

11 Beach Street, Frankston Planning Report

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6 June 24

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1 Introduction

proUrban Advisory, Planning & Management ('proUrban') act on behalf of CAAMCo 11 Beach Street Pty Ltd ('the permit applicant') in relation to the land at 11 Beach Street, Frankston ('the site').

This planning report and attached documentation form an application to the Department of Transport and Planning, and the Minister for Planning ('the responsible authority') to allow for an affordable housing development on the site.

A review of the Frankston Planning Scheme planning controls and an inspection of the subject site, and surrounds have been conducted to inform this report.

This report provides the following:

- A description of the subject land and surrounding context;
- A description of the proposed use and associated works;
- A summary of the applicable statutory controls and provisions of the Frankston Planning Scheme;
- An analysis of the proposed development against relevant State and Local Planning policies of the Frankston Planning Scheme; and
- An assessment of the merits of the proposal

This report provides:

- A description of the site and surrounding area.
- A description of the proposal.
- An outline of the relevant statutory planning framework.
- An assessment of the proposal against the relevant provisions of the Frankston Planning Scheme.
- An assessment of the key issues as they relate to the proposal.
- An assessment of the merits of the proposal.

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This report should be read in conjunction with the following plans and reports:

- BADS Assessment prepared by *proUrban*;
- Architectural Plans and Urban Context Report prepared by *Caleb Smith and James Harbard Architects*;
- Sustainability Management Plan prepared by *Integrated Group Services*;
- Traffic Impact Assessment and Green Travel Plan prepared by *Traffix*;
- Arborist Report prepared by *Homewood*;
- Waste Management Plan prepared by *Traffix*;
- Significant Ground Disturbance Assessment prepared by *Landskape*; and
- Structural & Civil Engineering Memo prepared by *Norman Disney & Young* & Build Over Easement approval letter;
- Landscape Plan prepared by *John Patrick Landscape Architects*; and

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The following documents are also provided in accordance with the application requirements for Clause 53.23:

- Written advice of the Chief Executive Officer, Invest Victoria; and
- Ministerial Approval Letter pursuant to Category 3, Clause 53.23.

Overall, we submit that the proposal is generally consistent with the relevant policy objectives and the intent of the Frankston Planning Scheme and presents an appropriate design response to the site's opportunities and constraints and the broader context of the surrounding area.

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2 Site Context

Site Description

The site is located at 11 Beach Street, Frankston and is formally identified as

- Lot 10 on Plan of Subdivision 008386

The site is located on the northern side of Beach Street near the corner of Nepean Highway and is centrally located within the Frankston Metropolitan Activity Centre (FMAC).

The site has a 19.6m (approx.) frontage to Beach Street and extends backward (north) to a depth of 42.7m (approx.), resulting in a site area of 829 m².

The site contains two easements which extend along the northern and western boundaries of the site. These easements are in favour of South East Water (sewer asset) and Frankston City Council (drainage asset), respectively. We understand there is also a Melbourne Water asset in the Road Reserve on Beach Street south of the site. A build-over-easement permit has been approved for the development in relation to this easement.



Figure 1 | Cadastral image of subject site (Source: Landchecker)

Existing Conditions

The site is currently occupied by a single-storey detached dwelling, formerly used as commercial development. The building is surrounded by hard impervious surfaces, with a large car parking area to the rear and porte-cochere at the frontage. The site is accessible via two crossovers to Beach Street and consists of an internal driveway to access the rear of the site.

Vegetation on the site is scarce, with a small number of shrubs within the front setback. Other vegetation in proximity is not located within the site's boundary. Further information on existing vegetation on site can be found in the Arborist Report prepared by *Homewood*.

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Figure 2 | Aerial image of subject site (Source: Landchecker)

Surrounding Area

The site is located over 38km south-east of the Melbourne CBD in the established FMAC. The site is closely located to the Bayside Centre shopping mall and various retail, commercial, and hospitality uses associated with the commercial town centre. Beach Street divides the shopping mall into a northern and southern section. Both Frankston Primary School and Oakwood School Frankston Campus are both located within 1km of the site.

Surrounding development along Beach Street consists of both single-storey commercial development as well as higher density multi-storey commercial buildings.

The area is well serviced by public transport, with Frankston Train Station located 550m south of the site, and two bus stops within 200-400m from the site service multiple bus routes.



Figure 3 | Aerial image of subject site and surrounds (Source: Landchecker)

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Site Interfaces

North

To the north, the site is bordered by a large at-grade car parking area with private access. Beyond this is Fletcher Road, Frankston Police Station and the law courts.

East

To the east the site adjoins a single-storey building used as a medical facility. Beyond this is Evelyn Street and the Bayside Centre shopping mall which spans over 34,000m².

South

To the south the site abuts Beach Street. On the southern side of Beach Street is single-storey commercial development, a food and drinks premises and Beach Lane which services the rear of the commercial development. Beyond this is further commercial development and the southern section of the shopping centre.

West

To the west the site abuts a high 3-storey commercial building built in 2015. Beyond this is Nepean Highway, a fuel station, and several other commercial developments.

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3 Proposed Development

The proposal seeks to demolish the existing building on the site and develop a 14-storey residential development comprising 62 dwellings, specifically designed to be operated and managed by a registered Community Housing Provider (CHP). The proposal comprises two basement levels for car parking, and residential dwellings within the podium and tower.

The development proposes a ground plane that integrates with the surrounding area and activates the street frontage. The activation is facilitated by extensive glazing and carefully designed configuration and materiality of the ground-floor. The ground floor provides a lobby area for the residential dwellings and main access to the building, and an ancillary administration office for the housing provider.

In addition to the activation of the street frontage, community infrastructure is further aided by the inclusion of a flexible communal space and terrace for residents at the rear (north) of the building on the ground floor and level 1. This assists in activating the northern frontage of the site.

For further details, please refer to the architectural drawings prepared by *Caleb Smith* and *James Harbard Architects*.

Land Use

More specifically, the proposal includes:

Basement (spanning 2 levels):

- Residential car parking - 20 spaces

Ground Floor:

- Residential lobby and bike access path
- Community Housing Providers office (ancillary)
- Community meeting room – 32 sqm
- Outdoor terrace – 36 sqm
- Bike store – 20 horizontal spaces, 45 vertical spaces
- Residential waste room

Mezzanine

- Fire pump room and fire tanks, cold water pump room
- Services

Levels 1:

- Residential and community housing provider storage
- Services
- Communal residents lounge – 50 sqm
- Communal residents terrace - 32 sqm
- 3 x 2-bedroom dwellings

Level 2:

- 4 x 2-bedroom dwellings

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- Residential and community housing provider storage

Level 3:

- 2 x 2-bedroom dwellings
- 3 x 1-bedroom dwellings
- Roof garden over voids

Levels 4-13:

- Mix of 1 and 2-bedroom dwellings
- 3-bedroom dwelling on level 13

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Affordable Housing Component and Operational Details

The proposal is driven by the objective to respond to the housing crisis experienced by low-income earners and women and children within Melbourne and more specifically within the Frankston Municipality.

The project has been designed as a 100% affordable housing development from its inception, with input into the design process being provided by the proposed registered CHP.

We confirm through the applicant's partnership with a CHP the commitment to obtain funding through state and federal funding opportunities including the Housing Australia Future Fund (HAFF). It is the CHP's intention to either deliver 100% of all dwellings as social housing or approximately 50% as social housing and 50% as affordable housing.

Should the applicant and the CHP be successful in securing funding for the purchase of this building, we understand a funding deed will be entered into with the relevant funding body. The deed will include a guarantee that this site will be used for social or social and affordable housing for a minimum of 25 years (or as the funding opportunity requires). The deed will also detail the conditions of funding including regular reporting and that availability payments payable to the CHP are contingent on the use and occupancy of the dwellings.

Please refer to the letter of commitment prepared by the CHP for further details on the proposed affordable housing arrangement.

Built Form

The proposal seeks to construct a 14 storey (13 level), 49.6 metre high (to top of rooftop services) affordable housing development with a two-level basement.

The basement is built to the southern and eastern boundaries in the basement but is set back from the northern and western boundaries to accommodate the drainage and sewerage easements. The podium is setback slightly from the southern boundary by 1.3m but still presents as a street wall. The podium is similarly built to the eastern boundary but is setback from other boundaries to accommodate the easements.

The tower form remains built to the eastern boundary but is set back from all other boundaries above the podium. The building cantilevers over the western boundary. Build-over-easement approval has been granted.

Strategic voids or light wells are provided on the eastern and western frontages of the development to support internal amenity. A wind mitigation zone is also provided on level 8, manifesting in a void to allow for safe wind conditions throughout the development.

The development includes a three storey (12m) street wall to Beach Street containing the ground floor, Levels 1-2 and a mezzanine level.

Within the ground level, the requisite substation has been pushed back from the street to maximise activation and minimise inactive facades. As there is a requirement for a 5m clearance to the substation, this has informed the height of the ground floor to 5.4m, allowing space at the rear to conceal services from the street. The ground floor also accommodates the bike store and communal areas for residents.

Above the ground floor is a mezzanine level, which accommodates further service areas. Above the mezzanine level are levels 1 and 2 which contain a mix of dwellings, communal areas, and appropriately located services.

Above the podium, the tower includes residential dwellings on levels 3-13. Tower levels generally follow the same floor plate and configuration of residential dwellings, excluding level 13 with one dwelling and rooftop services.

To the rear, the proposal adopts a perforated aluminium external screen to protect the bike store and external glazing over the communal meeting and lounge areas. This treatment is informed by feedback from the OVGA to support activation and passive surveillance of this rear frontage.

Please refer to the architectural plans prepared by *Caleb Smith Architects* and *James Harbard Architects* for further information.

Car parking, Bicycle Facilities and Access

All access to the site is provided from Beach Street.

Car Parking & Access

Vehicle access is facilitated by a new single-lane crossover proposed toward the eastern edge of the frontage to provide access to the car parking areas.

Across two levels, the basement provides 20 car parking spaces including one EV charging bay. Parking provision can be detailed further in the following:

- Basement
 - Level 1 – 10 spaces
 - Level 2 - 10 spaces

Total car parking provision – 20 spaces

As discussed in the traffic report prepared by *Traffix*, the existing crossover to the easement will be decommissioned, but access to the services easement will be retained.

Pedestrians

Pedestrians can access the site through a pedestrian entry into the lobby, with separate entrances for the ancillary office and the main lobby for residential dwellings. A transparent security fence provides access to the bike entry.

Bicycle facilities

The application proposes the provision of 71 bicycle spaces:

- 65 spaces for residents within secure bike store – Horizontal and vertical rails on the Mezzanine Level
- 6 spaces for visitors – Along western frontage on ground floor

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Materials and Finishes

A carefully selected palette of high-quality materials has been chosen to ensure the proposal responds to the coastal character of the existing neighbourhood, whilst supporting a considered approach to the emerging future character for the area.

The proposal incorporates a mix of metal cladding, awnings, frames, louvres and pergolas in a range of white, terracotta and natural finishes. The proposed materials have been carefully curated to represent a high-quality architectural response, in keeping with the coastal character of the Frankston neighbourhood. This is complemented by curved, ribbed and smooth concrete in several finishes. Clear glazing is also featured throughout the development.

Please refer to the elevations and external finishes schedule within the architectural plans prepared by *Caleb Smith and James Harbard Architects* for further details.



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Figure 4 | Materiality – Podium and Tower

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Vegetation & Landscaping

Existing Vegetation

We note that only one existing tree on site (tree 9) is required to be removed. According to the arboricultural report prepared by *Homewood*, this tree is native but appears to be 'lopped stump regrowth' with heavy ivy cover, and is under 5 years old, rendering it of low retention value. All other trees are to be retained and will require tree protection zones (TPZ) to remain viable.

The table of exemptions at Clause 52.17-7 states that the removal of native vegetation is exempt if it is *on land, together with all contiguous land in one ownership, which has an area of less than 0.4 hectares.*

As such, there are no planning related restrictions or approvals required for the removal of tree 9 as the site area is under 0.4 hectares.

Please refer to the Arborist Report prepared by *Homewood* for further information.

Proposed Vegetation & landscaping

Landscaped areas are proposed within the development at ground level and within the podium level terraces, level 3, and the rooftop planters at the base of the eastern and western voids. The landscape response includes areas of raised planters and planter boxes with a range of plant species specifically chosen for their various positions and light availability throughout the development. The site is unable to accommodate deep root planting. Please refer to the BADs assessment for further details.

Please refer to the landscape plan prepared by *John Patrick Landscape Architects* for further details on the proposing landscaping response for the proposal.

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4 Project History

Pre-Application Meeting

- A pre-application meeting was held on 18 October 2022 with Council Planner Jamey Barbakos (Frankston City Council).
- We note that the original proposal sought approval for use and development of the land for mixed-use development including a food and drink premises and office tenancies.

Lodgement with Frankston City Council (FCC)

- Application was lodged with FCC on 22 December 2022.
- Application was acknowledged on 4 May 2023, allocated to Jamey Barbakos

Request for Further Information (RFI)

- An RFI was received 24 May 2023. Comments largely pertained to:
 - Appropriateness of the development in relation to the surrounding context and landscape
 - Visual bulk and articulation of the development
 - Proposed materials and finishes
 - General urban design advice and fenestration
 - Affordable housing
 - External and internal referrals
- A response to the RFI and referral authorities was provided.

Current Position

- The application withdrawn from Frankston City Council on 8 May 2024.

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5 Statutory Planning Controls

Zone

Mixed Use Zone



Figure 5 | Mixed Use Zone

The subject site is located within the Mixed Use Zone (MUZ). The purpose of the MUZ is to:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality.
- To provide for housing at higher densities.
- To encourage development that responds to the existing or preferred neighbourhood character of the area.
- To facilitate the use, development and redevelopment of land in accordance with the objectives specified in a schedule to this zone.

Pursuant to Clause 32.04-2 **no permit is required** to use the land for Dwellings.

We note that the Community Housing Provider administration office is considered ancillary to the primary dwelling use, and no permit is required.

Pursuant to Clause 32.04-7 **a permit is required** to construct more than two dwellings on a lot.

An apartment development of five or more storeys, excluding a basement, must meet the requirements of Clause 58.

The following general decision guidelines apply to applications for a permit under the MUZ:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The objectives set out in a schedule to this zone.
- Any other decision guidelines specified in a schedule to this zone.

- The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a Mixed Use Zone or Residential Growth Zone.

Overlays

Design and Development Overlay – Schedule 5 (DDO5) – Frankston Metropolitan Activity Centre Precinct 5 – Nepean Highway Boulevard & Kananook Creek Precinct



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Figure 6 | Design and Development Overlay – Schedule 5

The subject site is affected by the Design and Development Overlay – Schedule 5 (DDO5). The DDO5 implements the objectives and controls within Precinct 5 of the Frankston Metropolitan Activity Centre Structure Plan (2015).

The purpose of the DDO5 is to:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To identify areas which are affected by specific requirements relating to the design and built form of new development.

Pursuant to Clause 43.02-2, **a permit is required** to construct a building or construct or carry out works.

The DDO5 applies the following design objectives which are specific to the Frankston Major Activity Centre Precinct 5 – Nepean Highway Boulevard and Kananook Creek Precinct:

- Encourage development along the Nepean Highway Boulevard that is responsive to its role as a gateway to the City Centre and consistent with the visions and objectives of the Frankston Metropolitan Activity Centre Structure Plan, May 2015.
- Provide for a range of commercial and residential uses that complement the mixed-use function of the precinct with housing provided at increase densities, particularly at upper levels throughout the precinct.
- Ensure development respects the environmental qualities and amenity of Kananook Creek through appropriate siting, site coverage, fencing and landscaping.

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- Encourage building interfaces that promotes surveillance of adjoining streets through activated frontages.
- Ensure that the location and design of car parks, loading bays and services areas promotes active street frontages, does not dominate public spaces and supports safe use and access.



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Figure 7 | Map 1 to Schedule 5 of Clause 43.02: Nepean Highway Boulevard Sub-precincts

The DDO5 identifies the subject site within sub-precinct C.

The following relevant building and works requirements apply to an application to construct a building or construct or carry out works in sub-precinct C:

- Buildings and works should comply with the requirements specified in Tables 1, 2 and 3 of this Schedule.
- Building facades should be articulated through the design of openings, balconies, varied materials, recessed and projected elements, and revealing structural elements such as columns and beams. Lighter and less detailed materials should generally be used at upper levels.
- Building entries should directly front the street and be clearly defined and legible from the public realm.
- Developments where appropriate, should incorporate communal space for staff, residents and visitors.
- Roof decks and their associated structures should not exceed the Preferred Maximum Building Heights specified in Table 1 of this schedule.
- A roof deck should:
 - Be designed and constructed of materials that integrate with the architectural style and form of the building.
 - Not include any permanent or moveable structure or element that will increase the visual bulk of the building, including pergolas, verandahs, shelters and storage areas.
 - Be setback on all sides at least 2 metres from the roof edge of the storey immediately below to minimise visual impact on all elevations.

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- Be designed to limit views into secluded private open space and habitable room windows of adjacent dwellings.
- Be accessed by a structure that is designed and located to have minimal visual impact on all elevations, does not enclose any usable floor space and does not exceed 2.4 metres in height (measured from floor level at the point of access onto the roof deck).
- Be constructed so that the deck floor level is no greater than 1 metre above the lower ceiling face of the storey immediately below.

The following built form requirements apply to sub-precinct C and the subject site:

DDO5 - Sub-Precinct C	Requirement
Table 1: Preferred Maximum Building Height	Podium: 12 metres Development above the podium should be setback a minimum 5 metres from the north, west and south boundaries Core: 38 metres
Table 3: Preferred Street Setback	0 metres Development above 12 metres should be setback a minimum 5 metres from the west, south and east boundaries
Preferred Side & Rear Setback	0 metre

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The following decision guidelines apply to an application for a permit under Clause 43.02:

- The visual impact of any proposed buildings and works when viewed from the Kananook Creek and adjacent public open space, walking paths and bridge crossings.
- Whether any variation to the preferred building height specified in Table 1 of this Schedule is consistent with the overall vision and objectives of the Frankston Metropolitan Activity Centre Structure Plan May 2015 including (but not limited to) the Built Form Principles which require the avoidance of visually dominant building forms adjacent to the city centre streets and public spaces, the retention of solar access to footpaths on the opposite side of street and public spaces and the avoidance of overshadowing and overlooking
- Building height, building setback, and building form and design requirements specified in Section 2 of this schedule.
- Whether the use of materials, finishes and colours are appropriate.
- Whether compliance with the requirements of this schedule is achievable having regard to the size, shape, orientation and topography of the site and the location, type and condition of existing vegetation.
- The amenity impacts on any adjoining land particularly with respect to overshadowing, overlooking and visual bulk.
- The layout and appearance of areas set aside for car parking, ingress and egress, loading and unloading, and that the layout provides for the separation of vehicle and pedestrian movement.
- Whether appropriate passive surveillance of the streetscape and public spaces is achieved through building design and placement.

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- Whether appropriate landscaping opportunities can be achieved.
- Whether the proposal presents the potential for underdevelopment of sites through buildings that achieve a significantly lower built form than encouraged.
- Whether land should be consolidated to facilitate the creation of viable development sites.
- Whether the development has proper regard to the development potential of adjoining sites and the ability for future development to obtain reasonable solar access.

Parking Overlay – Schedule 1



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Figure 8 | Parking Overlay – Schedule 1

The subject site is affected by Parking Overlay – Schedule 1 (PO1). The purpose of the PO1 is to:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To facilitate an appropriate provision of car parking spaces in an area.
- To identify areas and uses where local car parking rates apply.
- To identify areas where financial contributions are to be made for the provision of shared car parking.

Schedule 1 to the Parking Overlay outlines the following parking objectives to be achieved which are specific to the Frankston Major Activity Centre:

- To improve car parking provision in the Frankston Metropolitan Activity Centre.
- To reduce the demand for new car parking provision by maintaining and improving existing car parking within the centre.
- To consolidate car parking into large, well located, easily accessible and locatable facilities where possible.
- To provide for the collection of financial contributions towards the construction of shared car parking facilities.

The PO1 specifies car parking rates which must be complied with for specific uses. As the proposed uses are not displayed in Table 1 to Clause 45.09-3.0, the provisions of Clause 52.06 apply to the site for car parking requirements.

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The uses listed in Table 1 of Clause 52.06-5, must be calculated using the *Rate* in Column B of Table 1 in Clause 52.06-5.

As the PAO1 does not specify permit requirements or decision guidelines, the provisions at Clause 52.06 apply to the proposal for statutory car parking requirements.

Special Building Overlay

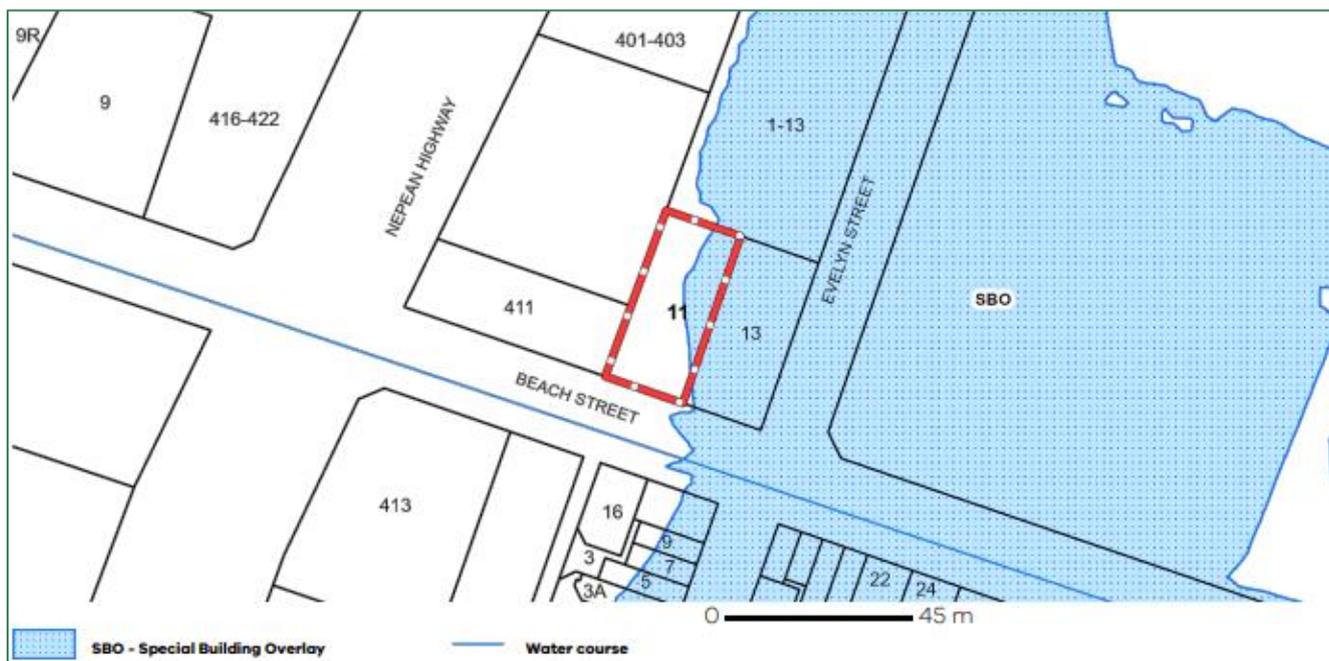


Figure 8 | Special Building Overlay

The subject site is affected by Special Building Overlay (SBO). The purpose of the SBO includes:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To identify land in urban areas liable to inundation by overland flows from the urban drainage system as determined by, or in consultation with, the floodplain management authority.
- To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.
- To protect water quality and waterways as natural resources by managing urban stormwater, protecting water supply catchment areas, and managing saline discharges to minimise the risks to the environmental quality of water and groundwater.

Pursuant to Clause 44.05-2, a permit **is required** under this overlay to construct a building or to construct or carry out works.

The following decision guidelines apply to applications for buildings and works:

- The Municipal Planning Strategy and the Planning Policy Framework.
- Any local floodplain development plan.
- Any comments from the relevant floodplain management authority.
- The existing use and development of the land.

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- Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this overlay.
- The susceptibility of the development to flooding and flood damage.
- Flood risk factors to consider include:
 - The frequency, duration, extent, depth and velocity of flooding of the site and accessway.
 - The flood warning time available.
 - The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.
- The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.
- Any other matters specified in a schedule to this overlay.

Particular Provisions

The particular provisions are specific prerequisites or planning provisions for a range of particular uses and developments and apply consistently across the state. Unless specified otherwise, the particular provisions apply in addition to the requirements of a zone or overlay.

Clause 52.06 Car Parking

Clause 52.06 outlines the statutory car parking requirements which apply to particular land uses. Pursuant to Clause 52.06 of the Frankston Planning Scheme, the relevant Car Parking objectives include:

- To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.
- To support sustainable transport alternatives to the motor car.
- To promote the efficient use of car parking spaces through the consolidation of car parking facilities.
- To ensure that car parking does not adversely affect the amenity of the locality.
- To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

Pursuant to Clause 52.06 the following car parking requirements apply to the proposed development. The site is located within the Principal Public Transport Network Area Map (PPTN) and affected by the Parking Overlay, and therefore is subject to the reduced parking provisions depicted within Column B of Table 1 to Clause 52.06.

- Dwelling:
 - 1 to each one or two bedroom dwelling
 - 2 to each three or more bedroom dwelling

This generates the following statutory requirements for car parking provision in accordance with Clause 52.06:

Use	Car Parking Requirement
Residential Dwellings	61+2
Total	63 Spaces

As such, pursuant to Clause 52.06 a permit is required to reduce the required statutory car parking.

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Financial Contributions for Car Parking Reduction

We note that Council has the discretion to request a financial contribution in lieu of reduced car parking rates for proposals affected by the PAO1.

We submit that the proposed car parking provision is sufficient noting the proposed use and tenants who will occupy the development, as all dwellings are proposed to be affordable. This is in addition to the site's central location within the FMAC, meaning the project will generate reduced demand for car parking. Therefore, there is no need to seek a financial contribution to go towards paying for additional car parking elsewhere in the activity centre.

Please refer to the assessment section of this report, Green Travel Plan, and Traffic Impact Assessment prepared by *Traffix* for further details.

Clause 52.17 Native Vegetation

Clause 52.17 outlines the statutory requirements which pertain to native vegetation. Pursuant to Clause 52.17, its purpose is:

- To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017) (the Guidelines):
 1. *Avoid the removal, destruction or lopping of native vegetation.*
 2. *Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.*
 3. *Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.*
- To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.

Pursuant to Clause 52.17, a permit is required to remove, destroy or lop native vegetation, including dead native vegetation. This does not apply:

- If the table to Clause 52.17-7 specifically states that a permit is not required.

Pursuant to Clause 52.17-7 there are **no planning related restrictions or approvals required** for the removal of tree 9 as the site area is under 0.4 hectares.

Please refer to the Arborist Report prepared by *Homewood* for further information.

Clause 52.34 Bicycle Facilities

Clause 52.34 outlines the statutory requirement for bicycle parking and facilities. Pursuant to Clause 52.34 of the Frankston Planning Scheme, the relevant bicycle facilities objectives include:

- To encourage cycling as a mode of transport.
- To provide secure, accessible and convenient bicycle parking spaces and associated shower and change facilities.

Pursuant to Clause 52.34-1, a new use must not commence, or the floor area of an existing use must not be increased until the required bicycle facilities and associated signage has been provided on the land. The following bicycle parking rates apply to the site:

- Dwelling - In developments of four or more storeys, 1 to each 5 dwellings plus, in developments of four or more storeys, 1 to each 10 dwellings

This generates a total statutory requirement of 18 bicycle parks. The proposal provides 71 bicycle parking spaces, far exceeding the statutory requirement meaning **no permit is required** pursuant to Clause 52.34.

Significant Residential Development with Affordable Housing

The purpose of Clause 53.23 is to:

- To facilitate residential development that includes affordable housing to meet existing and future needs.
- To facilitate the redevelopment and renewal of public housing stock to meet existing and future needs.
- To facilitate residential development carried out by the State of Victoria or jointly or in partnership with the private sector, including via innovative funding, investment and partnership approaches.
- To facilitate residential development with high quality urban design, architecture and landscape architecture.
- To provide opportunities for non-residential use and development in association with residential development.

In accordance with Table 1 to Clause 53.23-1, the application meets the conditions of Category 3 by obtaining:

- Written advice from the CEO, Invest Victoria
- The responsible authority (Minister for Planning) has advised in writing that the use and development for accommodation is of significance have regard to the conditional requirements of Category 3.

The following planning scheme requirements apply to applications assessed under Clause 53.22:

- The responsible authority may waive or vary any:
 - Minimum garden area requirement
 - Building height or setback requirement
 - Condition opposite a use in Section 2 in a zone or schedule to a zone
- An application is exempt from an application requirement in this planning scheme if in the opinion of the responsible authority the information is not relevant to the assessment of the application.

The following must be considered in addition to other applicable decision guidelines within the planning scheme:

- The purpose of the clause.
- The views of the Office of the Victorian Government Architect

The application has been considered by the OVGA in a Design Workshop that was held on 29 November 2023. A response to the issues raised by the OVGA is provided within the covering letter for this application.

Clause 65 Decision Guidelines:

- The matters set out in section 60 of the Act.
- Any significant effects the environment, including the contamination of land, may have on the use or development.
- The Municipal Planning Strategy and the Planning Policy Framework.

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- The purpose of the zone, overlay or other provision.
- Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the environment, human health and amenity of the area.
- The proximity of the land to any public land.
- Factors likely to cause or contribute to land degradation, salinity or reduce water quality.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.
- The extent and character of native vegetation and the likelihood of its destruction.
- Whether native vegetation is to be or can be protected, planted or allowed to regenerate.
- The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.
- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.
- The impact the use or development will have on the current and future development and operation of the transport system.

Cultural Heritage

The subject site is located in area of cultural heritage significance as shown below (Figure 10). Pursuant to the Significant Ground Disturbance Assessment prepared by Landskape, a cultural heritage management plan (CHMP) is not required due to evidence of significant ground disturbance.

Please refer to the Significant Ground Disturbance Assessment prepared *Landskape* for further information.



Figure 10 | Map of Cultural Heritage

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6 Planning Permit Requirements

The planning permit triggers associated with the proposed development are summarised in the following points.

Land Use

- Pursuant to Clause 32.04-2 **no permit is required** to use the land for Dwellings.

Building and works

- Pursuant to Clause 32.04-7 of the MUZ, **a permit is required** to construct more than two dwellings on a lot.
- **A permit is required** to construct a building or construct or carry out works pursuant to the following:
 - Clause 43.02-2 - Design and Development Overlay – Schedule 5
 - Clause 44.05-2 – Special Building Overlay

Car Parking

- Pursuant to Clause 52.06 **a permit is required** to reduce the required statutory rate for carparking.

Significant Residential Development with Affordable Housing

- The proposal meets the application requirements, and seeks to utilise the provisions of Clause 53.23, for assessment of the application via the State Government’s Development Facilitation Program.

Notice and review

Pursuant to Clause 52.06-4, the application **is not 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 as the application is for a permit under multiple permit triggers.

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7 Relevant Planning Policy

Plan Melbourne

The Melbourne Metropolitan Planning Strategy, Plan Melbourne, outlines the vision for Melbourne's growth to the year 2050. It seeks to respond to the challenges of population growth, driving economic prosperity and liveability. It defines what kind of city Melbourne will be and identifies the infrastructure, services and major projects which need to be put in place to underpin the city's growth.

It is the State Government's blueprint for Melbourne's future prosperity, liveability and sustainability. The Strategy addresses Melbourne's infrastructure, housing, employment and environmental challenges with an integrated approach to planning, based broadly on the principles of transit orientated development that includes land use, transport, and social and community infrastructure.

The plan identifies Frankston as a Metropolitan Activity Centre (MAC) and notes the importance of MACs for growth in the city's regional catchments. MAC's in regional catchments play a crucial role in providing employment, services, and housing at higher densities to meet projected demand. Other relevant objectives include:

- Direction 2.3 - Increase the supply of social and affordable housing.

Victorian Housing Statement

The State Government released the Victorian Housing Statement in September 2023. The statement outlines a number of objectives aimed at facilitating the delivery of housing in Victoria. Objectives relevant to the proposal include:

- Deliver additional 60,000 homes in 10 activity centres across Melbourne, with specific reference to Frankston.
- Streamlined planning process for residential projects with construction costs in excess of \$50m (\$15m for regional VIC) and delivering at least 10% affordable housing. This has been actioned through the existing Development Facilitation Program framework which this application is utilising.
- A number of objectives aimed at facilitating affordable housing across Metropolitan Melbourne.

Municipal Planning Strategy

The Municipal Planning Strategy (MPS) outlines the basis for the local content of the planning scheme and explains the context for a municipality by provide the overarching strategies for the major land use and development matters that affect it. Relevant elements of the MPS to this proposal include:

Clause 02.02 - Vision

- Deliver environmentally sustainable design innovation and architectural excellence.
- Provide a healthy and safe environment for residents, workers and visitors.
- Integrate transport planning by providing safe and functional pedestrian, bicycle and vehicle networks.
- Minimise the impact of climate change, reduce pollution and encourage the sustainable use of natural resources.
- Protect and preserve biodiversity and enhance the natural environment.

Clause 02.03-1 – Settlement

Urban Growth

- Accommodate population growth and housing demand in areas best suited to provide a quality living environment for the intended residents.

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Frankston Metropolitan Activity Centre

The Frankston Metropolitan Activity Centre (MAC) provides a key transport hub and attracts large scale developments, including those of a commercial, residential, health, entertainment and sporting nature that serve a wide catchment. In addition, residential development in and around the centre is increasing.

Matters to be addressed in the centre include provision of housing, connectivity and way finding, building and streetscape design and its relationship to Port Phillip Bay and Kananook Creek.

The Frankston MAC will need to provide additional services and functions to cater for both the local community and the broader south-east Melbourne region and the Mornington peninsula.

Strategic directions:

- Encourage and facilitate the continued role and development of the Frankston MAC as the major community, employment and commercial focal point for the municipality and region.
- Incorporate high quality urban design outcomes including engaging public spaces and greening of the MAC.

Clause 02.03-5 – Built Environment and Heritage

Built form and design

- Improve the design, amenity and quality of built form in the municipality.
- Enhance the image of the municipality at key entrances, viewpoints and along boulevards.

Health and wellbeing

- Facilitate active living and community connections through land use and development that offers recreational and social opportunities.
- Facilitate access to services and community infrastructure for older people, people with disabilities and vulnerable groups.

Environmental Sustainability

- Support increased residential densities around centres with good public transport access and a range of community and commercial services and employment opportunities.
- Encourage environmentally sustainable design and integrated water management measures in new development.

Clause 02.03-6 – Housing

- Encourage the provision of affordable housing, in locations with existing services and community infrastructure.
- Encourage increased residential development while strengthening the character of established residential areas.
- Encourage the delivery of new housing stock that reflects Frankston's changing population requirements.
- Facilitate the supply and even distribution of public and social housing stock across the municipality.
- Promote the Frankston MAC as a location for significant higher density residential development, including adjacent areas identified within the Frankston Metropolitan Activity Centre Structure Plan (Frankston City Council, 2015).

Clause 02.03-7 – Economic Development

- Support use and development that provide for local employment and utilise local skills.

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- Consolidate and expand the role of the municipality as the regional capital for health, retail, education, hospitality, government services, accommodation, and business activity.
- Encourage the emerging or expanding areas of health, education, manufacturing, tourism, government services and construction through the revitalization of existing commercial and industrial areas.

Planning Policy Framework

The PPF seeks to ensure that the objectives of Planning in Victoria are fostered through appropriate land use and development policies. The PPF integrates relevant environmental, cultural, social and economic factors in the interest of net community benefit and sustainable development. PPF policies relevant to the proposed development include:

- Clause 11 – Settlement
- Clause 13 - Environmental Risks and Amenity
- Clause 15 – Built Environment and Heritage
- Clause 16 – Housing
- Clause 17 – Economic Development

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Clause 11 – Settlement

The overarching policy objective of Clause 11 is to ensure provision for planning to anticipate and respond to the existing and future needs of the community. This should be achieved through the provision of appropriately zoned land to accommodate the community's needs for housing, recreation and open space, employment, commercial and community facilities and infrastructure.

Specifically, pursuant to Clause 11.03-1L-02, relevant strategies include:

- Enhance the image of the Frankston MAC by building on its unique bayside location.
- Encourage a broad range of retail, business, entertainment, tourist and associated uses in the Frankston MAC.
- Encourage renewal and revitalisation of the Frankston MAC by implementing the *Frankston Metropolitan Activity Centre Structure Plan* (Frankston City Council, 2015).
- Encourage high density housing and accommodation throughout the Frankston MAC, particularly on vacant or under-utilised sites and buildings.
- Encourage the provision of focal points and pedestrian circulation through the Frankston MAC.
- Extend and link the network of pedestrian malls within the Frankston MAC.
- Direct larger office and commercial activities with a broad catchment and major retail, government service, health and education development, to the Frankston MAC.
- Improve pedestrian and off-road cycling linkages throughout the Frankston MAC and connect to key sites including Monash University, Chisholm Institute, Frankston Hospital, Frankston Beach, Kananook Creek and foreshore and the George Pentland Botanical Gardens.

Clause 13 – Environmental Risks and Amenity

The objective of Clause 13 is to enhance community resilience and safety by implementing best practices in environmental and risk management, ensuring compatibility of land use and development, preventing harm to the environment and human health, managing potential environmental impacts on wellbeing, and preparing for climate change. Relevant objectives and strategies include:

- Clause 13.04-1S - To ensure that contaminated and potentially contaminated land is used and developed safely.

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Clause 15 – Built Environment and Heritage

The objective of Clause 15 is to recognise the role of urban design, building design, heritage and energy and resource efficiency in delivering liveable and sustainable cities, towns and neighbourhoods. Ensuring all land use and development appropriately responds to its surrounding landscape and character, valued built form and cultural context. Relevant objectives and strategies include:

- Clause 15.01-1S - To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.
- Clause 15.01-2S - To achieve building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development.
- Clause 15.01-2L-01 - To achieve best practice in environmentally sustainable development from the design stage through to construction and operation.
- Clause 15.01-4S - To achieve neighbourhoods that foster healthy and active living and community wellbeing.
- Clause 15.01-5L – Frankston preferred neighbourhood character: Ensure that development is responsive to the preferred future character of the area.

For Precinct F10:

- Minimise the loss of front garden space and the dominance of car storage facilities.
- Strengthen the coastal character of the area.
- Encourage the use of materials and finishes that complement coastal vegetation and setting, such as timber, stone, and muted colours on external surfaces.
- Ensure buildings do not dominate the streetscape.
- Preserve the openness of the streetscape.
- Support the sharing of views to the ocean, creek or coast.
- Clause 15.03-2S – Aboriginal cultural Heritage: To ensure the protection and conservation of places of Aboriginal cultural heritage significance.

Clause 16 – Housing

The objectives of Clause 16 are to support planning's role in providing for housing diversity, and ensuring the efficient provision of supporting infrastructure. It highlights that planning should protect the long-term sustainability of new housing and associated services and infrastructure, and that planning should consider the provision of land for affordable housing.

Relevant objectives and strategies include:

- Clause 16.01-1S Housing Supply: To facilitate well-located, integrated and diverse housing that meets community needs.
 - Support opportunities for a range of income groups to choose housing in well-serviced locations.
 - Plan for growth areas to provide for a mix of housing types through a variety of lot sizes, including higher housing densities in and around activity centres.
- Clause 16.01-1L – Housing Supply:
 - Encourage higher density housing in and around the Frankston MAC.
 - Allow for medium density housing in locations identified within the Frankston Housing Strategy (Planisphere, 2013).

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- Encourage residential development as infill on surplus non-residential sites, including sites within the Frankston MAC.
- Encourage increased housing densities along the principal public transport network and around public transport nodes.
- Clause 16.01-2S – Housing Affordability: To deliver more affordable housing closer to jobs, transport and services.
 - Improve housing affordability by:
 - Ensuring land supply continues to be sufficient to meet demand.
 - Increasing choice in housing type, tenure and cost to meet the needs of households as they move through life cycle changes and to support diverse communities.
 - Promoting good housing and urban design to minimise negative environmental impacts and keep costs down for residents and the wider community.
 - Encouraging a significant proportion of new development to be affordable for households on very low to moderate incomes.
 - Increase the supply of well-located affordable housing by:
 - Facilitating a mix of private, affordable and social housing in suburbs, activity centres and urban renewal precincts.

Clause 17 – Economic Development

Clause 17 seeks to ensure the planning framework facilitates a strong and innovative economy, where all sectors of the economy are recognised to encourage economic prosperity.

Relevant objectives include:

- To strengthen and diversify the economy.
- To encourage development that meets the community's needs for retail, entertainment, office and other commercial services.

Strategic Planning Documents

Frankston Metropolitan Activity Centre Structure Plan (2015)

The Frankston Metropolitan Activity Centre (FMAC) Structure Plan (2015) outlines a 20-year vision and plan for the renewal and revitalisation of the FMAC through guiding priorities, objectives and provisions. It identifies the need for the development of dwellings at increased densities within the FMAC in response to growing populations, to ensure people have access to jobs, transport and services close to where they live.

Key objectives relevant to the proposal include:

4.4 Housing

To provide a range of housing types in close proximity to shops, services and transport for people of all ages and circumstances by encouraging:

- A mix of well located dwelling types and sizes which provide housing for a range of people with diverse needs.
- Residential uses above retail and commercial premises, to enable more people to live within the city centre and to facilitate greater surveillance of streets.

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The plan identifies the subject site as within Precinct 5 – Nepean Highway Boulevard which is adjacent to the City Centre in Precinct 1.

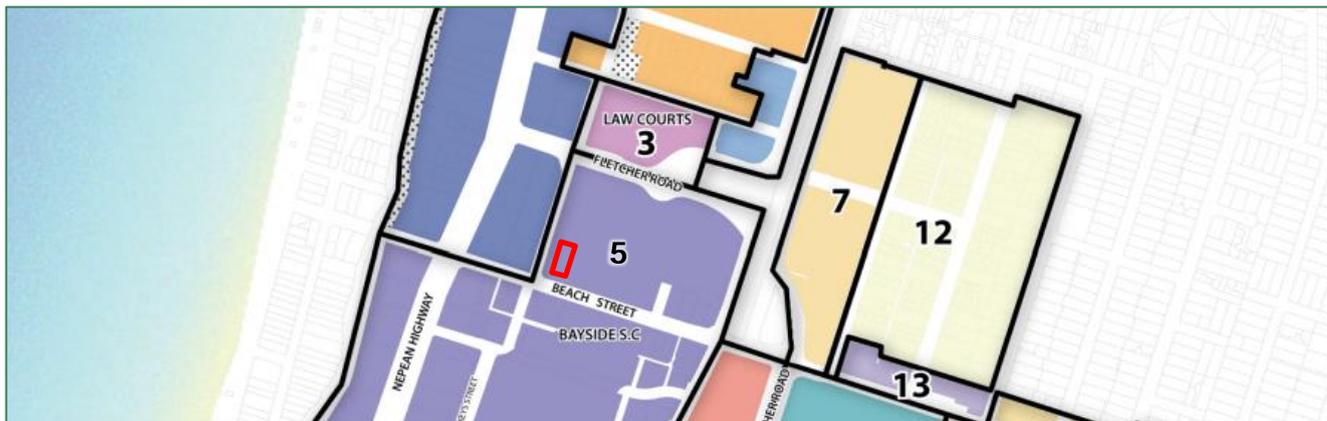


Figure 10 | Map of Precincts in FMAC Structure Plan (2015)

The FMAC Structure Plan (2015) informs the controls in the DDO5 which have been detailed in previous sections of the report. Precinct 5's overarching objectives are:

- To provide for a range of commercial and residential uses that complement the mixed-use function of the precinct.
- To provide for housing at increased densities, particularly at upper levels throughout the precinct.

Frankston Metropolitan Activity Centre Draft Structure Plan (2022-23 update)

Resulting from an *Emerging Ideas Discussion Paper* in 2021/2022, Council initiated the development of an updated FMAC Structure Plan which sought to build on the previous plan by incorporating new community objectives and needs, based on extensive consultation. Council adopted the draft update to the FMAC Structure Plan in June 2023. We understand a Panel Hearing date has been set for June 2024.

Key objectives of the Draft Structure Plan relevant to the proposal include:

- Identifying "The Vision", which pertains to Frankston as a 'great place to live', with a range of housing choices that are well-located to ensure residents have access to their daily needs;
- Providing diverse housing types which are appropriately located near transport and amenities to support the Vision;
- Confirming an identified need for the FMAC to cater for substantial increases in employment, retail and housing;
- 'providing the right housing' - a key concept identified in the *FMAC Economic assessment and land use capacity Report* which encourages higher density and mixed-use housing developments to support street activation and vibrancy, in addition to a key recommendation to "establish an affordable housing contribution scheme" to meet increasing demands.
- Objective 4 – Encouraging housing at higher densities and encouraging affordable housing through facilitative planning provisions.
 - This objective is supported by Strategy 4.3 which specifically seeks to provide more affordable housing, "affordable housing will be encouraged through facilitative planning provisions."

The increasing demand for affordable housing and the effects of an unstable housing market on the Frankston community is detailed throughout the Draft FMAC Structure Plan and its supporting documents.

There is a clear demand for higher density housing within the central areas of the FMAC to support projected population increases and transformational change within Frankston.

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Precinct 5 – Nepean Boulevard Gateway

The Draft FMAC Structure Plan identifies the site within Precinct 5 – Nepean Boulevard Gateway. The following development guidelines are applied to Precinct 5, with those relevant to the proposal including:

- *Development should enhance the northern Gateway to the FMAC across Mile Bridge with development of exemplary architectural quality.*
- *Encourage screening of basement or semibasement parking from the street and Kananook Creek*
- *Provide opportunities for engagement with the street through ground level occupation and the presence of habitable rooms and balconies at all levels. Inactive uses, such as laundries, garages and bathrooms, should be located away from street-facing facades where practicable.*
- *Provide deep soil planting zone in accordance with Better Apartments Design Standards to support canopy trees. These should be provided within the front and rear setbacks.*
- *Landscaping within front setbacks should complement the Nepean Boulevard landscaping*
- *Prioritise the retention of significant and large canopy trees on private land. Where there are a number of trees on the site, the retention of high value canopy trees is to be prioritised over lower value canopy trees*



Figure 11 | Map of Precincts in FMAC Draft Structure Plan (2022)

Centre-wide Guidelines

In addition to the precinct specific guidelines and requirements, there are centre-wide objectives and design guidelines relevant to the proposal:

Centre-wide objectives

- To encourage a diverse range of housing choices that provide for on and off-site amenity including affordable housing options.
- To encourage environmentally sustainable development.
- To encourage building interfaces that promote the safety of adjoining streets through activated frontages and surveillance at upper levels.
- To ensure that the location and design of car parks, loading bays and services areas promotes active street frontages, does not dominate public spaces and supports safe use and access.

Building Heights and Setbacks

- To support a high level of internal amenity and adaptation to other uses over time, buildings should provide the following minimum floor to floor heights:

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- Ground level – 4.0m
 - Above ground level up to street wall height (including car parking) – 3.5m
 - Residential uses – 3.2m
 - Non-residential uses – 3.5m
- Development that exceeds the identified Preferred Heights should demonstrate each of the following:
 - The development meets or does not significantly exceed the overshadowing requirements outlined in the Precinct Development Requirements.
 - Levels above the preferred maximum height are set back further behind the street wall.
 - The development provides significant public realm benefits. This could include:
 - Provision of a new public pedestrian link through the site including those identified in the Structure Plan.
 - Expansion of the adjoining footpath space for public use.
 - The provision of new or expanded public open space within the development.
 - A demonstrable benefit to the broader community.
 - Provides for affordable housing within the development.

Setbacks and Building separation

- Projections such as balconies should not intrude into the preferred ground level and upper-level setbacks.
- Development should avoid repetitive stepped building forms by providing a common street and rear setback for the majority of the upper levels above street wall.

Building form and design

- Building facades should be articulated through openings, balconies, varied materials and the like.
- Building facades should not rely on excessive use of materials to achieve visual interest and should utilise materials that do not generate glare, and can withstand the effects of weathering
- Where buildings that includes a tower component that is separated from adjoining boundaries, ensure the building is designed to be read 'in the round' with articulated facades to each interface.
- Upper levels above the podium and roof forms should be integrated with the overall building design.
- Building design should minimise the visual bulk of large buildings through significant breaks and recesses in building massing.

Street interface

- **For Primary Active Frontage Areas** - A minimum of 75% of the ground level frontage should incorporate clear glazing or building entries. Provide ground level uses that engage with the adjoining public realm.
- **For Active Frontage Areas** – A minimum of 40% of the ground level frontage should incorporate clear glazing or building entries. Provide ground level uses that support surveillance of the adjoining public realm.
- Materials within podium levels should be tactile and visually interesting to reinforce the human scale. Avoid long expanses of floor to ceiling glazing.
- Upper levels of buildings should be designed to provide habitable rooms with windows or balconies that overlook the public realm.
- Provide basement car parking where possible to avoid inactive building frontages.

- Building entries should directly front the street and be clearly defined and legible from the public realm.

Weather protection

- Provide verandas on all buildings located in the Primary Active Frontage Areas and Active Frontage Areas at an appropriate height above the footpath to avoid damage whilst still providing effective weather protection, generally between 3.0 and 4.0m and consistent with adjoining sites.
- Verandas should be designed to mitigate the potential for visual clutter effects from light fittings, service cables and under awning signage.
- Undertake a wind assessment for buildings over 20 metres in height to assess the impact of wind on the safety and comfort of the pedestrian environment on footpaths and other public spaces.

Access and services

- Clearly visible and identifiable pedestrian entries accessible for all abilities
- Distinguished retail and commercial entries
- Vehicle crossovers should be minimised to reduce disruption to the footpaths and located to avoid street trees if present.
- Screen air conditioning services, antennas and other utilities from public view using balcony treatments etc. avoid using walls.
- Integrate services and utilities with the building design and away from ground floor frontages.

Landscaping

- Communal garden spaces should be provided at podium and rooftop levels where appropriate. The gardens should take into consideration, aspect, materials and solar orientation.
- Utilising green roofs, walls and balconies to provide additional landscaping and soften the visual impact of buildings.

ESD

- All new buildings are to incorporate best practice Environmentally Sustainable Development (ESD) principles. Refer to the Frankston Ecologically Sustainable Development Design Guide - Buildings, 2009.

Frankston Housing Strategy 2013

This strategy seeks to provide a framework to guide housing growth and change in Frankston. The strategy aims to provide practical direction to assist in the assessment of planning applications for a range of housing types and addresses a range of housing issues through empirical data collection and analysis. The following points within the strategy are relevant to the proposal:

- Demonstrated demand for detached housing, where existing stock is exhausted within the municipality, and will need to be accommodated in other housing typologies such as apartments
- Affordable housing has decreased since 2000
- Ageing population and limited housing stock requires a need for Frankston to diversify housing market
- Key section on affordability:
 - Encourage housing intensification in areas in close proximity to activity centres, employment nodes and public transport

We note that the Draft FMAC Structure Plan provides more recent data objectives relating to affordable housing, and that an updated housing strategy is currently being developed.

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8 Planning Assessment

Significant Residential Development with Affordable Housing

As previously discussed, the proposed affordable housing development is highly compliant with the purpose outlined in Clause 53.23. Specifically, the proposal:

- Facilitates affordable housing in response to local housing pressures in the Frankston Metropolitan Activity Centre and the broader south-eastern region to meet existing and projected housing demand.
- Facilitates residential development with 100% affordable housing commitment through partnership with a Registered CHP.
- Includes, integrated ancillary office to support the functional operation of the premises as an affordable housing development with on site management and services.
- The architectural design is well-resolved of high-quality, having completed the OVGA design review process.

Having regard to the decision guidelines under Clause 65, the proposal responds through the following:

- Strong adherence to the objectives of the Zone and land use policies.
- Significant state and local policy support for affordable housing in an area earmarked for high density accommodation.
- Contributing to supply of affordable housing stock in response to local and regional demands.
- Strong adherence to built form guidelines and discretionary controls, having regard to the importance of the use and nuanced requirements of affordable housing developments.
- Exemplary architectural design and landscaping response, and high-quality finishes.
- Closely located to public transport, city centre, commercial uses, schools, public open space, and other services.

Please refer to subsequent sections within the Assessment which also speak to the decision guidelines under Clause 65.

Planning policy assessment

Response to Plan Melbourne

The proposed development responds to the broad objectives of Plan Melbourne by:

- Providing housing at higher densities in strategic locations close to transport, services, and employment centres.
- Providing diverse housing typologies and provision of affordable housing for low-income earners to support sustainable urban growth in the FMAC.
- Supporting the productive capacity of underutilised urban land in key areas.

Response to Municipal Planning Strategy

The proposed use and development achieve a high level of consistency with the strategic directions and objectives of the MPS by:

- Responding the Council vision by providing an appropriate use which supports safe and healthy communities.
- Providing a high-quality and considered design response which is sustainable and achieves architectural excellence.

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- Supporting the continued role of the FMAC as a key node within Melbourne’s southeast for urban growth, accommodating growing populations, employment and commercial infrastructure.
- Facilitating access to services and community infrastructure for vulnerable groups.
- Providing housing at higher densities and the provision of affordable housing in a strategic location close to the city centre in response to requirements of the Frankston population.

Response to Planning Policy Framework

Within the State and Local Planning Policy Framework, including Plan Melbourne, key themes emerge in relation to the strategic directions and policy objectives. The proposal responds to these themes by:

- Improving housing affordability by providing housing at higher densities, including the provision of affordable housing and diverse housing typologies.
- Supporting development of underutilised land within the FMAC whilst promoting opportunities for higher-density housing in strategic locations with good access to infrastructure, services, facilities, public transport and employment opportunities.
- Supporting strong clusters of neighbourhood activity and synergies between uses to service commercial and community needs. In particular, the proposal provides a high-density housing development located in close proximity to employment, retail, entertainment and recreational opportunities.
- Enhancing and improving the quality of the urban and built environment, and ensuring valued characteristics are protected, to create safe, functional places with strong sense of connection and identity. The proposal ensures the provision of an attractive and stimulating urban environment that encourages sustainable living, recreation and public interaction while making a positive contribution to the future urban character and public realm of the surrounding context.
- Providing a high-quality architectural response that supports the preferred neighbourhood character of the Frankston F10 precinct through considered built form and materiality.
- Promoting ESD initiatives by achieving best practice and promoting sustainable transport options.

Response to Clause 13.04-1S

Pursuant to *PPN30: Potentially Contaminated Land*, several investigations have been conducted on the land use history of the site. A review of Google Streetview was undertaken which included images from 2007-2023. These images confirm the existing dwelling on the site being utilised for various commercial activities such as real-estate and development companies, and most recently an Office for support coordination for the NDIS. We are not able to confirm the use of land prior to 2007 but understand that it is likely the dwelling was used as a residence prior to its commercial occupation.

A review of the relevant environmental databases (Victoria Unearthed, EPA Public Register) listed in PPN30 was also undertaken, in addition to a review of the planning permit register from Frankston City Council. Of these investigations, there were no indications that the site had been formerly used for a medium or high-risk use or activity. It is noted that both office and dwelling are not listed as medium or high-risk uses for land contamination.

Following the assessment pathway indicated in PPN30 and activities completed above, it is considered that a PRSA is not required, as there is low likelihood that former uses of the site have potential for contamination.

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Response to Clause 15-01

The table below provides a comprehensive assessment against relevant objectives under Clauses 15.01, which broadly pertain to urban and building design, environmentally sustainable development, neighbourhood character and healthy communities.

Context	<p>The accompanying Architectural Drawings prepared by <i>Caleb Smith Architects</i> and <i>James Harbard Architects</i> provides a detailed analysis of the proposal in the context of the surrounding area.</p> <p>The analysis formed the starting point of the design process and the basis for consideration of height, scale and massing of the development. The design report demonstrates that the site can comfortably accommodate development of appropriate scale, and the proposal is designed to respond to the evolving character of the local area and the FMAC. This is in addition to the housing crisis experienced locally in Frankston and more broadly across metropolitan Melbourne.</p>
The Public Realm	<p>The public realm, including the main pedestrian spaces and internal walkways, have been carefully considered to ensure it is protected and enhanced.</p> <p>The ground floor plane remains highly activated with extensive glazing and opportunities for passive surveillance over the streetscape and the internal residential lobby. The ground floor and podium levels are articulated with urban verandas, expressed columns and planter boxes to create rhythm, and visual interest. A pedestrian laneway with extensive landscaping is provided over the easement on the western portion of the ground floor which further supports a spacious and human scale experience on the ground floor plane.</p> <p>The building design ensures an attractive and responsive presentation to the street and an enhanced public realm.</p>
Safety	<p>The development creates an urban environment that enhances personal safety and property security to ensure people feel safe to live, work and move in at any time.</p> <p>Both the main street interface (Beach Street) and the rear interface are highly activated to improve safety of the building. Extensive glazing and private terraces spaces overlooking Beach Street, and communal indoor and outdoor spaces along the rear frontage, assist in providing activation and visually permeable site frontages.</p>
Pedestrian Spaces	<p>The design of interfaces between buildings and public spaces, including the arrangement of adjoining activities, entrances, windows, and architectural detailing, has been carefully considered to enhance the visual and social experience of future occupants.</p>
Light and Shade	<p>Overshadowing from the proposed development will not unreasonably detrimentally affect key public areas or residential land uses.</p>

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Architectural Quality	<p>The proposal achieves high standards in architecture and urban design and ensures that all services, equipment and facilities form part of the overall design.</p> <p>A well-considered design approach has been taken for the proposed development to ensure it appropriately responds to each interface with intelligent and contemporary architectural form and finishes that complement the surrounding built form and broader streetscape.</p> <p>The architectural response both in design and provision of communal space support a sense of place and community in the development, supporting the ongoing development of the FMAC.</p> <p>Please refer to the Architectural Drawings prepared by <i>Caleb Smith Architects</i> and <i>James Harbard Architects</i> for further details.</p>
Neighbourhood Character and Materiality	<p>The proposal utilises materials and finishes such as muted colours, stone and brick which are in keeping with the coastal character of the area. These treatments are in accordance with the preferred neighbourhood character objectives for Frankston. Further, the car park is setback in the basement of the building so as to not be seen from the street and ensure the streetscape remains pedestrianised, activated and open.</p>
Energy and efficiency & Environmentally Sustainable Development	<p>The proposal is designed around sustainable principles to ensure water resources are managed in a sustainable manner.</p> <p>The proposal achieves a BESS score of 64% which equates to Best Practice. Please refer to the Sustainable Management Plan prepared by <i>IGS</i> for details.</p>
Healthy Communities	<p>Exceeding the statutory provision of bicycle parking spaces supporting active transport in close proximity to services and residential areas. Providing a range of housing typologies and tenures to support affordable housing objectives and better quality of life for low-income earners.</p>

Response to FMAC Structure Plan and Draft Structure Plan (2022)

The proposal directly responds positively to both the strategic planning objectives of the current and proposed update to the FMAC Structure plan by:

- Enhancing the role of Precinct 5 as a mixed-use gateway to the FMAC by providing appropriately located residential uses to support continued growth and vibrancy of the activity centre.
- Providing a residential use in a location that is well serviced by public transport and provides good access to community spaces and services.
- Strengthening street level activity on Beach Street by strategic design, extensive glazing and design elements within the podium and tower to support passive surveillance and engagement with the street.
- Utilising the potential of an underutilised site to provide built form at an increased scale that is appropriate to its context, considering the significant community benefit provided through the provision of affordable housing.
- Providing a development that is of high architectural and urban design quality, and offers unique, attractive and functional internal and external spaces with high amenity.
- Providing a development which contributes to attractive streets and gateways as part of the FMAC and wider area, including aesthetic architectural elements and best practice ESD initiatives.

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- Supporting the transition towards active transport modes within the FMAC and supporting Beach Street as a key pedestrian and cycling link.

Land Use

The proposal seeks to construct a 14-storey (13 level) affordable housing development. The development comprises of a two-level basement for car parking and services, an ancillary administration office for the CHP on the ground floor, a residential lobby and multiple communal spaces on the ground floor and level 1. The remainder of the development is occupied by residential dwellings to maximise the number of houses available to be provided to low-income residents.

Pursuant to Clause 32.04-2 (MUZ) use of the land for dwellings is a Section 1 (no permit required) use.

The proposed use of the land for residential dwellings is highly consistent with the objectives of the Frankston Metropolitan Activity Centre (FMAC) Structure Plan and 2023 Draft FMAC Structure Plan. The plan encourages the development of residential buildings at higher densities, to enable more people to live within the city centre whilst facilitating surveillance of streets and access to services.

The proposal to allocate all dwellings as affordable housing is also highly consistent with the objectives of Plan Melbourne, the Frankston Housing Strategy (2013), and the FMAC Structure Plans (2015 and 2023 update). By providing housing at higher densities, diverse housing typologies, and the provision of affordable housing the proposal aims to address the major housing crisis felt within Metropolitan Melbourne and more specific within the Frankston municipality.

Built form

The proposed development comprises a 14-storey (13 level) building with height of 48.5m, with 49.6m to the top of the roof services and a podium height fronting Beach Street of 12m.

The development provides two levels of basement car parking, with a three-storey podium above containing a ground floor lobby, a mezzanine level containing services, and both internal and external communal spaces. The podium is built to the Beach Street frontage and eastern boundary but is setback from the north and east to accommodate easements.

The tower consists of Levels 4-13, with a wind mitigation void on level 8. The tower incorporates voids on the eastern and western sides of the building to support internal amenity and external articulation.

The proposed tower height differs slightly from the preferred height outlined in DDO5 and Draft FMAC Structure Plan, however the variation is considered to be reasonable and respectful, having regard to:

- The significant policy support for increased densities and affordable housing within the FMAC.
- The high-quality architectural response and review process through the OVGA.
- Considerable community benefit created through the provision of affordable housing.

A summary of the respective objectives and requirements of the DDO5 and Draft Structure Plan provisions is provided below. Further justification of the proposed building height and setbacks are then provided.

Building height

The proposal seeks to exceed the preferred height limit in the Draft FMAC Structure Plan by 7.5m, and by 10.5m for the preferred maximum height in the DDO5. As discussed, the proposed increase in height from the preferred building height is considered justified in accordance with the centre-widening design guidelines in the Draft FMAC Structure Plan. The proposal will provide considerable benefit to the community and is considered to be in the public interest.

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community through the provision of high quality, diverse, and affordable housing stock aimed at addressing the increasing demand for affordable housing across Metropolitan Melbourne and Frankston.

In addition, the proposed height is considered appropriate in the context of the surrounding area, noting the new built form controls and objectives of the FMAC Structure Plan. These updated controls increase the preferred height limits across the FMAC, with the objective of densification and intensification in strategic locations across the FMAC.

We note that the built form controls within the DDO5 and draft FMAC structure Plan are discretionary. The primary reasoning for the proposal adopting a higher density building typology is that it maximises the opportunity to deliver much needed affordable housing. The proposed height is further supported by the proposal's adherence to many other objectives such as sustainability and ESD, considerable community benefit, architectural excellence, and employment generation.

The proposal provides a unique opportunity for a significant increase in housing stock, in conjunction with a high-quality design outcome which will positively contribute to the surrounding area and provide housing and employment in close proximity to residential areas, public transport and services. The upper-level setbacks and the proposed change in materials for the podium to the tower work to reduce their visual impact when viewed from the street.

Setbacks

The proposal provides a contextual and site-responsive approach to the provision of building setbacks. The podium is highly consistent with built form objectives, providing a 12m high street wall and minimal 1.3m setback from the southern boundary. The built form maintains its presentation as a street wall despite this minor setback and the requirement to maintain access to the applicable easements.

Levels 4-13 comprise the tower element which are setback 5m from both the northern and southern boundaries.

To the east and west, the tower elements are built to the boundary but feature large lightwells which create void spaces. This design approach will help maximise the development potential of neighbouring sites by allowing adjoining properties to build up the site's shared boundaries. This approach thereby, avoids inequitable development outcomes that are discouraged by planning policy. Further, the use of these lightwells helps break up the massing and volume of the proposal by providing visual relief of the proposal when viewed from the surrounding area.

These elements in addition to the stepped-back built form demonstrate that the proposal considers its mass in the context of the site, its interfaces, and the surrounding area in accordance with the objectives of the MUZ, the DDO5 and the Draft FMAC Structure Plan.

Further, the building and tower have been designed specifically to ensure future equitable development on adjoining properties, noting the likelihood of higher density development resulting from the new controls.

Solar access to Beach St

It is acknowledged that the proposal will cast some shadow over the southern side of Beach Street at the spring equinox as a result of the proposed building height. However, it is important to note that the permissible built form of 38m will still cast shadow over this footpath.

The decision guidelines of DDO5 include a requirement that any variation of the preferred building height is consistent with Built Form principles, which *inter alia* require the retention of solar access to footpaths on the opposite side of the street.

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It is considered that the proposal achieves this requirement as solar access is maintained to the southern side of Beach St for a portion of the year. In relation to the proposed building height, additional shadowing beyond the Spring equinox will only be cast for a period of approximately six weeks of the year. At approximately 31 October shadow will no longer be cast across the footpath after 10am. Correspondingly, shadow will then start to be cast across the footpath six weeks prior to the autumn equinox in March 22. Accordingly, solar access will still be available to the southern footpath during the majority of the summer months, including November, December and January.

Further, shadow modelling reveals that the shadow cast by the relatively narrow form of the tower will move swiftly and leave large areas of the balance of the footpath free from shadow. Overall, it is considered that the additional shadowing cast by the proposal is considered acceptable when the impact of this shadowing is balanced against the significant community benefit created by the affordable housing provided.

Design and Development Overlay – Schedule 5

The following table provides a response to the requirements and objectives of the DDO5. For further commentary on our response to the buildings and works requirements and decision guidelines, please refer to the previous discussion within the broader ‘Built form’ section.

Sub-Precinct C - Requirement	Response
<p>Preferred Maximum Building Height</p> <ul style="list-style-type: none"> • Podium: 12 metres • Development above the podium should be setback a minimum 5 metres from the north, west and south boundaries • Core: 38 metres <div style="border: 2px solid red; padding: 10px; margin-top: 10px; text-align: center;"> <p>This copied document to be made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright</p> </div>	<p>The proposal complies with the podium height requirement by providing a 12m podium height but exceeds the preferred maximum core height of 38m and provides a total height of 48.5m.</p> <p>Development above the podium is set back 5m from the northern and southern boundaries and therefore complies with this requirement.</p> <p>However, a setback of 5m to the west is not provided and a variation is therefore required. It is not considered necessary to provide this setback to the west in order to maintain the future development potential of land to the west. Built form is built to side boundaries excluding void spaces, allowing for future equitable development. Further commentary regarding building setbacks is provided in the built form assessment of this report.</p>
<p>Preferred Street Setback</p> <ul style="list-style-type: none"> • 0 metres • Development above 12 metres should be setback a minimum 5 metres from the west, south and east boundaries 	<p>The proposal provides a 1.3m street setback which is highly consistent with the preferred street setback.</p> <p>As discussed, the built form has been designed to allow for equitable developments on adjoining eastern and western properties. Built form is built to east and west boundaries excluding voids and is setback 5m from southern boundary.</p>
<p>Preferred Side & Rear Setback</p> <ul style="list-style-type: none"> • 0 metre 	<p>Variation required – at ground level, built form has been setback from the northern and western boundaries by 1.8m to maintain access to the easements which exist along these boundaries.</p>

	<p>However, built form to the south and east has been built to the boundary. At Level 1 and 2, built form is built to the eastern boundary, but remains setback from the western boundary to accommodate the required void above the easement. At level 3, built form is built out to the western boundary. These requirements have been designed to ensure appropriate access is maintained to the easements within these locations.</p>
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Response to Draft FMAC Structure Plan

The proposal is considered generally consistent with the objectives the Draft FMAC Structure Plan. An assessment of the proposal against the requirements of Precinct 5 and the centre-wide provisions is provided below. However, as noted previously, we understand the FMAC Structure Plan remains of Draft status which should be noted when considering the extent of application of the proposed controls.

Sub-Precinct 5C Requirements	Response
<p>Preferred Maximum Building Height</p> <ul style="list-style-type: none"> 41 metres (12 storeys) <div style="border: 2px solid red; padding: 5px; margin: 10px 0;"> <p style="color: red; text-align: center;">This copied document to be made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright</p> </div> <p style="text-align: center; color: red; font-size: 24px; font-weight: bold; margin-top: 20px;">ADVERTISED PLAN</p>	<p>The proposal exceeds the preferred maximum height at a height of 48.5m and 14 storeys.</p> <p>We submit that the proposed height is justified in accordance with the Centre-Wide Design Guidelines which allow for increased heights provided the development meets a series of requirements: The development meets the requirements through the following:</p> <ul style="list-style-type: none"> Does not significantly exceed the overshadowing requirements in comparison to a 41m development as the preferred maximum height outlined in the Precinct Development Requirements. Please refer to the justification provided within the solar access section of this table, and architectural plans prepared by <i>Caleb Smith and James Harbard Architects</i>. All built form above the podium is setback 5m from the street wall and is designed to be visually recessive through the use of voids within the side setback areas and the use of high quality and varied external materiality. Provides significant benefits to the local and wider community through the provision of housing at higher densities, including 100% of dwellings allocated as affordable housing. Provides an improved streetscape response that is articulated and supports active transport on Beach Street as a key pedestrian and cycling east-west linkage.
Preferred Street Wall Heights	Achieved – The proposal provides a 12m (3 storey) street wall.

<ul style="list-style-type: none"> • 12 metres (3 storeys) 	
<p>Preferred Street & Ground Level Setbacks</p> <ul style="list-style-type: none"> • 0 metre ground level setback Beach Street 	Minor variation sought, 1.3m street setback provided.
<p>Preferred Upper-Level Setbacks</p> <ul style="list-style-type: none"> • 5 metres for development above 12 metres 	<p>Achieved to north and south – A 5 metre setback is provided to northern and southern boundary above the 12-metre podium.</p> <p>Variation proposed to east and west – reduced setbacks are proposed above the podium in relation to the east. The rationale for this approach is provided within the Built Form assessment of this report.</p>
<p>Solar Access</p> <ul style="list-style-type: none"> • Ensure solar access is maintained to the southern footpath of Beach St between 10am and 2pm at the spring equinox (September 23) – noting Beach St is identified a 'Key Street with solar access requirements on Figure 39. 	<p>Variation required – refer previous justification for overshadowing</p>

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The proposal responds to the broader centre-wide objectives by:

- Providing a range of housing typologies and tenures, including the provision of 100% affordable housing.
- Achieving best practice BESS score of 64% and implements multiple ESD including multiple opportunities for landscaping.
- Providing a veranda covering the entrance to the ground floor frontage to support weather protection.
- Providing multiple opportunities for passive surveillance through balconies and communal spaces fronting the street and rear.
- Provides activated ground floor plane with extensive glazing to the street frontage and active ground floor uses.
- Provides basement car parking to ensure ground plane remains activated and supports safe and efficient movement for residents, staff and visitors. Built form provides a common street and rear setback and avoids repetitive stepped built form.
- Utilises balconies and varied materials to support visual interest on each façade and reduce visual bulk, whilst maintaining functionality
- Providing generous ground floor height of 5.4m to accommodate services toward the rear and activate the ground floor frontage to the street.

On-Site Amenity considerations

The proposed development will deliver a high standard of amenity to future occupants, whilst avoiding unreasonable impacts on adjoining properties through a well-conceived and resolved design response that responds to the identified constraints of the site.

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The proposed use, design, and articulation of the ground floor have been a key focus in the development of the overall proposal in light of the provisions which seek an activated ground floor. This space is articulated with extensive glazing which exceeds the entire street frontage. External brick used within the interior, in addition to curved concrete, concrete columns, and landscaping provide a ground floor plane and podium with visual interest, opportunities for passive surveillance, and provide a sense of entry to the space.

The communal spaces and terraces on the ground floor and level 1 for residents will provide a high level of amenity to future occupants. These spaces are in addition to private balconies incorporated into each dwelling, which supports a considered approach to amenity for residents and visitors.

The proposal includes the provision of multiple dwelling typologies, supporting a range of future occupants in 1 and 2-bedroom dwellings and one adaptable 3-bedroom dwelling. Within this, the applicant has committed to 100% of dwellings being made available to those with lower incomes to support affordable housing initiatives. This is confirmed through partnership with a registered CHP.

Further, the development is highly compliant with BADs standards and objectives and has considered accessibility and amenity throughout the design process.

Off-Site Amenity impacts

The proposal has been carefully designed to ensure it does not result in adverse amenity impacts on adjoining commercial or nearby residential properties. In this regard, particular consideration has been given in the design response to the development potential of the property to the east and west and future equitable development.

Response to Special Building Overlay

We note that a planning permit is required for buildings and works within the Special Building Overlay (SBO). We note that the SBO only impacts a small portion of the overall subject site. Flooding advice was sought from Melbourne Water who advised that the site was not subject to flooding. Alternately, South East Water were also engaged, who identified a flood level of RL3.58.

The proposed building adopts the RL3.58 flood level with the addition of 600mm freeboard allowance to mitigate any flood risk.

Please refer to the Structural/Civil – 'Flood Level' and 'Build Over easement' Statement prepared by NDY for further information. Please also refer to the Sustainability Management Plan by IGS for further information on ESD initiatives and stormwater management outcomes achieved in the proposal.

In response to the referral comments from Melbourne Water (MW), the basement has been amended to be further setback from MW's asset and a Build-Over-Easement (BOE) permit has been obtained.

Car Parking, Bicycle Parking and Access arrangements

Car Parking

The proposal includes a basement car park located toward the rear the building. The basement is split across two levels and provides a total of 20 spaces.

The statutory rate for dwellings entails 1 to each one or two bedroom dwelling, plus 2 to each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedroom).

This generates statutory requirement of 63 spaces for dwellings. As such, a permit is required to reduce the statutory parking rate required by Clause 52.06.

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Financial Contributions for Car Parking Reduction

We note that Frankston Council have the discretion to request a financial contribution in lieu of reduced car parking rates for proposals affected by the PAO1.

We submit that the proposed car parking provision is sufficient noting the proposed use and tenants who will occupy the development, as 100% of dwellings are proposed to be affordable. Please refer Traffic Impact Assessment prepared by *Traffix* for further information.

This is in addition to the site's central location within the FMAC, means the project will generate reduced demand for car parking, therefore we submit that there is no need to seek a financial contribution to go towards paying for additional car parking elsewhere in the activity centre.

Please refer to the assessment section of this report and the Traffic Impact Assessment prepared by *Traffix* for further details.

Bicycle Parking

The proposal includes the provision of 71 bicycle parking spaces located across the ground floor, the mezzanine, and level 1.

The statutory requirement for bicycle parking pursuant to Clause 52.34 is as follows:

- Dwelling - In developments of four or more storeys, 1 to each 5 dwellings plus, in developments of four or more storeys, 1 to each 10 dwellings

This generates a statutory requirement of 18 bicycle parks. The proposal provides 71 bicycle parking spaces, far exceeding the statutory requirement meaning planning approval is not required.

We submit that the proposed provision is appropriate, and encourages sustainable modes of transport for residents, visitors and staff. This provision supports the future vision for the broader FMAC and more locally on Beach Street and Precinct 5, with improved bicycle infrastructure and linkages within activity centre to deliver a safe and connected neighbourhood.

The site also experiences excellent access to bicycle routes, further information can be found in the Green Travel Plan prepared by *Traffix*.

ESD

The Sustainable Management Plan (SMP) prepared by *IGS* provides a summary of the sustainable design features which are integrated into the design of the proposed development. The site achieves a BESS score of 64% which is considered Best Practice. The key sustainable design features include:

- 10,000L rainwater tank to be connected to all toilets.
- Water efficient fixtures and fittings.
- Minimum 5kW Solar PV system.
- Lighting sensors for external lighting.

Please refer to the Sustainability Management Plan prepared by *IGS* for further details.

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Waste

The proposed waste management is considered appropriate for the site and proposed uses. Bin storage for the development will be located on the Ground floor, accessible via lift where it will be collected and disposed of by a private contractor. Waste chutes are also provided in the development. Appropriate measures for waste management are outlined in the WMP prepared by *Traffix*.

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9 Conclusion

In conclusion, we submit that:

- The proposed use of the land for Dwellings is appropriate and is an 'as of right' use under the MUZ. Use of the land for dwellings also supports the objectives for the MUZ, and Precinct 5 within the Draft FMAC Structure Plan.
- The proposal provides a range of housing typologies and tenures at an increased density to support the strategic objectives to increase density within the FMAC.
- The commitment to provide 100% of dwellings as affordable housing in the FMAC will create a significant community benefit.
- The proposal facilitates development on an underutilised site within a central area of the FMAC.
- The proposed variation to the preferred height limit within the DDO is considered appropriate given the context of the site, and the significant community benefit created by the affordable housing contribution.
- The proposed design creates positive outcomes by providing an active street frontage and opportunities for passive surveillance, ground floor occupation, screening of basement car parking.
- Built form has been configured and materially articulated to reduce visual bulk on upper levels and responds to the amenity of surrounding areas.
- The proposal has been carefully designed to ensure it does not result in adverse amenity impacts on surrounding properties, in particular the future development potential of the adjoining sites to the east and west.
- The proposal encourages safe, efficient and sustainable transport options, given the sites accessibility of public transport in the area, provision of bicycle parking well in excess of the statutory requirement.
- Sustainable design features have been integrated into the design of the proposed development and will ensure the development meets Best Practice standards.
- The proposed waste management is considered appropriate for the site and proposed uses.

Overall, the proposal is highly consistent with the strategic planning policy for the area as established by the relevant State and local planning policies in the Frankston Planning Scheme.

The proposal represents an attempt at addressing an increasingly severe affordable housing and housing supply crisis within Metropolitan Melbourne and its south-eastern regions such as Frankston.

In light of the above, we submit that the use and development respect the existing and future character proposed for the area and are consistent with the objectives and decision guidelines of the MUZ, DDO5, and SBO.

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