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Proposed
GC246

SCHEDULE 1 TO CLAUSE 43.06 BUILT FORM OVERLAY

Shown on the planning scheme map as **BFO1**

CHELTENHAM SUBURBAN RAIL LOOP EAST STRUCTURE PLAN AREA – CENTRAL CORE & CENTRAL FLANKS

1.0 Development objectives

To support high and mid-rise built form in a predominantly podium-tower form that contributes to an architecturally interesting skyline.

To enhance the pedestrian experience and promote human scale through increased activation at street edges, commercial activity at lower levels and street wall heights that respond to street widths.

To ensure development achieves good urban design outcomes and contributes to a high-quality public realm, providing sky views between tower buildings, and facilitating comfortable wind conditions.

To create a precinct which is an exemplar for design excellence.

2.0 Development framework

Map 1 to Schedule 1 to Clause 43.06: Development framework



3.0 Master plan requirements

Land to which the master plan requirements apply

None specified.

Requirement before a permit is granted

None specified.

Requirements for a master plan

None specified.

4.0 Public benefit uplift framework

None specified.

5.0 Buildings and works**Permit requirement**

None specified.

6.0 Outcomes and standards

The outcomes and standards in this overlay and this schedule prevail over clause 58.03-5 and clause 58.04-1 in this planning scheme.

6.1 Outcomes that do not apply

The outcomes in clauses 43.06-7.1, 43.06-7.3, 43.06-7.4, 43.06-7.10, 43.06-7.11 and 43.06-7.13 do not apply.

6.2 Standards

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

Table 1 specifies standards for the corresponding building form outcomes, standards and their operation.

Table 1 – Building Form

Overlay reference	Standard	Operation
Clause 43.06-7.2 Building heights (BF02)	Maximum building height: <ul style="list-style-type: none"> ▪ Area A: <ul style="list-style-type: none"> • 50 metres. ▪ Area B: <ul style="list-style-type: none"> • 36 metres. ▪ Area C: <ul style="list-style-type: none"> • 27 metres. 	This is a discretionary standard.
Clause 43.06-7.5 Front setbacks, street wall heights, setbacks above the street wall and landscaped setbacks (BF05)	Minimum front setback: <ul style="list-style-type: none"> ▪ Area A fronting Nepean Highway and Karen Street: <ul style="list-style-type: none"> • 3 metres front setback to height of 17 metres with an additional 5 metres setback above a height of 17 metres. ▪ Area A fronting Mathieson Street: <ul style="list-style-type: none"> • 4 metres front setback to height of 17 metres with an additional 5 metres setback above 17 metres. ▪ Area B: 	This is a discretionary standard.

	<ul style="list-style-type: none"> 3 metres front setback to height of 17 metres with an additional 3 metres setback above a height of 17 metres and an additional 0.6 metres setback per metre in height above a height of 33 metres. Area C: <ul style="list-style-type: none"> 3 metres front setback to height of 17 metres with an additional 4 metres setback above a height of 17 metres. 	
<p>Clause 43.06-7.6</p> <p>Side and rear setbacks and building separation within a site (BF06)</p>	<p>Minimum side and rear setback for a habitable room window measured from a lot boundary:</p> <ul style="list-style-type: none"> Area A: <ul style="list-style-type: none"> 4.5 metres. <p>Minimum side and rear setbacks above a height of 17 metres, measured from a lot boundary:</p> <ul style="list-style-type: none"> Area A: <ul style="list-style-type: none"> 5 metres, or 10 per cent of the total building height, whichever the greater. <p>Minimum side setback for a habitable room window measured from a lot boundary or the centreline of a laneway:</p> <ul style="list-style-type: none"> Area B and C: <ul style="list-style-type: none"> 4.5 metres. <p>Minimum side setbacks above a height of 17 metres, measured from a lot boundary or the centreline of a laneway:</p> <ul style="list-style-type: none"> Area B: <ul style="list-style-type: none"> 4.5 metres, or 15 per cent of the total building height, whichever the greater. <p>Minimum rear setback measured from a lot boundary or the centreline of a laneway:</p> <ul style="list-style-type: none"> Area B, along Interface type 1 as shown on the Development framework (Map 1): <ul style="list-style-type: none"> 6 metres plus 0.6 metres per metre of height above 17 metres. Area B, elsewhere: <ul style="list-style-type: none"> 6 metres. Area C: <ul style="list-style-type: none"> 6 metres plus 0.6 metres per metre of height above 11 metres. <p>Minimum building separation within a site:</p> <ul style="list-style-type: none"> Area A: <ul style="list-style-type: none"> 12 metres, or 10% of the total combined building height, whichever the greater. Area B: <ul style="list-style-type: none"> 9 metres, or 10% of the total combined building height, whichever the greater. Area C: <ul style="list-style-type: none"> 9 metres. 	<p>This is a discretionary standard.</p>

Table 2 specifies standards for the corresponding building layout outcomes, standards and their operation.

Table 2 – Building Layout

Overlay reference	Standard	Operation
Clause 43.06-7.7 Building layout and adaptability (BF07)	Standard BF07 does not apply.	This is a variation to standard BF07 of clause 43.06-7.7.
Clause 43.06-7.8 Wind effects on the public realm (BF08)	This standard is required for development equal to or greater than 20 metres.	This is a variation to standard BF08 of clause 43.06-7.8. This is a discretionary standard.

Table 3 specifies standards for the corresponding public interfaces outcomes, standards and their operation.

Table 3 – Public Interfaces

Overlay reference	Standard	Operation																						
Clause 43.06.7.9 – Active frontages (BF09)	Standard BF09 does not apply.	This is a variation to standard BF09 of clause 43.06-7.9.																						
Clause 43.06-7.12 Landscaping and fencing (BF12)	<p>In Area B and Area C:</p> <ul style="list-style-type: none">▪ A development should meet the following landscaping requirements:<ul style="list-style-type: none">• A minimum deep soil area of 10% of the total site area.• Canopy trees provided in accordance with Tables 3.1, 3.2 and 3.3. <p>Table 3.1 – Canopy Tree Requirements</p> <table><tr><th>Deep Soil Area</th><th>Canopy tree</th></tr><tr><td>50sqm or less</td><td>At Least 1 Type A tree</td></tr><tr><td>51 - 100sqm</td><td>At least 1 Type B tree</td></tr><tr><td>101 - 200sqm</td><td>At least 2 Type B trees</td></tr><tr><td>201sqm or more</td><td>At least 3 Type B trees</td></tr></table> <p>Table 3.2 – Soil Requirements for Trees:</p> <table><tr><th>Tree Type</th><th>Area of Deep Soil</th><th>Minimum Plan Dimension</th></tr><tr><td>Type A</td><td>12sqm</td><td>2.5m</td></tr><tr><td>Type B</td><td>49sqm</td><td>4.5m</td></tr></table> <p>Table 3.3 – Tree Types:</p> <table><tr><th>Tree Type</th><th>Minimum Canopy diameter at maturity</th><th>Minimum height at maturity</th></tr></table>	Deep Soil Area	Canopy tree	50sqm or less	At Least 1 Type A tree	51 - 100sqm	At least 1 Type B tree	101 - 200sqm	At least 2 Type B trees	201sqm or more	At least 3 Type B trees	Tree Type	Area of Deep Soil	Minimum Plan Dimension	Type A	12sqm	2.5m	Type B	49sqm	4.5m	Tree Type	Minimum Canopy diameter at maturity	Minimum height at maturity	This is a discretionary standard.
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Type A	12sqm	2.5m																						
Type B	49sqm	4.5m																						
Tree Type	Minimum Canopy diameter at maturity	Minimum height at maturity																						

	Type A	4m	6m	
	Type B	8m	8m	
	Front fences should be constructed with high quality materials and be visually permeable.			

6.3 Other outcomes and standards

None specified.

7.0 Subdivision

Permit requirements

None specified.

Subdivision requirements

None specified.

8.0 Application requirements

The following application requirements apply to an application for a permit under clause 43.06 in addition to those specified in clause 43.06-9 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 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 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.
- Explain how the design response addresses the development objectives, outcomes and standards of this schedule including how the development:
 - Will achieve the relevant development objectives if the outcomes and standards are not met.
 - Will provide high -quality public realm outcomes and ameliorate shadow and wind effects.
- 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 area, 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.

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 standards of this schedule.
- Describe how the development addresses and provides high-quality public realm outcomes, and appropriately ameliorates shadow and wind effects to adjacent public realm.
- Where an application seeks to vary the requirement(s) of 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.

Urban Greening Plan

An application to construct a building must be accompanied by an Urban Greening Plan that addresses:

- Measures to achieve the targeted deep soil areas and canopy trees across the site area.
- Strategies to retain and enhance existing site vegetation where appropriate.
- The use of a locally common and climate adaptive landscape palette and vegetation selection.
- A maintenance plan for the proposed green cover.
- Any measures to improve the public realm interfaces adjacent the site.

Wind Impact Report

A development must be accompanied by a report prepared by a suitable qualified person to consider wind impacts and in the form of assessment as follows:

- A wind impact assessment for a development equal to or greater than 20 metres in height; or
- A wind tunnel modelling study for a development which meets one of the following:
 - The building height is equal to or greater than 60 metres.
 - The building height is greater than 40 metres and is exposed to an area open from the north, west or south (open areas typically include major arterial roads, highways, parks, large water bodies or parcels of open land larger than 40 metres by 40 metres).
 - The building height is greater than 40 metres and there is more than one building on the site.

The respective wind impact assessment report or wind tunnel modelling study 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.

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.

9.0 Exemption from 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.

10.0 Decision guidelines

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

General

- Whether the development meets the development objectives and requirements of this schedule.
- Whether the development achieves housing and employment at the scale and intensity sought by the development outcomes of this schedule.
- Whether the development contributes to a building typology that supports a range of uses, including non-residential.

Building form

- Whether building form provides a varied and architecturally interesting skyline.
- 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 street wall height and setbacks provide a human scale to the public realm.
- Whether front setbacks above the street wall are sufficient to distinguish upper levels. 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.
- The extent of building articulation, visual interest and variety of materials for a building.
- Whether the development avoids repetitive stepped forms.

Public interfaces and landscaping

- The extent to which the landscape and design response contributes to a biodiverse, greener environment to public and private realm interfaces and reduces urban heat.
- The opportunity to use shade structures and canopy trees or vines on trellis structures to shade outdoor areas exposed to summer sun.

11.0 Mandatory permit conditions

None specified.

12.0 Signs

None specified.

13.0 Transitional provisions

None specified.