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Proposed
GC248

SCHEDULE 15 TO CLAUSE 43.06 BUILT FORM OVERLAY

Shown on the planning scheme map as **BFO15**

BURWOOD SUBURBAN RAIL LOOP EAST STRUCTURE PLAN AREA – EMPLOYMENT NEIGHBOURHOODS

1.0 Development objectives

To support mid-rise development, which supports the ongoing local service function of the employment neighbourhood.

To ensure development enhances the pedestrian experience through ground level activation, landscaped street setbacks, building facades that frame the public realm and locating car parking, loading and servicing areas away from the street frontage.

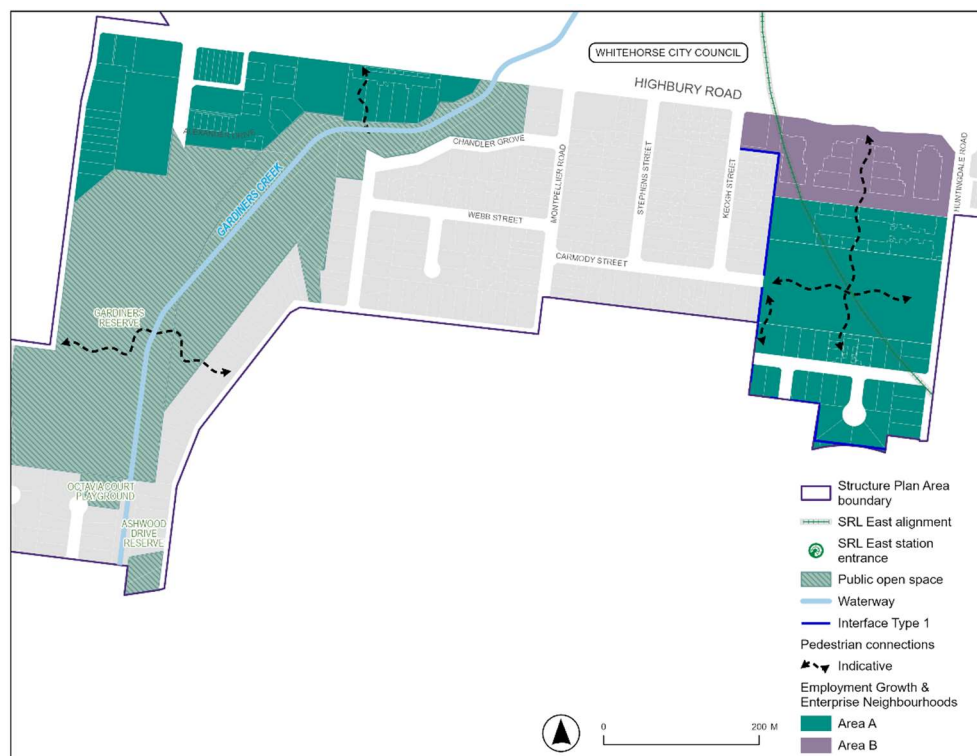
To provide a sensitive built form interface with Gardiners Creek (Kooyongkoot) that enables accessibility, passive surveillance and solar access to the reserve.

To ensure that development responds to interfaces with Residential Neighbourhoods and areas outside the Structure Plan Area, by transitioning with lower building heights and increased setbacks.

To increase permeability and connectivity for pedestrians and cyclists, with the creation through block pedestrian connections for a fine-grain street and laneway network.

2.0 Development framework

Map 1 to Schedule 15 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

A permit is required to construct or extend a front fence within 3 metres of a street, that exceeds 1.2 metres in height.

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 outcome in clauses 43.06-7.1, 43.06-7.3, 43.06-7.7 and 43.06-7.11 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"> 25 metres Area B: <ul style="list-style-type: none"> 27 metres 	This is a discretionary and deemed to comply standard.
Clause 43.06-7.4 Overshadowing of open space or public realm (BF04)	Buildings should not cast any additional shadow beyond that cast by the applicable building envelope specified in standard BF02, BF05 and BF06 of this schedule and existing buildings over public open spaces shown on the Development framework (Map 1): <ul style="list-style-type: none"> Across the banks and the waterway of Gardiners Creek between 11am and 2pm on 22 June. On any public open space in Gardiners Creek Reserve other than the banks and waterway between 11am and 2pm on 22 September. 	This is a variation to standard BF04 of clause 43.06-7.4. This is a discretionary and deemed to comply 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: <ul style="list-style-type: none"> 4 metres Area B: <ul style="list-style-type: none"> 3 metres front setback to a height of 21 metres with an additional 4m setback above a height of 21 metres. 	This is a discretionary and deemed to comply standard.
Clause 43.06-7.6 Side and rear setbacks and building separation within a site (BF06)	Minimum side and rear setbacks measured from a lot boundary or centreline of a laneway for Area A and B: <ul style="list-style-type: none"> Interface Type 1 or abutting the northern boundary of public open space shown on the Development framework (Map 1): <ul style="list-style-type: none"> 1 metre for every metre of building height above the ground floor. All other side or rear boundaries: <ul style="list-style-type: none"> 0 metres. 	This is a discretionary and deemed to comply standard.

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

Table 2 – Building Layout

Overlay reference	Standard	Operation
Clause 43.06-7.8 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 43.06-7.10 Pedestrian connections (BF10)	Provide pedestrian connections in the indicative locations identified on the Development framework (Map 1). A pedestrian connection should have a minimum width of 6 metres.	This is a discretionary and deemed to comply standard.
Clause 43.06-7.12 Landscaping and fencing (BF12)	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 and landscaping to be provided in the front setback 	This is a discretionary and deemed to comply standard.

	<ul style="list-style-type: none"> Canopy trees provided in accordance with Tables 3.1, 3.2 and 3.3: 	
	Table 3.1 – Canopy Tree Requirements	
	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
	Table 3.2 – Soil Requirements for Trees:	
	Tree Type	Area of Deep Soil
	Type A	12sqm
	Type B	49sqm
	Table 3.3 – Tree Types:	
	Tree Type	Minimum Canopy diameter at maturity
	Type A	4m
	Type B	8m
	Front fences should be constructed with high quality materials and be visually permeable.	

Table 4 specifies standards for the corresponding design detail outcomes, standards and their operation.

Table 4 – Design Detail

Overlay reference	Standard	Operation
Clause 43.06-7.13 Car parking design (BF13)	<p>The width of accessways should not exceed 33 per cent of the street frontage.</p> <p>No more than one vehicle crossover should be provided for a site.</p> <p>Ground level car parking, garage doors and accessways must not visually dominate public space.</p>	<p>This is a replacement of standard BF13 of clause 43.06-7.13.</p> <p>This is a discretionary and deemed to comply standard.</p>

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 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.
- 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 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.
 - Shadow diagrams showing hourly diagrams between the control period specified at Standard BF04 of this schedule.

Urban Greening Plan

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

- Measures to achieve the targeted 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 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 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 development achieves employment at the scale and intensity sought by the development outcomes of this schedule.

Building form

The following decision guidelines apply to an application for a permit where the Deemed to Comply standards in this schedule are not met:

- Whether the street setback accommodates canopy trees and landscaping that frames the public realm and contributes to the preferred landscape character.

- Whether the building height and setbacks transition to residential areas and outside the Structure Plan Area.
- Whether the height, and side and rear setbacks of development provide appropriate building separation to ensure good quality living environments and equitable development opportunity for adjacent properties.
- Whether the location of car parking, loading and servicing areas at the lot frontage limits a high-quality pedestrian interface and the establishment of landscaped street setbacks.
- Development should not unreasonably reduce sunlight on nominated public open spaces. Where shadows increase, consider the following:
 - The extent of shadows cast by adjacent buildings;
 - The nature and use of the space; and
 - The relative area that will remain in sunlight.

Public interfaces and landscaping

- Whether there are reasonable opportunities to contribute to and fulfil the completion of a through-block pedestrian connection on adjacent land over time.
- The type and quantity of canopy cover.
- The extent to which the landscape and design response contributes to a biodiverse, greener environment and reduces urban heat.
- The contribution of landscaping to public realm interfaces.
- The impact of a front fence on activation and passive surveillance opportunities provided at ground level.

Design detail

- The impact of vehicle access on activation to the street, existing footpaths, on-street car parking spaces, street trees and infrastructure.

11.0 Mandatory permit conditions

None specified.

12.0 Signs

None specified.

13.0 Transitional provisions

None specified.