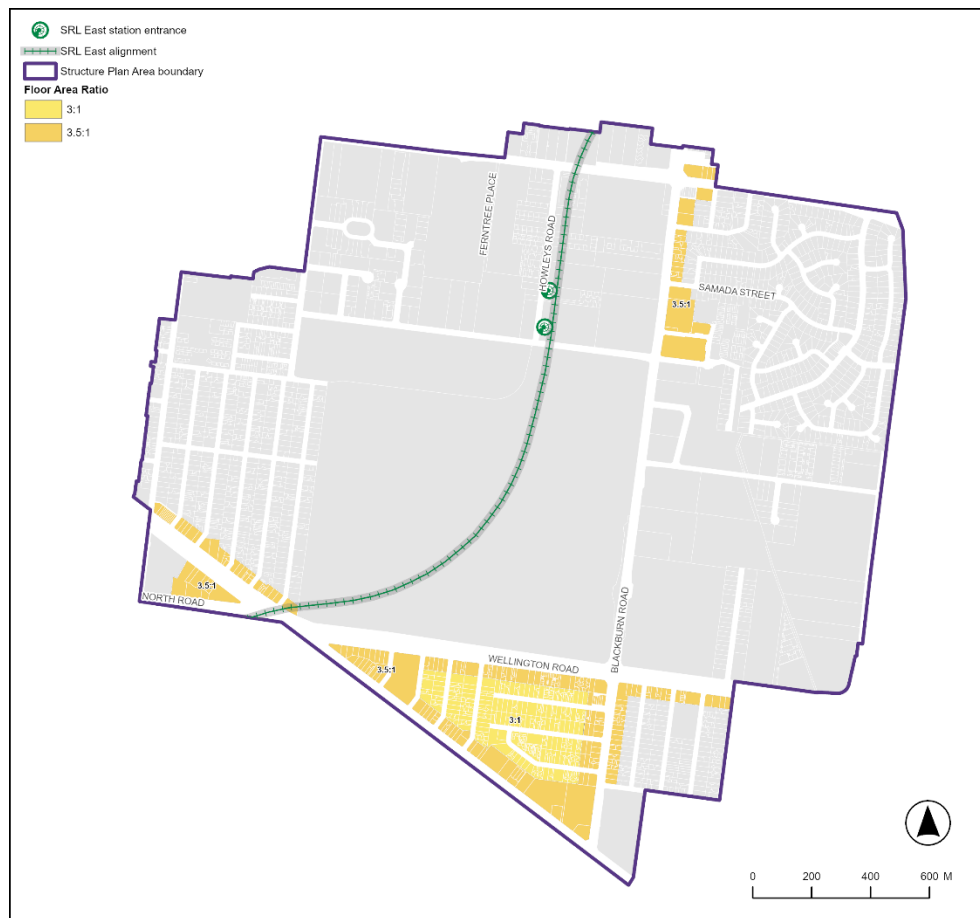
### 4.0 Master plan requirements

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 identified in Map 2 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.

**Map 2 to Schedule 3 to Clause 37.10: Public benefit uplift framework****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
Land shown in Area 1 of the Use and development framework plan	Applied zone provisions Clause 32.04 – Commercial 1 Zone
Land shown in Area 2 of the Use and development framework plan	Applied zone provisions Clause 32.04 – Mixed Use Zone
Land shown in Area 3 of the Use and development framework plan	Applied zone provisions Clause 32.07 – Residential Growth Zone
Land shown in Area 5 of the Use and development framework plan	Applied zone provisions Clause 32.06 – Commercial 3 Zone

The requirements in the table of uses apply to the use of land shown in Area 4 of the Use and development framework plan (Map 1).

**Table of uses****Section 1 - Permit not required**

Use	Condition
Art and craft centre	
Art gallery	
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50sqm.
Tertiary education centre	
Exhibition centre	
Food and drink premises	The leasable floor area must not exceed 150 square metres.
Function centre	
Industry (other than Materials recycling, Service Industry and Transfer station)	Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10. The land must be at least the following distances from land (not a road) which is in an applied residential zone or applied, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre: <ul style="list-style-type: none"> <li>▪ The threshold distance, for a purpose listed in the table to Clause 53.10.</li> <li>▪ 30 metres, for a purpose not listed in the table to Clause 53.10.</li> </ul> Must not: <ul style="list-style-type: none"> <li>▪ Exceed a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012.</li> <li>▪ Require a notification under the Occupational Health and Safety Regulations 2017.</li> <li>▪ Require a licence under the Dangerous Goods (Explosives) Regulations 2011.</li> <li>▪ Require a licence under the Dangerous Goods (HCDG) Regulations 2016.</li> </ul>
Informal outdoor recreation	
Mail centre	
Museum	
Office	
Postal agency	
Railway	
Research and development centre	
Research centre	
<b>Any use listed in clause 62.01</b>	Must meet requirements of Clause 62.01.

**Section 2 - Permit required**

Use	Condition
Adult sex product shop	Must be at least 200m (measured by the shortest route reasonably accessible on foot) from a residential zone, land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school.
Retail premises (other than food and drink premises and motor vehicle, boat and caravan sales)	
Transfer station (other than Automated collection point)	The land must be at least 30m from land (not a road) which is in a residential zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.
Warehouse (other than Mail centre and Shipping container storage)	<p>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.</p> <p>The land must be at least the following distances from land (not a road) which is in a residential zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:</p> <ul style="list-style-type: none"> <li>▪ The threshold distance, for a purpose listed in the table to Clause 53.10.</li> <li>▪ 30m, for a purpose not listed in the table to Clause 53.10.</li> </ul>
Residential hotel	
Data centre	
<b>Any other use not in Section 1 or 3</b>	

**Section 3 - Prohibited**

Use
Accommodation (other than Caretaker's house and Residential hotel)
Motor vehicle, boat or caravan sales
Intensive animal husbandry
Major sports and recreation facility
Motor racing track

**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

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.
- For land shown within Area 1, Area 4 and Area 5 on the Use and development framework plan (Map 1) for the following:
  - 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 façade 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.
- For land shown within Area 2 and Area 3 shown on the Use and development framework plan (Map 1) to:
  - Extend one dwelling on a lot.
  - Construct or extend a small second dwelling.
  - Construct or carry out works normal to a dwelling.
  - Construct or extend 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.

### 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

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:

## Buildings and works

### 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 required 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).

### Acoustic Report

An application to construct a building or construct or carry out works associated with the use of land for Accommodation, Education centre (other than Tertiary institution) or Hospital, within 300 metres from land within Area 4 of the Use and development framework plan must be accompanied by an acoustic assessment report prepared by a qualified acoustic engineer or other suitably skilled person to the satisfaction of the responsible authority which:

- Applies the following noise objectives:
  - 35 dB LAeq,8h when measured within a sleeping area between 10 pm and 6 am.
  - 40 dB LAeq,16h when measured within a living area between 6 am and 10 pm.
  - For areas other than sleeping areas, the median value in the range of AS/NZS 2107:2016 (Acoustics - Recommended design sound levels and reverberation times for building interiors).
- Includes specifications for noise attenuation measures required to meet the applicable noise level objectives.
- Includes measures, where relevant, to address:
  - Potential noise character (tonality, impulsiveness or intermittency).
  - Noise with high energy in the low frequency range.
  - Transient or variable noise (such helicopter by-passes).

### Amenity Impact Plan

An application to construct a building associated with Accommodation, Education centre (other than a Tertiary institution) or Hospital on a site within 250 metres (as measured to property boundary) of the Monash City Council Recycling and Waste Centre at 380 Ferntree Gully Road, Notting Hill and the Monash SES Unit at 390 Ferntree Gully Road, Notting Hill, must be accompanied by an Amenity Impact Plan that includes the following:

- An assessment of potential dust amenity impacts from the Monash City Council Recycling and Waste Centre at 380 Ferntree Gully Rd, Notting Hill (Potential Dust source), prepared by a suitably qualified professional, on the proposed use of the building and its occupants and users. The assessment should provide recommendations on suitable design responses to ensure the use within the proposed building will experience an appropriate level of amenity and consider:
  - The sensitivity of the use proposed.
  - The local meteorological conditions.
  - The structure or built form.
  - The views of the Environment Protection Authority.

### **Green Travel Plan**

An application to construct a building or construct or carry out works 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 to construct a building or construct or carry out works comprising 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 must demonstrate that 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).

### **Waste Management Plan**

An application to construct a building or construct or carry out works for a development 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.

## **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**

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 responsible authority:



### **Public benefit uplift framework**

- The acceptability of the public benefit(s) having regard to the *Suburban Rail Loop East Voluntary Public Benefit Uplift Framework*.
- Where the development exceeds the mandatory Floor Area Ratio, whether the built form outcomes in the relevant Built Form Overlay schedule have been met.

### **Use of land**

- The effect of traffic to be generated on roads.
- Where a retail or office use is proposed, the scale and intensity of the proposed use and whether it is located within the areas where a concentration of commercial activity is sought within the Structure Plan Area.
- Where an industry or warehouse use is proposed, the effect that the proposed use may have on the amenity of nearby residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of referral authorities.
- On land shown in Area 2 on the Use and development framework plan (Map 1):
  - Where an industry or warehouse use is proposed, the proposed hours of operation, noise and any other likely off-site amenity impacts from the proposed use.
- On land shown in Area 3 on the Use and development framework plan (Map 1), where a non-residential use is proposed:
  - Whether the proposed use generally serves local community needs.
  - The scale and intensity of the proposed use and development.
- On land shown in Area 5 on the Use and development framework plan (Map 1), where a dwelling or residential building is proposed:
  - The interface with adjoining zones.
  - Where an accommodation use is proposed, whether the proposed use is complementary and appropriate to the area and does not undermine the primary employment and economic development focus of the area.
  - The mixture of uses on the land and the primacy of non-residential uses.
  - The complementary but limited role of shop, other associated retail uses, food and drink premises, place of assembly and place of worship uses in the area.

### **Subdivision**

- Whether the proposed subdivision results in a lot that constrains its future development and contribution to the role of the precinct, the use and development objectives and the Use development framework plan (Map 1).

### **Buildings and works**

#### **General**

- The extent to which the development accommodates housing and employment opportunities at the scale and intensity that is consistent with the role of the precinct, the precinct objectives and Use and development framework plan (Map 1).

#### **Access**

- 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 building or additions that contain 5000 square metres or more of 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**

All land shown in Area 2 and Area 3 on the Use and development framework plan (Map 1) in this schedule is in Category 3.

## **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 3 – 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 space 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 space to each 100sqm 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.