



FRANKSTON CITY COUNCIL

COUNCIL MEETING SUPPORTING INFORMATION

**2024/CM13
16 SEPTEMBER 2024**

Frankston City

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The logo for Frankston City, featuring a stylized blue wave above the text "Frankston City" in a blue, rounded font, with another stylized blue wave below the text.

Consideration of City Planning Reports

ADOPTION OF THE FRANKSTON METROPOLITAN ACTIVITY CENTRE (FMAC) STRUCTURE PLAN (SEPTEMBER 2024) AND CONSIDERATION OF THE PLANNING PANEL REPORT FOR PLANNING SCHEME AMENDMENT C160FRAN

Frankston Planning Scheme Amendment C160fran Panel Report - 30 August 2024

Meeting Date: 16 September 2024

Attachment: A

**Planning
Panels
Victoria**

**Frankston Planning Scheme Amendment C160fran
Frankston Metropolitan Activity Centre Structure Plan**

Panel Report

Planning and Environment Act 1987

30 August 2024



How will this report be used?

This is a brief description of how this report will be used for the benefit of people unfamiliar with the planning system. If you have concerns about a specific issue you should seek independent advice.

The planning authority must consider this report before deciding whether to adopt the Amendment.

[section 27(1) of the *Planning and Environment Act 1987* (the PE Act)]

For the Amendment to proceed, it must be adopted by the planning authority and then sent to the Minister for Planning for approval.

The planning authority is not obliged to follow the recommendations of the Panel, but it must give its reasons if it does not follow the recommendations. [section 31 (1) of the PE Act, and section 9 of the *Planning and Environment Regulations 2015*]

If approved by the Minister for Planning a formal change will be made to the planning scheme. Notice of approval of the Amendment will be published in the Government Gazette. [section 37 of the PE Act]

Planning Panels Victoria acknowledges the Wurundjeri Woi Wurrung People as the traditional custodians of the land on which our office is located. We pay our respects to their Elders past and present.

Planning and Environment Act 1987

Panel Report pursuant to section 25 of the PE Act


Frankston Planning Scheme Amendment C160fran

Frankston Metropolitan Activity Centre Structure Plan

30 August 2024



Tim Hellsten, Chair



Dianne King, Member



Michael Wheelahan, Member

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Glossary and abbreviations

2015 Structure Plan	<i>Frankston Metropolitan Activity Centre Structure Plan, Frankston City Council, 2015</i>
8 Davey	8 Davey Pty Ltd
ACZ1	Activity Centre Zone Schedule 1
AEP	Annual Exceedance Probability
AFF Report	<i>Potential Shadowing Impacts on Aquatic Flora and Fauna, Kananook Creek, Frankston, Victoria, Ecology & Heritage Partners (September 2022)</i>
AHD	Australian Height Datum
ARR 2019	<i>Australian Rainfall and Runoff 2019</i>
Bay Lane Report	<i>Traffic Engineering Study Road layout Options, Bay Lane, Frankston (O'Brien Traffic, 2023)</i>
Built Form Guidelines	<i>Built Form Guidelines for Higher Density Residential Growth Areas adjacent to the Frankston Metropolitan Activity Centre (Frankston City Council, 2023)</i>
CDZ2	Comprehensive Development Zone Schedule 2
Council	Frankston City Council
D#	Document number
DCPO	Development Contributions Plan Overlay
DDO	Design and Development Overlay
DEECA	Department of Energy, Environment and Climate Change
DELWP	Department of Environment, Land, Water and Planning (former)
DTP	Department of Transport and Planning
Economic Report	<i>Frankston MAC Structure Plan: Economic Assessment and Land Use Capacity (SGS Economics and Planning, August 2022)</i>
Housing Statement	<i>Victoria's Housing Statement: The decade ahead 2024-2034 (State of Victoria, 2023)</i>
Flood Management Plan	<i>Flood Management Plan for Frankston City Council and Melbourne Water (Frankston City Council/Melbourne Water, 2019)</i>
FMAC DCP	<i>Frankston Metropolitan Activity Centre Development Contributions Plan (December 2023)</i>
Franky	Franky Investment Pty Ltd

Kastro	Kastro investments Pty Ltd
KCBF Report	<i>Kananook Creek Built Form Review</i> (Tract Consultants, September 2022)
MAC	Metropolitan Activity Centre
LSIO	Land Subject to Inundation Overlay
OYOB/Pace	OYOB Frankston Project Pty Ltd and Pace Development Group Pty Ltd
PE Act	<i>Planning and Environment Act 1987</i>
PPN12	<i>Planning Practice Note 12: Applying the flood provisions in planning schemes</i> , June 2015
PPN56	<i>Planning Practice Note 56: Activity Centre Zone</i> , June 2015
PPN58	<i>Planning Practice Note 58: Structure Planning for Activity Centres</i> , September 2018
PPN59	<i>Planning Practice Note 59: The Role of Mandatory Provisions in Planning Schemes</i> , August 2023
PPN60	<i>Planning Practice Note 60: Height and Setback Controls for Activity Centres</i> , September 2018
PPRZ	Public Park and Recreation Zone
Practitioner's Guide	<i>A Practitioner's Guide to Victorian Planning Schemes</i> Version 1.5, April 2022
SBO	Special Building Overlay
Stiebel	7 Stiebel Enterprises Pty Ltd
Structure Plan	<i>Frankston Metropolitan Activity Centre Structure Plan</i> (Frankston City Council, 2023)
Transport Report	<i>FMAC Structure Plan - Transport and Movement Assessment and Analysis</i> (Institute for Sensible Transport, June 2022)
TRZ1	Transport Zone 1
Urban DC	Urban DC Pty Ltd
Urban Design Report	<i>Planning and Urban Design Assessment</i> (Tract Consultants, September 2022)
VCAT	Victorian Civil and Administrative Tribunal
VPP	Victoria Planning Provisions

Overview

Amendment summary

The Amendment	Frankston Planning Scheme Amendment C160fran
Common name	Frankston Metropolitan Activity Centre Structure Plan
Brief description	Implementation of the Frankston Metropolitan Activity Centre Structure Plan through changes to the Municipal Planning Strategy and Planning Policy Framework, the application of the Activity Centre Zone and other consequential zone and overlay and particular provision changes
Subject land	Frankston Metropolitan Activity Centre (refer Figures 1 and 2)
Planning Authority	Frankston City Council
Authorisation	23 October 2023, with conditions
Exhibition	16 November to 18 December 2023 Further notification took place from 13 May to 14 June 2024
Submissions	Number of Submissions: 435 (refer Appendix A) including four late submissions and one submission following further notification

Panel process

The Panel	Tim Hellsten (Chair), Dianne King, Michael Wheelahan
Supported by	Gabrielle Trowse
Directions Hearing	Frankston (hybrid), 22 April 2024
Panel Hearing	Frankston (hybrid), 1, 2, 3, 4, 5 and 17 July 2024 1 Spring Street, Melbourne (hybrid) 9, 10 and 11 July 2024
Site inspections	Unaccompanied, 22 April 2023 and 18 June 2024
Parties to the Hearing	Appendix B
Citation	Frankston PSA C160fran [2024] PPV
Date of this report	30 August 2024

Executive summary

The Frankston Metropolitan Activity Centre (MAC) is one of nine existing Metropolitan Activity Centres in Plan Melbourne 2017-2050 and is positioned to be the key commercial, civic, cultural, creative, community and entertainment destination for Melbourne's south-eastern metropolitan region. The Frankston MAC is experiencing a level of growth and development that has necessitated further strategic work to provide clear guidance for use and development of the land in the centre that will allow the Frankston MAC to grow and develop while responding appropriately to its coastal setting and environmental and residential interfaces.

Frankston Planning Scheme Amendment C160fran (the Amendment) seeks to implement the *Frankston Metropolitan Activity Centre Structure Plan*, June 2023 (Structure Plan) which was informed by urban design, economic and land use capacity, transport and movement analysis as well as feedback from community engagement. The Structure Plan represents the first significant planning review of the centre since the *TAFE to Bay Structure Plan* of 2005 and the *Frankston Metropolitan Activity Centre Structure Plan* of 2015, neither of which have been fully implemented into the Frankston Planning Scheme.

The Structure Plan vision for the Frankston MAC is for a centre that is vibrant and diverse, with a strong beachside character, connections to the waterfront and Kananook Creek, an attractive public realm and access to a range of learning, employment, cultural and recreational opportunities, and housing choice.

The main component of the Amendment is the application of the Activity Centre Zone (to replace existing zones and Design and Development Overlays) with an associated Schedule (ACZ1) which identifies objectives, land use provisions, design and development (built form) requirements and guidelines for the entire Frankston MAC and the six precincts within it. The more significant built form requirements (as exhibited) relate to building and street wall height (discretionary), building setbacks (predominantly discretionary) and solar access (discretionary).

The Amendment also applies the Public Park and Recreation Zone (PPRZ) to land on the Frankston foreshore and the mouth of Kananook Creek and makes other related and consequential changes to the Frankston Planning Scheme to reflect the application of the ACZ1.

The exhibition of the Amendment generated 434 submissions (including late submissions considered by the Panel) including 193 supporting submissions. Key issues raised in opposing submissions or those seeking changes included:

- building height
- setbacks and solar access requirements
- loss of notice and third-party review provisions
- the boundaries of the ACZ1 and the application of the ACZ
- climate change and flooding
- traffic, parking and movement linkages
- community engagement in the Structure Plan and timeframes for exhibition of the Amendment.

Strategic justification

The Structure Plan is a sound piece of strategic work underpinned by an appropriate level of technical assessment and analysis. It is consistent in content with the guidance of *Planning*

Practice Note 58: Structure Planning for Activity Centres including the designation of the centre boundary. It provides a robust strategic basis for the Amendment.

Council is commended for the significant level of work undertaken to prepare a considered and comprehensive piece of strategic work that will support significant change for the Frankston MAC.

The Activity Centre Zone is the appropriate zone to apply to the Frankston MAC, however it should not apply to the VicTrack land at 53 Davey Street, Frankston. The structure and content of the ACZ1 is generally appropriate subject to the Panel's recommendations and consistent with *Planning Practice Note 56: Activity Centre Zone*.

The Public Park and Recreation Zone is the appropriate zone to apply to sections of the Frankston foreshore area adjacent to the mouth of the Kananook Creek.

The Panel is satisfied that the ACZ1 provisions will support the level of projected housing and commercial growth of the Frankston MAC to 2041 particularly through the introduction of discretionary provisions and the 5-year review period identified in the Structure Plan. It aligns with the Victorian Housing Statement by supporting housing diversity, and mixed-use development within a well-connected, liveable urban environment that will cater to a growing population. Council's new Housing Strategy will be important in identifying opportunities for further housing growth within and adjacent to the Frankston MAC and responding to the identified housing targets for Frankston.

The Panel concludes the Amendment is supported by, and implements the Planning Policy Framework and is well founded and strategically justified. The Panel is satisfied that the Amendment supports the level of transition necessary to enable the Frankston MAC to fulfill its strategic role and foster appropriate levels of growth. It should proceed subject to addressing specific issues relating to provisions of the ACZ1.

Flooding

Melbourne Water is currently preparing a flood study for the City of Frankston. It raised concerns about the impact of flooding (including climate induced flooding) on development along Kananook Creek and other locations within the Frankston MAC, supported by the flooding and hydrology evidence of Heath Somerville. It recommended ACZ1 changes to:

- introduce additional Centre-wide objectives to respond to potential inundation
- introduce guidelines for Precincts 4 and 5 relating to protection of internal building areas and basements from inundation and sea level rise
- exclude part of Precinct 5 from the Amendment (and the boundaries of the MAC).

Council proposed changes to the Amendment to respond to Melbourne Water's concerns. These changes were not supported by some parties but were broadly supported by Melbourne Water.

The Panel does not support the deletion of part of Precinct 5 from the Amendment, primarily because the Amendment reflects existing controls. However it supports the changes proposed by Council in response to Melbourne Water's concerns and role as the flood plain manager. The changes reflect what is largely known about localised flooding impacts and are consistent with the Planning Policy Framework including planning for a 2100 sea level rise scenario.

Council is strongly encouraged to implement the Melbourne Water flood mapping (once completed) for the Frankston MAC area as this will assist in determining if additional or alternative

ACZ1 requirements are necessary, or if changes to planning policy and flooding overlays are required. It will also serve to provide greater planning certainty.

Building height

The ACZ1 provides for preferred maximum (discretionary) building and street wall heights for each of the six Precincts consistent with the Structure Plan, that range from 12 metres (3 storeys) to 54 metres (16 storeys).

While some submissions suggested that building heights should be increased to accommodate more housing, a large number of submissions sought lower heights in Precincts 4 and 5 in recognition of the sensitive interface to Kananook Creek and residential areas to the west, and concerns about impacts on views, the coastal environment and character and creating a 'wall of buildings'.

While future development will be highly visible from a range of vantage points this is not unreasonable and to be expected given the Centre's function and role. The Panel is satisfied the proposed discretionary building and street wall heights are appropriate and result from a considered analysis that balances the level of transformational change necessary for the Frankston MAC and the need to respond to the coastal setting and the creation of an attractive, activated and functional Centre.

Setbacks

The discretionary nature and metrics of the proposed setback controls (street setbacks, upper-level setbacks, side and rear setbacks and building separation requirements) are justified and supported.

The Panel supports the mandatory street wall setbacks and metrics that have been applied in Precincts 4 and 5. They have been applied in a limited way and in parallel with discretionary upper-level setbacks, to achieve important built form transition and public realm outcomes that are clearly articulated in the Structure Plan and consistent with the criteria identified in *Planning Practice Note 59: The Role of Mandatory Provisions in Planning Schemes* and *Planning Practice Note 60: Height and Setback Controls for Activity Centres*.

Solar controls

Council proposed to amend the solar access provisions in response to the urban design evidence of Amanda Roberts (for Council) so they become mandatory requirements. This change is not supported by the Structure Plan or informing urban design reports and should not be made.

The Panel supports the application of provisions that seek to protect sunlight access:

- at the 22 September equinox between 10am and 2pm to key pedestrian and outdoor dining spaces
- at the 22 June winter solstice between 10am and 1pm to public parks (excluding Kananook Creek).

The Panel is not satisfied that the basis of applying winter solstice controls to the Kananook Creek has been justified for environmental, public realm or recreational reasons and an equinox control should apply instead.

Other built form design provisions

In relation to other design and development provisions of the ACZ1 the Panel concludes:

- the land use and development objectives (including for affordable housing) are generally appropriate subject to identified changes
- the Centre-wide requirements are appropriate subject to minor changes for:
 - active frontage and public realm interface
 - sustainable and adaptive use including for floor-to-floor height and basement parking
 - design of tower elements
 - building design and layout
 - landscaping and open space
 - access and services
- there is no need to identify gateway sites
- the Precinct guidelines are generally appropriate subject to minor changes including relating to setback projections.

Traffic and movement

The Structure Plan provides for a sound transport and movement network and the Panel is satisfied that additional traffic can be accommodated by the proposed network, including on Kananook Creek Boulevard. The Structure Plan and ACZ1 provide appropriate guidance for the location and access to on-site carparking. The Panel supports the additional ACZ1 precinct guideline recommended in the traffic evidence of Leigh Furness limiting access to Cranbourne Road where possible in Precinct 6.

The Panel concludes the ACZ1 Precinct requirements for street widening, laneway links and pedestrian links are appropriate subject to amending Table 12 to alter the Bay Lane widths and deleting '15-17 Davey Street' consistent with Council's Day 1 changes.

Notice and review provisions

The Panel concludes the ACZ1 notice and review exemptions are appropriate for a Metropolitan Activity Centre and given the level of strategic planning work, including community consultation, undertaken in the development of the Structure Plan and Amendment.

Amendment drafting

Council proposed Day 1 and Day 2 changes to the ACZ1 in response to submissions and evidence as summarised in Appendix E:1 and E:2. In the main they are supported by the Panel (with changes) where they have a clear relationship with the Structure Plan, do not introduce new mandatory provisions and enhance the operation and effectiveness of the control and remain consistent with the intent of the exhibited controls.

The Panel's recommendations and preferred version of the ACZ1 contain drafting changes to:

- include corrections identified in Council's Day 1 and Day 2 changes
- include changes to Centre-wide and Precinct objectives, requirements, guidelines, mapping, application requirements and decision guidelines broadly consistent with Council's Day 2 changes as amended by the Panel
- ensure that drafting is clear and consistent with drafting rules and guidance identified in the Practitioner's Guide to Victorian Planning Schemes and Planning Practice Note 56.

The Panel further concludes:

- The equitable access objective and heritage places guideline require redrafting to ensure they are clear, implementable and relevant.
- The Clause 74.01 changes should be simplified.

- Council should review the ACZ1 requirements, guidelines and decision guidelines to ensure drafting is clear, the provisions are necessary, repetition is avoided and the duplication of the Activity Centre Zone header provisions or other policy guidance is removed.

Recommendations

Based on the reasons set out in this Report, the Panel recommends that Frankston Planning Scheme Amendment C160fran be adopted as exhibited subject to the following:

1. **Remove the Activity Centre Zone from the VicTrack land at lot 53 Davey Street, Frankston.**
2. **Amend the Activity Centre Zone Schedule 1 consistent with the Panel preferred version in Appendix F, and additionally:**
 - a) **amend the following maps:**
 - **Clause 1.0 Frankston Metropolitan Activity Centre map to adjust the Activity Centre Boundary to exclude 53 Davey Street, Frankston**
 - **Diagram 1 – Active Frontages to adjust the Activity Centre Boundary to exclude 53 Davey Street, Frankston**
 - **Clause 5.3-1 Precinct map to exclude 53 Davey Street, Frankston**
 - b) **delete or redraft the ‘General’ equitable access objective in Clause 2.0 so that it is relevant to the Centre-wide provisions or Precinct requirements and guidelines**
 - c) **review the drafting of the ‘Heritage places’ requirement in Clause 4.4 (relocated to a guideline for Precinct 3 in the Panel preferred version) to ensure that it achieves an appropriate design response which respects heritage places but does not result in a design outcome that undermines the broader objectives and requirements for Precinct 3.**
3. **Amend the Schedule to Clause 74.01 Application of Zones, Overlays and Provisions as follows:**

Activity Centre Zone to facilitate the development of the Frankston Metropolitan Activity Centre ~~as a major community, employment and commercial centre for the municipality and the region.~~
4. **Frankston City Council undertake a final review of Activity Centre Zone Schedule 1 requirements, guidelines and decision guidelines prior to adoption of the Amendment to ensure:**
 - a) **drafting is clear and consistent with drafting rules and guidance identified in the Practitioner’s Guide to Victorian Planning Schemes and Planning Practice Note 56: Activity Centre Zone**
 - b) **they are necessary, avoid repetition, and do not duplicate the Activity Centre Zone header provisions or other policy guidance.**

Further recommendation

The Panel makes the following informal recommendations for Frankston City Council’s consideration:

5. **Following the completion of the Melbourne Water flood mapping for Frankston, prepare and implement a planning scheme amendment to implement the findings of**

the flood study as it relates to the Frankston Metropolitan Activity Centre as soon as practicable.

1 Introduction

1.1 The Amendment

The purpose of the Amendment is to implement the *Frankston Metropolitan Activity Centre Structure Plan*, June 2023 (Structure Plan) through:

- changes to the Municipal Planning Strategy and Planning Policy Framework
- application of the Activity Centre Zone Schedule 1 (ACZ1) to the Frankston Metropolitan Activity Centre (Frankston MAC) (Figure 1) replacing the Mixed Use Zone, Comprehensive Development Zone Schedule 2 (CDZ2) and Commercial 1 Zone
- application of the Public Park and Recreation Zone (PPRZ) to land on the Frankston foreshore and the mouth of Kananook Creek (Figure 1)
- application or amendment of the Public Acquisition Overlay (PAO8 and PAO9) for road extension or widening purposes
- deletion of CDZ2 and Design and Development Overlay (DDO) Schedule 5 and amendment of the Residential Growth Zone Schedule 1, DDO12, DDO13 and Parking Overlay Schedule 1 (PO1)
- changes to clauses 53.01 (Public Open Space Contribution and Subdivision) and 72.04 (Incorporated Documents)
- amendments to Clause 72.08 (Background Documents) to:
 - reference the Structure Plan
 - add or amend the *Frankston Metropolitan Activity Centre Parking Precinct Plan*, (Frankston City Council, 2018), *Built Form Guidelines for Higher Density Residential Growth Areas adjacent to the Frankston Metropolitan Activity Centre* (Frankston City Council, 2023), *Built Form Guidelines Frankston Complementary Health Mixed Use Area* (Frankston City Council, 2023) and *Frankston Public Open Space Contributions* (SGS Economics and Planning, 2019) to distinguish the amended extent of the Frankston MAC and proposed changes to zones and overlays
 - delete reference to the *Frankston Metropolitan Activity Centre Structure Plan, 2015* (2015 Structure Plan)
- other consequential changes to Clause 72.01 (Applications of Zones, Overlays and Provisions) and Clause 74.02 (Further Strategic Work).

1.2 Background

The Frankston MAC is identified as one of ten existing MACs in Plan Melbourne 2017-2050. It is located approximately 40 kilometres south-east of the Melbourne CBD and positioned adjacent to Port Phillip Bay at the northern end of the Mornington Peninsula. As a MAC in metropolitan Melbourne, Frankston is unique for its bayside location.

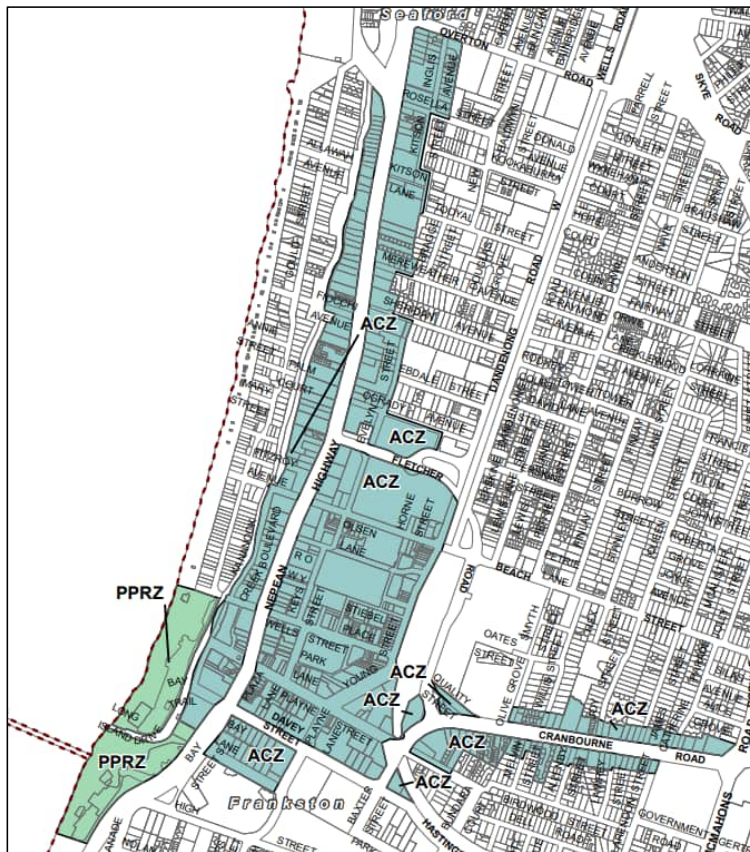
Frankston is a major health and education hub for the south-east metropolitan region and the Mornington Peninsula, accommodating the Frankston Hospital, Monash University and Chisholm Frankston, as well as being one of the largest retail centres outside the Melbourne CBD. The Frankston Civic Centre, Frankston Library, Frankston Arts Centre and Peninsula Aquatic Recreation Centre provide important community facilities within and adjoining the Frankston MAC.

The Frankston MAC is connected within metropolitan Melbourne and the Mornington Peninsula by Frankston Station, Eastlink, the Frankston Freeway, Moorooduc Highway, Peninsula Link and the Nepean Highway.

The Frankston Foreshore and Kananook Creek provide an attractive setting for the Frankston MAC and are both highly valued environmental and recreational assets. Olivers Hill, located south of the Frankston MAC, provides a distinctive backdrop and extended views along the coastline to the Melbourne CBD and to the Dandenong Ranges to the north. The Frankston MAC has interfaces with established residential areas as well as major open spaces including Frankston Park (Frankston Football Club) and Beauty Park to the south. An area known as Long Island is located between the Frankston MAC and foreshore.

The Frankston MAC has a prevailing built form of low rise buildings punctuated by several taller buildings constructed over more recent years.

Figure 1 Proposed Activity Centre Zone and Public Park and Recreation Zone



Source: Explanatory Report

1.3 Chronology of events

Council provided a chronology of events relating to the preparation and exhibition of the Amendment as summarised in Table 1.

Table 1 Chronology of events

Date	Event
2005	<i>Tafe to Bay</i> (September 2005) <i>Structure Plan</i> prepared for Frankston's City Centre which identified it as a Principal Activity Centre and established a vision to 2030
2007	Amendment C49 gazetted to implement Tafe to Bay on an interim basis by applying DDO5 and DDO13 to areas within the Frankton City Centre
2009	Amendment C61 gazetted extending the interim controls until October 2012
2012-2013	Council sought to extend the interim controls giving effect to Tafe to Bay, via Amendment C85. The request was refused by the Minister in 2013. Council commenced work on preparing a new structure plan and removed the interim planning controls that had been applied under Amendment C49.
2015	The 2015 Structure Plan was adopted by Council Council prepared Amendment C123 to implement the built form recommendations of the 2015 Structure Plan through the introduction of the ACZ. The Amendment subsequently lapsed for procedural reasons.
2022	Council resolved to undertake a review and refresh of the 2015 Structure Plan. Tract Consultants prepare an <i>Emerging Ideas Paper</i> and community engagement is undertaken. Tract Consultants to undertake a comprehensive assessment of planning, built form, public realm and walking and cycling across the Frankston MAC. Two key documents produced: <ul style="list-style-type: none"> - <i>Planning and Urban Design Assessment</i>, Tract Consultants (September 2022) (Urban Design Report) - <i>Kananook Creek Built Form Review</i>, Tract Consultants (September 2022) (KCBF Report), the recommendations of which were incorporated into the Urban Design Report. <p>These documents were informed by a desktop environmental assessment <i>Potential Shadowing Impacts on Aquatic Flora and Fauna, Kananook Creek, Frankston, Victoria</i>, Ecology & Heritage Partners (September 2022) (AFF Report).</p> <p><i>FMAC Structure Plan - Transport and Movement Assessment and Analysis</i>, Institute for Sensible Transport (June 2022) (Transport Report) prepared a transport and movement plan to inform the Structure Plan.</p> <p><i>Frankston MAC Structure Plan: Economic Assessment and Land Use Capacity</i>, SGS Economics and Planning (August 2022) (Economic Report) prepared to review land use capacity.</p> <p>Public consultation undertaken on draft Structure Plan</p>
5 Jul 2023	Frankston PSA C162fran gazetted applying on an interim basis DDO14 to the part of Precinct 4 – Promenade that was without building height controls, until 27 October 2023
14 June 2023	Council resolves to adopt the Structure Plan and request authorisation from the Minister to prepare and exhibit the Amendment
24 Oct 2023	Amendment C160fran authorised with conditions. All conditions satisfied prior to exhibition
27 Oct 2023	Frankston PSA C164fran gazetted amending DDO14 to introduce built form controls and extending the expiry date to 24 April 2025
16 Nov – 18 Dec 2023	Amendment exhibited
11 Dec 2023	Council adopts Frankston Metropolitan Activity Centre Development Contributions Plan

Date	Event
	(December 2023) (the FMAC DCP)
11 Jan 2024	Department of Energy, Environment and Climate Change releases the findings of the Port Phillip Coastal Hazard Assessment
18 Mar 2024	Council considers submissions to Amendment and resolves to refer them to a Planning Panel
29 Apr 2024	Late submission (submission 430) referred to the Panel by Council
13 May – 14 Jun 2024	Additional Amendment notification undertaken (refer Chapter 1.6)
18 Jun 2024	Additional three submissions referred to the Panel by Council

1.4 The Panel’s approach

Key issues raised in the 434 submissions were:

- building height
- setbacks and solar access requirements
- loss of notice and third-party review provisions
- the boundaries of the ACZ1 and the application of the ACZ
- climate change and flooding
- traffic, parking and movement linkages
- community engagement in the Structure Plan and timeframes for exhibition of the Amendment.

The Panel has assessed the Amendment against the principles of net community benefit and sustainable development, as set out in Clause 71.02-3 (Integrated decision making) of the Planning Scheme.

The Panel considered all written submissions made in response to the exhibition of the Amendment, observations from site visits, and submissions, evidence and other material presented to it during the Hearing. All submissions and materials have been considered by the Panel in reaching its conclusions, regardless of whether they are specifically mentioned in the Report.

This Report deals with the issues under the following headings:

- Strategic issues
- Climate change and flooding
- Height, setbacks and solar access
- Other built form and design issues
- Movement and transport
- Other issues.

1.5 Council’s proposed post-exhibition changes

In response to submissions and evidence, Council proposed changes to the ACZ1 as summarised in Appendix E:1 and identified in its ‘Day 1 version’ (D31).

One of the more substantive changes related to the proposed solar controls becoming mandatory, which was the subject of procedural submissions.

Council provided a 'Day 2 version' of the ACZ1 (D79 and updated in D85). These changes are summarised in Appendix E:2. Parties were provided with the opportunity to make 'without-prejudice' submissions on the 'Day 2' drafting changes. Council made no further changes to the Day 2 version in response to the further drafting submissions.

The Panel's preferred version of the ACZ1 is included in Appendix F and is based on the exhibited version. The Panel considered the further drafting submissions in preparing its preferred version.

1.6 Procedural issues

(i) Further notice of Amendment and late submissions

Council advised the Panel on 9 May 2024 that due to an administrative error it had not directly notified some landowners and occupiers within and adjacent to the proposed Amendment area (D11). Council's proposed resolution involved notice being sent to those landowners and occupiers allowing them 30 days to make submissions if they had not already done so and advise if they wished to be heard at the Panel. It would then refer those submissions to the Panel.

The Panel advised parties of Council's notification error and the proposed strategy for notice and potential further submissions (D12) and indicated it considered the approach acceptable in the circumstances given:

- the other forms of notice given of the Amendment
- the level of media coverage, community knowledge and awareness of the Amendment
- the large number of submissions received to the Amendment covering a broad range of issues
- the proposed notice timeframes provided sufficient time for Council to consider any submissions, and for the Panel to enable participation in the Hearing by submitters (if requested)
- it would minimise disruption to commitments made by existing parties to participate in the Hearing dates already set.

The Panel required Council's further notification to include a clear explanation of the error, explain the Amendment and submission process, and explain the opportunity for submitters to participate in the Hearing if they requested to do so.

Council notified 277 affected property owners and occupiers on 13 May 2024 with the submission date closing on the 14 June 2024. Three additional submissions were received during this period although only one resulted from the additional notice. Council considered the submissions under officer delegation and referred them to the Panel on 18 June 2024.

Of these submissions:

- two were supportive, including VicTrack who were conditionally supportive subject to a minor zoning mapping change to reflect the Transport Zone
- two opposed the Amendment identifying issues consistent with those identified in Chapter 1.4.

On 22 July 2024 Council referred an additional late submission after the Hearing had concluded (D88a). The Panel advised parties (D91) it agreed to accept the submission on the basis that:

- it had been considered under Council officer delegation and Council's position on the submission was clearly set out in a delegate memo, submission summary and table response (D88b and D88c)
- it was received by Council on 11 July 2024 when the Panel was still conducting the Hearing
- the Panel had yet to receive final party submissions on Council's Day 2 changes to the ACZ1 and components of its Part C closing submission (discussed below)
- no additional information was required from the submitter to enable the Panel to consider the submission
- it did not raise matters specific to a party submitter site or submission position
- the submitter did not seek to be heard.

(ii) Department of Transport and Planning submission and statement

On 31 May 2024 the Department of Transport and Planning (DTP) advised (D21) that it:

... discussed its submission with Council and are satisfied that their response to issues raised addresses our concerns, namely those relating to the Nepean Boulevard Strategy.

Accordingly, DTP advised they no longer wished to be heard at the Hearing, but advised:

Separately, work is currently underway to implement Victoria's Housing Statement - The decade ahead 2024 – 2034. One initiative of the Housing Statement is the Activity Centre Program (ACP) to deliver an additional 60,000 homes around 10 initial activity centres, which includes Frankston.

DTP advised that the Panel could put questions to DTP relating to its Activity Centre Program. The Panel subsequently wrote to DTP (D22) indicating:

It would be beneficial for the Panel, Council and other parties for the Department to provide a brief statement (as opposed to a formal submission) that sets out:

- what the ACP entails and its proposed outputs
- the status of the ACP and its delivery timing in relation to Major Activity Centres such as Frankston
- what the implications of the ACP are likely to be on Amendment C160fran.

DTP's statement (D28) stated:

There are two pathways being progressed for new planning controls within the core of the 10 activity centres: one pathway for centres where the State will lead the preparation of amendments, and one pathway for centres where Council has progressed significant planning work. The latter of which includes Frankston Metropolitan Activity Centre.

DTP further identified:

The first phase of community engagement on the ACP occurred earlier this year to understand the community values and aspirations for their local area. This included establishment of Community Reference Groups. Broad based engagement was not undertaken for the Frankston Major Activity Centre in recognition of the significant amount of consultation already undertaken by Council and status of the Amendment 160fran.

A further phase of public engagement on the ACP is expected to be undertaken in the second half of 2024, including seeking further input on the approach for activity centre catchments. Engagement activities are not planned to include matters related to the Frankston Activity Centre core and Amendment 160fran in recognition of the status of the amendment.

In relation to the Amendment, DTP advised it:

... currently broadly aligns with the commitment described in the *Housing Statement*, specifically the implementation of new planning controls to deliver additional homes in

Frankston. It is considered that there is unlikely to be any significant implications for Amendment C160fran at this stage.

The Victorian State Government released draft Housing Statement targets in June this year. The draft target for Frankston City Council is 38,000 additional homes.

(iii) Council's proposed post-exhibition changes

OYOB Frankston Project Pty Ltd and Pace Development Group Pty Ltd (OYOB/Pace) made verbal and written submissions (D83) that Council's proposed Day 1 and Day 2 changes to the ACZ1, particularly the change from discretionary to mandatory solar access requirements in response to the urban design evidence of Amanda Roberts, were procedurally flawed. In essence the submission was that these changes:

- were contrary to the Council report of 18 March 2024 which considered submissions and identified where changes to the Amendment should be made, noting that no changes relating to solar controls was proposed
- were contrary to the Council resolution (and therefore Council's formal position) to recommend the identified changes to the Amendment as a basis for Council's submission to the Panel
- were not supported by a resolution which authorised officers to adopt a different position before the Panel.

OYOB/Pace submitted:

If prior to the completion of the hearing, or during its deliberations, the Panel forms the view that the Officer/s position (mandatory shadow controls) can, or is to be understood to be the Council position (discretionary shadow controls), OYOB and Pace foreshadow that such a view would give rise to procedural defects in breach of the Panel's obligations under section 161 of the PE Act.

The position of OYOB/Pace was supported by 7 Steibel Enterprises Pty Ltd (Steibel) and Franky Investment Pty Ltd (Franky).

The Panel put questions to Council about whether the proposed changes amounted to a potential transformation of the Amendment. In response, Council identified:

Principally, it is submitted that as there has been no change to the Amendment, the issue does not arise at all. Council has not changed the Amendment from what was exhibited. All that it has done is to express a view in its submissions that certain controls should be mandatory, as recommended by an expert, in this case, Council's expert.

The Panel agrees that at this stage no transformation has taken place. The exhibited Amendment is what is before the Panel. Effectively what Council has done is to make a submission to the Panel about changes it proposes to the Amendment in response to Hearing submissions and evidence, generally consistent with the Panel's directions relating to the Council Part B and closing submissions.

The process of allowing the planning authority and parties to identify changes to exhibited controls through the Panel process is helpful to the Panel's task. It assists in:

- understanding submitter concerns about the interpretation or workability of controls
- identifying changes that might resolve submissions without significantly changing the original intent or strategic basis for the controls
- improving the operation of the proposed controls.

The question of whether Council's representatives at the Hearing were able to present a position different to the Council resolution about Amendment changes is ultimately a legal one. However, in the context of procedural fairness and providing natural justice as required under section 161(1) of the PE Act, the Panel is mindful that a proposed post-exhibition change that proposes to turn a discretionary control into a mandatory one creates a scenario where some submitters are potentially disadvantaged if they do not have the opportunity to submit on those proposed changes.

The Panel has treated Council's Day 1, Day 2 and Final changes as submissions. It acknowledges they differ from Council's resolution to refer submissions to the Panel. In the main the changes proposed by Council do not substantially change the Amendment but rather they improve it. Drafting changes suggested by parties have also assisted the Panel in its deliberations. Some of the changes proposed are not supported for reasons set out in this Report. This includes mandatory solar controls.

The Panel's recommendations, while conscious of procedural concerns, are focused on:

- what was exhibited
- the strategic basis for the controls
- whether changes are required to the exhibited controls to appropriately address submissions
- whether changes are required to correct obvious errors.

The Panel provided parties the opportunity to make without prejudice submissions on Council's Day 2 changes. The Panel is therefore satisfied that Council's proposed changes do not present procedural fairness concerns.

(iv) Council's Part C submission

OYOB/Pace (D83) and Franky made submissions that Council's Part C submission had among other matters included incorrect content, incomplete or inaccurate recording of evidence or submissions, selective evidence extracts and unsubstantiated assertions. OYOB/Pace also made submissions on the Victorian Civil and Administrative Tribunal (VCAT) decision for the Pace site which had been issued after its Hearing submission (D74).¹

The Panel extended the opportunity for parties to respond to Council's Part C submission by making further submissions on matters that were considered by parties to be incorrect or misrepresent their submission. Four further submissions were received (DX89, DX90, DX92 and DX93).

1.7 Limitations

(i) Community engagement

Twenty seven (27) submissions raised concerns about the community engagement process that informed the Structure Plan and 14 submissions considered that the Amendment exhibition period of one month prior to Christmas was too short.

Council advised that:

¹ Pace Development Group Pty Ltd v Frankston CC [2024] VCAT

- community engagement undertaken included:
 - facilitated engagement activities on an Emerging Ideas Paper in April 2022 and the draft Structure Plan in October – December 2022 which involved the participation of approximately 500 stakeholders
 - consideration by Council of all feedback received at two special Council Meetings to hear submissions from the community
- the exhibition of the Amendment was undertaken consistent with the provisions of the PE Act and included direct letters to over 6,500 surrounding owners and occupiers, email letters to stakeholders, previous submitters and public notices in both the Frankston Times and the Government Gazette.

Issues relating to community engagement and Amendment exhibition are process issues and not relevant within the Panel's remit and have not been considered by the Panel in the preparation of this Report. The Panel observes however that the exhibition of the Amendment appears to have generally followed statutory and proper process and elicited over 430 submissions covering a consistent range of issues. It is not apparent that a longer time frame would have resulted in a broader range of issues being identified. Despite the notification error discussed above, renotification resulted in only one additional opposing submission which raised no new issues. It is also apparent that many of the submitters and key stakeholders have been engaged in the evolution of the Structure Plan over many years and have demonstrated a clear understanding in their written submissions of what the Structure Plan and Amendment have sought to do.

(ii) Windfall gains tax

Several submissions raised issues associated with the application of the ACZ1 and subsequent payment of windfall gains tax liabilities if the land is rezoned. Taxation matters are not within the Panel's remit and have not been considered by the Panel in the preparation of this Report.

2 Strategic issues

2.1 Planning context

This chapter identifies planning context relevant to the Amendment. Appendix D summarises key imperatives of relevant provisions and policies.

Table 2 Planning context

	Relevant references
Victorian planning objectives	- section 4 of the PE Act
Municipal Planning Strategy	- Clauses 2.3-1 (Settlement), 2.03-5 (Built Environment and Heritage), 2.03-6 (Housing), 2.03-7 (Economic Development)
Planning Policy Framework	- Clauses 11.01-1R (Settlement – Metropolitan Melbourne), 11.03-1R (Activity centres – Metropolitan Melbourne), 11.03-1L-02 (Frankston Metropolitan Activity Centre) - Clause 15 (Built form and Heritage) - Clauses 16.01-1R (Housing supply – Metropolitan Melbourne), 16.01-1L (Housing supply) - Clause 17 (Economic development) - Clause 18 (Transport)
Other planning strategies and policies	- Plan Melbourne Direction 1.2, Policy 1.2.1; Direction 2.1 and 2.2, Policy 2.1.13 and 2.2.3; Direction 4, Policy 4.3.1 - 2015 Structure Plan - Economic Development Strategy (Frankston City Council, 2011) - Frankston Housing Strategy (Frankston City Council, 2018) (Housing Strategy) - Kananook Creek Comprehensive Development Plan (May 1999) - Flood Management Plan for Frankston City Council and Melbourne Water (Frankston City Council/Melbourne Water, 2019) (Flood Management Plan)
Planning scheme provisions	- Activity Centre Zone - Public Park and Recreation Zone - Public Acquisition Overlay
Planning scheme amendments	- Amendment C161fran to the Frankston Planning Scheme - Amendment C162fran to the Frankston Planning Scheme - Amendment C164fran to the Frankston Planning Scheme - Amendment VC242
Ministerial directions	- Ministerial Direction on the Form and Content of Planning Schemes under Section 7(5) of the Act - Ministerial Direction 9 (Metropolitan Planning Strategy) - Ministerial Direction 11 (Strategic Assessment of Amendments) - Ministerial Direction 13 (Managing Coastal Hazards and the Coastal Impacts of Climate Change)
Planning practice notes and guidelines	- Planning Practice Note 12: Applying the flood provisions in planning schemes (PPN12)

Relevant references

- Planning Practice Note 46: Strategic Assessment Guidelines
- Planning Practice Note 53: Managing Coastal Hazards and the Coastal impacts of climate change
- Planning Practice Note 56: Activity Centre Zone (PPN56)
- Planning Practice Note 58: Structure Planning for Activity Centres (PPN58)
- Planning Practice Note 59: The Role of Mandatory Provisions in Planning Schemes (PPN59)
- Planning Practice Note 60: Height and Setback Controls for Activity Centres (PPN60)
- Planning Practice Note 90: Planning for Housing (PPN90)
- Guidelines for Development in Flood Affected Areas, DELWP, 2019
- A Practitioner's Guide to Victorian Planning Schemes Version 1.5, April 2022 (Practitioner's Guide)

2.2 Overview of the Structure Plan and Activity Centre Zone Schedule

(i) Structure Plan

The Structure Plan provides a planning framework to guide development within the Frankston MAC (across 6 precincts) as shown in Figure 2 in relation to land use, housing, built form, employment, streetscapes, open space, movement and transport. Figure 2 identifies the proposed MAC boundary in black, as well as the larger 2015 Structure Plan boundary in red.

The Structure Plan aims to accommodate by 2041:

- 93,000 square metres of additional non-retail floor space
- 65,000 square metres of additional retail and hospitality floor space
- 1,888 additional dwellings supporting a population of 7,500 residents.

The identified vision for the Frankston MAC is:

Frankston is the capital of the South East - a vibrant and diverse City Centre boasting a strong beachside character.

It is a place where all residents and visitors can take part in a range of learning, employment and recreational opportunities, and arts and cultural experiences that are unsurpassed in the region.

The lifestyle qualities of Frankston are enriched by a strong connection to its natural assets - the waterfront and Kananook Creek.

There is a strong sense of pride in the streets and public spaces. The City Centre is a people-oriented, thriving place for business and an inspiring place to be in due to the quality of landscaping, public art and architecture. Everyone is welcome to engage in public events and to socialise in the streets.

Frankston is a great place to live, with a range of housing choices that are close to everything. Residents benefit from opportunities for walking, cycling or using public transport to access their daily needs.

Figure 2 Frankston Metropolitan Activity Centre Structure Plan boundary and precincts



Source: Structure Plan figure 1

The Structure Plan identifies the following land use roles of each precinct:

Precinct 1 - City Centre - The retail core of the FMAC. It will provide for retail and hospitality uses at ground level with residential, office, accommodation, community and other uses on upper levels.

Precinct 2 - Transport interchange, Community and Education - A transport and mixed use hub providing retail, hospitality, community, civic and institutional uses at the ground level, with residential, office, accommodation and other uses on upper levels.

Precinct 3 - Arts, Entertainment and Government Services - An arts and entertainment focused precinct anchored by the Frankston Arts Centre, providing hospitality, entertainment, retail and arts-based uses along Playne and Young Streets, office and residential uses along Davey Street, and primarily residential uses along Plowman Place. Residential, office, accommodation and other uses will be provided on upper levels.

Precinct 4 - Promenade - A thriving hospitality and entertainment precinct focused on Kanook Creek and Nepean Highway. Ground level uses will include hospitality, entertainment and retail, with residential, office, accommodation and other uses on upper levels.

Precinct 5 - Nepean Boulevard - A mixed use entry to the FMAC providing for residential, office, accommodation and commercial uses with local retail and hospitality opportunities.

Precinct 6 - Cranbourne Road - A mixed use precinct with a focus on allied health, medical, offices, commercial and complimentary residential uses.

The Structure Plan includes a series of objectives and strategies for each key theme and actions, development guidelines and built form requirements for each precinct. Strategies and associated actions, which are summarised in Table 3, extend beyond the implementation of planning scheme controls.

Table 3 Frankston MAC Structure Plan objectives and strategies

Objective	Strategies
Activities and Land Use	
1 - Encourage economic investment in the FMAC	1.1. Deliver a range of public realm and infrastructure improvements to encourage economic investment 1.2. Provide a greater level of planning certainty
2 - Strengthen the FMAC as a regional employment hub	2.1. Leverage the broader employment opportunities from Health and Education 2.2. Attract major new head offices and Government departments within the heart of the FMAC 2.3. Support development for small scale/co-working office employment 2.4. Continue to grow and consolidate public service functions within the FMAC
3. Strengthen Retail, Arts, Entertainment and Culture	3.1. Rebuild and support the continued evolution of the local retail and hospitality sector 3.2. Strengthen the arts and entertainment precinct 3.3. Provide additional events and festivals within the FMAC 3.4. Create additional events spaces
4. Provide a diversity of housing to support evolving population needs	4.1. Encourage high-density housing within the centre of the FMAC 4.2. Encourage mid-scale housing surrounding the City Centre 4.3. Provide more affordable housing
Built Form and Design	
5. Provide high quality built form across the FMAC that contributes to the coastal character and responds to the preferred character of the precincts	5.1. Implement a range of building heights across the centre that reinforces the city core and responds to sensitive interfaces 5.2. Set a new standard for architecture and Environmentally Sustainable Design (ESD) that reflects the coastal character and contributes to the creation of exciting and attractive public realm in Frankston
6. Strengthen visual and physical connections to the water	6.1. Provide strategic mid-block links to increase pedestrian access to Kananook Creek and the Foreshore 6.2. Provide visual breaks between upper levels of buildings to maintain views to the sky and reduce visual bulk
7. Protect streets, plazas and parks from overshadowing, wind and storm water impacts	7.1. Maintain sunlight to key streets, laneways, parks and public spaces 7.2. Reduce the wind impacts of taller buildings
8. Ensure built form contributes to active and people focused streets	8.1. Provide development outcomes that contribute to human scaled streets through lower street wall heights and tower setbacks 8.2. Create active City Centre streets and laneways through engaging building frontages and weather protection 8.3. Strengthen the fine-grain character of the FMAC
9. Respond to sensitive interfaces and protect amenity of existing and future	9.1. Enhance the built form interface to Kananook Creek, the foreshore and other public open spaces

Objective	Strategies
residents	9.2. Provide appropriate building scale at existing residential interfaces 9.3. Provide for equitable access to amenity
Public Realm	
10. Provide a range of public and civic spaces that support community gathering, social interaction and passive and active recreation	10.1. Deliver new public spaces within the heart of the FMAC
11. Provide streets across the FMAC that are people focused and green	11.1. Upgrade key City Centre streets 11.2. Increase tree canopy cover and biodiversity across the FMAC 11.3. Develop Playne Street as the arts and entertainment spine 11.4. Transform the Nepean Highway into an Iconic Boulevard 11.5. Create a thriving Kananook Creek promenade 11.6. Enhance and activate the laneways 11.7. Improve the integration of the Bayside Shopping Centre into the surrounding streets
Movement and transport	
12. Prioritise walking across the FMAC	12.1. Develop a network of priority pedestrian routes 12.2. Increase the permeability of the walking network 12.3. Create shared pedestrian, cyclist and motor vehicle zones in areas of high pedestrian activity 12.4. Enhance pedestrian priority and safety at key intersections 12.5. Make it safer and easier to cross the rail line
13. Create a safe and convenient cycling network	13.1. Develop a network of connected cycling routes
14. Increase the use of the Ring Road and reduce traffic on City Centre streets	14.1. Implement traffic measures to increase the use of the ring road
15. Provide car parking that is easy to locate and access	15.1. Provide car parking facilities at the edge of the FMAC 15.2. Provide real time signage for car parking 15.3. Provide a consistent approach to parking time limits and costs
16. Enhance the FMAC as a public transport hub for the region	16.1. Improve bus priority along key City Centre streets 16.2. Support the Baxter rail line electrification

As identified in the chronology in Table 1, the following strategic work informed the Structure Plan:

- Economic Report:
 - .. provides an economic assessment of the FMAC and identifies the key drivers influencing its future growth and development. It provides an estimate of future employment, retail and housing demand in the FMAC, and assesses the capacity of the City Centre to deliver the forecast growth.
- Urban Design Report:
 - ... outlines the planning context of the FMAC as well as opportunities for public realm, connections and built form improvements. It also includes a detailed assessment of built form across the FMAC and provides recommendations for future building heights, setbacks and other built form requirements.
- KCBF Report:

... provides a detailed assessment of a number building height and setback scenarios for the Promenade Precinct of the FMAC. It tests impacts on identified views, provides recommendations relating to overshadowing and other development outcomes.

- **AFF Report:**
... assesses the potential impacts of over shadowing on Aquatic Flora and Fauna of the area of Kananook Creek within Precinct 4. Specifically the effect of the reduced sunlight to Kananook Creek between 8am and 10am at the winter solstice.
- **Transport Report:**
... provides an assessment of transport and movement across the FMAC identifying opportunities and constraints relating to walking, cycling, public transport, vehicle movement and car parking. It also compares options for the potential relocation of the bus interchange.

These documents are discussed in more detail in the following chapters of this Report.

(ii) Activity Centre Zone Schedule 1

The proposed ACZ1 includes:

- a Structure Plan map identifying key features, precincts and ACZ1 extent
- land use and development objectives to be achieved
- land use tables
- Centre-wide provisions for:
 - buildings and works
 - design and development (active frontages, adaptive use side and rear setbacks, building design and layout, heritage places, access and services, landscaping and open space), with supporting tables and diagrams
- requirements for each of the six Precincts including:
 - precinct maps identifying key directions
 - objectives
 - requirements relating to building and street wall heights, setbacks, pedestrian and laneway links, solar access, other requirements, with supporting tables and diagrams
 - precinct guidelines
- application requirements
- notice and review provisions – none specified, which defaults to the header provisions exempting applications from notice and third-party review
- decision guidelines
- signage provisions – none specified
- the Structure Plan as a reference document.

2.3 Frankston Metropolitan Activity Centre Structure Plan

(i) The issue

The issue is whether the Structure Plan is sufficiently robust to support the Amendment.

(i) Evidence and submissions

Many submissions considered the Structure Plan:

- did not sufficiently model design metrics related to heights or overshadowing
- should have included more consideration on issues such as acid sulfate soils, ground water or ground conditions

- did not get the balance right between built form and development yield (including for housing) on the one hand, and the coastal character and setting of the Frankston MAC on the other hand
- missed strategic opportunities to improve traffic circulation and connections.

While these and other issues were pursued in Hearing submissions and are considered in more detail in this Report, a number of submissions considered the Structure Plan and its informing technical reports lacked substance or sufficient modelling or rigour to support the proposed controls.

OYOB/Pace submitted that while it broadly supported the Amendment, in some respects there was a disconnect between the underlying strategic work and background documents and the drafting of the ACZ1. In particular, OYOB/Pace considered the Structure Plan did not advance a proper understanding of the 'sensitive interface' west of Precinct 4 and submitted it should include a design intent to 'minimise visibility' as opposed to minimising visual dominance.

The urban design evidence of Craig Czarny (for OYOB) supported the overall built form proposition of the Structure Plan (with changes) and acknowledged the Amendment "*was underpinned by a considerable body of work*" including thorough urban design work. This work he said provided a clear 'lineage' between the Structure Plan and the Amendment.

The planning evidence of Marco Negri (for OYOB) broadly supported the Amendment. He observed 'on its face', the Structure Plan responds faithfully to the guidance in PPN58 in terms of boundaries, precincts and provision of land use and built form guidance.

Other submitters including Urban DC Pty Ltd (Urban DC) and Steibel acknowledged the significant amount of strategic work that underpinned the Amendment.

Council submitted the Structure Plan was prepared consistent with the guidance of PPN58 and the strategic policy aims for the Frankston MAC in the Planning Policy Framework.

(ii) Discussion

The Structure Plan is a sound strategic document that has been informed by technical reports which underpin its vision, themes, objectives, strategies and actions. It is constructed in a manner consistent with PPN58. It is clear about the role of the centre as a Metropolitan Activity Centre and the extent of transformational change required to accommodate future growth while acknowledging its coastal location and attributes. The informing Urban Design Report is based on a series of principles which are sound and appropriate for a Metropolitan Activity Centre and a reasonable level of modelling that establishes the guidelines will assist in the creation of a centre which supports more substantial built form but that will be attractive and pleasant to live, visit and work in.

The Structure Plan satisfies the level of strategic work to support the application of the ACZ, consistent with PPN56.

Structure plans by their nature cannot address every issue, anticipate future planning policy changes, model all built form scenarios or drill down to site specific outcomes in the main. Their primary role is to provide a planning framework for managing growth rather than maintaining the status quo. In this context they need to be high level and flexible. The Structure Plan strikes this balance appropriately, while also identifying future actions for Council including public realm enhancements, transport and movement enhancements or advocacy actions to support the

provision of infrastructure necessary to support its planning strategies and encourage private investment.

The issue of whether specific ACZ1 objectives, requirements or guidelines are adequately supported by the Structure Plan or its informing reports is discussed in subsequent chapters of this Report.

(iii) Conclusion

The Panel concludes:

- The Structure Plan is a sound piece of strategic work that is underpinned by an appropriate level of technical assessment and analysis and is consistent in content with the guidance of PPN58.
- The Structure Plan provides a sufficiently robust strategic basis for the Amendment.

2.4 Activity Centre boundary

(i) The issue

The issue is whether the Frankston MAC boundary is appropriate.

(ii) Submissions

Submissions raised issues about the extent of the Frankston MAC boundary identified in the Structure Plan, including that:

- the reasons for excluding the following locations were not sufficiently justified:
 - land included in the 2015 Structure Plan boundary
 - the Frankston Power Centre, Monash University precinct and Frankston Hospital (identified in Figure 3 below)
 - major health, education and retail services and the Residential Growth Zone (Ebdale Precinct)
- it should be extended to include industrial sites on the west side of Nepean Highway
- it should exclude land on the western side of Nepean Highway.

DTP submitted further integration between the Frankston MAC and the health and education precincts was necessary, although it subsequently advised Council had addressed its concerns through its proposed Day 1 changes and Part A submission.

Council submitted that the designation of the MAC boundary in the Structure Plan:

- was determined consistent with the criteria of PPN58 including walkability and the location of key road and rail infrastructure
- encompassed the primary retail and commercial areas of the Frankston MAC and the peripheral precincts of Nepean Highway and Cranbourne Road
- reflected the overarching objectives of the Structure Plan, an analysis of opportunities for change and constraints and provided a focus for public realm improvements
- included the industrial sites on the west side of Nepean Highway
- acknowledged other work underway or identified as Structure Plan actions including:
 - a further study to inform the future planning and design precinct for the Health and Education Precinct (as identified in Plan Melbourne) including Frankston Hospital and Monash University and surrounding areas including the Power Centre

- the development of its new Housing Strategy which would include the adjoining residential areas to establish tailored controls
- actions to support a network of proposed pedestrian links, improved pedestrian crossing and cycling access including improved connections to the Health and Education Precinct.

(iii) Discussion

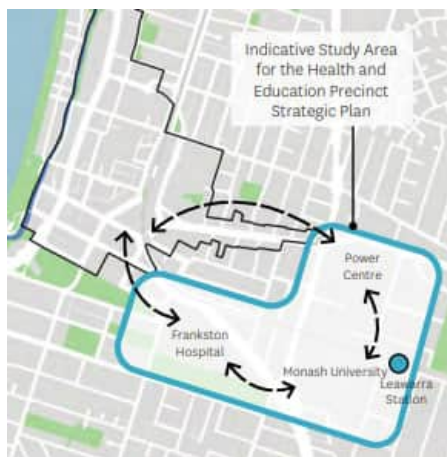
The Panel acknowledges that the Frankston Hospital and Monash University are significant and important land use activities for the Frankston community and the future development and growth of the Frankston MAC. Their importance is not lost in the Structure Plan with Action 3 identifying for the Health and Education Precinct:

Prepare strategic policy to guide the use and development of the Health and Education Precinct as identified in the Southern Land Use Framework Plan and implement this into the Frankston Planning Scheme.

The Structure Plan identifies a study area for this strategic work (refer Figure 3) which includes Frankston Hospital, Monash University and the Power Centre commercial node. While on the periphery of the Frankston MAC these major land uses are separated both from the Frankston MAC and each other by residential uses. By contrast Chisholm Frankston and the Peninsula Aquatic Recreation Centre form a distinct edge to the Frankston MAC.

The Panel considers that to extend the Structure Plan boundary to include other precincts or sites would undermine the vision and objectives of the Structure Plan and make the Frankston MAC unnecessarily large and spread out, rather than concentrating on areas of major transformation. The actions proposed to enhance movement linkages from the Frankston MAC to the Health and Education Precinct are appropriate, as is the preparation of further strategic work for the precinct. This will provide a clear framework for land use and built form within that precinct and how its interface with the Frankston MAC will be managed.

Figure 3 Structure Plan indicative study area for a Health and Education Precinct Strategic Plan



Source: Structure Plan Figure 9

The Panel is satisfied that Structure Plan sets out a clear and rational explanation for its boundaries while identifying further strategic work to be undertaken on its fringes that will reinforce its role as

a MAC. The designated extent of the Frankston MAC is consistent with the criteria and considerations identified in PPN58 and provides sufficient land to accommodate anticipated commercial floor space needs as discussed in Chapter 2.7.

(iv) Conclusion

The Panel concludes the Frankston MAC boundary shown in the Structure Plan is well considered, consistent with PPN58 and strategically justified.

2.5 Applying the Activity Centre Zone

(i) The issues

The issues are whether the Activity Centre Zone:

- is appropriate to apply to the Frankston MAC
- should apply to VicTrack land.

(ii) Evidence and submissions

Six submissions did not support the application of the ACZ1. Four of these submissions sought the retention of the C1Z with a new DDO. One submission requested the retention of the Mixed Use Zone.

Issues associated with the application of the ACZ1 included:

- application of the Windfall Gains Tax when land is rezoned
- a perceived downgrading of existing controls due to additional restrictions on land use.

Twenty eight submissions supported the application of the ACZ1 to the Frankston MAC (subject to changes to the controls).

Mr Negri's evidence considered the ACZ was strategically supported, identifying that a performance-based control provided flexibility to achieve outcomes that support the evolving role of the Frankston MAC (although he recommended some changes to the controls). He considered the structure of the ACZ1 was generally appropriate.

Council submitted the application of the ACZ1:

- was widely regarded as the appropriate zone to provide a planning framework for larger activity centres
- was consistent with PPN59 as the preferred tool to facilitate use and development of land in a Metropolitan Activity Centre
- allowed for differentiated land use and development objectives, including building height and setback controls for each of the Structure Plan precincts and providing direction on the preferred location of different land uses across the Frankston MAC.

VicTrack's late submission requested that a small triangular site on Hastings Road, Frankston (Lot 43) abutting the rail line and owned by VicTrack and used for transport purposes and zoned Business 2 Zone be included in the Transport Zone 1 (TRZ1) rather than the ACZ1.

Council supported rezoning the site to TZ1 and advised that this would require updating of the relevant plans in the ACZ1. It advised the correct address for the VicTrack property was 53 Davey Street, Frankston.

(iii) Discussion

PPN56 identifies:

The Activity Centre Zone (ACZ) is the preferred tool to guide and facilitate the use and development of land at in Metropolitan and Major activity centres with structure plans. In most instances, height and setback controls would be applied at the precinct level within the ACZ schedule.

The Panel considers that the ACZ1 is the appropriate zone to apply to the Frankston MAC consistent with PPN56 and its application to other Metropolitan Activity Centres. The Panel is satisfied that the ACZ1 has been structured consistent with PPN56 and the Practitioner's Guide, subject to the changes identified in this Report. It is satisfied that the land use tables (and related conditions) are appropriate and reflect the directions of the Structure Plan.

In relation to VicTrack's land, PPN56 identifies that:

There will be instances where the boundary for an activity centre will include land which is not appropriate to be rezoned to ACZ. This may include public use zones or recreation zones.

Such zones generally apply to major roads, educational facilities (primary, secondary and tertiary), as well as public parkland and state and local government land, including railway land and open space.

Road zones should always be retained, and in most instances, the public use or recreation zones should also be retained.

The VicTrack owned parcel is used for transport services and it is logical and consistent for it to be included in the TZ1 and not the ACZ1. However, amending the zoning of the land to another zone at this stage of the Amendment is not appropriate. The site should therefore remain in the B2Z until amended through a separate planning scheme amendment. However the relevant ACZ1 maps (Frankston MAC Structure Plan map at Clause 1.0, Diagram 1 – Active Frontages and the Precinct 3 map) should exclude the VicTrack parcel.

(iv) Conclusions and recommendations

The Panel concludes:

- The Activity Centre Zone is the appropriate zone to apply to the Frankston MAC.
- The exhibited extent of the Activity Centre Zone is appropriate, however it should not apply to the VicTrack land at 53 Davey Street, Frankston and the relevant ACZ1 maps and diagrams should be updated accordingly.
- The structure and content of the ACZ1 is generally appropriate subject to the Panel's recommendations set out in this Report.

The Panel recommends:

Remove the Activity Centre Zone from the VicTrack land at 53 Davey Street, Frankston.

Amend the Activity Centre Zone Schedule 1 to amend the following maps:

- **Clause 1.0 Frankston Metropolitan Activity Centre map to adjust the Activity Centre Boundary to exclude 53 Davey Street, Frankston**
- **Diagram 1 – Active Frontages to adjust the Activity Centre Boundary to exclude 53 Davey Street, Frankston**
- **Clause 5.3-1 Precinct map to exclude the land at 53 Davey Street, Frankston.**

2.6 Applying the Public Park and Recreation Zone

(i) The issue

The Amendment proposes to rezone land on the Frankston Foreshore and around the mouth of the Kananook Creek from CDZ2 to the PPRZ.

The issue is whether the PPRZ is the appropriate zone to apply.

(ii) Submissions

One submission did not support the rezoning because it considered it would exacerbate degradation of the environment and public parks. Another submission supported its application.

Council submitted the rezoning addresses that fact that the redevelopment of the foreshore area has been completed in accordance with the *Kananook Creek Comprehensive Development Plan*, May 1999, and *Kananook Foreshore Development Structure Plan*, June 1998, and supported by the existing CDZ2. It said the PPRZ best reflects the function of these areas as recreational open space and:

... is considered the most appropriate zone for the foreshore as it recognises the use of this area for public recreation and open space and also reflects public land ownership and management requirements. This rezoning was also supported by the Panel that considered the now lapsed Planning Scheme Amendment C123.

(iii) Discussion

The Panel agrees that the PPRZ is the appropriate zone to apply to public land along the foreshore and mouth to Kananook Creek now that the projects facilitated by the CDZ2 are complete. The application of the PPRZ is consistent with its use along the Frankston coastal strip between Olivers Hill and adjoining Precincts 4 and 5 and reflects the function of this area as recreational open space.

(iv) Conclusion

The Panel concludes the Public Park and Recreation Zone is the appropriate zone to apply to sections of the Frankston foreshore area adjacent to the mouth of the Kananook Creek.

2.7 Housing and employment demand and capacity

(i) The issue

The issue is whether the Amendment is planning for sufficient housing and employment capacity in the Frankston MAC to meet future demand.

(ii) Background

Victoria's Housing Statement

On 20 September 2023 the State Government released *Victoria's Housing Statement – The Decade Ahead 2024 – 2034* (Housing Statement) and gazetted Planning Scheme Amendment VC242 which made several changes to all Victorian Planning Schemes to facilitate the approval of housing and development across the State. The Housing Statement outlines a plan to construct 800,000 new

homes over the next ten years, including 60,000 dwellings within ten identified MACs, including Frankston, by 2034.

The Plan for Victoria draft housing targets for Frankston released in June 2024 are for 36,000 additional dwellings by 2051.

Economic Report

In relation to private housing capacity in Frankston, the Economic Report concludes that:

There is significant capacity for housing development under both current planning controls and the proposed structure plan, and this is likely to be much higher than demand. Increasing local amenity and activity will make Frankston a more desirable place to live, improving the market for higher density apartment development. Key sites have the potential to be developed ahead of other parts of the centre, which will encourage development elsewhere.

... regardless of a transformational change in housing preferences or constrained outputs in supply, there is sufficient potential housing capacity to meet demand.

For employment capacity, it identifies:

... there is sufficient available floorspace to meet future demand, the key will be to maximise opportunities for the private market to develop and enhance the FMAC.

Housing Strategy

Council's adopted 2018 Housing Strategy has not been translated into the Planning Scheme but remains a background document as part of Amendment C141fran which translated the Local Planning Policy Framework into the new integrated Planning Policy Framework structure. An earlier 2013 Housing Strategy is a policy document at Clause 16.01-1L with its review identified in Clause 74.02 (Further Strategic Work).

Council is currently developing a new Housing Strategy and to be presented to the community for feedback in 2025. It released the *Frankston City Housing Strategy Discussion Paper* in July 2023.

(iii) Evidence and submissions

The economic and urban capacity evidence of Julian Szafraniec for Council focused on:

- the Economic Report which was undertaken in the COVID-19 pandemic period, based on 2016 Census data, existing controls and an earlier version of the proposed controls which were subsequently amended
- a Gross Floor Area Assessment report undertaken by Tract in February 2024
- 2021 Census, Victoria In Future and Forecast ID data and updated SGS modelling.

He identified that based on the modelling assumptions, the Frankston MAC:

- would need to accommodate 15 to 148 additional dwellings each year for 20 years or 740,000 to 1,280,000 square metres of residential floorspace assuming a 75 square metre apartment average
- based on the draft controls, net additional capacity was 9,900 to 17,100 dwellings.

The updated SGS modelling identified higher municipal wide population growth projections and changes in housing preferences. For the Frankston MAC this represented the need to deliver over 3,000 net additional dwellings by 2041 (based on a 'medium' dwelling type). The 2024 Tract assessment estimated that the Frankston MAC yield was lower than the Economic Report estimates – between 6,485 and 10,809 dwellings. This was due to different yield assumptions, reduced building height in the final controls and increased proportion of employment floorspace.

Mr Szafraniec's evidence was the updated SGS analysis indicated that *"dwelling demand in the Frankston MAC could potentially be higher than previously estimated and theoretical capacity lower"*. However, he considered the Amendment still *"provided sufficient housing capacity to support future housing needs and includes an appropriate buffer between capacity and demand"*.

For employment land, Mr Szafraniec said the Economic Report indicated:

... employment demand, compared to an indicative net capacity for employment floorspace of around 400,000 square metres, suggests the (existing or revised) controls would provide sufficient aggregate employment floorspace capacity and additional supportive initiatives would be required to further stimulate and unlock employment demand consistent with the FMAC vision.

He concluded the Amendment:

... provided sufficient housing and employment capacity to accommodate the future housing and employment needs of the local community over the next 15 years and beyond.

Steibel was concerned that the Economic Report did not have the benefit of the recent Housing Statement or Council's pending Housing Strategy to inform its targets, and this risked the Frankston MAC not achieving the necessary housing capacity to fulfill its strategic role without additional height.

OYOB/Pace raised similar concerns, referring to Mr Negri's planning evidence that the projected housing growth in the Economic Report for the Frankston MAC was less than required under Victoria's Housing Statement or Plan Melbourne's identification of MACs as accommodating significant growth. OYOB/Pace provided a detailed analysis of Mr Szafraniec's evidence and the assumptions informing it. It submitted the revised projected housing capacity was substantially less than the background work that the exhibited controls had been based on and that there was a danger of underproviding housing. It submitted this was reason to err on the side of caution and apply controls that will result in potential increased housing capacity rather than restrictive controls that *"apply a dead hand"*.

Other submissions suggested that the Amendment would not support affordable housing outcomes, but rather catered for wealthier residents or gated residential outcomes without any community benefit.

Council's closing submission set out a summary of housing projections and targets:

- Structure Plan as informed the Economic Report – additional 1,888 dwellings (medium scenario) in the Frankston MAC to 2041 (updated to 3,000 dwellings by SGS additional work/Szafraniec evidence)
- Housing Strategy Discussion Paper – additional 2,700 dwellings in the Frankston MAC to 2036
- Victorian Housing Statement – 60,000 dwelling target in and around 10 activity centres including Frankston
- Plan for Victoria – draft target of 36,000 additional dwellings by 2051 for the entire municipality.

Council submitted the Economic Report did not have housing targets in mind, rather it provided an analysis of forecast growth and available capacity. Even if the Housing Statement target for the Frankston MAC was 6,000 dwellings as compared to VIF/Forecast Id/SGS forecast growth of approximately 3000 dwellings, it would still be able to supply that quantum with its conservatively assessed capacity. It noted the housing targets in Victoria's Housing Statement applied to areas *"in and around those centres"*. Its new Housing Strategy would assess the capacity of areas around

the various activity centres in the municipality including the Frankston MAC to consider how additional capacity could be unlocked to meet the Housing Statement and Plan for Victoria targets.

(iv) Discussion

The Panel is satisfied the Structure Plan and ACZ1 account for both housing and commercial floor space growth for the life of the Structure Plan, based on a considered analysis of population projection and floor space capacity within a denser and taller Frankston MAC.

There are many factors that will influence growth rates, dwelling provision and uptake, housing type and household mix. The Panel is satisfied based on the additional SGS analysis and evidence of Mr Szafraniec that the ACZ1 provisions will accommodate forecast growth with sufficient capacity for additional growth if it is stronger than projected. There was no evidence to the contrary.

The Panel agrees however with the broader proposition posed by OYOB/Pace, that sufficient flexibility should be provided within the proposed controls to respond to future growth and not to dampen the capacity of the Frankston MAC to accommodate it. In this regard the five year review in the Structure Plan will be important to ensure growth activity is monitored and the controls are achieving what is intended.

In respect of the Victorian Housing Statement targets for nominated activity centres and the Plan Victoria draft targets for Frankton, the Panel notes these are targets rather than growth projections. The Panel is satisfied the Frankston MAC (and adjacent areas) will have the capacity to accommodate to these targets, noting the advice from DTP. The new Housing Strategy will be critical to identifying how a diversity of housing can be accommodated within and adjacent to the Frankston MAC and other locations within the municipality can find the additional capacity to meet the various housing targets. The new Housing Strategy is likely to drive further changes to the Frankston Planning Scheme including, potentially, for the Frankston MAC.

The Panel is satisfied the Amendment will support a range of housing outcomes. While some of this may well initially be higher end housing which responds to opportunities for coastal views or foreshore proximity, such activity is likely to drive the supply or other housing opportunities as a result of the increased demand that follows investment activity, centre enhancement and revitalisation.

(v) Conclusion

The Panel concludes the Amendment makes appropriate provision for housing and commercial land use for the life of the Structure Plan and enables the Frankston MAC to fulfill its strategic roles as a MAC consistent with Plan Melbourne and the Planning Policy Framework, particularly clauses 11.03-1R, 11.03-1L, 16.01-1R and 16.01-1L.

2.8 Overall conclusion

Submissions did not suggest that the Amendment was not strategically justified or that some form of change was not anticipated within the Frankston MAC to respond to its growth or role as a MAC. Rather submissions related to specifics of the Amendment, particularly the scale of future development and level of transformation of the Frankston MAC.

The Panel is satisfied that the Amendment, informed by the Structure Plan and supporting technical documents, is strategically justified and provides for a considered built form response that will result in a net community benefit, subject to the changes identified in this Report.

For the reasons set out in this Report, the Panel concludes that the Amendment:

- is supported by, and implements, the relevant sections of the Planning Policy Framework
- is consistent with the relevant Ministerial Directions and Practice Notes
- is well founded and strategically justified
- should proceed subject to addressing the more specific issues raised in submissions as discussed in the following chapters.

3 Climate change and flooding

3.1 Background

(i) Planning scheme controls for flooding

The Planning Policy Framework requires planning for areas liable to flooding during a 1% Annual Exceedance Probability flood event (1% AEP) by identifying these areas in the planning scheme and controlling development to reduce flood risk.

Land subject to riverine flooding is identified in planning schemes by an Urban Floodway Zone, Floodway Overlay, or Land Subject to Inundation Overlay (LSIO). Land subject to local flooding is identified by a Special Building Overlay (SBO). These controls do not prevent development; instead, they provide controls on development to reduce risks to safety and property from flooding.

Relevant planning policies include:

- Clause 01 (Purposes of this Planning Scheme) includes: *'To support responses to climate change'*.
- Clause 13.01 (Climate change impacts) includes strategies to:
 - respond to the risks associated with climate change in planning and management decision making processes (13.01-1S)
 - plan for sea level rise of not less than 0.8 metres by 2100 and allow for the combined effects of tides, storm surges, coastal processes and local conditions such as topography and geology when assessing risks and coastal impacts associated with climate change (13.01-2S).

(ii) Flooding in the Frankston MAC

Melbourne Water (as the flood plain manager) and Council developed the Flood Management Plan in 2019 (refer Appendix D:2). The Flood Management Plan recognises that Kananook Creek discharges into Port Phillip Bay near Frankston MAC, however in flood events most of the creek flow is diverted to the Bay through Riviera Outlet north of Seaford.

The Flood Management Plan identifies that flooding in Frankston has been typically localised in flooding hotspots impacted by surface level gradients, drainage outlet levels and the impacts of tides and drainage pipe capacity to manage stormwater. Floods were experienced in Frankston in February 2005, December 2007, February 2011 and December 2016.

No specific Frankston MAC flood study or flood modelling has been undertaken to date. Council provided a plan showing Kananook Creek and the Frankston MAC with levels to Australian Height Datum (AHD) in Attachment D of its Part A submission (D19e).

(iii) Planning for flooding and sea level rise in the Frankston MAC

Parts of the Frankston MAC area have been subject to periodic flooding, and parts of the MAC are covered by a LSIO and SBO. Their mapped extent is identified in Figure 22 in Appendix D:3.

The flood studies and mapping that informed the LSIO and SBO were undertaken some time ago and did not take account of the impacts of climate change on flood extent. Current state policy

requires flood studies to consider climate change impacts from sea level rise and increased rainfall intensity.

The *Victorian Coastal Strategy 2014* sets out government policy on planning for climate induced sea level rise and requires authorities to plan for possible sea level rise of not less than 0.8 metres by 2100. This policy is reflected in Clause 13.01-2S (Coastal inundation and erosion):

Objective

To plan for and manage coastal hazard risk and climate change impacts.

Strategies

Plan for sea level rise of not less than 0.8 metres by 2100

The contemporary standard for considering increased rainfall intensity due to climate change is set out in *Australian Rainfall and Runoff 2019* (ARR 2019). ARR 2019 estimates an 18.5 per cent increase in rainfall intensity by 2100 due to the warming of the Earth's atmosphere.

Council identified that while the Structure Plan has been informed by its *Climate Change Strategy 2023-2030*, no specific technical work on climate change and flooding was undertaken.

Melbourne Water, in partnership with Council, has recently commenced new flood modelling for Frankston, due to be completed in mid-2025. The outcomes of this work will need to be considered once it has been finalised.

Council identified that the Port Phillip Bay Coastal Hazard Assessment was released by the Department of Energy, Environment and Climate Action (DEECA) in January 2024, and identified:

Council is about to commence the preparation of a local Coastal Hazard Assessment and Vulnerability and Risk Assessment for the whole of the Frankston City Council area (the first four stages of DEECA's Victoria's Resilient Coast guidelines), due for completion in June 2025. The DEECA work will form the baseline for this work. Once the findings of this assessment are known, further consideration may need to be given to the implications for the FMAC Structure Plan area.

The Coastal hazard mapping on DEECA's 'CoastKit' website indicates that:

- a portion of the Frankston MAC (predominantly in the north) will be impacted by storm surge in the 100 year event (equivalent to a 1% AEP) from the year 2070
- some areas adjacent to the Kananook Creek in the Frankston MAC will be impacted by sea level rise from 2070 and other areas impacted from 2100.

(iv) Other climate change issues

Some submissions raised broader concerns about the development of the Frankston MAC in the context of climate change. These concerns included greenhouse gases emitted by development and a growing population, and the urban heat island effect. These concerns are not directly relevant to the proposed Amendment and the Panel has not addressed them in this Report. Such issues are municipal wide policy matters and should be considered at the planning permit stage, as relevant, against the Planning Policy Framework.

Council advised that Frankston Planning Scheme Amendment C156fran is currently on exhibition and proposed to implement:

- *Frankston City Council Biodiversity Action Plan 2021-2036*
- *Frankston City Council Urban Forest Action Plan 2020-2040*
- *Frankston City Council Integrated Water Action Plan 2016-2026*
- *Frankston City Council Climate Change Strategy 2023-2030.*

Council's Part C submission identified Amendment C156fran:

... updates the Municipal Planning Strategy and introduces local planning policies within the Planning Policy Framework to support the protection and retention of biodiversity within the municipality, increase canopy tree coverage and encourage appropriate water management while also acknowledging the impacts of climate change.

The Panel considers Amendment C156fran the appropriate type of municipal wide approach to considering broader climate change issues.

3.2 Flooding

(i) The issues

The issues are:

- whether the Amendment has appropriately considered flooding
- whether the Amendment should be deferred pending the completion of Melbourne Water's updated flood mapping
- the need for building setbacks Kananook Creek
- protection from inundation under the 2100 sea level rise scenario
- whether an area along Inglis Street should be excluded from the Frankston MAC because of flooding risk.

(ii) Evidence and submissions

Melbourne Water and 14 submissions from community groups and individuals raised concerns about the impacts of flooding and sea level rise on the Frankston MAC. Several submissions proposed the Amendment be deferred until the current Melbourne Water flood mapping work was completed.

Melbourne Water identified:

The land within and surrounding the Frankston Metropolitan Activity Centre is subject to existing flood risk. In accordance with State policy to plan for sea level rise of not less than 0.8 metres by 2100, the risk of inundation is likely to increase in the future.

Melbourne Water provided an Amendment position statement prior to the commencement of the Hearing (D18). This included a description of the history of flood mapping in the area and noted that the existing LSIO and SBO in the Planning Scheme did not reflect the latest flood mapping nor the reduced flood risk in some places due to some recent drainage works in the Frankston MAC area.

Setbacks from Kananook Creek

The ACZ1 as exhibited includes mandatory setback requirements to Kananook Creek Reserve and Kananook Creek. These controls require:

- a minimum 5 metre setback along Kananook Creek Reserve or a setback to a surface level of 1.7 metres AHD, whichever is greater
- a minimum setback of 10 metres from the 1.15 metre AHD contour (2 year Annual Recurrence Interval) or to a surface level of 1.7 metres AHD, whichever is greater.

Melbourne Water identified that it was planning policy to plan for sea level rise of no less than 0.8 metres by 2100. It recommended changes to ACZ1 for Precinct 5A to increase mandatory

minimum building setbacks from Kananook Creek to at least a surface level above the 2.4 metres AHD contour:

Amend the mandatory minimum building setbacks for Precinct 5A as follows:

- Where properties abut Kananook Creek Reserve: Minimum 5.0m from the rear boundary or to a surface level above the ~~4.7m~~ 2.4m AHD contour, whichever is greater.
- Where properties abut Kananook Creek: Minimum 10.0m from the 1.15m AHD contour (2 year Annual Recurrence Interval) or to a surface level above the ~~4.7m~~ 2.4m AHD contour, whichever is greater.

Council's Day 2 changes proposed alternative text for Table 20 (Mandatory building setbacks):

- adding for sub-precinct 5A:
 - ... above the minimum building setback and below the 2.4m AHD contour, there must not be any loss of flood storage through impervious enclosure or filling of the area to the satisfaction of the responsible authority and Melbourne Water.
- adding a mandatory requirement for sub-precinct 5B consistent with the first condition for 5A
- Table introductory text to clarify that any identified conditions must be met.

Council's Part C submission explained the changes were made to meet Melbourne Water's objective of maintaining flood storage and conveyance but allowing building above the land and flood storage airspace. Melbourne Water advised the Table changes for sub-precinct 5A did not address all of its concerns, but the further consideration of flood risk in design and maintenance of the Kananook Creek flood function was supported (D78a).

Matthew Sommerville's hydrology and flooding evidence for Melbourne Water observed that having land with a building projecting over it would encourage occupants to place items such as lawn mowers and gardening tools under the overhanging building.

Protection from inundation under the 2100 sea level rise scenario

Mr Sommerville stated:

As with the general climate change discussion, the revised guidance will extend to updates to the Port Phillip Bay [sea level rise] estimates. Based on my understanding of these findings the [sea level rise] prediction is likely to increase based on the new guidance.

He further identified Amendment VC171 which came into effect in October 2021:

... revised the Victoria Planning Provisions (VPPs) to strengthen coastal hazard planning, implement the *Marine and Coastal Policy 2020* and made minor administrative updates. One of these changes was to Clause 13.01-2S 'Coastal inundation and erosion' to remove planning for a sea level rise of 0.2 metres by 2040 for 'infill development'. The VPPs require land use and development to 'plan for sea level rise of not less than 0.8 metres by 2100 and allow for the combined effects of tides, storm surges, coastal processes and local conditions such as topography and geology when assessing risks and coastal impacts associated with climate change.

Mr Sommerville recommended additional requirements for: d

- a minimum main floor level equal to the 2100 1% AEP plus 600 mm for the main floor level (3.0 m AHD)
- basement carpark entrances and levels to be above the 1% AEP plus 600 mm freeboard as a minimum (2.4 m AHD)
- management of infill in potentially active flood storage areas (past the 10 metre setback from top of bank but below 3.0 metres AHD).

Melbourne Water recommended:

- amending the Precinct 4 guideline for footpath levels to ensure that buildings along Kananook Creek Boulevard responded to flooding risk
- an additional Precinct guideline for Precincts 4 and 5:
 - Ensure that the internal area of buildings and any basements are designed to be protected from inundation from Kananook Creek in a 1% Annual Exceedance Probability flood event and under a 2100 sea level rise scenario.

Stiebel Enterprises opposed the suggested the Melbourne Water changes, submitting they would potentially impact future amendments to existing planning permits. Urban DC submitted that the additional objectives and guidelines should not be included at this stage of the Amendment process as they were not supported by any strategic work.

Council's Day 1 and 2 changes to the Centre-wide objectives in response to Melbourne Water's submission proposed:

- to amend the third 'Development' objective to read:
 - To encourage built form that contributes to a safe, engaging, active and attractive public realm and which provides innovative approaches to dealing with potential inundation.
- include an additional objective:
 - To ensure that development anticipates the impacts of climate change and is resilient to the potential impacts of inundation.

OYOB/Pace proposed the objective use alternative additional words: "*subject to any requirements to achieve acceptable flood protection*".

Council proposed to amend the following Precinct 4 and Precinct 5 guideline in response to the Melbourne Water submission to read:

Design buildings to respond to the topography and inundation but in a way so that the ground level of any setback area to Kananook Creek Boulevard buildings meets is generally consistent with the existing footpath level at both the Kananook Creek and Nepean Highway frontages.

OYOB/Pace did not support this change because it did not allow sufficient flexibility. It proposed an alternative informed by the evidence of Mr Czarny:

Provide a transition between the footpath on Kananook Creek Boulevard and the ground level of the building where required to respond to the flood characteristics of the land in a form that accommodates outdoor dining and other active uses that contribute to an active frontage to Kananook Creek Boulevard.

Inglis Avenue

Melbourne Water did not support the inclusion of land on eastern side of Inglis Avenue within sub-precinct 5D should not be included within the ACZ1 because of potential flood risk identifying:

The land on the eastern side of Inglis Avenue is located within the Special Building Overlay. The flood modelling for the Skye / Karingal Flood Study outlines that this land is likely to be subject to flood depths of up to 0.9 metres in a 1% Annual Exceedance Probability flood event and that properties will remain inundated for some time (up to 24 hours).

Melbourne Water is concerned that the degree of flood risk for these properties is significant enough that further intensification of development should not be supported, in accordance with state policy in the Frankston Planning Scheme and relevant practice guidance. Planning Practice Note No. 56 'Activity Centre Zone' outlines that in setting a boundary for an activity centre, environmental and flooding constraints should be considered. The Practice Note further acknowledges that the boundary should generally exclude 'residential land encumbered by significant constraints (such as a Heritage Overlay) located at the edge of the activity centre'.

It submitted the rezoning of the land would encourage more intensive development on this land.

In its Part C submission, Council submitted:

...there is no need to exclude development either from the Inglis Street area (or the Ebdale Street area) provided that the buildings are developed so as to be resilient to inundation.

(iii) Discussion

Melbourne Water's position statement identifies that the land within and surrounding the Frankston MAC "*is subject to existing flooding risk*". While this statement appears to refer to all of the land in the MAC, the rest of the position statement demonstrates that its concerns are more confined, and that the flooding risk only applies only to some land. Melbourne Water's proposed changes are specific to certain locations.

The Panel acknowledges the concerns of Melbourne Water and submitters about the impacts of climate change (sea level rise and increased rainfall intensity) on development in the Frankston MAC. Planning for these climate change impacts to reduce risk is an important planning objective.

The *Port Phillip Bay Coastal Hazard Assessment Summary #4 Inundation Hazard Assessment* (DEECA, 2023) estimates the extent of land affected by inundation due to climate change induced sea level rise around Port Phillip Bay. Of the ten local government areas considered, the City of Frankston is the least impacted.

Melbourne Water and Council are currently undertaking a flood mapping for the whole of the City of Frankston, and this must follow ARR 2019 and include modelling climate change impacts. Council expects this work to be complete in 2025 but was unclear as to the nature or timing of any future planning scheme amendment.

The Panel does not accept the proposition put by some submitters that the Amendment be deferred until a contemporary flood study is completed and reflected in the Planning Scheme. While some parts of the Frankston MAC are subject to flooding, the Panel does not consider this such a significant issue that progress on planning for the centre should be deferred. Planning scheme amendments are made periodically and an update of the Planning Scheme to include current flood risk does not need to precede the Amendment to effectively advance planning for the area. Moreover, there has been a long lead time in preparing a comprehensive Structure Plan and Amendment for the Frankston MAC. To delay it further for a flooding update would not support the planning objective of orderly planning when appropriate objectives and guidelines can be introduced by the Amendment.

Setbacks from Kananook Creek

The Panel supports Council's proposed changes to Table 20 in ACZ1. The changes achieve Melbourne Water's objective of maintaining flood storage and conveyance along Kananook Creek up to the 1% AEP flood level including 2100 sea level rise. The changes also maintain the opportunity for landowners to build over the flood storage and conveyance airspace. The Panel thinks this is a good outcome that achieves flood protection and provides the opportunity for landholders to build over their land, compared to Melbourne Water's proposed changes which would introduce significant development restrictions late in the Amendment process.

In response to Mr Sommerville's concerns that occupants would place items under an overhanging building that may take up flood storage space, the Panel thinks this risk not significant, and is outweighed by the benefit of landowners being able to develop the land efficiently.

Protection from inundation under the 2100 sea level rise scenario

Kananook Creek adjacent to Precincts 4 and 5 is tidal. Its current 1% AEP flood level is the 1% AEP level of Port Phillip Bay at Frankston, which is 1.7 metres AHD.

The Panel agrees with Melbourne Water's recommendation to require buildings in Precincts 4 and 5 to be protected from inundation from Kananook Creek in a 1% AEP flood event, including under a 2100 sea level rise scenario, and generally agrees with Council's proposed wording.

While there is no current, comprehensive flood study and mapping in place that identifies all future flood risks, planning policy for protecting against sea level rise in 2100 is clear. At present, planning policy is to plan for 0.8 metres of sea level rise. If this figure is revised in the future, consistent with Mr Sommerville's evidence, it is only likely to be revised upwards. The proposed addition of the precinct guideline accommodates the current expected sea level rise and future changes to it and enables considered responses.

The Panel supports Council's additional text related to innovative responses and resilience to inundation. These are useful objectives that strengthen the Amendment's response to flooding issues and is consistent with the Planning Policy Framework. They signal a known issue within the Frankston MAC and provide appropriate guidance for development to respond in a considered way, particularly when Melbourne Water has identified a concern and has no statutory role in referrals outside SBO/LSIO areas. The objectives, Precinct requirements and guidelines can be reviewed as necessary following the completion of Melbourne's Water flooding work.

The Panel does not support the view that introducing changes to Precinct objectives and guidelines to respond to flooding and the issues raised by Melbourne Water lacks a strategic foundation or may impact existing permits. The proposed changes do not require any additional strategic policy work. They are consistent with existing planning policy on adapting to climate change induced sea level rise, which has been supported by extensive forecasting and strategic policy work. The impact on existing permits is not relevant - the question is whether the proposed provisions are consistent with current policy. Planning schemes do not (and should not) remain static. In any event, the proposed objectives and guidelines do not introduce mandatory provisions but rather flag existing potential constraints to be considered. This is important in a Metropolitan Activity Centre setting.

The Panel supports the inclusion in Table 20 of an additional condition for Precinct 5A to ensure no loss of flood storage through buildings enclosing or filling areas below 2.4 metres AHD. This is an appropriate response to the submission of Melbourne Water and evidence of Mr Sommerville. It is unnecessary however to add 'to the satisfaction of the responsible authority and Melbourne Water' as proposed by Council. Council as the responsible authority already has a role in determining if and how requirements are met, and Melbourne Water cannot be provided a statutory role it doesn't have.

The inclusion of a mandatory requirement for sub-precinct 5B is consistent with the approach for 5A and supported. For consistency, the Panel considers the additional condition proposed for sub-precinct 5A should also be applied to sub-precinct 5B in the context of Melbourne Water's submission and the evidence of Mr Sommerville.

The changes suggested by OYOB/Pace to the setback guideline for Precinct 4 are not supported. Council's proposed change deals with a different issue - the protection of the internal area of buildings and basements from flooding, whereas the OYOB/Pace alternative text seeks to address

the transition area between the internal area of the building and the footpath. The latter issue is a design one and is discussed in Chapter 4.8.2.

In broad terms however there is no apparent issue in allowing for non-permanent building elements within the transition areas as suggested by OYOB/Pace, for example using the mandatory setback areas for outdoor dining or allowing for gradual rises or steps to address level changes between the footpath and building entries, or to allow for outdoor dining in these areas. The wording of Council's Day 1 changes allows this flexibility without compromising any flood management outcomes but ensuring built form outcomes avoid outdoor dining areas are raised well above footpath level or street wall setbacks interrupted by building entry ramps or flights of stairs. The later should be accommodated within the building.

Inglis Avenue

Melbourne Water's proposed removal of land on the eastern side of Inglis Avenue from the Frankston MAC is not supported. The land is currently zoned MUZ and the preferred maximum building height under that zone and the Amendment is 12 metres. The change in zoning does not change the development potential of the land. Sections of the sub-precinct will remain subject to the SBO which requires referral of permit applications to Melbourne Water as a determining referral authority. Future flood mapping work will also inform whether additional requirements or overlay changes are necessary.

(iv) Conclusions and recommendations

The Panel concludes:

- The Amendment should include:
 - protection from inundation under the 2100 sea level rise scenario
 - adequate setbacks along Kananook Creek to provide flood protection
 - strengthened flood protection objectives.
- It is not appropriate to defer the Amendment pending the completion of Melbourne Water's updated flood mapping, however both Council and Melbourne Water should aim to progress this work to completion and implement any findings relevant to the Frankston MAC into the Planning Scheme as soon as practicable.
- Council's Day 1 and Day 2 changes relating to flooding are generally appropriate subject to the Panel's changes.

The above changes are reflected in the Panel's preferred version of the ACZ1 in Appendix F. In addition, it recommends:

Amend the Activity Centre Zone Schedule 1 consistent with the Panel preferred version in Appendix F to amend the 'Mandatory minimum building setbacks' column of Table 20 as follows:

- **amend the requirement for Sub-precinct 5A to add:**

In either case above the minimum building setback and below the 2.4m AHD contour, there must be no loss of flood storage through impervious enclosure or filling of the area.
- **Include a Sub-precinct 5B requirement which reads:**

Where properties abut Kananook Creek Reserve: Minimum 5.0m from the rear boundary or to a surface level above the 1.7m AHD contour, whichever is greater (Refer Diagram 19).

Within the minimum building setback and below the 2.4m AHD contour, there must be no loss of flood storage through impervious enclosure or filling of the area.

Further recommendation:

The Panel makes the following informal recommendations for Council's consideration:

Following the completion of the Melbourne Water flood mapping for Frankston, prepare and implement a planning scheme amendment to implement the findings of the flood study as it relates to the Frankston Metropolitan Activity Centre as soon as practicable.

4 Height, setbacks and solar access

4.1 Background

(i) Existing controls

Council’s Part A submission identified that three DDOs apply in the Frankston MAC (refer Figure 4 below, and Figure 21 in Appendix D:3):

- DDO5 which relates to the 2015 Structure Plan’s Precinct 5 – Nepean Highway Boulevard and Kananook Creek Precinct
- DDO13 which relates to the 2015 Structure Plan’s Precincts 8 and 9 – Health and Education and Cranbourne Road Office and Commercial Precinct
- DDO14 which applies to land in Precinct 4 of the Structure Plan area.

The heights and setbacks recommended in the 2015 Structure Plan are set out in Appendix D:2.

The CDZ2 provides design guidance through the approved development plan and Kananook Foreshore Development Plan Structure Plan.

Figure 4 Existing built form controls applying to proposed Frankston MAC precincts

Proposed FMAC sub-precinct (ACZ1)	Existing built form controls
1C (part)	DDO5
4A, 4B	DDO14 (interim controls to expire 24 April 2025)
4C, 4D	CDZ2
5A, 5B, 5C, 5D	DDO5
6A, 6B	DDO13

Source: Council’s Part A submission

Council’s Part A Submission Attachments B, C1, C2 and C3 provided comparisons between existing built form controls and those proposed through the ACZ1.

(ii) Technical reports

Urban Design Report

The Urban Design Report outlines the opportunities for public realm, connections and built form improvements within the Frankston MAC. It includes a detailed assessment of built form across the MAC and provides recommendations for future building heights, setbacks and other built form requirements informed by shadow modelling and analysis.

The Urban Design Report focuses on key themes of landform and views, development activity, development and constraints, lot width analysis, built form and design, public realm, safety, amenity, walking and cycling. Eleven built form principles guided the built form recommendations:

- Principle 1 – Design excellence
- Principle 2 – Strengthen connection to the water
- Principle 3 – Reinforce the ‘human scale’ of key city centre streets
- Principle 4 – Retain solar access to key streets and public spaces
- Principle 5 – Define a clear edge to the city centre

- Principle 6 – Reinforce a network of active frontages
- Principle 7 – Enhance sensitive interfaces
- Principle 8 – Enhance views to Frankston City Centre
- Principle 9 – Limit the impact on the amenity of surrounding land uses
- Principle 10 – Ensure buildings provide wind and weather protection
- Principle 11 – Ensure development can be adequately services from existing roads.

The Urban Design Report proposes discretionary controls (with the exception of the setback to Kananook Creek Boulevard in Precincts 4 and 5 discussed in Chapter 3.2).

In relation to solar access, the Urban Design Report recommended a benchmark of providing sunlight to key footpaths between 10am and 2pm at the equinox for the majority of streets across the Frankston MAC. Built form modelling is extracted in the Urban Design Report showing the effect of development on solar access outcomes.

A requirement to maintain sunlight between 10am and 2pm at the winter solstice is recommended for a number of parks and Kananook Creek because of their important open space role. This requirement was modified in some locations because it was found to be too restrictive on development opportunities.

Kananook Creek Built Form Review

The KCBF Report provides an analysis of Precinct 4 in terms of overshadowing and height and setback scenarios on key views and a desktop environmental assessment to understand the impacts of built form on the ecosystem of the creek. It concludes:

Light availability is a fundamental constraint on primary production in aquatic environments. In the context of this development, the height of the proposed commercial buildings is predicted to cause a reduction in light of approximately two hours between 8am and 10am. Due to the relatively small degree of shadow which is proposed to occur, it is unlikely that a reduction of two hours of available light will significantly impact aquatic flora and fauna values within Kananook Creek. It is likely that shadowing to this degree will reduce primary production. However, it is unlikely that a reduction of two hours will have a substantial, detrimental impact of primary production or on species that rely on primary production. Based on the BVA data, there are no National or State significant flora and fauna which are likely to be impacted by the proposed development. Despite the absence of significant aquatic flora and fauna, common fish species are likely to be present within Kananook Creek. Based on the Desktop assessment, the degree of shadowing caused by the development is likely to have a negligible impact on significant aquatic flora and fauna species within Kananook Creek; however, due to the reduction in sunlight, it is likely that common aquatic flora and fauna species are likely to be impacted.

(iii) Structure Plan

The Structure Plan identifies:

- in terms of built form character:

The FMAC lacks a cohesive built form character. There are limited examples of high quality buildings with most development comprising of single and double storey shopfronts with simple forms and limited articulation, or multi-level office buildings with bulky forms.
- in terms of height:

The building height map shows the FMAC as relatively low scale with 'islands' of height represented by the South East Water building (35.6m) Quest Hotel (46.2m) and the Arts Centre (31.6m). This is also how the centre reads with these buildings highly visible from a number of vantage points.

The Cinema on Wells Street is another notable taller building at 22.4m however it is only two storeys in height. Similarly the Bayside Shopping Centre appears as a taller building due to the larger floor heights.

Outside of these buildings, heights are generally in the 2-3 storey range. Precinct 6 is particularly low scale with a significant number of single storey post-war dwellings.

The Structure Plan identifies the following built form and design outcomes for each precinct:

- Precinct 1:

New built form will strengthen the street based experience with open and engaging frontages that reflect the fine-grain subdivision patterns of existing shopfronts. A three storey street wall will provide a scale that does not overwhelm the streetscape and taller development will be set behind the street wall to minimise visual impact. Building heights will increase around key retail streets where overshadowing impacts can be managed.

Existing blank walls to Keys Street, Olsen Street, Evelyn Street and key laneways will be gradually replaced with well designed buildings providing windows and activity at ground level.
- Precinct 2:

Development within the precinct will seek to activate newly created public spaces and linkages with open and engaging building frontages. Development will be of substantial scale reflecting the importance of the precinct and the significant opportunities that exist on large development sites. Because of the significant scale, buildings will be designed in a way where they present with high quality facades from all views.
- Precinct 3:

Built form within the precinct will respond to the arts and entertainment theme providing creative architectural responses. Building heights will increase in Playne Street capturing the proximity to the railway station and foreshore. The southern footpath of Playne Street will remain in sunlight at key times of the year by applying upper-level setbacks on the north side of the street. Building heights will decrease towards Davey Street and Plowman Place, responding to the high visibility of this area, its location further away from the City Centre, the sensitive open space interfaces to the south, and the transition to the detached residential areas of Frankston.

Along the northern side of Davey Street, development will reinforce the City Centre edge with buildings extending up to the street boundary. The southern side of Davey Street and Northern side of Plowman Place will have a different character, providing landscaped front setbacks and opportunities for landscaping between new buildings and the retention of significant trees.
- Precinct 4:

Built form within the precinct will be of significant quality recognising the importance of this location within the FMAC. Development will support significant transformation of this precinct whilst balancing the sensitive interfaces to Kananook Creek, the Foreshore reserve and residential uses within the Long Island neighbourhood. Upper levels of buildings will be designed with significant gaps, reducing the visual bulk of buildings when viewed from the foreshore and other surrounding areas and also allowing views to the sky when viewed from Nepean Highway. Appropriate upper level setbacks will ensure Kananook Creek, key streets and the foreshore reserve receive adequate sunlight across the year.
- Precinct 5:

Development will provide for a high quality address to the boulevard set behind landscaped gardens with canopy trees that complement the boulevard planting. Building heights will increase closer to the FMAC and on the eastern side of the Nepean Highway. On the west side of the highway, development will be of a lower scale and set back from Kananook Creek to respond to this sensitive interface.
- Precinct 6:

New development will help to revitalise the precinct through the gradual replacement of existing housing stock with high quality multi-level buildings enhancing the eastern entry

to the FMAC. Development will be of a scale and density that is compatible with surrounding residential areas and increase moderately towards the City Centre.

(iv) Planning permits

Council's Part A Submission (Attachment E) provides a summary of current permit applications or recently approved major developments within the Frankston MAC. This detail is included in Appendix D:4 of this Report.

4.2 Approach to building heights

(i) The issues

The issues are:

- whether an appropriate level of modelling and strategic work has been undertaken to justify and support the proposed height controls
- whether height requirements should be mandatory or discretionary
- how should height controls be expressed in the requirements, including for sloping sites.

Issues of specific height requirements are considered separately for each Precinct.

(ii) Background

Structure Plan

Strategy 5.1 of the Structure Plan identifies that:

The proposed building heights will provide for a substantial increase in floor area across the FMAC enabling the land use forecasts to be delivered. The City Centre and station areas will be reinforced as a focus for activity with taller buildings of up to 16 storeys. Building heights scale down towards the edges of the FMAC where sensitive interfaces exist including Kananook Creek, the foreshore reserve and in visually prominent locations such as Davey Street and Plowman Place.

The proposed building height approach will provide for a considered skyline and a clear delineation between the surrounding residential areas and the more intensified FMAC.

Activity Centre Zone

The ACZ1 provides for preferred maximum (discretionary) building and street wall heights for each of the six Precincts in Tables 37, 10, 14, 19 and 23 consistent with the Structure Plan, that range from 12 metres (3 storeys) to 54 metres (16 storeys).

(iii) Evidence and submissions

Submissions were made that height should be increased or decreased and/or made mandatory. Most submissions were received in relation to Precinct 4.

The reasons for seeking reduced or mandatory heights, particularly in Precinct 4, included:

- impact on amenity (including privacy and shadowing)
- loss of or impact on key views to the Bay and foreshore, the Dandenong Ranges and views along the coastline including towards the Melbourne City skyline
- creating a sense of physical separation between the Centre and foreshore (avoiding a 'wall of buildings' as some submissions described it)
- environmental impacts on the Kananook Creek corridor and foreshore

- the visually dominant impact on the coastal character of Frankston more generally including views from the beach to the Frankston MAC.

OYOB/Pace supported the proposed height controls and submitted the heights should be measured from the Nepean Highway frontage, being the high point for land within Precinct 4.

The evidence of Amanda Roberts (for Council) and Mr Czarny supported the strategic approach to building heights. Mr Czarny made additional recommendations with regard to height considerations for 'gateway sites' which are considered in Chapter 5.2.

Council submitted its approach to building heights was justified because:

... the analysis in the Urban Design Report provides sound strategic (not site specific) basis for the proposed building heights, which will provide for a considered skyline and a clear delineation between the surrounding residential areas and the more intensified FMAC core that can accommodate the required level of growth.

Council also submitted:

- discretionary height provisions are preferred, with mandatory provisions only applied in exceptional circumstances supported by robust and comprehensive strategic work
- the ordinary definition of building heights used across Victoria and in Clause 73.01 should be applied for sloping sites located within activity centres.

(iv) Discussion

Building and Street wall heights

The Amendment proposes a range of heights across the Frankston MAC that reinforces the City Centre as the core and responds to sensitive interfaces. The Structure Plan and ACZ1 controls:

- apply the most restrictive height limits to Precincts 5 and 6 to respect adjoining low scale residential streetscapes and provide a scaling down of the Frankston MAC around the periphery
- provide for the tallest buildings (up to 16 storeys) to be located in the City Centre and station areas to reinforce these areas as a focus for activity
- heights of 8 to 12 storeys around the periphery of the City Centre where there is greater separation from low scale residential areas outside the Frankston MAC.

A considerable and thorough body of strategic and urban design investigation has informed the Structure Plan height controls. There was broad consensus amongst the urban design expert evidence that the approach to height controls is sound. The modelling has been informed by shadow analysis to consider the impact of increased height and density on the amenity of public places.

The Panel considers the proposed heights overall are appropriate and reflective of the designated role of Frankston as a MAC and the level of change required to achieve this role, including accommodating additional housing. The height changes will be transformational and visible from the foreshore and beach, from nearby residential areas and from elevated viewpoints such as Olivers Hill. A lower scale form will not achieve the growth objectives for the Frankston MAC.

The proposed heights will not in the Panel's opinion compromise the coastal setting. Buildings will be seen from many vantage points, but the heights have been tempered appropriately to ensure they do not dominate the coastal setting and character or distant views.

The Structure Plan and ACZ1 has appropriately applied heights that have been informed through strategic work and are responsive to the MAC's setting, rather than simply adopting heights applied in other MACs. The context and setting of each MAC is different, with the Frankston MAC the only centre on the coast. The application of nuanced heights is consistent with clauses 02.03-1, 11.03-1R, 11.03-1L-02 and Plan Melbourne to create centres that are attractive, distinctive, liveable, offer high levels of amenity and support quality design outcomes.

The approach of focused height within the City Centre and Station areas, scaling down around the periphery is appropriate.

As discussed in subsequent chapters, the proposed range of heights work together with other requirements and guidelines in the ACZ1 to create a permeable Centre which provides views to the sky, building separation and setbacks. The Panel is satisfied these requirements will avoid the 'wall of buildings' that some submitters feared.

The intent of the Structure Plan to provide consistent street wall height within Precincts is sound. The proposed consistency of street walls heights throughout the Frankston MAC is appropriate in reinforcing the built form character of the Centre. Provision of a scaled down two storey street wall within the pedestrian malls will provide a more pedestrian scale suitable to the narrow streets.

Discretionary height provisions

The evidence of Mr Czarny and Ms Roberts was supportive of discretionary provisions for building and street wall height. The Panel agrees that discretionary height requirements will support the provision of a transition in height towards the periphery of the Frankston MAC and an appropriate separation between the areas where robust heights are encouraged and sensitive interfaces. They acknowledge:

- the physical separation of the higher form (12 to 16 storey building heights) by roads, railway lines, waterways, parks and public use buildings from surrounding low scale residential zones
- the modelling which demonstrates that flexibility and a performance-based approach can lead to an acceptable planning outcome
- Their use in combination with setbacks and solar access controls to support the preferred outcomes and mitigate against buildings taller than the preferred maximum heights.

The provision of discretionary height controls also allows for a performance-based assessment for sloping blocks.

Expression of height controls

The application of height controls in metres is consistent with PPN60, with reference to storeys helpful in the understanding of the height controls.

Application of the general definition of building height as found in Clause 73.01 is appropriate and consistent with PPN60 for non-mandatory maximum height which identifies:

The ordinary definition of building height used across Victoria is as set out at Clause 73.01 of the VPP and is the vertical distance from natural ground level to the roof or parapet at any point. This approach should be applied for sloping sites located within activity centres.

(v) Conclusions

The Panel concludes:

- There is sound logic to the application of the building and street wall heights in the Frankston MAC.
- The application of discretionary height controls is appropriate in a Metropolitan Activity Centre.
- The use of metres as the definitive control is appropriate, with storeys being a helpful inclusion in the provision.
- The ordinary definition of building height is appropriate. Council’s Day 2 changes to remove references to ‘above natural ground level’ to all building height requirement tables is appropriate and consistent with the Clause 73.01 definition. These changes are reflected in the Panel’s preferred version of the ACZ1 in Appendix F.

4.3 Approach to setbacks

(i) The issues

The issues are:

- whether an appropriate level of modelling and strategic work has been undertaken to justify and support the proposed setback requirements
- whether setback controls should be mandatory or discretionary.

Issues of specific setback requirements are considered separately for each Precinct.

(ii) Background

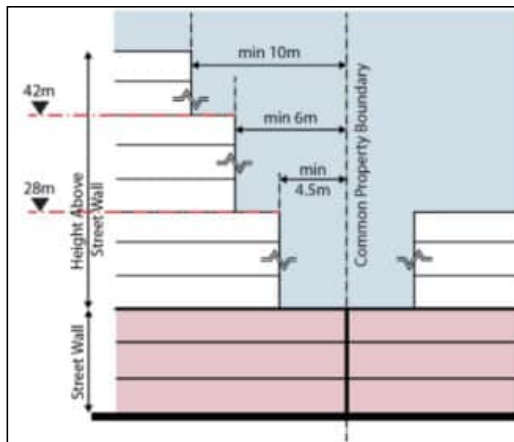
The Precinct building and upper-level setbacks are all proposed to discretionary with the exception of Precinct 4 (sub-precincts 4A, 4B and 4D) and precinct 5 (sub-precinct 5A) which have mandatory building setbacks from designated points. In addition to Precinct setbacks, the Clause 4.0 Centre-wide provisions include requirements for side and rear setbacks and building separation in Table 2 (refer Figures 5 and 6).

Figure 5 Side and rear setbacks above street wall height

Building height	Preferred minimum side and rear setback above the street wall height
Up to 28.0m	4.5m
Above 28.0m up to 42.0m	6.0m
Above 42.0m	10.0m

Source: ACZ1 Table 2 – Side and rear setbacks above street wall height

Figure 6 Side and rear setbacks above street wall height diagram



Source: ACZ1 Diagram 2 – Side and rear setbacks above street wall height

(iii) Evidence and submissions

Submissions were received that sought to increase or reduce upper level setbacks from the street wall and side and rear setbacks.

Mr Czarny’s evidence supported:

- the general approach to street setbacks, with specific recommendations in relation to Precinct 4 and gateway sites, which are considered in Chapters 4.8 and 5.1 respectively
- 4.5 metre side and rear setbacks up to 42 metres (rather than 6.0 metres above 28 metres) to deliver a simpler profile rather than a stepped condition.

OYOB/Pace submitted that the upper level setbacks to Pedestrian Links were inequitable and where they do apply, should be nominated from the centre of the laneway for clarity. It submitted (in addition to the changes recommended by Mr Czarny for side and rear above street wall height and in Mr Negri’s evidence):

- Diagram 2 should be deleted as it offered no utility
- the last setback and building separation guideline relating to tower separation between multiple towers on the same site should be simplified.

Franky submitted that Table 2 should be deleted altogether as there is insufficient justification for a building separation requirement. Further submissions were made specifically in relation side and rear setbacks for Precinct 2 which are considered in Chapter 4.6.2.

Steibel submitted that the proposed 10 metre side and rear setback above 42 metres was overly burdensome, particularly on east-west oriented sites where setbacks would not benefit or impact sea views.

Submissions by the Estate of Helena West and Joseph West & Dominant (Aust) Pty Ltd supported Ms Roberts’ opinion that setbacks from Pedestrian Links above the street wall should be 3.0 metres as per the Structure Plan.

Comparisons to other MACs were made by parties in support of reduced side and rear setbacks.

Council submitted the proposed setbacks were strategically justified and consistent with PPN58 and PPN60 given:

- they were based on a comprehensive built form analysis
- discretionary setback provisions, which are preferred under PPN58 and PPN60, have been applied in the main
- mandatory setbacks have only been applied in limited circumstances and where supported by robust and comprehensive strategic work.

Council's Day 1 and Day 2 proposed changes included:

- reference to Diagram 2
- in response to the evidence of Ms Roberts amending the upper-level setbacks to laneways requirement to confirm it did not apply to laneways that were not pedestrian links and reducing the setback metric from 5.0 metres to 3.0 metres
- amending Table 2 to add a third column 'Preferred minimum tower separation within a site above street wall' and setback metrics of 9.0m (for building height up to 28.0m), 12.0m (between 28.0m and 42.0m) and 20.0m (above 42.0m).

OYOB/Pace submitted the third column metrics in the amended Table 2 should amend to 9.0m (up to 42 metres).

(iv) Discussion

The Structure Plan is informed by a comprehensive analysis of building setbacks and their relationship with building height and shadow outcomes. The built form analysis generally follows a logical methodology for developing and applying setbacks to the street wall, above the street wall, and to side and rear boundaries.

Ground floor setbacks

The Structure Plan takes the approach of an urban streetscape with no setbacks to the street wall except for nominated landscaped setbacks in Precincts 1, 2, 3 and 5, and for:

- Precinct 4 where mandatory setbacks to Kananook Creek Boulevard (sub-precincts 4A and 4B) are proposed to provide an outdoor dining/activation zone and to Kananook Creek Promenade (sub-precinct 5) to provide for the continuation of Kananook Creek Promenade
- Precinct 5 where mandatory setbacks to Kananook Creek Reserve are proposed in sub-precinct 5A (and sub-precinct 5B in Council's Day 1 changes).

The basis of providing a ground floor setback in the above sub-precincts was supported by the evidence of Ms Roberts, Mr Czarny and Mr Negri. The question is whether it should be mandatory in Precinct 4.

PPN59 provides that mandatory controls should only be applied where necessary to achieve an important strategic objective or outcome. In this instance the Panel considers the mandatory setback to Kananook Creek Boulevard and Promenade to be appropriate. Variations to the setback in this area would erode the intended public realm outcome for the Promenade and Boulevard. Application of mandatory setbacks will achieve a consistent built form outcome and ensure the delivery of the Structure Plan vision. The Panel discusses the setbacks to Kananook Creek in more detail in Chapter 4.8.2.

The Panel broadly supports the requirement for landscaped setbacks in selected locations, subject to consideration of the metrics applied in each Precinct. These landscaped setbacks have been nominated in periphery locations where lower scale built form is proposed, and landscaped streetscapes are characteristic of the locality. Discretionary controls are appropriate in these locations to support variation in form while delivering street interfaces characterised by landscaping, consistent with PPN59. These setbacks are discussed in more detail in Chapter 5.8.

Upper-level setbacks from the street wall

Street width, character and road hierarchy have been considered when setting upper-level setbacks. The built form analysis has appropriately considered the scale and preferred and emerging character of the Precincts in adopting an approach of:

- a preferred 5.0 metre setback above the street wall height throughout the Frankston MAC (excluding Pedestrian Links)
- a preferred 10.0 metre setback above the street wall fronting Kananook Creek in Precinct 4.

There was general consensus among the urban design experts that a broadly applied 5.0 metre setback is sound. The Panel supports this view noting there were different opinions in the context of the Precinct 4 metric.

Council's proposed changes to amend a drafting error to upper-level setback to Pedestrian Links (Tables 4 and 17) from 5.0 metres to 3.0 metres is appropriate and consistent with the Structure Plan and the evidence of Ms Roberts. The 3.0 metre setback reinforces the street wall height while providing a more urban and enclosed experience for pedestrians in narrow thoroughfares, while not unreasonably restricting the development potential of adjoining sites. Pedestrian Links are proposed to have a width of between 6.0 and 9.0 metres, resulting in a minimum tower separation of 15 metres, which falls within the preferred range for tower separation in Table 2.

The foreshore and Kananook Creek are consistently identified as sensitive interfaces throughout the background reports and the Structure Plan. The significant number of submissions relating to Precinct 4 reinforces the community's concern regarding the interface with the creek, the foreshore and the Long Island residences. It is appropriate to consider setbacks greater than 5.0 metres to this interface as discussed in Chapter 4.8.2.

The application of discretionary controls for upper-level setbacks is appropriate and consistent with PPN60.

Side and rear setbacks

The Structure Plan, KCBF Report and Urban Design Report encourage recognition of the coastal character of Frankston MAC through the provisions of visual breaks between buildings, enabling views of the sky and water from upper levels of buildings and reducing visual bulk when looking back from the foreshore, Long Island and Kananook Creek.

The application of the proposed side and rear setback requirements will achieve the intended tower separation, sky and water views. Discretionary controls are appropriate because discretion allows site specific considerations and design responses to determine whether a stepped approach is appropriate or a reduction in setbacks will impact water or sky views.

Council's Day 1 and Day 2 changes to the side and rear setbacks and building separation requirements are appropriate

(v) Conclusions

The Panel concludes:

- The level of modelling and strategic work undertaken to justify and support the proposed setback requirements is appropriate.
- The wider use of discretionary setback controls across the Frankston MAC is appropriate. Mandatory provisions should only be applied in exceptional circumstances and where there is a clear strategic justification and strong urban design rationale. The application of mandatory setbacks in Precinct 4 are discussed in Chapter 4.8.
- Council’s Day 1 and Day 2 changes to the side and rear setbacks and building separation requirements are appropriate. These changes are reflected in the Panel’s preferred version of the ACZ1 in Appendix F.

4.4 Approach to solar access

(i) The issues

The issues are:

- whether an appropriate level of modelling and strategic work has been undertaken to justify and support the proposed solar access requirements
- whether solar access controls should be mandatory or discretionary
- whether the metrics for solar access and shadowing are appropriate.

Specific aspects of the solar access requirements for Precincts 2 and 3 are considered separately.

(ii) Background

The exhibited ACZ1 and Structure Plan propose discretionary solar controls throughout the Frankston MAC. The exhibited solar access requirements are summarised in Table 4. A series of diagrams are also included relating to specific locations.

Table 4 Proposed solar access controls

Street/public space	Location	Preferred minimum solar access to be maintained
Precinct 1		
Nepean Highway	Western footpath for a depth of 7.0 metres from property boundaries on west side of Highway	Between 10am and 2pm on 22 Sep
Wells Street	Entire southern footpath to kerb line	
Beach Street	Entire southern footpath to kerb line	
Thompson Street	Entire eastern and western footpaths to kerb line	
Young Street	Entire eastern footpath to kerb line	
City Park	All	Between 10am and 2pm on 22 June
Shannon Mall	All	No additional shadow beyond what would be cast by an 8.0m (2 storey) street wall between 10am and 1pm on 22 Sep
Station Street Mall	All	No additional shadow beyond what would be cast by an 8.0m (2 storey)

Street/public space	Location	Preferred minimum solar access to be maintained
		street wall at 10am on 22 Sep
White Street Mall	All	No additional shadow beyond what would be cast by an 12.0m (3 storey) street wall between 10am and 1pm on 22 Sep
Precinct 2		
Playne Street	Entire southern footpath to kerb line	Between 10am and 2pm on 22 Sep
Fletcher Road	Entire eastern footpath to kerb line	
Young Street	Entire western footpath to kerb line	
Precinct 3		
Nepean Highway	Western footpath for depth of 7.0m from property boundaries on west side of Highway	Between 10am and 2pm on 22 Sep
Playne Street	Entire southern footpath to kerb line	
Davey Street	Entire southern footpath to kerb line	
Young Street	Entire eastern and western footpaths to kerb line	
Beauty Park	Beyond the northern edge of the existing shared path to kerb line	Between 10am and 2pm on 22 June
Frankston Oval	Beyond 30m from northern property boundary	
Precinct 4		
Kananook Creek	Eastern edge of Kananook Creek	Between 10am and 2pm on 22 June
Foreshore reserve	All	
Kananook Creek trail	All	Between 10am and 2pm on 22 Sep
Kananook Creek Boulevard South	Beyond 9.0m from eastern boundary of the road reserve	
Future Kananook Creek Promenade (510 Nepean H'way)	Beyond 7.0m from eastern edge of future promenade	
McCombs Reserve	Beyond 20.0m from northern property boundary of reserve	
Nepean Highway	Within 7.0m of eastern property boundary of Nepean Highway	
Wells Street, Playne Street & Davey Street	Entire southern footpath to kerb line	
Precinct 5		
Kananook Creek	Eastern edge	Between 10am and 2pm on 22 June
Nepean Highway	Eastern and western footpaths south of Fletcher Road to kerb line	Between 10am and 2pm on 22 Sep
Ebdale Street Reserve	All	Between 10am and 2pm on 22 June

(iii) Evidence and submissions

The evidence of Ms Roberts recommended the solar controls be mandatory given the application of discretionary building height and setback controls, and to ensure an appropriate level of amenity is achieved for the public realm and creek environs. She said once sunlight is lost through built form, it is very difficult if not impossible to regain.

Council submission supported the evidence of Ms Roberts and set out the basis for spring equinox and winter solstice requirements. Its Day 1 changes amended the solar access requirements in each Precinct to be mandatory. The changes also amended Table 22 (Precinct 5) to identify Spring Equinox requirements for Kananook Creek Trail and Beach Street and winter solstice controls for O'Grady Reserve.

Submissions were made in support of discretionary controls, against winter solstice controls and for changes to the solar access requirements in specific Precincts. The evidence of Mr Negri and Mr Czarny and submissions from a number of parties did not support mandatory sunlight controls because:

- they were unnecessary, not justified or supported by the Structure Plan
- were overly restrictive in a MAC setting
- represented a significant post-exhibition change to the Amendment that was procedurally unfair.

(iv) Discussion

The solar access provisions seek to protect streets, plazas and parks from overshadowing. The built form analysis and shadow modelling demonstrate the built form scale envisaged within the Frankston MAC can be achieved while delivering the desired sunlight access to key public spaces.

Mandatory versus discretionary controls

PPN59 sets out the criteria for considering mandatory provisions, identifying the Victorian Planning Provisions are predominantly performance based with mandatory provisions the exception. For mandatory provisions to be supported, there must be sound strategic basis.

In its report on Frankston Planning Scheme Amendment C124fran the Panel considered application of mandatory solar access controls to Kananook Creek and found:

The Panel accepts that some of the criteria to apply mandatory controls are met. However, the Panel also notes that PPN60 states:

- mandatory height and setback controls should only be applied where they are absolutely necessary to achieve the built form objectives ... and
- accordingly, it would need to be shown that the discretionary controls could result in an unacceptable built form outcome.

The Panel has not been presented with any evidence that mandatory controls are necessary to achieve the desired outcomes, or that unacceptable built form outcomes are likely. The full criteria for mandatory controls are therefore not met.

The Panel has not been provided with any additional evidence from Ms Roberts or any other expert that justifies mandatory solar access controls for Kananook Creek or any other parks or public thoroughfares throughout the MAC. The strategic work undertaken by Council has uniformly recommended discretionary solar access controls, a position supported by the evidence of Mr Czarny and Mr Negri.

The approach of discretionary solar controls should not imply that Council will regularly entertain departures from the specified solar requirements, however there is discretion to do so where warranted and other built form objectives and outcomes are achieved.

Pedestrian routes

Discretionary Spring Equinox (22 September) controls between 10am and 2pm are proposed to nominated pedestrian routes and outdoor dining areas (excepting Shannon Street, Station Street and White Street malls). This is appropriate for protecting solar access during key midday dining and pedestrian movement.

Shannon Street, Station Street and White Street Mall

The Structure Plan objectives for Shannon Street, Station Street and White Street malls acknowledge the limitations posed by the narrowness of the laneways and building height anticipated in the central part of Precinct 1. It is important to maintain solar access to these areas as key central thoroughfares and important activated space. Modelling has been undertaken to demonstrate that solar access can be achieved during the middle of the day at the Spring Equinox with the proposed heights. The proposed discretionary shadow provision to these areas is appropriate to their role within the Frankston MAC. The discretionary solar access provisions appropriately balance development potential with public amenity by providing for no additional shadow to be cast beyond what would be cast by the street wall between 10am and 1pm.

Parks

Winter solstice provisions are proposed to key parks including City Park, Beauty Park, Frankston Oval, Kananook Creek, the Foreshore Reserve, Ebdale Street Reserve and to O'Grady Reserve (in Council's Day 2 changes). The envisaged population growth of the Frankston MAC will see increased population in high-density living. The demand for existing and expanded open spaces throughout the year will increase. Access to high quality and high amenity open space is particularly important in high-density areas where residents don't have access to much private open space. Winter solstice provisions are warranted to ensure solar access to larger public spaces throughout the year. The inclusion of O'Grady Reserve in Table 22 with a winter solstice metric is appropriate and consistent with the approach taken for other parks.

Kananook Creek

Winter shadow provisions are proposed for Kananook Creek. Kananook Creek makes a valuable contribution to the vibrancy of Precinct 4 and 5 and is a valued asset to the community.

The Panel agrees with the evidence of Mr Czarny and Mr Negri that there is insufficient justification for winter solar provisions to protect the ecological values of Kananook Creek. Although the creek and surrounds hold great recreational and aesthetic value as evidenced in community submissions, the ecological value of the creek is limited as identified in the AFF Report.

The majority of recreational enjoyment of the creek is undertaken from the foreshore, along the Kananook Creek Boulevard and the walking trail which extends from the foreshore to Mile Bridge at the northern end of Precinct 5. The creek itself appears to be primarily used for boating including canoes and paddleboards during the warmer months. There was no evidence or documentation that Kananook Creek has significant recreational use during the winter months that would require a greater level of solar access. The Panel was not persuaded that winter provisions to protect the creek are justified. Instead, 22 September (Spring Equinox) shadow provisions should be applied to the eastern side of Kananook Creek between 10am and 2pm.

Council's Day 1 changes to Table 22 to include the Kananook Creek Trail and Beach Street locations with a 22 September solar metric is consistent with the Precinct 5 map.

(v) Conclusions

The Panel concludes:

- Discretionary solar access provisions are appropriate throughout the Frankston MAC, consistent with the Structure Plan. Mandatory controls have not been justified.
- The approach of allowing the street wall to overshadow the pedestrian malls and discouraging overshadowing beyond that cast by the street wall strikes a reasonable balance between protecting streetscape character and solar access while enabling sufficient development capacity.
- Equinox sunlight provisions that provide for solar access to key pedestrian and outdoor dining spaces between 10am and 2pm are appropriate and consistent with the Structure Plan and objectives for the Frankston MAC.
- The proposed winter solstice sunlight provisions are appropriate and consistent with the Structure Plan and objectives for the Frankston MAC.
- Kananook Creek solar access requirements in Precinct 4 Table 18 and Diagram 13 should be amended to apply 22 September (Spring Equinox) between 10am and 2pm rather than 22 June (Winter Solstice).
- The Kananook Creek solar access provisions in Precinct 5 Table 22 and Diagram 21 should be amended to apply 22 September (Spring Equinox) between 10am and 2pm.
- A winter solstice control should apply to O'Grady Reserve and Table 22 amended accordingly. Council's Day 1 changes to include the Kananook Creek Trail and Beach Street locations in Table 22 with a 22 September (Spring Equinox) between 10am and 2pm is appropriate.

The above changes are included in the Panel's preferred version of the ACZ1 in Appendix F.

4.5 Precinct 1 – City Centre

4.5.1 Building and street wall height

(i) Background

The proposed building and street wall heights in Precinct 1 are shown in Figure 7 and Table 5.

Figure 7 Precinct 1 map



Source: ACZ1

Table 5 Precinct 1 - Building and street wall height requirements

Proposed building heights (above natural ground level)	Proposed street wall heights
<p>Preferred maximum building heights:</p> <ul style="list-style-type: none"> - 1A – 54.0m (16 storeys) - 1B – 48.0m (14 storeys) - 1C – 41.0m (12 storeys) - 1D – 35.0m (10 storeys) - 1E – 16.0m (4 storeys) - 1F – 22.0m (6 storeys) 	<p>Preferred maximum height of 12.0m (3 storeys) to all streets and laneways other than to Shannon Mall and Shannon Street Mall where the street wall height is 8.0m (2 storeys)</p> <p>Corner sites to meet Precinct Plan 5.1-1</p>

(i) The issue

The issue is whether the Precinct 1 building and street wall height provisions are appropriate

(ii) Evidence and submissions

Steibel submitted a new sub-precinct should be introduced (1C-A) to apply to those parts of sub-precinct 1C east of Keys Street, with a preferred maximum building height of 16 storeys. It submitted this would be consistent with the solar access requirements to the southern footpath of Wells Street, but would achieve increased density within the heart of the Precinct. A similar height for sub-precinct 1C was also sought by submission 364 in recognition of proximity to the station.

Council said the approach to building heights in Precinct 1 was underpinned by the built form analysis in the Urban Design Report. Discretionary controls allowed for variation where the ACZ1 requirements and precinct guidelines are met.

(iii) Discussion

The 12 storey height control in sub-precinct 1C applies to the north, south and west of the 16 storey sub-precinct 1A as a transitional height from the City Centre. The area east of the Bayside Shopping Centre along Young Street and surrounding laneways comprises smaller lots with a lower height control of 10 storeys. A narrow island site at sub-precinct 1E is nominated for 4 storeys, which limits opportunity for additional height due to the limited ability to provide setbacks above the street wall.

The controls provide for a preferred building height of up to 16 stories within sub-precinct 1A, which is largely consolidated with limited sensitive interfaces. The Urban Design Report recommended all land south of sub-precinct 1A and north of Wells Street have a 10 storey height control. This was revised to the exhibited 12 storeys following public consultation, acknowledging the ability for these sites to accommodate additional height while continuing to provide transition and limit shadow impact to the south side of Wells Street.

Wells Street will play an important role within the Precinct, as a potential shared pedestrian, cycling and vehicle space. Building height on the north side of Wells Street is proposed to have a maximum height of 10 storeys and combined with solar access provisions will result in a daylight and sunlight filled active thoroughfare.

The Panel acknowledges that the sites on the south side of Station Street Mall might be able to accommodate additional height above 12 storeys without shadowing key public spaces. However, this is not the only driver of the height controls.

In the Panel's view, the proposed scaling down from 16 storeys in sub-precinct 1A to 10 storeys in sub-precinct 1D provides an appropriate transition from the City Centre to Wells Street as sought by objective 5.1 of the Structure Plan. The discretionary 12 storey height control in sub-precinct 1C allows for site specific design responses to achieve the desired outcome of scaling down from the City Centre to Wells Street provided solar access and built form outcomes are achieved. If applicants can demonstrate appropriate outcomes can be achieved at (or beyond) 16 storeys, it is open to Council to consider such proposals given the controls are discretionary.

(iv) Conclusions

The Panel concludes:

- The building and street wall height provisions for Precinct 1 are appropriate.

- A discretionary height control of 12 stories is appropriate for sub-precinct 1C south of Station Street Mall.

4.5.2 Setbacks

(i) The issues

The issue is whether the side and rear setback requirements are appropriate in Precinct 1.

(ii) Evidence and submissions

Steibel proposed a minimum side and rear setback of 3 metres below 28.0 metres (rather than the exhibited 4.5 metres) where the building is used for commercial purposes. It submitted the proposed 10 metre side and rear setback above 42 metres was overly burdensome particularly on east-west oriented sites where water views are not impacted and referred to lesser setbacks that applied to the Central Geelong Activity Centre.

Council submitted the upper-level setbacks were appropriate, and that the discretion provided allows sufficient opportunity at the permit stage for site specific design outcomes.

The Estate of Helena West and Joseph West & Dominant (Aust) Pty Ltd supported Ms Roberts' recommended reduction to upper-level setbacks for street walls abutting a pedestrian link to 3.0 metres, a change included in Council's Day 1 changes.

(iii) Discussion

Side and rear setback up to 28 metres

The proposed side and rear setback below 28 metres of 4.5 metres was supported by the evidence of Mr Czarny, Ms Roberts and Mr Negri.

The Panel observes that the only difference between the Central Geelong ACZ and Frankston MAC ACZ1 setbacks is for commercial development below 16 metres, thereby only applying for 1 to 2 storeys.

The discretionary nature of the side and rear setback allows for site specific design response and assessment. The provision of a uniform setback of 4.5 metres above the street wall height and up to 28 metres is justified.

Side and rear setback above 40 metres

As discussed in Chapter 4.3, the proposed upper-level setbacks seek to reflect and protect what makes the Frankston MAC a unique seaside destination. Structure Plan Strategy 6.2 seeks to protect water views and sky views to create a sense of openness, particularly in the higher density precincts above 42 metres or 12 storeys.

The Urban Design Report highlights the valued views not only to the bay and the city, but also the residential hinterland. Provision of 10 metre upper-level setbacks to all towers above 42 metres in height are justified to achieve the openness and built form character that will allow the Frankston to respond to its coastal setting. The discretionary nature of the control allows for variations to the setback where the development will not impact sea views and the design response can adequately demonstrate delivery of sky views characteristic of the Frankston MAC.

(iv) Conclusions

The Panels concludes:

- The discretionary upper-level side and rear setbacks in Table 2 of the ACZ1 should apply to Precinct 1.
- The changes to Table 4 in Council’s Day 1 changes are appropriate, and are reflected in the Panel’s preferred version in Appendix F.

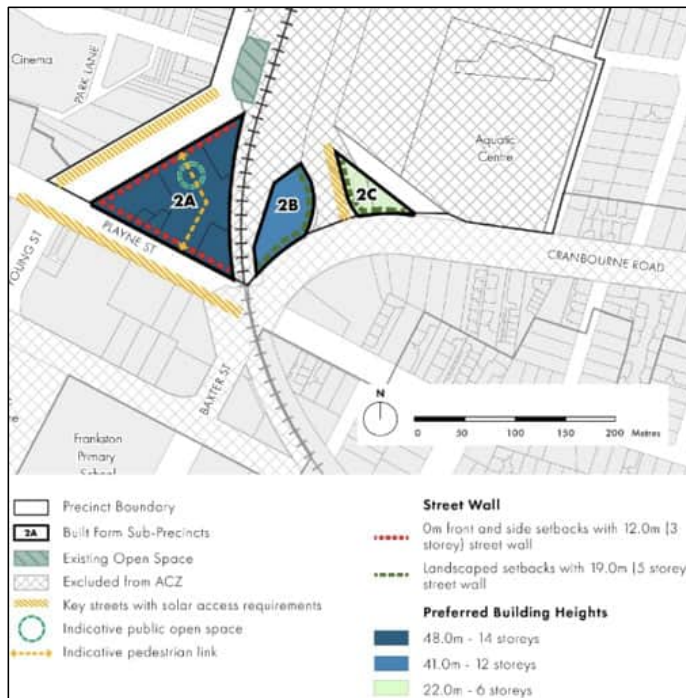
4.6 Precinct 2 – Transport interchange, Community & Education

4.6.1 Building and street wall height

(i) Background

The proposed building and street wall heights in Precinct 2 are shown in Figure 8 and Table 6.

Figure 8 Precinct 2 map



Source: ACZ1

Table 6 Precinct 2 - Building and street wall height requirements

Proposed building heights (above natural ground level)	Proposed street wall heights
Preferred maximum building heights:	Preferred maximum height of 12.0m (3 storeys) to 2A and 19.0m (5 storeys) to 2B and 2C
- 2A – 48.0m (14 storeys)	
- 2B – 41.0m (12 storeys)	
- 2C – 22.0m (6 storeys)	

(ii) The issue

The issue is whether the Precinct 2 building and street wall height provisions are appropriate.

(iii) Evidence and submissions

Franky's submission sought an increase to the discretionary maximum building height control from 48 metres (14 storeys) to 64 metres (18 stories) in sub-precinct 2A and an increase in heights throughout the Frankston MAC to preserve the intended graduation in height to the City Centre.

Council submitted that raising height controls while maintaining discretionary solar access provisions in sub-precinct 2A would send a mixed message to decision makers, as increased building heights would clearly impact the ability to achieve the solar access requirements for the south side of Playne Street.

Ms Roberts' evidence supported the exhibited 48 metre maximum building height for sub-precinct 2A, noting that the built form testing showed that sunlight access to the improved/expanded Playne Street footpath can be achieved within this height range. Her evidence identified that the height corresponds with the heights shown in Precinct 1 for Young Street and will contribute to placemaking and the entry experience to the Frankston MAC.

(iv) Discussion

The discretionary building height and solar access provisions are linked in delivering the desired density while protecting the amenity of public places during key times. The solar access provisions for the south side of Playne Street serve an important role in providing pedestrian amenity, with the Frankston Library and forecourt at risk of amenity impact if height to the north was increased.

The solar access provisions are supported by background modelling which determined the heights that could be achieved without any shadow impact at key hours at the equinox.

While Franky submitted it is impossible to meet the height and setback provisions and achieve the solar access controls, it also suggested that additional building height and reduced solar access provisions was justified. The Panel was not persuaded by that submission. The discretionary nature of the setback controls allows for a variety of building typologies in order to achieve an acceptable design outcome that continues to meet the solar access provisions.

Further, increasing the height within Precinct 2 could diminish the focus of building height at the City Centre and railway station and diminish the matching scale of built form proposed along both sides of Young Street. A corresponding increase of building height throughout Precinct 1 to maintain the hierarchy sought by the Structure Plan has not been tested and lacks strategic justification.

(v) Conclusion

The Panel concludes the discretionary building height controls within Precinct 2 are appropriate and will achieve the desired solar access outcomes for Playne and Young Street and reinforce the hierarchy of height within the Frankston MAC.

4.6.2 Setbacks

(i) The issue

The issue is whether the Table 2 side and rear setbacks above street wall height requirements should apply to Precinct 2.

(ii) Submissions

Franky submitted that the Table 2 upper-level setbacks should not apply to Precinct 2 as the requirements are unjustified. It submitted the 5.0 metre preferred upper-level setback above street wall should be applied to side and rear setbacks.

Council submitted that not applying Table 2 to Precinct 2 would be inconsistent with the principles of the Built Form Review or the Urban Design Guidelines for Victoria.

(iii) Discussion

As identified in Chapter 4.4 the proposed side and rear setback requirements in Table 2 are supported.

Precinct 2 is the eastern entrance to the higher density City Centre as approached from Cranbourne Road and has an important role to play in delivering the desired outcomes of the Frankston MAC.

To apply a discretionary side and rear setback of 5.0 metres to Precinct 2 would result in an inconsistent built form outcome to the remainder of the Frankston MAC in a precinct identified for building height up to 48 metres. The setbacks of Table 2 are 1.0 metre more than those proposed by Franky for the majority of the building height, excluding the top two levels.

Strategic justification is provided in background modelling to determine appropriate building separation and deliver a unique seaside MAC.

The submissions of Franky lacked strategic justification or supporting evidence for reduced setbacks in Precinct 2. Further, as previously noted, the discretionary nature of the setback controls allows a site-specific response to the delivery of sea and sky views on a site specific basis.

(iv) Conclusion

The Panel concludes the Centre-wide provisions for side and rear setbacks should be maintained for Precinct 2 to achieve a unified outcome for high-density built form while providing sea and sky views unique to the coastal setting of the Frankston MAC.

4.6.3 Solar access

(i) The issue

The issue is whether the solar access requirements for Playne Street and Young Street are justified.

(ii) Evidence and submissions

Franky submitted the solar controls should be amended from 10am to 2pm to 11am to 2pm on 22 September to support additional height.

Council submitted the solar access provisions were a reasonable imposition on development that did not unduly fetter the achievement of broader objectives for the Frankston MAC.

Both Franky and Council provided examples of solar access provisions applicable to activity centres throughout Melbourne to support their respective positions.

(iii) Discussion

The Structure Plan seeks to activate Playne Street and Young Street with retail, hospitality and community uses across the day and night. It also identifies improvement works that will result in a widened footpath along the south side of Playne Street.

The location of the existing library and forecourt as well as the planned widening of the Playne Street footpath support Council's intention for this area to be a vibrant community focused space at all hours. The Urban Design Report nominates 10am to 2pm at the Spring Equinox as a benchmark timeframe applied within many planning schemes, providing sunlight for key retail and hospitality periods while not overly restricting development opportunities.

A reduction in hours more tightly aligned with the lunchtime dining activity does not align with proposed expansion and activation of Playne Street.

(iv) Conclusion

The Panel concludes the solar access controls strike an appropriate balance in achieving solar access to an activated and improved southern footpath of Playne Street while supporting increased density in Precinct 2.

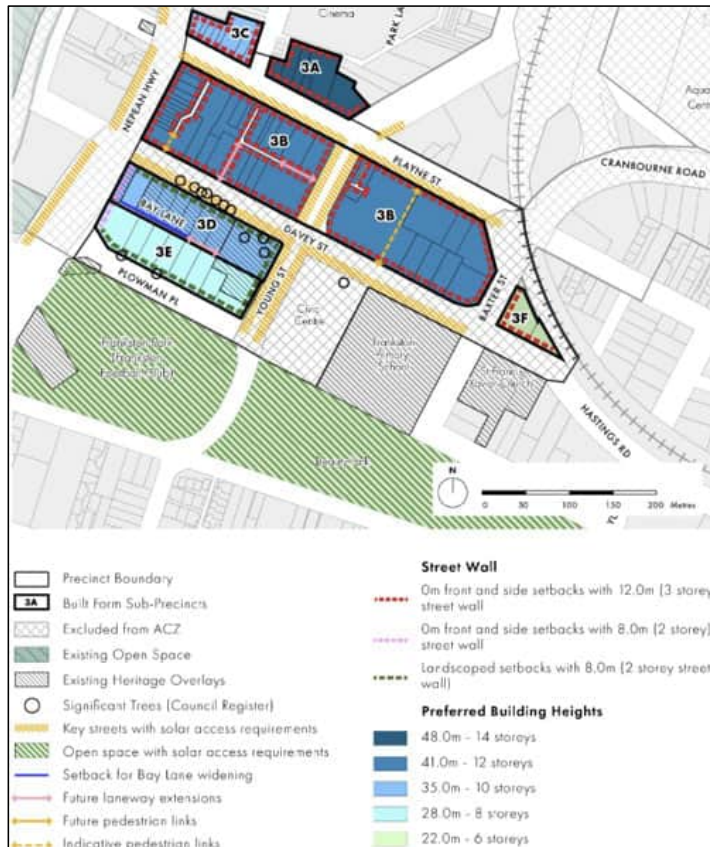
4.7 Precinct 3 - Arts, Entertainment and Government Services

4.7.1 Building and street wall height

(i) Background

The proposed building and street wall heights in Precinct 3 are shown in Figure 9 and Table 7.

Figure 9 Precinct 3 map



Source: ACZ1

Table 7 Precinct 3 - Building and street wall height requirements

Proposed building heights (above natural ground level)	Proposed street wall heights
<p>Preferred maximum building heights:</p> <ul style="list-style-type: none"> - 3A – 48.0m (14 storeys) - 3B – 41.0m (12 storeys) - 3C & 3D – 35.0m (10 storeys) - 3E – 28.0m (8 storeys) - 3F – 22.0m (6 storeys) 	<p>Preferred maximum height of 12.0m (3 storeys) to 3A, 3B, 3C and 3F and 8.0m (2 storeys) to 3D and 3E</p>

(ii) The issue

The issue is whether the Precinct 3 building and street wall height provisions are appropriate.

(iii) Evidence and submissions

Submission 157 proposed a 16 storey height provision (and higher street wall) for sub-precinct 3A north of Payne Street.

8 Davey Street Pty Ltd (8 Davey) sought to increase the building height from 10 storeys to 15 storeys for sub-precinct 3D. It submitted a transitional height is unnecessary as the Frankston Oval provides sufficient separation from the low scale residential development to the south.

Ms Roberts' evidence was sub-precinct 3D did not provide a distinct transition in height given it is located on a high point in the Frankston MAC, and that the proposed maximum building height of 10 storeys provided a logical relationship with adjoining Precincts.

(iv) Discussion

The Panel agrees that sub-precinct 3D does not need to address a transition in height in the way that other perimeter sub-precincts might need to, with Frankston Oval providing a generous separation from the residential hinterland to the south. However, the scale of development within this sub-precinct must acknowledge its role on the periphery of the Frankston MAC and adjoining southern parklands.

The nominated building heights north of Davey and Playne Streets are guided by solar access provisions to southern footpaths. The cross-section in the Urban Design Report demonstrates the subtle reduction in height from Precinct 1 down to the Frankston MAC boundary at Frankston Oval. While additional height might be accommodated within the solar access controls, it is important to maintain this transition in height to further reinforce the role of the City Centre as the hub for activity in the Frankston MAC.

(v) Conclusion

The Panel concludes the building heights of sub-precinct 3D responds to the typology of the precinct, being a high point of the Frankston MAC by providing reduced building height and to reinforce Precinct 1 as the City Centre in both height and activity.

4.7.2 Setbacks

(i) Background

The proposed building and upper level setbacks in Precinct 3 are shown in Table 8.

Table 8 Precinct 3 – Building and upper-level setback requirements

Building setback	Upper-level setback
Preferred building setback: <ul style="list-style-type: none"> - 3A, 3B, 3C & 3F – 0.0m to all streets - 3D – 0.0 m to Nepean Highway, and minimum setbacks Of 4.0m to Young Street, 7.0m to Davey Street or additional setbacks to protect significant trees - 3E – 0.0 m to Nepean Highway, and minimum setbacks Of 4.0m to Young Street, and Plowman Place and 	Preferred upper-level setback of 5.0 metres from street wall

Building setback

Upper-level setback

additional setbacks to protect significant trees

(ii) The issue

The issue is whether a 7.0 metre landscape setback to Davey Street is strategically justified.

(iii) Evidence and submissions

8 Davey submitted the 7.0 metre landscape setback to Davey Street was not justified given the heritage building at 2-4 Davey Street is built to the boundary, other heritage setbacks range from 0.0 metres to 9.0 metres, and many of the Precinct's heritage buildings have been demolished. The submission sought a reduction in the preferred setback to 5.0 metres, with an acknowledgement that new development should respond to setbacks of adjoining properties.

Ms Roberts' evidence did not address the proposed metric for the landscape setback to Davey Street, however she supported the precinct guidelines including:

- Provide landscape front setbacks south of Davey Street to provide a built form transition into the adjoining residential areas.

(iv) Discussion

The Urban Design Report includes a development objective to reinforce the south side of Davey Street as the green edge to the Frankston MAC, responding to the existing significant trees and heritage setbacks. The Urban Design Report identified:

- The built form edge to the south side of Davey Street will largely be determined by the response to the Heritage Overlays. This should be a minimum of 7m where no heritage exists to provide consistency with the setbacks of existing heritage buildings.

Providing a consistent setback, rather than graduating from the 0.0 metre setback of 2-4 Davey Street on the corner of Nepean Highway to the heritage buildings to the east will reinforce the landscape character sought by the Urban Design Report and the Structure Plan.

Provision of a 7.0 metre setback, reflective of the remaining heritage buildings, is an appropriate response to ensure new 10 storey buildings will not overly dominate the streetscape while reinforcing the desired landscaped character.

(v) Conclusion

The Panel concludes a landscape setback of 7.0 metres on the south side of Davey Street is respectful of existing heritage buildings and provides an appropriate level of landscaped space to define Davey Street as the green edge to the Frankston MAC.

4.7.3 Solar access

(i) The issues

The issues are whether:

- winter solstice controls for the Frankston Oval are appropriate
- solar access controls should apply to the unprogrammed space west of the playing surface
- solar access controls should apply to the southern footpath or kerb of Davey Street.

(ii) Evidence and submissions

8 Davey submitted the Frankston Oval warranted a discretionary solar control at the September equinox which excludes the unprogrammed space to the west which did not have the same attributes as Beauty Park. It submitted there was no justification for the additional protection of the unprogrammed space at the expense of increased density.

Kastro Investments (Kastro) submitted that the solar access provisions to Davey Street should exclude the nature strip on the south side of Davey Street and apply only to the northern edge of the footpath.

Council submitted:

- the open space surrounding the playing surface at Frankston Oval accommodates significant activity throughout the year in support of sporting and community events and warrants winter controls
- the solar access controls to Davey Street encompass the Norfolk Island Pines which rely on solar access for their health.

(iii) Discussion

Frankston Oval

The Urban Design Report identifies Frankston Oval as a major open space. The 3D modelling demonstrates that applying winter solstice controls to the edge of the reserve boundary will significantly limit development opportunities. A distance of 30 metres from the southern edge of the reserve boundary was adopted as it reflected the shadow cast by existing clubroom buildings.

The Panel accepts that Frankston Oval is a regionally significant public space hosting many sporting events across all seasons, particularly the winter football season. Winter controls are justified to Frankston Oval given its role as a winter sports facility.

Council identified numerous sporting and community events which draw significant crowds not confined to the playing surface and stands. With the increased density of residential development envisaged to occur within Precinct 3 and the wider Frankston MAC, provision of easily accessible sunlit open spaces will become increasingly important to residents and the wider community. Retention of the unprogrammed western portion of Frankston Oval within the discretionary winter solstice controls is warranted.

Davey Street

The proposed solar access controls deliberately apply to the kerb, allowing for the inclusion of the nature strip and Norfolk Island Pines with solar protection. The trees are identified as significant and provide an important contribution to heritage places, the landscape character of the Precinct and the wider MAC. The health of the trees should be maintained. Therefore, the solar access controls applicable to the kerb line of Davey Street are supported.

The description of the extent of the solar access provisions in Davey Street is unclear. It should be amended to clarify that the nature strip and Norfolk Island Pines are included.

(iv) Conclusions and recommendation

The Panel concludes:

- Winter solstice controls for Frankston Oval, including the unprogrammed space west of the playing surface, are appropriate to protect the amenity of the park.

- It is appropriate to apply the Davey Street solar access provisions to the kerb line.
- The description in Table 13 of the extent of the Davey Street solar access controls should be amended to clarify the inclusion of the nature strip and Norfolk Island Pines.

The Panel recommends:

Amend the solar access requirements for Davey Street in Table 13 of the Activity Centre Zone Schedule 1 to clarify that the requirements extend to the nature strip and Norfolk Island Pines.

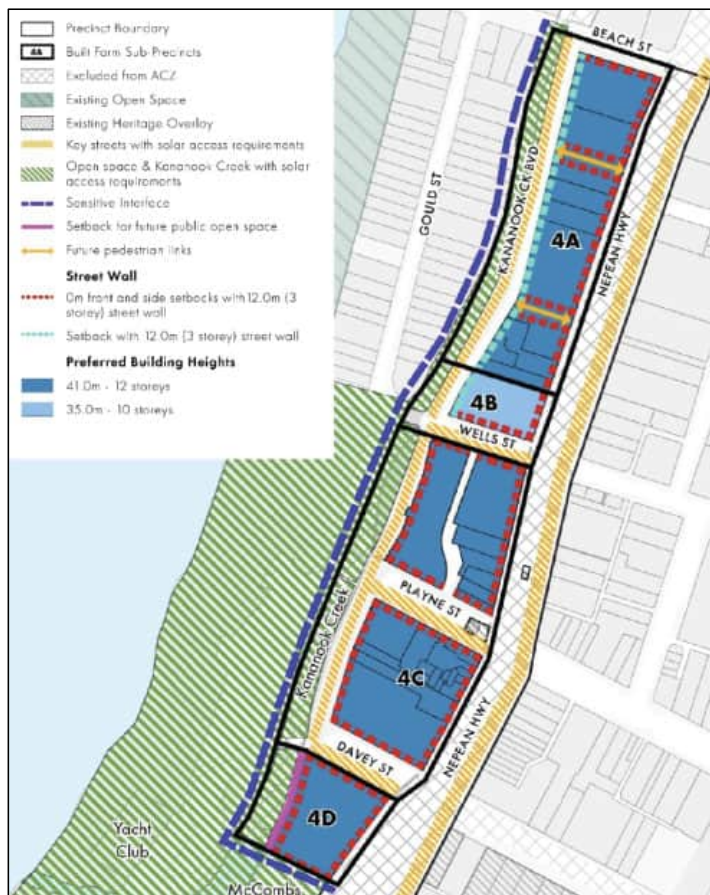
4.8 Precinct 4 – Promenade

4.8.1 Building and street wall height

(i) Background

The proposed building and street wall heights in Precinct 4 are shown in Figure 10 and Table 9.

Figure 10 Precinct 4 map



Source: ACZ1

Table 9 Precinct 4 - Building and street wall height requirements

Proposed building heights (above natural ground level)	Proposed street wall heights
Preferred maximum building heights: <ul style="list-style-type: none"> - 4A, 4C & 4D - 41.0m (12 storeys) - 4B - 35.0m (10 storeys) 	Preferred maximum height of 12.0m (3 storeys)

(ii) The issue

The issue is whether the Precinct 4 building and street wall height provisions are appropriate.

(iii) Evidence and submissions

Numerous submissions sought a reduction in building height throughout Precinct 4 for reasons including:

- the impact building height will have on solar access and wind in the public realm
- overlooking of Long Island residents
- visual impact from short and long distance views including the foreshore and Olivers Hill
- loss of coastal character.

Several submissions supported heights more consistent with the lower heights identified in the the Tafe to Bay Structure Plan.

Ms Roberts' evidence supported the approach to height in Precinct 4 as reinforcing the desired boulevard character of Nepean Highway. She considered the proposed heights responded to the larger lots and the existing built form of the South East Water building. OYOB/Pace also supported the proposed discretionary building heights in Precinct 4, as did the evidence of Mr Czarny and Mr Negri.

(iv) Discussion

Precinct 4 is nominated for 10 to 12 storeys close to the low scale residential form in Long Island, with no intermediary height to support the transition. However the width of the Kananook Creek corridor, street wall and upper-level setbacks will aid in the transition of building height and to reduce visual impact when viewed from Long Island.

The proposed 12 storeys applicable to the majority of Precinct 4 is reflective of the perimeter of Precinct 1 and provides an appropriate framing of Nepean Highway consistent with Strategy 11.4 of the Structure Plan which seeks to transform the highway into an iconic boulevard.

The Built Form Review undertook modelling of four different height scenarios from 11 different viewpoints. It concluded that a 10 to 12 storey scenario provides an outcome that responds to the scale of the creek corridor, the dunal landscape and, when combined with setbacks, will not occupy a significant portion of key views.

The Panel is satisfied with the strategic justification of building heights within Precinct 4, noting:

- Precinct 4 is proximate to the higher built form nominated in the City Centre Precinct
- there is a robust interface to Nepean Highway
- Kananook Creek Boulevard and sites within Precinct 4 present a more robust urban form to its western interface than properties to the north within Precinct 5

- the Precinct has larger lots with dual frontages capable of delivering the density required of the Frankston MAC while providing the necessary setbacks to respond to site constraints
- the built form controls incorporate mandatory and discretionary setbacks to the west beyond what is otherwise required throughout the Frankston MAC, to respond to the sensitive western interface.

(v) Conclusion

The Panel concludes that the height provisions for Precinct 4 are appropriate and strategically justified.

4.8.2 Setbacks

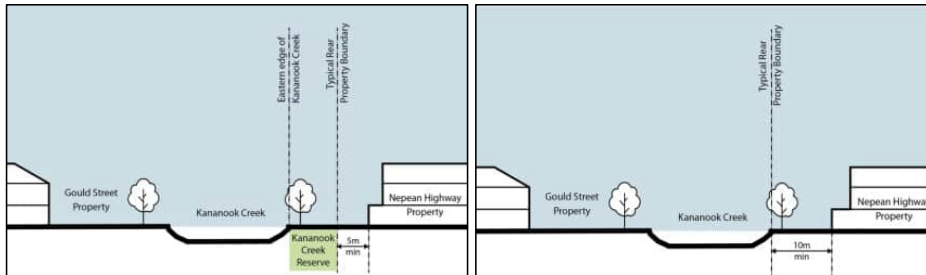
(i) Background

The proposed building and upper level setbacks in Precinct 4 are shown in Table 10 and Figures Figure 11 and 12. Precinct 4 is the only precinct where mandatory ground level building setbacks are proposed.

Table 10 Precinct 4 – Building and upper-level setback requirements

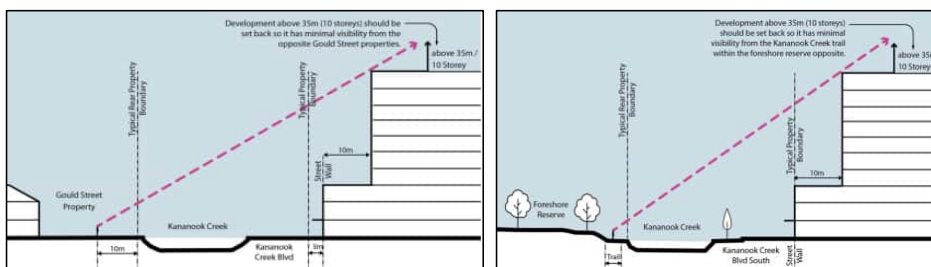
Building setback	Upper-level setback
Mandatory minimum building setback: <ul style="list-style-type: none"> - 4A & 4B – 3.0m to Kananook Creek Boulevard ((Wells to Beach Streets) - 4D – 9.0m western boundary of 510 Nepean Highway Preferred building setbacks for all sub-precincts of 0.0m to all streets other than Kananook Creek Boulevard ((Wells to Beach Streets)	No mandatory minimum setbacks specified. Preferred upper-level setbacks: <ul style="list-style-type: none"> - All sub-precincts – 10.0m from the mandatory building setback to Kananook Creek Promenade and Boulevard and 5.0m from street wall to Beach Street, Wells Street, Playne Street, Davey Street and Nepean Highway - 4A – development above 35m (10 storeys) setback to meet view perspective identified in Diagram 10 from Gould Street properties or 5.0m from a street wall where abutting a pedestrian link - 4B – development above 35m setback to meet view perspective identified in Diagram 10 - 4C – development above 35m setback to meet view perspective identified in Diagram 11 from Kananook Creek trail - 4D - development above 35m setback to meet view perspective identified in Diagram 12 from Kananook Creek trail or 10.0m to McCombes Reserve interface

Figure 11 Kananook Creek and Kananook Creek Reserve setbacks

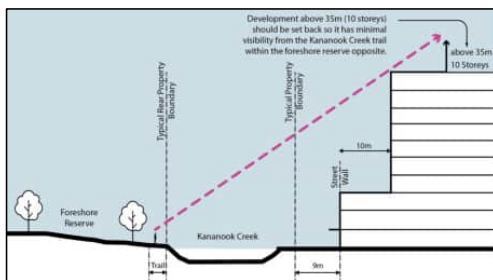


Source: ACZ1 Diagram 19 - Kananook Creek Reserve setbacks (left) and Diagram 20 - Kananook Creek setbacks (right)

Figure 12 Precinct 4 - Upper-level setbacks to Gould Street properties, Kananook Creek trail and Foreshore



Source: ACZ1 Diagram 10 - Upper-level setbacks from Gould Street properties Precincts 4A and 4B (left) and Diagram 11 - Upper-level setbacks from Kananook Creek trail and foreshore Precinct 4C (right)



Source: ACZ1 Diagram 12 - Upper-level setbacks from Kananook Creek trail and foreshore Precinct 4D

(ii) The issues

The issues are whether for Precinct 4:

- the metrics and drafting of the street setbacks are justified
- the extent of upper-level setbacks are justified.

As discussed in Chapter 4.3, the Panel supports mandatory street setbacks for dining and activation of Kananook Creek Boulevard, and a specific upper-level setback to the western interface of Precinct 4.

(iii) Evidence and submissions

Mandatory building setbacks

Mr Czarny and Mr Negri recommended that the 3.0 metre building setback should apply to the ground floor only, to allow for upper levels of the street wall to cantilever and project to the title boundary. They recommended the setback be discretionary.

OYOB/Pace raised concerns with the language used for 'mandatory building setback' at Table 15, as 'building' is defined within the PE Act to include a 'structure' or part of a 'structure', preventing any projections including basements into the setback. OYOB/Pace supported the provision of a discretionary ground floor setback.

Ms Roberts supported the mandatory building setback in this instance:

... as an excellent way to ensure the delivery of a public realm with a continuous, regular setback/edge condition to the public realm without the potential of built form pushing into the boulevard zone.

Council proposed to amend the mandatory setback to refer to 'street wall' rather than 'building' to respond to the concerns raised by OYOB/Pace.

Upper-level setbacks

Mr Negri did not support the 10-metre setback requirement above the street wall:

The other requirements (solar access, building height, tower separation and tower width) are sufficient in this context to achieve an acceptable interface between land in the Metropolitan Activity Centre and the interfaces to the creek, Long Island properties and the foreshore.

The 10-metre upper-level setback was not supported by Mr Czarny either, who said:

In short, I believe that a varied setback (conceivably to match the 5m applied to other streets) could well apply to a Gateway site of this kind supported by credible Visual Impact Modelling and shadow assessments.

OYOB/Pace submitted the minimal visibility requirement and the Precinct objective to minimise visual dominance of buildings was inconsistent with the level of transformation sought for the Frankston MAC. OYOB/Pace sought amendments to:

- the visual dominance objective to relate this to a MAC context
- amend Table 17 to provide a discretionary 3.0 metre setback at ground floor only and amend upper-level setbacks to 5.0 metres to all sub-precincts except 4D
- delete or amend Diagrams 10, 11 and 12.

Mr Czarny did not support the 'minimal visibility' test within a MAC as proposed in Table 17 and Diagrams 10, 11 and 12, recommending the term 'recessive' as more appropriate.

Council submitted the upper-level setbacks were justified and that the reduction sought by OYOB/Pace would result in a homogeneous response to the Frankston MAC rather than acknowledging the importance of Kananook Creek and the more sensitive residential area to the west. It proposed further changes to:

- amend the visual dominance objective to replace 'minimise' with 'address the potential'
- Table 15 to clarify the mandatory minimum Kananook Creek setbacks for sub-precincts 4A and 4B were measured from the street wall
- Table 17 to correct the setback for sub-precinct 4A and make other minor changes
- Diagrams 10, 11 and 12 to remove annotations which include references to 'minimise visibility'

- include a requirement for setback projections under 'Any other requirements'.

(iv) Discussion

Mandatory building setbacks

The KCBF Report recommends a mandatory 3.0 metre ground floor setback to the Promenade and Boulevard to accommodate entertainment uses and outdoor dining. However, the diagrams demonstrate a consistent setback to all podium/street wall levels. This has translated into the Structure Plan as a 3.0 metre mandatory setback to the podium across the precinct.

Council's Day 2 changes to Table 15 amended the mandatory minimum building setback for sub-precincts 4A and 4B to apply a 3.0 metre setback 'of the street wall of the building'. OYOB/Pace did not support the inclusion of 'street wall' in the proposed wording because it is not a defined term within the Planning scheme. The Panel is satisfied that the ordinary definition of street wall is understood and is supported by Diagram 10 to demonstrate the intended built form outcome. It considers Council's changes are appropriate.

The Panel was not convinced by the evidence of Mr Czarny and Mr Negri that a street wall cantilevered over the outdoor dining to the property boundary would result in a good urban design outcome or create the sense of vibrancy sought for the Boulevard and Promenade by the Structure Plan. There is however a role for performance-based measures for the upper levels of the podium that are not able to be considered based on the exhibited mandatory controls.

There is benefit in allowing for projections beyond the street wall which further the built form outcomes of activation, wind mitigation and architectural detailing, including weather protection and balconies which maintain the sense of openness otherwise sought by the mandatory 3.0 metre setback.

Council's Day 2 changes propose new performance-based requirements for projections beyond the street wall.

The Panel supports the changes, but considers it appropriate to modify them as follows:

Architectural elements, balconies and building services should generally not intrude into ground floor setbacks beyond the street wall in Precinct 4 ~~but where they do~~. Above ground level, where they do, they should not present as solid elements which give the appearance of the street wall coming forward.

The provision should be a Precinct guideline rather than included under 'Any other requirements'.

Upper-level setbacks

The Precinct 4 upper-level setbacks seek to provide a Precinct specific response to the Kananook Creek and sensitive residential interface to the west. The proposed setbacks are based on built form modelling and are intrinsically linked to building height, side setbacks and solar access controls.

The Built Form Report identifies the Long Island residential area as a particularly sensitive interface within the Frankston MAC and seeks to provide setbacks to ensure built form does not overwhelm views from the adjacent residential area. The Panel was assisted by the modelling of variations to the upper-level setbacks.

Mr Czarny's evidence in support of a reduction in the upper-level setbacks was dependant on the site being nominated as a gateway site and subject to further visual impact modelling and shadow assessments that have not been undertaken.

The Panel was not persuaded that upper-level setbacks consistent with the wider Frankston MAC are appropriate to the western interface to Precinct 4, noting its consistent identification as a particularly sensitive interface, and with significant building height proposed within close proximity to a low scale residential area, Kananook Creek and the foreshore.

In the absence of further modelling to support the position of OYOB/Pace, and on the basis of the proposed discretionary upper level setback control, the Panel supports of a setback provision that acknowledges that a greater setback is required to Kananook Creek within Precinct 4 than other interfaces throughout the Frankston MAC. On the basis of discretionary controls allowing a site specific design response, the Panel considers it appropriate to apply the 10 metre upper-level setback.

The Panel accepts Mr Czarny's evidence that 'minimal visibility' is an inappropriate test for upper-level setbacks, particularly for tower elements. Council supported changes to Table 17 to replace 'minimal visibility' with 'recessive' for tower elements. The Panel supports this change. Council's Day 2 changes to Table 17 retain the references to 'minimal visibility' of upper-level setbacks above 35 metres (10 storeys) for sub-precincts 4A, 4B and 4C. These requirements should be amended for consistency. Similarly, the precinct objective relating to visual dominance should remove reference to 'minimise' consistent with the Council Day 2 changes.

Diagrams 10, 11 and 12 demonstrate the site lines identified in Table 17 – Diagram 10 for the rear open space of Gould Street properties (for sub-precincts 4A and 4B) and Diagrams 11 and 12 from the Kananook Creek trail (4C) or trail and foreshore (4D). The location taken for site lines is considered appropriate, being a reasonable representation of where views of the building height will be most impacted.

Consistent with its findings above, the Panel recommends that the text regarding 'minimal visibility' be deleted from the diagrams, allowing the heights, setbacks, siteline and provisions within Table 17 to deliver the preferred outcome, consistent with Council's proposed changes.

(v) Conclusions

The Panel concludes:

- Council's Day 2 changes to Table 15 and Diagrams 10, 11 and 12 are appropriate.
- The proposed mandatory building setbacks in Precinct 4 are strategically justified along with the inclusion of Council's Day 2 changes to Table 17, subject to additional changes to sub-precincts 4A-4D to replace references of 'minimal visibility' with 'recessive'.
- An additional Precinct 4 guideline should be included based on Council's proposed changes but amended to read:

Architectural elements, balconies and building services should generally not intrude into ground floor setbacks beyond the street wall in Precinct 4 but where they do. Above ground level, where they do, they should not present as solid elements which give the appearance of the street wall coming forward.

The above changes are included in the Panel's preferred version of the ACZ1 in Appendix F.

4.9 Precinct 5 – Nepean Boulevard

4.9.1 Building and street wall height

(i) Background

The proposed building and street wall heights in Precinct 5 are shown in Figure 13 and Table 11.

Figure 13 Precinct 5 map



Source: ACZ1

Table 11 Precinct 5 - Building and street wall height requirements

Proposed building heights (above natural ground level)	Proposed street wall heights
Preferred maximum building heights:	Preferred maximum height of 12.0m (3 storeys)
- 5A & 5D - 12.0m (3 storeys)	
- 5B & 5C - 28.0m (8 storeys)	

(ii) The issue

The issue is whether the Precincts 5 building and street wall height provisions are appropriate.

(iii) Evidence and submissions

One submission sought the boundary between sub-precinct 5A and 5B be located further north, between 402 and 404 Nepean Highway and extending the preferred maximum height of 28 metre/8 storeys to this area.

Other submissions said sub-precincts 5A and 5B should be incorporated into one precinct with a mandatory 3 storey height control.

Ms Roberts' evidence supported the proposed building heights as they:

... support a reasonable development outcome while protecting the Kananook Creek environs and transitioning to lower rise residential precinct.

Council noted the range of heights for Precinct 5 are reflective of the current DDO5, and the heights combined with the preferred setbacks:

... will help to support the boulevard transformation of the highway, protect sensitive interfaces and accommodate an appropriate level of growth.

It acknowledged that the boundary between sub-precincts 5A and 5B was in a sense arbitrary, but did not support extending the 8 storey height limit further north as it would result in taller development extending deeper into the sensitive residential interface area. It also noted that the boundary between sub-precincts 5A and 5B had been translated from the existing DDO5 control.

(iv) Discussion

The Urban Design Report found the heights applied through DDO5 were appropriate and supported a good level of development within the Frankston MAC while protecting sensitive interfaces.

Precinct 5 has an established character of 1 to 2 storey dwellings with some 3 to 4 storey buildings at its southern end and a mix of residential and commercial land use. The proposed discretionary maximum building height of 3 storeys in sub-precincts 5A and 5D is justified given it will deliver the intended mid-scale apartment and townhouse typology uniquely sought in the Precinct and provide a sense of address to Nepean Highway as a gateway to the Frankston MAC.

The 8 storey height limit in sub-precinct 5B provides a gradual transition in height from 12 storeys in Precinct 4, down to 3 storeys in sub-precinct 5A. To reduce the height of sub-precinct 5B to 3 stories would result in an abrupt transition where the Structure Plan has otherwise taken the approach of graduating heights from the City Centre down to the lower scale periphery, particularly to the north. Provision of a transition height at the southern end of the west side of Nepean Highway is appropriate.

In considering whether the proposed 8 storey height control should extend further north, the Panel agrees with Council that the current location of the boundary of sub-precinct 5B provides a sufficient area to support potential consolidation and development to a height of 8 storeys. It limits the encroachment of taller built form into sub-precinct 5A which has limited heights to protect sensitive interfaces.

The Panel is satisfied that the proposed maximum building heights and alignment of the sub-precincts in Precinct 5 are appropriate and strategically justified.

(v) Conclusion

The Panel concludes the maximum building heights of 12.0 metres in sub-precinct 5A and 28.0 metres in sub-precinct 5B are justified and appropriate.

5 Other built form and design issues

5.1 Objectives

(i) The issue

The issue is whether the 'Land use and development' objectives and Precinct objectives are appropriate.

(ii) Evidence and submissions

Objectives related to affordable housing and equitable access

Steibel's submission sought deletion of the affordable housing component of the housing diversity objective because there was no housing strategy to support the objective. It submitted affordable housing objectives should be pursued through a separate planning scheme amendment.

Relying on the evidence of Mr Negri, OYOB/Pace made similar submissions to the effect that the affordable housing objectives (and the related 'General' Centre-wide design and development requirement) were unnecessary and replicated objectives and strategies in Clause 16.01-2S.

Submitter 395 said the affordable housing provisions should be removed pending completion of the new Housing Strategy or alternatively the Amendment deferred until it had been.

There were however a number of submissions which said the provision of affordable housing was important and had not been adequately addressed in the Structure Plan.

Steibel sought deletion of the objective "*to encourage use and development to provide for equitable access to amenity*".

Objectives related to landscaping and heritage

Steibel sought the deletion of the objective to increase tree canopy and landscaping across the Frankston MAC because opportunities for landscaping were limited to areas along Kananook Creek for example and did not reflect the difficulty in achieving landscaping in the core of the Frankston MAC where no setbacks were to be provided.

Council's Day 1 changes proposed to include the words 'within public and private land' in the landscape objective as recommended by Ms Roberts to clarify its intent.

Steibel sought deletion of the heritage objective because there was no heritage report to support its introduction. Relying on the evidence of Mr Negri, OYOB/Pace similarly submitted the heritage objective was unnecessary.

Transport and access objectives

The evidence of Leigh Furness for Council supported the inclusion of an additional transport and access objective to encourage initiatives which supported alternative transport modes to the car. Council's Day 2 version proposed to include the following additional objective:

To encourage initiatives that promote alternative transport modes to the car.

Precinct objectives

Steibel's submission proposed that references to the 'City Centre' in the Precinct 1 objectives be replaced with 'Metropolitan Activity Centre'.

Ms Robert's evidence recommended changes to:

- Precinct 1 to include the words 'and enhance' in the fine-grain rhythm objective
- Precinct 2 to include another objective to provide for high quality activated streetscapes
- Precinct 4 to amend the first objective to remove 'gateway' and reflect Nepean Highway's proposed green boulevard character supporting outdoor dining and social interaction
- Precinct 5 to amend the last objective for landscaping to retain existing canopy trees.

Ms Roberts' recommendations were included in Council's Day 2 version, which in addition included recommended drafting changes for:

- Precinct 3 to amend the heritage places objective consistent with its changes to the heritage places requirement (discussed in Chapter 5.7)
- landscaping objectives in Precincts 2, 3, 5 and 6 to refer to landscaped setbacks in the Precinct map.

The proposed change to the Precinct 4 Nepean Highway objective was supported by Urban DC.

In the context Mr Negri's and Mr Czarny's evidence relating to 'visual dominance' of buildings in Precinct 4, OYOB/Pace submitted the last Precinct 4 objective should be amended to reflect the MAC context for height. Council proposed to amend the objective in its Day 2 changes to read:

To ~~minimise~~ address the potential visual dominance of development when viewed from the foreshore reserve and Gould Street residences.

(iii) Discussion

Objectives related to affordable housing and equitable access

The Panel supports references to affordable housing in the housing diversity objectives. It is consistent with Structure Plan Strategy 4.3 to provide more affordable housing and Action 6 to encourage the supply of social and affordable housing within and adjacent to the Frankston MAC. The Panel acknowledges that the ACZ1 contains no specific requirements for affordable housing and that Council's new Housing Strategy (once completed) may inform further policy or zone requirements. In the interim the objective is considered appropriate for a MAC with good access to services and community infrastructure, and consistent with Clause 02.03-6.

Once explained by Council, the Panel had a better appreciation of Council's design intent in relation to the equitable access, however the language remains vague and unclear in its intended outcome. While the Panel understands it to relate to design parameters for private and public amenity, its broader relationship to the Centre-wide or Precinct requirements and guidelines is not well established, and the need for it is unclear. It should either be deleted or redrafted.

Objectives related to landscaping and heritage

The Structure Plan vision anticipates a quality landscape within the Frankston MAC with public realm strategies to increase tree canopy cover and landscaping that contributes to the landscape character including through roof top terraces, green walls, balcony gardens, ground level canopy tree and shrub planting on private land. The Structure Plan does not seek the same landscape expectations across the Frankston MAC, identifying particular locations for landscaped setbacks. Precincts where no or narrow setbacks are preferred will have limited opportunities for ground level planting, however other landscaping opportunities still exist to make an overall contribution to the public realm. The objective, as modified in Council's Day 1 changes, is appropriate.

The deletion of the heritage places objective is appropriate as heritage is not a key feature of the Frankston MAC and the Structure Plan makes limited references to it outside Precinct 3 where a guideline relating to heritage buildings is included.

Transport and access objectives

There is no need for the additional transport and access objective proposed by Mr Furness. There are no Centre-wide or Precinct requirements or guidelines where the objective assists. The substance of the suggested objective can be considered through policy or other provisions of the ACZ1 or the PO1.

Precinct objectives

The Panel considers the Precinct 1 objective references to 'City Centre' are appropriate as they reflect the role of the precinct (and also references to the Promenade Precinct). The objectives for each Precinct are relevant to that Precinct, all of which are part of the overall Frankston MAC.

The Panel supports the precinct objective changes proposed by Ms Roberts and included in Council's Day 1 changes and considers that they are broadly consistent with the built form strategies identified in the Structure Plan.

The Panel supports further changes identified by Council to clarify the landscaping objectives for Precincts 2, 3, 5 and 6 by reference to the Precinct maps. It supports amending the heritage places objective for Precinct 3 consistent with the Panel's recommended changes to relocated the 'Heritage places' requirement as a guideline in Precinct 3 as discussed in Chapter 5.7.

Council's Day 2 changes for the Precinct 4 objective relating to the visual dominance of buildings is considered appropriate in the context of changes to Table 17 and Diagrams 10, 11 and 12 proposed by Council and recommended by the Panel in Chapter 4.8.2.

(iv) Conclusions and recommendation

Panel concludes in relation to the land use and development objectives:

- The inclusion of affordable housing as a component of the housing diversity objective is appropriate and consistent with the Structure Plan.
- The 'equitable access' objective is unclear and should be deleted or redrafted so that it is relevant to the Centre-wide provisions, Precinct requirements and guidelines.
- The landscaping objective should be amended consistent with Council's Day 1 changes.
- The heritage places objective should be deleted.
- The additional transport and access objective proposed by Mr Furness is vague and its application unclear and should not be included.

Panel concludes in relation to precinct objectives:

- The changes to the objectives of Precincts 1, 2, 4 and 5 recommended by Ms Roberts are appropriate.
- The changes to the objectives of Precincts 2, 3, 5 and 6 recommended by Council's Day 1 and Day 2 version relating to landscaping and heritage places (subject to drafting changes discussed in Chapter 5.7) are appropriate.
- The Council Day 2 changes to the Precinct 4 objective relating to the visual dominance of buildings is appropriate in the context of other changes recommended by the Panel.

The above changes are reflected in the Panel's preferred version of the ACZ1 in Appendix F. In addition, the Panel recommends:

Delete or redraft the equitable access objective so that it relates to the Centre-wide provisions or Precinct requirements and guidelines and its intended outcome is clear.

5.2 Gateway sites

(i) Background

There are numerous mentions in the Structure Plan of ‘City Centre Gateways’ at approaches to the Frankston MAC within the public realm as detailed in the Public Realm Framework Plan (Figure 14). The ACZ1 does not, however, nominate strategic redevelopment sites at potential gateway locations.

Figure 14 Public Realm Framework Plan



Source: Structure Plan Figure 13 – Public Realm Framework Plan

(ii) The issue

The issue is whether the ACZ1 should nominate gateway sites.

(i) Evidence and submissions

Mr Czarny’s evidence supported the overall built form approach of the Structure Plan but said it could be reinforced by nominating key strategic designated locations for bespoke site design. This

would help deliver a diversity of development form, profile and configuration. He considered the OYOB site in Precinct 4 on the north western corner of Beach Street and Nepean Highway a strategic gateway site. He noted the site was recognised as a gateway site in the exhibited Precinct objectives, and he considered its size warranted greater flexibility in relation to built form outcomes. Mr Czarny identified the site as having a 'dress circle' position in the Precinct and was distinctive from sites to the north and south. He said identifying sites at high points, key corners, gateways or terminal vistas as gateway sites was consistent with the approach adopted in other MACs (including Ringwood and Epping), and that there may be other opportunities for gateway sites in other Frankston MAC precincts.

OYOB/Pace's proposed ACZ1 changes to Precinct 4 included:

- amending the Precinct map to designate gateway sites in sub-precinct 4A on the OYOB site and in sub-precinct 4D
- replacing the first precinct objective with an objective encouraging taller buildings with opportunity for higher buildings to respond to site context at the Frankston MAC entry
- including an additional objective to encourage increased development form at nominated gateway sites to create a sense of arrival.

(i) Discussion

PPN60 discourages reference to 'gateway' or 'landmark' sites due to the ambiguity in what built form outcomes are sought to be achieved.

The strategic intent of the built form controls in the ACZ1 is to provide a transition from high-density built form within the heart of the Frankston MAC, down to a lower scale around the periphery. The proposed approach to building heights in the Built Form Review, Urban Design Report and Structure Plan support height controls that gradually decrease from the City Centre to the periphery, ensuring a harmonious skyline and urban fabric.

The nomination of gateway sites and inclusion of the sites proposed by OYOB/Pace could result in abrupt changes in building height which can conflict with the intended gradual transition and concentration of height in Precinct 1 as the City Centre. The application of discretionary height controls provides sufficient opportunity for 'subtle variations' as identified by Mr Czarny.

(ii) Conclusion

The Panel concludes the nomination of gateway sites in the ACZ1 lacks strategic justification and is not required.

5.3 Active frontages and public realm interface

(i) Background

The design and development requirements include requirements for active frontages and interfaces with the public realm including for primary and secondary active frontage locations (refer Figure 15). Requirements relate to:

- glazing proportions for ground level frontages
- interface design treatments including activated frontages, canopies and verandas, materiality, wind mitigation, avoidance of blank walls, corner sites, building entries.

Figure 15 Active frontages



Source: ACZ1 Diagram 1 – Active frontages

(ii) The issue

The issue is whether the design and development requirements for ‘Active frontage and public realm interface’ are appropriate.

(iii) Evidence and submissions

The evidence of Ms Roberts supported the active frontages and public realm interface requirements. She recommended changes to clarify that the clear-glazing requirements should not be compromised through signage. Council supported this change in its Day 1 version, proposing the following requirement:

Where applied signage is to be located on clear glazing, it is not to occupy more than 30% of the glazing.

OYOB/Pace was concerned that this change represented a control on signage. While disputing this, Council identified similar outcomes could be achieved without specifically referring to signage.

Urban DC submitted the use of landscaping elements to mitigate wind impacts was unlikely to be successful as plantings in windy conditions often did not survive. It identified the use of trees and landscaping for this purpose was not supported by Clause 58.04-4, and proposed the provision be deleted.

Steibel submitted the wind requirements should be simplified to exclude specific mitigation measures.

Council’s Day 1 version included changes to the wind mitigation requirements that broadly aligned with the changes sought by Steibel (refer Appendix E:1).

Council's Day 2 changes proposed a further requirement to clarify the intent of pedestrian link design:

Pedestrian Links should be either open to the sky or enable views of the sky.

This change was not supported by OYOB/Pace as it:

- was an entirely new provision
- would impact site yield for through land parcel links not the subject of a PAO
- created non-compliant wind conditions.

(iv) Discussion

The Panel supports clear glazing metrics in the Primary Active and Secondary Active Frontage Areas. However, it does not support the inclusion of an additional requirement relating to signage on glazing. It is not appropriate because:

- the design and development requirements apply to the construction of a building or carrying out works which would not include signage on or behind glazing
- the extent of signage, let alone on glazing is not typically known at the building development stage
- the need for a specific requirement is unclear and not established in the Structure Plan as an issue requiring specific management in the Frankston MAC
- signage within an ACZ falls within the Category 1 signage provisions of Clause 52.05 which do not require a permit for business identification up to 8.0 square metres
- Clause 52.05 provides an appropriate basis for considering signage proposals that require a permit.

The Panel supports Council's Day 1 changes relating to wind mitigation requirements.

Pedestrian links are proposed in a number of the Precincts to create permeability and a connected pedestrian network through the Frankston MAC. Strategies 6.1 and 6.2 of the Structure Plan identify that mid-block links will provide greater visual connection to the Foreshore and Kananook Creek and assist in contributing to the visual breaks between buildings and maintaining views to the sky. Further, the identified links in Precinct 4 are to be activated. The Panel considers an additional requirement for future Pedestrian Links (as opposed to 'indicative pedestrian links) is appropriate and has a direct relationship with the Structure Plan and works in tandem with other design requirements for the Frankston MAC.

The Panel acknowledges that an open sky requirement could impact upper-level floor space provision. It is reasonable that land owners will want to ensure the treatments are integrated with the building and interface design, particularly if ownership of the Pedestrian Links is not to be transferred to Council. Further, some form of canopy treatment that provides weather protection without losing visibility to the sky or sense of openness is reasonable. However the Panel considers Council's Day 2 current wording is reasonable and allows for sufficient flexibility as to how the design outcome might be achieved on a site by site basis.

(v) Conclusion

The Panel concludes the requirements for 'Active frontage and public realm interface' are appropriate, subject to Council's proposed changes relating to wind mitigation and the inclusion of a discretionary pedestrian link requirement.

The above changes are reflected in the Panel's preferred version of the ACZ1 in Appendix F.

5.4 Sustainable and adaptive use

(i) Background

The design and development requirements include requirements for sustainable and adaptive use which seek to provide minimum floor-to-floor heights (Figure 16) to provide internal amenity and adaptation over time. Requirements for basement parking are also included.

Figure 16 Floor to floor heights

Precinct	Preferred minimum floor to floor heights at ground level	Preferred minimum floor to floor heights above ground level to street wall height	Preferred minimum floor to floor heights above street wall height
1, 2, 3, 4 & 6	4.0m for all uses	3.5m for all uses	3.5m for non-residential uses
5	4.0m for non-residential uses 3.2m for residential uses	3.5m for non-residential uses 3.2m for residential uses	3.2m for residential

Source: ACZ1 Table 1 – Floor-to-floor heights

(ii) The issue

The issue is whether the design and development requirements for ‘Sustainable and adaptive use’ are appropriate.

(iii) Evidence and submissions

The evidence of Ms Roberts supported the floor-to-floor heights because they provided for the long term sustainability of buildings as the Frankston MAC changes over time to accommodate a range of uses or when basement or upper-level car parking was no longer required.

Ms Roberts also supported design outcomes which sought to sleeve carparking to ensure active street interfaces.

OYOB/Pace proposed to delete the ‘Floor to floor heights’ Table and amend the basement parking requirement to apply a 3.2 metre floor to floor height metric. In verbal submissions it indicated that the Table 1 requirements beyond arrangements for car parking were excessive, would add additional cost, and would result in buildings which were not sustainable or energy efficient. It said such matters could be dealt with through the permit process.

In cross-examination Mr Czarny did not support deletion of the ‘Floor to floor heights’ in Table 1.

Steibel sought to qualify the basement parking requirements by including ‘where practical’ given ground or other conditions might limit its provision.

(iv) Discussion

The Panel considers the inclusion of floor-to-floor height requirements is appropriate for a Metropolitan Activity Centre. The Frankston MAC will develop and evolve over time, with the mix of uses occupying ground and upper-level floor space changing in response to demand. This is consistent with Mr Szafraniec’s evidence that the anticipated commercial floor space requirements would be met at both ground and upper floor levels over time.

The requirement is also consistent with PPN60 which identifies:

Where references to both metres and storeys are used, adequate allowance should be made for greater floor- to-floor heights needed to support employment uses where the zoning supports these uses.

Providing for upper levels to be used by a range of commercial uses supports a compact centre and reduces the need for further outward expansion of the Frankston MAC to accommodate commercial uses at ground level. The requirement is discretionary, providing the flexibility to respond to different site contexts or Precinct land use mix objectives.

The basement parking requirement is discretionary and does not need the 'where practicable' qualifier to respond to site specific geological or groundwater conditions.

The above ground level parking requirements are considered appropriate without the additional changes recommended by Ms Roberts.

(v) Conclusion

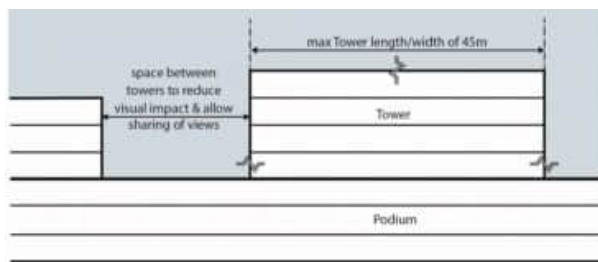
The Panel concludes the 'Sustainable and adaptive use' requirements of the ACZ1 including for floor-to-floor height and basement parking are appropriate.

5.5 Design of tower elements

(i) Background

The design and development requirements include maximum tower length and width and separation between towers (refer Figure 17) to reduce visual impact and allow for view sharing.

Figure 17 Tower design



Source: ACZ1 Diagram 3 – Length/width of tower elements

(ii) The issue

The issue is whether the 'Design of tower elements' are appropriate.

(iii) Evidence and submissions

Ms Roberts supported the tower design requirements, considering they were consistent with the Urban Design Report principles and would reinforce the spacious skyline outcome and reduce the likelihood of walls of development.

OYOB/Pace submitted that the 45 metre tower width requirement did not have strategic basis or rationale. OYOB/Pace suggested various detailed adjustments to the tower design requirements and related decision guideline for Precinct 4 to provide more flexibility and less prescriptiveness

The evidence of Mr Negri recommended the following additional guideline:

If not practicable to limit development to this length, development should provide variation in massing, articulation and roof form to reduce visual bulk.

Council submitted the tower width provision was based on built form analysis. In addition to the changes to side and rear setbacks and building separation requirements discussed in Chapter 4.3, it proposed changes to the Precinct 4 tower guidelines to remove reference to minimising visual impacts to sensitive interfaces.

(iv) Discussion

The tower width provision is consistent with Principle 2 of the Urban Design Report and will contribute to the coastal character of the Frankston MAC through well-spaced towers and benefit view sharing and internal amenity. There is strategic justification for the limitation of building width to address Principle 2 and improving sky and water views, particularly in Precinct 4 which separates the City Centre from the bay.

The discretionary nature of the provision allows for site specific variation. The recommendations of Mr Negri could be seen to contradict the preferred outcome and the Panel considers his proposed addition to the requirements is unwarranted. The Panel supports Council's Day 1 changes to the Precinct 4 guideline for towers consistent with other changes relating to minimising visual impacts discussed in Chapter 4.8. As discussed in Chapter 4.3 the Panel supports Council's changes to tower separation column in Table 2.

(v) Conclusion

The Panel concludes the tower design requirements and associated Precinct 4 guidelines are appropriate and justified with the inclusion of Council's Day 2 changes.

The above changes are reflected in the Panel's preferred version of the ACZ1 in Appendix F.

5.6 Building design and layout

(i) Background

The ACZ1 includes building design and layout requirements for coastal aesthetic design, building articulation, projections, building massing breaks, acoustics and other design outcomes.

(ii) The issue

The issue is whether the building design and layout requirements are appropriate.

(iii) Evidence and submissions

Ms Roberts supported the building design and layout requirements but recommended amending the consistent upper-level setback requirement which sought to avoid a repetitive stepped form. She considered that an incremental stepped form at upper levels was a better outcome that could have other benefits including for landscaping, access to light and managing wind impacts and the public realm. The change was not supported by Council.

Steibel submitted:

- the building design coastal aesthetic requirement delete reference to 'landscaping that integrates with the surrounding coastal landscape' be deleted

- the requirement for significant breaks and building recesses between large buildings be deleted
- drafting changes to the acoustic requirements to minimise duplication or be more performance based to avoid the use of 'reduce'.

Relying on the evidence of Mr Czarny, OYOB/Pace proposed that:

- the requirement that 'Building forms that take cues from the coastal landscape' be deleted
- the requirement for breaks and recesses in massing be deleted because the outcome was achieved through other requirements and was superfluous.

Council's Day 2 changes proposed to amend:

- the setback projections requirement to clarify it upper-level front setbacks above street wall height
- the visual impact requirement to replace 'minimise' with 'address'.

(iv) Discussion

The Panel supports the broader design outcome sought through the requirement that building design incorporate a coastal aesthetic. Responding to the coastal setting of the Frankston MAC is a consistent theme of the Structure Plan. However, the requirement as drafted duplicates or is inconsistent with other requirements. It is unclear how a building form will take its cue from the coastal landscape with the height and setback provisions proposed and building scale anticipated. The landscaping element largely duplicates the landscaping and open space requirements (which require species selection to respect coastal character). The Panel recommends the requirement be simplified so that it relates to building architectural elements and materials which 'complement the coastal landscape and setting'.

The Panel supports Council's Day 2 changes to the projections and visual impact of large buildings requirements. The changes clarify the requirements and respond to the issue of 'minimising' visual impact when this is problematic as discussed in Chapter 4. The requirement for managing massing is reasonable and is more nuanced than the requirements for building separation and tower design breaks including the consideration of introducing building recesses. The discretionary nature of the requirement allows for alternative site-responsive outcomes.

The Panel supports the acoustic attenuation measure although it should be tempered to replace 'reduce' with 'manage' given the application requirement for an acoustic report that will address the actual treatments required. The noise transmission requirement is unnecessary as it can be addressed in the attenuation requirement, the acoustic report (as anticipated in its drafting) and be addressed through other residential amenity provisions in the Frankston Planning Scheme.

(v) Conclusions

The Panel concludes the building design and layout requirements are appropriate subject to:

- Council's Day 2 changes relating to the projections and visual impact of large buildings requirements
- simplification of the coastal aesthetic building design requirement
- deleting the noise transmission requirement and amending the noise attenuation requirement.

The above changes are reflected in the Panel's preferred version of the ACZ1 in Appendix F.

5.7 Heritage places

(i) Background

The ACZ1 includes a requirement for development in or adjoining the Heritage Overlay to be designed so as not to dominate heritage buildings and streetscapes.

(ii) The issue

The issue is whether the requirement for 'Heritage places' is appropriate.

(iii) Evidence and submissions

Steibel and OYOB/Pace supported by the evidence of Mr Negri sought deletion of the 'Heritage places' requirement on the basis that there was no heritage report to support its application and that the protection of heritage places was the role of the Heritage Overlay.

Ms Roberts identified there were limited places within the Heritage Overlay in the Frankston (five including the Davey Street Precinct and Plowman residence in Precinct 3). She recommended greater specificity in relation to 'adjoining', noting three heritage places were separated from nearby properties by lanes or streets. While she supported the guidance in Precinct 3 for heritage places in the Structure Plan, she considered its inclusion or removal from the ACZ1 was inconsequential.

Council's proposed Day 2 changes included drafting to remove references to streetscapes and land within the Heritage Overlay as follows:

Development on land ~~within or~~ adjoining the Heritage Overlay should:

- Not dominate the ~~adjoining~~ heritage buildings ~~and streetscape~~.
- Use materials and finishes with textures and colours that allow ~~them~~ development to appear visually recessive from heritage buildings and fabric ~~on adjoining sites~~.
- Incorporate simple architectural detailing that does not detract from the ~~adjoining~~ heritage buildings ~~and streetscape~~.

Council also proposed to amend the related Precinct 3 objective by deleting reference to 'protect and enhance' heritage places.

(iv) Discussion

Heritage character is not a strong feature of the Frankston MAC and the Heritage Overlay is limited to a small pocket along Davey Street in sub-precinct 3D and other isolated individual places. There is little to no reference to heritage places in the Centre-wide objectives, strategies or actions in the Structure Plan. However the Structure Plan does identify a development objective for protecting and enhancing heritage places along Davey Street. This has been translated into the heritage requirement in Precinct 3.

A design requirement in an ACZ schedule should not seek to 'protect' a heritage place. This is the purpose of the Heritage Overlay. Further, the heritage requirement contains qualitative measures to achieve the relevant precinct objective rather than using quantitative measures that are appropriate for requirements. This is not consistent with PPN56.

In terms of drafting, considering the broader development objectives for Precinct 3 and provision for building heights of 8-10 storeys on sites adjoining the Davey Street heritage places, a requirement that development does 'not dominate' those places or is 'visually recessive' will be

difficult to achieve. The requirement to incorporate 'simple architectural detailing' to 'not detract' from a heritage place is unnecessarily specific and prescriptive.

The Panel therefore considers the requirement should be converted into a guideline.

Council's changes to the Precinct 3 objective are generally appropriate, however the objective retains the language 'not visually dominant' which is problematic. An alternative wording should be used.

(v) Conclusions and recommendation

The Panel concludes:

- The heritage requirement in Precinct 3 should be converted into a guideline, and amended to:
 - replace 'heritage building' with 'heritage place'
 - include further drafting changes that ensures that the requirement achieves an appropriate design response which respects heritage places but does not result in a design outcome that undermines the broader objectives and requirements for the Precinct.
- The objectives for Precinct 3 should be amended to include the changes identified by Council in its Day 2 changes but further amended to delete the words 'and ensure built form south of Davey Street is not visually dominant'.

These changes are largely reflected in the Panel preferred version of the ACZ1 in Appendix F. In addition, the Panel recommends:

Review the drafting of the 'Heritage places' requirement in Clause 4.4 (relocated to a guideline for Precinct 3 in the Panel preferred version) to ensure that it achieves an appropriate design response which respects heritage places but does not result in a design outcome that undermines the broader objectives and requirements for Precinct 3.

5.8 Access and services

(i) The issue

The issue is whether the design and development requirements for 'Access and services' are appropriate.

(ii) Evidence and submissions

The traffic evidence of Mr Furness recommended an additional requirement for corner sites that abut laneway intersections with local roads to include a 50 per cent transparent building splay to ensure appropriate pedestrian sight distances.

Ms Roberts' evidence recommended:

- simplifying the requirement relating to location and screening of services including air conditioning
- the inclusion of additional requirements relating to loading and rubbish services including their location and design integration.

Council's Day 1 changes included the amended and additional requirements recommended by Mr Furness and Ms Roberts.

Steibel submitted the ACZ1 requirements for rooftop services should be simplified, deleting metrics for height above maximum building height, stepped setbacks and screening to read:

Rooftop services may exceed the building height provided they are located on the roof to minimise visibility from street level.

It submitted this would provide a more performance-based control that would accommodate lift overruns of 3.7 metres.

(iii) Discussion

The Panel has some reservations about adding further detailed design requirements to an already extensive list of Centre-wide requirements, and the potential for unintended design outcomes. For example, Mr Furness' recommended requirement for semi-transparent splays for sites on the corner of laneways does not acknowledge that most laneways are low speed environments proposed to accommodate pedestrians and be activated. Having buildings located hard on their edge, including at corners, is part of their character and contributes to the fine-grain built environment. Other design or traffic treatments exist to support shared zones without requiring splays or the need to specify the treatment response. Even though the suggested requirement would be discretionary, it has the potential to compromise the design and layout of ground floors. It should not be included in the amended ACZ1.

There is already a proposed requirement relating to accessing loading areas, services and carparking form laneways and secondary streets. The additional requirements recommended by Ms Roberts should be integrated into the existing requirement.

The rooftop services requirement provides an appropriate level of detail consistent with the wider built form objectives for the Frankston MAC. Its discretionary nature allows other design treatments to be considered. The changes proposed by Steibel s are not required.

The proposed change to the air conditioning and service screening requirement simplifying the location of air conditioning services is appropriate.

(iv) Conclusions

The Panel concludes:

- The Access and services requirements are generally appropriate subject to the simplification of the air conditioning screening recommended in Ms Robert's evidence.
- The additional requirements recommended by Ms Roberts are broadly appropriate but should be consolidated with the exhibited requirement relating to loading and carparking access.
- No adjustments are needed to the rooftop services requirement.

The above changes are reflected in the Panel's preferred version of the ACZ1 in Appendix F.

5.9 Landscaping and open space

(i) Background

The landscaping and open space requirements include provision of landscaping throughout sites and ground floor setbacks, metrics for the proportion of landscaping in setbacks, maximising deep soil planting areas for canopy trees, encouraging the use of green roofs, walls and balconies, metrics for species mix, and the provision of communal spaces.

A discretionary landscaped setback is proposed to street frontages within:

- sub-precinct precinct 1F (law courts)
- sub-precincts 2B and 2C (gateway to the ring road)
- sub-precincts 3D and 3E (Plowman Place, Young Street and Davey Street)
- Precinct 5 (excluding sub-precinct 5B).

(ii) The issue

The issue is whether the landscaping and open space requirements are appropriate.

(iii) Evidence and submissions

Ms Roberts supported the landscaping requirements but recommended changes to add clarity and focus on quality of outcomes, to align with the Structure Plan. Her recommended changes removed references to landscaping softening the visual impact of buildings, as she considered such an outcome was not realistic. Rather, landscaping should be an integrated component of built form design and provide other benefits such as reduced heat island effect, public realm enhancement and increased biodiversity and habitat. These changes were included in Council's Day 2 changes.

Steibel submitted the landscaping requirements were unreasonable for the core of the Frankston MAC. It proposed changes to temper the landscape objectives and outcomes against site context and interfaces.

OYOB/Pace submitted the landscaping guidelines, including deep soil requirements, were not relevant in Precincts where landscaping setbacks did not apply and should predominantly be included as Precinct guidelines, consistent with the evidence of Mr Negri.

Council's Day 1 and 2 changes in addition proposed to:

- amend the landscape and open space requirements heading to include 'landscaped setbacks'
- qualify the first three landscaping requirements by identifying they apply where landscaped setbacks are specified in Precinct requirements
- include an additional requirement to avoid projections such as balconies and services into landscaped setbacks.

(iv) Discussion

The encouragement of landscaping outcomes including canopy tree planting on private sites to augment public realm landscaping is consistent with the wider objectives of the Structure Plan and ACZ1 to create an engaging and attractive centre. The landscape outcomes to be achieved (including the opportunity to add to biodiversity and contribute to reducing the heat island effect) will be dependent on setback depths and relationship to nearby landscaped areas (predominantly in the public realm) and other site variables. For example, canopy planting opportunities will require deep soil provision and more substantial setback depths. In other locations landscaping will need to respond to narrower setbacks or explore other opportunities such as green walls or roofs. While climatic considerations including wind, solar access and salt will be relevant in informing landscaping treatments, these can be managed through appropriately designed treatments.

The Panel supports the changes recommended by Ms Roberts and Council. While not all Precincts contain landscaped setback requirements, they exist in Precincts 1F, 2C, 3E, 5 and 6. To avoid repetition in each of the Precincts their inclusion in the Centre-wide requirements is appropriate. However the requirements should be qualified as proposed by Council's Day 1 changes to identify where they apply to Precinct landscaped setbacks only.

The change proposed by Ms Roberts to the green roofs, walls and balconies requirement is supported as an appropriate Centre-wide requirement subject to deletion of references to biodiversity and habitat. While such plantings may have some of these values, they are more susceptible to climatic and site management variables and have a primary role in enhancing and contributing to the landscape character of the Frankston MAC.

The discretionary nature of the requirements ensures that landscaping outcomes can be adapted to reflect site circumstances.

(v) Conclusion

The Panel concludes the landscaping and open space requirements are generally appropriate subject to the changes recommended by Ms Roberts but with the deletion of references to biodiversity and habitat in the green roofs, walls and balconies requirement.

The above changes are reflected in the Panel's preferred version of the ACZ1 in Appendix F.

5.10 Precinct guidelines

This sub-chapter discusses issues raised in submission relating to specific Precinct guidelines not discussed elsewhere in this Report.

(i) The issue

The issue is whether the Precinct guidelines are appropriate.

(ii) Evidence and submissions

Projections into setbacks

Council's Day 2 version of the ACZ1 included additional requirements in response to the evidence of Ms Roberts relating to architectural projections into rear building setbacks (Precinct 5) and side and rear setbacks (Precinct 6)

Other Council proposed guideline drafting changes

Council's Day 1 and 2 changes proposed changes to the following precinct guidelines (refer Appendix E:1 and E:2 for detail):

- Precinct 1:
 - amending references to narrow tenancies, consistent with the evidence of Ms Roberts
 - adding 'where practicable' for the guideline dealing with ground level active uses in laneways
 - deleting the landscape guideline consistent with the evidence of Ms Roberts
- Precinct 2:
 - clarifying landscaping areas
 - adding an outcome for active open space frontages consistent with the evidence of Ms Roberts

- Precinct 3:
 - amending the active uses along laneways guideline to clarify outcomes sought, consistent with the evidence of Ms Roberts
 - redrafting the fencing guideline consistent with the evidence of Ms Roberts
- Precinct 5:
 - amending the second guideline relating to non-habitable rooms to clarify the outcome sought, consistent with the evidence of Ms Roberts.

(iii) Discussion

Projections into setbacks

The Panel supports the basis of applying guidelines for setback projections where they are warranted to achieve a particularly urban design outcome.

For Precinct 5 the suggested the additional guideline is unnecessary and without a clear strategic foundation. It would potentially compromise good design outcomes including maximising solar access opportunities for upper levels, providing weather protection or façade articulation. Not applying the guideline does not compromise amenity outcomes which can still be addressed through the wider ACZ and other Planning Scheme provisions including clauses 55 and 58.

For Precinct 6 the additional guidelines is appropriate in relation to side setbacks which are important in terms of providing for breaks in building forms and supporting landscaping opportunities. However, consistent with its comments above. Its application to rear setbacks is not supported. Given the provision is drafted in a qualitative manner it should be included as guideline rather 'Any other requirements'.

Other Council proposed guideline drafting changes

Council's proposed changes to precinct guidelines as identified above are generally appropriate and clarify the design outcomes sought and have a broader relationship to the Structure Plan.

(iv) Conclusion

The Panel concludes the Precinct guidelines are generally appropriate subject to the additional Day 1 and Day 2 changes proposed by Council, and the changes identified by the Panel.

The above changes are reflected in the Panel's preferred version of the ACZ1 in Appendix F.

6 Movement and transport

6.1 Background

(i) Transport Report

The Transport Report provides an overview of the key transport issues in the Frankston MAC and the opportunities to create a safer and more vibrant City Centre. Key findings include:

- the current transport network reflects a legacy of car dominance and a series of road and intersection designs that lower the safety and attractiveness of walking, cycling and public transport
- off-road bicycle paths do not connect with each other, nor do they connect into the heart of the City Centre
- the existing planning framework has entrenched rather than reduced car dependence and, on the whole, the City Centre has a surplus of car parking.

The Transport Report provides a transport and movement plan which informs the Structure Plan including the identification of pedestrian priority areas, low speed – low volume shared zones, key entry roads, a ‘ring road’ and northern railway station entrance.

(ii) Structure Plan

The Structure Plan identifies new street or laneway connections or widening and future pedestrian linkages (refer Figure 18).

Figure 18 Public realm analysis and opportunities



Source: Structure Plan Figure 14 Public Realm Analysis and Opportunities

(iii) Activity Centre Zone

The ACZ1 includes:

- transport and access objectives
- Precinct wide access requirements
- Precinct Pedestrian Links requirements in Precinct 1 (Tables 5) and Precinct 4 (Table 16)
- laneway widening and extension requirements in Precinct 3 (Table 12)
- an application requirement for a traffic and parking report.

(iv) Parking Overlay

The Amendment proposes to amend the wording of PO1 to distinguish the new extent of the Frankston MAC reflected in the Structure Plan and the adjacent residential areas. The application of the PO1 and the parking rates in the PO1 will remain the same. There were no submissions about the changes to the PO1. The Panel has therefore not considered this aspect of the Amendment in any detail but observes the changes to the PO1 are logical and necessary to ensure the control is effective.

(v) Public Acquisition Overlay

The Amendment proposes to apply the PAO8 and PAO9 to facilitate the extension of the Kananook Creek Promenade and the widening of Bay Lane respectively, consistent with the Structure Plan. There were no submissions about the application of PAO8. The Panel has therefore not considered the application of PAO8 in any detail but observes the application is consistent with the Structure Plan and underpinning Transport Report.

6.2 Transport network

(i) The issue

The issue is whether the Structure Plan provides an appropriate transport and movement network.

(ii) Evidence and submissions

The evidence of Mr Furness included an extensive overview of the transport policy context and the existing road network, analysis of the Transport Report and review of the transport and movement objectives, strategies and actions of the Structure Plan. This included the identification of projects to support mode shift away from car reliance to sustainable transport through:

- enhancing pedestrian connectivity and walkability
- improving cycling connections
- reducing traffic in City Centre streets
- car parking management
- public transport improvements
- transport related policy and advocacy actions.

Mr Furness was satisfied the recommendations of the Transport Report had been appropriately incorporated into the Structure Plan and would support Council's sustainable transport objectives, mode shift and growth of the Frankston MAC, and that the Amendment was consistent with the

transport policies of the Planning Policy Framework. He was satisfied with the majority of ACZ1 objectives and requirements, suggesting minor changes (discussed elsewhere in this Report).

The submission of DTP identified a range of issues related to the Structure Plan relating to road service levels resulting from traffic movements or public realm upgrades, traffic and movement management and responsibilities for delivering identified infrastructure upgrades.

In response, the evidence of Mr Furness was:

- the Transport Report adequately considered the function of each street in the Frankston MAC and its role in the transport network
- the Structure Plan provides an adequate framework to identify priorities for infrastructure that are State responsibilities to be pursued through Council advocacy
- Council is progressing an Amendment (C161fran) for a DCPO for the upgrades of Playne Street and Kananook Creek Boulevard
- a significant level of traffic displacement was anticipated with the Nepean Boulevard concept which maintained two through-traffic lanes in each direction that existed to the north and south of the Frankston FMAC. A proposed Nepean Boulevard masterplan would work through this detail in discussion with DTP
- improved pedestrian links across Nepean Highway were necessary, particularly within Precinct 5 where there was no controlled pedestrian crossing for over a kilometre between Fletcher Road and the Kananook Creek bridge but observed not all three proposed crossings might be necessary. The ultimate location and treatment would be subject to the approval of DTP
- the Structure Plan references bus network efficiency in Young Street and proposed streetscape upgrades would enhance the pedestrian environment without impacting traffic capacity.

Submission 395 identified concerns about traffic movements through and around the Frankston MAC and expressed doubt that the road network had adequate capacity to meet future traffic volumes given:

- existing volumes at the Nepean Highway/Davey Street intersection
- congestion caused by buses and train station passenger drop-off in Young Street.

Submitter 395 considered the proposed diversion of traffic from Nepean Highway via Davey Street and Fletcher Road was circuitous and unlikely to provide an effective and efficient ring road. He said the extension of rail services beyond Frankston to Baxter was unlikely.

Submitter 395 identified a number of potential projects to improve connectivity through and around the Frankston MAC including:

- a road connection from Fletcher/Cranbourne Roads to Yuille Street
- a road connection between Fletcher Road and Young Street over the rail line and through sub-precincts 2A and 2B
- an alternative location and operation of the Young Street bus bay area
- a rail duplication and station at McMahons Road to service the hospital and Monash University.

The evidence of Mr Furness in response to Submitter 395's submission was that:

- the suggested additional links were expensive, not viable or unnecessary

- the Structure Plan provided for improvements to the Young Street bus terminal and other public transport strategies and advocacy actions including future extensions of the metro rail beyond Frankston.

Submission 34 considered additional pedestrian bridges across Kananook Creek with footpaths through Long Island to the foreshore would offer better activation of the Nepean Highway/Kananook Creek area. Mr Furness in response considered suitable connections were provided for at appropriate intervals between the Frankston MAC and the foreshore including through additional pedestrian links and signalised crossings.

(iii) Discussion

The Panel does not propose to address each of DTP's issues, noting that in response to the evidence of Mr Furness and Council's Part A submission it identified those matters have largely been acknowledged or addressed.

The Panel is satisfied the Structure Plan, informed by a detailed Transport Report, has identified an appropriate transport and movement network. This view is informed by the detailed analysis of the existing transport context, the Transport Report and Structure Plan and Mr Furness' response to submissions.

It is reasonable to expect that key road links will be designed to provide for pedestrian and cycling movement and landscaping treatments in a way that enhances the public realm without impacting on traffic functionality. Many of the transport projects including Nepean Boulevard are yet to go through a detailed design process and will be adjusted as necessary to respond to local circumstances and conditions, and with the input of relevant agencies. The Structure Plan provides an appropriate framework to implement the transport actions including through advocacy and does not limit future transport investigations, projects or other advocacy actions.

The broader transport analysis and strategies within the Structure Plan have informed several public realm related objectives that find their way into the ACZ1 controls, for example identification of key pedestrian streets, pedestrian and laneway links, vehicle access and solar access requirements. Without counter traffic evidence there is no basis to include additional transport projects or amend related actions in the Structure Plan or the ACZ1.

(iv) Conclusion

The Panel concludes that the Structure Plan provides for a sound transport and movement network.

6.3 Traffic, access and car parking

(i) The issues

The issues are:

- whether additional traffic can be accommodated by the transport network
- the impacts of additional traffic on Kananook Creek Boulevard
- vehicle access
- car parking provision.

(ii) Evidence and submissions

Traffic

Several submissions raised concerns about general traffic impacts associated with the proposed growth of the Frankston MAC.

Submission 157 identified concerns with the Precinct 4 guideline that discouraged use or development which would generate significant traffic and vehicle movements on streets and laneways. Council's Day 1 changes removed this dot point which was supported by Mr Furness.

Mr Furness' evidence was the traffic will build over time as the Frankston MAC develops, and can be accommodated by the road network and mode shift through improved pedestrian and cycle infrastructure. At the local level, requirements for traffic assessments as part of development applications provide the ability to assess traffic impacts and identify appropriate access, carparking and mitigating measures for each new development.

Kananook Creek Boulevard

Submissions including from the Kananook Creek Association were concerned that additional vehicle volumes along Kananook Creek Boulevard would create traffic, congestion and parking problems and impact on the Kananook Creek environment, sensitive interfaces and the ability to create an attractive public realm.

Mr Furness's evidence was the anticipated the level of traffic from development of sites capable of accessing Kananook Boulevard was acceptable for a one-way road within a large activity centre. The requirement encouraging the use of basement parking from Beach or Wells Street (rather than Nepean Highway and Kananook Creek Boulevard) where possible would also reduce future traffic volumes. The Nepean Highway intersection capacity would be assessed at development stage including potential remedial works.

Access

Mr Furness recommended the Precinct 6 guidelines be amended to avoid direct vehicle access to Cranbourne Road where possible. Council's Day 1 changes included the following change:

Provide vehicle access from Olive Grove, Willis Street, Joy Street and James Street, Catherine Parade, Melvin Street, Allenby Street, Lawrey Street and Clarendon Street rather than from Cranbourne Road where possible.

Car parking

Submission 157 suggested parking waivers as a means of reducing traffic impacts.

Submission 431 did not support the reduction of parking along Nepean Highway to accommodate outdoor dining and was concerned that reliance on motor vehicles and adequate provision for parking had not been considered.

Mr Furness' evidence was:

- the Transport Report indicates that there is ample on and off-street parking and opportunities to improve its use and efficiency
- the Structure Plan includes adequate directions to address car parking and the car parking impacts of the Amendment are acceptable
- an additional precinct guideline should be included in the ACZ1 to encourage reduced parking provision for development along Kananook Creek to reduce traffic impacts

- parking provision would continue to be considered through the Parking Overlay and Clause 52.06, and the parking rates for the Frankston MAC would need to be reviewed in the future.

Council did not support Mr Furness' recommendation for a parking waiver guideline, submitting parking reductions were properly managed through the Parking Overlay rather than the ACZ1.

(iii) Discussion

Traffic

The Panel does not propose to address each of DTP's issues noting that its issues have been addressed to its satisfaction.

Consistent with the discussion in Chapter 6.2, the Panel considers that the Transport Report informing the Structure Plan has considered the capacity of the proposed transport movement network in the context of additional traffic movements associated with the future development of the Frankston MAC. The Panel considers the Structure Plan has struck an appropriate balance between providing an attractive public realm and connected movement network for pedestrians while ensuring the vehicle movement capacity of the road network remains functional and efficient. Providing for slower speed environments within streets that also have a strong pedestrian and public realm focus including provision of outdoor dining is an appropriate strategy for an activity centre. Such directions are also important to achieve a modal shift from vehicle reliance for visitors and residents to access or move around the Frankston MAC.

The Panel is satisfied that the proposed transport and movement network is functional and able to manage future traffic volumes, which will change over time as user habits and patterns change. Major public realm enhancements need not come at the cost of traffic congestion, and the detailed design phase is the appropriate time to consider traffic impacts associated with public realm works. Planning for the Frankston MAC does not remain static and is not confined to the network enhancements identified in the Structure Plan. The Panel anticipates that Council (and DTP) will continue to monitor and adapt the functionality of the movement network as the Frankston MAC grows and user behaviours change.

Kananook Creek Boulevard

An activity centre structure plan necessarily takes a whole of centre and precinct approach rather than drilling down to the development outcomes for individual sites (unless perhaps they are identified as strategic opportunity sites). The ACZ1 includes guidelines and requirements to appropriately consider and respond to traffic impacts from future permit applications on a site by site basis. This extends to sites that front Kananook Creek Boulevard. Based on the evidence of Mr Furness, the Panel is satisfied that the ACZ1 provides sufficient guidance and flexibility to manage access and traffic impacts on Kananook Creek Boulevard. This will be important to the success of the Council's vision for the boulevard and public realm.

Access

The additional Precinct 6 access guideline recommended by Mr Furness is reasonable. Restricting the number of access points to Cranbourne Road is consistent with the precinct objectives for Cranbourne Road to be a key entry and to provide landscaped setbacks. The proposed wording does not restrict access to those properties in Cranbourne Road that have no alternative access

but may encourage shared access points between sites to support landscaping and efficient car parking and loading arrangements for example.

The Panel is otherwise satisfied the ACZ1 provides an appropriate mix of requirements and guidelines to manage site access and opportunities for suitable alternative solutions.

Car parking

There is no indication that there is a current shortage of available car parking within the Frankston MAC. Rather the Transport Study identifies that its use and efficiency could be enhanced.

The Structure Plan appropriately seeks to provide for the more efficient and accessible provision of car parking. This may mean that it is distributed differently, and on-street parking reduced in some locations to achieve a public realm benefit without reducing the overall provision of parking.

PPN56 identifies that an ACZ schedule should not be used to amend car parking requirements that are specified in Clause 52.06, as this is the role of a Parking Overlay. The Panel agrees with Council that the Parking Overlay is the appropriate tool to consider parking provision and waivers rather than the ACZ1. This may mean the PO1 rates or requirements specific to the Frankston MAC need to be reviewed in the future, potentially as part of the five year review of the Structure Plan once the controls have been bedded in and parking provision and uptake can be reviewed after a reasonable period of development activity.

The Structure Plan includes an action for the development of a master plan for Nepean Boulevard which includes consideration of, among other matters, the retention of on-street parking. The cross section in the Structure Plan identifies the reduction in through traffic lanes to include widened footpaths, on-road cycle lanes and indented car parking bays. The master plan process is the stage at which detailed considerations such as parking provision are appropriately addressed, however it is not Council's identified intention to remove large areas of on-street parking.

(iv) Conclusions

The Panel concludes:

- Additional traffic can be accommodated by the proposed traffic and movement network.
- The impacts of additional traffic on Kananook Creek Boulevard can be appropriately managed.
- The Structure Plan and ACZ1 provides appropriate guidance for the location and access to on-site carparking.
- An additional ACZ1 precinct guideline consistent with Council's Day 1 version based on Mr Furness' evidence limiting access to Cranbourne Road where possible in Precinct 6 is reasonable.

The Panel's preferred version of the ACZ1 in Appendix F includes Council's Day 1 Cranbourne Road access guideline for Precinct 6.

6.4 Street widening and laneway links

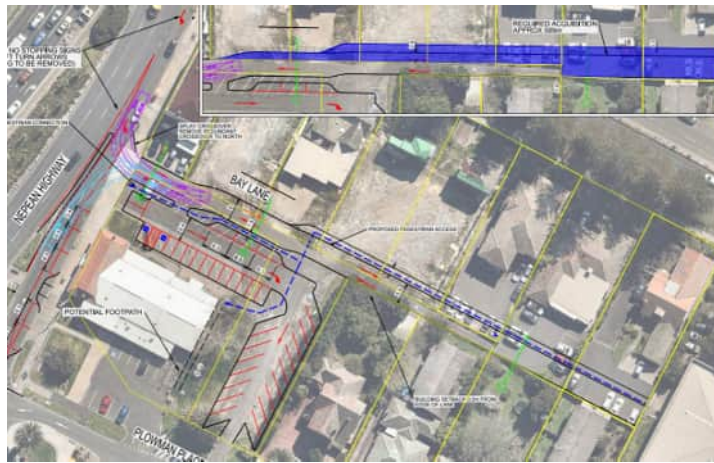
(i) Background

Bay Lane analysis

The *Traffic Engineering Study Road layout Options, Bay Lane, Frankston, O'Brien Traffic, 2023* (Bay Lane Report) was prepared to investigate options for the development of Bay Lane to safely and

efficiently accommodate potential traffic generated by adjacent developments. It was informed by earlier analysis in 2019 and identifies a preferred concept (Figure 19).

Figure 19 Proposed Bay Lane laneway alignment



Source: Traffic Engineering Study Road layout Options, Bay Lane, Frankston Proposed Bay Lane Alignment

ACZ1 provisions

Table 12 below summarises the preferred minimum widths for street widening and laneway extensions in the ACZ1 requirements for Precinct 3 (Table 12 in the ACZ1), which are also identified in the Precinct map.

Table 12 Laneway widening and extensions

Sub-precinct	Property	Preferred minimum width
3B	15-17 Davey Street 170 Young Street	3.0m to align with Arthurs Lane
3D	6, 8, 10, 12, 14 Davey Street 16, 18 Davey Street	3.0m from rear boundary to widen Bay Lane 6.0m from rear boundary to align with Bay Lane

(ii) The issues

The issues are whether the Precinct 3 requirement for:

- the extension of Arthurs Lane through 15-17 Davey Street is appropriate
- the Bay Lane widening extent is appropriate.

(iii) Evidence and submissions

General issues

Submitter 395 raised concerns about laneway widths and 'dead ends' and their impact on vehicle turning and emergency access. Mr Furness responded that improvements to the laneway network had been anticipated to address such issues and the requirement for traffic impact assessments to accompany permit applications would address specific laneway design considerations.

Arthurs Lane extension

Kastro submitted the 3.0 metre laneway extension of Arthurs Lane in Precinct 3 would bisect its land parcel (15-17 Davey Street), an outcome that would reduce the development potential. In response, Council supported the deletion of the Arthurs Lane link through 15-17 Davey Street on the Precinct 3 map and in Table 12 in its Day 1 changes.

Bay Lane widening

Mr Furness considered the volume of traffic and pedestrians did not warrant a dedicated pedestrian space and supported Bay Lane width being reduced to a minimum shared laneway width of 6.1 metres.

To align with the PAO9 and the Bay Lane Report, Council's Day 2 changes recommended correcting the widths of the PAO9 for:

- 6 Davey Street from 4.5 metres to 2.0 metres
- 8 to 14 Davey Street from 3.0 metres to 4.5 metres
- 16 and 18 Davey from 6.0 metres to 7.7 metres.

Council did not support Mr Furness' proposed changes to the Bay Lane widths to 6.1 metres. It submitted the Bay Lane Report demonstrates that the widths were part of a considered approach that took into account urban design considerations and the Structure Plan's movement and transport objectives and strategies. It did not support an outcome that resulted in varying laneway widths.

8 Davey submitted increasing the existing Bay Lane widths was unnecessary, as:

- the evidence of Mr Furness was a dedicated pedestrian space was not required and a minimum width of 6.1 metres was sufficient to accommodate two-way traffic
- Bay Lane provided a 'back of house' role, servicing few properties and providing no through-block connectivity or otherwise contributing to any broader walking network
- no widening was being provided on the south side of Bay Lane.

It submitted that if Bay Lane is to be widened:

- there would be a resulting loss of developable land
- the proposed additional width to the rear of its site at 8-14 Davey Street should be reduced to a maximum of 3.1 metres (and 16 and 18 Davey reduced to 6.1 metres) and the PAO9 amended accordingly.

DTP sought an additional general application requirement for a further traffic and parking assessment to its satisfaction specific to Precinct 3 to ensure Bay Lane would not impact the operation of Nepean Highway. This additional requirement was supported by Council and included in its proposed Day 1 changes.

(iv) Discussion

General issues

Based on Mr Furness' evidence, the Panel does not consider that any further changes are needed to address the impacts of laneway widths and 'dead ends' on vehicle turning and emergency access.

Arthurs Lane extension

The extension of Arthurs Lane through 15-17 Davey Street would bisect the site and impact its future development potential without providing an important linkage in a block that is already permeable through off-street car parking provision. The Panel supports Council's Day 1 changes to remove it from the Precinct 3 map and Table 12 in the ACZ1.

Bay Lane widening

The provision of a wider, extended laneway to provide loading, parking and vehicle and pedestrian access to properties that abut Bay Lane is considered an appropriate outcome and one supported by the Structure Plan and the broader movement objectives and strategies for the Frankston FMAC and Precinct 3.

Bay Lane is ultimately intended to be a low speed, predominantly local access route operating as a shared space. The preferred zero street setback will ensure buildings provide a sense of address to Bay Lane. The Panel considers this outcome would be enhanced with a pedestrian zone separating vehicle movements, although its continuity relies in part on using land adjacent to the Mechanics Institute.

The proposed widths consistent with the PAO9 and Bay Lane Report are supported. The Panel notes that Council's Day 1 changes generally reflect the correct dimensions, however the Panel is unclear why the amended dimension for 16 and 18 Davey Street is 7.7 metres rather than 7.5 metres based on the Bay Lane Report dimensions.

The Panel is satisfied that the design of the Bay Lane widening has been properly considered by Council through the development of the Bay Lane Report and the context of existing buildings that limit its alignment. The design considers vehicle access and egress requirements at Nepean Highway (via a left in-left out arrangement).

The Panel does not support Council's Day 1 addition of an application requirement for a traffic and parking assessment to address Nepean Highway aspects of Bay Lane, which the Panel understands was made in response to the DTP submission. The proposed requirement effectively duplicates the existing application requirement for such a report. While DTP would be a determining referral authority for any proposed altered access to Nepean Highway, the overall access treatment should be resolved with DTP through a single process rather than on a permit by permit basis.

(v) Conclusions and recommendation

The Panel concludes that:

- The extension of Arthurs Lane through 15-17 Davey Street should be deleted.
- The Bay Lane widening requirements are appropriate subject to width changes consistent with PAO9.

The Panel recommends:

Amend the Activity Centre Zone Schedule 1 as shown in the Panel preferred version in Appendix F to:

- **delete '15-17 Davey Street' from Table 12 and the associated Future laneway link designation in the Precinct 3 map**
- **amend the Bay Lane widths in Table 12.**

6.5 Pedestrian Links

(i) Background

Table 13 summarises the proposed pedestrian link requirements for Precincts 1 and 4.

Table 13 Pedestrian Links

Sub-precinct	Property	Preferred minimum width
1B	122-124 Young Street	6.0m
1C	431 Nepean Highway	3.4m from southern boundary
	19 Keys Street	5.6m from southern boundary
	12 Balmoral Walk	12.3m from northern boundary for the continuation of the Shannon Street Mall. 9.5m to align with the Station Street Mall
	76 Young Street	6.0m to align with Stiebel Place
4A	446 Nepean Highway	4.5m from northern boundary
	438 - 444 Nepean Highway	4.5m from northern boundary
	432 Nepean Highway	4.5m from northern boundary
	428 Nepean Highway	4.5m from northern boundary

(ii) The issue

The issue is whether the requirements for Pedestrian Links are appropriate.

(iii) Evidence and submissions

Mr Furness supported the objectives for improved pedestrian links, but said the 76 Young Street link in Precinct 1 should be reconsidered because:

- Precinct 1 is already highly permeable
- the link would create potential conflicts with vehicle access, servicing and loading and parking functions of laneways.

Mr Furness also recommended the link through the Council carpark land at 122-124 Young Street should be amended to include an existing pedestrian link that also extends over 108-120 Young Street. This, he said, would enable a link of adequate width and ensure the retention of existing trees.

Council did not support Mr Furness' recommendations, submitting there were other urban design considerations involved in the identification of identified Pedestrian Links and issues of detailed design could be managed at the planning permit stage.

(iv) Discussion

The Panel considers that the proposed link through 76 Young Street is appropriate and should not be deleted. It enhances the fine-grain character and network of low speed laneways and pedestrian connections sought through Precincts 1C and 1D. How the connection is ultimately provided is a matter for the permit stage, as is the detailed design treatment to manage any pedestrian-traffic conflict.

In relation to the proposed pedestrian link through 122-124 Young Street it is not appropriate at this stage of the Amendment process to introduce a new land take for a realigned pedestrian link through 108-120 Young Street. The Panel supports the basis on which the link has been identified through Precinct 1B. It will assist greater pedestrian permeability where there are limited mid-block connections. Its designation provides for some flexibility in its precise location and to consider how adjoining sites could enhance it or provide an appropriate interface to the link.

(v) Conclusion

The Panel concludes the pedestrian link requirements are appropriate.

7 Other issues

7.1 Any other requirements

(i) The issue

The issue is whether 'any other requirements' provisions in the ACZ1 are appropriate.

(ii) Evidence and submissions

The submissions of Kastro and OYOB/Pace raised concern about the proposed permit conditions for pedestrian links and laneways in the 'Any other requirements' clause provisions for Precincts 1, 3 and 4. Council's Day 1 changes deleted the requirement in the three precincts.

Submitter 395 submitted that an additional requirement should be added to the ACZ1 to consider how risks of fire from lithium-ion battery charging for apartments and vehicle storage areas should be minimised.

(iii) Discussion

The Panel supports Council's recommendation to delete the permit conditions relating to pedestrian links and laneways in Precinct 1,3 and 4 in response to submissions. This change was not opposed by Mr Furness.

Battery charging facilities is a matter for consideration at the permit stage if basement parking and EV charging stations are to be provided. It does not need to be included in the ACZ1 as a specific requirement.

(iv) Conclusion

The Panel concludes the ACZ1 Precinct 1, 3 and 4 'Any other requirements' for permit condition provisions should be deleted.

These changes are included in the Panel preferred version in Appendix F.

7.2 Application requirements

(i) The issue

The issue is whether the ACZ1 application requirements are appropriate.

(ii) Submissions

Steibel sought changes to the buildings and works application requirements to amend:

- the acoustic assessment requirements to only require an assessment of 'unreasonable' noise impacts
- the wind report requirements to be more specific about what is assessed and to identify mitigation strategies.

Other submissions raised concerns about whether the impacts of ground water or acid sulfate soils had been considered for building foundations and basements and whether these represented constraints on development intensity.

Council submitted that acid sulfate soils required consideration in Precincts 4 and 5 through the provision of an acid sulfate soils assessment with a permit application.

(iii) Discussion

The information references in the ACZ1 application requirements must be provided “*as appropriate to the satisfaction of the responsible authority*” [Panel’s emphasis]. This provides Council with the flexibility to decide whether the identified information is relevant to the nature of the permit application. Qualifiers such as ‘unreasonable’ for noise impacts are not necessary. The Panel is satisfied that the exhibited drafting for a wind mitigation report is appropriately broad and accommodates the types of considerations identified by Steibel without being overly specific or detailed.

The application requirements include the provision of a report identifying the potential for and management of acid sulfate soils for Precincts 4 and 5. The Panel considers this requirement appropriate and reasonable based on potential soil conditions adjacent to Kananook Creek and the foreshore. No information was provided to the Panel that demonstrated that acid sulfate soils present restrictions on development within other parts of the Frankston MAC or that they could not be managed through appropriate design treatments.

If ground water impacts are a concern for Council, particularly where extensive excavation is proposed for basement parking for example, Council is able to ask for appropriate information at the application stage on a case by case basis.

(iv) Conclusion

The Panel concludes the ACZ1 application requirements are appropriate.

7.3 Decision guidelines

(i) The issue

The issue is whether the ACZ1 decision guidelines are appropriate.

(ii) Evidence and submissions

The decision guidelines include the following for mitigating bulk:

Whether the proposal acceptably mitigates off-site impacts such as visual bulk, overlooking and overshadowing to adjacent land including the public realm, public open space or adjacent residentially zoned properties relative to a compliant scenario.

Steibel and OYOB/Pace submitted the decision guideline should be amended to remove references to ‘relative to a compliant scenario’ or deleted entirely. Council’s Day 2 changes retained the guideline but deleted the words ‘relative to a compliant scenario’.

Consistent with its position regarding objectives and requirements relating to affordable housing OYOB/Pace also sought deletion of the affordable housing decision guideline that reads:

Whether the development provides for affordable housing and its management and maintenance.

OYOB/Pace submitted, supported by Mr Negri’s evidence, that the final decision guideline be deleted. It submitted that a requirement which provides for the consideration for proposals which exceed the requirements on the basis of ‘improved architectural outcomes’, greater building

separation, communal open space greater than that in clause 55.07 and 58 or that provide 'demonstrable and significant benefits' to the wider community was unnecessary, unclear in its application and inappropriate.

Council's Day 2 changes retained the affordable housing guideline, but proposed to delete the final decision guideline in its entirety.

(iii) Discussion

The decision guideline relating to mitigating bulk should be deleted. It does not contribute to the range of decision guidelines that apply in the ACZ parent provisions, and largely replicates elements of the following decision guidelines in the ACZ1 [Panel's emphasis]:

How the proposed development's design, architectural quality, scale, height, materials, mass and visual bulk responds to the requirements and guidelines of this schedule and to the surrounding built form.

How the development respects the visual and environmental qualities of the Foreshore and Kananook Creek and environs.

The effect of the development on the amenity of nearby properties and the public realm, particularly in regard to visual impacts, overlooking and overshadowing.

While the Panel supports the objective of supporting affordable housing, without any clear metrics in the ACZ1 for what is to be achieved (including for 'its management and maintenance') a specific decision guideline is not required beyond the exhibited guideline relating to 'providing for diverse household types', although this should be amended to refer to 'a diversity of housing outcomes'.

The Panel agrees with OYOB/Pace and the evidence of Mr Negri that the last decision guideline should be deleted. The guideline seems to suggest opportunities for requirements to be exceeded in return for other deliverables such as improved architectural outcomes or significant community benefits. The guideline is unclear and uses subjective language, and does not reflect that the ACZ1 includes predominantly discretionary requirements.

(iv) Conclusions

The Panel concludes:

- The fifth, sixth and seventh decision guidelines relating to bulk mitigation, affordable housing and proposals which exceed requirements should be deleted.
- The decision guideline relating to the provision of housing for diverse household types should be amended to refer to a 'diversity of housing outcomes'.

The Panel has included these changes in its preferred version in Appendix F.

7.4 Notice and review provisions

(i) The issue

The issue is whether the notice and review exemptions in the ACZ1 are appropriate.

(ii) Submissions

Many submissions raised concerns about the exclusion of notice and third party rights. A number of submitters were concerned that the community would be excluded from the permit assessment process and that this was undemocratic.

Council submitted the rationale for the exemption (which is the default position under the ACZ) was that extensive community and stakeholder consultation had been undertaken to prepare the Structure Plan which forms the basis of the ACZ1 controls. This included community consultation through the development of the Structure Plan and through the Amendment process. This approach was consistent with PPN56.

Council identified that exemptions from third party notice and review currently apply in the Frankston MAC under:

- the C1Z and C2Z (except within 30 metres of land in a residential zone or a hospital or education centre or land in a PAO)
- the MUZ applying to Precinct 5 for subdivision applications.

Council submitted the key impact of the exemptions would be at the interface of the Frankston MAC with existing residential areas (particularly Precincts 4 and 5). It acknowledged the tension between removing third party rights and discretionary height and setback controls and submitted that decision makers would “*be alive and cognisant*” of this and the need for “*responsible exercises of discretion in applying discretionary controls*”.

(iii) Discussion

The default position under the ACZ parent provisions is that:

An application under Clauses 37.08-2, 37.08-4, 37.08-5 or 37.08-6 is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act unless the schedule to this zone specifies otherwise.

The exhibited ACZ1 retains the default position. This is consistent with PPN56 which identifies this position builds on the community and stakeholder consultations that are the foundation of structure plans. It does however acknowledge that this requirement can be varied or reinstated the schedule, for example to applications for:

- a reduction in parking under Clause 52.06
- residential precincts
- particular uses such as hotels
- particular forms of development, for example that exceed preferred maximum heights.

While the Panel acknowledges there is a sensitive interface between Precinct 4 and Precinct 5 and residential or foreshore areas to the west of Kananook Creek, the proposed built form controls have been alive to this and tempered accordingly. Both the Structure Plan and Amendment process have enabled land owners and the broader community to be consulted and their views (both opposed and supportive) have been taken into account.

The role of Frankston MAC as a Metropolitan Activity Centre anticipates that there will transformative change and more intensive built form. This brings wider benefits including employment, housing opportunities, a broader range and standard of services and facilities, all of which can deliver a net community benefit. The notice and review provisions should reflect the broader vision for the Frankston MAC and provide a level of certainty for land owners and investors required to support development of the Frankston MAC.

Precincts 4 and 5 are not proposed to be residential precincts, but rather anticipate a mix of commercial uses as well as housing outcomes and do not warrant notice provisions being reinstated.

The Panel does not support introducing notice requirements for particular types of use or development or within certain precincts. To do so now would be ad hoc and without a strong strategic foundation.

As identified by Council as the responsible authority is required to assess applications in the context of the zone, other provisions and planning policy including amenity considerations.

(iv) Conclusion

The Panel conclude the default ACZ notice and review exemptions are appropriate for a Metropolitan Activity Centre and the level of strategic planning work including community consultation undertaken in the development of the Structure Plan and the Amendment.

7.5 General drafting

(i) Clause 11.03-1L-02

Steibel requested the following strategy of the exhibited Clause 11.03-1L be amended to:

Encourage a broad range of residential, retail, business, entertainment, tourist and associated uses in the Frankston MAC.

It submitted the change was necessary so as not to undervalue the contribution of residential use to the Frankston MAC.

Council did not make a submission on the requested change.

The exhibited Clause 11.03-1L also contains the following amended strategy:

Encourage a broad range of accommodation uses in the Frankston MAC, including affordable and social housing.

The first strategy extracted above has a focus on commercial uses, while the second strategy has a focus on encouraging a range of accommodation uses including dwellings, affordable and social housing. The two strategies should be read together to identify the range of uses that are to be encouraged. Further changes are considered unnecessary.

(ii) Activity Centre Zone Schedule

Several parties proposed changes to the general drafting of the ACZ1 requirements or precinct guidelines and the use of active and positive language to achieve design outcomes consistent with the Practitioner's Guide. While the Panel has not discussed all the suggested changes in this Report, it has considered them in its preferred version. Some have been adopted in full or in part, others have not been included where they are considered unnecessary or adequately addressed through other requirements.

The Panel's preferred version of the ACZ1 includes the majority of Council's recommended drafting changes that:

- correct errors
- apply consistent or appropriate heading forms in tables
- remove references to height being above natural ground level
- link landscaping requirements with precinct maps
- provide linking references in requirements or tables to relevant diagrams
- use positive language, for example replacing 'discourage outcome x' with 'encourage outcome y'.

To ensure drafting consistency with the Practitioner's Guide, the Panel's preferred version also replaces:

- '%' with 'per cent'
- '&' with 'and', except where it is part of a precinct name.

At over 40 pages in length the ACZ1 is an extensive control (PPN56 suggests an ACZ schedule should only be 10-20 pages long) with many highly prescriptive provisions. The Panel has therefore focused on drafting aspects identified in submissions. Council should undertake a final review of requirements, guidelines and decision guidelines to:

- ensure the drafting is clear and consistent with drafting rules and guidance identified in the Practitioner's Guide and PPN56
- they are necessary, are not repetitive or duplicating provisions of the ACZ header provisions or other provisions.

(iii) Clause 74.01

Steibel submitted the following provision of Clause 74.01 should be amended to:

Activity Centre Zone to facilitate the development of the Frankston Metropolitan Activity Centre as a major community, employment and commercial centre for the municipality and the region.

It considered the current drafting limited the range of uses supported in the Frankston MAC. Council did not make a submission on this issue.

Clause 74.01 states:

The schedule to this clause must include a general explanation of the relationship between the Municipal Planning Strategy, the objectives and strategies in Clauses 10 to 19 and the controls on the use and development of land in this planning scheme.

The planning authority must take the schedule into account when it prepares a planning scheme amendment, but not when making a decision under the planning scheme.

In most instances the format used in the schedule to Clause 74.01 of the Frankston Planning Scheme explains the purpose or objective to be achieved by applying a zone rather than pointing to the Municipal Planning Strategy or the Planning Policy Framework. If a policy link was to be identified for the application of the ACZ, the most relevant is Clause 11.03-1L-02 which includes strategies to encourage:

- a broad range of retail, business, entertainment, tourist and associated uses in the Frankston MAC, and its renewal and revitalisation
- high-density housing and accommodation throughout the Frankston MAC.

While the ACZ description could be broadened consistent with Clause 11.03-1L-02 this is probably unnecessary and potentially limiting. The Panel considers a simpler statement as suggested by Steibel is appropriate as the policy objectives for the Frankston MAC are already clearly articulated, as are the purposes of the ACZ.

(iv) Recommendations

The Panel recommends:

Amend the Schedule to Clause 74.01 Application of Zones, Overlays and Provisions as follows:

Activity Centre Zone to facilitate the development of the Frankston Metropolitan Activity Centre as a major community, employment and commercial centre for the municipality and the region.

Council undertake a final review of the Activity Centre Zone Schedule requirements, guidelines and decision guidelines prior to adoption of the Amendment to ensure:

- drafting is clear and consistent with drafting rules and guidance identified in the Practitioner's Guide to Victorian Planning Schemes Version 1.5, April 2022 and Planning Practice Note 56: Activity Centre Zone
- they are necessary, avoid repetition and the duplication of the Activity Centre Zone parent provisions or other policy guidance.

Appendix A Submitters to the Amendment

No.	Submitter	No.	Submitter
1	Braden Betley	32	Phil Anderson
2	Angela D'Alfonso	33	Estate of West and Dominant (Aust) Pty Ltd
3	Lydia Wheeler	34	Dawn Beadle
4	Garry Ebbott	35	Pam Parker
5	Kathryn Ebbot	36	Tonia Komesaroff representing submitter 33
6	Phillip Lancaster	37	Narelle Debenham
7	David Chisholm	38	Caecilia Airth
8	Ashley Nelson	39	Mike Beadle
9	Mandy Chisholm	40	Digby Hannah
10	Dearna Tsagarakis	41	Margot Abbott
11	Simon Dixon	42	Jennifer Bentley
12	Daniel Wilson	43	Duncan Granger
13	Alex Stosic	44	Tim Keran
14	Belinda King	45	Dr Vladas Petrusis
15	Kevin Donoghue	46	Trish Henderson
16	Anastasia Ermakova	47	Kaushik Wagh
17	Evgeny Laptev	48	Adrian Lloyd
18	Birte Molirer	49	David Waihi
19	Trudy Poole	50	Kate Moroney
20	Sam Corbett	51	William Merry
21	Michael Corbett	52	Jenny Wood
22	Alison Behrend	53	Heidi Muir
23	Michelle Aleguera-Lara	54	Shane Sullivan
24	Nathan Butler	55	Catherine Doughty
25	Lara Poller	56	Sophie Campbell
26	Rachel Diamond	57	Claire Dalby
27	Peter Gardiner	58	Liam Staines
28	Russell and Terry Paxino	59	Kerry Boeing
29	Radiah Dunsford	60	Vivienne Weston
30	Mark Dunsord	61	Philip Siggs
31	Melissa Poole	62	Del Huwes

No.	Submitter	No.	Submitter
63	George Cesar	96	Lisa Bremner
64	Alex Houghton	97	Megan Smithies
65	Steve Barker	98	Ken Rightnour
66	Barry and Helen Priestley	99	Russell Kerr
67	Claire Warren	100	Braden Betley
68	Kaye Hudson	101	Mike Avery
69	Emily Walker	102	Thor Tepper
70	Lynn Del Giudice	103	Chris Michaelides
71	April McNamara	104	Trish Miller
72	Lynda Miller	105	Richard Stern
73	Darren Singh	106	Wendy Anderson
74	Kris Cleeve	107	Jackie Pederson
75	Emma & Sean Limpens	108	Cameron Spencer
76	Tracy Johns	109	Christine Harris
77	Diane Rightnour	110	Craig Voltz
78	Jenny Hattingh	111	Bill (Winand) Gardeners
79	Neil Dalton	112	Kerry Gardeners
80	Kyle Kendall	113	Jade McGraw
81	Joanne & Barry Ward	114	Lars Pedersen
82	Jeremy Ainscough	115	Mark Cramond
83	Shaun Elbrow	116	Elena Kolyada
84	Ros Blenkinsop	117	Tracey Tiktin
85	Lauris Wilcox Johnstone	118	Maarten Koster
86	Keoma Borges	119	Luke Phillips
87	Stephen Rabel	120	Marion Harttig
88	Andrew Smith	121	Holly de Lange
89	Leanne Warner	122	Andrew Price
90	Sara Marchant	123	Michael Toomer
91	Patricia Kelly	124	Andrew Purchase
92	Konstantinos Konidaris	125	Dr Sheree Krass
93	Ekaterina Bondareva	126	Ramakant Duggal
94	Noel Perkins	127	Anthony Scott
95	Joan Kerr	128	Kay Sudborough

No.	Submitter	No.	Submitter
129	Maria Remova	162	Spotlight Group Holdings
130	Alex Sosnin	163	Sarah Bruce
131	Claire Rossetto	164	Helen Page
132	Carlos Whiley	165	Denzil Milton
133	Sophie Johnston	166	Christine Evans
134	Erminio Rosetto	167	Debra Anderson
135	Gregory Mier	168	Evan Walker
136	Jacqui McGhee	169	John Johnston
137	Gavin New	170	Peta Johnston
138	Susan Drew	171	Jenny De Lange
139	Robyn Pendlebury	172	Catriona Anderson
140	Joyie Choi	173	Robert Harvey
141	Nicole Clarke	174	Michael Simmons
142	Karie Stewart	175	Melanie Sinclair
143	Nita Wills	176	Jennifer Sheppard
144	Dr Sarah Velissaris	177	Robin Clarey
145	Paul Jones	178	Anne Glover
146	Planning Democracy	179	Nidek Property Group
147	Jill Kennan	180	Rotary Peninsula
148	John Allen	181	Anna Voyer
149	Diane Allen	182	Stephen Stern
150	Greg Darrington & Robbie Clark	183	Darrel Faulkner
151	Gail Chilianis	184	Nina & Upali DeSilva
152	Linda & Chris Lee-Brown	185	Emilio & Tracey Di Paolo
153	Greg Sheppard	186	Jane Marshall
154	Richard Taranto	187	Julian Whiteside
155	Catherine Bell	188	Amanda Arthur
156	Becki Hyde	189	Robyne Rainey
157	SP17 Pty Ltd	190	Daniel Webby
158	Wendy Goodman	191	Anne Dahon
159	Cindy Bryant	192	Kate Cremen
160	Anonymous	193	Lee-Anne Waters
161	Clive Riseam	194	Annemaree Woolcock

No.	Submitter	No.	Submitter
195	Margaret Edmunds	228	Joanne Hodgson
196	Liz Turner	229	Brendan Coleman
197	Johnny Green	230	Johan de Bree
198	Audrey Mutton	231	Michael Curry
199	Russell Poole	232	Tara Whateley
200	Sarah Whitehead	233	Jamie Newland
201	Judith Guzys-Mcauliffe	234	Jane van der Weyden
202	Lu'isa Fosita	235	Jan Michael Flores Navarro
203	James Knights	236	Trudy Land
204	Steven McConville	237	Terry Hope
205	Brian Dallow	238	Cathy Hope
206	Rob Poole	239	Michael Dunlevie
207	Tricia Stewart	240	Terence Hodgson
208	Vicinity Centres	241	Luke Dickinson
209	Sean Gleeson	242	Lisa Henry
210	Gillian Kinnear	243	Rebecca Anderson
211	Louise Rawlings	244	Beck Rogers
212	Kerry Gilbert	245	Shaun Hately
213	Darryl Moliere	246	Courtney Walker
214	Geoff Drew	247	Cynthia Borg
215	Pace Development Group Pty Ltd	248	Carol Gill
216	Johanna Berends	249	Michael Vollmer
217	Kyla Berends	250	Annie Venville
218	Chloe Coulson	251	Mary & Peter Madigan
219	Hilary Bray	252	Sean Gale
220	Malcolm Daff	253	Ben Hudson
221	Bruce and Margaret Perkins	254	Valerie Brittain
222	Miranda Whitten	255	Elly Meagan
223	Michael Darley	256	Nicole Steed
224	Lydia Sosa	257	Frankston Beach Association
225	Liz Newland	258	Bella Jordan
226	Kerrin Laws	259	Ann Robb
227	Sue Wearne	260	Vivien Masala

No.	Submitter	No.	Submitter
261	Melonie Newman	294	Richard Unmack
262	Marie Anderson	295	Jake Neville
263	Trevor Hinde	296	Brendon Casha
264	Pam Elias	297	Ken Allardice
265	Tanya Roe	298	Wayne Robbins
266	Narelle Ward	299	Ernie Gibbs
267	Carol March	300	Sheila Newman
268	Denise McConville	301	Kelly Murphy
269	Anne Spicer	302	George Tsikkinis
270	Ian Basford	303	Gary Davis
271	Deborah Albrecht	304	Faye Kapsalis
272	Judy Smart	305	Amber Coleman
273	Brandon Hault	306	Peter Gill
274	Anthony Owen	307	Brian Linklater
275	Michelle Cordner	308	Therese Dignam
276	David Muir	309	Ian and Dereen Wallace
277	Eliza McDonald	310	Lilli Clancy
278	Lisa Westgate	311	Shirley McGuigan
279	Elizabeth Jane ter Kuile	312	Jodie Belyea
280	Chris Lesser	313	Shana Morris
281	Anne Westmoreland	314	Rick Westmoreland
282	Alicia Langan	315	Nick Harris
283	Susanne Miles	316	John Lewis
284	Prudence Drago	317	Paul Cavanagh
285	Georges Bernard	318	Paul De Lange
286	Marion Bernard	319	Lesley Knudsen
287	Roslyn Macdonald	320	Advance Frankston Committee
288	Alexandra Balabin	321	Joan Cavanagh
289	Jacqueline Griggs	322	Dr Marie Newington
290	Blake Wood	323	Deborah Dorian
291	Tara Tremayne	324	Chris Fortnam
292	Julie Roy	325	Jarmila Jezek-Krejci
293	Brett Hosking	326	Janice Dunn

No.	Submitter	No.	Submitter
327	Dianne Thurley	360	Vivienne Reicher
328	Silke Steenblock	361	Svetlana Mizina
329	Andrew Gold	362	Hannah Roeschlein
330	Shannon George	363	NS Group
331	Hilary Poad	364	VER Custodian Pty Ltd
332	Barry Leon Alexander	365	Iain Stubbs and Helen Jarvis
333	Michael Curtain	366	Michael Cullen
334	Kim Robinson	367	Suzie Jones
335	Jane Christie	368	Judy Wachendorfer
336	Christopher Tracey	369	David Mcleay
337	Eva Welch	370	Annigie van Den Ham
338	Anne Thomson	371	Carole Wilson
339	Matthew De Lange	372	7 Stiebel Enterprises Pty Ltd
340	Libby Purchase	373	Ken Baptist
341	Michelle Fenech	374	Urban DC Pty Ltd
342	Hayleigh Beach	375	Jan and Don McKenzie
343	Brylee Newman	376	Marshall Hughes
344	Scott Newman	377	Janice Russell
345	Dianne Pritchard-Bailey	378	Grant Russell
346	Adriana Ferrarin	379	Richard Clough
347	Elena Ferrarin	380	Shelley Van Hansen
348	Jenni Alexander	381	WITHDRAWN
349	Angela Ferrarin	382	Kay Hopwood
350	Geraldine Stanistreet	383	Margaret Howden
351	Marie Line Lussiana	384	William Hooke
352	Lisa Brassington	385	Dale Falkner
353	Anthea Sinclair and David Christy	386	Mornington Environment Association
354	Long Island Residents Group	387	Scott Morrow
355	Damon Anderston	388	Kylie Quinn
356	Sue Tarrant	389	Kathy Cooper
357	William O Brien	390	Jenny Sanders
358	Genevieve and Kevin Pound	391	Madison Daicos
359	Ursula Orbam	392	Franky Investment Pty Ltd

No.	Submitter	No.	Submitter
393	8 Davey St Pty Ltd	414	OYOB Pty Ltd
394	Christine Taylor	415	Ken Owen
395	Peter Anscombe	416	OYOB Frankston Project Pty Ltd
396	Sue Owen	417	Amy Cooper
397	Julie Pepperell	418	Adele Pignolet
398	Kastro Investments Pty Ltd	419	M King
399	James Campbell	420	Kerry Millman
400	Deborah Gillard-Evans	421	Fleur Johnston
401	Emma Roeschlein	422	Tammie Barrett
402	Jennifer Faulkner	423	Stephanie Tate
403	Kananook Creek Association	424	Port Phillip Conservation Council Inc.
404	Adam Lane	425	Maree Gray
405	Maureen Griffin	426	Frankston Environmental Friends Network
406	Cate Faulkner	427	South East Water
407	Sommer Jade	428	Melbourne Water
408	Gerard Wills	429	Department of Transport and Planning (Transport for Victoria)
409	Manfred Roeschlein	430	Nina Earl
410	Cyril and Andrea Campelj	431	Kathryn Woods (late submission)
411	Dr Tony Ross and Margaret Ross	432	Committee for Frankston & Mornington Peninsula (late submission)
412	John Faulkner	433	VicTrack (late submission)
413	Diana Donohue	434	Rhonda Betley (late submission)
		435	Geoffrey Crowder (late submission)

Appendix B Parties to the Panel Hearing

Submitter	Represented by
Frankston City Council	Terry Montebello of Maddocks supported by Brooke Whatmough Coordinator Strategic Planning and Shelley Bennett Principal Strategic Planner of Frankston City Council, who called expert evidence on: <ul style="list-style-type: none"> - traffic engineering from Leigh Furness of Traffix - urban design from Amanda Roberts of LatStudios - capacity analysis from Julian Szafraniec of SGS Economics
Melbourne Water	Matthew Gilbertson of John Glossop Town Planning who called expert evidence on hydrology and flooding from Heath Sommerville of Engeny
Department of Transport and Planning	Daniel Zaslon
Mornington Environment Association Inc	Margaret Howden
Port Phillip Conservation Council Inc	Jennifer Warfe
Frankston Beach Association	Michele McKinlay
Frankston Environment Friends Network	Margaret Hunter
Kananook Creek Association Inc	Robert Thurley
Long Island Residents Group Inc	Jenny Faulkner
Advance Frankston	Garry Ebbott, Trudy Poole, Angela D'Alfonso, Blake Wood, Andrew Ferris and Nathan Butler
OYOB Frankston Project Pty Ltd	Peter O'Farrell SC and Alex Gelber of Counsel instructed by HWL Ebsworth Lawyers who called expert evidence on: <ul style="list-style-type: none"> - town planning from Marco Negri of Contour Consultants - urban design from Craig Czarny of Hansen Partnerships
Pace Development Group Pty Ltd	Peter O'Farrell SC and Alex Gelber of Counsel instructed by Minter Ellison
Estate of Helena West and Estate of Joseph West & Dominant (Aust) Pty Ltd	David Song of Song Bowden Planning Pty Ltd
7 Stiebel Enterprises Pty Ltd	Sarah Thomas of Urban Planning Collective
Urban DC Pty Ltd	Andrea Zohar of Urban Planning Collective
Kastro Investments Pty Ltd	Mick Meyer of Urbis
Franky Investment Pty Ltd	Sal Lennon of Hall & Wilcox
8 Davey St Pty Ltd	Robert Williams of Human Habitats
Birte Moliere	
Hilary Bray	

Submitter	Represented by
Eva Welch	
Joan Cavanagh	
Jenni Alexander	
Barry Alexander	
Andrew Smith	
Peter Anscombe	
Liz Turner	
Richard Clough	
Ann Rob	
Sheila Newman	

Appendix C Document list

No.	Date	Description	Provided by
1	27 Mar 24	Directions Hearing notice letter	Planning Panels Victoria (PPV)
2	24 Apr 24	Version 1 Directions and Timetable	PPV
3	1 May 24	Version 2 Timetable and Distribution List	PPV
4	3 May 24	Letter in response to Directions 10 and 14	Melbourne Water
5	3 May 24	Precinct mapping with flood information	Melbourne Water
6	3 May 24	<i>Boggy Creek/Eel Race Drain Flood Management Study</i> (November 1987)	Melbourne Water
7	3 May 24	Memorandum regarding Kananook Creek (January 2007)	Melbourne Water
8	3 May 24	<i>Sandgate Avenue & Lee Street Drainage Schemes Flood Mapping – Final Report</i> (July 2014)	Melbourne Water
9	3 May 24	<i>Skye Karingal Flood Mapping – Final Report</i> (September 2016)	Melbourne Water
10	3 May 24	Example Digital Data Licence Agreement	Melbourne Water
11	9 May 24	Letter regarding exhibition of Amendment C160fran	Frankston City Council (Council)
12	10 May 24	Response to Council letter regarding exhibition	PPV
13	14 May 24	Version 3 Timetable and Distribution List	PPV
14	22 May 24	Site inspection walking map	Council
15	22 May 24	Table of locations for site inspection	Council
16	22 May 24	Copy of Submitter 125 site inspection location requests	Council
17	7 Jun 24	Expert witness statement of Heath Sommerville, enclosing attachment: a) Skye Karingal Updated Flood Mapping Report	Melbourne Water
18	12 Jun 24	Position statement	Melbourne Water
19	17 Jun 24	Part A submission, enclosing attachments: a) Attachment B - Built form compare table b) Attachment C.1 - DDO & FMAC Precincts map c) Attachment C.2 - DDO14 and ACZ1 Precinct 4 compare maps d) Attachment C.3 - DDO5 and ACZ1 Precinct 5 compare	Council

No.	Date	Description	Provided by
		maps	
		e) Attachment D - Contours Plan for Panel - 0.5, 2.5 and 10m contours	
		f) Attachment E - Table of Permits and Permit applications as at June 2024	
		g) Attachment F - Development Status Map	
20	18 Jun 24	Version 4 Timetable and Distribution List	PPV
21	18 Jun 24	Letter to Panel regarding withdrawal from Hearing and DTP's Activity Centre Program (31 May 2024)	Department of Transport and Planning (Transport)
22	18 Jun 24	Letter to DTP regarding Activity Centre Program (4 June 2024)	PPV
23	20 Jun 24	Expert witness statement of Julian Szafraniec	Council
24	20 Jun 24	Expert witness statement of Leigh Furness	Council
25	20 Jun 24	Expert witness statement of Amanda Roberts	Council
26	20 Jun 24	Expert witness statement of Craig Czarny	OYOB Frankston Project Pty Ltd (OYOB)
27	20 Jun 24	Expert witness statement of Marco Negri	OYOB
28	24 Jun 24	Response to Panel questions on Activity Centre Program	DTP
29	25 Jun 24	Submission, enclosing attachment:	Ann Robb
		a) Shadow analysis - Nepean Hwy eastern footpath study at Spring Equinox	
		b) Photographs – View from Quest	
30	28 Jun 24	Part B submission, enclosing attachments:	Council
		a) Index to Part B Documents	
		b) Relevant development plans - 438-444 Nepean Highway, Frankston	
		c) Relevant development plans - 424-426 Nepean Highway, Frankston VCAT Amended Plans (4 June 2024)	
		d) Relevant development plans - 446-450 Nepean Highway, Frankston - Plans referenced in Condition 1 for 2024 permit	
		e) Relevant development plans - 89 Young St, Frankston - VCAT Amended Plans	
		f) Melbourne Water response to 438-444 Nepean Highway	
		g) Melbourne Water response to 424 Nepean Highway	
		h) Long Island Residents Group Inc. v Frankston CC [2024] VCAT 359 (446-450 Nepean Highway)	
		i) Franky Investment Pty Ltd v Frankston CC [2024] VCAT	

No.	Date	Description	Provided by
		559 (89 Young Street)	
		j) Good Design Guide for Buildings in Flood Affected Areas – Fishermans Bend, Arden and Macaulay (June 2021)	
31	28 Jun 24	Day 1 version of ACZ1	Council
32	28 Jun 24	FMAC overview presentation	Council
33	28 Jun 24	Presentation of Amanda Roberts	Council
34	30 Jun 24	Supplement to expert witness statement of Craig Czarny	OYOB
35	1 Jul 24	Submission, enclosing attachment: a) Guidelines for Development in Flood Affected Areas (DELWP)	Melbourne Water
36	1 Jul 24	Presentation of Heath Sommerville	Melbourne Water
37	1 Jul 24	Submission	Frankston Environment Friends Network
38	2 Jul 24	Submission	Port Phillip Conservation Council
39	2 Jul 24	Slideshow presentation	Port Phillip Conservation Council
40	2 Jul 24	Submission	Richard Clough
41	3 Jul 24	Kananook Creek Precinct Design Principles (MGS, December 2021)	Council
42	3 Jul 24	Submission, enclosing attachment: a) Appendix to ACZ1	Frankston Beach Association
43	3 Jul 24	Submission, enclosing attachments: a) Kananook Creek Built Form Review (September 2022) b) Activity Centre Pilot Program key findings report c) Draft FMAC Structure Plan (Capire, February 2023) d) FMAC Illustrative Guidelines - Neighbourhood Character and Urban Design Outcomes for Precincts 1A and 1B e) Frankston Planning Scheme f) IPCC Climate Change 2023 Synthesis Report - Summary for Policymakers g) PPN60 - Height and setback controls for activity centres	Hilary Bray
44	3 Jul 24	Submission, enclosing attachment: a) Shadow plans	8 Davey St Pty Ltd (8 Davey)
45	3 Jul 24	Submission	Mornington Environment

No.	Date	Description	Provided by
			Association
46	3 Jul 24	Slideshow presentation	Mornington Environment Association
47	3 Jul 24	Submission	Joan Cavanagh
48	3 Jul 24	Submission	Peter Anscombe
49	3 Jul 24	400m and 800m maps (zoning)	Council
50	3 Jul 24	400m and 800m maps (aerial)	Council
51	3 Jul 24	Frankston City Housing Strategy Discussion Paper, July 2023	Council
52	3 Jul 24	Submission	Sheila Newman
53	3 Jul 24	Submission	Advance Frankston
54	4 Jul 24	Inglis Avenue flood depths	Melbourne Water
55	4 Jul 24	Submission, enclosing attachments: a) FMAC Structure Plan Review - SJBA presentation b) Melbourne C384melb Panel Report c) Yarra Activity Centres SAC Report 3 Yarra C291yara	7 Stiebel Enterprises Pty Ltd (Stiebel)
56	4 Jul 24	Submission	Eva Welch
57	4 Jul 24	Submission	Franky Investment Pty Ltd (Franky)
58	4 Jul 24	Supplementary written submission	Birte Moliere
59	4 Jul 24	Version 5 timetable and distribution list	PPV
60	5 Jul 24	Submission	Estate of Helena West and Estate of Joseph West & Dominant (Aust) Pty Ltd
61	5 Jul 24	Submission	Andrew Smith
62	5 Jul 24	Submission	Jenni Alexander
63	5 Jul 24	Submission	Barry Leon Alexander
64	5 Jul 24	Frankston City Council eTenderBox document number EO11439 1A: Sherlock & Hay Development Project - Stage 1A	Peter Anscombe
65	5 Jul 24	Photomontages	Council
66	8 Jul 24	Submission	Kastro Investments Pty

No.	Date	Description	Provided by
			Ltd (Kastro)
67	8 Jul 24	Submission a) OYOB VCAT Amended Plans (REV9) dated 4 June 2024 b) Pace VCAT Amended Plans dated February 2024 c) Photomontages in VCAT Ref P125-2023 re 438-444 Nepean Highway, Frankston d) Long Island Residents Group Inc. & Frankston Beach Association Inc. v Frankston CC [2024] VCAT 359 e) Franky Investment Pty Ltd v Frankston CC (Corrected) f) ACZ - Maroondah Planning Scheme g) Schedule 1 to ACZ - Maroondah Planning Scheme h) ACZ - Stonnington Planning Scheme i) Schedule 1 to ACZ - Stonnington Planning Scheme j) DDO - Yarra Planning Scheme k) DDO25 - Yarra Planning Scheme l) DDO26 - Yarra Planning Scheme	OYOB and Pace Development Group Pty Ltd (Pace)
68	8 Jul 24	Response to Panel question on Playne Street southern footpath overshadowing	Franky
69	8 Jul 24	Position on potential transformation of Amendment	Council
70	9 Jul 24	Evidence given by Ms Roberts at Maroondah C130 Panel Hearing	OYOB/Pace
71	10 Jul 24	Proposed changes to ACZ1	Stiebel
72	10 Jul 24	Clarification of proposed changes to ACZ1	Stiebel
73	12 Jul 24	Supplementary written submission	Kastro
74	16 Jul 24	Pace Development Group Pty Ltd v Frankston CC [2024] VCAT	Council
75	16 Jul 24	Submission	Urban DC Pty Ltd
76	16 Jul 24	Submission	Kananook Creek Association
77	16 Jul 24	Submission	Kylie Quinn
78	16 Jul 24	Part C submission, including attachments: a) Letter from Glossop Planning for Melbourne Water to Maddocks b) Email chain between Council and Tract	Council
79	16 Jul 24	Day 2 version of the ACZ1	Council
80	16 Jul 24	Submission, including attachments: a) ACZ1 b) Assessment of Victoria's estuaries using the Index of Estuary Condition - Results 2021 c) Without Prejudice Plans 2 Shadow Diagrams Nepean Hwy 12pm - 2pm	Long Island Residents Group Inc

No.	Date	Description	Provided by
		d) Flora and Fauna Guarantee Act 1988 Threatened List (June 2024)	
		e) FMAC Illustrative Guidelines	
		f) Harbour Ground Floor Plan Pedestrian Link	
		g) Index of Estuary Condition - Kananook Creek	
		h) Council meeting minutes (3 April 2018)	
		i) P125-2023 Pace Development Group Pty Ltd v Frankston CC (replicates Document 74)	
		j) Photographs	
81	17 Jul 24	Submission photographs	Kylie Quinn
82	17 Jul 24	Amended version of Document 69	Council
83	17 Jul 24	Supplementary submission	OYOB/Pace
84	18 Jul 24	Part C Addendum submission	Council
85	18 Jul 24	Amended Day 2 version of ACZ1	Council
86	18 Jul 24	Final directions regarding drafting and Part C submissions	PPV
87	22 Jul 24	Submission on Part C and Day 2 drafting	Kastro
88	22 Jul 24	Late submission from Geoffrey Keith Crowder (submission no. 435) and associated Council documents: a) Summary of late submission no. 435 b) Letter referring late submission no. 435 to Panel c) Memorandum approving referral of late submission no. 435 to Panel	Council
89	22 Jul 24	Submission on Part C and Day 2 drafting	Franky
90	22 Jul 24	Submission on Part C and Day 2 drafting	Long Island Residents Group
91	22 Jul 24	Email to parties setting out Panel's reasons for accepting late submission 435	PPV
92	22 Jul 24	Submission on Part C and Day 2 drafting	OYOB/Pace
93	22 Jul 24	Submission on Part C	8 Davey
94	24 Jul 24	Response to parties' comments on Part C submission	Council

Appendix D Planning context

D:1 Planning policy framework

Council submitted that the Amendment is supported by various clauses in the Planning Policy Framework, which the Panel has summarised below.

i) Victorian planning objectives

The Amendment will assist in implementing State policy objectives set out in section 4 of the PE Act by facilitating fair, orderly and sustainable use of land and high quality design outcomes within the Frankston MAC.

ii) Clause 2 (Municipal Planning Strategy)

Clause 02.03-1 (Settlement) identifies that:

The Frankston Metropolitan Activity Centre (MAC) is one of nine Metropolitan Activity Centres for the metropolitan area of Melbourne. It 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.
- Transform Nepean Highway into a public boulevard providing an attractive and inspiring address for Frankston.
- Strengthen and consolidate health and education uses in the MAC within identified precincts and improve links to these uses from adjacent areas.
- Attract more mixed-use development in the Frankston MAC.

Council submitted the Amendment encourages and assists with the facilitation of the Frankston MAC as the major community, employment and commercial focal point of both the municipality and the region.

Council submitted the Amendment supports Clause 02.03-5 (Built Environment and Heritage) by encouraging improvements to design, amenity and quality of built form throughout the Frankston MAC. The Amendment aims to ensure that new development responds to its unique coastal context and provides for activation and passive surveillance and provides a sensitive interface with public open space and the Kananook Creek and foreshore areas.

Clause 02.03-6 (Housing) strategic directions include:

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).

Council submitted the Amendment supports this clause by encouraging the provision of affordable housing in a location with existing services and community infrastructure and assists with the delivery of new housing stock that reflects Frankston's changing population.

Council submitted the Amendment supports Clause 02.03-7 (Economic Development) by assisting with the consolidation and expansion of the municipality and in particular the Frankston MAC as the regional focus for health, retail, education, hospitality, government services, accommodation and business activity.

iii) Planning Policy Framework

Clause 11 (Settlement)

Key strategies include:

- Clause 11.01-1R (Settlement – Metropolitan Melbourne) - focus investment and growth in places of state significance, including Metropolitan Activity Centres
- Clause 11.03-1R (Activity centres – Metropolitan Melbourne) - Support the development and growth of Metropolitan Activity Centres by ensuring they:
 - Are able to accommodate significant growth for a broad range of land uses.
 - Are supported with appropriate infrastructure.
 - Are hubs for public transport services.
 - Offer good connectivity for a regional catchment.
 - Provide high levels of amenity.
- Clause 11.03-1L-02 (Frankston Metropolitan Activity Centre):
 - 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).
 - Support proposals that promote a vibrant alfresco hospitality precinct along streets connecting the train station to Kananook Creek and the foreshore.
 - 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.
 - Enhance pedestrian malls within the Frankston MAC, including by:
 - Improving green space and seating.
 - Maintaining access to sunlight.
 - Maintaining or opening up significant vistas.
 - 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.

Council submitted the Amendment supports Clause 11 by providing planning provisions that respond to the needs of existing and future communities, and to facilitate sustainable development within the Frankston MAC. The Amendment seeks to implement certainty in relation to the expectations for growth in the Frankston MAC by implementing land use and built form provisions that appropriately respond to the needs of existing and future communities. This recognises that the Frankston MAC has access to a broad range of facilities, services and transport

links which make it a preferred location for increased residential and commercial growth in Victoria.

Clause 15 (Built Environment and Heritage)

Council submitted the Amendment supports Clause 15 by encouraging development and urban environments that are enjoyable, support human health and community wellbeing, accommodate people of all abilities, ages and cultures, contribute to the local character and sense of place, reflect the characteristics and cultural identity of the community and enhance the function, amenity and safety of the public realm.

Clause 16 (Housing)

Key strategies include:

- Clause 16.01-1R (Housing supply – Metropolitan Melbourne) - Manage the supply of new housing to meet population growth and create a sustainable city by developing housing and mixed use development opportunities in locations that include Metropolitan activity centres and major activity centres
- Clause 16.01-1L (Housing supply) - Encourage higher density housing in and around the Frankston MAC.

Council submitted the Amendment supports Clause 16 by providing for housing supply, diversity and affordability to meet population growth in a location with services and community infrastructure. It will support higher density housing, encourage well designed housing and mixed use opportunities.

Clause 17 (Economic Development)

Council submitted the Amendment supports Clause 17 by ensuring the Frankston MAC can contribute to the economic wellbeing of the region, state and foster sustainable and diverse economic growth.

Clause 18 (Transport)

Council submitted the Amendment supports Clause 18 (Transport) by facilitating access to social and economic opportunities that support individual and community wellbeing, prioritising pedestrian activity in key areas of the Frankston MAC and through making more efficient use of existing transport infrastructure.

D:2 Other relevant planning strategies and policies

i) Plan Melbourne

Plan Melbourne 2017-2050 sets out strategic directions to guide Melbourne's development to 2050, to ensure it becomes more sustainable, productive and liveable as its population approaches 8 million. It is accompanied by a separate implementation plan that is regularly updated and refreshed every five years.

Plan Melbourne is structured around seven Outcomes, which set out the aims of the plan. The Outcomes are supported by Directions and Policies, which outline how the Outcomes will be achieved.

Plan Melbourne recognises that:

Metropolitan activity centres are critical to growth across a regional catchment—giving communities good access to a range of major retail, community, government, entertainment, cultural and transport services.

Nine existing and two future metropolitan activity centres across Melbourne will be focuses for growth as they continue to cater to the needs of their wider regional population and offer access to a broad range of goods and services. They will also be hubs for public transport services and play a major service delivery role, attracting broad investment in education, health and housing at higher densities.

Plans for metropolitan activity centres will need to accommodate significant growth and infrastructure, while increasing amenity and connectivity for a regional catchment.

Council identified that the Amendment supports various parts of Plan Melbourne (refer Table 14) by providing a framework for decision making for the Frankston MAC that is consistent with its role as a Metropolitan Activity Centre.

Table 14 Relevant parts of Plan Melbourne

Outcome	Directions	Policies
Outcome 1 – Melbourne is a productive city that attracts investment, supports innovation and creates jobs	Direction 1.2 – Improve access to jobs across Melbourne and closer to where people live	Policy 1.2.1 Support the development of a network of activity centres linked by transport
Outcome 2 – Melbourne provides housing choice in locations close to jobs and services	Direction 2.1 – Manage the supply of new housing in the right location to meet population growth and create a sustainable city	Policy 2.1.3 Plan for and define expected housing needs across Melbourne’s regions
	Direction 2.2 – Deliver more housing closer to jobs and public transport	Policy 2.2.3 Support new housing in activity centres and other places that offer good access to jobs, services and public transport
Outcome 4 - Melbourne is a distinctive and liveable city with quality design and amenity	Direction 4.3 – Achieve and promote design excellence	Policy 4.3.1 – Promote urban design excellence in every aspect of the built environment

ii) Frankston Metropolitan Activity Centre Structure Plan (Frankston City Council, 2015)

The 2015 Structure Plan provides a 20 year vision and plan for the renewal and revitalisation of the Frankston MAC. It builds on the strategies and actions included in the earlier *TAFE to Bay Structure Plan* (2005). It included:

- proposed building heights and setbacks (Figure 18) and built form principles
- an open space and streetscape plan
- a walking and cycling plan and traffic management plan
- objectives for 12 precincts.

These attributes are reflected in the community's perception of the City and in the number and type of jobs available in the City in 2025.

The Economic Development Strategy is a background document in the Frankston Planning Scheme.

Council adopted the updated Economic Development Strategy 2016-2022 in 2015 but it has not been translated into the Planning Scheme. The updated strategy aims to grow the municipal economy by driving sustainable job creation and building a resilient local labour force through the following outcomes:

- World class Frankston station precinct with diverse employment opportunities
- Knowledge-based local economy generating professional employment opportunities
- Vibrant and resilient small/micro business community
- New and rejuvenated employment precincts
- Favourable investment conditions
- Delivery of the Frankston Health and Education Precinct
- Education attainment and employment
- Tourism and Visitation in Frankston City
- Major economic infrastructure and an expanded Port of Hastings.

Council is currently preparing a new economic development strategy.

iv) Frankston Housing Strategy (Frankston City Council, 2018)

Council prepared the Frankston Housing Strategy 2018 (Housing Strategy) to address the need for housing in Frankston City. It was adopted by Council on 4 June 2018 but has not been translated into the Planning Scheme. It is, however, a background document. An earlier 2013 Housing Strategy is a policy document at Clause 16.01-1L with its review identified in Clause 74.02 (Further Strategic Work).

Council is currently developing a new Housing Strategy and to be presented to the community for feedback in 2025. It released the *Frankston City Housing Strategy Discussion Paper* in July 2023.

v) Frankston Metropolitan Activity Centre Parking Precinct Plan (2018)

The Frankston Metropolitan Activity Centre Parking Precinct Plan, August 2016 (Amended 14 May 2018) is a background document to the Schedule Clause 45.09 (Parking Overlay). The Parking Precinct Plan applies to the boundaries of the Frankston MAC as contained in the 2015 Structure Plan and sets out various strategies for the efficient provision of on-site and off-site car parking opportunities in the Frankston MAC.

The objectives of the Plan include to reduce vehicle congestion, actively manage the demand for car parking spaces and to enhance the use of the city centre's streets as places for pedestrians by:

- improving streetscapes and street design to allow for equitable and safe access for pedestrians, cyclists and vehicles
- consolidating car parking into large, well located, easily accessible facilities.
- improving pedestrian and off road cycling linkages throughout the FMAC
- providing for the collection of financial contributions towards the construction of shared car parking facilities.

The Parking Precinct Plan provides recommendations associated with:

- existing car parking supply considerations

- demographics, car ownership, travel patterns, public transport access and the enforcement cost of parking
- current car parking rates and cash in lieu scheme under the Parking Overlay.

vi) Built Form Guidelines for Higher Density Residential Growth Areas – Frankston Metropolitan Activity Centre Precincts 4 and 7, July 2018

The Built Form Guidelines for Higher Density Residential Growth Areas provide guidance for future development within two residential precincts identified in the 2015 Structure Plan. The Guidelines relate to site response, building form and design, services and amenity, car parking and access, as well as to specific development typologies. The Guidelines have been implemented through Schedule 12 to the Design and Development Overlay in the Frankston Planning Scheme.

The Amendment proposes to amend the document to reflect Precincts 4 and 7 identified in the 2015 Structure Plan are no longer within the Frankston MAC but remain adjacent to it.

vii) Built Form Guidelines for FMAC for Precincts 8 and 9, July 2018

The Built Form Guidelines provide guidance for development within the Health and Education Precinct and Cranbourne Road Office and Commercial Precinct identified in the 2015 Structure Plan. The Guidelines relate to site response, building form and design, services and amenity, car parking and access, as well as to specific development typologies. The Guidelines have been implemented through Schedule 13 to the Design and Development Overlay in the Frankston Planning Scheme.

The Amendment proposes to amend the document to reflect Precincts 8 and 9 identified in the 2015 Structure Plan are no longer within the Frankston MAC but remain adjacent to it.

viii) Kananook Creek Comprehensive Development Plan (May 1999) and Kananook Foreshore Development Structure Plan (June 1998)

The Kananook Creek Comprehensive Development Plan 1990 comprises the *Kananook Foreshore Development Structure Plan* (June 1998) as the first page) and the Kananook Creek Study Precincts Plan (May 1999) on the second page. It applies to land in the CDZ2 comprising the Frankston foreshore area, west of the Nepean Highway.

The Kananook Creek Comprehensive Development Plan seeks to improve the safety and amenity of the foreshore area and to provide for appropriate development that will create business and employment opportunities. The CDZ2 is divided into the following precincts, consistent with the Precincts Plan:

- Retail Edge – Commercial development with a pedestrian promenade and walkways, with links to the town centre
- Long Island – Open, natural and informal environment including the existing club buildings and pedestrian infrastructure
- Pier Foreshore
- Coastguard and Sand Dunes – Open space and pedestrian pathways to the Frankston foreshore and pier.

Development of the area consistent with these plans is now complete.

ix) Kananook Creek Corridor Management Plan, July 2009 (Frankston City Council/Melbourne Water, 2019)

The Kananook Creek Corridor Management Plan was prepared to replace the 1992 Kananook Creek Management Plan relates to 7.4 kilometres of the creek from Patterson Lakes in the north to the Frankston MAC. Key issues and actions relating to land use, drainage, water quality, stream system values, vegetation and cultural heritage are identified. Relevant objectives include ensuring that adjoining land uses and development are designed to complement the environmental, recreational and landscape values of the Kananook Creek.

x) Flood Management Plan for Frankston City Council and Melbourne Water (Frankston City Council/Melbourne Water, 2019)

The Flood Management Plan for Frankston City Council and Melbourne Water 2019 (Flood Management Plan) was prepared by Council, Melbourne Water and Victoria State Emergency Services to outline the roles and responsibilities of flood management in Frankston. The Plan identifies specific actions to improve flood management within Frankston to 2024.

The overarching goal of the Flood Management Plan is to reduce the risk and impact of flooding on local communities through the following objectives:

- enhance collaboration
- identify hotspots and flood risks
- provide opportunities for information sharing
- identify achievable improvement actions
- clarify contacts at other agencies
- align with the Flood Management Strategy, Port Phillip and Westernport, 2015
- align with Council policy and programs including the Long Term Infrastructure Plan and Drainage Asset Management Plan.

In relation to waterways the Flood Management Plan recognises that Kananook Creek discharges into Port Phillip Bay near Frankston Central Activity Area, however that in flood events, the majority of flow is diverted through Riviera Outlet north of Seaford.

The Flood Management Plan recognises known flooding hotspots in Frankston due to:

- poor surface gradient – steep regions draining to flat regions
- buried/drowned drains – drain outlets below sea level or impacted on by tidal influences
- under capacity – drains not large enough to cope with stormwater runoff
- maintenance – blocked drains that require cleaning more frequently than scheduled

The Flood Management Plan establishes a number of actions to be undertaken by Melbourne Water and Council to address flood risk. In relation to future flood risks, it recognises:

Higher development densities are likely to result in an increase in catchment flows and a larger population means potentially more people are at risk during a flood event. Climate change may also contribute to an increased flood risk. Careful planning is required to understand, mitigate and manage future flood risks within the Municipality.

The Flood Management Plan has not been adopted by Council and is not referenced in the Planning Scheme.

xi) Frankston Public Open Space Contributions (SGS Economics, 2019)

The Frankston Public Open Space Contributions report identifies the Frankston MAC will undergo a high degree of growth and projected growth in Frankston's residential areas would be 'incremental' consisting of replacement housing and small infill redevelopments. A two-tier approach for Frankston in implementing a public open space contribution rate was recommended:

- 5 per cent rate for Frankston's residential areas
- 8 per cent for the Frankston MAC.

The report supports the Frankston City Open Space Strategy 2016-2036 (adopted in 2016) which provides the strategic vision and framework for open space planning for Frankston to improve and/or increase public open space based on increased population and changing demographics until 2036. Both documents were implemented into the Frankston Planning Scheme by Amendment C127fran as background documents.

The Amendment proposes to update the Schedule Clause 53.01 (Public Open Space Contributions and Subdivision) to remove reference in the text to the 2015 Structure Plan boundary and reflect the intent of the Public Open Space Contributions report and provide clarity.

D:3 Planning scheme provisions

A common zone and overlay purpose is to implement the Municipal Planning Strategy and the Planning Policy Framework.

i) Zones

The Amendment land is primarily covered by the C1Z and MUZ. Land adjoining the Kananook Creek is within the CDZ2. Public land is primarily in the PPRZ or Public Use Zone other than Kananook Creek (Public Conservation and Recreation Zone). Major roads are located within the Transport Zone.

The purposes of the Zones are:

Commercial 1 Zone:

- To create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.
- To provide for residential uses at densities complementary to the role and scale of the commercial centre.

Comprehensive Development Zone Schedule 2:

- Improve the contribution of the Kananook Creek foreshore area to the safety, amenity, economy and lifestyle of Frankston.
- Provide a high level of service to boat users.
- Promote Frankston as a boating destination for Port Phillip.
- Protect the rights of all users of the Frankston foreshore.
- Provide appropriate development that will create business and employment opportunities to complement the Frankston Central Activity District, and contribute to the development and growth of regional tourism.
- Satisfy appropriate environment protection performance standards.
- Minimise the impact of development on the Port Phillip coastal environment.
- Be physically and visually integrated with both the Central Activity District and the foreshore.

- Provide for safe and efficient on-site vehicle movement and parking.
- Provide safe and efficient vehicle ingress and egress to the site from the Nepean Highway.
- Provide opportunities for marine and coastal tourism and education development on Port Phillip in accordance with the objectives of the Victorian Coastal Strategy and its identification of Frankston as an Activity Node.
- Ensure that any increase in the area provided for parking only occur through the consideration of specific development proposals either in the retail precinct or existing buildings on the foreshore reserve.
- Protect and enhance significant features of the coast including the marine environment.

Mixed Use Zone:

- 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.

Public Park and Recreation Zone:

- To recognise areas for public recreation and open space.
- To protect and conserve areas of significance where appropriate.
- To provide for commercial uses where appropriate.

Public Conservation and Recreation Zone:

- To protect and conserve the natural environment and natural processes for their historic, scientific, landscape, habitat or cultural values.
- To provide facilities which assist in public education and interpretation of the natural environment with minimal degradation of the natural environment or natural processes.
- To provide for appropriate resource based uses.

Transport Zone:

- To provide for an integrated and sustainable transport system.
- To identify transport land use and land required for transport services and facilities.
- To provide for the use and development of land that complements, or is consistent with, the transport system or public land reservation.
- To ensure the efficient and safe use of transport infrastructure and land comprising the transport system.

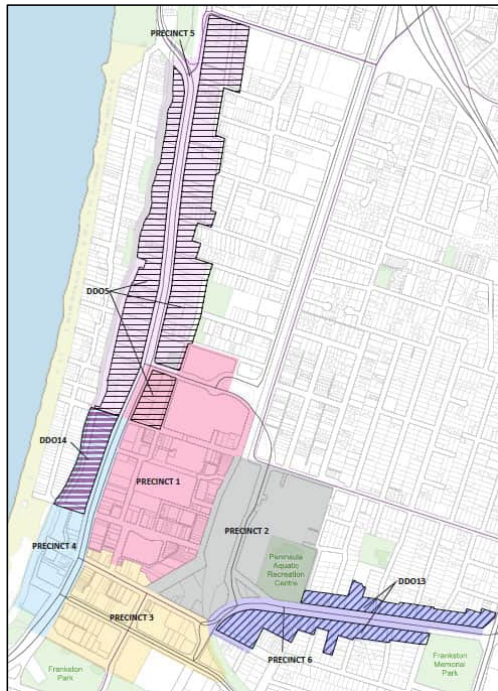
The Amendment proposes to apply the **Activity Centre Zone**, the purposes of which include:

- To encourage a mixture of uses and the intensive development of the activity centre:
 - As a focus for business, shopping, working, housing, leisure, transport and community facilities.
 - To support sustainable urban outcomes that maximise the use of infrastructure and public transport.
- To deliver a diversity of housing at higher densities to make optimum use of the facilities and services.
- To create through good urban design an attractive, pleasant, walkable, safe and stimulating environment.
- To facilitate use and development of land in accordance with the Development Framework for the activity centre.

ii) **Overlays**

The Amendment land is subject to the DDO5, DDO13 and DDO14, Environmental Significance Overlay Schedules 1 and 4 (ESO1 and ESO4), Land Subject to Inundation (LSIO), Special Building Overlay (SBO), Parking Overlay, PAO and Specific Control Overlay (Schedule 3). DDO, LSIO, SBO, Specific Control Overlay, and Parking Overlay extents are shown in Figures 19 and 20.

Figure 21 Existing DDO areas



Source: Council Part A Submission Attachment C.1

The purposes of the relevant ‘Built Form’ overlays are:

Design and Development Overlay:

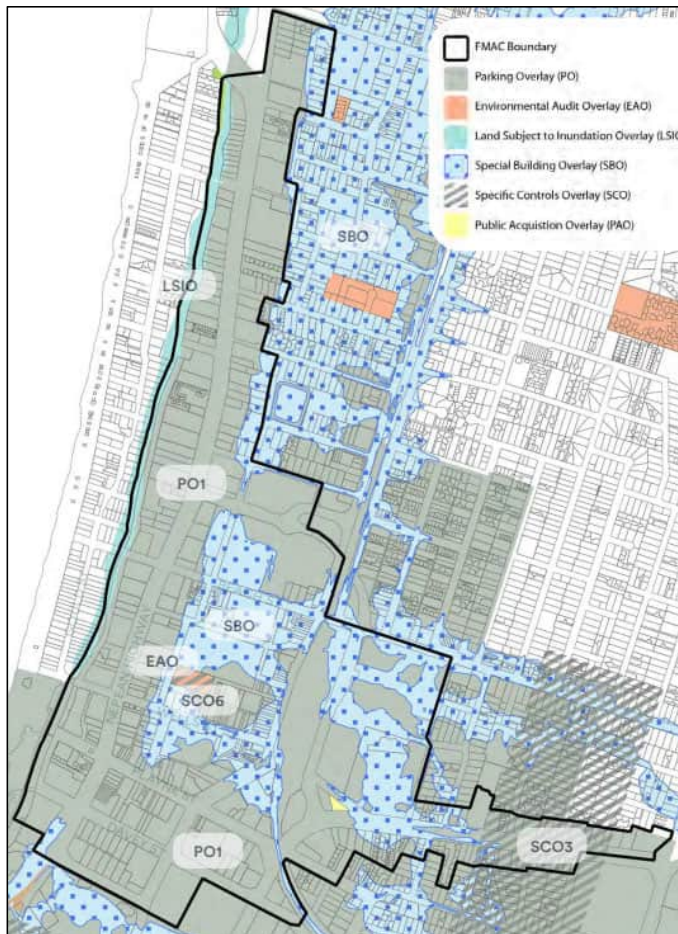
- To identify areas which are affected by specific requirements relating to the design and built form of new development.

Heritage Overlay:

- To conserve and enhance heritage places of natural or cultural significance.
- To conserve and enhance those elements which contribute to the significance of heritage places.
- To ensure that development does not adversely affect the significance of heritage places.
- To conserve specified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.

Heritage Overlay places include the Davey Street Precinct (HO49), the Plowman Residence (20 Davey Street – HO14) and other individual buildings.

Figure 22 Existing LSIO, SBO and Parking Overlay areas



Source: Urban Design Report Figure 6

The purposes of the relevant Environmental overlays are:

Environmental Significance Overlay (ESO):

- To identify areas where the development of land may be affected by environmental constraints.
- To ensure that development is compatible with identified environmental values.

ESO1 extends along Kananook Creek north of Beach Street.

The purposes of the relevant Land Management overlays are:

Land Subject to Inundation (LSIO):

- To identify flood prone land in a riverine or coastal area affected by the 1 in 100 (1 per cent Annual Exceedance Probability) year flood or any other area determined by the floodplain management authority.

- To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, responds to the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.
- To minimise the potential flood risk to life, health and safety associated with development.
- To reflect a declaration under Division 4 of Part 10 of the Water Act, 1989.
- 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.
- To ensure that development maintains or improves river, marine, coastal and wetland health, waterway protection and floodplain health.

Special Building Overlay (SBO):

- 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.

The purposes of the other relevant overlays are:

Parking Overlay:

- 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.

Public Acquisition Overlay:

- To identify land which is proposed to be acquired by a Minister, public authority or municipal council.
- To reserve land for a public purpose and to ensure that changes to the use or development of the land do not prejudice the purpose for which the land is to be acquired.
- To designate a Minister, public authority or municipal council as an acquiring authority for land reserved for a public purpose.

Special Control Overlay:

- To apply specific controls designed to achieve a particular land use and development outcome in extraordinary circumstances.

D:4 Amendments and permits

Frankston PSA C161fran

In August 2022, DTP (then DELWP) provided written correspondence to Council identifying the need for Council to resolve infrastructure funding as part of the Structure Plan work. This resulted in the preparation of:

- the *Frankston Metropolitan Activity Centre Development Contributions Plan* (December 2023) (the FMAC DCP) to fund the upgrade of Playne Street and Kananook Boulevard

- Planning Scheme Amendment C161fran, to implement the Frankston MAC DCP and to apply the PAO to two additional properties in the Frankston MAC to facilitate future Pedestrian Links identified in the Structure Plan.

Council adopted the Frankston MAC DCP on the 11 December 2023 and subsequently requested Authorisation from the Minister to prepare and exhibit the Amendment.

C162fran and c164fran interim controls

On 5 July 2023 Frankston PSA C162fran, which was prepared by the Minister for Planning, was gazetted into the Frankston Planning Scheme applied an interim Design and Development Overlay Schedule 14 (DDO14) to the part of Precinct 4 – Promenade that was without building height controls, until 27 October 2023. It included a mandatory 3 storey maximum building height and a 3 metre setback to Kananook Creek Boulevard.

On 27 October 2023, Frankston PSA C164fran (also prepared by the Minister for Planning) was gazetted and amended DDO14 to introduce built form controls broadly consistent with those proposed by Amendment C160fran (with some differences for setbacks) and extended the interim expiry date until 24 April 2025. It included a discretionary 12 storey maximum building height.

Amendment VC242

Amendment VC242, gazetted on 20 September 2023, seeks to facilitate the findings the Housing Statement released by the Victorian Government concurrently with the gazettal of Amendment VC242. The Housing Statement identifies the ambition to increase the supply of housing in Victoria significantly, including through the changes to the Scheme implemented in Amendment VC242 which seek to facilitate the approval of major housing projects (including affordable housing) and major economic development across the State.

The Housing Statement outlines the plan to construct 800,000 new homes over the next ten years, with the delivery of an additional 60,000 homes around an initial ten activity centres across Melbourne, including Frankston. The draft target for Frankston City Council is 38,000 additional homes.

Planning Permits

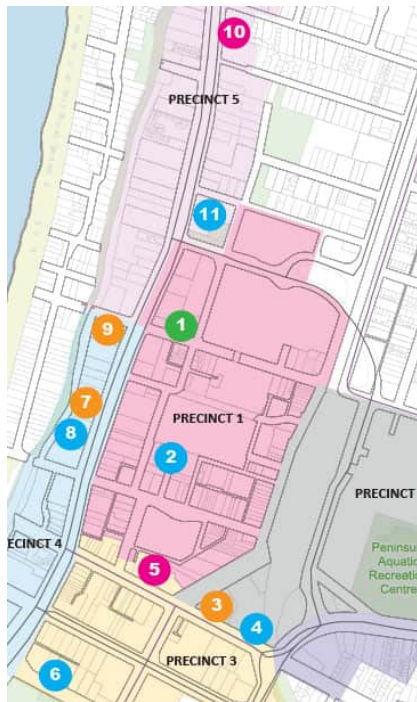
Council's Part A Submission Attachment E and F included a summary of major permit applications or recently granted permits that might impact on the Amendment and their spatial location (Figures 23 and 24). This summary includes detail of the site and precinct location, proposal description, proposed height, relationship to proposed ACZ1 heights and application status. The Panel notes that in relation to site 7 (Pace Development), VCAT's determination was issued on 12 July 2024 affirming Council's position and directing no permit issue.

Figure 23 Summary of major permit applications in Frankston MAC

PRECINCT 1: CITY CENTRE	PRECINCT 4: PROMENADE
<p>1 11 Beach Street</p> <ul style="list-style-type: none"> - Ministerial Application lodged under Clause 53.23 (under consideration) - Proposed height: 47.45m (14 storeys) - <i>FMAC SP preferred height: 41.0m (12 storeys)</i> 	<p>7 438 - 444 Nepean Highway (Pace Development)</p> <ul style="list-style-type: none"> - VCAT hearing held - waiting on decision. - Proposed height: 47.9m to Kananook Creek Boulevard, 44.5m to Nepean Highway (14 storeys). - <i>FMAC SP preferred height: 41.0m (12 storeys)</i>
<p>2 12 Balmoral Walk (Vicinity)</p> <ul style="list-style-type: none"> - Incorporated Document approved 5/11/2021, expires if not commenced by 29/10/2024. - 36.48m (8 storeys) - <i>FMAC SP preferred height: 41.0m (12 storeys)</i> 	<p>8 446 - 450 Nepean Highway (UrbanDC / UpCo)</p> <ul style="list-style-type: none"> - Original planning permit issued by VCAT 20/12/2013, to expire if not commenced by 09/02/2025. 41.9m to Kananook Creek Boulevard, 39.22m to Nepean Highway (11 storeys). - New planning permit issued 22/04/2024 as per recent VCAT direction, permit to expire if not commenced by 22/04/2026. 47.15m to Kananook Creek Boulevard, 44.65m to Nepean Highway (14 storeys). - <i>FMAC SP preferred height: 41.0m (12 storeys)</i>
PRECINCT 2: TRANSPORT INTERCHANGE, COMMUNITY AND EDUCATION	PRECINCT 5: NEPEAN BOULEVARD
<p>3 89 Young Street (Human Habitats)</p> <ul style="list-style-type: none"> - VCAT hearing held - waiting on decision - Proposed height: 61.16m (18 storeys) - <i>FMAC SP preferred height: 48.0m (14 storeys)</i> 	<p>9 424 - 426 Nepean Highway (OYOB)</p> <ul style="list-style-type: none"> - Planning permit issued 18/09/2018, expires if not commenced by 18/09/23. 33.8m to Kananook Creek Boulevard, 30.9m to Nepean Highway (10 storeys). - S72 Application lodged to amend planning permit, Request for extension of time also lodged. VCAT hearings scheduled to consider both matters. Proposed height: 47.14m to Kananook Creek Boulevard, 44.31m to Nepean Highway (14 storeys). - <i>FMAC SP preferred height: 41.0m (12 storeys)</i>
<p>4 59 - 61 Playne Street</p> <ul style="list-style-type: none"> - Planning permit issued 27/03/2024, expires if not commenced by 27/03/2026. - 29.35m (8 storeys) - <i>FMAC SP preferred height: 48.0m (14 storeys)</i> 	<p>10 347 - 349 Nepean Highway</p> <ul style="list-style-type: none"> - Current application. At RFI stage. - Proposed height: 32.38m (10 storeys) - <i>FMAC SP preferred height: 28.0m (8 storeys)</i>
PRECINCT 3: ARTS, ENTERTAINMENT AND GOVERNMENT SERVICES	<p>11 383 - 389 Nepean Highway (CastleRock)</p> <ul style="list-style-type: none"> - Planning permit issued 06/03/2023. Under construction. - 27.35m (6 storeys) - <i>FMAC SP preferred height: 8 storeys (28.0m)</i>
<p>5 35 Playne Street</p> <ul style="list-style-type: none"> - Planning permit issued 25/06/2021, expires if not commenced by 25/06/2025. 36m (9 storeys). - S72 application lodged to amend the planning permit, proposed height: 51.33m (15 storeys) - <i>FMAC SP preferred height: 48.0m (14 storeys)</i> 	
<p>6 1-2 Plowman Place (Horizon)</p> <ul style="list-style-type: none"> - Permit issued 15/02/2021. Constructed. - 33.13m (9 storeys) - <i>FMAC SP preferred height: 28.0m (8 storeys)</i> 	

Source: Council Part A submission Attachment E

Figure 24 location of major permit applications in Frankston MAC



Source: Council Part A submission Attachment E

D:5 Ministerial Directions, Planning Practice Notes and guides

(i) Ministerial Directions

The Explanatory Report discusses how the Amendment meets the relevant requirements of Ministerial Direction 11 (Strategic Assessment of Amendments) and *Planning Practice Note 46: Strategic Assessment Guidelines*, August 2018 (PPN46). That discussion is not repeated here.

The Amendment is consistent with the *Ministerial Direction on the Form and Content of Planning Schemes under Section 7(5) of the Act*.

The Amendment has been prepared in accordance with the considerations set out in *Ministerial Direction No. 9 Metropolitan Planning Strategy*.

The Amendment has been prepared in accordance with *Ministerial Direction No. 13 Managing Coastal Hazards and the Coastal Impacts of Climate Change under Section 12(2)(a)* is not relevant to this Amendment. Although some of the land is below 5.0 metres AHD, it is not applicable because the land is already zoned for urban purposes.

The Amendment has been prepared in accordance with the considerations set out in *Ministerial Direction No.1 – Potentially Contaminated Land*. The Amendment will facilitate uses for sensitive purposes, however any contamination issues can be addressed through the future planning permit approval process for use and/or buildings and works.

(ii) **Planning Practice Notes and other guidance**

Planning Practice Note 12: Applying the flood provisions in planning schemes (PPN12)

PPN12 provides guidance about applying the flood provisions in planning schemes including the preparation of policy, identifying land affected by flooding, preparing a local floodplain development plan and the application and operation of the flood provisions, including the preparation of schedules.

The SBO and the LSIO currently apply to various areas within the Frankston MAC. The Amendment does not propose to apply flood controls to land in the FMAC. Further, the Amendment does not allow development in areas where development cannot, under the current controls, already occur. In this sense, the Amendment cannot be said to create a new hazard in terms of flooding.

Planning Practice Note 53: Managing Coastal Hazards and the Coastal impacts of climate change (PPN53)

PPN53 provides guidance on managing coastal hazards, the decision making process for assessing coastal hazard risk and planning for development in coastal areas. It states:

It is important to avoid future development or intensification in coastal areas outside of existing settlements that are likely to be impacted by projected coastal hazards. Where development is appropriate, it should be sited and designed in a way that protects future communities and assets from coastal hazard risk.

A proposal to rezone land may be informed by an existing coastal hazard assessment, a coastal vulnerability assessment for that part of the coastline, or inundation advice from a floodplain manager. Guidelines on how to prepare a coastal hazard assessment are accessible on the DELWP Marine and Coasts website.

PPN53 recognises that development or intensification in coastal areas outside of existing settlements that are likely to be impacted by coastal hazards should be avoided. In preparing the Amendment Council advised it had regard to its *Climate Change Strategy 2023-2030*.

Planning Practice Note 56: Activity Centre Zone (PPN56)

PPN56 identifies that the ACZ is the preferred tool to guide and facilitate the use and development of land at activity centres and Metropolitan Activity Centres in metropolitan Melbourne. Councils must have an adopted structure plan or a body of significant strategic work progressed for the centre where the ACZ will be applied. It provides guidance on the drafting of ACZ schedules.

PPN59 provides criteria for defining activity centre boundaries through structure planning including:

- the location of existing commercial areas and land uses
- the location of existing government and institutional areas and land uses
- the location of existing areas of public open space
- commercial and residential needs
- environmental and flooding constraints
- heritage constraints
- availability of strategic redevelopment sites, both existing and potential
- the location of residential areas, including whether they provide significant redevelopment opportunities or constraints for the centre
- consideration of physical barriers and opportunities for their improvement
- proximity to public transport, especially fixed rail (train or tram)

- the location of existing and potential transport infrastructure including fixed rail, buses, bicycle paths, car parking areas and modal interchanges
- walkability – opportunities to provide for and improve walkability within 400 to 800 metres from the core of the centre (depending on topography and connectivity)

In setting a boundary for an activity centre, the following should be considered:

- sufficient land to provide for the commercial (retailing, office, fringe retailing and support activities such as entertainment) activities needed over a 15 to 20 year time frame and then into the 30-year horizon
- residential areas that are integrated into the activity centre or surrounded by other uses that have a strong functional inter-relationship with the activity centre even where limited development opportunities exist
- key public land uses that have or are intended to have a strong functional inter-relationship with the activity centre even where there are no or limited redevelopment opportunities
- public open space areas that have or are intended to have a strong functional inter-relationship with the activity centre.

Planning Practice Note 58: Structure Planning for Activity Centres

This Practice Note provides guidance to councils on the activity centre structure planning process. It covers the reasons for structure planning in activity centres, the policy context, and possible inputs and outputs of the structure planning process.

Planning Practice Note 59: The Role of Mandatory Provisions in Planning Schemes (PPN59)

PPN59 sets out criteria that can be used to decide whether a mandatory provision is appropriate in a planning scheme. The content has largely been incorporated into the Practitioner's Guide. PPN9 provides:

Mandatory provisions may be considered if it can be demonstrated, through a detailed assessment and evidence-base, that discretionary provisions are insufficient to achieve desired outcomes.

PPN59 identifies a range of criteria for determining if a control should be mandatory, including:

- is the mandatory provision strategically supported?
- is it an appropriate substitute for a performance-based provision?
- will it provide for the preferred outcome?

Planning Practice Note 60: Height and Setback Controls for Activity Centres (PPN60)

PPN60 identifies that:

A key strategy of metropolitan planning policy in the *Victoria Planning Provisions (VPP)* is to build up activity centres as a focus for housing and economic growth by ensuring Metropolitan and Major Activity Centres:

- can accommodate ongoing investment and change in retail, office, service and residential markets
- provide for a mix of activities that generate high numbers of trips including business, retail, services and entertainment
- have the potential to grow sustainably and support more intensive housing developments without conflicting with surrounding land uses
- provide for services and infrastructure to support population growth
- identify areas for urban renewal.

In terms of structure planning for activity centres PPN60 identifies that:

Change in and around activity centres is anticipated and encouraged by state planning policy but needs to be managed carefully. This will ensure that new development maintains an appropriate level of amenity, and integrates with existing and proposed land uses and built forms. State policy seeks to manage change in and around activity centres through structure planning.

PPN60 provides guidance on the preferred approach to the application of height and setback controls for activity centres such as the FMAC. It recognises that:

Height and setback controls can be appropriate so long as they are not aimed at restricting the built form, but at facilitating good design outcomes.

Proposed height and setback controls must be soundly based on the outcomes of strategic research and background analysis that demonstrates consistency with state and regional policy and includes a comprehensive built form analysis.

Further, it identifies:

A council will need to demonstrate that any proposed height and setback controls are consistent with state and regional policy and allow for an appropriate level of change over time.

Height controls must not encumber a centre's ability to accommodate community requirements for retail, commercial, housing, community, health, educational and other essential requirements, as consistent with state and regional development policy in the VPP.

A council will need to be able to demonstrate that there is sufficient land and capacity available to meet forecast demand and projected population growth over at least a 15-year period, and beyond this to a 30-year horizon, including how an activity centre contributes to this need.

PPN60 identifies that comprehensive built form analysis should be undertaken as part of the structure planning process to demonstrate that proposed height and setback controls are based on identifiable objectives or outcomes. The built form analysis should achieve the following:

- identifies significant opportunities for change within an activity centre and explores alternative built form objectives and outcomes to accommodate this change
- includes an analysis of visual and amenity impacts, solar access and overshadowing impacts and any impact on environmental conditions within the centre, including in respect of wind
- identifies any significant physical features, such as views to or from the activity centre or topography that needs to be considered
- identifies and articulates how new development should address street frontages and laneways or relate to adjacent residential areas
- selects appropriate heights and built form outcomes at a precinct level through evaluation of built form objectives, land use outcomes and economic growth consistent with state and regional policy.

In terms of applying controls PPN60 identifies that:

The application of discretionary controls, combined with clear design objectives and decision guidelines is the preferred form of height and setback controls.

Mandatory controls can only be considered where they are supported by robust and comprehensive strategic work or where exceptional circumstances warrant their introduction, and only applied where:

- exceptional circumstances exist; or
- has undertaken comprehensive strategic work and is able to demonstrate that mandatory controls are appropriate in the context, **and**
- they are absolutely necessary to achieve the preferred built form outcomes and it can be demonstrated that exceeding these development parameters would result in unacceptable built form outcomes.

PPN60 includes guidance on drafting including designating height and dealing with sloping land.

Planning Practice Note 90: Planning for Housing (PPN90)

PPN90 provides guidance for the development of local housing strategies and mechanisms to accommodate projected population and household needs and how and where these will be met.

It identifies:

When planning to accommodate projected population and housing change, planning authorities are required to effectively plan for this change by considering relevant environmental, social and economic factors, and where conflict arises, balance competing objectives in favour of net community benefit and sustainable development.

Guidelines for Development in Flood Affected Areas, DELWP, 2019

The Guidelines provide an assessment framework and method to assist decisions on development in flood affected areas. They identify that, in principle, development should not intensify the harmful impacts of flooding.

In the absence of updated planning controls such as an LSIO or Flood Overlay which are based on updated comprehensive flood modelling, the Guidelines recognise that:

Councils are involved in administrative processes in amending planning schemes, authorising a specific use or development of land through planning permits, or through regulating building permits. Where referral arrangements enable the floodplain management authorities to provide flood advice, there is usually no requirement to understand the technical nature of flood behaviour.

Where there are no referral arrangements to the floodplain managers, council staff are sometimes required to make their own assessments of development proposals.

Practitioner's Guide

A Practitioner's Guide to Victorian Planning Schemes Version 1.5, April 2022 (Practitioner's Guide) sets out key guidance to assist practitioners when preparing planning scheme provisions. The guidance seeks to ensure:

- the intended outcome is within scope of the objectives and power of the PE Act and has a sound basis in strategic planning policy
- a provision is necessary and proportional to the intended outcome and applies the VPP in a proper manner
- a provision is clear, unambiguous and effective in achieving the intended outcome.

Appendix E Summary of Council’s Post-exhibition changes to the ACZ1

E:1 Day 1 changes

Clause	Change
2.0 Objectives	<p>Include additional wording in:</p> <ul style="list-style-type: none"> - objective 3: <i>‘and which provides innovative approaches to dealing with potential inundation’</i> - objective 6: <i>‘within private and public land’</i> <p>Insert new objectives:</p> <ul style="list-style-type: none"> - <i>To ensure that development anticipates the impacts of climate change and is resilient to the potential impacts of inundation.</i> - <i>To provide best practice towards the promotion of alternative transport modes to the car.</i>
4.4 Design and development	<p>Insert new ‘Active frontages and interface to the public realm’ requirements:</p> <ul style="list-style-type: none"> - <i>Where applied signage is to be located on clear glazing, it is not to occupy more than 30% of the glazing.</i> - <i>Encourage buildings in areas subject to inundation which are required to keep internal finished floor levels above the flood level to provide any transition to ground level setbacks internally to the building where practicable.</i> <p>Under ‘Side and rear setbacks and building separation’ amend requirement as follows:</p> <ul style="list-style-type: none"> - Requirement 3 to read: <i>‘Where sites are separated by a laneway <u>which is not shown as a pedestrian link, apply side and rear setbacks above the street wall height from the centre of the laneway or to a minimum setback above the street wall height of 3m, whichever is greater.</u>’</i> - Requirement 4 to read: <i>‘The setbacks detailed in Table 2 also apply to development wWhere there are multiple towers within the site and should be applied between <u>provide tower separation</u> elements as well as from side and rear boundaries in accordance with table 2.</i> <p>Amend Table 2 to insert a new third column which contains the ‘Preferred minimum tower separation within a site above the street wall height’.</p> <p>Amend the ‘Heritage Places’ requirements to:</p> <ul style="list-style-type: none"> - remove the words ‘within or’ from the first line - inset the word ‘adjoining’ and ‘building/s’ in the first dot point - delete the word ‘them’ and insert the words ‘development’ and ‘on adjoining sites’ in the second dot point - insert the word ‘adjoining’ in the third dot point. <p>Insert three new requirements under ‘Access and services’:</p> <ul style="list-style-type: none"> - <i>Services, loading and waste areas should be located away from streets and public spaces, or within basements or upper levels.</i> - <i>Access doors to any waste, parking or loading area should be designed as</i>

Clause	Change
	<p><i>an integrated element of the building.</i></p> <ul style="list-style-type: none"> - <i>Service cabinets should not visually dominate street frontages and should use high quality material.</i> <p>Amend the 'Landscape and open space' requirements to:</p> <ul style="list-style-type: none"> - amend the first requirement and first dot point as follows: <i>Where landscaped setbacks are specified in Precinct requirements:</i> <ul style="list-style-type: none"> - <i>Provide <u>integrated, well designed soft landscaping throughout within sites particularly in ground floor to reduce the impact of urban heat island effect, provide increased biodiversity and habitat and contribute to a strong visually engaging setbacks to provide amenity and attractiveness and contribute landscape character maximising the use of ground level setbacks to local character and sense of place.</u></i> - amend the second requirement as follows: <i>Encourage the use of green roofs, walls and balconies to provide additional landscaping and soften the further contribute to a visually engaging impact of buildings particularly in areas that where ground level landscaping would be difficult to accommodate character and reuse the impact of urban heat island effect, provide increased biodiversity and habitat and contribute to a strong, visually engaging landscape character.</i>
5.1 Precinct 1	<p>Insert the words 'and enhance' in the fourth precinct objective.</p> <p>Amend Table 4 to:</p> <ul style="list-style-type: none"> - change the third column heading to 'Preferred minimum upper-level setbacks' - reduce the upper-level building setback requirements above the street wall adjacent to pedestrian links from 5.0m to 3.0m. <p>Amend Table 6 to:</p> <ul style="list-style-type: none"> - insert the word 'Mandatory' into the heading to the table - amend the heading to the third column to delete the words 'preferred minimum' and insert the word 'Mandatory'. <p>Amend the precinct guidelines to:</p> <ul style="list-style-type: none"> - amend the second as follows: <i>Provide narrower tenancies <u>Design buildings to reinforce the pedestrian scale of the Precinct and to respect the existing with fine grain building articulation regardless of tenancy size nature of the streetscapes.</u></i> - delete the fourth guideline. <p>Delete permit condition requirement for a Section 173 for construction of pedestrian links and laneways and their transfer to Council</p>
5.2 Precinct 2	<p>Insert a new precinct objective:</p> <p><i>To contribute to the significance of adjacent Precincts 1 and 3 by delivering high quality, activated streetscapes that encourage pedestrian engagement. Change the third column heading to 'Preferred minimum upper level setbacks.</i></p> <p>Amend Table 8 to change the third column heading to 'Preferred minimum</p>

Clause	Change
	<p>upper-level setbacks’</p> <p>Amend Table 9 to:</p> <ul style="list-style-type: none"> - insert the word ‘Mandatory’ into the table heading - amend the heading to the third column to delete the words ‘preferred minimum’ and insert the word ‘Mandatory’. - delete the third row relating to Young Street. <p>Amend the third precinct guideline as follows:</p> <p><i>Provide active frontages to open spaces and pedestrian links to create safe and vibrant places in the Precinct.</i></p>
5.3 Precinct 3	<p>Amend the Precinct map to:</p> <ul style="list-style-type: none"> - delete the Arthurs Lane laneway extension through 15-17 Davey Street in sub-precinct 3B - show the location of library forecourt in sub-precinct 3B within the Arts Centre site. <p>Amend Table 11 to change the third column heading to ‘Preferred minimum upper-level setbacks’.</p> <p>Amend Table 12 to:</p> <ul style="list-style-type: none"> - delete reference to 15-17 Davey Street for sub-precinct 3B - correct discrepancies in the width required to widen Bay Lane as it relates for sub-precinct 3D. <p>Amend Table 13 to:</p> <ul style="list-style-type: none"> - insert the word ‘Mandatory’ into the table heading - amend the heading to the third column to delete the words ‘preferred minimum’ and insert the word ‘Mandatory’. <p>Amend the fourth and sixth precinct guidelines as follows:</p> <ul style="list-style-type: none"> - <i>Address laneways with active uses at ground level where possible and incorporate high quality finishes for all services. Provide surveillance of laneways from upper levels of development to ensure safety, particularly where the ground level is service dominated.</i> - <i>Avoid privacy fencing to Retain and reinforce low, visually permeable fencing to the southern side of Davey Street.</i> <p>Delete the permit condition requirement for a Section 173 for construction of pedestrian links and laneways and their transfer to Council.</p>
5.4 Precinct 4	<p>Amend the first precinct objective as follows:</p> <p><i>To encourage built form along Nepean Highway that is responsive to its role as a green boulevard character and supports outdoor dining and social interaction gateway to the Frankston MAC.</i></p> <p>Amend Table 15 to amend the heading to the third column to delete the words ‘above street wall heights’.</p> <p>Amend Table 17 to:</p> <ul style="list-style-type: none"> - change the third column heading to ‘Preferred upper-level setbacks’. - amend the upper-level setback to 3.0m for Precinct 4A where abutting a pedestrian link.

Clause	Change
	<p>Amend Table 18 to:</p> <ul style="list-style-type: none"> - insert the word 'Mandatory' into the table heading - amend the heading to the third column to delete the words 'preferred minimum' and insert the word 'Mandatory'. <p>Amend the precinct guidelines to:</p> <ul style="list-style-type: none"> - amend the fourth guideline as follows: <i>Design buildings to respond to the topography and inundation but in a way so that the ground level of any setback area to Kananook Creek Blvd building meets is generally consistent with the existing footpath level at both the Kananook Creek and Nepean Highway frontages.</i> - insert a new guideline: <i>Ensure that buildings are designed to be protected from inundation from Kananook Creek in a 1% Annual Exceedance Probability flood event and under a 2100 sea level rise scenario.</i> - Delete the third dot point of the ninth guideline. <p>Delete permit condition requirement for a Section 173 for construction of pedestrian links and laneways and their transfer to Council</p>
5.5 Precinct 5	<p>Amend the Precinct map to:</p> <ul style="list-style-type: none"> - show a landscape setback with 12.0m (3 storey) street wall to Nepean Highway in Precinct 5B - label O'Grady Reserve. <p>Insert the words 'and retain existing canopy trees' into the fourth precinct objective.</p> <p>Amend Table 19 to change the column 3 heading from 'heights' to 'height'.</p> <p>Amend Table 20 to:</p> <ul style="list-style-type: none"> - amend column 3 heading to remove the words 'above street' - include a new mandatory building setback for Precinct 5B for consistency with sub-precinct 5A and delete this as a preferred requirement in Table 21. <p>Amend Table 21 to:</p> <ul style="list-style-type: none"> - change the third column table heading to 'Preferred minimum upper-level setbacks' - amend the third column relating for Precinct 5B to include the words 'from the street wall' and insert a new preferred minimum upper-level setback for sub-precinct 5B where a site abuts Kananook Creek Reserve - amend the preferred setbacks as they apply to sub-precinct 5B, 5C and 5D. <p>Amend Table 22 to:</p> <ul style="list-style-type: none"> - insert the word 'Mandatory' into the table heading - amend the heading to the third column to delete the words 'preferred minimum' and insert the word 'Mandatory' - insert an overshadowing control for Kananook Creek Trail, O'Grady Reserve and Beach Street. <p>Amend the precinct guidelines to:</p>

Clause	Change
	<ul style="list-style-type: none"> - amend the second precinct guideline as follows: <p><i>Provide opportunities for engagement with the street through ground level occupation and the presence of habitable rooms and balconies at all levels. Inactive uses, Site non habitable rooms, such as laundries, garages and bathrooms, should be located away from street-facing facades where practicable.</i></p> - insert a new precinct guideline: <p><i>Ensure that buildings are designed to be protected from inundation from Kananook Creek in a 1% Annual Exceedance Probability flood event and under a 2100 sea level rise scenario.</i></p>
5.6 Precinct 6	<p>Amend Table 24 third column heading to replace 'heights' with 'height'.</p> <p>Amend Table 24 third column heading to 'Preferred minimum upper-level setbacks'.</p> <p>Insert a new precinct guideline:</p> <p><i>Provide vehicle access to from Olive Grove, Willis Street, Joy Street and James Street, Catherine Parade, Melvin Street, Allenby Street, Lawrey Street and Clarendon Street rather than from Cranbourne Road where possible.</i></p>
6.0 Application Requirements	<p>Add requirement for a traffic and parking assessment report for applications in Precinct 3 to be prepared to the satisfaction of the Head, Transport for Victoria</p>
8.0 Decision guidelines	<p>Delete the second dot point under the final decision guideline</p>

E:2 Day 2 changes

Clause	Change
2.0 Objectives	<p>Delete 'To protect and enhance heritage places'</p> <p>Amend the Day 1 additional transport and access objective to read:</p> <ul style="list-style-type: none"> - To encourage initiatives that promote alternative provide best practice towards the promotion of alternative transport modes to the car.
4.4 Design and development	<p>Amend the 'Active frontages and interface with the public realm' requirements to:</p> <ul style="list-style-type: none"> - in relation to wind mitigation amend the requirement to read: <p><i>Design buildings to mitigate wind impacts to the public realm and building occupants including through providing measures to achieve suitable wind conditions around buildings.</i></p> - insert a new requirement: <p><i>Pedestrian Links should be either open to the sky or enable views of the sky.</i></p> <p>Amend the second 'Side and rear setbacks and building separation' requirements to read:</p> <p><i>Where development shares a common boundary with an adjoining site and no setbacks are identified in the specific Precinct requirements, provide side and rear setbacks above the street wall height in accordance with the requirements set out in Table 2 and illustrated in Diagram 2.</i></p> <p>Amend the third and fourth 'Building design and layout' requirements to read:</p> <p><i>Projections such as balconies, building services and architectural features should not intrude into upper level front, side and rear setbacks above the street wall height.</i></p> <p>Minimise <i>Address the visual impact of large buildings through significant breaks and recesses in building massing.</i></p> <p>Amend the 'Heritage Places' requirement to read:</p> <p><i>Development on land adjoining the Heritage Overlay should:</i></p> <ul style="list-style-type: none"> - Not dominate the adjoining heritage buildings and streetscape. - <i>Use materials and finishes with textures and colours that allow development to appear visually recessive from heritage buildings and fabric on adjoining sites.</i> - <i>Incorporate simple architectural detailing that does not detract from the adjoining heritage buildings and streetscapes.</i> <p>Amend the 'Landscaping and open space' requirements to:</p> <ul style="list-style-type: none"> - Amend the heading to 'Landscaping, landscaped setbacks and open space' - Include an additional sub-requirement: <ul style="list-style-type: none"> - <i>Avoid projections such as balconies and building services into the landscaped setbacks.</i>
All precincts	<p>Amend Building and street wall height tables (Tables 3, 7, 10, 14, 19 and 23) to delete all references to 'above natural ground level'.</p>

Clause	Change
	<p>Before each Solar Access table (Tables 6, 9, 13, 18 and 22) insert the words: <i>A permit cannot be granted for buildings or works that exceed the minimum requirements specified in Table [Table number].</i></p>
5.1 Precinct 1	<p>Amend the third precinct guidelines to read: <i>Address laneways with active uses at ground level <u>where practicable</u> and provide surveillance of laneways from upper levels of development.</i></p>
5.2 Precinct 2	<p>Amend the second precinct objective to read: <i>To provide a built form including landscaping and canopy trees <u>within landscaped setbacks as shown on the map at clause 5.2-1</u> that contributes to a high amenity entry experience into the City Centre.</i></p> <p>Amend Table 9 to amend the location description for Playne Street to: Entire <i>Southern footpath to <u>a depth of 5.0m from the property boundaries on the south side of the street.</u></i></p> <p>Amend the first precinct guideline to read: <i>Provide landscaping in street <u>areas identified as landscaped setbacks</u> to Fletcher Road and Cranbourne Road.</i></p>
5.3 Precinct 3	<p>Amend the third and fourth precinct objectives to read: <i>To <u>take into account the impact of built form on adjoining</u> protect and enhance <u>heritage places on Davey Street and ensure built form south of Davey Street is not visually dominant when viewed from surrounding areas.</u></i> <i>To provide a built form including landscaping and canopy trees <u>within landscaped setbacks as shown on the map at clause 5.3-1</u>, that contribute to a high amenity entry experience into the Frankston MAC.</i></p> <p>Amend Table 13 to amend the location description for Playne Street to: Entire <i>Southern footpath to <u>a depth of 5.0m from the property boundaries on the south side of the street</u> the kerb line.</i></p>
5.4 Precinct 4	<p>Amend the fifth precinct objective to read: <i>To minimise <u>address the potential visual dominance of development when viewed from the foreshore reserve and Gould Street residences.</u></i></p> <p>Amend Table 15 to amend the setback requirement for precincts 4A and 4B to read: <i>3.0m <u>setback of the street wall of the building</u> to Kananook Creek Boulevard between Wells and Beach Streets to provide for outdoor dining or other active space.</i></p> <p>Amend Table 17 to amend the preferred upper-level setbacks:</p> <ul style="list-style-type: none"> - for all precincts: <i>10.0m from the mandatory building <u>street wall</u> setback to Kananook Creek Promenade and Boulevard <u>to contribute to a recessive tower form when viewed from the west.</u></i> - for precinct 4A: <i>5.0m upper level setback from the street wall to Beach Street, Wells Street, Playne Street, Davey Street and Nepean Highway.</i> - for precinct 4A: <i>Development above 35m (10 storeys) should be set back so it has</i>

Clause	Change
	<p><i>minimal visibility from the opposite Gould Street properties. The level assessment of visibility should be measured from a distance of 10.0m from the rear boundary of the Gould Street properties. Refer to Diagram 10.</i></p> <p><i>3.0m upper level setback from a street wall where the street wall abuts a pedestrian link.</i></p> <ul style="list-style-type: none"> - for Precinct 4B: <ul style="list-style-type: none"> <i>Development above 35m (10 storeys) should be set back so it has minimal visibility from the opposite Gould Street properties. The level assessment of visibility should be measured from a distance of 10.0m from the rear boundary of the Gould Street properties. Refer to Diagram 10.</i> <p>Amend Diagram 10 to delete the text: 'Development above 35m (10 storeys) should be setback so it has minimal visibility from the opposite Gould Street properties.'</p> <p>Amend Diagrams 11 and 12 to delete the text: 'Development above 35m (10 storeys) should be setback so it has minimal visibility from the Kananook Creek trail within the foreshore reserve opposite'.</p> <p>Amend the third and ninth precinct guidelines to read:</p> <p><i>Towers should be designed with slender forms, narrower than the 45m width specified in Section 4.4 Design of tower elements, that maximise spaces between built form elements and minimise detrimental visual impacts to sensitive interfaces including of the foreshore reserve and Gould Street.</i></p> <p>Discourage <u>Encourage</u> use or development that would result in any of the following:</p> <ul style="list-style-type: none"> - A lack of a <u>Provide</u> active frontages at ground level. - Detrimental impacts on <u>Optimise</u> pedestrian amenity. - Generation of <u>Manage</u> significant traffic and vehicle movements on streets and laneways. <p>Amend 'Any other requirements' to add:</p> <p><i>Architectural elements, balconies and building services should generally not intrude into setbacks beyond the street wall in Precinct 4 but where they do they should not present as solid elements which give the appearance of the street wall coming forward.</i></p>
5.5 Precinct 5	<p>Amend the fourth precinct objective to read:</p> <p><i>To provide landscaping and canopy trees <u>in the landscaped setbacks identified in the map at clause 5.5-1</u> to complement the Nepean Highway Boulevard landscape and retain existing canopy trees.</i></p> <p>Amend the wording above Table 20 to read:</p> <p><i>A permit cannot be granted for buildings or works that are set back less than the minimum requirements specified in Table 20 <u>and any specified condition must also be met.</u></i></p> <p>Amend Table 20 to amend the mandatory minimum building setbacks requirements for precinct 5A to read:</p> <p><i>Where properties abut Kananook Creek Reserve: Minimum 5.0m from the</i></p>

Clause	Change
	<p>rear boundary or to a surface level above the 1.7m AHD contour, whichever is greater (Refer Diagram 19).</p> <p>Where properties abut Kananook Creek: Minimum 10.0m from the 1.15m AHD contour (2 year Annual Recurrence Interval) or to a surface level above the 1.7m AHD contour, whichever is greater (Refer Diagram 20).</p> <p><u>and</u></p> <p><u>in either case above the minimum building setback and below the 2.4m AHD contour, there must not be any loss of flood storage through impervious enclosure or filling of the area to the satisfaction of Melbourne Water and the responsible authority.</u></p> <p>Amend the fourth precinct guidelines to read:</p> <p><u>Provide landscaping in landscaped setback areas as shown in the maps at clause 5.5-1 and as set out in Table 21.</u></p> <p>Amend 'Any other requirements' to read:</p> <p><u>Projections such as architectural elements, balconies and building services should not intrude into rear building setbacks.</u></p> <p><u>None specified.</u></p>
5.6 Precinct 6	<p>Amend the third and fourth precinct objective to read:</p> <p><u>To encourage the use of land for offices along Cranbourne Road, increased housing densities on upper levels and the integration of health and education uses as part of mixed use development.</u></p> <p><u>To provide landscaping and canopy trees within landscaped setbacks as shown in the map at clause 5.6-1 that contribute to a high amenity entry experience into the Frankston MAC.</u></p> <p>Amend fifth precinct guideline to read:</p> <p><u>Provide landscaping in landscaped setback areas as shown in the map at clause 5.6-1 and as set out in Table 24.</u></p> <p>Amend 'Any other requirements' to read:</p> <p><u>Projections such as architectural elements, balconies and building services should not intrude into rear building setbacks.</u></p> <p><u>None specified.</u></p>
8.0 Decision guidelines	<p>Amend the fifth decision guideline to read:</p> <p><u>Whether the proposal acceptably mitigates off-site impacts such as visual bulk, overlooking and overshadowing to adjacent land including the public realm, public open space or adjacent residentially zoned properties relative to a compliant scenario.</u></p> <p>Delete the last decision guideline relating to 'Where an application proposes to exceed or vary any of the requirements of the schedule'.</p>

Appendix F Panel preferred version of the Activity Centre Zone Schedule 1

The Panel's preferred version is based on the exhibited version.

[Tracked Added](#)

~~Tracked Deleted~~

Panel Note: Panel comment noting where no changes to the exhibited version of maps or diagrams are proposed, or where additional drafting, mapping, table or diagram changes are proposed to Council's recommended Day 2 version.

SCHEDULE 1 TO CLAUSE 37.08 ACTIVITY CENTRE ZONE

~~120~~
C-- Shown on the planning scheme map as ACZ1.

FRANKSTON METROPOLITAN ACTIVITY CENTRE

1.0 Frankston Metropolitan Activity Centre Structure Plan

~~120~~
C--

Panel Note: Amend the Frankston Metropolitan Activity Centre map to exclude 53 Davey Street Frankston (refer Chapter 2.5)

2.0 Land use and development objectives to be achieved

~~120~~
C--

General

To develop the Frankston Metropolitan Activity Centre (MAC) as the retail, commercial, hospitality, civic, cultural, creative, community and entertainment destination for Melbourne's south-eastern metropolitan region.

To encourage a diverse range of housing choices that provide for on and off-site amenity at increased densities including affordable housing.

~~To encourage use and development to provide for equitable access to amenity.~~

Panel Note: Delete or redraft the equitable access objective above (refer Chapter 5.1).

Development

To facilitate development at a scale that reflects the Frankston MAC's role as a Metropolitan Activity Centre while responding to the coastal setting and character of Frankston.

To encourage high quality built form that is consistent with the role of the Frankston MAC as a Metropolitan Activity Centre.

To encourage built form that contributes to a safe, engaging, active and attractive public realm [and which provides innovative approaches to dealing with potential inundation](#).

To encourage built form that contributes to human scaled streets.

To ensure development respects sensitive amenity and environmental interfaces including residential interfaces, Kananook Creek and the Frankston Foreshore.

To increase tree canopy cover and landscaping [within private and public land](#) across the Frankston MAC.

~~To protect and enhance heritage places.~~

[To ensure that development anticipates the impacts of climate change and is resilient to the potential impacts of inundation.](#)

Transport and access

To improve walkability and pedestrian amenity in the Frankston MAC.

To improve connectivity through the Frankston MAC.

To ensure that the location and design of car parks, loading bays, services areas and associated vehicle access promotes active street frontages, does not dominate public spaces and supports safe use and access.

Public realm

To maintain adequate sunlight access to the public realm and public open spaces at key times of the year.

3.0 Table of uses

Panel Note: No changes to exhibited version content.

4.0 Centre-wide provisions

Panel Note: No changes to exhibited version content for sub-clauses '4.1 Use of land', '4.2 Subdivision', '4.3 Buildings and works'.

4.4 Design and development

The following design and development requirements apply to an application to construct a building or construct or carry out works:

General

Encourage the reconfiguration and consolidation of land where necessary to create viable development sites and optimal development of the activity centre.

Avoid the fragmentation of land that would result in sites not achieving the optimal development of the activity centre.

Encourage buildings that contain residential uses to provide a diversity of housing sizes and types including affordable housing.

Active frontages and interface with the public realm

Where **Diagram 1** indicates the provision of Primary Active Frontage Areas, incorporate a minimum of 80 ~~per cent~~ % windows or entries with clear glazing along the ground level frontage.

Where **Diagram 1** indicates the provision of Secondary Active Frontage Areas, incorporate a minimum of 40 ~~per cent~~ % windows or entries with clear glazing along the ground level frontage.

Design building interfaces to promote street level activity and surveillance of adjoining streets through activated frontages.

Provide canopies or verandahs on all buildings located in the Primary Active Frontage Areas and Active Frontage Areas.

Canopies or verandahs should be at an appropriate height above the footpath and sufficiently set back from the kerb to avoid damage from large vehicles while still providing effective weather protection, between 3.0m and 4.0m above the footpath level and 750mm from the kerb, and generally consistent with adjoining sites.

Design buildings to mitigate wind impacts to the public realm and building occupants including through:

- ~~• Orientating buildings to reduce the speed and volume of downdraughts. Providing upper level setbacks that mitigate downdraughts.~~

- ~~Providing measures recessed and rounded corners to achieve suitable wind conditions reduce wind speeds~~ around buildings.
- ~~Incorporating solid awnings and overhang shading to reduce the downdraught impacts on the ground.~~
- ~~Incorporating hedges and trees to mitigate horizontal wind acceleration at ground and elevated levels.~~
- ~~Providing impermeable Balustrades to reduce direct exposure to winds for building occupants.~~
- ~~Using a combination of a balustrading and natural landscaping on larger garden terraces to mitigate wind impacts.~~
- ~~Incorporating inset balconies or winter gardens within buildings to maximise comfort for occupants.~~

Use materials in street wall levels that are tactile and visually interesting to reinforce the human scale.

Break up long expanses of floor to ceiling glazing within the street wall levels with a mixture of materials.

Avoid presenting blank walls to the public realm.

Within street wall levels above ground floor, design balconies to be embedded so that the street wall remains consistent while still supporting surveillance of the streets and adjoining public spaces.

Design upper levels of buildings, above the street wall, to provide habitable rooms or spaces with windows or balconies that overlook the public realm.

Design buildings on corner sites to actively address both frontages at all levels. Design and site building entries to:

- Directly front the street.
- Be clearly defined and legible from the public realm.
- Be accessible for all abilities.
- Be safe for all users by being well lit, highly visible and avoiding concealed spaces.

In mixed use buildings, design residential entries to distinguish them from retail or commercial entries.

Encourage the provision of art, including sculptures, murals or similar, in areas that interface with the public realm.

Encourage buildings in areas subject to inundation to keep internal finished floor levels above the flood level and to provide any transition to ground level setbacks internally to the building where practicable.

Pedestrian Links should be either open to the sky or enable views of the sky.

Diagram 1 – Active frontages

Panel Note: Amend the Frankston Metropolitan Activity Centre map to exclude 53 Davey Street Frankston (refer Chapter 2.5)

Sustainable and adaptive uses

Design buildings to support a high level of internal amenity and adaptation over time, including by providing minimum floor to floor heights in accordance with the requirements in Table 1.

Table 1– Floor to floor heights

Panel Note: No changes to exhibited version of Table 1.

Provide basement car parking wherever possible.

Where the provision of basement car parking is not possible due to site or environmental constraints, and parking needs to be provided above ground in the street wall levels, design the levels to meet the requirements for non-residential uses in accordance with the requirements in Table 1.

Sleeve parking provided in street wall levels with active uses.

Avoid providing car parking above street wall levels.

Side and rear setbacks and building separation

Unless otherwise indicated in the Precinct requirements walls are to be built to the side boundaries up to the street wall height.

Where development shares a common boundary with an adjoining site and no setbacks are identified in the specific Precinct requirements, provide side and rear setbacks above the street wall height in accordance with the requirements [set out](#) in Table 2 [and illustrated in Diagram 2](#).

Where sites are separated by a laneway [which is not shown as a pedestrian link](#), apply side and rear setbacks above the street wall height from the centre of the laneway [or a minimum setback above the street wall height of 3.0m, whichever is greater](#).

~~The setbacks detailed in Table 2 also apply to development w~~Where there are multiple towers within the site, ~~and should be applied between~~ [provide tower separation elements as well as from side and rear boundaries](#) in accordance with the requirement in Table 2.

Table 2 - Side and rear setbacks above street wall height

Building height	Preferred minimum side and rear setback above the street wall height	Preferred minimum tower separation within a site above the street wall height
Up to 28.0m	4.5m	9.0m
Above 28.0m up to 42.0m	6.0m	12.0m
Above 42.0m	10.0m	20.0m

Diagram 2 – Side and rear setbacks above street wall height

Panel Note: No changes to exhibited version of Diagram 2.

Ensure that sufficient setbacks are provided as needed to allow for vehicle access, car parking and servicing.

Design of tower elements

Design buildings with a maximum tower length/width of 45 metres to reduce visual impact and allow for sharing of views. Refer to Diagram 3.

Where buildings include a tower component articulate all facades of the tower.

Diagram 3 – Length/width of tower elements

Panel Note: No changes to exhibited version of Diagram 3.

Building design and layout

Design buildings to incorporate a coastal aesthetic through measures including [architectural detail and articulation, and the use of materials, textures and finishes](#):

- ~~— Building forms that take cues from the coastal landscape.~~
- ~~Light, natural materials and textures~~ that complement the coastal landscape.
- ~~— Landscaping that integrates with the surrounding coastal landscape.~~

Articulate building facades through the design of openings, balconies, varied materials, recessed and projected elements, and revealing structural elements, instead of relying on excessive use of materials.

Projections such as balconies, building services and architectural features should not intrude into upper level front, side and rear setbacks above the street wall height.

Minimise Address the visual impact of large buildings through significant breaks and recesses in building massing.

Provide consistent street, side and rear setbacks for the majority of the upper levels above the street wall height to avoid repetitive stepped elements.

Design buildings to create an interesting and varied skyline.

Buildings should be built or clad with high quality, robust materials that do not generate reflected disability or discomfort glare, and can withstand the effects of weathering.

Site, design, layout and construct buildings to include acoustic attenuation measures to manage reduce noise levels from on and off-site noise sources.

Avoid relying on excessive screening to prevent overlooking.

Articulate walls on boundaries that will eventually be built out with measures such as the use of art, pre-cast patterned concrete or similar.

Heritage Places

Development on land within or adjoining the Heritage Overlay should:

- ~~— Not dominate the heritage building/s and streetscape.~~
- ~~— Use materials and finishes with textures and colours that allow them to appear visually recessive from heritage buildings and fabric.~~
- ~~— Incorporate simple architectural detailing that does not detract from the heritage buildings and streetscape.~~

Access and services

Rooftop services may exceed the maximum building height provided they are:

- No more than 3.6 metres above the maximum building height.
- Stepped back on all sides no less than 3 metres from the edge of the building.
- Screened from view.

Provide vehicle access to loading areas, services and car parking from laneways and secondary streets.

Where vehicle access cannot be provided from laneways and secondary streets, access points should be minimised to reduce disruption to the footpaths and on-street car parking and located to avoid street trees.

Integrate and design services and utilities in such a way that they blend with the overall design of the development.

Avoid or, ~~if it cannot be avoided,~~ minimise building utilities and services at ground floor street frontages to prioritise active frontages ~~at these locations~~.

Screen air conditioning Ensure all services, ~~antennas and other utilities~~ located on balconies, such as air conditioning units, are screened from public view ~~using balcony treatments, roof structures and the like instead of walls~~.

Services, loading and waste areas should be located away from streets and public spaces, or within basements or upper levels.

Access doors to any waste, parking or loading area should be designed as an integrated element of the building.

Panel Note: Redraft above two requirements so they are consolidated as part of the second guideline (highlighted) (See Chapter 5.8)

Landscaping, landscaped setbacks and open space

Where landscaped setbacks are specified in Precinct requirements:

- Provide integrated, well designed soft landscaping ~~ing through~~ within sites particularly in ground floor to reduce the impact of urban heat island effect, provide increased biodiversity and habitat and contribute to a strong, visually engaging setbacks to provide amenity and attractiveness and contribute landscape character maximising the use of ground level to setbacks local character and sense of place.
- Incorporate landscaping areas that comprise a minimum of 60 per cent of the total front setback area.
- Maximise deep soil planting areas in front and rear setbacks to incorporate canopy trees.
- Avoid projections such as balconies and building services into the landscaped setbacks.

Encourage the use of green roofs, walls and balconies to ~~provide additional landscaping and soften the further contribute to a visually engaging impact of buildings particularly in areas that where ground level landscaping would be difficult to accommodate~~ character and reduce the impact of the urban heat island effect.

Encourage planting themes that use a minimum of 40 per cent indigenous and 40 per cent native species to respect the coastal character of the local area.

Encourage the provision of communal garden spaces at podium and rooftop levels to create amenity for residents, workers and visitors.

- 5.0 **Precinct provisions**
- 5.1 **Precinct 1 – City Centre**
- 5.1-1 **Precinct map**

Panel Note: No change to exhibited version of Precinct map.

- 5.1.2 **Precinct objectives**

To maintain the City Centre as the focus for retail, dining and entertainment uses across the day and night.

To support residential, office, accommodation and other uses on upper levels of buildings.

To encourage built form outcomes that reflect the role of the City Centre and maintain a pedestrian scale at street level with taller building elements set above and behind.

To maintain and enhance the fine-grain rhythm of shopfronts across the City Centre streets.

To improve walkability and pedestrian amenity in the City Centre and connections between the City Centre and the Promenade.

- 5.1-3 **Precinct requirements**

Table 3 – Building and street wall height

Sub-precinct	Preferred maximum building height	Preferred maximum street wall height
1A	54.0m (16 storeys) above natural ground level	All streets and all laneways 12.0m (3 storeys) other than to Shannon Mall and Station Street Mall where the street wall height is 8.0m (2 storeys).
1B	48.0m (14 storeys) above natural ground level	
1C	41.0m (12 storeys) above natural ground level	Where a building is on a corner, apply the street wall height as shown on the Precinct map <u>Plan</u>
1D	35.0m (10 storeys) above natural ground level	

Sub-precinct	Preferred maximum building height	Preferred maximum street wall height
	level	at 5.1-1.
1E	16.0m (4 storeys) above natural-ground level	
1F	22.0m (6 storeys) above natural-ground level	

Table 4 – Building setbacks

Sub-precinct	Preferred building setback	Preferred minimum upper level setbacks above street-wall height
1A	0.0m to all streets	5.0m upper level setback from the street wall. 5.0m 0m upper level setback from a street wall where the street wall abuts a pedestrian link
1B		
1C		
1D		
1E		
1F	Minimum 3.0m to all streets for the provision of landscaping.	

Table 5 – Pedestrian links

Panel Note: No changes to exhibited version of Table 5.

Table 6 – Solar Access

Panel Note: No changes to exhibited version of Table 6.

Diagram 4 Nepean Highway

Panel Note: No changes to exhibited version of Diagram 4.

Diagram 5 City Park

Panel Note: No changes to exhibited version of Diagram 5.

Diagram 6 Shannon and Station Street Malls

Panel Note: No changes to exhibited version of Diagram 6.

Diagram 7 White Street Mall

Panel Note: No changes to exhibited version of Diagram 7.

5.1-4 Precinct guidelines

Direct uses that do not provide active frontages to upper levels of buildings.

~~Provide narrower tenancies~~ Design buildings to reinforce the pedestrian scale ~~of the Precinct and to respect the existing~~ with fine grain building articulation regardless of tenancy size nature of the streetscapes.

Address laneways with active uses at ground level where practicable and provide surveillance of laneways from upper levels of development.

~~Provide landscaping in the front setback areas on the north side of Fletcher Road, the east side of Evelyn Street, the south side of O'Grady Avenue and east side of Home Street.~~

Encourage the consolidation of Bayside Shopping Centre car parks and loading areas to surrounding streets to enhance the pedestrian environment.

Direct uses that do not provide active frontages to upper levels of buildings.

Design buildings to reinforce the pedestrian scale with fine grain building articulation regardless of tenancy size.

Address laneways with active uses at ground level where practicable and provide surveillance of laneways from upper levels of development.

Encourage the consolidation of Bayside Shopping Centre car parks and loading areas to surrounding streets to enhance the pedestrian environment.

5.1-5 Any other requirements

~~Condition on permits for pedestrian links and laneways~~

~~Where a new pedestrian link or laneway is proposed on the land, and the pedestrian link or laneway is not funded through a Development Contributions Plan, a permit granted to construct a building or to construct or carry out works must include a condition requiring the following:~~

- ~~— An agreement under section 173 of the Act must be entered into between the landowner and the responsible authority that provides for the following:~~
 - ~~— Construction of the new pedestrian link or laneway to the satisfaction of the responsible authority and the relevant road management authority.~~
 - ~~— Transfer of the new pedestrian link or laneway to, or vesting in the relevant road authority as a public road at no cost to the relevant road authority. This does not apply to a new pedestrian link or laneway that is agreed to be retained in private ownership to the satisfaction of the responsible authority.~~

~~This condition is not required in relation to a pedestrian link or laneway marked indicative.~~

~~[None specified.](#)~~

5.2 Precinct 2 – Transport Interchange, Community & Education

5.2.1 Precinct map

Panel Note: No change to exhibited version of Precinct map.

5.2.2 Precinct objectives

To create an active, safe and attractive precinct that welcomes people to a place for business, education, retail, hospitality, community and institutional uses, offices and housing.

To provide a built form including landscaping and canopy trees [within landscaped setbacks as shown on the map at clause 5.2-1](#) that contributes to a high amenity entry experience into the City Centre.

[To contribute to the significance of adjacent Precincts 1 and 3 by delivering high quality, activated streetscapes that encourage pedestrian engagement.](#)

5.2.3 Precinct requirements

Table 7 – Building [and street wall height](#)

Sub-precinct	Preferred maximum building height	Preferred maximum street wall height
2A	48.0m (14 storeys) above-natural-ground level	12.0m (3 storeys).
2B	41.0m (12 storeys) above-natural-ground level	19.0m (5 storeys).

Sub-precinct	Preferred maximum building height	Preferred maximum street wall height
2C	22.0m (6 storeys) above natural ground level level	19.0m (5 storeys).

Table 8 – Building setbacks

Sub-precinct	Preferred building setback	Preferred minimum upper level setback above street wall height
2A	0.0m to all streets	
2B	Minimum 3.0 metres to all streets to provide for landscaping and the retention of existing canopy trees	5.0m upper level setback from the street wall.
2C		

Table 9 – Solar Access

Street or public space	Location	Preferred minimum solar access to be maintained
Playne Street	Entire Southern footpath to the kerb line <u>a depth of 5.0m from the property boundaries on the south side of the street.</u>	Between 10am and 2pm on 22 September.
Fletcher Road	Entire eastern footpath to the kerb line.	
Young Street	Entire western footpath to the kerb line.	

5.2-4 Precinct guidelines

Provide landscaping in ~~street~~ areas identified as landscaped setbacks to Fletcher Road and Cranbourne Road.

Seek to retain existing canopy trees where practical.

Provide active frontages to open spaces and pedestrian links to create safe and vibrant places ~~in the Precinct.~~

Encourage the provision of new public open space on 79R-83R Young Street as part of its redevelopment.

5.2-5 Any other requirements

None specified.

5.3 Precinct 3 – Arts, Entertainment and Government Services

5.3-1 Precinct map

Panel Note: Amend the exhibited Precinct map (Refer Chapters 2.5 and 6.4) to:

- ~~delete the Arthurs Lane laneway extension through 15-17 Davey Street in sub-precinct 3B~~
- ~~show the location of library forecourt in sub-precinct 3B within the Arts Centre site~~
- ~~exclude the VicTrack land at 53 Davey Street, Frankston.~~

5.3-2 Precinct objectives

To activate Playne Street with retail, restaurants, cafes, arts and entertainment uses during the day and night and provide for employment, community, government services and residential uses along Davey Street and Plowman Place.

To provide accommodation and office uses on upper levels of buildings across the precinct.

To [ensure the impact of built form on adjoining](#) ~~protect and enhance~~ heritage places on Davey Street ~~and ensure built form south of Davey Street is not visually dominant~~ [is appropriate](#) when viewed from surrounding areas.

To provide a built form including landscaping and canopy trees [within landscaped setbacks as shown on the map at clause 5.3-1](#), that contribute to a high amenity entry experience into the Frankston MAC.

To increase connectivity within the precinct.

5.3-3 Precinct requirements

Table 10 – Building [and street wall height](#)

Sub-precinct	Preferred maximum building height	Preferred maximum street wall height
3A	48.0m (14 storeys) above natural ground level	12.0m (3 storeys) above natural ground level
3B	41.0m (12 storeys) above natural ground level	
3C	35.0m (10 storeys) above natural ground level	
3D	35.0m (10 storeys) above natural ground level	8.0m (2 storeys) above natural ground level
3E	28.0m (8 storeys) above natural ground level	
3F	22.0m (6 storeys) above natural ground level	12.0m (3 storeys) above natural ground level

Table 11 – Building setbacks

Sub-precinct	Preferred building setback	Preferred minimum upper level setbacks above street wall height
3A	0.0m to all streets	5.0m upper level setback from the street wall.
3B		
3C		
3D	0.0m to Nepean Highway. Minimum 4.0m to Young Street. Minimum 7.0m to Davey Street to respect heritage places. Additional setbacks to protect significant trees as needed.	
3E	0.0m to Nepean Highway. Minimum 4.0m to Young Street and Plowman Place. Additional setbacks to protect significant trees as needed.	
3F	0.0m to all streets	

Table 12 – Laneway widening and extensions

Sub-precinct	Property	Preferred minimum width
3B	15-17 Davey Street 170R Young Street	3.0m to align with Arthurs Lane.
3D	6 Davey Street	2.0m from rear boundary to widen Bay Lane.
	6-8, 10, 12, 14 Davey Street	3.0 4.5m from rear boundary to widen Bay Lane.
	16, 18 Davey Street	6.0 7.5m from rear boundary to align with Bay Lane.

Panel Note: Council should confirm the correct width for 16, 18 Davey Street (refer Chapter 6.4).

Table 13 – Solar Access

Street or public space	Location	Preferred minimum solar access to be maintained
Nepean Highway	Western footpath for a depth of 7.0 metres from the property boundaries on the west side of the Highway (Refer Diagram 4)	Between 10am and 2pm on 22 September.
Playne Street	Entire-s Southern footpath to a depth of 5.0m from the property boundaries on the south side of the street	
Davey Street	Entire southern footpath to the kerb line.	
Young Street	Entire eastern and western footpaths to the kerb line	
Beauty Park	Beyond the northern edge of the existing shared path to the kerb line (Refer Diagram 8).	Between 10am and 2pm on 22 June.
Frankston Oval	Beyond a distance of 30m from the northern property boundary (Refer Diagram 9).	

Panel note: Amend the location description for Davey Street in Table 13 (highlighted) to clarify the inclusion of the nature strip and Norfolk Island Pines (Refer Chapter 4.7.3)

Diagram 8 Beauty Park

Panel Note: No changes to exhibited version of Diagram 8.

Diagram 9 Frankston Oval

Panel Note: No changes to exhibited version of Diagram 9.

5.3-4 Precinct guidelines

Design buildings to respond to the topography and provide accessible ground levels from each street frontage.

Provide the appearance of narrower tenancies to Playne Street, Nepean Highway and Young Street to maintain the existing fine grain nature of the streetscapes.

Provide for wider tenancies along Davey Street to suit a variety of business uses.

Address laneways with active uses at ground level where possible and incorporate high quality finishes for all services.

~~Provide~~ surveillance of laneways from upper levels ~~of development to ensure safety, particularly where the ground level is service dominated~~.

Encourage development on land adjoining the Heritage Overlay that:

- Does not dominate the adjoining heritage place.
- Uses materials and finishes with textures and colours that allow development to appear visually recessive from heritage places on adjoining sites.
- Incorporates simple architectural detailing that does not detract from the adjoining heritage places.

Panel Note: Review Heritage places requirement highlighted wording (See Chapter 5.7)

Incorporate canopy trees and complimentary coastal landscaping in setbacks along Davey Street.

~~Avoid privacy fencing to~~ Retain and reinforce low, visually permeable fencing to the southern side of Davey Street.

Development should be designed to integrate identified Significant Trees through appropriate setbacks, building recesses and courtyard spaces.

Ensure development is designed to protect existing trees through the provision of setbacks, tree protection measures and the like.

Where properties have frontages to both Playne Street and Davey Street, provide vehicle access from Davey Street rather than Playne Street where possible.

Where properties abut Bay Lane, provide vehicle access from the lane.

Provide landscaped front setbacks south of Davey Street to provide a built form transition into the adjoining residential areas.

5.3-5 Any other requirements

~~Condition on permits for pedestrian links and laneways~~

~~Where a new pedestrian link or laneway is proposed on the land, and the pedestrian link or laneway is not funded through a Development Contributions Plan, a permit granted to construct a building or to construct or carry out works must include a condition requiring the following:~~

- ~~— An agreement under section 173 of the Act must be entered into between the landowner and the responsible authority that provides for the following:~~
 - ~~— Construction of the new pedestrian link or laneway to the satisfaction of the responsible authority and the relevant road management authority;~~
 - ~~— Transfer of the new pedestrian link or laneway to, or vesting in the relevant road authority as a public road at no cost to the relevant road authority. This does not apply to a new pedestrian link or laneway that is agreed to be retained in private ownership to the satisfaction of the responsible authority.~~

~~This condition is not required in relation to a pedestrian link or laneway marked indicative.~~

~~None specified~~

5.4 Precinct 4 – Promenade

5.4-1 Precinct map

Panel Note: No change to exhibited version of Precinct map.

5.4-2 Precinct objectives

To encourage built form along Nepean Highway that is responsive to its role as a green boulevard and supports outdoor dining and social interaction. ~~gateway to the Frankston MAC.~~

To activate Kananook Creek, Nepean Highway, Beach Street, Wells Street, Playne Street and Davey Street with retail, restaurants, cafes, arts and entertainment uses across the day and night and increase connectivity between the Promenade and the City Centre.

To support residential and office uses on upper levels of buildings.

To encourage built form that creates a high quality backdrop when viewed from the foreshore reserve and Kananook Creek.

To **minimise** **address** the **potential** visual dominance of development when viewed from the foreshore reserve and Gould Street residences.

5.4-3 Precinct requirements

Table 14 – Building and street wall height

Sub-precinct	Preferred maximum building height	Preferred maximum street wall height
4A	41.0m (12 storeys) above-natural-ground level	12.0m (3 storeys) above-natural ground-level
4B	35.0m (10 storeys) above-natural-ground level	
4C	41.0m (12 storeys) above-natural-ground level	
4D		

A permit cannot be granted for buildings or works that are set back less than the minimum requirements specified in Table 15.

Table 15 – Mandatory building setbacks

Sub-precinct	Mandatory minimum building setback	Mandatory minimum upper level setbacks above-street-wall height
4A	3.0m setback of the street wall of the building to Kananook Creek Boulevard between Wells and Beach Streets to provide for outdoor dining or other active space.	None specified.
4B		
4D	9.0m to western boundary of 510 Nepean Highway for the continuation of Kananook Creek Promenade.	

Table 16 – Pedestrian links

Panel Note: No change to exhibited version of Table 16.

Table 17 – Building setbacks

Sub-precinct	Preferred building setback	Preferred building-upper level setbacks
All precincts	0.0m to all streets and Kananook Creek Promenade other than Kananook Creek Boulevard between Beach and Wells Street.	10.0m from the mandatory building street wall setback to Kananook Creek Promenade and Boulevard to contribute to a recessive tower form when viewed from the west. 5.0m upper level setback from the street wall to Beach Street, Wells Street, Playne Street, Davey Street and Nepean Highway.
4A		Development above 35m (10 storeys)

Sub-precinct	Preferred building setback	Preferred building upper level setbacks
		should be set back so it has minimal visibility that it is recessive from the tower form when viewed from the opposite Gould Street properties. The level assessment of visibility should be measured from a distance of 10.0m from the rear boundary of the Gould Street properties. Refer to Diagram 10 . 5.0 3.0m upper level setback from a street wall where the street wall abuts a pedestrian link.
4B		Development above 35m (10 storeys) should be setback so that it is it has minimal visibility recessive from the tower form when viewed from the opposite Gould Street properties. The level assessment of visibility should be measured from a distance of 10.0m from the rear boundary of the Gould Street properties. Refer to Diagram 10 .
4C		Development above 35m (10 storeys) should be set back so it has minimal visibility is recessive from the tower form from the Kananook Creek Trail within the foreshore reserve opposite. Refer to Diagram 11 .
4D		10.0m setback above the street wall height to McCombs Reserve interface. Development above 35m (10 storeys) should be set back so it has minimal visibility is recessive from the tower form from the Kananook Creek Trail within the foreshore reserve opposite. Refer to Diagram 12 .

Diagram 10 Upper level setbacks from Gould Street properties Precinct 4A and 4B

Panel Note: Amend exhibited version of Diagram 10 to delete notation: 'Development above 35m (10 storeys) should be setback so it has minimal visibility from the opposite Gould Street properties. (Refer Chapter 4.8.2)

Diagram 11 Upper level setbacks from Kananook Creek trail and foreshore Precinct 4C

Panel Note: Amend exhibited version of Diagram 11 to delete notation: 'Development above 35m (10 storeys) should be setback so it has minimal visibility from the Kananook Creek trail within the foreshore reserve opposite. (Refer Chapter 4.8.2)

Diagram 12 Upper level setbacks from Kananook Creek trail and foreshore Precinct 4D

Panel Note: Amend exhibited version of Diagram 12 to delete notation: 'Development above 35m (10 storeys) should be setback so it has minimal visibility from the Kananook Creek trail within the foreshore reserve opposite. (Refer Chapter 4.8.2)

Table 18 – Solar Access

Street or public space	Location	Preferred minimum solar access to be maintained
Kananook Creek	Eastern edge of Kananook Creek (Refer Diagram 13).	Between 10am and 1pm on 22 June Between 10am and 2pm on 22 September.
Foreshore reserve	All (Refer Diagram 14).	Between 10am and 1pm on 22 June.
Kananook Creek trail	All	Between 10am and 2pm on 22 September.
Kananook Creek Boulevard South	Beyond a distance of 9.0m from the eastern boundary of the road reserve (Refer Diagram 15).	
Future Kananook Creek Promenade (510 Nepean Highway)	Beyond a distance of 7.0m from the eastern edge of the future promenade (Refer Diagram 16).	
McCombs Reserve	Beyond a distance of 20.0m from the northern property boundary of the reserve (Refer Diagram 17).	
Nepean Highway	Within 7.0m of the eastern property boundary of Nepean Highway (Refer Diagram 18).	
Wells Street	Entire southern footpath to the kerb line.	
Playne Street		
Davey Street		

Diagram 13 Kananook Creek eastern edge

Panel Note: Amend Diagram 13 consistent with changes to Table 18 (Refer Chapter 4.4)

Diagram 14 Foreshore Reserve

Panel Note: No changes to exhibited version of Diagram 14.

Diagram 15 Kananook Creek Boulevard South

Panel Note: No changes to exhibited version of Diagram 15.

Diagram 16 Kananook Creek Promenade

Panel Note: No changes to exhibited version of Diagram 16.

Diagram 17 McCombs Reserve

Panel Note: No changes to exhibited version of Diagram 17.

Diagram 18 Nepean Highway

Panel Note: No changes to exhibited version of Diagram 18.

5.4-4 Precinct guidelines

Direct residential uses and uses that do not provide an active frontage to upper levels of buildings.

Development should provide a mix of narrower and wider tenancies along Nepean Highway to support a variety of land uses.

Towers should be designed with slender forms, narrower than the 45m width specified in **Section 4.4 Design of tower elements**, that maximise spaces between built form elements ~~and minimise detrimental visual impacts to sensitive interfaces including of the foreshore reserve and Gould Street.~~

Design buildings to respond to the topography ~~and potential for inundation so that the~~ ground level of ~~any setback area to Kananook Creek Boulevard~~ ~~buildings meets is generally consistent with~~ the existing footpath level at both the Kananook Creek and Nepean Highway frontages.

~~Ensure that the internal area of buildings and any basements are designed to be protected from inundation from Kananook Creek in a 1% Annual Exceedance Probability flood event and under a 2100 sea level rise scenario.~~

Design buildings to enhance views from Kananook Creek and Foreshore Reserve.

~~Architectural elements, balconies and building services should generally not intrude into ground floor setbacks beyond the street wall in Precinct 4. Above ground level, where they do, they should not present as solid elements which give the appearance of the street wall coming forward.~~

Address laneways and pedestrian links with active uses at ground level and provide surveillance from upper levels of development.

Provide activated spaces along the Kananook Creek frontage and Kananook Creek

Boulevard/Promenade to provide high quality space for pedestrian amenity and outdoor dining.

~~Discourage~~ Encourage use or development that would result in any of the following:

- ~~A lack of a~~ Provide active frontages at ground level.
- ~~Detrimental impacts on~~ Optimise pedestrian amenity.
- ~~Generation of~~ Manage significant traffic and vehicle movements on streets and laneways.

Provide vehicle access to basement car parks from Beach Street, Wells Street, Playne Street and Davey Street rather than from Nepean Highway and Kananook Creek Boulevard where possible.

5.4-5 Any other requirements

None specified

~~Condition on permits for pedestrian links and laneways~~

~~Where a new pedestrian link or laneway is proposed on the land, and the pedestrian link or laneway is not funded through a Development Contributions Plan, a permit granted to construct a building or to construct or carry out works must include a condition requiring the following:~~

- ~~An agreement under section 173 of the Act must be entered into between the landowner and the responsible authority that provides for the following:~~
 - ~~Construction of the new pedestrian link or laneway to the satisfaction of the responsible authority and the relevant road management authority.~~
 - ~~Transfer of the new pedestrian link or laneway to, or vesting in the relevant road authority as a public road at no cost to the relevant road authority. This does not apply to a new pedestrian link or laneway that is agreed to be retained in private ownership to the satisfaction of the responsible authority.~~

~~This condition is not required in relation to a pedestrian link or laneway marked indicative.~~

5.5 Precinct 5 – Nepean Boulevard

5.5-1 Precinct map

Panel Note: Amend the Precinct map to:

- show a landscape setback with 12.0m (3 storey) street wall to Nepean Highway in sub-precinct 5B
- label O’Grady Reserve.

5.5-2 Precinct objectives

To encourage development along the Nepean Highway Boulevard that is responsive to its role as an entry to the Frankston MAC.

To provide for a range of commercial and residential uses that complement the mixed-use function of the precinct.

To support mid-scale apartment and townhouse development across the precinct.

To provide landscaping and canopy trees [in the landscaped setbacks identified in the map at clause 5.5-1](#) to complement the Nepean Highway Boulevard landscape [and retain existing canopy trees](#).

5.5 Precinct requirements

Table 19 – Building [and street wall height](#)

Sub-precinct	Preferred maximum building height	Preferred maximum street wall height
5A	12.0m (3 storeys) above natural ground level	12.0m (3 storeys) above natural ground level
5B	28.0m (8 storeys) above natural ground level	
5C		
5D	12.0m (3 storeys) above natural ground level	

A permit cannot be granted for buildings or works that are set back less than the minimum requirements specified in Table 20 [and any specified condition must also be met](#).

Table 20 – Mandatory building setbacks

Sub-precinct	Mandatory minimum building setback	Mandatory minimum upper level setbacks above street
5A	<p>Where properties abut Kananook Creek Reserve: Minimum 5.0m from the rear boundary or to a surface level above the 1.7m AHD contour, whichever is greater (Refer Diagram 19).</p> <p>Where properties abut Kananook Creek: Minimum 10.0m from the 1.15m AHD contour (2 year Annual Recurrence Interval) or to a surface level above the 1.7m AHD contour, whichever is greater (Refer Diagram 20).</p> <p>in either case above, the minimum building setback and below the 2.4m AHD contour, there must be no loss of flood storage through impervious enclosure or filling of the area.</p>	None specified.

Sub-precinct	Mandatory minimum building setback	Mandatory minimum upper level setbacks above street
5B	<p>Where properties abut Kananook Creek Reserve: Minimum 5.0m from the rear boundary or to a surface level above the 1.7m AHD contour, whichever is greater (Refer Diagram 19).</p> <p><u>Within the minimum building setback and below the 2.4m AHD contour, there must be no loss of flood storage through impervious enclosure or filling of the area.</u></p>	None specified.

Table 21 – Building setbacks

Sub-precinct	Preferred building setback	Preferred minimum upper level setbacks above street wall
5A	Minimum 5.0m to Nepean Highway. Minimum 3.0m to all other streets.	Where a site abuts Kananook Creek or Kananook Creek Reserve, the second and third levels should be set back 3.0m from the level below. Private open space is permitted within this setback.
5B	<p>Minimum 5.0m to Nepean Highway. 0.0m to Beach Street.</p> <p>Where properties abut Kananook Creek Reserve: Minimum 5.0m from the rear boundary or to a surface level above the 1.7m AHD contour, whichever is greater (Refer Diagram 19).</p>	<p>5.0m upper-level setback <u>from the street wall</u> for development above 12.0m.</p> <p><u>Where a site abuts Kananook Creek Reserve, the second and third levels should be set back 3.0m from the level below. Private open space is permitted within this setback. Upper levels above the third level should be setback a further 5.0m.</u></p>
5C	Minimum 5.0m to Nepean Highway. Minimum 3.0m to all other streets. Minimum 4.5m from the rear boundary to provide for landscaping	<u>5.0m upper-level setback from the street wall for development above 12.0m.</u>
5D	<p><u>0.0m to Kitson Street.</u></p> <p><u>Minimum 5.0m to Nepean Highway.</u></p> <p><u>Minimum 3.0m to all other streets.</u></p> <p><u>Minimum 4.5m from the rear boundary to provide for landscaping.</u></p>	

Diagram 19 –Kananook Creek Reserve setbacks

Panel Note: No changes to exhibited version of Diagram 19.

Diagram 20 –Kananook Creek Reserve setbacks

Panel Note: No changes to exhibited version of Diagram 20.

Table 22 – Solar Access

Street or public space	Location	Preferred minimum solar access to be maintained
Kananook Creek	Eastern edge (Refer Diagram 21).	<p>Between 10am and 2pm on 22 June.</p> <p><u>Between 10am and 2pm on 22</u></p>

Street or public space	Location	Preferred minimum solar access to be maintained
		September
Kananook Creek trail	All.	Between 10am and 2pm on 22 September
Nepean Highway	Eastern and western footpaths south of Fletcher Road to the kerb line.	Between 10am and 2pm on 22 September
Ebdale Street Reserve	All.	Between 10am and 2pm on 22 June.
Beach Street	Entire southern footpath to the kerb line.	Between 10am and 2pm on 22 September
O'Grady Reserve	All.	Between 10am and 2pm on 22 June.

Diagram 21 Kananook Creek

Panel Note: Amend Diagram 21 consistent with the changes to Table 22.

5.5-4 Precinct guidelines

Encourage a mix of residential, retail and commercial uses throughout the Precinct.

[Provide opportunities for engagement with the street through ground level occupation and the presence of habitable rooms and balconies at all levels. Inactive uses, ~~Site non-habitable rooms,~~ such as laundries, garages and bathrooms, \[should be located\]\(#\) away from street-facing facades where practicable.](#)

[Ensure that the internal area of buildings and any basements are designed to be protected from inundation from Kananook Creek in a 1% Annual Exceedance Probability flood event and under a 2100 sea level rise scenario.](#)

Provide landscaping in [landscaped](#) setback areas [as shown in the maps at clause 5.5-1 and as set out in Table 21.](#)

On corner allotments, provide landscaped interfaces to both street frontages. Screen basement or semi-basement parking from the street and Kananook Creek.

At grade car parking areas should be located away from street interfaces and not within front setbacks.

Incorporate landscaping in at grade parking areas to provide for visual amenity and shade.

Landscaping within front setbacks should complement the landscaping within the Nepean Boulevard Road reserve.

Front fencing to Nepean Highway should provide for a level of visual permeability to allow for passive surveillance and views to vegetation.

Prioritise the retention of mature vegetation including large canopy trees.

Where there are a number of trees on the site, prioritise the retention of high value canopy trees over lower value canopy trees.

Design and site buildings at 383-389 Nepean Highway to minimise overshadowing to Evelyn Reserve.

Within Sub-Precinct 5A, site and design development to respect and respond to the sensitive residential, open space and Kananook Creek interface by:

- Maintaining and enhancing the natural landscape character of the creek corridor, in which the topography of the creek and its banks, and a naturalistic corridor of canopy trees, are the dominant features in public views of the creek and its setting.
- Minimising the visual intrusion of new development when viewed from paths, bridge crossings and public open space

- Ensuring that all building elevations, materials, colours and finishes complement Kananook Creek, its landscape and environmental character.
- Providing space between buildings to minimise the visual impact of buildings and allowing views to Kananook Creek and its vegetated corridor.
- Setting development back from the creek edge to protect the landscape, topography and vegetation as the dominant visual elements.
- Ensuring public views of new development are filtered through vegetation and trees.
- Using external materials, visible from Kananook Creek, that complement the landscape setting and be softened with indigenous screen planting where practical.

5.5-5 Any other requirements

None specified.

5.6 Precinct 6 – Cranbourne Road

5.6-1 Precinct map

Panel Note: No change to exhibited version of Precinct map.

5.6-2 Precinct objectives

To encourage built form along Cranbourne Road that is responsive to its role as an entry to the Frankston MAC.

To provide for a range of commercial and residential uses that complement the mixed-use and commercial function of the precinct.

To encourage the use of land for offices along Cranbourne ~~road~~ Road, increased housing densities on upper levels and the integration of health and education uses as part of mixed use development.

To provide landscaping and canopy trees within landscaped setbacks as shown in the map at clause 5.6-1 that contribute to a high amenity entry experience into the Frankston MAC.

5.6-3 Precinct requirements

Table 23 – Building and street wall height

Sub-precinct	Preferred maximum building height	Preferred maximum street wall heights
6A	22.0m (6 storeys) above natural ground level	12.0m (3 storeys) above natural ground level
6B	16.0m (4 storeys) above natural ground level	

Table 24 – Building setbacks

Sub-precinct	Preferred building setback	Preferred minimum upper level setbacks above street wall
6A	Minimum 3.0m to all streets.	5.0m upper-level setback for development above 12.0m
6B	Minimum 4.5m from the rear boundary to provide for landscaping. Side setbacks to provide for visual breaks between buildings and landscaping	

5.6-4 Precinct guidelines

Direct residential and other uses that do not provide an active frontages to upper levels of buildings.

Design front fencing to Cranbourne Road to provide for a level of visual permeability and allow for passive surveillance and views to vegetation.

Encourage the retention of mature vegetation including large canopy trees.

Where there are a number of trees on the site, prioritise the retention of high value canopy trees over lower value canopy trees.

Provide landscaping in [landscaped](#) setback areas [as shown in the map at clause 5.6-1 and as set out in Table 24.](#)

On corner allotments, provide landscaped interfaces to both street frontages.

Buildings should maximise solar access by orientating buildings and associated open space areas to the north, where possible.

[Projections such as architectural elements, balconies and building services should not intrude into side building setbacks.](#)

[Provide vehicle access from Olive Grove, Willis Street, Joy Street and James Street, Catherine Parade, Melvin Street, Allenby Street, Lawrey Street and Clarendon Street rather than from Cranbourne Road where possible.](#)

Screen basement or semi-basement parking from the street.

Locate at grade car parking areas away from street interfaces and not within front setbacks.

Incorporate landscaping in at grade car parking areas to provide for visual amenity and shade.

5.6-5 Any other requirements

None specified.

6.0 Application requirements

The following application requirements apply to an application for a permit under Clause 37.08, in addition to those specified in Clause 37.08 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

General

- A traffic and parking assessment report, prepared by a suitably qualified person justifying the car parking provision, layout and access arrangements for the proposal. The report must also include how the proposal will mitigate detrimental traffic impacts on the capacity and safe and efficient operation of the surrounding street network including laneways.

Buildings and works

- An acoustic assessment of the development, prepared by a suitably qualified person, detailing how noise impacts to residential uses from within the development and from surrounding uses and development including road and rail noise will be mitigated.
- A waste management plan detailing how waste will be dealt with on-site including details relating to how:
 - Food and garden organics, recyclables, glass and residual waste will be stored and disposed of from the site.
 - Waste storage will be consolidated on-site to avoid bins for each individual tenancy particularly in large developments.
 - The development will avoid detrimental impacts to surrounding properties through the collection of waste receptacles.

- Waste management for the development is consistent with Waste Management Guidelines for Multi-Unit Developments (SALT, 2017).
- A 3D digital model of the development and its surrounds that is compatible with Council's software.
- In Precincts 2, 3, 4, 5 and 6 an arboriculture assessment of all vegetation on the site and directly adjoining properties (within 5.0m of the common boundaries) including recommendations to protect vegetation to be retained for both the on-site and adjoining properties, from any detrimental effects of the development and its construction.
- For buildings of 5 or more stories, a wind report by a suitably qualified person detailing how the development mitigates wind impacts from the development and the environment to protect the safety and comfort of building occupants and people in the public realm.
- For development in Precincts 4 and 5, a report prepared by a suitably qualified person on the potential for acid sulfate soils and any management recommendations having regard to:
 - The condition of the soil on the site and the directly abutting area.
 - How the development will mitigate detrimental impacts to any acid sulfate soils.
 - How the development will protect itself from any adverse effects from the soils and ground conditions.
 - How the development accords with the Victorian Coastal Acid Sulfate Soils Strategy 2009.
- For buildings of 4 or more storeys, a reflected glare assessment including:
 - The applied method used for the reflected glare assessment.
 - Any assessment assumptions.
 - Identification of potential observers receiving glare.
 - Review of materials, finishes and reflectors.
 - Assessment of the proposed development's disability and discomfort glare.
 - Mitigation measures for reflected glare.

7.0 Notice and review

None specified.

8.0 Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.08, in addition to those specified in Clause 37.08 and elsewhere in the scheme to use land or construct a building or construct or carry out works which must be considered, as appropriate, by the responsible authority:

- How the proposed development's design, architectural quality, scale, height, materials, mass and visual bulk responds to the requirements and guidelines of this schedule and to the surrounding built form.
- How the development respects the visual and environmental qualities of the Foreshore and Kananook Creek and environs.
- The effect of the development on the amenity of nearby properties and the public realm, particularly in regard to visual impacts, overlooking and overshadowing.
- How the proposal contributes to or improves the pedestrian environment and other areas of the public realm.
- ~~Whether the proposal acceptably mitigates off-site impacts such as visual bulk, overlooking and overshadowing to adjacent land including the public realm, public open space or adjacent residentially zoned properties relative to a compliant scenario.~~
- How potential on and off-site amenity impacts have been mitigated through measures including the design, location and siting of the proposed development.
- Whether the proposal provides housing [for a diversity of housing outcomes](#) ~~diverse household types~~.

- ~~Whether the development provides for affordable housing and its management and maintenance.~~
- ~~Where an application proposes to exceed or vary any of the requirements in this schedule, whether the development meets or provides for as many of the following as possible:~~
 - ~~— The proposal presents, or substantially facilitates an improved architectural outcome.~~
 - ~~— Any shadow cast by additional built form is within or does not significantly exceed the overshadowing requirements for the Precinct.~~
 - ~~— Greater building separation than the minimum requirement in this schedule.~~
 - ~~— Communal or private open space provision that exceeds the minimum standards in Clauses 55.07 and 58.~~
 - ~~— Demonstrable and significant benefits are provided to the wider community.~~

9.0 Signs

None specified.

10.0 Other provisions of the scheme

None specified.

11.0 Reference documents

Frankston Metropolitan Activity Centre Structure Plan (Tract Consultants, 2023).

Consideration of City Planning Reports

ADOPTION OF THE FRANKSTON METROPOLITAN ACTIVITY CENTRE (FMAC) STRUCTURE PLAN (SEPTEMBER 2024) AND CONSIDERATION OF THE PLANNING PANEL REPORT FOR PLANNING SCHEME AMENDMENT C160FRAN

**Amendment C160fran documents - Track change
version of ACZ1, Clause 72.08s and Clause
74.01s**

Meeting Date: 16 September 2024

Attachment: B

Proposed C160fran

SCHEDULE 1 TO CLAUSE 37.08 ACTIVITY CENTRE ZONE

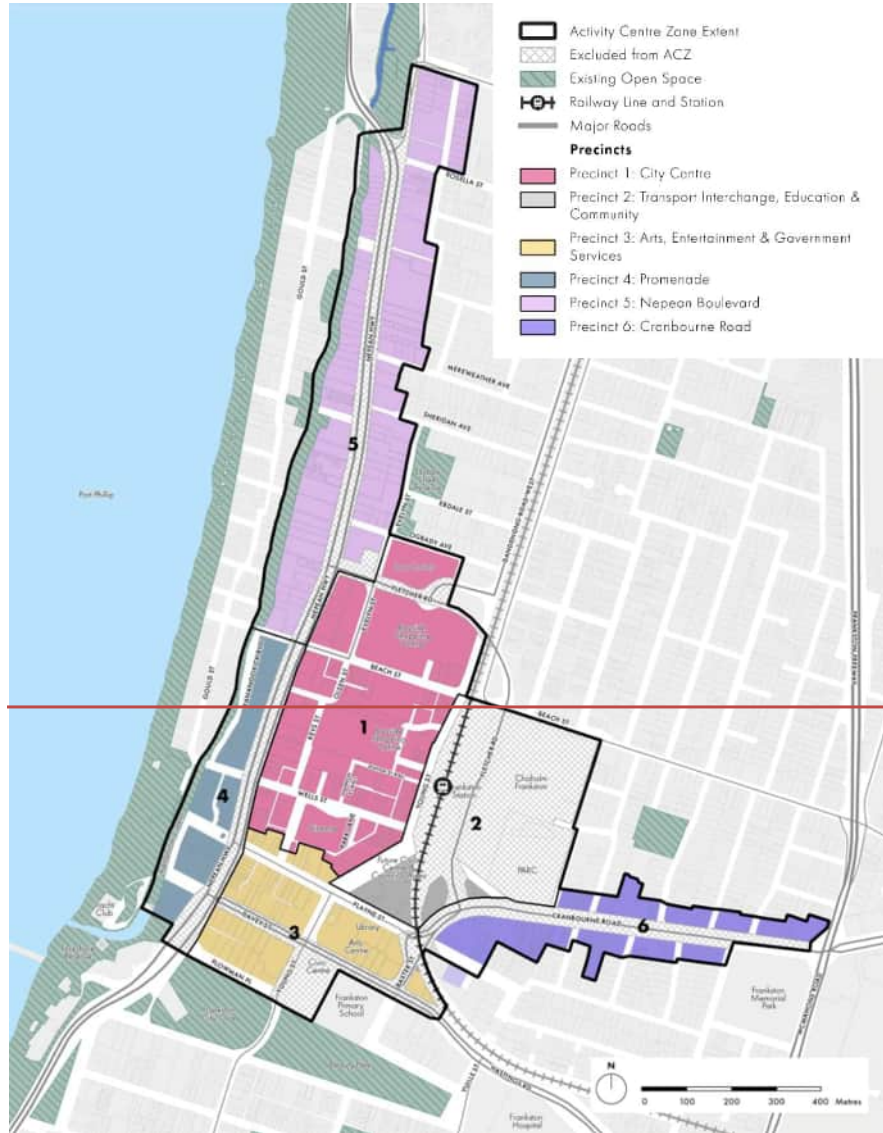
Shown on the planning scheme map as ACZ1.

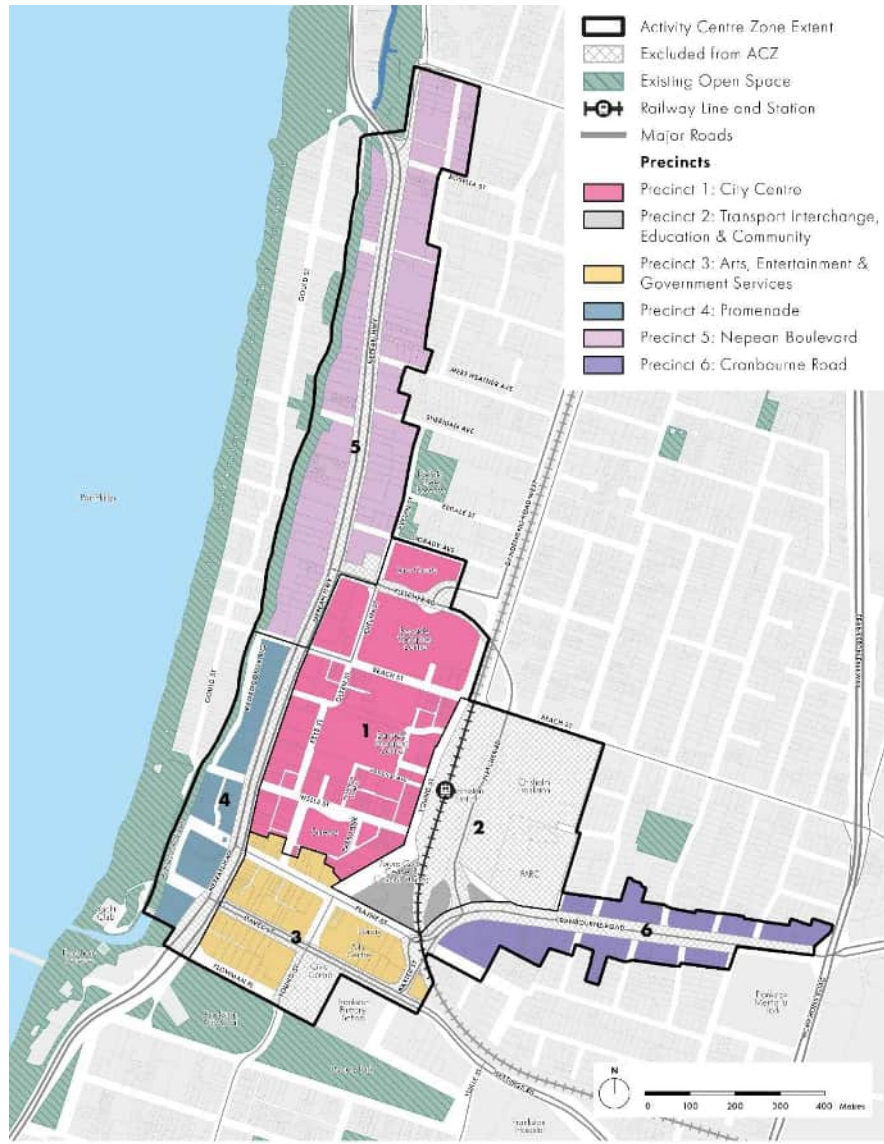
FRANKSTON METROPOLITAN ACTIVITY CENTRE

1.0

Proposed C160fran

Frankston Metropolitan Activity Centre Structure Plan





Land use and development objectives to be achieved

2.0

~~---/---~~
 Proposed C160fran

General

To develop the Frankston Metropolitan Activity Centre (MAC) as the retail, commercial, hospitality, civic, cultural, creative, community and entertainment destination for Melbourne’s south-eastern metropolitan region.

To encourage a diverse range of housing choices that provide for on and off-site amenity at increased densities including affordable housing.

~~To encourage use and development to provide for equitable access to amenity.~~

Development

To facilitate development at a scale that reflects the Frankston MAC’s role as a Metropolitan Activity Centre while responding to the coastal setting and character of Frankston.

To encourage high quality built form that is consistent with the role of the Frankston MAC as a Metropolitan Activity Centre.

To encourage built form that contributes to a safe, engaging, active and attractive public realm and which provides innovative approaches to dealing with potential inundation.

To encourage built form that contributes to human scaled streets.

To ensure development respects sensitive amenity and environmental interfaces including residential interfaces, Kananook Creek and the Frankston Foreshore.

To increase tree canopy cover and landscaping within private and public land across the Frankston MAC.

~~To protect and enhance heritage places.~~

To ensure that development anticipates the impacts of climate change and is resilient to the potential impacts of inundation.

Transport and access

To improve walkability and pedestrian amenity in the Frankston MAC.

To improve connectivity through the Frankston MAC.

To ensure that the location and design of car parks, loading bays, services areas and associated vehicle access promotes active street frontages, does not dominate public spaces and supports safe use and access.

Public realm

To maintain adequate sunlight access to the public realm and public open spaces at key times of the year.

3.0

~~---/---~~
 Proposed C160fran

Table of uses

Section 1 - Permit not required

Use	Condition
Accommodation (other than Camping and caravan park, Corrective institution, and Host farm)	Any frontage at ground floor level must not exceed 2 metres in Precincts 1, 2, 3, 4 & 6.
Art and craft	
Art gallery	

Use	Condition
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Bank	
Cinema	Must be located in Precinct 1.
Cinema based entertainment facility	Must be located in Precinct 1.
Child care centre	Must be located in Precincts 2 or 5.
Education centre (other than Child care centre)	Any frontage at ground floor level must not exceed 2 metres in Precinct 1 or 3.
Exhibition centre (other than Art gallery)	Must be located in Precinct 3.
Food and drink premises	Must not be located in Precinct 5.
Function centre	Any frontage at ground floor level must not exceed 2 metres in Precinct 1. Must not be located in Precincts 4 or 5.
Home based business	
Informal outdoor recreation	
Library	
Office (other than Bank, Real estate agency and Travel agency)	Any frontage at ground floor level must not exceed 2 metres in Precincts 1, 2, 3, 4 & 6.
Place of worship	The gross floor area of all buildings must not exceed 250 square metres. Any frontage at ground floor level must not exceed 2 metres in Precinct 1.
Railway station	
Real estate agency	
Retail premises (other than Food and drink premises, Gambling premises, Market, Motor vehicle, boat or caravan sales, Primary produce sales, Shop and Timber yard)	Must be located in Precinct 1 or 6.
Restricted retail premises	Must be located in Precinct 6.

Use	Condition
Shop (other than Adult sex product shop, Bottle shop, Restricted retail premises and Supermarket)	
Supermarket	Must be located in Precinct 1.
Tramway	
Travel agency	
Any use listed in Clause 62.01	Must meet requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Adult sex product shop	Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone or, land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school. Must be located in Precinct 1.
Bottle shop	Must be located in Precinct or 6.
Brothel	Must be located in Precinct 1. Any frontage at ground floor level must not exceed 2 metres.
Car park	Must be located in Precinct 1, 2 or 3.
Car wash	Must not be located in Precincts 1, 3 or 4.
Dry cleaner	Must be located in Precinct 1 or 6.
Gambling premises	Must be located in Precinct 1.
Market	
Nightclub	Must be located in Precinct 1. Any frontage at ground floor level must not exceed 2 metres.
Place of Assembly (other than Cinema, Cinema based entertainment facility, Drive-in theatre, Exhibition centre, Function centre, Library, Nightclub and Place of worship)	
Research and development centre	Must not be located in Precincts 1 or 3.
Service station	Must not be located in Precincts 1, 3 or 4.

Use	Condition
-----	-----------

Any other use not in Section 1 or 3

Section 3 – Prohibited

Use

Agriculture
Camping and caravan park
Cemetery
Corrective institution
Crematorium
Drive-in theatre
Host farm
Industry (other than Automated collection point, Car wash, Dry cleaner and Research and development centre)
Major sports and recreation facility
Motor racing track
Motor vehicle boat or caravan sales
Primary produce sales
Recreational boat facility
Saleyard Timber yard
Transport terminal (other than Railway station, Bus terminal and Heliport)
Warehouse

4.0 Centre-wide provisions

--/--
Proposed C160fran

4.1 Use of land

--/--
Proposed C160fran

None specified.

4.2 Subdivision

--/--
Proposed C160fran

None specified.

4.3 Buildings and works

--/--
Proposed C160fran

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

Precincts 1, 2, 3, 4 and 6

- Install an automatic teller machine.
- Alter an existing building façade provided:
 - The alteration does not include the installation of an external roller shutter
 - At least 80 per cent of the building façade at ground floor level is maintained as an entry or window with clear glazing.
- Install an awning or canopy that projects over a road if it is authorised by the relevant public land manager.

Precinct 5

- Alter or extend one dwelling on a lot with an area of 300 square metres or greater.
- Construct or extend an out-building (other than a garage or carport) on a lot with an area of less than 300 square metres, provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above natural ground level.

4.4

~~Proposed C160fran~~

Design and development

The following design and development requirements apply to an application to construct a building or construct or carry out works:

General

Encourage the reconfiguration and consolidation of land where necessary to create viable development sites and optimal development of the activity centre.

Avoid the fragmentation of land that would result in sites not achieving the optimal development of the activity centre.

Encourage buildings that contain residential uses to provide a diversity of housing sizes and types including affordable housing.

Active frontages and interface with the public realm

Where **Diagram 1** indicates the provision of Primary Active Frontage Areas, incorporate a minimum of ~~80% per cent~~ windows or entries with clear glazing along the ground level frontage.

Where **Diagram 1** indicates the provision of Secondary Active Frontage Areas, incorporate a minimum of ~~40% per cent~~ windows or entries with clear glazing along the ground level frontage.

Design building interfaces to promote street level activity and surveillance of adjoining streets through activated frontages.

Provide canopies or verandahs on all buildings located in the Primary Active Frontage Areas and Active Frontage Areas.

Canopies or verandahs should be at an appropriate height above the footpath and sufficiently set back from the kerb to avoid damage from large vehicles while still providing effective weather protection, between 3.0m and 4.0m above the footpath level and 750mm from the kerb, and generally consistent with adjoining sites.

Design buildings to mitigate wind impacts to the public realm and building occupants including through ~~providing measures to achieve suitable wind conditions around buildings.~~

- ~~• Orientating buildings to reduce the speed and volume of downdraughts. Providing upper level setbacks that mitigate downdraughts.~~
- ~~• Providing recessed and rounded corners to~~

~~reduce wind speeds around buildings.~~

- ~~• Incorporating solid awnings and overhang shading to reduce the downdraught impacts on the ground.~~
- ~~• Incorporating hedges and trees to mitigate horizontal wind acceleration at ground and elevated levels.~~
- ~~• Providing impermeable Balustrades to reduce direct exposure to winds for building occupants.~~
- ~~• Using a combination of a balustrading and natural landscaping on larger garden terraces to mitigate wind impacts.~~
- ~~• Incorporating inset balconies or winter gardens within buildings to maximise comfort for occupants.~~

Use materials in street wall levels that are tactile and visually interesting to reinforce the human scale.

Break up long expanses of floor to ceiling glazing within the street wall levels with a mixture of materials.

Avoid presenting blank walls to the public realm.

Within street wall levels above ground floor, design balconies to be embedded so that the street wall remains consistent while still supporting surveillance of the streets and adjoining public spaces.

Design upper levels of buildings, above the street wall, to provide habitable rooms or spaces with windows or balconies that overlook the public realm.

Design buildings on corner sites to actively address both frontages at all levels.

Design and site building entries to:

- Directly front the street.
- Be clearly defined and legible from the public realm.
- Be accessible for all abilities.
- Be safe for all users by being well lit, highly visible and avoiding concealed spaces.

In mixed use buildings, design residential entries to distinguish them from retail or commercial entries.

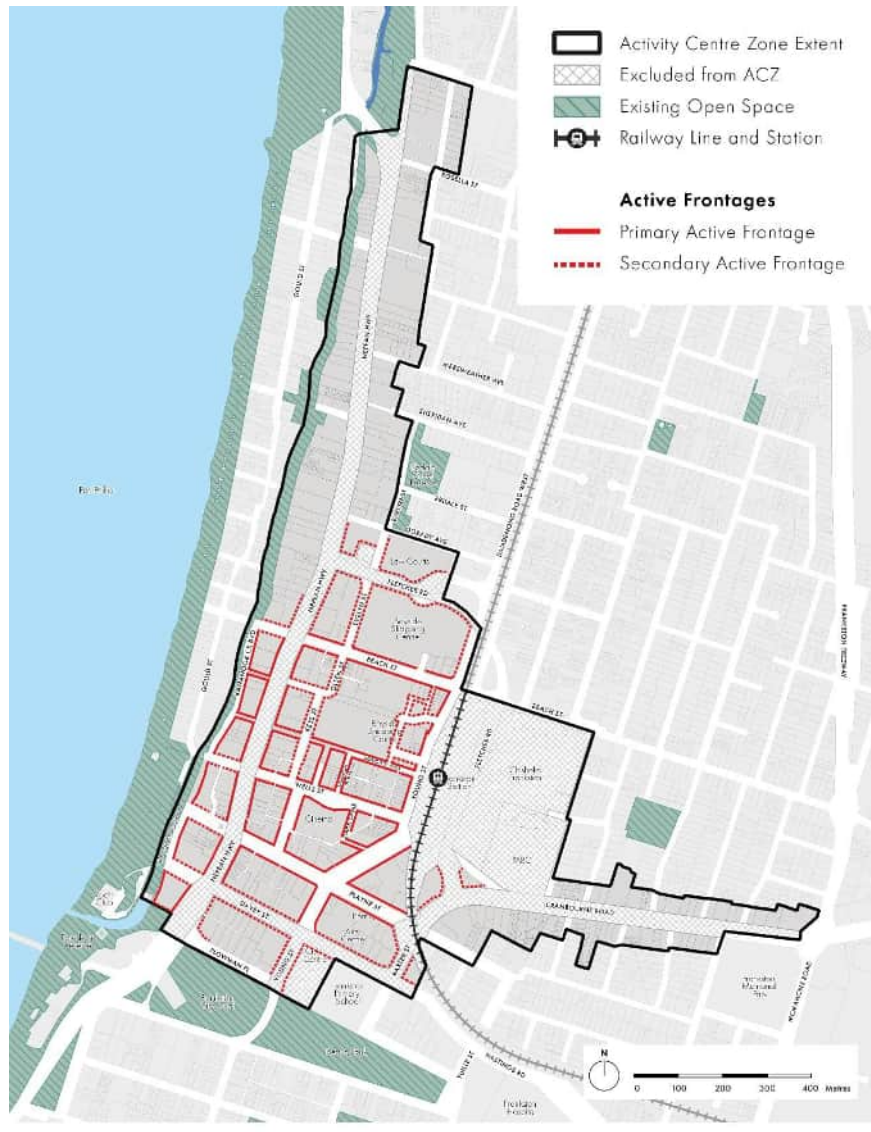
Encourage the provision of art, including sculptures, murals or similar, in areas that interface with the public realm.

Encourage buildings in areas subject to inundation to keep internal finished floor levels above the flood level and to provide any transition to ground level setbacks internally to the building where practicable.

Pedestrian Links should be either open to the sky or enable views of the sky.

Diagram 1 - Active Frontages





Sustainable and adaptive use

Design buildings to support a high level of internal amenity and adaptation over time, including by providing minimum floor to floor heights in accordance with the requirements in Table 1.

Table 1– Floor to floor heights

Precinct	Preferred minimum floor to floor heights at ground level	Preferred minimum floor to floor heights above ground level to street wall height	Preferred minimum floor to floor heights above street wall height
1, 2, 3, 4 & 6	4.0m for all uses	3.5m for all uses	3.5m for non-residential uses
5	4.0m for non-residential uses	3.5m for non-residential uses	3.2m for residential
	3.2m for residential uses	3.2m for residential uses	

Provide basement car parking wherever possible.

Where the provision of basement car parking is not possible due to site or environmental constraints, and parking needs to be provided above ground in the street wall levels, design the levels to meet the requirements for non-residential uses in accordance with the requirements in Table 1.

Sleeve parking provided in street wall levels with active uses.

Avoid providing car parking above street wall levels.

Side and rear setbacks and building separation

Unless otherwise indicated in the Precinct requirements walls are to be built to the side boundaries up to the street wall height.

Where development shares a common boundary with an adjoining site and no setbacks are identified in the specific Precinct requirements, provide side and rear setbacks above the street wall height in accordance with the requirements set out in Table 2 and illustrated in Diagram 2.

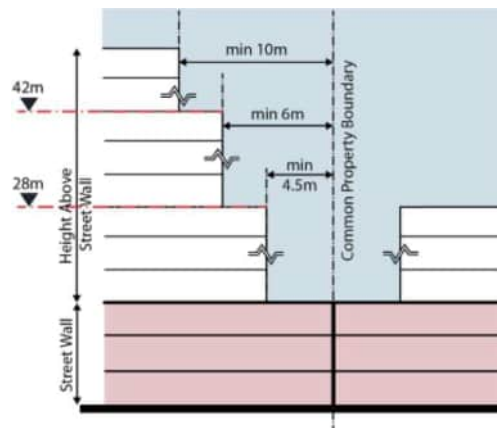
Where sites are separated by a laneway which is not shown as a pedestrian link, apply side and rear setbacks above the street wall height from the centre of the laneway or a minimum setback above the street wall height of 3.0m, whichever is greater.

~~The setbacks detailed in Table 2 also apply to development w~~Where there are multiple towers within the site, ~~and should be applied between~~provide tower separation elements as well as from ~~side and rear boundaries~~in accordance with the requirement in Table 2.

Table 2 - Side and rear setbacks above street wall height

Building height	Preferred minimum side and rear setback above the street wall height	Preferred minimum tower separation within a site above the street wall height
Up to 28.0m	4.5m	9.0m
Above 28.0m up to 42.0m	6.0m	12.0m
Above 42.0m	10.0m	20.0m

Diagram 2 – Side and rear setbacks above street wall height



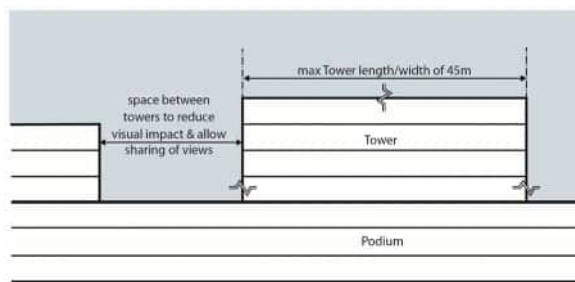
Ensure that sufficient setbacks are provided as needed to allow for vehicle access, car parking and servicing.

Design of tower elements

Design buildings with a maximum tower length/width of 45 metres to reduce visual impact and allow for sharing of views. Refer to **Diagram 3**.

Where buildings include a tower component articulate all facades of the tower.

Diagram 3 – Length/width of tower elements



Building design and layout

Design buildings to incorporate a coastal aesthetic through measures including architectural detail and articulation, and the use of materials, textures and finishes

- ~~Building forms that take cues from the coastal landscape.~~
- ~~Light, natural materials and textures~~ that complement the coastal landscape.
- ~~Landscaping that integrates with the surrounding coastal landscape.~~

Articulate building facades through the design of openings, balconies, varied materials, recessed and projected elements, and revealing structural elements, instead of relying on excessive use of materials.

Projections such as balconies, building services and architectural features should not intrude into upper level front, side and rear setbacks above the street wall height.

Minimise ~~Address~~ the visual impact of large buildings through significant breaks and recesses in building massing.

Provide consistent street, side and rear setbacks for the majority of the upper levels above the street wall height to avoid repetitive stepped elements.

Design buildings to create an interesting and varied skyline.

Buildings should be built or clad with high quality, robust materials that do not generate reflected disability or discomfort glare, and can withstand the effects of weathering.

Site, design, layout and construct buildings to include acoustic attenuation measures to ~~reduce-~~manage noise levels from on and off-site noise sources.

Site, design, layout and construct dwellings within buildings to minimise noise transmission within the site and to adjoining sites.

Avoid relying on excessive screening to prevent overlooking.

Articulate walls on boundaries that will eventually be built out with measures such as the use of art, pre-cast patterned concrete or similar.

Heritage Places

~~Development on land within or adjoining the Heritage Overlay should:-~~

- ~~▪ Not dominate the heritage building and streetscape.~~
- ~~▪ Use materials and finishes with textures and colours that allow them to appear visually recessive from heritage buildings and fabric.~~
- ~~▪ Incorporate simple architectural detailing that does not detract from the heritage buildings and streetscape.~~

Access and services

Rooftop services may exceed the maximum building height provided they are:

- No more than 3.6 metres above the maximum building height.
- Stepped back on all sides no less than 3 metres from the edge of the building.
- Screened from view.

Provide vehicle access to loading and waste areas, services and car parking from laneways and secondary streets and locate these areas away from streets and public spaces or within basements or upper levels. Access doors should be designed as an integrated element of the building.

Where vehicle access cannot be provided from laneways and secondary streets, access points should be minimised to reduce disruption to the footpaths and on-street car parking and located to avoid street trees.

Integrate and design services and utilities in such a way that they blend with the overall design of the development.

Avoid or ~~,if it cannot be avoided,~~ minimise building utilities and services at ground floor street frontages to prioritise active frontages ~~at these locations.~~

~~Screen air conditioning~~ Ensure all services, antennas and other utilities located on balconies, such as air conditioning units, are screened from public view ~~using balcony treatments, roof structures and the like instead of walls.~~

Landscaping, landscaped setbacks and open space

Where landscaped setbacks are specified in Precinct requirements:

- Provide integrated, well designed soft landscaping throughout within sites particularly in ground floor to reduce the impact of urban heat island effect, provide increased biodiversity and habitat and contribute to a strong, visually engaging ~~setbacks to provide amenity and attractiveness and contribute~~ landscape character maximizing the use of ground level setbacks ~~to local character and sense of place.~~
- Incorporate landscaping areas that comprise a minimum of 60 per cent of the total front setback area.
- Maximise deep soil planting areas in front and rear setbacks to incorporate canopy trees.
- Avoid projections such as balconies and building services into the landscaped setbacks.

Encourage the use of green roofs, walls and balconies to ~~provide additional landscaping and soften the further~~ contribute to a visually engaging ~~impact of buildings particularly in areas that where ground level landscaping would be difficult to accommodate~~ character and reduce the impact of urban heat island effect.

Encourage planting themes that use a minimum of 40 per cent indigenous and 40 per cent native species to respect the coastal character of the local area.

Encourage the provision of communal garden spaces at podium and rooftop levels to create amenity for residents, workers and visitors.

5.0 Precinct provisions

Proposed C160fran

5.1 Precinct 1 – City Centre

5.1-1 Precinct map



5.1-2 Precinct objectives

To maintain the City Centre as the focus for retail, dining and entertainment uses across the day and night.

To support residential, office, accommodation and other uses on upper levels of buildings.

To encourage built form outcomes that reflect the role of the City Centre and maintain a pedestrian scale at street level with taller building elements set above and behind.

To maintain and enhance the fine-grain rhythm of shopfronts across the City Centre streets.

To improve walkability and pedestrian amenity in the City Centre and connections between the City Centre and the Promenade.

5.1-3 Precinct requirements

Table 3 – Building and street wall height

Sub-precinct	Preferred maximum building height	Preferred maximum street wall height
1A	54.0m (16 storeys) above natural ground level.	All streets and all laneways 12.0m (3 storeys) other than to Shannon Mall and Station Street Mall where the street wall height is 8.0m (2 storeys). Where a building is on a corner, apply the street wall height as shown on the Precinct <u>Plan map</u> at 5.1-1.
1B	48.0m (14 storeys) above natural ground level.	
1C	41.0m (12 storeys) above natural ground level.	
1D	35.0m (10 storeys) above natural ground level.	
1E	16.0m (4 storeys) above natural ground level.	
1F	22.0m (6 storeys) above natural ground level.	

Table 4 – Building setbacks

Sub-precinct	Preferred building setback	Preferred minimum upper level setbacks above street wall height
1A	0.0m to all streets.	5.0m upper level setback from the street wall.
1B		5.3.0m upper level setback from a street wall where the street wall abuts a pedestrian link.
1C		
1D		
1E		
1F	Minimum 3.0m to all streets for the provision of landscaping.	

Table 5 – Pedestrian links

Sub-precinct	Property	Preferred minimum width
1B	122-124 Young Street	6.0m
1C	431 Nepean Highway	3.4m from southern boundary.
	19 Keys Street	5.6m from northern boundary.

Sub-precinct	Property	Preferred minimum width
	12 Balmoral Walk	12.3m from northern boundary for the continuation of the Shannon Street Mall. 9.5m to align with the Station Street Mall.
	76 Young Street	6.0m to align with Stiebel Place.

Table 6 – Solar Access

Street or public space	Location	Preferred minimum solar access to be maintained
Nepean Highway	Western footpath for a depth of 7.0 metres from the property boundaries on the west side of the Highway (Refer to Diagram 4).	Between 10am and 2pm on 22 September.
Wells Street	Entire southern footpath to the kerb line.	
Beach Street	Entire southern footpath to the kerb line.	
Thompson Street	Entire eastern and western footpaths to the kerb line.	
Young Street	Entire eastern footpath to the kerb line.	
City Park	All (Refer to Diagram 5).	Between 10am and 1pm on 22 June.
Shannon Mall	All (Refer to Diagram 6).	No additional shadow beyond what would be cast by an 8.0m (2 storey) street wall between 10am and 1pm on 22 September.
Station Street Mall	All (Refer to Diagram 6).	No additional shadow beyond what would be cast by an 8.0m (2 storey) street wall at 10am on 22 September.
White Street Mall	All (Refer to Diagram 7).	No additional shadow beyond what would be cast by a 12.0m (3 storey) street wall between 10am and 1pm on 22 September.

Diagram 4 Nepean Highway

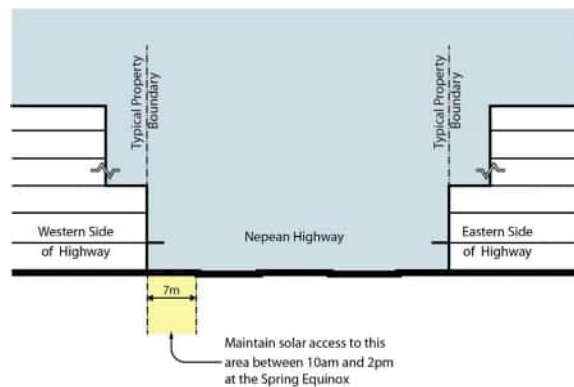


Diagram 5 City Park



Diagram 6 Shannon and Station Street Malls

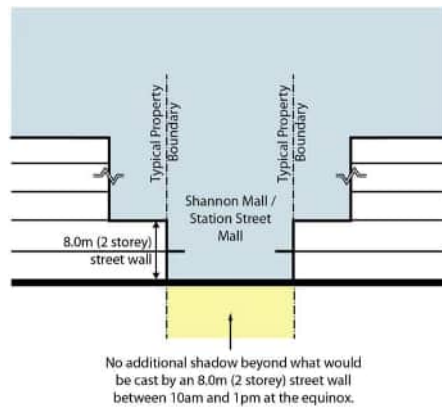
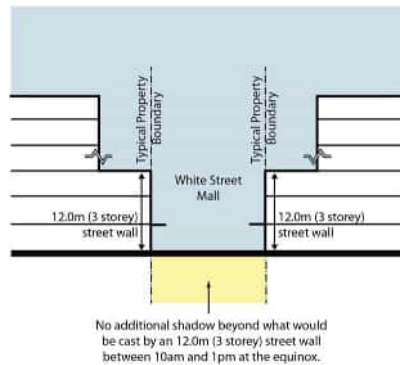


Diagram 7 White Street Mall



5.1-4 Precinct guidelines

Direct uses that do not provide active frontages to upper levels of buildings.

~~Provide narrower tenancies. Design buildings to reinforce the pedestrian scale of the Precinct and to respect the existing with fine grain building articulation regardless of tenancy size nature of the streetscapes.~~

Address laneways with active uses at ground level where practicable and provide surveillance of laneways from upper levels of development.

~~Provide landscaping in the front setback areas on the north side of Fletcher Road, the east side of Evelyn Street, the south side of O'Grady Avenue and east side of Home Street.~~

Encourage the consolidation of Bayside Shopping Centre car parks and loading areas to surrounding streets to enhance the pedestrian environment.

5.1-5 Any other requirements

None specified.

~~Condition on permits for pedestrian links and laneways~~

~~Where a new pedestrian link or laneway is proposed on the land, and the pedestrian link or laneway is not funded through a Development Contributions Plan, a permit granted to construct a building or to construct or carry out works must include a condition requiring the following:~~

- ~~• An agreement under section 173 of the Act must be entered into between the landowner and the responsible authority that provides for the following:
 - ~~— Construction of the new pedestrian link or laneway to the satisfaction of the responsible authority and the relevant road management authority.~~
 - ~~— Transfer of the new pedestrian link or laneway to, or vesting in the relevant road authority as a public road at no cost to the relevant road authority. This does not apply to a new pedestrian link or laneway that is agreed to be retained in private ownership to the satisfaction of the responsible authority.~~~~

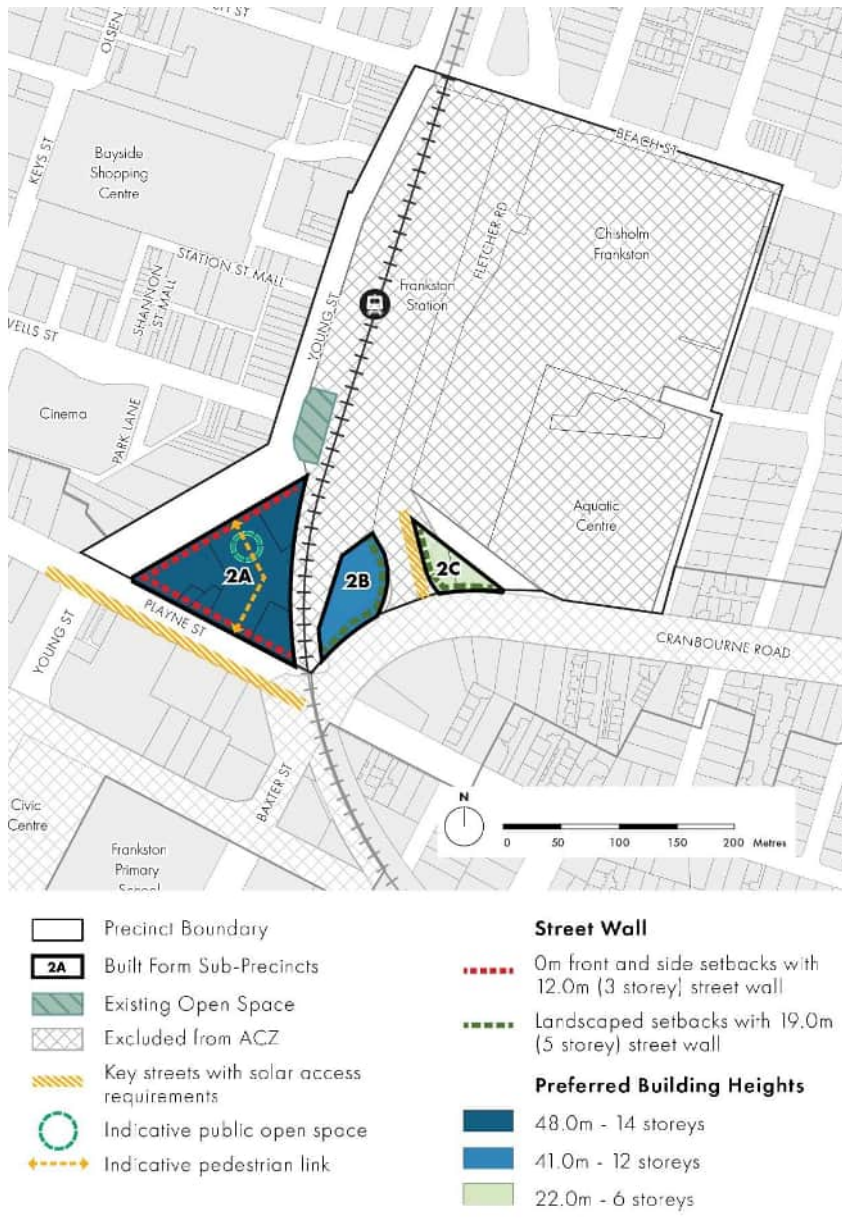
~~This condition is not required in relation to a pedestrian link or laneway marked indicative.~~

5.2 Precinct 2 – Transport Interchange, Community & Education

5.2-1 Precinct map



- | | |
|--|--|
| Precinct Boundary | Street Wall |
| Built Form Sub-Precincts | 0m front and side setbacks with 12.0m (3 storey) street wall |
| Existing Open Space | Landscaped setbacks with 19.0m (5 storey) street wall |
| Excluded from ACZ | Preferred Building Heights |
| Key streets with solar access requirements | 48.0m - 14 storeys |
| Indicative public open space | 41.0m - 12 storeys |
| Indicative pedestrian link | 22.0m - 6 storeys |



5.2-2 Precinct objectives

To create an active, safe and attractive precinct that welcomes people to a place for business, education, retail, hospitality, community and institutional uses, offices and housing.

To provide a built form including landscaping and canopy trees within landscaped setbacks as shown on the map at clause 5.2-1 that contributes to a high amenity entry experience into the City Centre.

To contribute to the significance of adjacent Precincts 1 and 3 by delivering high quality, activated streetscapes that encourage pedestrian engagement.

5.2-3 Precinct requirements

Table 7 – Building and street wall height

Sub-precinct	Preferred maximum building height	Preferred maximum street wall height
2A	48.0m (14 storeys) above natural ground level.	12.0m (3 storeys).
2B	41.0m (12 storeys) above natural ground level.	19.0m (5 storeys).
2C	22.0m (6 storeys) above natural ground level.	19.0m (5 storeys).

Table 8 – Building setbacks

Sub-precinct	Preferred building setback	Preferred minimum upper level setback above the street wall height
2A	0.0m to all streets.	5.0m upper level setback from the street wall.
2B	Minimum 3.0 metres to all streets to provide for landscaping and the retention of existing canopy trees.	
2C		

Table 9 – Solar Access

Street or public space	Location	Preferred minimum solar access to be maintained
Playne Street	Entire Southern footpath to the kerb line a depth of <u>5.0m from the property boundaries on the south side of the street.</u>	Between 10am and 2pm on 22 September.
Fletcher Road	Entire eastern footpath to the kerb line.	
Young Street	Entire western footpath to the kerb line.	

5.2-4 Precinct guidelines

Provide landscaping in ~~street~~ areas identified as landscaped setbacks to Fletcher Road and Cranbourne Road.

Seek to retain existing canopy trees where practical.

Provide active frontages to open spaces and pedestrian links to create safe and vibrant places ~~in the Precinct.~~

Encourage the provision of new public open space on 79R-83R Young Street as part of its redevelopment.

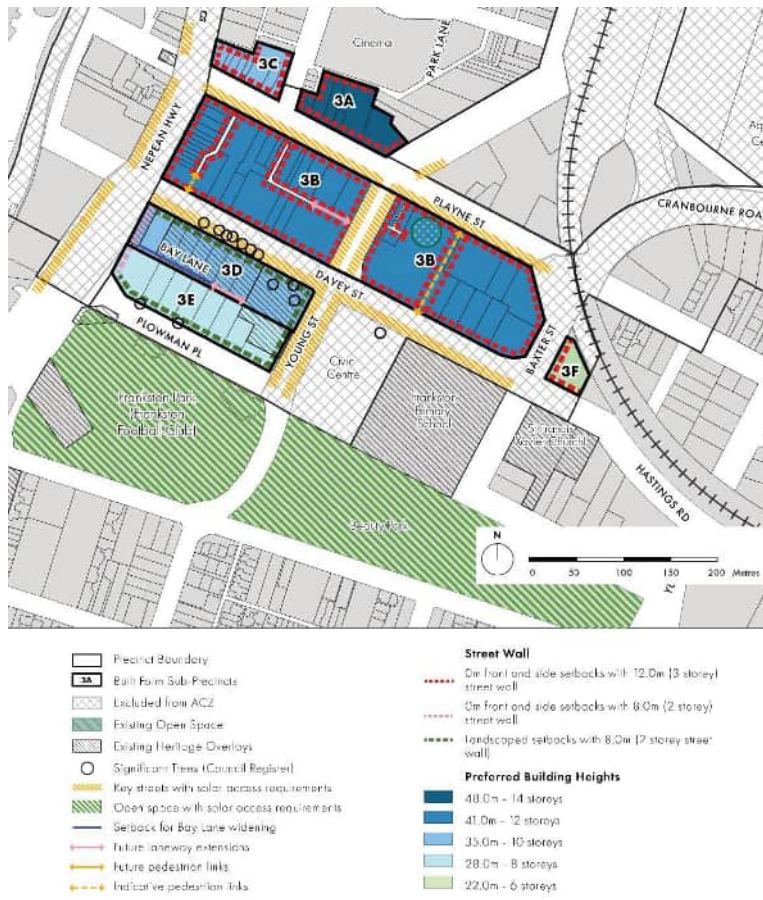
5.2-5 Any other requirements

None Specified.

5.3 Precinct 3 – Arts, Entertainment and Government Services

5.3-1 Precinct map





5.3-2 Precinct objectives

To activate Playne Street with retail, restaurants, cafes, arts and entertainment uses during the day and night and provide for employment, community, government services and residential uses along Davey Street and Plowman Place.

To provide accommodation and office uses on upper levels of buildings across the precinct.

To ensure the impact of built form on adjoining ~~protect and enhance~~ heritage places on Davey Street and ensure built form south of Davey Street is not visually dominant is appropriate when viewed from surrounding areas.

To provide a built form including landscaping and canopy trees within landscaped setbacks as shown on the map at clause 5.3-1, that contribute to a high amenity entry experience into the Frankston MAC.

To increase connectivity within the precinct.

5.3-3 Precinct requirements

Table 10 - Building and street wall height

Sub-precinct	Preferred maximum building height	Preferred maximum street wall height
3A	48.0m (14 storeys) above natural ground level.	12.0m (3 storeys) above natural ground level.
3B	41.0m (12 storeys) above natural ground level.	
3C	35.0m (10 storeys) above natural ground level.	
3D	35.0m (10 storeys) above natural ground level.	8.0m (2 storeys) above natural ground level.
3E	28.0m (8 storeys) above natural ground level.	
3F	22.0m (6 storeys) above natural ground level.	12.0m (3 storeys) above natural ground level.

Table 11 - Building setbacks

Sub-precinct	Preferred building setbacks	Preferred minimum upper level setbacks above street wall height
3A	0.0m to all streets.	5.0m upper level setback from the street wall.
3B		
3C		
3D	0.0m to Nepean Highway. Minimum 4.0m to Young Street. Minimum 7.0m to Davey Street to respect heritage places. Additional setbacks to protect significant trees as needed.	
3E	0.0m to Nepean Highway. Minimum 4.0m to Young Street and Plowman Place. Additional setbacks to protect significant trees as needed.	
3F	0.0m to all streets.	

Table 12 – Laneway widening and extensions

Sub-precinct	Property	Minimum width
3B	15-17 Davey Street 170R Young Street	3.0m to align with Arthurs Lane.
3D	<u>6 Davey Street</u>	<u>2.0m from rear boundary to widen Bay Lane.</u>
	6-8, 10, 12, 14 Davey Street	3.0m <u>4.5m</u> from rear boundary to widen Bay Lane.
	16, 18 Davey Street	6.0 <u>7.5m</u> from rear boundary to align with Bay Lane.

Table 13 - Solar Access

Street or public space	Location	Preferred minimum solar access to be maintained
Nepean Highway	Western footpath for a depth of 7.0 metres from the property boundaries on the west side of the Highway (Refer Diagram 4).	Between 10am and 2pm on 22 September.
Playne Street	Entire southern Southern footpath to a depth of 5.0m from the property boundaries on the south side of the street the kerb line.	
Davey Street	Entire southern footpath to the kerb line including the nature strip and Norfolk Island Pines.	
Young Street	Entire eastern and western footpaths to the kerb line.	
Beauty Park	Beyond the northern edge of the existing shared path to the kerb line (Refer Diagram 8).	Between 10am and 2pm on 22 June.
Frankston Oval	Beyond a distance of 30m from the northern property boundary (Refer Diagram 9).	

Diagram 8 Beauty Park

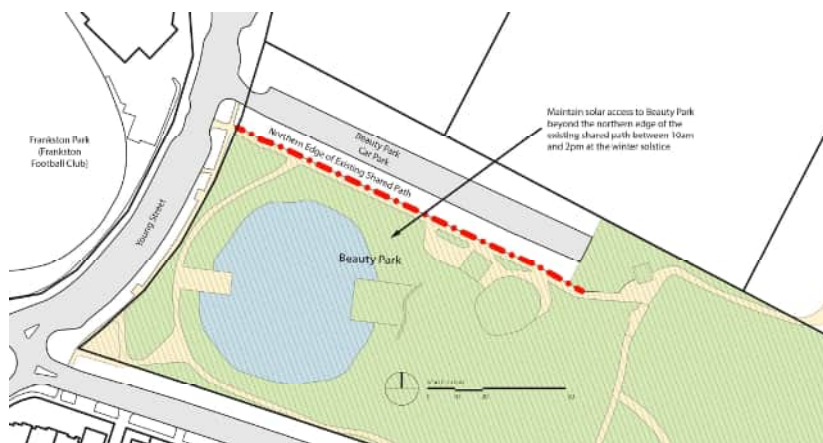
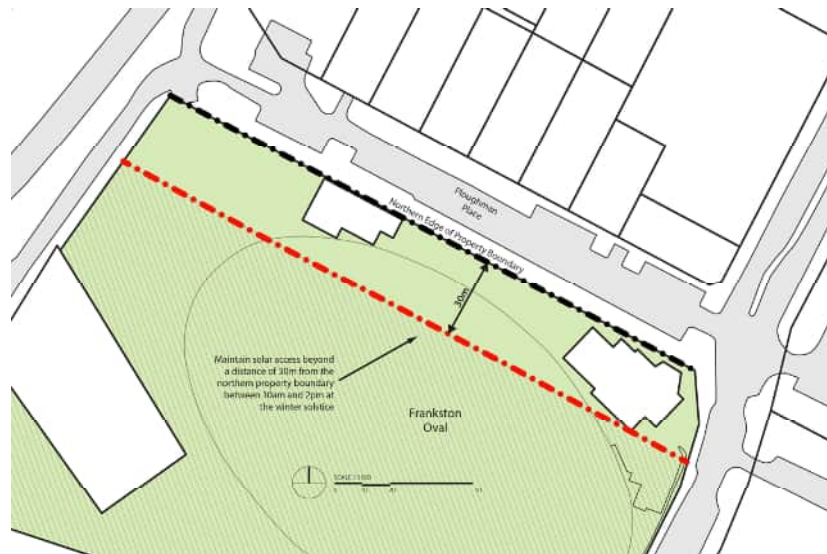


Diagram 9 Frankston Oval



5.3-4 Precinct guidelines

Design buildings to respond to the topography and provide accessible ground levels from each street frontage.

Provide the appearance of narrower tenancies to Playne Street, Nepean Highway and Young Street to maintain the existing fine grain nature of the streetscapes.

Provide for wider tenancies along Davey Street to suit a variety of business uses.

Address laneways with active uses at ground level where possible and incorporate high quality finishes for all services. ~~provide~~

~~Provide surveillance of laneways from upper levels of development.~~

Encourage development on land adjoining the Heritage Overlay that:

- Does not dominate the adjoining heritage place.
- Uses materials and finishes with textures and colours that allow development to appear visually recessive from heritage places on adjoining sites.
- Incorporates simple architectural detailing that does not detract from the adjoining heritage places.

Incorporate canopy trees and complimentary coastal landscaping in setbacks along Davey Street.

~~Avoid privacy fencing to~~ Retain and reinforce low, visually permeable fencing to the southern side of Davey Street.

Development should be designed to integrate identified Significant Trees through appropriate setbacks, building recesses and courtyard spaces.

Ensure development is designed to protect existing trees through the provision of setbacks, tree protection measures and the like.

Where properties have frontages to both Playne Street and Davey Street, provide vehicle access from Davey Street rather than Playne Street where possible.

Where properties abut Bay Lane, provide vehicle access from the lane.

Provide landscaped front setbacks south of Davey Street to provide a built form transition into the adjoining residential areas.

5.3-5

Any other requirements

None specified.

~~**Condition on permits for pedestrian links and laneways**~~

~~Where a new pedestrian link or laneway is proposed on the land, and the pedestrian link or laneway is not funded through a Development Contributions Plan, a permit granted to construct a building or to construct or carry out works must include a condition requiring the following:~~

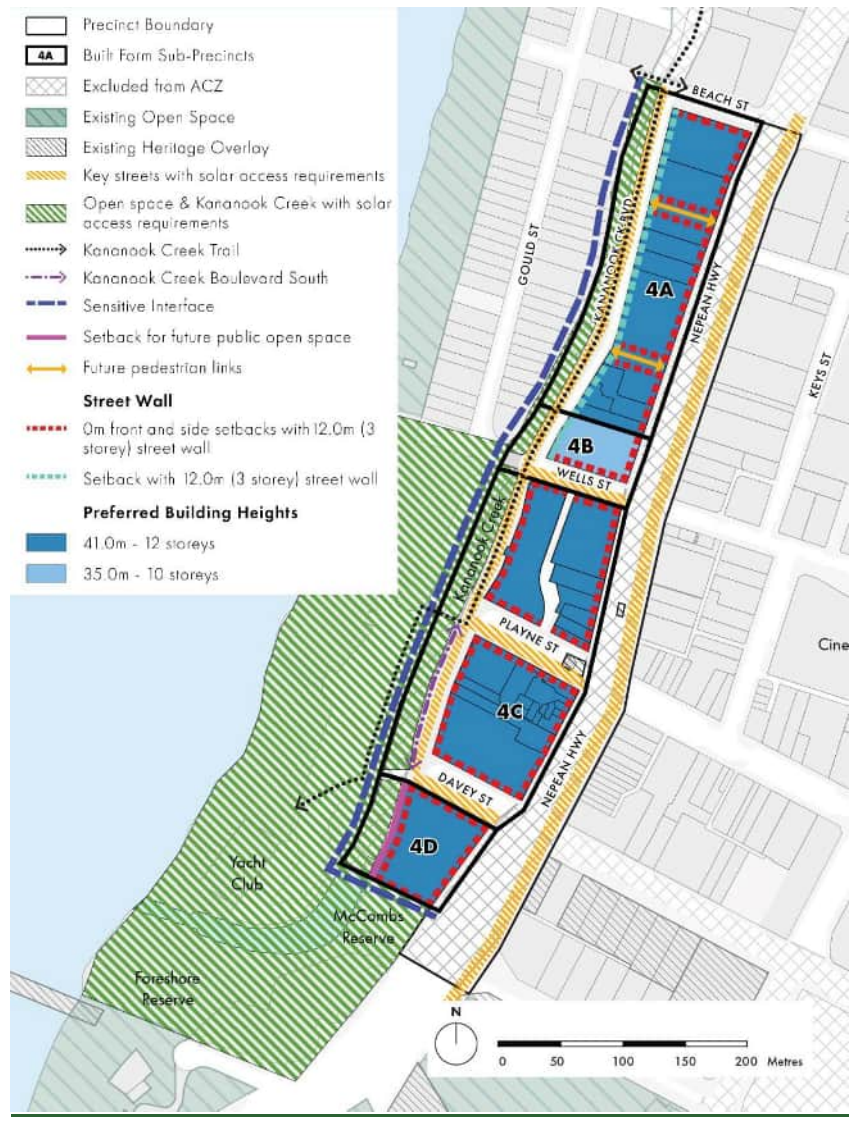
- ~~▪ An agreement under section 173 of the Act must be entered into between the landowner and the responsible authority that provides for the following:
 - ~~— Construction of the new pedestrian link or laneway to the satisfaction of the responsible authority and the relevant road management authority.~~
 - ~~— Transfer of the new pedestrian link or laneway to, or vesting in the relevant road authority as a public road at no cost to the relevant road authority. This does not apply to a new pedestrian link or laneway that is agreed to be retained in private ownership to the satisfaction of the responsible authority.~~~~

~~This condition is not required in relation to a pedestrian link or laneway marked indicative.~~

5.4 Precinct 4 – Promenade

5.4-1 Precinct map





5.4-2 Precinct objectives

To encourage built form along Nepean Highway that is responsive to its role as a green boulevard and supports outdoor dining and social interaction. ~~gateway to the Frankston MAC.~~

To activate Kananook Creek, Nepean Highway, Beach Street, Wells Street, Playne Street and Davey Street with retail, restaurants, cafes, arts and entertainment uses across the day and night and increase connectivity between the Promenade and the City Centre.

To support residential and office uses on upper levels of buildings.

To encourage built form that creates a high quality backdrop when viewed from the foreshore reserve and Kananook Creek.

To ~~minimise~~ address the ~~potential~~ visual dominance of development when viewed from the foreshore reserve and Gould Street residences.

5.4-3

Precinct requirements Table 14 - Building and street wall height

Sub-precinct	Preferred maximum building height	Preferred maximum street wall height
4A	41.0m (12 storeys) above natural ground level.	12.0m (3 storeys) above natural ground level.
4B	35.0m (10 storeys) above natural ground level.	
4C	41.0m (12 storeys) above natural ground level.	
4D		

A permit cannot be granted for buildings or works that are set back less than the minimum requirements specified in Table 15.

Table 15 - Mandatory building setbacks

Sub-precinct	Mandatory minimum building setbacks	Mandatory minimum upper level setbacks above street wall height
4A	3.0m <u>setback of the street wall of the building</u> to Kananook Creek Boulevard between Wells and Beach Streets to provide for outdoor dining or other active space.	None specified.
4B		
4D	9.0m to western boundary of 510 Nepean Highway for the continuation of Kananook Creek Promenade.	

Table 16 - Pedestrian links

Sub-precinct	Property	Preferred minimum width
4A	446 Nepean Highway	4.5m from northern boundary.
	438 – 444 Nepean Highway	4.5m from southern boundary.
	432 Nepean Highway	4.5m from northern boundary.
	428 Nepean Highway	4.5m from southern boundary.

Table 17 - Building setbacks

Sub-precinct	Preferred building setbacks	Preferred building upper level setbacks
All precincts	0.0m to all streets and Kananook Creek Promenade other than Kananook Creek Boulevard between Beach and Wells Street.	10.0m from the mandatory building street wall setback to Kananook Creek Promenade and Boulevard <u>to contribute to a recessive tower form when viewed from the west.</u> 5.0m upper level setback from the street wall to Beach Street, Wells Street, Playne Street, Davey Street and Nepean Highway.
4A		Development above 35m (10 storeys) should be set back so it has minimal visibility that it is recessive from the tower form when viewed from the opposite Gould Street properties. The level assessment of visibility should be measured from a distance of 10.0m from the rear boundary of the Gould Street properties. Refer to Diagram 10 . 5.0m 3.0m upper level setback from a street wall where the street wall abuts a pedestrian link.
4B		Development above 35m (10 storeys) should be set back so that it is recessive from the tower form when viewed it has minimal visibility from the opposite Gould Street properties. The level assessment of visibility should be measured from a distance of 10.0m from the rear boundary of the Gould Street properties. Refer to Diagram 10 .
4C		Development above 35m (10 storeys) should be set back so it is recessive from the tower form it has minimal visibility from the Kananook Creek Trail within the foreshore reserve opposite. Refer to Diagram 11 .
4D		10.0m setback above the street wall height to McCombs Reserve interface. Development above 35m (10 storeys) should be set back so it has minimal visibility is recessive from the tower form from the Kananook Creek Trail within the foreshore reserve opposite. Refer to Diagram 12 .

Diagram 10 Upper level setbacks from Gould Street properties Precinct 4A and 4B

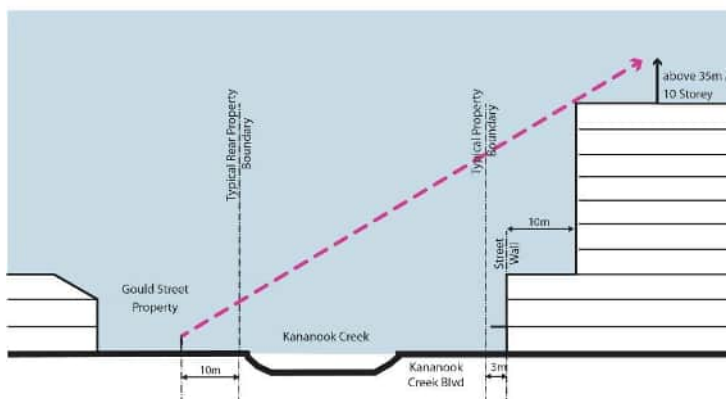
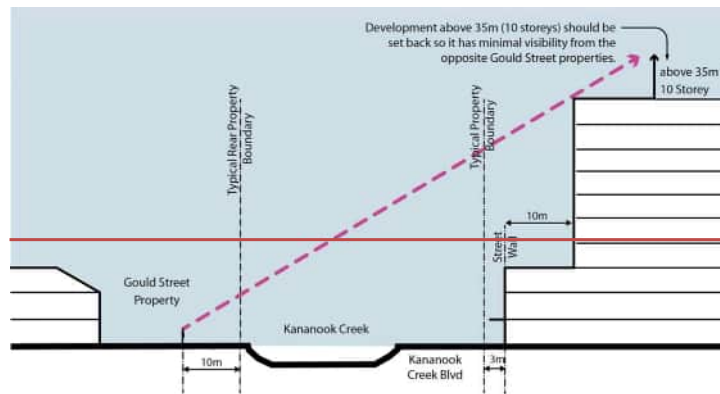
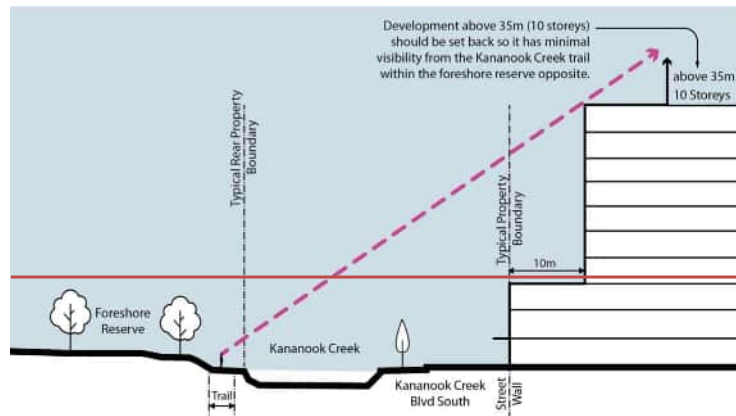


Diagram 11 Upper level setbacks from Kananook Creek trail and foreshore Precinct 4C



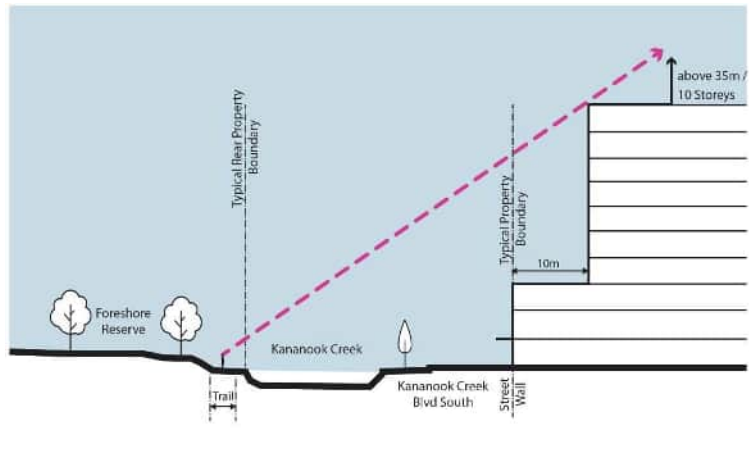


Diagram 12 Upper level setbacks from Kananook Creek trail and foreshore Precinct 4D

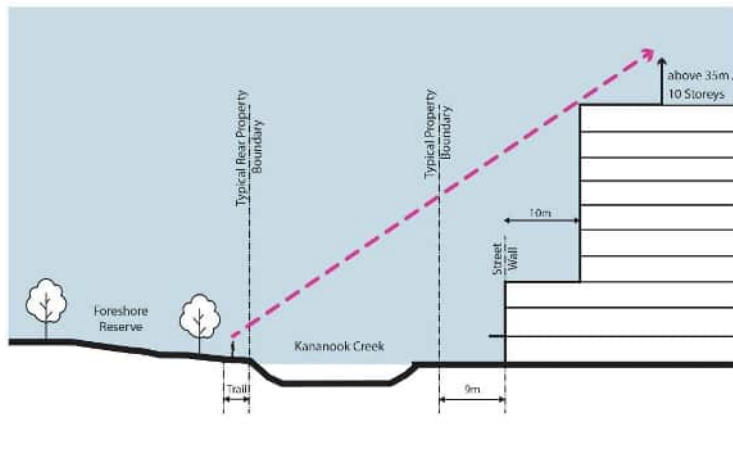
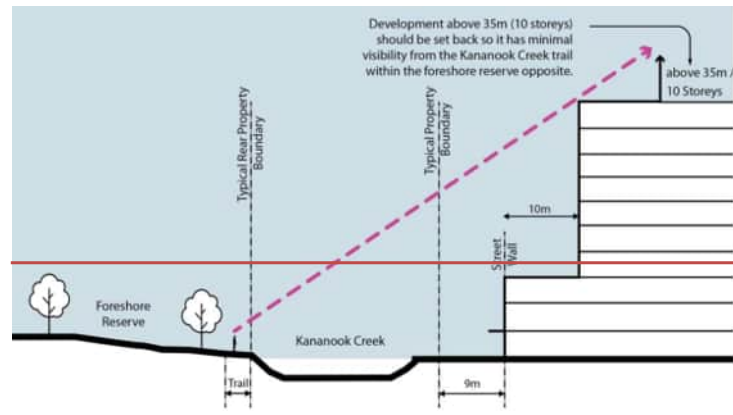
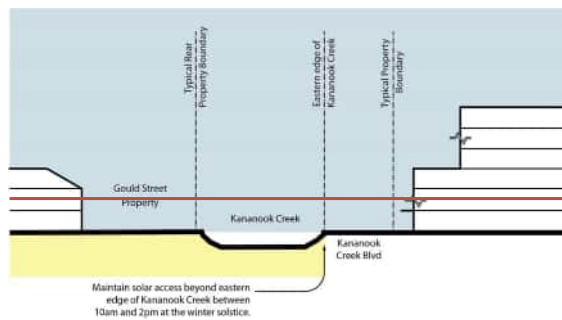


Table 18 - Solar Access

Street or public space	Location	Preferred minimum solar access to be maintained
Kananook Creek	Eastern edge of Kananook Creek (Refer Diagram 13).	Between 10am and 2pm on 22 June September.
Foreshore reserve	All (Refer Diagram 14).	Between 10am and 2pm on 22 June.
Kananook Creek trail	All	Between 10am and 2pm on 22 September.
Kananook Creek Boulevard South	Beyond a distance of 9.0m from the eastern boundary of the road reserve (Refer Diagram 15).	
Future Kananook Creek Promenade (510 Nepean Highway)	Beyond a distance of 7.0m from the eastern edge of the future promenade (Refer Diagram 16).	
McCombs Reserve	Beyond a distance of 20.0m from the northern property boundary of the reserve (Refer Diagram 17).	
Nepean Highway	Within 7.0m of the eastern property boundary of Nepean Highway (Refer Diagram 18).	
Wells Street	Entire southern footpath to the kerb line.	
Playne Street		
Davey Street		

Diagram 13 Kananook Creek eastern edge



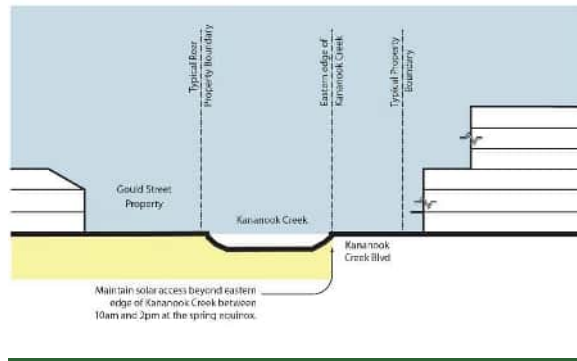


Diagram 14 Foreshore Reserve

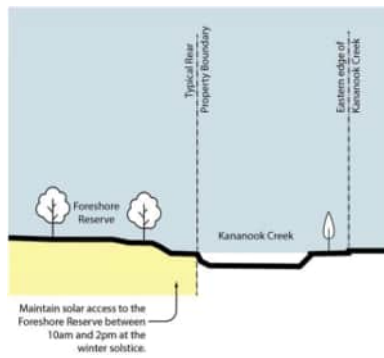


Diagram 15 Kananook Creek Boulevard South

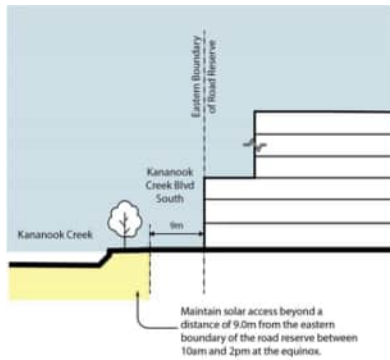


Diagram 16 Kananook Creek Promenade

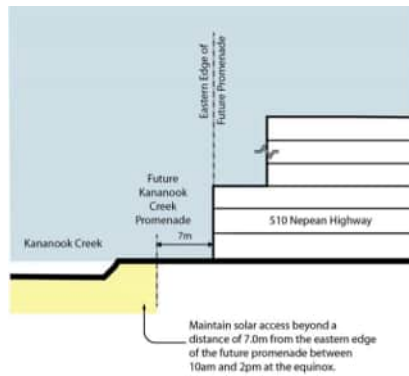


Diagram 17 McCombs Reserve

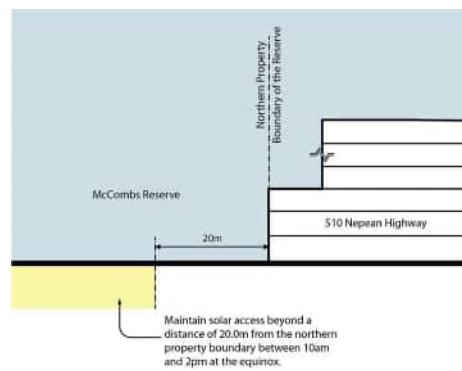
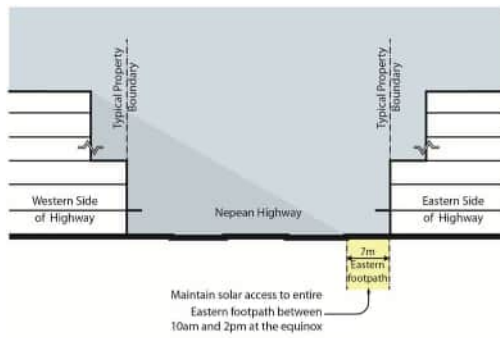


Diagram 18 Nepean Highway



5.4-4 Precinct guidelines

Direct residential uses and uses that do not provide an active frontage to upper levels of buildings.

Development should provide a mix of narrower and wider tenancies along Nepean Highway to support a variety of land uses.

Towers should be designed with slender forms, narrower than the 45m width specified in Section

4.4 Design of tower elements, that maximise spaces between built form elements ~~and minimise detrimental visual impacts to sensitive interfaces including of the foreshore reserve and Gould Street.~~

Design buildings to respond to the topography and potential for inundation so that the ground level of any setback area to Kananook Creek Boulevard buildings meets is generally consistent with the existing footpath level at both the Kananook Creek and Nepean Highway frontages.

Ensure that the internal area of buildings and any basements are designed to be protected from inundation from Kananook Creek in a 1% Annual Exceedance Probability flood event and under a 2100 sea level rise scenario.

Design buildings to enhance views from Kananook Creek and Foreshore Reserve.

Architectural elements, balconies and building services should generally not intrude into ground floor setbacks in Precinct 4. Above ground level, where they do, they should not present as solid elements which give the appearance of the street wall coming forward.

Address laneways and pedestrian links with active uses at ground level and provide surveillance from upper levels of development.

Provide activated spaces along the Kananook Creek frontage and Kananook Creek Boulevard/Promenade to provide high quality space for pedestrian amenity and outdoor dining.

~~Discourage~~ Encourage use or development that would result in any of the following:

- ~~A lack of a~~ Provide active frontages at ground level.
- ~~Detrimental impacts on~~ Optimise pedestrian amenity.
- ~~Generation of~~ Manage significant traffic and vehicle movements on streets and laneways.

Provide vehicle access to basement car parks from Beach Street, Wells Street, Playne Street and Davey Street rather than from Nepean Highway and Kananook Creek Boulevard where possible.

5.4-5

Any other requirements

None specified.

~~Condition on permits for pedestrian links and laneways~~

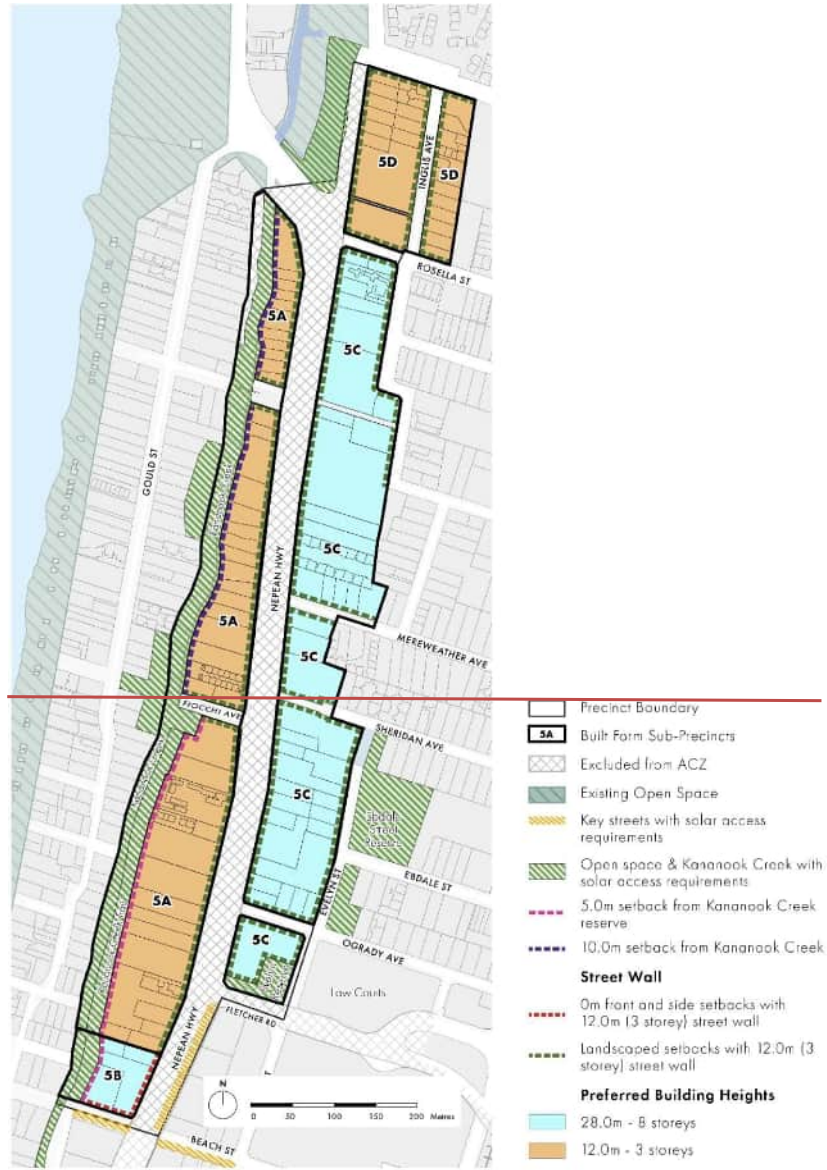
~~Where a new pedestrian link or laneway is proposed on the land, and the pedestrian link or laneway is not funded through a Development Contributions Plan, a permit granted to construct a building or to construct or carry out works must include a condition requiring the following:~~

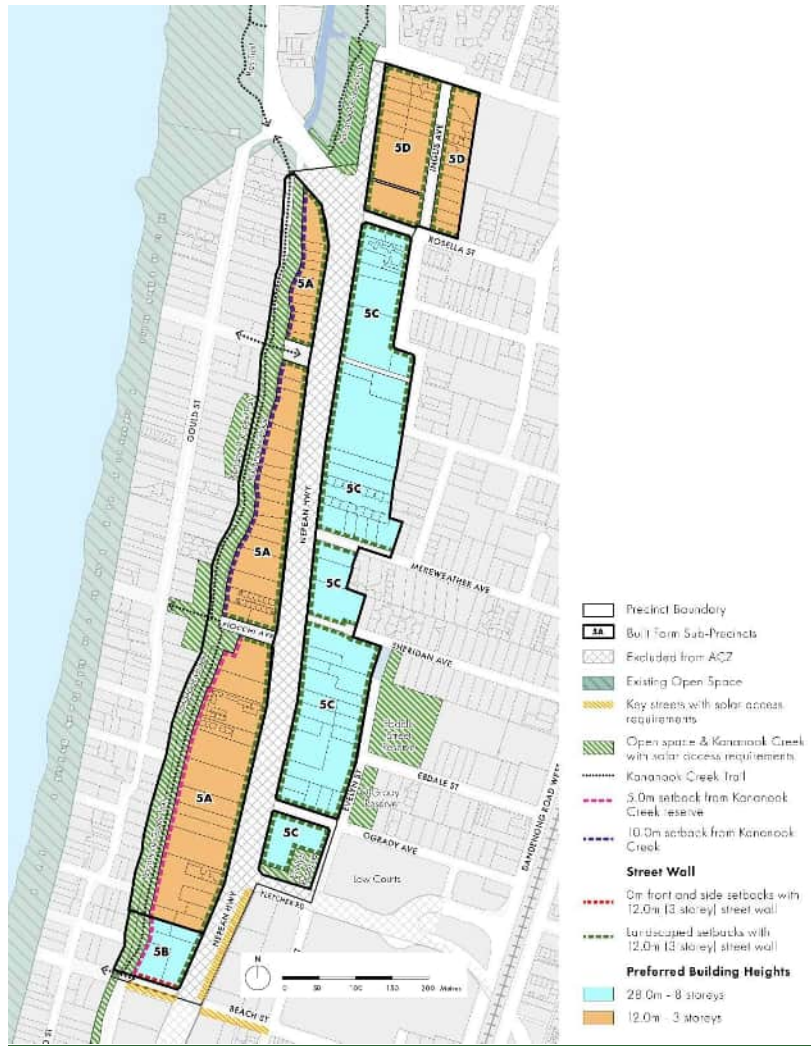
- ~~An agreement under section 173 of the Act must be entered into between the landowner and the responsible authority that provides for the following:~~
 - ~~Construction of the new pedestrian link or laneway to the satisfaction of the responsible authority and the relevant road management authority.~~
 - ~~Transfer of the new pedestrian link or laneway to, or vesting in the relevant road authority as a public road at no cost to the relevant road authority. This does not apply to a new pedestrian link or laneway that is agreed to be retained in private ownership to the satisfaction of the responsible authority.~~

~~This condition is not required in relation to a pedestrian link or laneway marked indicative.~~

5.5 Precinct 5 – Nepean Boulevard

5.5-1 Precinct map





5.5-2 Precinct objectives

To encourage development along the Nepean Highway Boulevard that is responsive to its role as an entry to the Frankston MAC.

To provide for a range of commercial and residential uses that complement the mixed-use function of the precinct.

To support mid-scale apartment and townhouse development across the precinct.

To provide landscaping and canopy trees in the landscaped setbacks identified in the map at clause 5.5-1 to complement the Nepean Highway Boulevard landscape and retain existing canopy trees.

5.5-3 Precinct requirements

Table 19 - Building and street wall height

Sub-precinct	Preferred maximum building height	Preferred maximum street wall height
5A	12.0m (3 storeys) above natural ground level.	12.0m (3 storeys) above natural ground level.
5B	28.0m (8 storeys) above natural ground level.	
5C		
5D	12.0m (3 storeys) above natural ground level.	

A permit cannot be granted for buildings or works that are set back less than the minimum requirements specified in Table 20 and any specified condition must also be met.

Table 20 - Mandatory building setbacks

Sub-precinct	Mandatory minimum building setbacks	Mandatory minimum upper level setbacks above street
5A	Where properties abut Kananook Creek Reserve: Minimum 5.0m from the rear boundary or to a surface level above the 1.7m AHD contour, whichever is greater (Refer Diagram 19). Where properties abut Kananook Creek: Minimum 10.0m from the 1.15m AHD contour (2 year Annual Recurrence Interval) or to a surface level above the 1.7m AHD contour, whichever is greater (Refer Diagram 20). <u>in either case, above the minimum building setback and below the 2.4m AHD contour, there must be no loss of flood storage through impervious enclosure or filling of the area.</u>	None specified
<u>5B</u>	<u>Where properties abut Kananook Creek Reserve: Minimum 5.0m from the rear boundary or to a surface level above the 1.7m AHD contour, whichever is greater (Refer Diagram 21).</u> <u>Within the minimum building setback and below the 2.4m AHD contour, there must be no loss of flood storage through impervious enclosure or filling of the area.</u>	<u>None specified</u>

Table 21 - Building setbacks

Sub-precinct	Preferred building setbacks	Preferred minimum upper level setbacks above street-wall height
5A	Minimum 5.0m to Nepean Highway. Minimum 3.0m to all other streets.	Where a site abuts Kananook Creek or Kananook Creek Reserve, the second and third levels should be set back 3.0m from the level below. Private open space is permitted within this setback.
5B	Minimum 0.0m to Nepean Highway and 0.0m to Beach Street. Where properties abut Kananook Creek Reserve: Minimum 5.0m from the rear boundary or to a surface level above the 1.7m AHD contour, whichever is greater. (Refer Diagram 19).	5.0m upper-level setback <u>from the street wall</u> for development above 12.0m. <u>Where a site abuts Kananook Creek Reserve, the second and third levels should be set back 3.0m from the level below. Private open space is permitted within this setback. Upper levels above the third level should be setback a further 5.0m.</u>
5C	Minimum 5.0m to Nepean Highway. Minimum 3.0m to all other streets. Minimum 4.5m from the rear boundary to provide for landscaping.	<u>5.0m upper-level setback from the street wall for development above 12.0m.</u>
5D	<u>0.0m to Kitson Street</u> <u>Minimum 5.0m to Nepean Highway.</u> <u>Minimum 3.0m to all other streets.</u> <u>Minimum 4.5m from the rear boundary to provide for landscaping.</u>	

Diagram 19 – Kananook Creek Reserve setbacks Precinct 5A

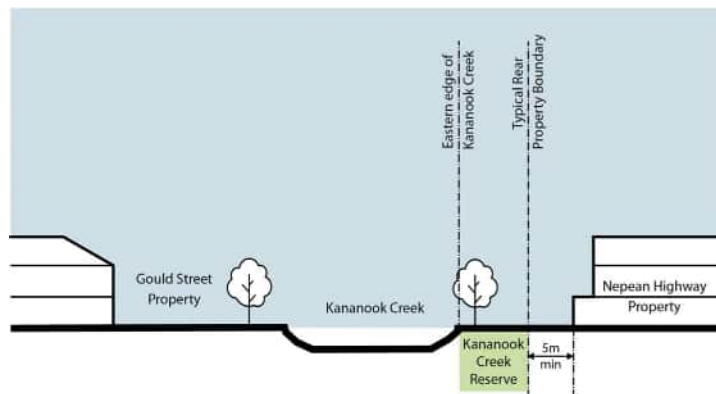


Diagram 20 – Kananook Creek setbacks Precinct 5A

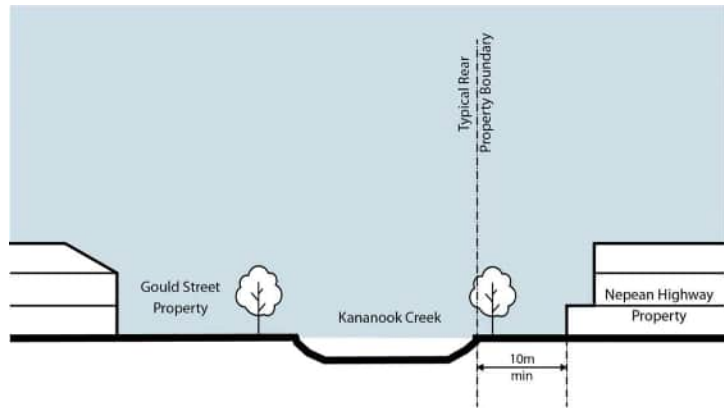


Diagram 21 – Kananook Creek Reserve setbacks Precinct 5B

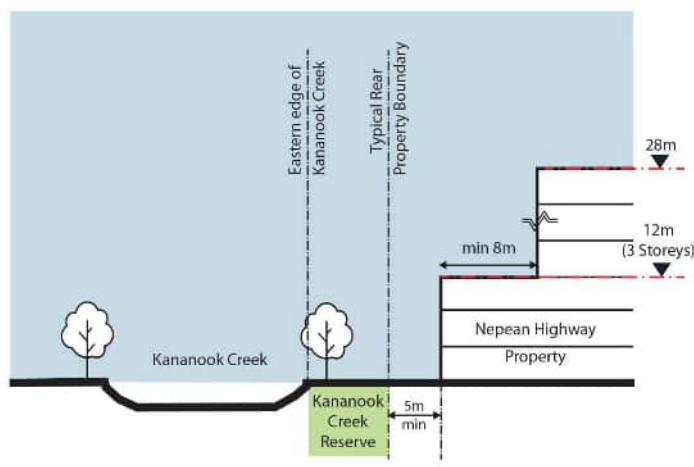
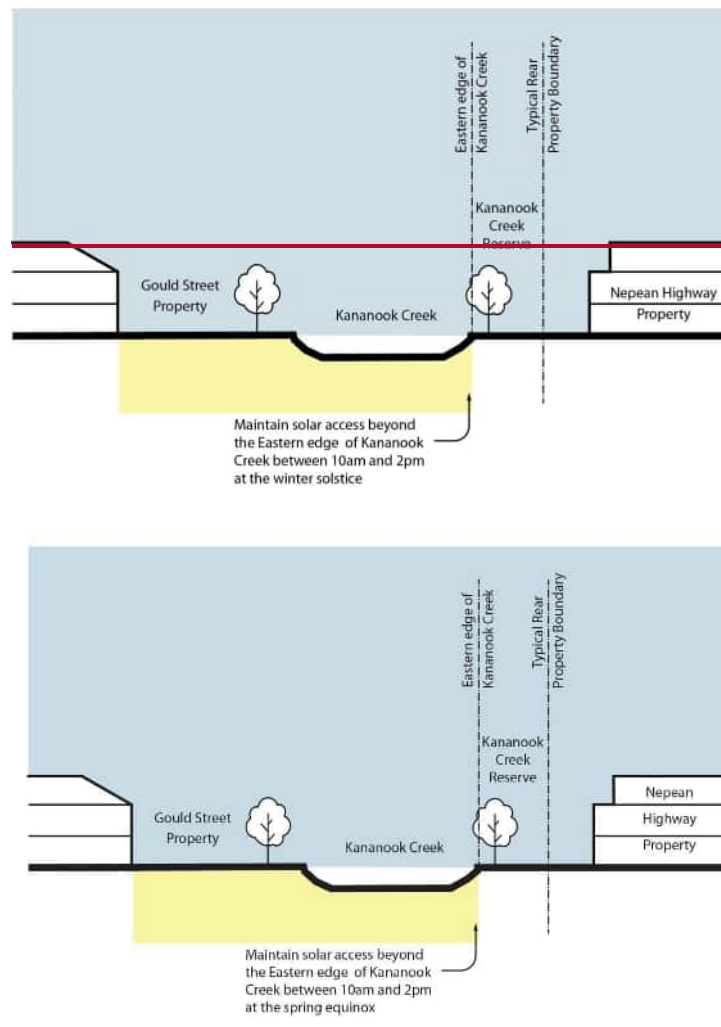


Table 22 - Solar Access

Street or public space	Location	Preferred minimum solar access to be maintained
Kananook Creek	Eastern edge (Refer Diagram 2422).	Between 10am and 2pm on 22 June <u>September</u> .
Kananook Creek trail	All.	<u>Between 10am and 2pm on 22 September.</u>
Nepean Highway	Eastern and western footpaths south of Fletcher Road to the kerb line.	Between 10am and 2pm on 22 September.
Ebdale Street Reserve	All.	Between 10am and 2pm on 22 June.
Beach Street	<u>Entire southern footpath to the kerb line.</u>	<u>Between 10am and 2pm on 22 September.</u>
O'Grady Reserve	All.	<u>Between 10am and 2pm on 22 June.</u>

Diagram 21-22 Kananook Creek



5.5-4 Precinct guidelines

Encourage a mix of residential, retail and commercial uses throughout the Precinct.

Provide opportunities for engagement with the street through ground level occupation and the presence of habitable rooms and balconies at all levels. Inactive uses, ~~Site non-habitable rooms,~~ such as laundries, garages and bathrooms, should be located away from street-facing facades where practicable.

Ensure that the internal area of buildings and any basements are designed to be protected from inundation from Kananook Creek in a 1% Annual Exceedance Probability flood event and under a 2100 sea level rise scenario.

Provide landscaping in landscaped setback areas as shown in the maps at clause 5.5-1 and as set out in Table 21.

On corner allotments, provide landscaped interfaces to both street frontages.

Screen basement or semi-basement parking from the street and Kananook Creek.

At grade car parking areas should be located away from street interfaces and not within front setbacks.

Incorporate landscaping in at grade parking areas to provide for visual amenity and shade.

Landscaping within front setbacks should complement the landscaping within the Nepean Boulevard road reserve.

Front fencing to Nepean Highway should provide for a level of visual permeability to allow for passive surveillance and views to vegetation.

Prioritise the retention of mature vegetation including large canopy trees.

Where there are a number of trees on the site, prioritise the retention of high value canopy trees over lower value canopy trees.

Design and site buildings at 383-389 Nepean Highway to minimise overshadowing to Evelyn Reserve.

Within Sub-Precinct 5A, site and design development to respect and respond to the sensitive residential, open space and Kananook Creek interface by:

- Maintaining and enhancing the natural landscape character of the creek corridor, in which the topography of the creek and its banks, and a naturalistic corridor of canopy trees, are the dominant features in public views of the creek and its setting.
- Minimising the visual intrusion of new development when viewed from paths, bridge crossings and public open space
- Ensuring that all building elevations, materials, colours and finishes complement Kananook Creek, its landscape and environmental character.
- Providing space between buildings to minimise the visual impact of buildings and allowing views to Kananook Creek and its vegetated corridor.
- Setting development back from the creek edge to protect the landscape, topography and vegetation as the dominant visual elements.
- Ensuring public views of new development are filtered through vegetation and trees.
- Using external materials, visible from Kananook Creek, that complement the landscape setting and be softened with indigenous screen planting where practical.

5.5-5 Any other requirements

None specified.

5.6 Precinct 6 – Cranbourne Road

5.6-1 Precinct map



5.6-2 Precinct objectives

To encourage built form along Cranbourne Road that is responsive to its role as an entry to the Frankston MAC.

To provide for a range of commercial and residential uses that complement the mixed-use and commercial function of the precinct.

To encourage the use of land for offices along Cranbourne Road, increased housing densities on upper levels and the integration of health and education uses as part of mixed use development.

To provide landscaping and canopy trees within landscaped setbacks as shown in the map at clause 5.6-1 that contribute to a high amenity entry experience into the Frankston MAC.

5.6-3 Precinct requirements

Table 23 - Building and street wall height

Sub-precinct	Preferred maximum building height	Preferred maximum street wall height
6A	22.0m (6 storeys) above natural ground level.	12.0m (3 storeys) above natural ground level.
6B	16.0m (4 storeys) above natural ground level.	

Table 24 - Building setbacks

Sub-precinct	Preferred building setbacks	Preferred minimum upper level setbacks <i>above street wall height</i>
6A	Minimum 3.0m to all streets.	5.0m upper-level setback for development above 12.0m
6B	Minimum 4.5m from the rear boundary to provide for landscaping. Side setbacks to provide for visual breaks between buildings and landscaping.	

5.6-4 Precinct guidelines

Direct residential and other uses that do not provide an active frontages to upper levels of buildings.

Design front fencing to Cranbourne Road to provide for a level of visual permeability and allow for passive surveillance and views to vegetation.

Encourage the retention of mature vegetation including large canopy trees.

Where there are a number of trees on the site, prioritise the retention of high value canopy trees over lower value canopy trees.

Provide landscaping in landscaped setback areas as shown in the map at clause 5.6-1 and as set out in Table 24.

On corner allotments, provide landscaped interfaces to both street frontages.

Buildings should maximise solar access by orientating buildings and associated open space areas to the north, where possible.

Projections such as architectural elements, balconies and building services should not intrude into side building setbacks.

Provide vehicle access from Olive Grove, Willis Street, Joy Street and James Street, Catherine Parade, Melvin Street, Allenby Street, Lawrey Street and Clarendon Street rather than from Cranbourne Road where possible.

Screen basement or semi-basement parking from the street.

Locate at grade car parking areas away from street interfaces and not within front setbacks.

Incorporate landscaping in at grade car parking areas to provide for visual amenity and shade.

5.6-5 Any other requirements

None specified.

6.0 Application requirements

Proposed C160fran

The following application requirements apply to an application for a permit under Clause 37.08, in addition to those specified in Clause 37.08 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

General

- A traffic and parking assessment report, prepared by a suitably qualified person justifying the car parking provision, layout and access arrangements for the proposal. The report must also include how the proposal will mitigate detrimental traffic impacts on the capacity and safe and efficient operation of the surrounding street network including laneways.

Buildings and works

- An acoustic assessment of the development, prepared by a suitably qualified person, detailing how noise impacts to residential uses from within the development and from surrounding uses and development including road and rail noise will be mitigated.
- A waste management plan detailing how waste will be dealt with on-site including details relating to how:
 - Food and garden organics, recyclables, glass and residual waste will be stored and disposed of from the site.
 - Waste storage will be consolidated on-site to avoid bins for each individual tenancy particularly in large developments.
 - The development will avoid detrimental impacts to surrounding properties through the collection of waste receptacles.
 - Waste management for the development is consistent with *Waste Management Guidelines for Multi-Unit Developments* (SALT, 2017).
- A 3D digital model of the development and its surrounds that is compatible with Council's software.
- In Precincts 2, 3, 4, 5 ~~and~~ 6 an arboriculture assessment of all vegetation on the site and directly adjoining properties (within 5.0m of the common boundaries) including recommendations to protect vegetation to be retained for both the on-site and adjoining properties, from any detrimental effects of the development and its construction.
- For buildings of 5 or more stories, a wind report by a suitably qualified person detailing how the development mitigates wind impacts from the development and the environment to protect the safety and comfort of building occupants and people in the public realm.
- For development in Precincts 4 ~~and~~ 5, a report prepared by a suitably qualified person on the potential for acid sulfate soils and any management recommendations having regard to:
 - The condition of the soil on the site and the directly abutting area.
 - How the development will mitigate detrimental impacts to any acid sulfate soils.
 - How the development will protect itself from any adverse effects from the soils and ground conditions.
 - How the development accords with the *Victorian Coastal Acid Sulfate Soils Strategy 2009*.
- For buildings of 4 or more storeys, a reflected glare assessment including:
 - The applied method used for the reflected glare assessment.
 - Any assessment assumptions.
 - Identification of potential observers receiving glare.
 - Review of materials, finishes and reflectors.
 - Assessment of the proposed development's disability and discomfort glare.
 - Mitigation measures for reflected glare.

7.0

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Proposed C160fran

Notice and review

None specified.

8.0

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Proposed C160fran

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.08, in addition to those specified in Clause 37.08 and elsewhere in the scheme to use land or construct a building or construct or carry out works which must be considered, as appropriate, by the responsible authority:

- How the proposed development's design, architectural quality, scale, height, materials, mass and visual bulk responds to the requirements and guidelines of this schedule and to the surrounding built form.
- How the development respects the visual and environmental qualities of the Foreshore and Kananook Creek and environs.
- The effect of the development on the amenity of nearby properties and the public realm, particularly in regard to visual impacts, overlooking and overshadowing.
- How the proposal contributes to or improves the pedestrian environment and other areas of the public realm.
- ~~Whether the proposal acceptably mitigates off-site impacts such as visual bulk, overlooking and overshadowing to adjacent land including the public realm, public open space or adjacent residentially zoned properties relative to a compliant scenario.~~
- How potential on and off-site amenity impacts have been mitigated through measures including the design, location and siting of the proposed development.
- Whether the proposal provides housing for a diversity of housing outcomes~~diverse household types.~~
- ~~Whether the development provides for affordable housing and its management and maintenance.~~
- ~~Where an application proposes to exceed or vary any of the requirements in this schedule, whether the development meets or provides for as many of the following as possible:~~
 - ~~—The proposal presents, or substantially facilitates an improved architectural outcome.~~
 - ~~—Any shadow cast by additional built form is within or does not significantly exceed the overshadowing requirements for the Precinct.~~
 - ~~—Greater building separation than the minimum requirement in this schedule.~~
 - ~~—Communal or private open space provision that exceeds the minimum standards in Clauses 55.07 and 58.~~
 - ~~—Demonstrable and significant benefits are provided to the wider community.~~

9.0

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Proposed C160fran

Signs

None specified.

10.0

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Proposed C160fran

Other provisions of the scheme

None specified.

11.0

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Proposed C160fran

Reference documents

Frankston Metropolitan Activity Centre Structure Plan (Tract ~~Consultants~~, September 20232024).

FRANKSTON PLANNING SCHEME

31/07/2018
 VC148

SCHEDULE TO CLAUSE 72.08 BACKGROUND DOCUMENTS

1.0

Proposed C160fran

Background documents

Name of background document	Amendment number - clause reference
Built Form Guidelines for Higher Density Residential Growth Areas adjacent to the Frankston Metropolitan Activity Centre (Frankston City Council, 2023)	C124fran – 32.07 Schedule 1, 43.02 Schedule 12
Built Form Guidelines Frankston Complementary Health Mixed Use Area (Frankston City Council, 2023)	C124fran – 43.02 Schedule 13
<i>Climate Change Impacts and Adaption Plan</i> (Frankston City Council Climate Change Taskforce, 2011)	
<i>Economic Development Strategy</i> (Frankston City Council, 2011)	
<i>Flood Management Plan for Frankston City Council and Melbourne Water</i> (Frankston City Council/Melbourne Water, 2019)	
<i>Forward Planning for Potential Landfill Sites in the Cranbourne/Frankston Area</i> (Woodward-Clyde, 1995)	
<i>Frankston Bicycle Strategy</i> (Aurecon, 2010)	
<i>Frankston City Council Plan, 2013-2017</i> (Frankston City Council, 2013)	
<i>Frankston City Council Health and Wellbeing Plan 2017-2021</i> (Frankston City Council, 2017)	
<i>Frankston City Council Local Gambling Policy: Planning Implementation Report</i> (Planisphere, 2014)	
<i>Frankston City Investment Prospectus</i> (Frankston City Council, 2016)	
<i>Frankston City Neighbourhood Character Study</i> (Planisphere and John Curtis Pty Ltd, 2002)	
<i>Frankston City Open Space Strategy 2016-2036</i> (Frankston City Council, 2016)	
<i>Frankston Fauna Linkages and Crossing Structure Design Study</i> (Practical Ecology, 2012)	
<i>Frankston Green Wedge Management Plan</i> (Frankston City Council, 2021)	
<i>Frankston Housing Strategy</i> (Frankston City Council, 2018)	
<i>Frankston Integrated Transport Strategy</i> (Aurecon, 2013)	
<i>Frankston Local Gaming Policy - Planning Implementation Report</i> (Planisphere, 2014)	
Frankston Metropolitan Activity Centre Parking Precinct Plan (Frankston City Council, 2018)	C133fran – 45.09 Schedule 1
<i>Frankston Metropolitan Activity Centre Structure Plan</i> (Tract, 2023 September 2024)	C160fran – 02.03, 11.03-1L-02, 16.01-1L, Clause 37.08 Schedule 1
<i>Frankston Municipal Health and Wellbeing Plan, 2013-2017</i> (Frankston City Council, 2013)	
<i>Frankston Public Open Space Contributions Report</i> (SGS Economics & Planning, 2019)	C127fran – Schedule to Clause 53.01
<i>Frankston Street Tree Master Plan</i> (Tree Dimensions, 2006)	

FRANKSTON PLANNING SCHEME

Name of background document	Amendment number - clause reference
<i>Greening Our Future – Frankston City Council’s Environment Strategy 2014-2024</i> (Frankston City Council, 2014)	
<i>Metropolitan Waste and Resource Recovery Implementation Plan</i> (Metropolitan Waste and Resource Recovery Group, 2016)	
<i>Outdoor Advertising Signage - Design Guidelines</i> (Frankston City Council, 2014)	
<i>Waste Management Policy (Siting, Design and Management of landfills)</i> (Environment Protection Authority, 2004)	
<i>Victorian Coastal Strategy</i> (Victorian Coastal Council, 2014)	

FRANKSTON PLANNING SCHEME

10/02/2022
C141fran

SCHEDULE TO CLAUSE 74.01 APPLICATION OF ZONES, OVERLAYS AND PROVISIONS

1.0

Proposed C160fran

Application of zones, overlays and provisions

This planning scheme applies the following zones, overlays and provisions to implement the Municipal Planning Strategy and the objectives and strategies in Clauses 11 to 19:

Zones

- . Low Density Residential Zone to provide for low-density residential lots that can treat and retain wastewater.
- . Mixed Use Zone to areas previously used for a mix of industrial and commercial purposes that provide opportunities for residential and commercial re-development and renewal.
- . Residential Growth Zone to areas where increased density is anticipated.
- . General Residential Zone to established areas where incremental change is anticipated.
- . Industrial 1 Zone to industrial areas with a mix of manufacturing and commercial uses.
- . Commercial 1 Zone to retail and commercial areas where more intensive retail, commercial and residential development is anticipated, including strip shopping areas.
- . Commercial 2 Zone to provide for offices, bulky goods retail, appropriate manufacturing and industries and associated uses.
- . Green Wedge Zone to land with important agricultural, environmental, historic, landscape, recreational and tourism opportunities.
- . Rural Conservation Zone to protect and enhance natural resources and the biodiversity of the area.
- . Farming Zone to provide for the use of land for agriculture.
- . Public Use Zone to specific public land uses and institutions including public schools.
- . Public Park and Recreation Zone to public parkland for a range of passive and active recreational and environmental purposes.
- . Public Conservation and Resource Zone to protect public land for its historic, scientific, landscape, habitat or cultural values.
- . Transport Zone 2 or Transport Zone 3 to selected major roads controlled by the Head, Transport for Victoria and Frankston City Council as the local road authority.
- . Special Use Zone to:
 - A variety of recreational, cultural, arts private sports grounds, religious, educational institutions and related institutions and operations related to Frankston City Council.
 - Sites where a Work Authority has been issued for extractive industry to protect regionally significant stone resources and where the future use of the sites has not been determined or is not clear.
- . Comprehensive Development Zone to sites that require an overall development plan to guide redevelopment for specific land uses and building form.
- . Urban Floodway Zone to identify urban locations with the greatest risk and frequency of being affected by flooding.
- . Activity Centre Zone to facilitate the development of the Frankston Metropolitan Activity Centre ~~as a major community, employment and commercial centre for the municipality and the region.~~

FRANKSTON PLANNING SCHEME

Overlays

- Environmental Significance Overlay to areas where the development of land may be affected by environmental constraints.
- Significant Landscape Overlay to protect significant landscapes.
- Heritage Overlay to places and precincts identified in heritage studies.
- Design and Development Overlay to areas where specific requirements relating to the design and built form of new development is required.
- Development Plan Overlay to sites or precincts where redevelopment and land use should be generally in accordance with an approved development plan.
- Erosion Management Overlay to areas prone to erosion, landslip or other land degradation processes.
- Land Subject to Inundation Overlay to areas identified as subject to flooding by the 1 in 100 year flood or any other area determined by the Floodplain Manager (Melbourne Water).
- Special Building Overlay to inundation prone land by overland flows from the urban drainage system.
- Bushfire Management Overlay to areas and sites affected by bushfire.
- Public Acquisition Overlay to sites, road widening and other locations such as adjoining waterways where an acquiring authority has requested the overlay.
- Environmental Audit Overlay to sites and areas where potential contamination from former land use or other sources, indicates an environmental audit must be undertaken before any sensitive use (such as housing) commences.
- Parking Overlay to sites or precincts where particular parking rates or financial contributions should be regulated.
- Specific Controls Overlay to land to be developed in accordance with a specific control contained in a corresponding incorporated document.

Consideration of City Planning Reports

ADOPTION OF THE FRANKSTON METROPOLITAN ACTIVITY CENTRE (FMAC) STRUCTURE PLAN (SEPTEMBER 2024) AND CONSIDERATION OF THE PLANNING PANEL REPORT FOR PLANNING SCHEME AMENDMENT C160FRAN

Amendment C160fran documents - Clean version

Meeting Date: 16 September 2024

Attachment: C

Planning and Environment Act 1987

Frankston Planning Scheme

Amendment C160fran

Explanatory Report

Overview

The amendment proposes to implement the land use and development directions and recommendations of the Frankston Metropolitan Activity Centre Structure Plan (Tract, September 2024) (the Structure Plan) by rezoning land within the Structure Plan area to the Activity Centre Zone, rezoning land on the Frankston foreshore in and around the mouth of the Kananook Creek to the Public Park and Recreation Zone, applying the Public Acquisition Overlay to part of 8 properties and updating policy and making consequential changes to a number of clauses within the Frankston Planning Scheme to provide clarity for users and ensure consistency with the Structure Plan.

Where you may inspect this amendment

The amendment can be inspected free of charge at the Frankston City Council website at www.frankston.vic.gov.au/

The amendment is available for public inspection, free of charge, during office hours at the following places:

Frankston Civic Centre, 30 Davey Street Frankston

The amendment can also be inspected free of charge at the Department of Transport and Planning website at www.planning.vic.gov.au/public-inspection or by contacting 1800 789 386 to arrange a time to view the [amendment documentation](#).

Details of the amendment

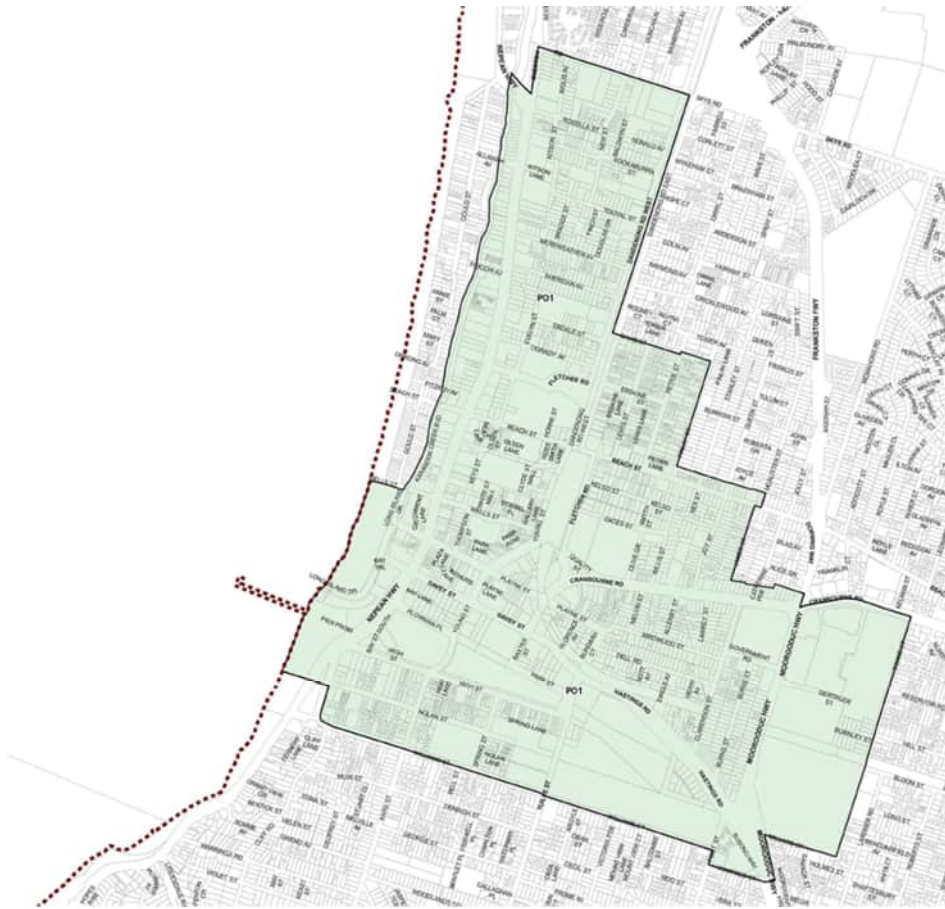
Who is the planning authority?

This amendment has been prepared by the Frankston City Council who is the planning authority for this amendment.

The amendment has been made at the request of Frankston City Council.

Land affected by the amendment

The amendment applies to all land in the map below.



What the amendment does

The amendment proposes to implement the land use and development directions and recommendations of the *Frankston Metropolitan Activity Centre Structure Plan* (Tract, September 2024) (the 2024 Structure Plan).

Specifically, the amendment proposes to make the following changes to the Frankston Planning Scheme:

1. Amend Clauses 02.01 Context and 02.02 Vision of the Municipal Planning Strategy to ensure consistency with the Frankston City Council Plan 2021 – 2025.
2. Amend Clauses 02.03 Strategic Directions and 02.04 Strategic Framework Plans of the Municipal Planning Strategy to give effect to and ensure consistency with the 2024 Structure Plan and to correct minor inconsistencies to accord with the Ministerial Direction – The Form and Content of Planning

Schemes.

3. Amend Clauses 11.03-1L-02 Frankston Metropolitan Activity Centre and 16.01-1L Housing Supply of the Local Planning Policy to give effect to and ensure consistency with the 2024 Structure Plan.
4. Insert a new Clause 19.02-1L to the Local Planning Policy to include policy relating to preferred land uses for the area of Schedule 13 of Clause 43.02 (Design and Development Overlay).
5. Delete Clauses 23 Operation of the Local Planning Policy Framework (Transitional), 23.01 Relationship to the Planning Policy Framework, 23.02 Operation of the Municipal Strategic Statement and 23.03 Operation of the Local Planning Policies, as the transitional provisions are no longer needed as the Planning Policy Framework and Municipal Planning Strategy have been implemented.
6. Rezone land within the 2024 Structure Plan boundary from Mixed Use Zone (MUZ), Comprehensive Development Zone Schedule 2 (CDZ2) and Commercial 1 Zone (C1Z) to the Activity Centre Zone with a new Schedule 1 to Clause 37.08 (ACZ1).
7. Rezone land on the Frankston foreshore in and around the mouth of the Kananook Creek (adjacent to the 2024 Structure Plan boundary) from Comprehensive Development Zone Schedule 2 (CDZ2) to Public Park and Recreation Zone (PPRZ).
8. Amend Schedule 1 to Clause 32.07 (Residential Growth Zone) (RGZ1) to rename the schedule to distinguish between the new extent of the Frankston MAC and the adjacent residential areas.
9. Delete Schedule 2 to Clause 37.02 Comprehensive Development Zone (CDZ2) as it is no longer required.
10. Delete Schedule 5 to Clause 43.02 (Design and Development Overlay) (DDO5) as it is no longer required.
11. Amend Schedule 12 to Clause 43.02 (Design and Development Overlay) (DDO12) to adjust the name of the Schedule so it is clear to which area it applies.
12. Amend Schedule 13 to Clause 43.02 (Design and Development Overlay) (DDO13) to remove its application within the 2024 Structure Plan boundary and retain it outside the 2024 Structure Plan boundary, adjust the name of the Schedule so it is clear to which area it applies and remove redundant references and references to preferred use of land.
13. Apply a Public Acquisition Overlay (PAO8) to part of 510 Nepean Highway, Frankston and amend Planning Scheme Map No. 4PAO, to facilitate the extension of the Kananook Creek Promenade.
14. Apply a Public Acquisition Overlay (PAO9) to part of 6, 8, 10, 12, 14, 16 and 18 Davey Street, Frankston, and amend Planning Scheme Map No. 4PAO, to facilitate the widening and extension of Bay Lane.
15. Amend the Schedule to Clause 45.01 (Public Acquisition Overlay) to introduce PAO8 and PAO9, designate Council as the acquiring authority and specify

acquisition is for Kananook Creek Promenade and road purposes respectively.

16. Amend Schedule 1 to Clause 45.09 (Parking Overlay) (PO1) to distinguish between the new extent of the Frankston MAC and the adjacent residential areas.
17. Amend the Schedule to Clause 53.01 (Public Open Space Contribution and Subdivision) to amend wording to be consistent with the new extent of the Frankston MAC.
18. Amend the Schedule to Clause 72.04 (Incorporated Documents) to delete the Kananook Creek Comprehensive Development Plan (May 1999) as an incorporated document.
19. Amend the Schedule to Clause 72.08 (Background Documents) to:
 - Delete the reference to the Frankston Metropolitan Activity Centre Structure Plan (Frankston City Council, 2015) (the 2015 Structure Plan);
 - Include a reference to the 2024 Structure Plan and specify the amendment number C160fran and clause references 02.03, 11.03-1L-02, 16.01-1L and 37.08 Schedule 1 (ACZ1);
 - Include a reference to The Frankston Metropolitan Activity Centre Parking Precinct Plan (Frankston City Council, 2018), and specify the amendment number C133fran and clause reference 45.09 Schedule 1 (PO1);
 - Include a reference to Built Form Guidelines for Higher Density Residential Growth Areas adjacent to the Frankston Metropolitan Activity Centre (Frankston City Council, 2023), and specify the amendment number C124fran and clause references 32.07 Schedule 1 (RGZ1) and 43.02 Schedule 12 (DDO12).
 - Include a reference to the Built Form Guidelines Frankston Complementary Health Mixed Use Area (Frankston City Council, 2023), and specify the amendment number C124fran and clause reference 43.02 Schedule 13 (DDO13).
 - Update the reference to Frankston Public Open Space Contributions (SGS Economics and Planning, 2019), and specify the amendment number C127fran and clause reference 53.01 (Public Open Space Contribution and Subdivision).
20. Amend the Schedule to Clause 74.01 (Application of Zones, Overlays and Provisions) to include the Activity Centre Zone.
21. Amend the Schedule to Clause 74.02 (Further Strategic Work) to remove completing a new Structure Plan from the list of further work as that work is now complete.

Strategic assessment of the amendment

Why is the amendment required?

Frankston Metropolitan Activity Centre Structure Plan

The Amendment is required to implement the land use and development directions and recommendations of the *Frankston Metropolitan Activity Centre Structure Plan* (Tract, September 2024) (the 2024 Structure Plan). The Amendment will provide the Frankston MAC with a new land use and development framework that reflects the vision and strategic intent set by the 2024 Structure Plan which builds upon *Our Community Vision 2040*, which is the Vision developed by the Frankston community to articulate its long-term aspirations for the municipality.

The Frankston MAC is identified as a Metropolitan Activity Centre in *Plan Melbourne 2017-2050* (DELWP, 2017) and is positioned to be the key commercial, civic, cultural, creative, community and entertainment destination for Melbourne's south-eastern metropolitan region. In 2015, Council prepared the *Frankston Metropolitan Activity Centre Structure Plan* (Frankston City Council, 2015) (the 2015 Structure Plan), which intended to introduce a suite of controls to facilitate development in the Frankston MAC, however was never fully implemented into the Frankston Planning Scheme. Subsequently, the Frankston MAC is experiencing a level of growth and development that has necessitated further work to provide clear guidance for use and development of the land in the City Centre that will allow the Frankston MAC to grow and develop while responding appropriately to its coastal setting and sensitive environmental and residential interfaces.

The Amendment implements the 2024 Structure Plan through a suite of new and amended planning controls for the Frankston MAC, including the proposed introduction of the Activity Centre Zone with a new Schedule 1 (ACZ1), as identified in the 2024 Structure Plan. The ACZ1 will allow for differentiated land use and development objectives, including building height and setback controls for each of the six precincts designated in the 2024 Structure Plan. Discretionary building heights in the ACZ1 are between 3 and 16 storeys. The table of uses in the schedule provides direction on the preferred location of different land uses across the Frankston MAC and is supported by specific precinct objectives. Additional details are included for centre-wide provisions, precinct provisions, application requirements, decision guidelines and background documents.

The amendment is also required to facilitate the acquisition of land to be used for public purposes, through the proposed application of the Public Acquisition Overlay (PAO). PAO8 is proposed to be applied to part of the land at 510 Nepean Highway, Frankston is required to extend the Kananook Creek Promenade, to create the connection from Davey Street to the Foreshore Reserve. PAO9 is proposed to be applied to part of the land at 6, 8, 10, 12, 14, 16 and 18 Davey Street, Frankston to widen and extend Bay Lane. This will provide development along Davey Street with vehicle access from Bay Lane and ensure it can be adequately serviced from the laneway. Both are actions identified within the 2024 Structure Plan.

Associated amendments to relevant clauses of the Municipal Planning Strategy and the Planning Policy Framework are proposed to implement the intent of the 2024

Structure Plan. Other changes are proposed to correct minor inconsistencies with the *Ministerial Direction – The Form and Content of Planning Schemes*.

The amendment also includes consequential changes to a number of clauses throughout the Frankston Planning Scheme to provide clarity for users and ensure consistency with the 2024 Structure Plan.

The *Frankston Metropolitan Activity Centre Structure Plan (Frankston City Council, 2015)* (the 2015 Structure Plan) defined the extent of the Frankston MAC more widely and included residential areas adjacent to the Frankston MAC within the activity centre boundary. The 2024 Structure Plan reduces the extent of the Frankston MAC to the commercial and mixed-use areas of the centre taking into consideration State Government Planning Practice Notes, road and rail infrastructure and the application of the ACZ. To address the reduced Frankston MAC boundary in the planning scheme, consequential changes are proposed to a number of clauses to provide clarity for users.

Schedule 1 to Clause 32.07 Residential Growth Zone (RGZ1) and Schedule 1 to Clause 45.09 Parking Overlay (PO1) are proposed to be amended to distinguish between the new extent of the Frankston MAC and the adjacent residential areas. No change is proposed to the policy direction or provisions applied to these areas therefore the specific content in the Frankston Planning Scheme that relates to them is not changing. The changes principally involve name changes and other minor changes to ensure that the user is clear which provisions apply in specific locations.

There are some more complex consequential amendments that are detailed below.

The Schedule to Clause 53.01 Public Open Space Contribution and Subdivision currently applies an 8% public open space contribution to the 2015 Structure Plan area. The *Frankston Public Open Space Contributions Report (SGS Economics and Planning, 2019)*, a background document to the Frankston Planning Scheme, informed this contribution amount and specifically states that the amount is justified for the entire area (both residential and commercial) defined in the 2015 Structure Plan, as it will undergo a transformational change to 2036. The introduction of the Activity Centre Zone does not change this, nor does it result in a lesser level of development for the adjacent residential areas (within the RGZ1). Therefore, the schedule is being amended so that the wording reflects the intent of the provision and the proposed changes are only to ensure clarity for users.

Similarly, Schedules 12 and 13 to Clause 43.02 Design and Development Overlay (DDO12 and DDO13) were formed from content contained in built form guidelines prepared based on the 2015 Structure Plan. DDO12 has been amended to adjust the name of the clause so that it is clear to which area the Schedule applies, which is now outside the Structure Plan boundary. DDO13 currently applies to two discrete areas. One of those areas is proposed to form part of the ACZ, therefore Schedule 13 has been amended to be removed from this area and updated to reflect that and remove redundant references. In addition, DDO13 included reference to preferred

use of land that is not appropriate for a Design and Development Overlay and those references have been moved to the Planning Policy Framework, into a new Clause 19.02-1L. The built form guidelines documents have been renamed to reflect that these areas are no longer Frankston MAC precincts. The amendments to DDO12 and DDO13 ensure that they are both still reflective of the background documents that inform them and consistent with the new content being introduced by this Amendment.

The Schedule to Clause 72.08 Background Documents is proposed to be updated to remove references to documents that are no longer required and include references to documents that are either being introduced by this amendment or were missed in previous amendments that related to the Frankston MAC and adjacent areas. Amendment numbers and specific clause numbers are proposed to be included in the schedule for clarity. The changes proposed are to:

- Delete the reference to the 2015 Structure Plan;
- Include a reference to the 2024 Structure Plan and specify the amendment number C160fran and clause references 02.03, 11,03-1L-02, 16.01-1L and 37.08 Schedule 1 (ACZ1);
- Include a reference to *The Frankston Metropolitan Activity Centre Parking Precinct Plan (Frankston City Council, 2018)*, and specify the amendment number C133fran (a previous amendment that introduced the PO1) and clause reference 45.09 Schedule 1 (PO1);
- Include a reference to *Built Form Guidelines for Higher Density Residential Growth Areas adjacent to the Frankston Metropolitan Activity Centre (Frankston City Council, 2023)*, and specify the amendment number C124fran (a previous amendment that introduced the RGZ1 and DDO12) and clause references 32.07 Schedule 1 (RGZ1) and 43.02 Schedule 12 (DDO12);
- Include a reference to the *Built Form Guidelines Frankston Complementary Health Mixed Use Area (Frankston City Council, 2023)*, and specify the amendment number C124fran (a previous amendment that introduced DDO13) and clause reference 43.02 Schedule 13 (DDO13); and
- Update the reference to *Frankston Public Open Space Contributions (SGS Economics and Planning, 2019)* by specifying the amendment number C127fran (a previous amendment that changed the public open space contribution rate) and clause reference 53.01 (Public Open Space Contribution and Subdivision).

The Schedule to Clauses 74.01 (Application of Zones Overlays and Provisions) is proposed to be updated to include the Activity Centre Zone and the Schedule to 74.02 (Further Strategic Work) is also proposed to be updated to remove the further work to prepare a new Structure Plan for the Frankston MAC as that work is now complete.

Frankston Foreshore

The amendment also proposes to rezone land on the Frankston foreshore, in and around the mouth of the Kananook Creek from the CDZ2 to the PPRZ, a recommendation of the 2023 Structure Plan. Development of that area in accordance with the *Kananook Creek Comprehensive Development Plan, May 1999*, and *Kananook Foreshore Development Structure Plan, June 1998*, is now complete. Development includes the Frankston Yacht Club, Frankston Lifesaving Club, Sofia's Restaurant, Visitors Centre, car parking areas, boardwalks, footpaths and landscaping redevelopments. The PPRZ is considered the most appropriate zone for the foreshore, as the purpose of the zone is to recognise the use of the foreshore area for public recreation and open space, and also reflects public land ownership and management requirements. Council is the public land manager for the land. This approach is consistent with the zoning of similar foreshore areas around Port Phillip Bay that provide boating, yachting, cafes, restaurants and car parking facilities such as Mornington, Mordialloc, Half Moon Bay, Sandringham and St Kilda.

The amendment proposes the deletion of the CDZ2 and the associated Incorporated Document *Kananook Creek Comprehensive Development Plan (May 1999)* from Clause 72.04 (Incorporated Documents), as the entire CDZ2 area will be rezoned to PPRZ (outside the 2023 Structure Plan boundary) and ACZ (within the 2023 Structure Plan boundary). The amendment also proposes to delete Schedule 5 to Clause 43.02 (Design and Development Overlay) which applies to the Nepean Boulevard area, as the ACZ will supersede this control.

Transitional provisions

Clause 23 Operation of the Local Planning Policy Framework (Transitional), and associated sub-clauses are proposed to be deleted as the Frankston Planning Scheme has implemented the Planning Policy Framework and Municipal Planning Strategy and therefore the transitional provisions are no longer needed.

The proposed suite of new provisions will provide greater certainty to the Frankston community regarding the development outcomes in and adjacent to the Frankston MAC and the consequential amendments to existing provisions will ensure clarity and consistency for users of the planning scheme.

How does the amendment implement the objectives of planning in Victoria?

The amendment implements the following objectives of planning in Victoria, set out in Section 4(1) of the Planning and Environment Act 1987 (the Act), in particular:

- a) *To provide for the fair, orderly, economic and sustainable use, and development of land;*
- b) *To provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity;*
- c) *To secure a pleasant, efficient and safe working, living and recreational*

environment for all Victorians and visitors to Victoria;

- d) To conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value; and*
- e) To facilitate development in accordance with the objectives set out in paragraphs (a), (b), (c), (d) and (e);*

The amendment is consistent with the objectives by facilitating fair, orderly and sustainable use of land and high quality design outcomes within the Frankston MAC.

How does the amendment address any environmental, social and economic effects?

Environmental

The amendment is expected to have positive environmental impacts by:

- Encouraging people to live in the Frankston MAC by making more efficient use of existing infrastructure and services; and
- Protecting Kananook Creek and its environmental and amenity values through the provision of specific guidance for developments along the creek.

Social and Economic

The amendment is expected to have a positive social and economic impact for the municipality by:

- Providing the community with greater certainty and clarity with the implementation of planning controls for the Frankston MAC;
- Encouraging the re-development of streets throughout the Frankston MAC that are activated and people focused;
- Providing a framework for decision making, which Council will use to strategically accommodate growth and commercial activity, as well as providing opportunities for more people to live within the City Centre;
- Enhancing opportunities for community interaction;
- Supporting high-quality built form across the Frankston MAC that contributes to the coastal character and response to the preferred character of the precincts; and
- Seeking to provide more diverse housing options and encouraging affordable housing to meet the needs of the community.

Does the amendment address relevant bushfire risk?

The amendment will not increase the risk of life, property, community infrastructure and the natural environment from bushfire. The land affected by the amendment is not located within an area of identified bushfire risk.

Does the amendment comply with the requirements of any other Minister's Direction applicable to the amendment?

The amendment is consistent with the *Ministerial Direction on the Form and Content of Planning Schemes* under Section 7(5) of the Act.

The amendment has been prepared in accordance with the considerations set out in *Ministerial Direction No. 9 Metropolitan Planning Strategy* and *Ministerial Direction No. 11 Strategic Assessment of Amendments* made under Section 12, of the Act.

Ministerial Direction No. 13 Managing Coastal Hazards and the Coastal Impacts of Climate Change under Section 12(2)(a) is not relevant to this Amendment. Although some of the land is below 5.0m AHD, it is not applicable because the land is already zoned for urban purposes.

The amendment has been prepared in accordance with the considerations set out in *Ministerial Direction No.1 – Potentially Contaminated Land*. The amendment will facilitate uses for sensitive purposes, however any contamination issues can be addressed through the future planning permit approval process for use and/or buildings and works.

How does the amendment support or implement the Planning Policy Framework and any adopted State policy?

The amendment supports the Planning Policy Framework in the following ways:

- Clause 11 (Settlement) by providing provisions that appropriately respond to the needs of existing and future communities, and to facilitate sustainable development within the Frankston MAC.
- Clause 15 (Built Environment and Heritage) by encouraging development and urban environments that are enjoyable, support human health and community well-being, accommodate people of all abilities, ages and cultures, contribute to the local character and sense of place, reflect the characteristics and cultural identity of the community and enhance the function, amenity and safety of the public realm.
- Clause 16 (Housing) by providing for housing diversity and housing affordability in a location with services and community infrastructure.
- Clause 17 (Economic Development) by ensuring the Frankston MAC can contribute to the economic wellbeing of the state and foster economic growth.
- Clause 18 (Transport) by facilitating access to social and economic opportunities that support individual and community wellbeing, prioritising pedestrian activity in key areas of the Frankston MAC and through making more efficient use of existing transport infrastructure.

The amendment supports the recommendations of Plan Melbourne 2017-2050 by providing a framework for decision making for the Frankston MAC that is consistent

with its role as a Metropolitan Activity Centre.

How does the amendment support or implement the Municipal Planning Strategy?

The amendment supports the Municipal Planning Strategy, in the following ways:

- Clause 02.03-1 (Settlement) by assisting with the accommodation of population growth and housing demand in areas best suited to provide a quality living environment for the existing and future community. The Amendment encourages and assists with the facilitation of the Frankston MAC as the major community, employment and commercial focal point of both the municipality and the region.
- Clause 02.03-5 (Built Environment and Heritage) by encouraging improvements to design, amenity and quality of built form throughout the Frankston MAC. The Amendment also aims to ensure that new development responds to its unique coastal context and provides for activation and passive surveillance and provides a sensitive interface with public open space and the Kananook Creek and foreshore areas.
- Clause 02.03-6 (Housing) by encouraging the provision of affordable housing in a location with existing services and community infrastructure and assists with the delivery of new housing stock that reflects Frankston's changing population.
- Clause 02.03-7 (Economic Development) by assisting with the consolidation and expansion of the municipality and in particular the Frankston MAC as the regional focus for health, retail, education, hospitality, government services, accommodation and business activity.

Does the amendment make proper use of the Victoria Planning Provisions?

The amendment makes proper use of the Victorian Planning Provisions by:

- Applying the Activity Centre Zone to all of the land within the 2024 Structure Plan boundary;
- Applying and amending targeted overlay controls (which are in concert with the Activity Centre Zone);
- Implements the vision, objectives and design guidelines contained within the 2024 Structure Plan; and
- Rezones the foreshore in and around the mouth of the Kananook Creek to Public Park and Recreation Zone to recognise its role as public recreation and open space and provide for commercial uses, where appropriate.

The amendment has been prepared in accordance with *Planning Practice Note 56: Activity Centre Zone*, *Planning Practice Note 58: Structure Planning for Activity Centres*, *Planning Practice Note 59: The Role of Mandatory Provisions in Planning*

Schemes, Planning Practice Note 60: Height and Setback Controls for Activity Centres.

The amendment also makes consequential changes to the Planning Policy Framework to provide guidance on preferred land use for areas outside the Structure Plan area which are subject to Schedule 13 of Clause 43.02 (Design and Development Overlay). This is because land use directions should not be included in a built form overlay such as Clause 43.02 (Design and Development Overlay).

How does the amendment address the views of any relevant agency?

Approval stage

The ACZ1 has been amended to respond to the submissions of Melbourne Water through the addition of provisions for Precincts 4 and 5 that address the risk of flooding.

The ACZ1 boundary has been adjusted to remove Victrack owned land at 53 Davey Street, responding to VicTrack's submission.

The Department of Transport and Planning (Transport) were satisfied with Council's response to their submission and no changes to the amendment were required.

Does the amendment address relevant requirements of the Transport Integration Act 2010?

The amendment considers transport access and movement throughout the Frankston MAC, including walking, cycling, private vehicle, freight and public transport connections. The amendment will not have a significant impact on the transport system as defined by the *Transport Integration Act 2010*.

Resource and administrative costs

What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?

The amendment is not expected to impose additional resource or administrative costs on the responsible authority. The amendment will provide a clear planning framework that will provide greater certainty and clarity to the community and other stakeholders regarding land use and development within the Frankston MAC.

Planning and Environment Act 1987

Frankston Planning Scheme

Amendment C160fran

Instruction sheet

The planning authority for this amendment is the Frankston City Council.

The Frankston Planning Scheme is amended as follows:

Planning Scheme Maps

The Planning Scheme Maps are amended by a total of 3 attached map sheets.

Zoning Maps

1. Amend Planning Scheme Map No 04ZN in the manner shown on the 1 attached map marked "Frankston Planning Scheme, Amendment C160fran".

Overlay Maps

2. Amend Planning Scheme Map No 04DDO in the manner shown on the 1 attached map marked "Frankston Planning Scheme, Amendment C160fran".
3. Amend Planning Scheme Map No 04PAO in the manner shown on the 1 attached map marked "Frankston Planning Scheme, Amendment C160fran".

Planning Scheme Ordinance

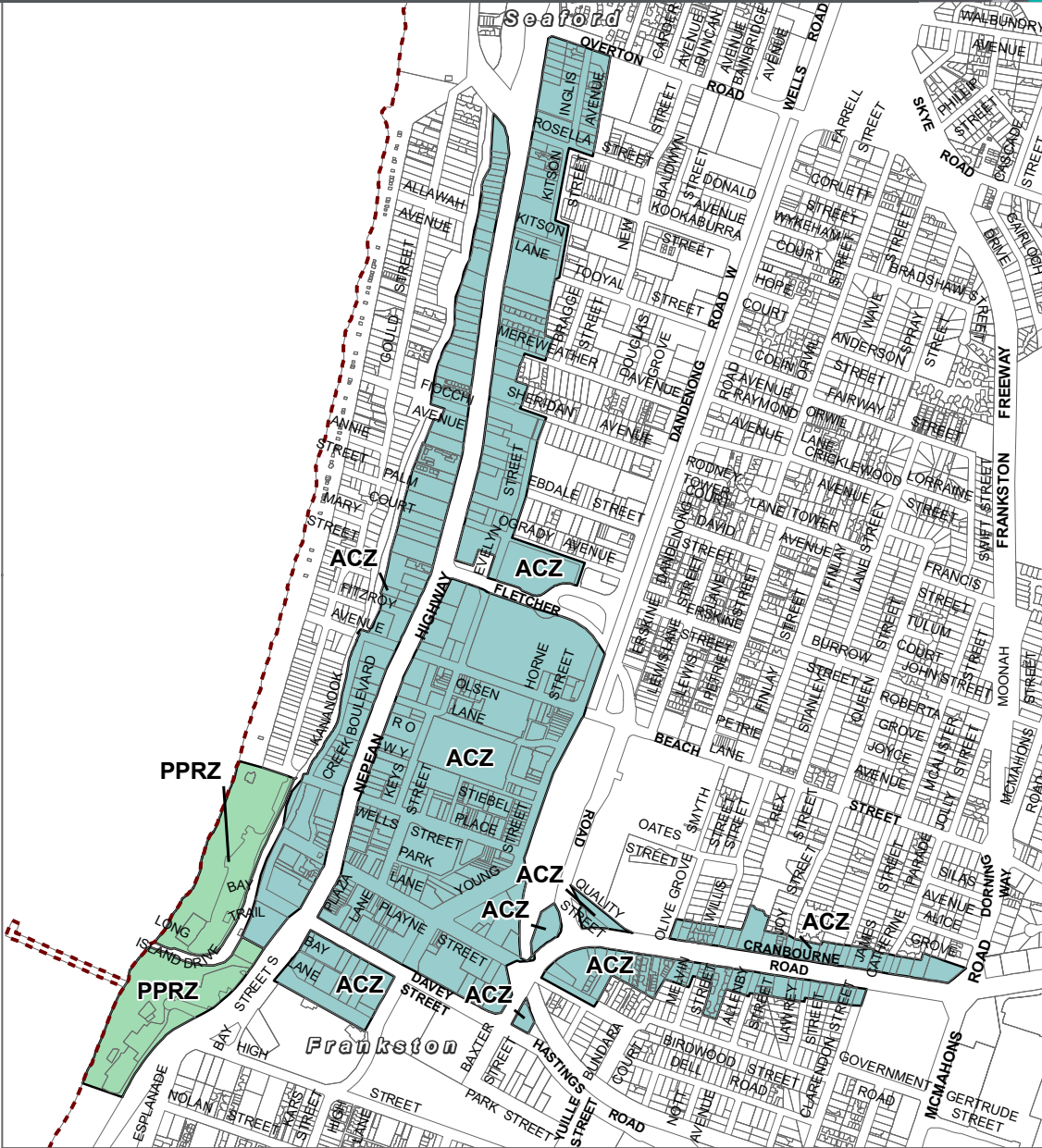
The Planning Scheme Ordinance is amended as follows:

4. In **Purpose and Vision** – replace Clause 02.03 with a new Clause 02.03 in the form of the attached document.
5. In **Purpose and Vision** – replace Clause 02.04 with a new Clause 02.04 in the form of the attached document.
6. In **Planning Policy Framework** – replace Clause 11.03-1L-02 with a new Clause 11.03-1L-02 in the form of the attached document.
7. In **Planning Policy Framework** – replace Clause 16.01-1L with a new Clause 16.01-1L in the form of the attached document.
8. In **Planning Policy Framework** – insert a new Clause 19.02-1L in the form of the attached document.

9. In **Operation of the Local Planning Policy Framework (Transitional)** – delete Clause 23 and sub-clauses 23.01, 23.02 and 23.03.
10. In **Zones** – Clause 32.07, replace Schedule 1 with a new Schedule 1 in the form of the attached document.
11. In **Zones** – Clause 37.02, delete Schedule 2.
12. In **Zones** – insert Clause 37.08 in the form of the attached document.
13. In **Zones** – Clause 37.08, insert a new Schedule 1 in the form of the attached document.
14. In **Overlays** – Clause 43.02, delete Schedule 5.
15. In **Overlays** – Clause 43.02, replace Schedule 12 with a new Schedule 12 in the form of the attached document.
16. In **Overlays** – Clause 43.02, replace Schedule 13 with a new Schedule 13 in the form of the attached document.
17. In **Overlays** – Clause 45.01, replace the Schedule with a new Schedule in the form of the attached document.
18. In **Overlays** – Clause 45.09, replace Schedule 1 with a new Schedule 1 in the form of the attached document.
19. In **Particular Provisions** – Clause 53.01, replace the Schedule with a new Schedule in the form of the attached document.
20. In **Operational Provisions** – Clause 72.04, replace the Schedule with a new Schedule in the form of the attached document.
21. In **Operational Provisions** – Clause 72.08, replace the Schedule with a new Schedule in the form of the attached document.
22. In **Operational Provisions** – Clause 74.01, replace the Schedule with a new Schedule in the form of the attached document.
23. In **Operational Provisions** – Clause 74.02, replace the Schedule with a new Schedule in the form of the attached document.

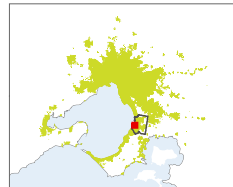
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FRANKSTON PLANNING SCHEME - LOCAL PROVISION AMENDMENT C160fran



LEGEND

- ACZ - Activity Centre Zone
- PPRZ - Public Park and Recreation Zone
- Local Government Area

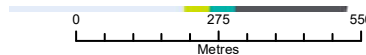


Part of Planning Scheme Map 4

Disclaimer

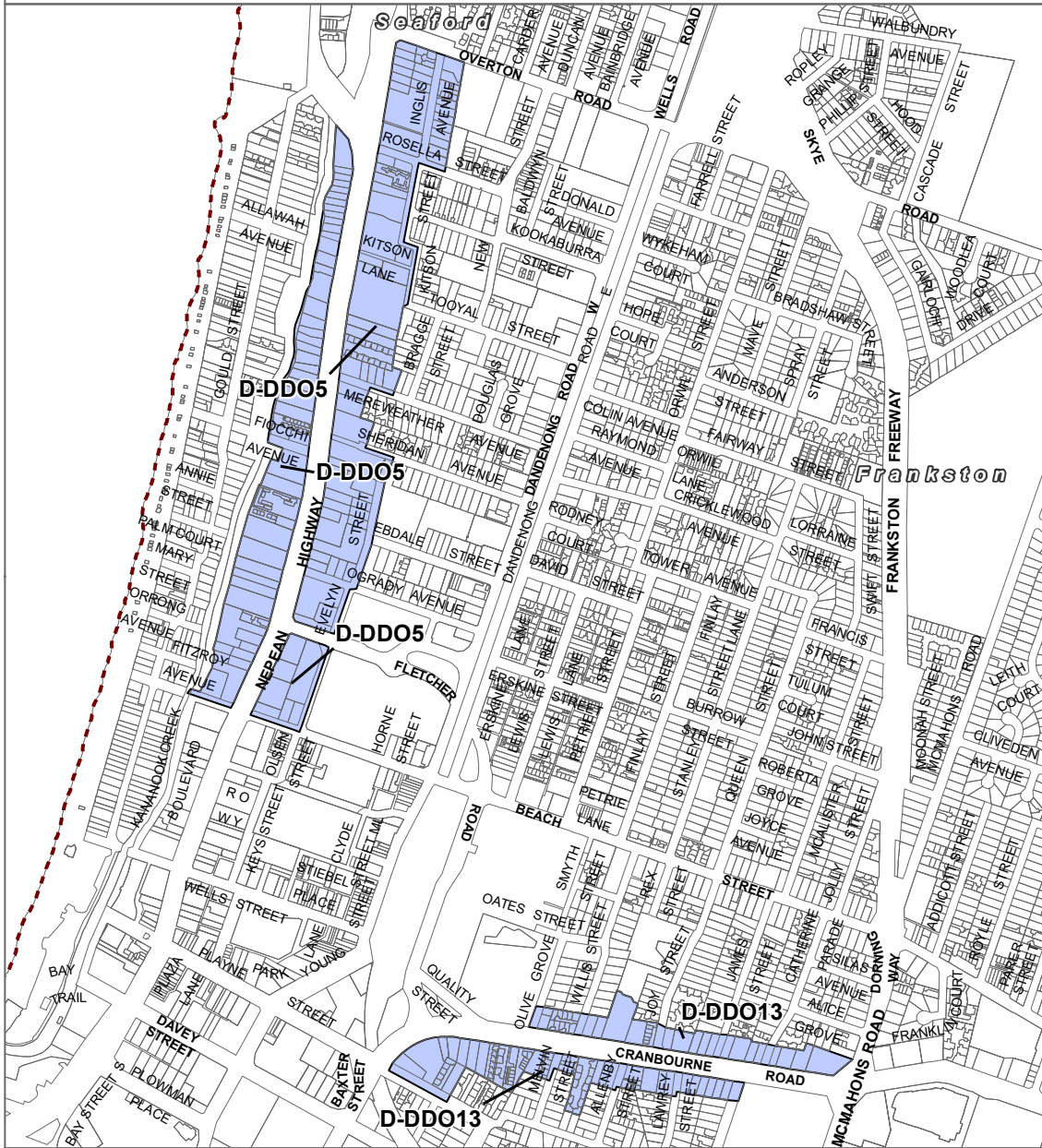
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Amendment Version: 3



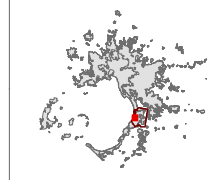
Department of Transport and Planning

FRANKSTON PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C160frn



LEGEND

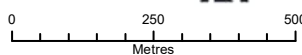
- D-DDO - Area to be deleted from a Design and Development Overlay
- Local Government Area



Part of Planning Scheme Map 4DDO

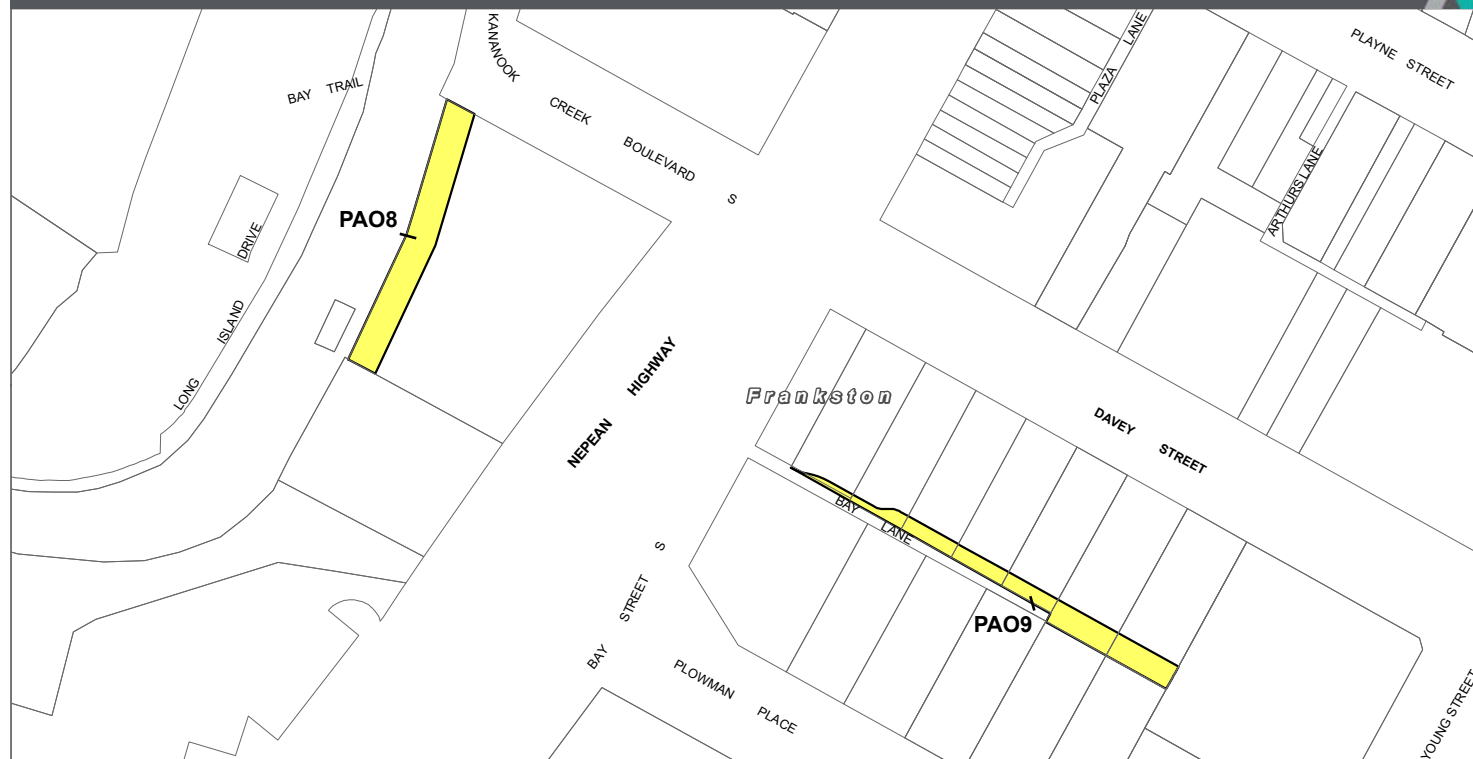
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Amendment Version: 1



Department
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and Planning

FRANKSTON PLANNING SCHEME - LOCAL PROVISION AMENDMENT C160fran



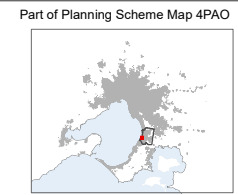
- LEGEND**
- PAO8 - Public Acquisition Overlay - Schedule 8
 - PAO9 - Public Acquisition Overlay - Schedule 9
 - Local Government Area

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Department of Transport and Planning



FRANKSTON PLANNING SCHEME

02.03

10/02/2022
C141fran

02.03-1

Proposed C160fran

STRATEGIC DIRECTIONS

Settlement

Urban Growth

Frankston's population is expected to have modest growth. The availability of greenfield land is limited due to the designation of the Urban Growth Boundary and the green wedge areas.

Strategic direction:

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

Frankston Metropolitan Activity Centre

The Frankston Metropolitan Activity Centre (MAC) is one of nine Metropolitan Activity Centres for the metropolitan area of Melbourne. It 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.

The Frankston MAC will 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 Frankston MAC.
- Transform Nepean Highway into a public boulevard providing an attractive and inspiring address for Frankston.
- Strengthen and consolidate health and education uses in the Frankston MAC within identified precincts and improve links to these uses from adjacent areas.
- Attract more mixed-use development in the Frankston MAC.

Frankston's Green Wedge

Frankston's green wedge comprises of 4,500 hectares and is partly located within the South East Green Wedge and Mornington Peninsula Green Wedge. The green wedges accommodate several different environmental, economic and social values including wetlands, Eastern Treatment Plant, sand resources and land fill sites.

The green wedge plays an important role in protecting and preserving land for agricultural and horticultural activities as well as the protection and conservation of flora and fauna within the area.

There is a need to ensure the ongoing protection and management of the green wedge from unplanned urban land use and development. Management of bushfire risk is an ongoing issue and priority within each Green Wedge Precinct.

Strategic direction:

- Manage the pressure for urban uses in the green wedge areas.

02.03-2

10/02/2022
C141fran

Environmental and landscape values

The municipality's extensive natural environment encompasses the coast and foreshore area, a number of environmentally significant creek and wetland areas, and important landscape features.

Strategic direction:

FRANKSTON PLANNING SCHEME

- Manage competing demands between environmental protection, landscape amenity and facilitating development.

The coast and foreshore

There are a number of overlapping aims for the foreshore areas, including accommodating a range of recreational activities, protecting significant remnant vegetation and ecosystems, maintaining natural coastal processes, maintaining and enhancing views and vistas and generally making the most of one of the municipality's major assets.

From Oliver's Hill there are spectacular views across the Bay to Melbourne and eastwards over the Frankston MAC to Mt Dandenong.

Strategic directions:

- Ensure the coast and foreshore areas accommodate a range of recreational activities, while balancing the need to support ecosystems, natural coastal processes and important views and vistas.
- Protect significant coastal remnant vegetation and ecosystems.
- Ensure natural coastal processes are protected.
- Protect important view lines and vistas from being obscured.

Waterways and wetlands

The Seaford Wetlands are RAMSAR listed and of international significance and provides a resting place for a variety of migratory water birds. A network of major nature conservation reserves, smaller natural bushland reserves and vegetated creek valleys, including the Sweetwater and Kananook Creek watercourses, provide a refuge for local plants and animals as well as passive recreation opportunities.

Strategic direction:

- Protect waterways, coastal foreshore, wetlands and other habitats and ecosystems from inappropriate development or environmental degradation.

Biodiversity and indigenous vegetation

A number of areas of remnant indigenous vegetation, on both public and private land, have been identified as having significance for flora and fauna conservation e.g. the Langwarrin and Pines Flora and Fauna Reserves, Frankston Nature Conservation Reserve. Frankston's bushlands provide refuge for several plant and animal species at risk of extinction. Arresting vegetation loss and the consequent decline in biodiversity is a significant challenge facing the municipality.

Strategic directions:

- Manage the loss and fragmentation of indigenous vegetation and Australian native vegetation to avoid loss of biodiversity.
- Secure and enhance habitat corridors to sustain the health of indigenous flora and fauna communities.

02.03-3

24/02/2023
C140fran

Environmental risks and amenity

Climate change impacts

Research conducted by CSIRO illustrates that Frankston City Council is significantly exposed to climate extremes and natural hazards such as storm surges and coastal inundation, floods, bushfires and extreme temperatures.

As a result of climate change these hazards are projected to increase in frequency and severity.

FRANKSTON PLANNING SCHEME

The large area of coastline and tidal creek environments are vulnerable to any increase in sea level, and urban areas are more susceptible to urban heat island effect. There is also the risk to flooding to the Eastern Treatment Plant, as identified in the Climate Change Impacts and Adaptation Plan (May 2011) and increased bushfire risks for rural and residential development in bushland areas of the municipality.

Careful planning is needed for all major developments proposed in coastal waters, along the foreshore, close to Kananook Creek in terrestrial and riparian ecosystems, and in low lying areas of the Frankston municipality including the Frankston MAC.

Strategic directions:

- Apply the 'precautionary principle' when planning for the City to help avoid serious or irreversible climate change effects.
- Protect areas of rural and residential development and subdivision from the threat of bushfire where bushland vegetation is present.
- Protect the community from the economic, social, and environmental risks associated with flooding and increased flooding in future.

Slope Instability

Several areas of known slope instability exist within the municipality. These are:

- Olivers Hill - an area historically documented for slope instability that has caused significant damage to infrastructure including roads and houses since the 1870's.
- The Cliff Road area documented historically for landslides, slips, slumps and soil creep dating back to 1854.
- The Sweetwater Creek Lower area which extends from the foothills of Frankston Reservoir to Port Philip Bay at the base of Olivers Hill and includes the Sweetwater Creek Lower Nature Reserve.

The potential for ongoing movement in these areas is dependent on a range of factors including the need to manage environmental factors such as vegetation cover, surface and subsurface drainage, slope stabilisation, rock and soil disturbance, effluent and stormwater disposal and provision of services such as electricity, gas and telecommunications.

Strategic direction:

- Ensure development takes measures to minimise risks of further erosion and landslip.

Eastern Treatment Plant

The Eastern Treatment Plant is an important metropolitan resource and needs to be protected from encroachment by sensitive uses.

This facility produces high volumes of high-quality recycled water that is currently used on some recreation reserves and housing estates and has the potential for wider application, including in agriculture and industry.

The Eastern Treatment Plant also provides a key refuge for local and migratory water birds including many species of regional, state and national significance.

Strategic direction:

- Ensure that the use and development of land around the Eastern Treatment Plant is compatible with the Plant's operation and is not odour sensitive.
- Support the ongoing operations and long term future of the Eastern Treatment Plant to continue to provide and improve the efficiency and sustainability of grey water use in the green wedge.

FRANKSTON PLANNING SCHEME

Amenity protection

Care is required in siting and designing non-residential uses in residential zones to avoid loss of privacy and amenity, while still providing convenience to residents living nearby.

Non-residential uses within and adjacent to residential areas may sometimes impact residential amenity due to the poor design of buildings or the spaces around them. There is a need to locate non-residential uses appropriately and ensure existing buildings (when used) are retrofitted to address amenity issues and new buildings are specific purpose designed and built to be responsive to their setting and respond to reasonable residential amenity expectations.

Strategic directions:

- Ensure non-residential uses are responsive to their residential setting and maintain existing standards of residential amenity.
- Minimise conflicts between industrial, commercial and residential uses, by supporting design and built form that address noise, air quality, traffic and visual intrusion.

02.03-4
24/02/2023
C140fran

Natural resource management

Rural land

Rural areas will be maintained and there will be an emphasis on encouraging agricultural land uses. Council seeks to encourage agricultural production in the Carrum Downs and Skye green wedge areas and rural residential development in the Langwarrin south green wedge area.

Strategic directions:

- Support the retention of productive agricultural land in Carrum Downs and Skye.
- Promote rural residential development in Langwarrin south.

Land fill sites

Council seeks to protect extractive industry sites shown on the Potential landfill sites plan at 02.04 – 8, from incompatible adjacent development:

- No. 130 (CAs 19 and 19A) Quarry Road, Langwarrin.
- Nos. 150-190 (CAs 17, 17A, 18 and 18A) Quarry Road, Langwarrin.
- No. 230 (CAs 16 and 16A) Quarry Road, Langwarrin.
- No. 260 (CAs 15, 15A and 15B) Quarry Road/McClelland Drive, Langwarrin.
- Nos. 220-300 (Lots 1-15, LP 13201) Quarry Road/McClelland Drive, Langwarrin.
- Nos. 60 and 65 (Lots 1 and 2, LP 146228T) Harold Road, Skye.
- No. 500 (Lot 4, LP 117269 and Lots 1 and 2, LP146228) Ballarto Road, Skye.

These sites provide an important resource for the disposal of non-recyclable solid waste for the municipality.

Land filling with solid waste is also a means of rehabilitating quarry sites by filling large holes and reinstating the landscape to relatively natural surface levels. Rehabilitated land fill sites are usually used for public open space.

Strategic directions:

- Protect existing quarry sites from the encroachment of sensitive uses.
- Plan for open spaces and high priority conservation corridors to replace redundant extractive and landfill activities.

FRANKSTON PLANNING SCHEME

- Maintain a non-urban zoning for land adjacent to existing extractive industry sites that have been identified for potential land fill sites.
- Ensure that land that uses that are potentially sensitive to solid waste landfill activities are located outside recommended buffer distances to maintain separation between uses.

02.03-5

10/02/2022
C141fran

Built environment and heritage

Built form and design

The municipality is undergoing land use and density change, in a number of areas including at entrances from new freeway links and larger scale development in the Frankston MAC. While Council seeks to facilitate development, this change needs to be sympathetic to, neighbourhood character, environmental and heritage values.

High quality urban design is a key priority for development, both in the public and private realms. As is also the need to protect the significant amenity benefits to the landscape and neighbourhood character quality, gained by existing vegetation.

Strategic directions:

- 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.
- Protect high canopy trees in urban areas.
- Protect and maintain the integrity of significant Aboriginal culture and post-settlement heritage places.

Health and wellbeing

Council seeks to support the social, health and economic wellbeing of the municipality's communities through land use and development outcomes. Ensuring a healthy, connected community is a key priority.

Strategic directions:

- 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.

Neighbourhood character

There are a wide variety of environments within the City ranging from the coastal foreshore to the rural residential areas. Many elements contribute to the individual character of different parts of the municipality. These elements include topography, vegetation density, building form, scale, siting, materials and front fencing.

Development needs to respond to the particular elements of the built form and natural environment that make up the character of Frankston.

Strategic directions:

- Ensure that the landscape character is respected within residential areas.
- Ensure new development responds to its context and the preferred future character of the area.

Environmental sustainability

Council seeks to facilitate development that minimises adverse environmental impacts, including minimising fossil fuel and greenhouse gas emissions. Incorporating environmental sustainability into planning for the municipality is a key priority for the community.

FRANKSTON PLANNING SCHEME

Strategic directions:

- 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.

02.03-6

Proposed C160fran

Housing

Changing demographic patterns, lifestyles and housing preferences are creating a demand for a diversity of housing choices, including medium and higher density housing, particularly in established areas. It is important to cater for this demand while protecting or enhancing the character and environmental values of the municipality.

The average household size in Frankston is continuing to decline, which means more dwellings will be required to house the population of the municipality, even in areas where population is not expected to rise substantially.

Other factors that will influence the future form of housing development in the municipality include:

- A relatively youthful population profile in Langwarrin and Carrum Downs and an ageing population in other parts of the municipality.
- Increased pressure for housing and other development in the Frankston MAC and nearby sections of the foreshore.

Strategic directions:

- Encourage the provision of affordable housing, in locations with existing services and community infrastructure such as the Frankston MAC.
- 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.

Low density residential areas

The low density residential areas at Frankston South and rural residential areas to the south and east of Langwarrin occupy areas of landscape quality and sensitivity, contribute to housing diversity and add to the distinct character of Frankston. The visual impact of development in these areas tends to be a function of development densities, including lot and dwelling size, and this in turn has an impact on vegetation retention.

Strategic direction:

- Encourage low density development that protects significant landscape and vegetation qualities.

02.03-7

10/02/2022
C141fran

Economic development

A majority of Frankston's residents travel outside of the municipality for work, with only about one third recorded as being employed within the municipality. Diversification of the employment base to encourage economic activity to employ residents is desirable.

Health and social assistance have overtaken retail as the largest employing industry in the municipality. While manufacturing is the largest contributor to the economy in terms of gross revenue. Education also makes a significant contribution.

FRANKSTON PLANNING SCHEME

The Carrum Downs industrial area is an important employment node where hi-tech, sustainable industry is encouraged to locate.

It is anticipated that there will be a greater demand and scope for tourism and personal service industries, e.g. leisure and recreation, home businesses, childcare, business and finance.

Strategic directions:

- Support use and development that provide for local employment and utilise local skills.
- Consolidate and expand the role of the municipality as the regional capital for health, retail, education, hospitality, government services, accommodation, and business activity.
- Establish the municipality as a regional tourism and visitation destination.
- Encourage the emerging or expanding areas of health, education, manufacturing, tourism, government services and construction through the revitalization of existing commercial and industrial areas.

02.03-8
10/02/2022
C141fran

Transport

Frankston City Council values an integrated transport network that allows choice of transport modes, and the movement of people and goods in a safe and efficient manner. The provision of such a network provides economic, social and environmental benefits.

The municipality's road network includes the Mornington Peninsula and Peninsula Link Freeways and East Link Tollway, as well as numerous arterial roads managed by VicRoads and Council managed major, collector and local access roads. The road network is largely complete, with few large scale subdivisions forecast for the future. The municipality is also served by over 1,000 kilometres of footpaths and shared use paths that generally run along roadways.

Increasing freight handling from Port of Hastings will require an increase in freight trains utilising the existing Frankston rail line. This could result in greater delays to the transport network, both cars and sustainable modes of transport around Frankston. Planning for a new freight rail line along Western Port Highway dedicated for freight from the Port of Hastings, would reduce the impact to Frankston's transport systems.

The Frankston train line provides access to Melbourne while the Stony Point V-Line service provides access through the Mornington Peninsula. Twenty-four bus services operate within the municipality, with many utilising the Frankston Transit Interchange.

Strategic directions:

- Support development that enhances public transport, pedestrian and bike infrastructure.
- Facilitate the efficient use of roads.
- Plan for a rail freight link between the Port of Hastings and a proposed inland port.

02.03-9
10/02/2022
C141fran

Infrastructure

Council manages land, property and infrastructure assets on behalf of the community. These assets directly support the services that Council delivers to the community and includes roads, drainage, shared paths, active and passive open space reserves and community facilities.

As the municipality continues to grow and mature opportunity exists to encourage further reducing the use of water for all types of development and facilitate the use of alternative water sources.

Monash University Peninsula Campus and the Chisolm Frankston Campus are both located within the Frankston MAC and provide expanded educational courses servicing the wider peninsula region. Further student growth is anticipated within the campus encouraging the planning for increasing and or incorporating student accommodation within the vicinity of the campuses.

Strategic directions:

FRANKSTON PLANNING SCHEME

- Ensure the timely and adequate provision of infrastructure and services.
- Identify and respond to potential infrastructure limitations associated with development.
- Support the growth and role of tertiary educational institutions and associated student accommodation.
- Minimise water usage in domestic, commercial and industrial applications, and encouraging the use of alternative water sources such as stormwater and recycled water from the Eastern Treatment Plant.

Open space

A large number of council parks and public and private golf courses provide residents with the opportunity for both passive and active recreation. Council seeks to enhance this network including links to regional open spaces within the municipality and in adjoining council areas, particularly for developing areas. Council will ensure that the open spaces are developed with recognition of the existing flora and fauna habitat and links.

Recreation activity nodes are identified along the coast, at Keast Park and Station Street, Seaford, Kananook Creek mouth and Olivers Hill, Frankston and the potential to promote a coastal village theme at Seaford is also identified.

Council's strategic directions relating to open space are to:

- Provide access to open space and recreation facilities in developing areas.
- Establish links between areas of regional open space within and with adjoining municipal areas.
- Ensure provision of open space and recreation facilities is compatible with protection and enhancement of existing flora and fauna habitat and links.
- Provide a wide range of active and passive recreation and leisure opportunities.

02.03-10

10/02/2022
C141fran

Gaming

Gaming machine gambling is a legal form of recreation for adult members of the community and needs to be planned for among other forms of entertainment. While gaming can bring social and economic benefits, problem gambling can also have negative impacts on some individuals, their families and the broader community. This is of particular concern in Frankston City Council where gambling losses are high relative to the Melbourne metropolitan area and several gaming venues are located in areas of relative disadvantage where residents are vulnerable to problem gambling.

Council's strategic directions for Gaming are to:

- Minimise the detrimental impacts of gaming on the community resulting from new gaming machines.
- Encourage a reduction in the number of gaming machines in the municipality.

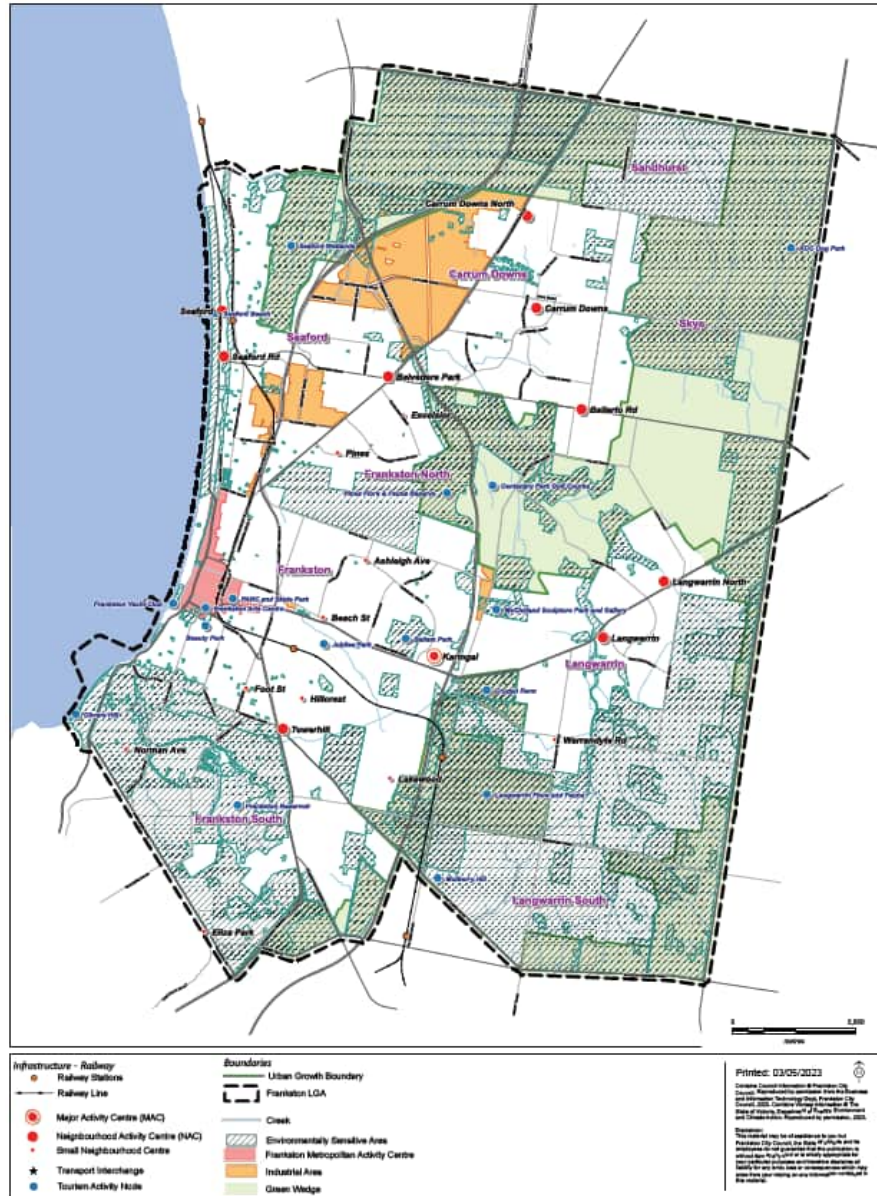
FRANKSTON PLANNING SCHEME

02.04 STRATEGIC FRAMEWORK PLANS

Proposed C160fran The plans contained in Clause 02.04 are to be read in conjunction with the strategic directions in Clause 02.03.

02.04-01 Municipal strategic framework plan

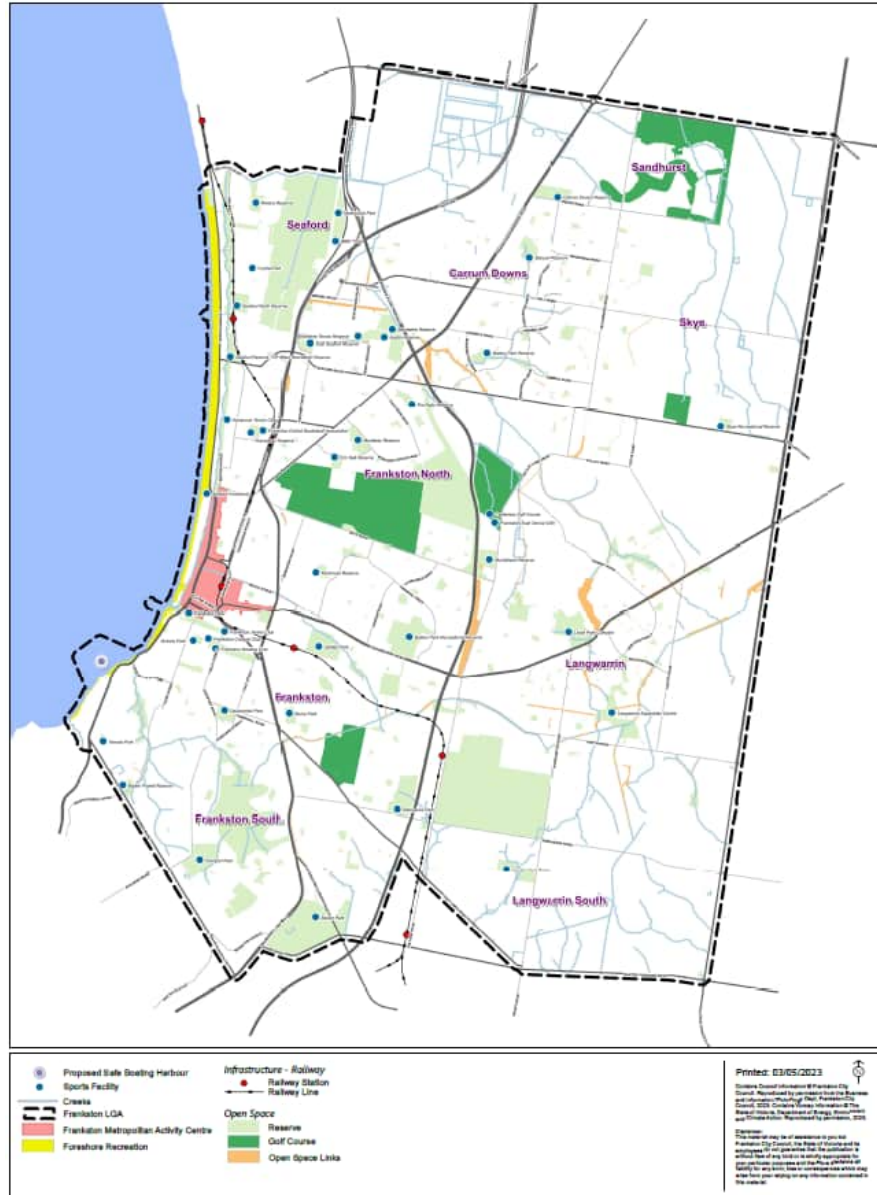
Proposed C160fran



FRANKSTON PLANNING SCHEME

02.04-2 Open space & recreation network map

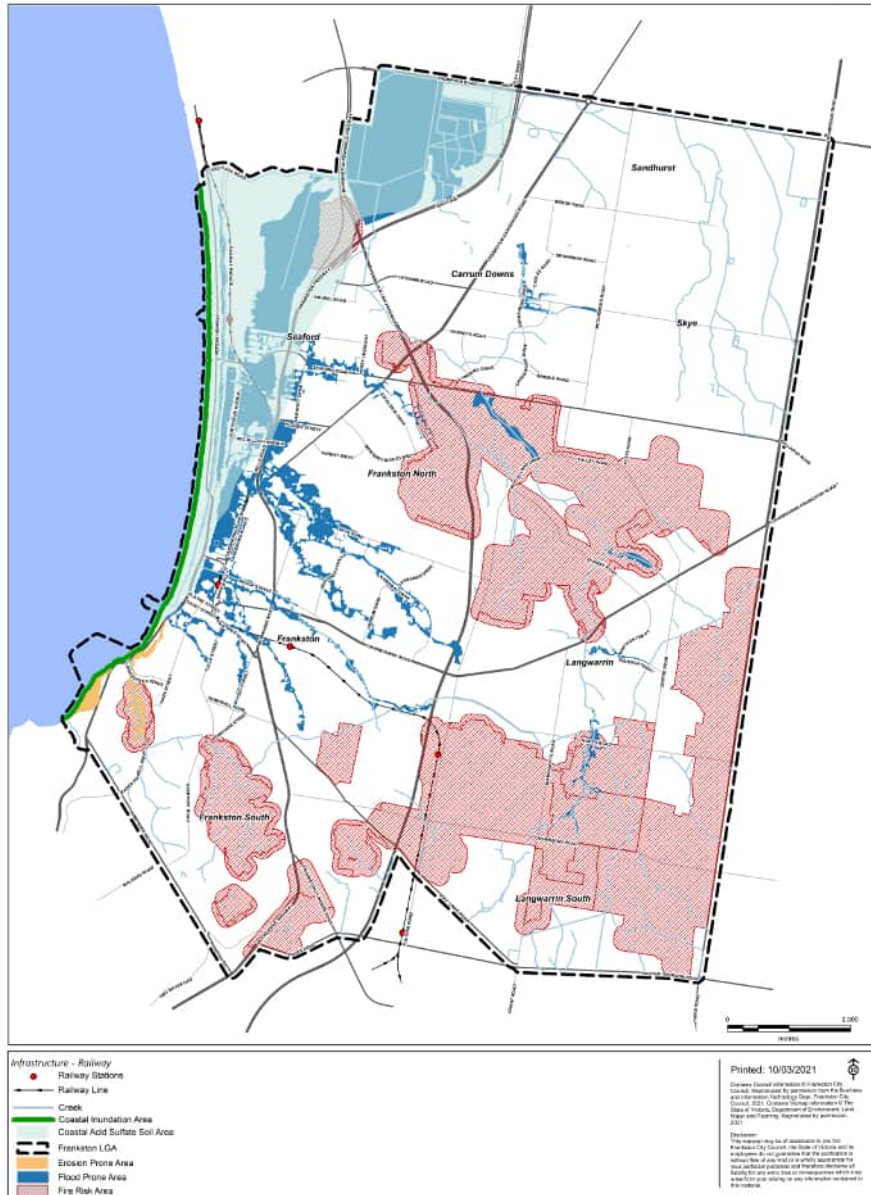
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FRANKSTON PLANNING SCHEME

02.04-3
10/02/2022
C141fran

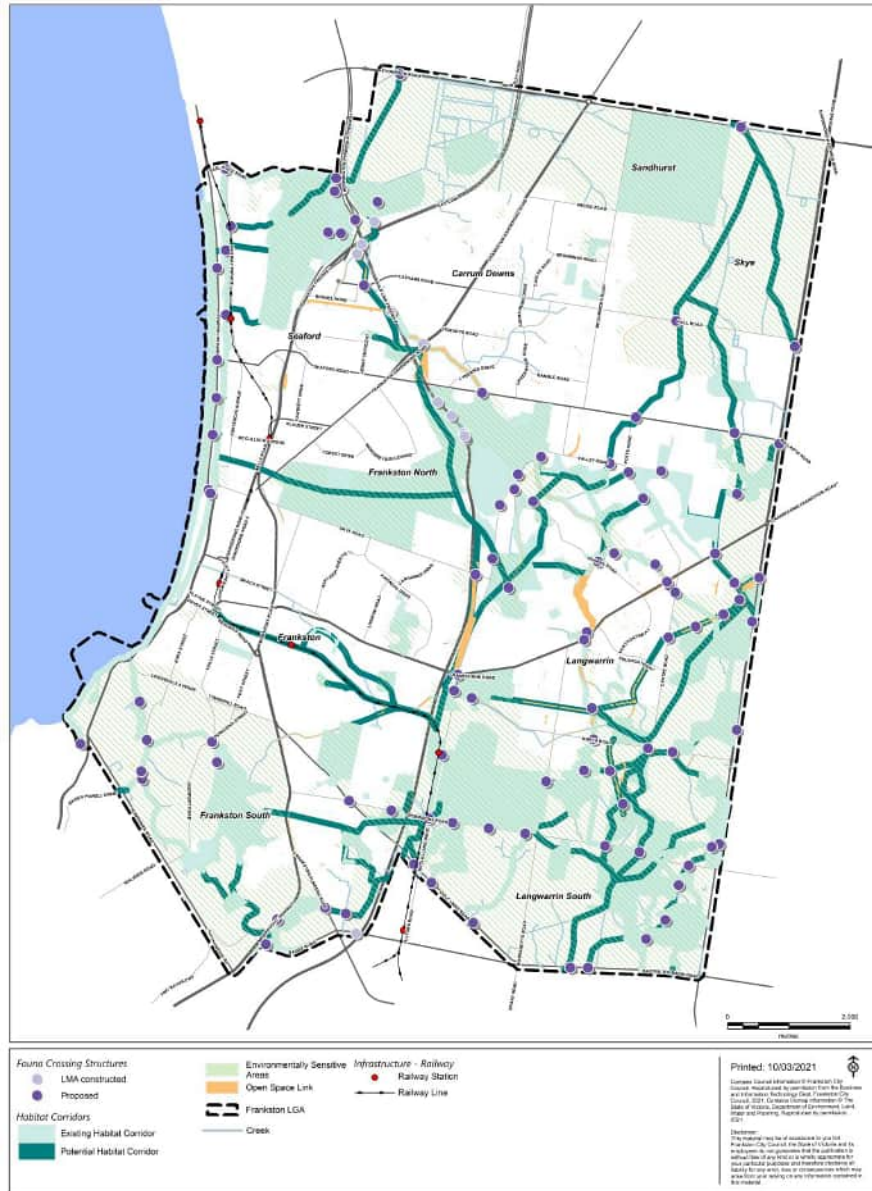
Environmental risks map



FRANKSTON PLANNING SCHEME

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10/02/2022
C141fran

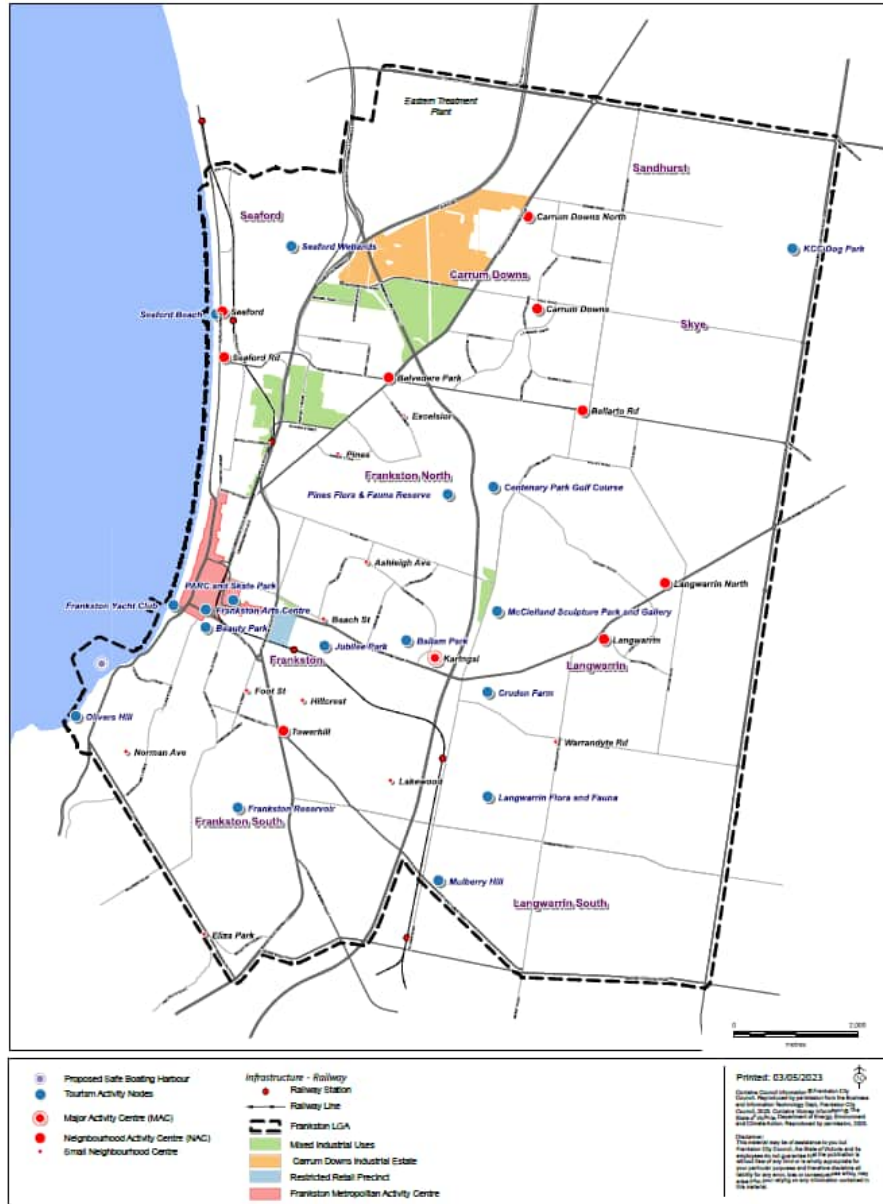
Environmental & landscape values



FRANKSTON PLANNING SCHEME

02.04-5 Economic development framework map

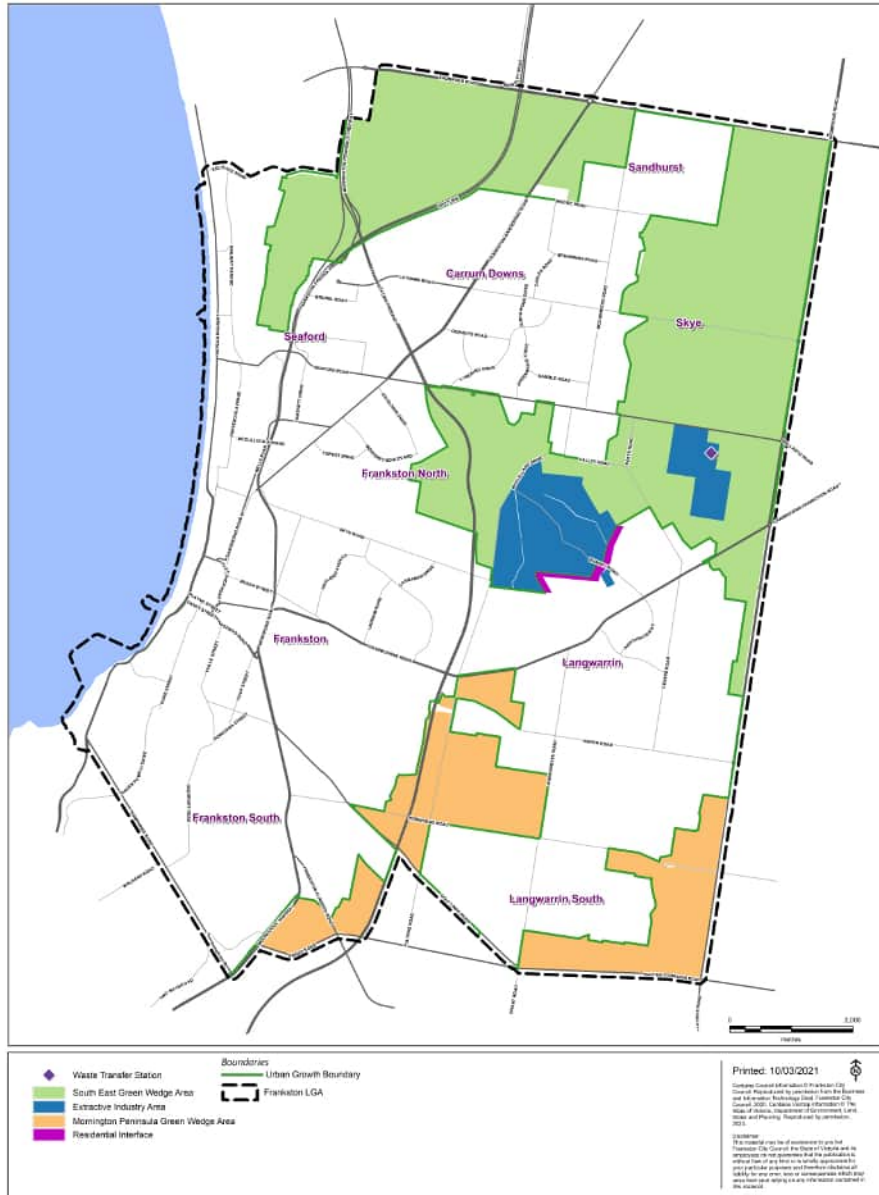
Proposed C160fran



FRANKSTON PLANNING SCHEME

02.04-6
10/02/2022
C141fran

Resource management map



FRANKSTON PLANNING SCHEME

02.04-7
 10/02/2022
 C141fran

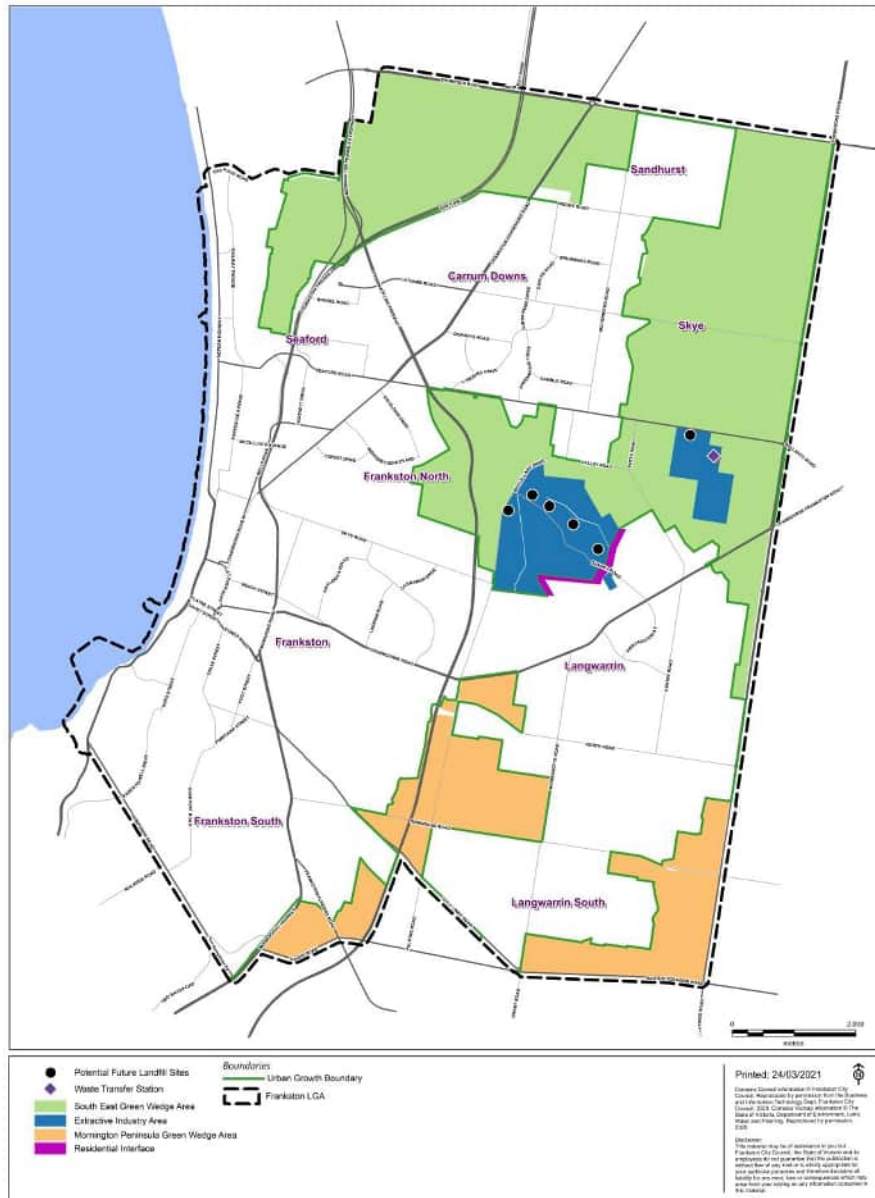
Transport framework map



FRANKSTON PLANNING SCHEME

02.04-8
10/02/2022
C141fran

Potential landfill sites plan



FRANKSTON PLANNING SCHEME

11.03
31/07/2018
VC148

PLANNING FOR PLACES

FRANKSTON PLANNING SCHEME

11.03-1S

03/02/2022
VC199

Activity centres

Objective

To encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres that are highly accessible to the community.

Strategies

Build up activity centres as a focus for high-quality development, activity and living by developing a network of activity centres that:

- Comprises a range of centres that differ in size and function.
- Is a focus for business, shopping, working, leisure and community facilities.
- Provides different types of housing, including forms of higher density housing.
- Is connected by transport.
- Maximises choices in services, employment and social interaction.

Support the role and function of each centre in the context of its classification, the policies for housing intensification, and development of the public transport network.

Undertake strategic planning for the use and development of land in and around activity centres.

Give clear direction on preferred locations for investment.

Encourage a diversity of housing types at higher densities in and around activity centres.

Reduce the number of private motorised trips by concentrating activities that generate high numbers of (non-freight) trips in highly accessible activity centres.

Improve access by walking, cycling and public transport to services and facilities.

Support the continued growth and diversification of activity centres to give communities access to a wide range of goods and services, provide local employment and support local economies.

Encourage economic activity and business synergies.

Improve the social, economic and environmental performance and amenity of activity centres.

Policy documents

Consider as relevant:

- *Urban Design Guidelines for Victoria* (Department of Environment, Land, Water and Planning, 2017)
- *Apartment Design Guidelines for Victoria* (Department of Environment, Land, Water and Planning, 2021)
- *Precinct Structure Planning Guidelines* (Victorian Planning Authority, 2021)

FRANKSTON PLANNING SCHEME

11.03-1R Activity centres - Metropolitan Melbourne

31/07/2018
VC148

Strategies

Support the development and growth of Metropolitan Activity Centres by ensuring they:

- Are able to accommodate significant growth for a broad range of land uses.
- Are supported with appropriate infrastructure.
- Are hubs for public transport services.
- Offer good connectivity for a regional catchment.
- Provide high levels of amenity.

Locate significant new education, justice, community, administrative and health facilities that attract users from large geographic areas in or on the edge of Metropolitan Activity Centres or Major Activity Centres with good public transport.

Locate new small scale education, health and community facilities that meet local needs in or around Neighbourhood Activity Centres.

Ensure Neighbourhood Activity Centres are located within convenient walking distance in the design of new subdivisions.

FRANKSTON PLANNING SCHEME

11.03-1L-01 Activity centres

10/02/2022
C141fran

Strategies

Encourage the co-location of community and recreation facilities within or near activity centres.
Support the use of key Council owned sites within activity centres for development.

11.03-1L-02 Frankston Metropolitan Activity Centre

Proposed C160fran

Strategies

Enhance the image of the Frankston Metropolitan Activity Centre (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 a broad range of accommodation uses in the Frankston MAC, including affordable and social housing.

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.

Policy documents

Consider as relevant:

Frankston Metropolitan Activity Centre Structure Plan (Tract, 2023)

FRANKSTON PLANNING SCHEME

11.03-2S

04/05/2022
VC210

Growth areas

Objective

To locate urban growth close to transport corridors and services and provide efficient and effective infrastructure to create sustainability benefits while protecting primary production, major sources of raw materials and valued environmental areas.

Strategies

Concentrate urban expansion into growth areas that are served by high-capacity public transport.

Implement the strategic directions in the Growth Area Framework Plans.

Encourage average overall residential densities in the growth areas of a minimum of 15 dwellings per net developable hectare, and over time, seek an overall increase in residential densities to more than 20 dwellings per net developable hectare.

Deliver timely and adequate provision of public transport and local and regional infrastructure and services, in line with a preferred sequence of land release.

Provide for significant amounts of local employment opportunities and in some areas, provide large scale industrial or other more regional employment generators.

Create a network of mixed-use activity centres that are high quality, well designed and create a sense of place.

Provide a diversity of housing type and distribution.

Retain unique characteristics of established areas impacted by growth.

Protect and manage natural resources and areas of heritage, cultural and environmental significance.

Create well planned, easy to maintain and safe streets and neighbourhoods that reduce opportunities for crime, improve perceptions of safety and increase levels of community participation.

Develop Growth Area Framework Plans that will:

- Include objectives for each growth area.
- Identify the long term pattern of urban growth.
- Identify the location of broad urban development types, for example activity centre, residential, employment, freight centres and mixed use employment.
- Identify the boundaries of individual communities, landscape values and, as appropriate, the need for discrete urban breaks and how land uses in these breaks will be managed.
- Identify transport networks and options for investigation, such as future railway lines and stations, freight activity centres, freeways and arterial roads.
- Identify the location of open space to be retained for recreation, and/or biodiversity protection and/or flood risk reduction purposes guided and directed by regional biodiversity conservation strategies.
- Show significant waterways as opportunities for creating linear trails, along with areas required to be retained for biodiversity protection and/or flood risk reduction purposes.
- Identify appropriate uses for constrained areas, including quarry buffers.

Develop precinct structure plans consistent with the *Precinct Structure Planning Guidelines* (Victorian Planning Authority, 2021) approved by the Minister for Planning to:

- Establish a sense of place and community.
- Create greater housing choice, diversity and affordable places to live.
- Create highly accessible and vibrant activity centres.
- Provide for local employment and business activity.

FRANKSTON PLANNING SCHEME

- Provide better transport choices.
- Respond to climate change and increase environmental sustainability.
- Deliver accessible, integrated and adaptable community infrastructure.

Policy documents

Consider as relevant:

- Any applicable Growth Area Framework Plans (Department of Sustainability and Environment, 2006)
- *Precinct Structure Planning Guidelines* (Victorian Planning Authority, 2021)
- *Ministerial Direction No. 12 – Urban Growth Areas*

FRANKSTON PLANNING SCHEME

11.03-3S Peri-urban areas

31/07/2018
VC148

Objective

To manage growth in peri-urban areas to protect and enhance their identified valued attributes.

Strategies

Identify and protect areas that are strategically important for the environment, biodiversity, landscape, open space, water, agriculture, energy, recreation, tourism, environment, cultural heritage, infrastructure, extractive and other natural resources.

Provide for development in established settlements that have capacity for growth having regard to complex ecosystems, landscapes, agricultural and recreational activities including in Warragul-Drouin, Bacchus Marsh, Torquay-Jan Juc, Gisborne, Kyneton, Wonthaggi, Kilmore, Broadford, Seymour and Ballan and other towns identified by Regional Growth Plans as having potential for growth.

Establish growth boundaries for peri-urban towns to avoid urban sprawl and protect agricultural land and environmental assets.

Enhance the character, identity, attractiveness and amenity of peri-urban towns.

Prevent dispersed settlement and provide for non-urban breaks between urban areas.

Ensure development is linked to the timely and viable provision of physical and social infrastructure.

Improve connections to regional and metropolitan transport services.

FRANKSTON PLANNING SCHEME

11.03-4S

20/03/2023
VC229

Coastal settlement

Objective

To plan for sustainable coastal development.

Strategies

Plan and manage coastal population growth and increased visitation so that impacts do not cause unsustainable use of coastal resources.

Support a network of diverse coastal settlements that provide for a broad range of housing types, economic opportunities and services.

Identify a clear settlement boundary around coastal settlements to ensure that growth in coastal areas is planned and coastal values are protected. Where no settlement boundary is identified, the extent of a settlement is defined by the extent of existing urban zoned land and any land identified on a plan in the planning scheme for future urban settlement.

Minimise linear urban sprawl along the coastal edge and ribbon development in rural landscapes.

Protect areas between settlements for non-urban use.

Limit development in identified coastal hazard areas, on ridgelines, primary coastal dune systems, shorelines of estuaries, wetlands and low-lying coastal areas, or where coastal processes may be detrimentally impacted.

Encourage the restructure of old and inappropriate subdivisions to reduce development impacts on the environment.

Ensure a sustainable water supply, stormwater management and sewerage treatment for all development.

Minimise the quantity and enhance the quality of stormwater discharge from new development into the ocean, bays and estuaries.

Prevent the development of new residential canal estates.

Policy documents

Consider as relevant:

- *G21 Regional Growth Plan* (Geelong Region Alliance, 2013)
- *Gippsland Regional Growth Plan* (Victorian Government, 2014)
- *Great South Coast Regional Growth Plan* (Victorian Government, 2014)
- *Marine and Coastal Policy* (Department of Environment, Land, Water and Planning, 2020)
- *Marine and Coastal Strategy* (Department of Environment, Land, Water and Planning, 2022)
- *Siting and Design Guidelines for Structures on the Victorian Coast* (Department of Environment, Land, Water and Planning, 2020)

FRANKSTON PLANNING SCHEME

11.03-5S

30/04/2021
VC185

Distinctive areas and landscapes

Objective

To recognise the importance of distinctive areas and landscapes to the people of Victoria and protect and enhance the valued attributes of identified or declared distinctive areas and landscapes.

Strategies

Recognise the unique features and special characteristics of these areas and landscapes.

Implement the strategic directions of approved Localised Planning Statements and Statements of Planning Policy.

Integrate policy development, implementation and decision-making for declared areas under Statements of Planning policy.

Recognise the important role these areas play in the state as tourist destinations.

Protect the identified key values and activities of these areas.

Enhance conservation of the environment, including the unique habitats, ecosystems and biodiversity of these areas.

Support use and development where it enhances the valued characteristics of these areas.

Avoid use and development that could undermine the long-term natural or non-urban use of land in these areas.

Protect areas that are important for food production.

Policy documents

Consider as relevant:

- *Bellarine Peninsula Localised Planning Statement* (Victorian Government, 2015)
- *Macedon Ranges Statement of Planning Policy* (Victorian Government, 2019)
- *Mornington Peninsula Localised Planning Statement* (Victorian Government, 2014)
- *Yarra Ranges Localised Planning Statement* (Victorian Government, 2017)

FRANKSTON PLANNING SCHEME

11.03-6S Regional and local places

31/07/2018
VC148

Objective

To facilitate integrated place-based planning.

Strategies

Integrate relevant planning considerations to provide specific direction for the planning of sites, places, neighbourhoods and towns.

Consider the distinctive characteristics and needs of regional and local places in planning for future land use and development.

FRANKSTON PLANNING SCHEME

16.01
31/07/2018
VC148

RESIDENTIAL DEVELOPMENT

FRANKSTON PLANNING SCHEME

16.01-1S

20/12/2021
VC174

Housing supply

Objective

To facilitate well-located, integrated and diverse housing that meets community needs.

Strategies

Ensure that an appropriate quantity, quality and type of housing is provided, including aged care facilities and other housing suitable for older people, supported accommodation for people with disability, rooming houses, student accommodation and social housing.

Increase the proportion of housing in designated locations in established urban areas (including under-utilised urban land) and reduce the share of new dwellings in greenfield, fringe and dispersed development areas.

Encourage higher density housing development on sites that are well located in relation to jobs, services and public transport.

Identify opportunities for increased residential densities to help consolidate urban areas.

Facilitate diverse housing that offers choice and meets changing household needs by widening housing diversity through a mix of housing types.

Encourage the development of well-designed housing that:

- Provides a high level of internal and external amenity.
- Incorporates universal design and adaptable internal dwelling design.

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.

Policy documents

Consider as relevant:

- *Homes for Victorians - Affordability, Access and Choice* (Victorian Government, 2017)
- *Apartment Design Guidelines for Victoria* (Department of Environment, Land, Water and Planning, 2021)

FRANKSTON PLANNING SCHEME

16.01-1R Housing supply - Metropolitan Melbourne

09/10/2020
VC169

Strategies

Manage the supply of new housing to meet population growth and create a sustainable city by developing housing and mixed use development opportunities in locations that are:

- In and around the Central City.
- Urban-renewal precincts and sites.
- Areas for residential growth.
- Areas for greyfield renewal, particularly through opportunities for land consolidation.
- Areas designated as National Employment and Innovation Clusters.
- Metropolitan activity centres and major activity centres.
- Neighbourhood activity centres - especially those with good public transport connections.
- Areas near existing and proposed railway stations that can support transit-oriented development.

Identify areas that offer opportunities for more medium and high density housing near employment and transport in Metropolitan Melbourne.

Facilitate increased housing in established areas to create a city of 20 minute neighbourhoods close to existing services, jobs and public transport.

Provide certainty about the scale of growth by prescribing appropriate height and site coverage provisions for different areas.

Allow for a range of minimal, incremental and high change residential areas that balance the need to protect valued areas with the need to ensure choice and growth in housing.

Create mixed-use neighbourhoods at varying densities that offer more choice in housing.

FRANKSTON PLANNING SCHEME

16.01-1L Housing supply

Proposed C160fran

Strategies

Encourage higher density housing in and around the Frankston Metropolitan Activity Centre (MAC).

Allow for medium density housing in locations identified within the *Frankston Housing Strategy* (Planisphere, 2013).

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.

Encourage student accommodation at or within walking distance of Monash University and Chisholm TAFE campuses and within the Frankston MAC.

Policy documents

Consider as relevant:

- *Frankston Housing Strategy* (Planisphere, 2013)
- *Frankston Metropolitan Activity Centre Structure Plan* (Tract, 2023)

FRANKSTON PLANNING SCHEME

16.01-2S

09/10/2020
VC169

Housing affordability

Objective

To deliver more affordable housing closer to jobs, transport and services.

Strategies

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.
- Ensuring the redevelopment and renewal of public housing stock better meets community needs.

Facilitate the delivery of social housing by identifying surplus government land suitable for housing.

Policy documents

Consider as relevant:

- *Homes for Victorians - Affordability, Access and Choice* (Victorian Government, 2017)

FRANKSTON PLANNING SCHEME

16.01-3S Rural residential development

09/10/2020
VC169

Objective

To identify land suitable for rural residential development.

Strategies

Manage development in rural areas to protect agriculture and avoid inappropriate rural residential development.

Encourage the consolidation of new housing in existing settlements where investment in physical and community infrastructure and services has already been made.

Demonstrate need and identify locations for rural residential development through a housing and settlement strategy.

Ensure planning for rural residential development avoids or significantly reduces adverse economic, social and environmental impacts by:

- Maintaining the long-term sustainable use and management of existing natural resource attributes in activities including agricultural production, water, mineral and energy resources.
- Protecting existing landscape values and environmental qualities such as water quality, native vegetation, biodiversity and habitat.
- Minimising or avoiding property servicing costs carried by local and state governments.
- Maintaining an adequate buffer distance between rural residential development and animal production.

Ensure land is not zoned for rural residential development if it will encroach on high quality productive agricultural land or adversely impact on waterways or other natural resources.

Discourage development of small lots in rural zones for residential use or other incompatible uses.

Encourage consolidation of existing isolated small lots in rural zones.

Ensure land is only zoned for rural residential development where it:

- Is located close to existing towns and urban centres, but not in areas that will be required for fully serviced urban development.
- Can be supplied with electricity, water and good quality road access.

FRANKSTON PLANNING SCHEME

16.01-4S Community care accommodation

04/11/2022
VC226

Objective

To facilitate the establishment of community care accommodation and support their location being kept confidential.

Strategies

Planning schemes should not require a planning permit for or prohibit the use of land in a residential area for community care accommodation provided no more than 20 clients are accommodated and the use is funded by, or carried out by or on behalf of, a government department or public authority, including a public authority established for a public purpose under a Commonwealth Act.

Facilitate the confidential establishment of community care accommodation through appropriate permit, notice and review exemptions.

FRANKSTON PLANNING SCHEME

16.01-5S

09/10/2020
VC169

Residential aged care facilities

Objective

To facilitate the development of well-designed and appropriately located residential aged care facilities.

Strategies

Recognise that residential aged care facilities contribute to housing diversity and choice, and are an appropriate use in a residential area.

Recognise that residential aged care facilities are different to dwellings in their purpose and function, and will have a different built form (including height, scale and mass).

Ensure local housing strategies, precinct structure plans and activity centre structure plans provide for residential aged care facilities.

Ensure that residential aged care facilities are located in residential areas, activity centres and urban renewal precincts, close to services and public transport.

Encourage planning for housing that:

- Delivers an adequate supply of land or redevelopment opportunities for residential aged care facilities.
- Enables older people to live in appropriate housing in their local community.

Provide for a mix of housing for older people with appropriate access to care and support services.

Ensure that proposals to establish residential aged care facilities early in the life of a growth area are in locations that will have early access to services and public transport.

Ensure that residential aged care facilities are designed to respond to the site and its context.

Promote a high standard of urban design and architecture in residential aged care facilities.

Policy guidelines

Consider as relevant:

- The Commonwealth Government's Responsible ratios for the provision of aged care places under the *Aged Care Act 1997*.

FRANKSTON PLANNING SCHEME

19.02
31/07/2018
VC148

COMMUNITY INFRASTRUCTURE

FRANKSTON PLANNING SCHEME

19.02-1S
31/07/2018
VC148

Health facilities

Objective

To assist the integration of health facilities with local and regional communities.

Strategies

Facilitate the location of health and health-related facilities (including acute health, aged care, disability services and community care facilities) taking into account demographic trends, the existing and future demand requirements and the integration of services into communities.

Plan public and private developments together, where possible, including some degree of flexibility in use.

Locate hospitals and other large health facilities in designated health precincts and areas highly accessible to public and private transport.

Provide adequate car parking for staff and visitors of health facilities.

FRANKSTON PLANNING SCHEME

19.02-1R Health precincts - Metropolitan Melbourne

31/07/2018
VC148

Strategies

Facilitate health and community wellbeing precincts through the co-location of:

- Hospitals, allied health services and not-for-profit health providers at the regional level.
- General practitioners, community health facilities, allied health services and not-for-profit health providers at the neighbourhood level.

Create health precincts in new suburbs in or close to town centres.

Ensure health precincts are well serviced by community services.

FRANKSTON PLANNING SCHEME

19.02-1L Complementary health facilities Frankston

Proposed C160fran

Strategies

In the mixed use areas along Hastings Road, Clarendon Road and Burns Street, encourage a range of smaller scale medical and health uses that are complementary to Frankston's role as a major health hub.

19.02-2S Education facilities

29/09/2022
VC222

Objective

To assist the integration of education and early childhood facilities with local and regional communities.

Strategies

Consider demographic trends, existing and future demand requirements and the integration of facilities into communities in planning for the location of education and early childhood facilities.

Locate childcare, kindergarten and primary school facilities to maximise access by public transport and safe walking and cycling routes.

Ensure childcare, kindergarten and primary school and secondary school facilities provide safe vehicular drop-off zones.

Facilitate the establishment and expansion of primary and secondary education facilities to meet the existing and future education needs of communities.

Recognise that primary and secondary education facilities are different to dwellings in their purpose and function and can have different built form (including height, scale and mass).

Locate secondary school and tertiary education facilities in designated education precincts and areas that are highly accessible to public transport.

Locate tertiary education facilities within or adjacent to activity centres.

Ensure streets and accessways adjoining education and early childhood facilities are designed to encourage safe bicycle and pedestrian access.

Consider the existing and future transport network and transport connectivity.

Develop libraries as community based learning centres.

Co-locate a kindergarten facility with all new Victorian Government primary schools.

FRANKSTON PLANNING SCHEME

19.02-2R **Education precincts - Metropolitan Melbourne**

31/07/2018
VC148

Strategy

Ensure education precincts are well serviced by community services.

FRANKSTON PLANNING SCHEME

19.02-3S
31/07/2018
VC148

Cultural facilities

Objective

To develop a strong cultural environment and increase access to arts, recreation and other cultural facilities.

Strategies

Encourage a wider range of arts, cultural and entertainment facilities including cinemas, restaurants, nightclubs and live theatres in the Central City and at Metropolitan Activity Centres.

Reinforce the existing major precincts for arts, sports and major events of state wide appeal.

Establish new facilities at locations well served by public transport.

FRANKSTON PLANNING SCHEME

19.02-3R Cultural facilities - Metropolitan Melbourne

31/07/2018
VC148

Strategies

Maintain and strengthen Melbourne's distinctiveness as a leading cultural and sporting city with world-class facilities.

FRANKSTON PLANNING SCHEME

19.02-4S
31/07/2018
VC148

Social and cultural infrastructure

Objective

To provide fairer distribution of and access to, social and cultural infrastructure.

Strategies

Identify and address gaps and deficiencies in social and cultural infrastructure, including additional regionally significant cultural and sporting facilities.

Encourage the location of social and cultural infrastructure in activity centres.

Ensure social infrastructure is designed to be accessible.

Ensure social infrastructure in growth areas, is delivered early in the development process and in the right locations.

Plan and design community places and buildings so they can adapt as the population changes and different patterns of work and social life emerge.

Support innovative ways to maintain equitable service delivery to settlements that have limited or no capacity for further growth, or that experience population decline.

Identify and protect land for cemeteries and crematoria.

FRANKSTON PLANNING SCHEME

19.02-5S
31/07/2018
VC148

Emergency services

Objective

To ensure suitable locations for police, fire, ambulance and other emergency services.

Strategies

Ensure police, fire, ambulance and other emergency services are provided for in or near activity centres.

Locate emergency services together in newly developing areas.

FRANKSTON PLANNING SCHEME

19.02-6S

31/07/2018
VC148

Open space

Objective

To establish, manage and improve a diverse and integrated network of public open space that meets the needs of the community.

Strategies

Plan for regional and local open space networks for both recreation and conservation of natural and cultural environments.

Ensure that open space networks:

- Are linked, including through the provision of walking and cycling trails.
- Are integrated with open space from abutting subdivisions.
- Incorporate, where possible, links between major parks and activity areas, along waterways and natural drainage corridors, connecting places of natural and cultural interest.
- Maintain public accessibility on public land immediately adjoining waterways and coasts.

Create opportunities to enhance open space networks within and between settlements.

Ensure that land is set aside and developed in residential areas for local recreational use and to create pedestrian and bicycle links to commercial and community facilities.

Ensure that land use and development adjoining regional open space networks, national parks and conservation reserves complements the open space in terms of visual and noise impacts, preservation of vegetation and treatment of waste water to reduce turbidity and pollution.

Improve the quality and distribution of open space and ensure long-term protection.

Protect large regional parks and significant conservation areas.

Ensure land identified as critical to the completion of open space links is transferred for open space purposes.

Ensure that where there is a reduction of open space due to a change in land use or occupation, additional or replacement parkland of equal or greater size and quality is provided.

Ensure that urban open space provides for nature conservation, recreation and play, formal and informal sport, social interaction, opportunities to connect with nature and peace and solitude.

Accommodate community sports facilities in a way that is not detrimental to other park activities.

Ensure open space provision is fair and equitable with the aim of providing access that meets the needs of all members of the community, regardless of age, gender, ability or a person's location.

Develop open space to maintain wildlife corridors and greenhouse sinks.

Provide new parkland in growth areas and in areas that have an undersupply of parkland.

Encourage the preparation of management plans or explicit statements of management objectives for urban parks.

Ensure exclusive occupation of parkland by community organisations is restricted to activities consistent with management objectives of the park to maximise broad community access to open space.

Ensure the provision of buildings and infrastructure is consistent with the management objectives of the park.

Ensure public access is not prevented by developments along stream banks and foreshores.

Ensure public land immediately adjoining waterways and coastlines remains in public ownership.

Plan open space areas for multiple uses, such as community gardens, sports and recreation, active transport routes, wildlife corridors and flood storage basins.

FRANKSTON PLANNING SCHEME

19.02-6R Open space - Metropolitan Melbourne

03/02/2022
VC199

Objective

To strengthen the integrated metropolitan open space network.

Strategies

Develop a network of local open spaces that are accessible and of high-quality and include opportunities for new local open spaces through planning for urban redevelopment projects.

Ensure major open space corridors are protected and enhanced.

Develop open space networks in growth areas and in the surrounding region of Metropolitan Melbourne, where existing open space is limited and demand is growing, including:

- Cardinia Creek Parklands.
- Cranbourne Regional Park.
- Kororoit Creek Corridor.
- Quarry Hills Regional Park.
- Chain of Parks - Sandbelt.
- Sunbury Regional Park - Jacksons Creek Valley.
- Toolern Creek Regional Park.
- Werribee Township Regional Park.

Create continuous open space links and trails along the:

- Frankston parklands (linking existing parks from Carrum to Mornington).
- Maribyrnong River parklands.
- Merri Creek parklands (extending to Craigieburn).
- Western Coastal parklands (linking Point Gellibrand, Point Cook and Werribee).
- Yarra River parklands (extending from Warrandyte to the Port Phillip Bay).

Provide long term planning protection to meet demand for future open space along the Plenty Gorge parklands, Yarra Valley parklands, Cardinia Creek parklands, Heatherton/Dingley 'Sandbelt' parklands and Dandenong Valley parklands.

Protect the metropolitan water's edge parklands from intrusion and encroachment of development that impacts on open space and their natural landscape setting.

Continue development of the lower Yarra River as a focus for sport, entertainment and leisure.

Support establishing community gardens and productive streetscapes.

Policy documents

Consider as relevant:

- *Open Space for Everyone: Open Space Strategy for Metropolitan Melbourne 2021* (Department of Environment, Land, Water and Planning, 2021)
- *Maribyrnong River – Vision for Recreational and Tourism Development* (Melbourne Parks and Waterways, 1996)
- *Maribyrnong River Valley Design Guidelines* (Department of Planning and Community Development, 2010)

FRANKSTON PLANNING SCHEME

19.02-6L

10/02/2022
C141fran

Open space

Strategies

Plan for land required for active and passive recreation and other leisure activities, including links between parcels of regional open space.

Establish open space links between the foreshore, Seaford Wetlands, Frankston Reservoir and other areas of regional open space as identified on the Environmental and Landscape Values Plan at Clause 02.04-4.

FRANKSTON PLANNING SCHEME

 Proposed C160fran

SCHEDULE 1 TO CLAUSE 32.07 RESIDENTIAL GROWTH ZONE

Shown on the planning scheme map as **RGZ1**.

RESIDENTIAL GROWTH AREAS ADJACENT THE FRANKSTON METROPOLITAN ACTIVITY CENTRE

1.0
 20/09/2019
 C124fran

Design objectives

None specified

2.0
 20/09/2019
 C124fran

Requirements of Clause 54 and Clause 55

	Standard	Requirement
Minimum street setback	A3 and B6	Walls of buildings should be set back at least 3 metres from the frontage. Side walls of buildings on a corner site should be setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.
Site coverage	A5 and B8	None specified
Permeability	A6 and B9	The site area covered by pervious surfaces should be at least 30%.
Landscaping	B13	None specified
Side and rear setbacks	A10 and B17	None specified
Walls on boundaries	A11 and B18	None specified
Private open space	A17	None specified
	B28	None specified
Front fence height	A20 and B32	Should not exceed 1 metre in height.

3.0
 20/09/2019
 C124fran

Maximum building height requirement for a dwelling or residential building

None specified

4.0
 20/09/2019
 C124fran

Application requirements

None specified

5.0
 20/09/2019
 C124fran

Decision guidelines

None specified

FRANKSTON PLANNING SCHEME

37.08
 31/07/2018
 VC148

ACTIVITY CENTRE ZONE

Shown on the planning scheme map as **ACZ** with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To encourage a mixture of uses and the intensive development of the activity centre:

- As a focus for business, shopping, working, housing, leisure, transport and community facilities.
- To support sustainable urban outcomes that maximise the use of infrastructure and public transport.

To deliver a diversity of housing at higher densities to make optimum use of the facilities and services.

To create through good urban design an attractive, pleasant, walkable, safe and stimulating environment.

To facilitate use and development of land in accordance with the Development Framework for the activity centre.

37.08-1
 17/09/2009
 VC59

Operation

A schedule to this zone comprises the Development Framework for the activity centre.

A schedule to this zone must contain:

- A framework plan for the activity centre.
- A statement of the activity centre land use and development objectives to be achieved.

A schedule to this zone may contain:

- Centre-wide provisions.
- Precinct provisions.

37.08-2
 17/09/2009
 VC59

Table of uses

Section 1 - Permit not required

Use	Condition
Any use in Section 1 of the schedule to this zone	Must comply with any condition in Section 1 of the schedule to this zone.

Section 2 - Permit required

Use	Condition
Any use in Section 2 of the schedule to this zone	Must comply with any condition in Section 2 of the schedule to this zone.

Section 3 - Prohibited

Use
Any use in Section 3 of the schedule to this zone

FRANKSTON PLANNING SCHEME

37.08-3
 17/09/2009
 VC59

Use of land

Any requirement in the schedule to this zone must be met.

37.08-4
 31/07/2018
 VC148

Subdivision

A permit is required to subdivide land.

Any requirement in the schedule to this zone must be met.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Subdivide land to realign the common boundary between 2 lots where: <ul style="list-style-type: none"> ▪ The area of either lot is reduced by less than 15 percent. ▪ The general direction of the common boundary does not change. 	Clause 59.01
Subdivide land into lots each containing an existing building or car parking space where: <ul style="list-style-type: none"> ▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. ▪ An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision. 	Clause 59.02
Subdivide land into 2 lots if: <ul style="list-style-type: none"> ▪ The construction of a building or the construction or carrying out of works on the land: <ul style="list-style-type: none"> - Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired. - Has started lawfully. ▪ The subdivision does not create a vacant lot. 	Clause 59.02

37.08-5
 31/07/2018
 VC148

Buildings and works

A permit is required to construct a building or construct or carry out works unless the schedule to this zone specifies otherwise.

An apartment development must meet the requirements of Clause 58.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

FRANKSTON PLANNING SCHEME

Class of application	Information requirements and decision guidelines
Construct a building or construct or carry out works with an estimated cost of up to \$500,000 and the land is not: <ul style="list-style-type: none">Within 30 metres of land (not a road) which is in a residential zone.Used for a purpose listed in the table to Clause 53.10.	Clause 59.04

Transitional provisions

Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

37.08-6
17/09/2009
VC59

Design and development

A schedule to this zone may include requirements relating to:

- Building setbacks.
- Building height.
- Building materials.
- Access.
- Landscaping.
- Public realm.
- Any other requirements or guidelines relating to the design or built form of new development.

A permit may be granted to construct a building or construct or carry out works which is not in accordance with any design and development requirement in the schedule to this zone unless the schedule to this zone specifies otherwise.

37.08-7
01/07/2021
VC203

Application requirements

Use

An application to use land must be accompanied by the following information, as appropriate:

- A description of the proposed use and the types of activities which will be carried out and any proposed staging of use and activities on the land.
- Plans drawn to scale and dimensioned which show:
 - The siting and use of buildings.
 - Areas not required for immediate use.
 - Adjacent buildings and uses.
- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of goods and materials, hours of operation and light spill, solar access, glare, air-borne emissions and emissions to land and water.
- If an industry or warehouse:
 - The type and quantity of goods to be stored, processed or produced.

FRANKSTON PLANNING SCHEME

- Whether a Development Licence, Operating Licence, Permit or Registration is required from the Environment Protection Authority.
- Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the *Dangerous Goods Act 1995* is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.
- Any other information specified in the schedule to this zone.

Subdivision

An application to subdivide land must be accompanied by the following information, as appropriate:

- Plans drawn to scale and dimensioned which show:
 - Site shape, size, dimensions and orientation.
 - The pattern of subdivision of the surrounding area.
 - Easements.
 - Location of drainage and other utilities.
 - Street frontage features such as poles, street trees and kerb crossovers.
 - Access points.
 - Any natural features.
- Any other information specified in the schedule to this zone.

Buildings and works

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- Plans drawn to scale and dimensioned which show:
 - The boundaries and dimensions of the site.
 - Adjoining roads.
 - The location, height and use of buildings and works on adjoining land.
 - Levels of the site and the difference in levels between the site and surrounding properties to a defined point at the site boundaries or to Australian Height Datum (AHD).
 - Any contaminated soils and filled areas, where known.
 - The layout of existing and proposed buildings and works.
 - The internal layout and use of the proposed development.
 - All access and pedestrian areas.
 - All driveway, car parking and loading areas.
 - Existing vegetation and proposed landscape areas.
 - All external storage and waste treatment areas.
 - The location of easements and services.
- Elevation plans drawn to scale and dimensioned which show:
 - The building form and scale.

FRANKSTON PLANNING SCHEME

- Setbacks to property boundaries.
- Finished floor levels and building heights to a defined point at the site boundaries or to Australian Height Datum (AHD).
- Shadow diagrams based on the equinox shown for existing conditions and the proposed development.
- A schedule of finishes for the proposed development detailing materials and colours of external surfaces including walls, roofs and fences.
- A written statement providing an assessment of the proposal against the relevant sections of the Planning Policy Framework, Activity Centre Zone and any relevant overlays.
- An assessment of the characteristics of the area including:
 - Any environmental features such as vegetation, topography and significant views.
 - Street design and landscape.
 - The pattern of development.
 - Building form, scale and rhythm.
 - Architectural style, building details and materials.
 - Connection to the public realm.
 - Any significant noise, odour, fume and vibration sources to and/or from the development.
- A landscape plan which includes the description of vegetation to be planted, the surfaces to be constructed, site works specification and method of preparing, draining, watering and maintaining the landscape area.
- Construction details of all drainage works, driveways, vehicle parking and loading areas.
- An urban context report and design response as required in Clause 58.01 for an application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development.
- Any other information specified in the schedule to this zone.

37.08-8
31/07/2018
VC148

Exemption from notice and review

An application under Clauses 37.08-2, 37.08-4, 37.08-5 or 37.08-6 is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act unless the schedule to this zone specifies otherwise.

A schedule to this zone may specify an application in respect of land in an Activity Centre Zone under any other specified provision of this scheme is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

37.08-9
20/12/2021
VC174

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General

- The Municipal Planning Strategy and the Planning Policy Framework.
- The development framework plan set out in the schedule to this zone.
- The land use and development objectives set out in the schedule to this zone.

FRANKSTON PLANNING SCHEME

- The extent that the layout and design of the new use or development minimises the potential for off-site impacts, including from noise, fumes, odour or vibrations, ensuring that:
 - existing uses are not compromised by a new development, or
 - a new development is designed to address amenity impacts from existing uses.
- Any requirements set out in the schedule to this zone.
- Any other decision guidelines specified in the schedule to this zone.

Access

- Movements systems through and around the site including the movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking, loading of vehicles and access to parking spaces and loading bays.

Use

- The interim use of those parts of the land not required for the proposed use.
- Whether the use is compatible with adjoining and nearby land uses.

Subdivision

- The pattern of subdivision and its effect on the spacing of buildings.
- For subdivision of land for residential development, the objectives and standards of Clause 56.

Design and built form

- The design, scale, height, setback, appearance and material of the proposed buildings and works.
- The provision for solar access to the building and on the public realm.
- The design of the public realm.
- The relationship between the proposed building and the public realm.
- The streetscape, including the conservation of buildings, the design of verandas, access from the street front, provision of active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.
- The interface with adjoining zones, especially the relationship with residential zones.
- The objectives, standards and decision guidelines of Clause 54 and Clause 55. This does not apply to an apartment development.
- For an apartment development, the objectives, standards and decision guidelines of Clause 58.
- The storage of rubbish and materials for recycling.

Transitional provisions

The objectives, standards and decision guidelines of Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC136, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

Clauses 55 and 58 of this scheme, as in force immediately before the approval date of Amendment VC174, continue to apply to:

FRANKSTON PLANNING SCHEME

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

37.08-10

31/07/2018
VC146

Signs

Sign requirements are at Clause 52.05. This zone is in Category 1 unless a schedule to this zone specifies a different category.

37.08-11

17/09/2009
VC59

Other provisions of the scheme

The schedule to this zone may specify that other provisions of the scheme do not apply.

Proposed C160fran

SCHEDULE 1 TO CLAUSE 37.08 ACTIVITY CENTRE ZONE

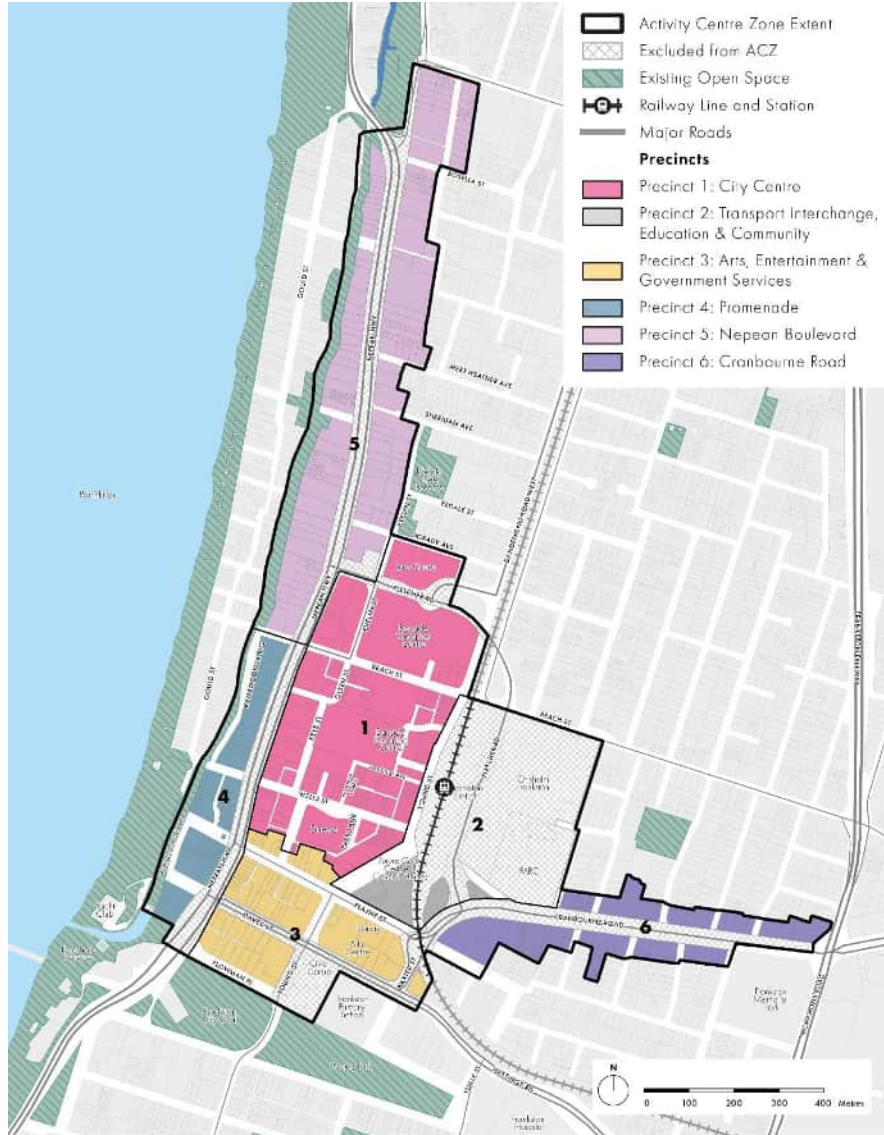
Shown on the planning scheme map as ACZ1.

FRANKSTON METROPOLITAN ACTIVITY CENTRE

1.0

Proposed C160fran

Frankston Metropolitan Activity Centre Structure Plan



Land use and development objectives to be achieved

2.0

Proposed C160fran

General

To develop the Frankston Metropolitan Activity Centre (MAC) as the retail, commercial, hospitality, civic, cultural, creative, community and entertainment destination for Melbourne’s south-eastern metropolitan region.

To encourage a diverse range of housing choices that provide for on and off-site amenity at increased densities including affordable housing.

Development

To facilitate development at a scale that reflects the Frankston MAC’s role as a Metropolitan Activity Centre while responding to the coastal setting and character of Frankston.

To encourage high quality built form that is consistent with the role of the Frankston MAC as a Metropolitan Activity Centre.

To encourage built form that contributes to a safe, engaging, active and attractive public realm and which provides innovative approaches to dealing with potential inundation.

To encourage built form that contributes to human scaled streets.

To ensure development respects sensitive amenity and environmental interfaces including residential interfaces, Kananook Creek and the Frankston Foreshore.

To increase tree canopy cover and landscaping within private and public land across the Frankston MAC.

To ensure that development anticipates the impacts of climate change and is resilient to the potential impacts of inundation.

Transport and access

To improve walkability and pedestrian amenity in the Frankston MAC.

To improve connectivity through the Frankston MAC.

To ensure that the location and design of car parks, loading bays, services areas and associated vehicle access promotes active street frontages, does not dominate public spaces and supports safe use and access. **Public realm**

To maintain adequate sunlight access to the public realm and public open spaces at key times of the year.

3.0

Proposed C160fran

Table of uses

Section 1 - Permit not required

Use	Condition
Accommodation (other than Camping and caravan park, Corrective institution, and Host farm)	Any frontage at ground floor level must not exceed 2 metres in Precincts 1, 2, 3, 4 & 6.
Art and craft	
Art gallery	

Use	Condition
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Bank	
Cinema	Must be located in Precinct 1.
Cinema based entertainment facility	Must be located in Precinct 1.
Child care centre	Must be located in Precincts 2 or 5.
Education centre (other than Child care centre)	Any frontage at ground floor level must not exceed 2 metres in Precinct 1 or 3.
Exhibition centre (other than Art gallery)	Must be located in Precinct 3.
Food and drink premises	Must not be located in Precinct 5.
Function centre	Any frontage at ground floor level must not exceed 2 metres in Precinct 1. Must not be located in Precincts 4 or 5.
Home based business	
Informal outdoor recreation	
Library	
Office (other than Bank, Real estate agency and Travel agency)	Any frontage at ground floor level must not exceed 2 metres in Precincts 1, 2, 3, 4 & 6.
Place of worship	The gross floor area of all buildings must not exceed 250 square metres. Any frontage at ground floor level must not exceed 2 metres in Precinct 1.
Railway station	
Real estate agency	
Retail premises (other than Food and drink premises, Gambling premises, Market, Motor vehicle, boat or caravan sales, Primary produce sales, Shop and Timber yard)	Must be located in Precinct 1 or 6.
Restricted retail premises	Must be located in Precinct 6.

Use	Condition
Shop (other than Adult sex product shop, Bottle shop, Restricted retail premises and Supermarket)	
Supermarket	Must be located in Precinct 1.
Tramway	
Travel agency	
Any use listed in Clause 62.01	Must meet requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Adult sex product shop	Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone or, land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school. Must be located in Precinct 1.
Bottle shop	Must be located in Precinct or 6.
Brothel	Must be located in Precinct 1. Any frontage at ground floor level must not exceed 2 metres.
Car park	Must be located in Precinct 1, 2 or 3.
Car wash	Must not be located in Precincts 1, 3 or 4.
Dry cleaner	Must be located in Precinct 1 or 6.
Gambling premises	Must be located in Precinct 1.
Market	
Nightclub	Must be located in Precinct 1. Any frontage at ground floor level must not exceed 2 metres.
Place of Assembly (other than Cinema, Cinema based entertainment facility, Drive-in theatre, Exhibition centre, Function centre, Library, Nightclub and Place of worship)	
Research and development centre	Must not be located in Precincts 1 or 3.
Service station	Must not be located in Precincts 1, 3 or 4.

Use	Condition
Any other use not in Section 1 or 3	

Section 3 – Prohibited

Use
Agriculture
Camping and caravan park
Cemetery
Corrective institution
Crematorium
Drive-in theatre
Host farm
Industry (other than Automated collection point, Car wash, Dry cleaner and Research and development centre)
Major sports and recreation facility
Motor racing track
Motor vehicle boat or caravan sales
Primary produce sales
Recreational boat facility
Saleyard Timber yard
Transport terminal (other than Railway station, Bus terminal and Heliport)
Warehouse

4.0 Centre-wide provisions
---/---
Proposed C160fran

4.1 Use of land
---/---
Proposed C160fran None specified.

4.2 Subdivision
---/---
Proposed C160fran None specified.

4.3 Buildings and works
---/---
Proposed C160fran No permit is required to construct a building or construct or carry out works for the following:

Precincts 1, 2, 3, 4 and 6

- Install an automatic teller machine.
- Alter an existing building façade provided:
 - The alteration does not include the installation of an external roller shutter
 - At least 80 per cent of the building façade at ground floor level is maintained as an entry or window with clear glazing.
- Install an awning or canopy that projects over a road if it is authorised by the relevant public land manager.

Precinct 5

- Alter or extend one dwelling on a lot with an area of 300 square metres or greater.
- Construct or extend an out-building (other than a garage or carport) on a lot with an area of less than 300 square metres, provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above natural ground level.

4.4

Proposed C160fran

Design and development

The following design and development requirements apply to an application to construct a building or construct or carry out works:

General

Encourage the reconfiguration and consolidation of land where necessary to create viable development sites and optimal development of the activity centre.

Avoid the fragmentation of land that would result in sites not achieving the optimal development of the activity centre.

Encourage buildings that contain residential uses to provide a diversity of housing sizes and types including affordable housing.

Active frontages and interface with the public realm

Where **Diagram 1** indicates the provision of Primary Active Frontage Areas, incorporate a minimum of 80 per cent windows or entries with clear glazing along the ground level frontage.

Where **Diagram 1** indicates the provision of Secondary Active Frontage Areas, incorporate a minimum of 40 per cent windows or entries with clear glazing along the ground level frontage.

Design building interfaces to promote street level activity and surveillance of adjoining streets through activated frontages.

Provide canopies or verandahs on all buildings located in the Primary Active Frontage Areas and Active Frontage Areas.

Canopies or verandahs should be at an appropriate height above the footpath and sufficiently set back from the kerb to avoid damage from large vehicles while still providing effective weather protection, between 3.0m and 4.0m above the footpath level and 750mm from the kerb, and generally consistent with adjoining sites.

Design buildings to mitigate wind impacts to the public realm and building occupants including through providing measures to achieve suitable wind conditions around buildings.

Use materials in street wall levels that are tactile and visually interesting to reinforce the human scale.

Break up long expanses of floor to ceiling glazing within the street wall levels with a mixture of materials.

Avoid presenting blank walls to the public realm.

Within street wall levels above ground floor, design balconies to be embedded so that the street wall remains consistent while still supporting surveillance of the streets and adjoining public spaces.

Design upper levels of buildings, above the street wall, to provide habitable rooms or spaces with windows or balconies that overlook the public realm.

Design buildings on corner sites to actively address both frontages at all levels.

Design and site building entries to:

- Directly front the street.
- Be clearly defined and legible from the public realm.
- Be accessible for all abilities.
- Be safe for all users by being well lit, highly visible and avoiding concealed spaces.

In mixed use buildings, design residential entries to distinguish them from retail or commercial entries.

Encourage the provision of art, including sculptures, murals or similar, in areas that interface with the public realm.

Encourage buildings in areas subject to inundation to keep internal finished floor levels above the flood level and to provide any transition to ground level setbacks internally to the building where practicable.

Pedestrian Links should be either open to the sky or enable views of the sky.

Sustainable and adaptive use

Design buildings to support a high level of internal amenity and adaptation over time, including by providing minimum floor to floor heights in accordance with the requirements in Table 1.

Table 1– Floor to floor heights

Precinct	Preferred minimum floor to floor heights at ground level	Preferred minimum floor to floor heights above ground level to street wall height	Preferred minimum floor to floor heights above street wall height
1, 2, 3, 4 & 6	4.0m for all uses	3.5m for all uses	3.5m for non-residential uses
5	4.0m for non-residential uses	3.5m for non-residential uses	3.2m for residential
	3.2m for residential uses	3.2m for residential uses	

Provide basement car parking wherever possible.

Where the provision of basement car parking is not possible due to site or environmental constraints, and parking needs to be provided above ground in the street wall levels, design the levels to meet the requirements for non-residential uses in accordance with the requirements in Table 1.

Sleeve parking provided in street wall levels with active uses.

Avoid providing car parking above street wall levels.

Side and rear setbacks and building separation

Unless otherwise indicated in the Precinct requirements walls are to be built to the side boundaries up to the street wall height.

Where development shares a common boundary with an adjoining site and no setbacks are identified in the specific Precinct requirements, provide side and rear setbacks above the street wall height in accordance with the requirements set out in Table 2 and illustrated in Diagram 2.

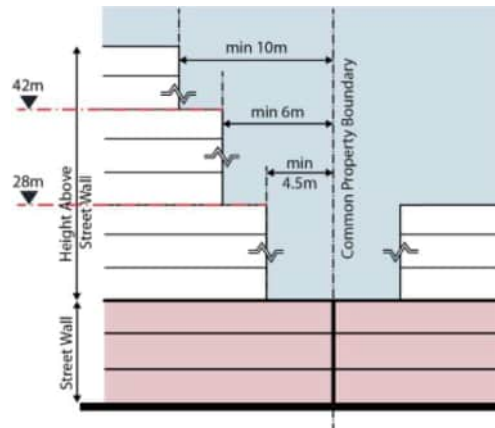
Where sites are separated by a laneway which is not shown as a pedestrian link, apply side and rear setbacks above the street wall height from the centre of the laneway or a minimum setback above the street wall height of 3.0m, whichever is greater.

Where there are multiple towers within the site, provide tower separation in accordance with the requirement in Table 2.

Table 2 - Side and rear setbacks above street wall height

Building height	Preferred minimum side and rear setback above the street wall height	Preferred minimum tower separation within a site above the street wall height
Up to 28.0m	4.5m	9.0m
Above 28.0m up to 42.0m	6.0m	12.0m
Above 42.0m	10.0m	20.0m

Diagram 2 – Side and rear setbacks above street wall height



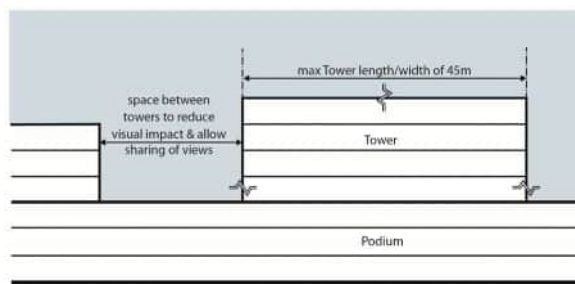
Ensure that sufficient setbacks are provided as needed to allow for vehicle access, car parking and servicing.

Design of tower elements

Design buildings with a maximum tower length/width of 45 metres to reduce visual impact and allow for sharing of views. Refer to **Diagram 3**.

Where buildings include a tower component articulate all facades of the tower.

Diagram 3 – Length/width of tower elements



Building design and layout

Design buildings to incorporate a coastal aesthetic through measures including architectural detail and articulation, and the use of materials, textures and finishes that complement the coastal landscape.

Articulate building facades through the design of openings, balconies, varied materials, recessed and projected elements, and revealing structural elements, instead of relying on excessive use of materials.

Projections such as balconies, building services and architectural features should not intrude into upper level front, side and rear setbacks above the street wall height.

Address the visual impact of large buildings through significant breaks and recesses in building massing.

Provide consistent street, side and rear setbacks for the majority of the upper levels above the street wall height to avoid repetitive stepped elements.

Design buildings to create an interesting and varied skyline.

Buildings should be built or clad with high quality, robust materials that do not generate reflected disability or discomfort glare, and can withstand the effects of weathering.

Site, design, layout and construct buildings to include acoustic attenuation measures to manage noise levels from on and off-site noise sources.

Site, design, layout and construct dwellings within buildings to minimise noise transmission within the site and to adjoining sites.

Avoid relying on excessive screening to prevent overlooking.

Articulate walls on boundaries that will eventually be built out with measures such as the use of art, pre-cast patterned concrete or similar.

Access and services

Rooftop services may exceed the maximum building height provided they are:

- No more than 3.6 metres above the maximum building height.
- Stepped back on all sides no less than 3 metres from the edge of the building.
- Screened from view.

Provide vehicle access to loading and waste areas, services and car parking from laneways and secondary streets and locate these areas away from streets and public spaces or within basements or upper levels. Access doors should be designed as an integrated element of the building. Where vehicle access cannot be provided from laneways and secondary streets, access points should be minimised to reduce disruption to the footpaths and on-street car parking and located to avoid street trees.

Integrate and design services and utilities in such a way that they blend with the overall design of the development.

Avoid or minimise building utilities and services at ground floor street frontages to prioritise active frontages.

Ensure all services located on balconies, such as air conditioning units, are screened from public view.

Landscaping, landscaped setbacks and open space

Where landscaped setbacks are specified in Precinct requirements:

- Provide integrated, well designed soft landscape within sites to reduce the impact of urban heat island effect, provide increased biodiversity and habitat and contribute to a strong, visually engaging landscape character maximizing the use of ground level setbacks.
- Incorporate landscaping areas that comprise a minimum of 60 per cent of the total front setback area.
- Maximise deep soil planting areas in front and rear setbacks to incorporate canopy trees.
- Avoid projections such as balconies and building services into the landscaped setbacks.

Encourage the use of green roofs, walls and balconies to further contribute to a visually engaging landscape character and reduce the impact of urban heat island effect.

Encourage planting themes that use a minimum of 40 per cent indigenous and 40 per cent native species to respect the coastal character of the local area.

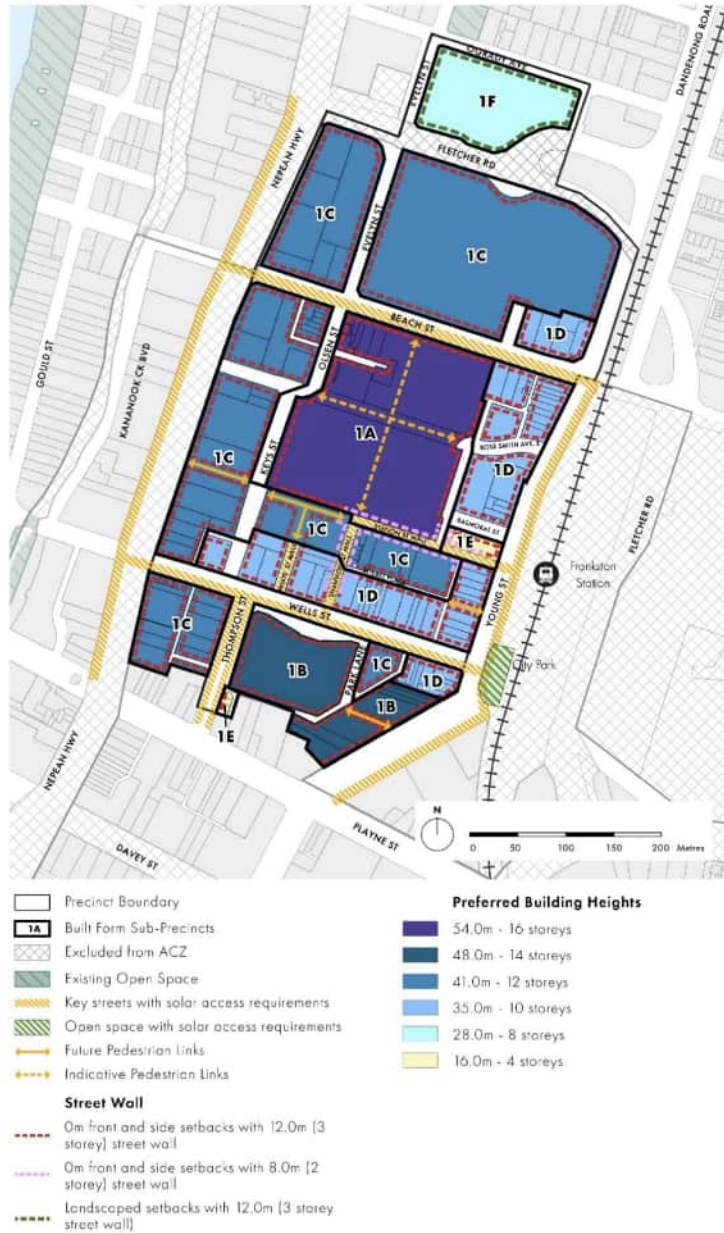
Encourage the provision of communal garden spaces at podium and rooftop levels to create amenity for residents, workers and visitors.

5.0 Precinct provisions

Proposed C160fran

5.1 Precinct 1 – City Centre

5.1-1 Precinct map



5.1-2 Precinct objectives

To maintain the City Centre as the focus for retail, dining and entertainment uses across the day and night.

To support residential, office, accommodation and other uses on upper levels of buildings.

To encourage built form outcomes that reflect the role of the City Centre and maintain a pedestrian scale at street level with taller building elements set above and behind.

To maintain and enhance the fine-grain rhythm of shopfronts across the City Centre streets.

To improve walkability and pedestrian amenity in the City Centre and connections between the City Centre and the Promenade.

5.1-3 Precinct requirements

Table 3 – Building and street wall height

Sub-precinct	Preferred maximum building height	Preferred maximum street wall height
1A	54.0m (16 storeys)	All streets and all laneways 12.0m (3 storeys) other than to Shannon Mall and Station Street Mall where the street wall height is 8.0m (2 storeys). Where a building is on a corner, apply the street wall height as shown on the Precinct map at 5.1-1.
1B	48.0m (14 storeys)	
1C	41.0m (12 storeys)	
1D	35.0m (10 storeys)	
1E	16.0m (4 storeys)	
1F	22.0m (6 storeys)	

Table 4 – Building setbacks

Sub-precinct	Preferred building setback	Preferred minimum upper level setbacks
1A	0.0m to all streets.	5.0m upper level setback from the street wall.
1B		3.0m upper level setback from a street wall where the street wall abuts a pedestrian link.
1C		
1D		
1E		
1F	Minimum 3.0m to all streets for the provision of landscaping.	

Table 5 – Pedestrian links

Sub-precinct	Property	Preferred minimum width
1B	122-124 Young Street	6.0m
1C	431 Nepean Highway	3.4m from southern boundary.
	19 Keys Street	5.6m from northern boundary.

Sub-precinct	Property	Preferred minimum width
	12 Balmoral Walk	12.3m from northern boundary for the continuation of the Shannon Street Mall. 9.5m to align with the Station Street Mall.
	76 Young Street	6.0m to align with Stiebel Place.

Table 6 – Solar Access

Street or public space	Location	Preferred minimum solar access to be maintained
Nepean Highway	Western footpath for a depth of 7.0 metres from the property boundaries on the west side of the Highway (Refer to Diagram 4).	Between 10am and 2pm on 22 September.
Wells Street	Entire southern footpath to the kerb line.	
Beach Street	Entire southern footpath to the kerb line.	
Thompson Street	Entire eastern and western footpaths to the kerb line.	
Young Street	Entire eastern footpath to the kerb line.	
City Park	All (Refer to Diagram 5).	Between 10am and 1pm on 22 June.
Shannon Mall	All (Refer to Diagram 6).	No additional shadow beyond what would be cast by an 8.0m (2 storey) street wall between 10am and 1pm on 22 September.
Station Street Mall	All (Refer to Diagram 6).	No additional shadow beyond what would be cast by an 8.0m (2 storey) street wall at 10am on 22 September.
White Street Mall	All (Refer to Diagram 7).	No additional shadow beyond what would be cast by a 12.0m (3 storey) street wall between 10am and 1pm on 22 September.

Diagram 4 Nepean Highway

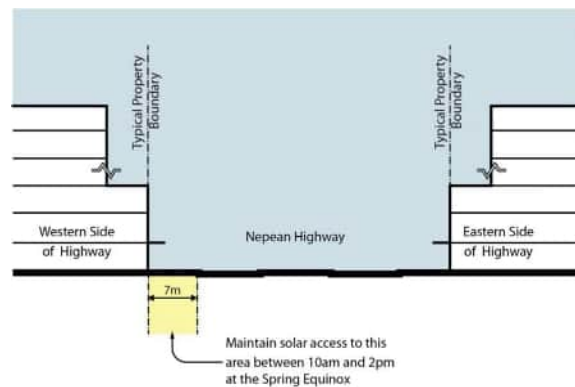


Diagram 5 City Park



Diagram 6 Shannon and Station Street Malls

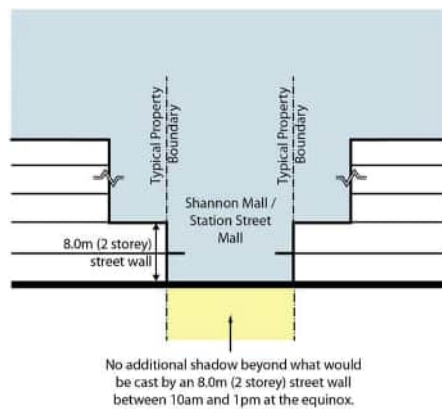
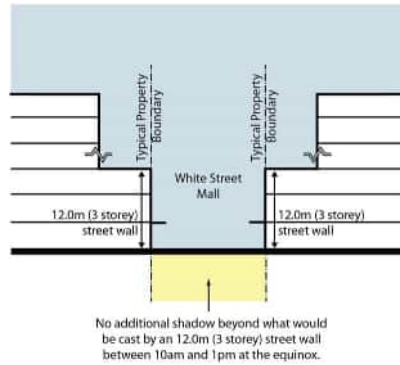


Diagram 7 White Street Mall



5.1-4 Precinct guidelines

Direct uses that do not provide active frontages to upper levels of buildings.

Design buildings to reinforce the pedestrian scale with fine grain building articulation regardless of tenancy size.

Address laneways with active uses at ground level where practicable and provide surveillance of laneways from upper levels of development.

Encourage the consolidation of Bayside Shopping Centre car parks and loading areas to surrounding streets to enhance the pedestrian environment.

5.1-5 Any other requirements

None specified.

5.2 Precinct 2 – Transport Interchange, Community & Education

5.2-1 Precinct map



5.2-2 Precinct objectives

To create an active, safe and attractive precinct that welcomes people to a place for business, education, retail, hospitality, community and institutional uses, offices and housing.

To provide a built form including landscaping and canopy trees within landscaped setbacks as shown on the map at clause 5.2-1 that contributes to a high amenity entry experience into the City

Centre.

To contribute to the significance of adjacent Precincts 1 and 3 by delivering high quality, activated streetscapes that encourage pedestrian engagement.

5.2-3 Precinct requirements

Table 7 – Building and street wall height

Sub-precinct	Preferred maximum building height	Preferred maximum street wall height
2A	48.0m (14 storeys)	12.0m (3 storeys).
2B	41.0m (12 storeys)	19.0m (5 storeys).
2C	22.0m (6 storeys)	19.0m (5 storeys).

Table 8 – Building setbacks

Sub-precinct	Preferred building setback	Preferred minimum upper level setbacks
2A	0.0m to all streets.	5.0m upper level setback from the street wall.
2B	Minimum 3.0 metres to all streets to provide for landscaping and the retention of existing canopy trees.	
2C		

Table 9 – Solar Access

Street or public space	Location	Preferred minimum solar access to be maintained
Playne Street	Southern footpath to a depth of 5.0m from the property boundaries on the south side of the street.	Between 10am and 2pm on 22 September.
Fletcher Road	Entire eastern footpath to the kerb line.	

5.2-4 Precinct guidelines

Provide landscaping in areas identified as landscaped setbacks to Fletcher Road and Cranbourne Road.

Seek to retain existing canopy trees where practical.

Provide active frontages to open spaces and pedestrian links to create safe and vibrant places.

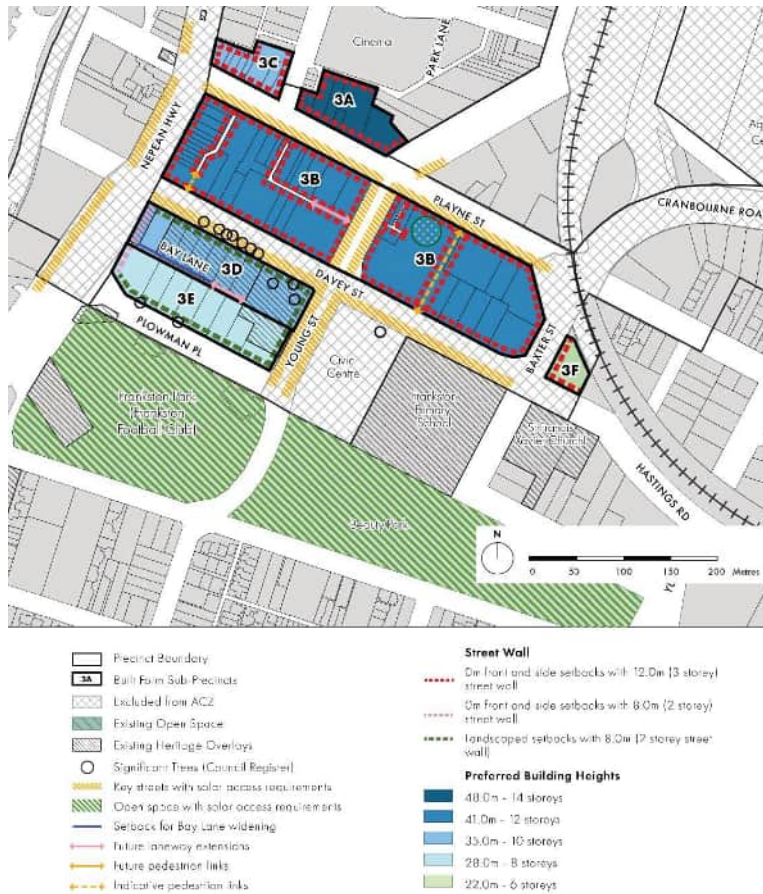
Encourage the provision of new public open space on 79R-83R Young Street as part of its redevelopment.

5.2-5 Any other requirements

None Specified.

5.3 Precinct 3 – Arts, Entertainment and Government Services

5.3-1 Precinct map



5.3-2 Precinct objectives

To activate Playne Street with retail, restaurants, cafes, arts and entertainment uses during the day and night and provide for employment, community, government services and residential uses along Davey Street and Plowman Place.

To provide accommodation and office uses on upper levels of buildings across the precinct.

To ensure the impact of built form on adjoining heritage places on Davey Street is appropriate when viewed from surrounding areas.

To provide a built form including landscaping and canopy trees within landscaped setbacks as shown on the map at clause 5.3-1, that contribute to a high amenity entry experience into the Frankston MAC.

To increase connectivity within the precinct.

5.3-3 Precinct requirements

Table 10 - Building and street wall height

Sub-precinct	Preferred maximum building height	Preferred maximum street wall height
3A	48.0m (14 storeys)	12.0m (3 storeys)
3B	41.0m (12 storeys)	
3C	35.0m (10 storeys)	
3D	35.0m (10 storeys)	8.0m (2 storeys)
3E	28.0m (8 storeys)	
3F	22.0m (6 storeys)	12.0m (3 storeys)

Table 11 - Building setbacks

Sub-precinct	Preferred building setbacks	Preferred minimum upper level setbacks
3A	0.0m to all streets.	5.0m upper level setback from the street wall.
3B		
3C		
3D	0.0m to Nepean Highway. Minimum 4.0m to Young Street. Minimum 7.0m to Davey Street to respect heritage places. Additional setbacks to protect significant trees as needed.	
3E	0.0m to Nepean Highway. Minimum 4.0m to Young Street and Plowman Place. Additional setbacks to protect significant trees as needed.	
3F	0.0m to all streets.	

Table 12 – Laneway widening and extensions

Sub-precinct	Property	Minimum width
3B	170R Young Street	3.0m to align with Arthurs Lane.
3D	6 Davey Street	2.0m from rear boundary to widen Bay Lane.
	8, 10, 12, 14 Davey Street	4.5m from rear boundary to widen Bay Lane.
	16, 18 Davey Street	7.5m from rear boundary to align with Bay Lane.

Table 13 - Solar Access

Street or public space	Location	Preferred minimum solar access to be maintained
Nepean Highway	Western footpath for a depth of 7.0 metres from the property boundaries on the west side of the Highway (Refer Diagram 4).	Between 10am and 2pm on 22 September.
Playne Street	Southern footpath to a depth of 5.0m from the property boundaries on the south side of the street .	
Davey Street	Entire southern footpath to the kerb line including the nature strip and Norfolk Island Pines.	
Young Street	Entire eastern and western footpaths to the kerb line.	
Beauty Park	Beyond the northern edge of the existing shared path to the kerb line (Refer Diagram 8).	
Frankston Oval	Beyond a distance of 30m from the northern property boundary (Refer Diagram 9).	Between 10am and 2pm on 22 June.

Diagram 8 Beauty Park

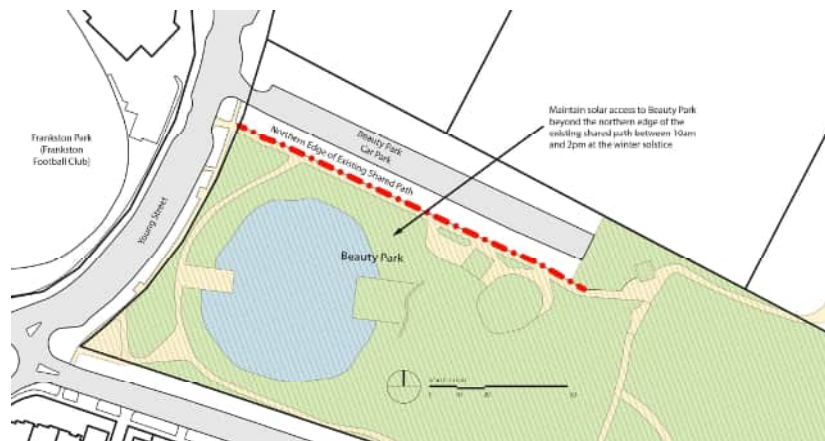
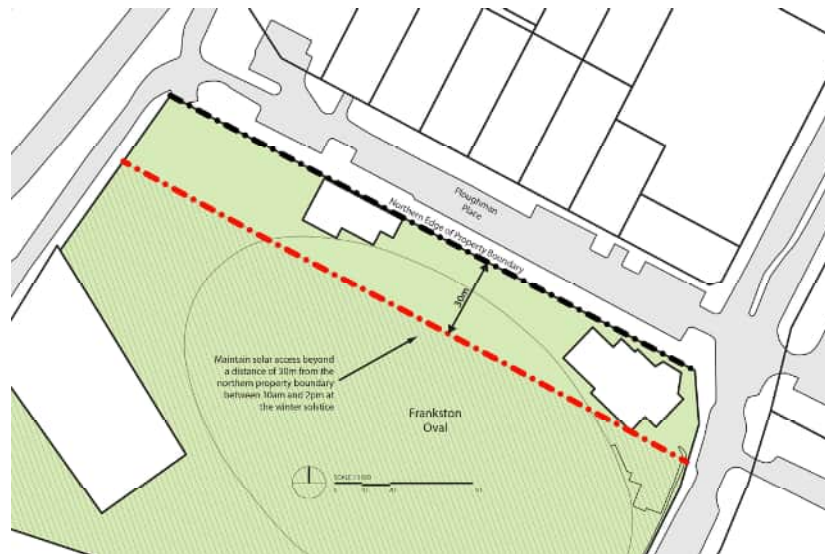


Diagram 9 Frankston Oval



5.3-4 Precinct guidelines

Design buildings to respond to the topography and provide accessible ground levels from each street frontage.

Provide the appearance of narrower tenancies to Playne Street, Nepean Highway and Young Street to maintain the existing fine grain nature of the streetscapes.

Provide for wider tenancies along Davey Street to suit a variety of business uses.

Address laneways with active uses at ground level where possible and incorporate high quality finishes for all services.

Provide surveillance of laneways from upper levels.

Encourage development on land adjoining the Heritage Overlay that:

- Does not dominate the adjoining heritage place.
- Uses materials and finishes with textures and colours that allow development to appear visually recessive from heritage places on adjoining sites.
- Incorporates simple architectural detailing that does not detract from the adjoining heritage places.

Incorporate canopy trees and complimentary coastal landscaping in setbacks along Davey Street.

Retain and reinforce low, visually permeable fencing to the southern side of Davey Street.

Development should be designed to integrate identified Significant Trees through appropriate setbacks, building recesses and courtyard spaces.

Ensure development is designed to protect existing trees through the provision of setbacks, tree protection measures and the like.

Where properties have frontages to both Playne Street and Davey Street, provide vehicle access from Davey Street rather than Playne Street where possible.

Where properties abut Bay Lane, provide vehicle access from the lane.

Provide landscaped front setbacks south of Davey Street to provide a built form transition into the

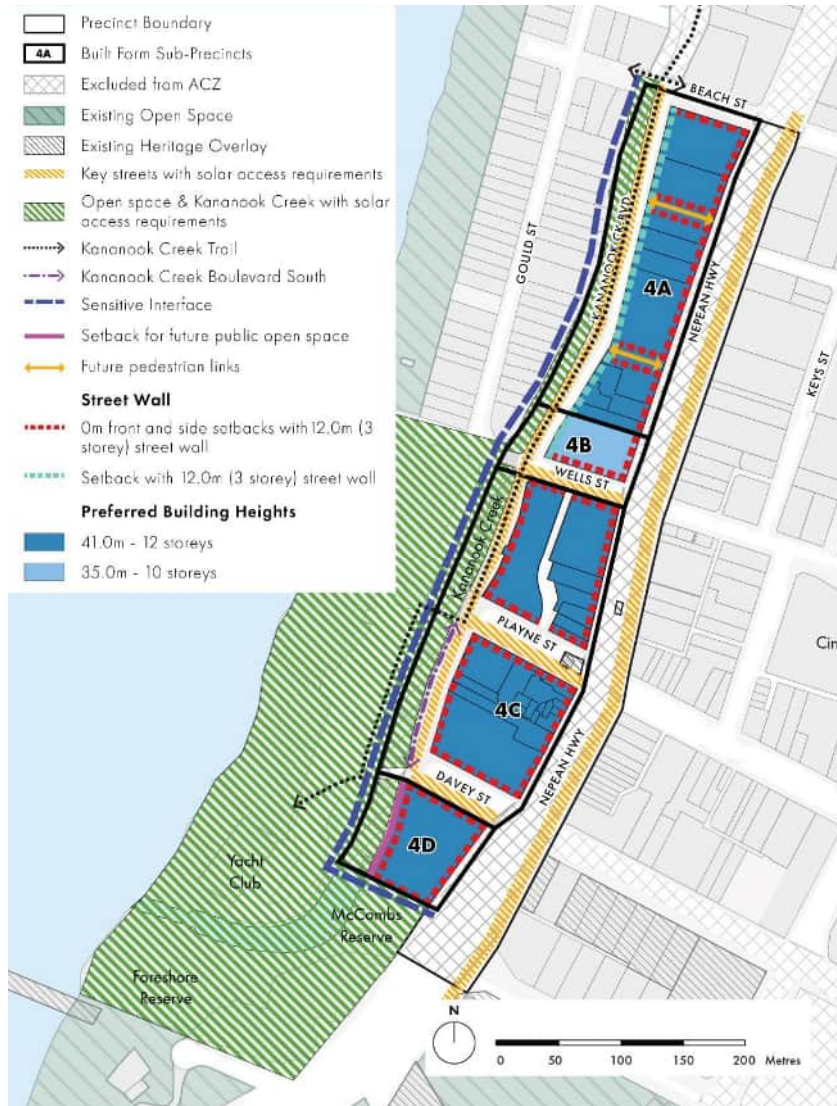
adjoining residential areas.

5.3-5 Any other requirements

None specified.

5.4 Precinct 4 – Promenade

5.4-1 Precinct map



5.4-2 Precinct objectives

To encourage built form along Nepean Highway that is responsive to its role as a green boulevard and supports outdoor dining and social interaction.

To activate Kananook Creek, Nepean Highway, Beach Street, Wells Street, Playne Street and Davey Street with retail, restaurants, cafes, arts and entertainment uses across the day and night and increase connectivity between the Promenade and the City Centre.

To support residential and office uses on upper levels of buildings.

To encourage built form that creates a high quality backdrop when viewed from the foreshore reserve and Kananook Creek.

To address the potential visual dominance of development when viewed from the foreshore reserve and Gould Street residences.

5.4-3 Precinct requirements Table 14 - Building and street wall height

Sub-precinct	Preferred maximum building height	Preferred maximum street wall height
4A	41.0m (12 storeys)	12.0m (3 storeys)
4B	35.0m (10 storeys)	
4C	41.0m (12 storeys)	
4D		

A permit cannot be granted for buildings or works that are set back less than the minimum requirements specified in Table 15.

Table 15 - Mandatory building setbacks

Sub-precinct	Mandatory minimum building setback	Mandatory minimum upper level setback
4A	3.0m setback of the street wall of the building to Kananook Creek Boulevard between Wells and Beach Streets to provide for outdoor dining or other active space.	None specified.
4B		
4D	9.0m to western boundary of 510 Nepean Highway for the continuation of Kananook Creek Promenade.	

Table 16 - Pedestrian links

Sub-precinct	Property	Preferred minimum width
4A	446 Nepean Highway	4.5m from northern boundary.
	438 – 444 Nepean Highway	4.5m from southern boundary.
	432 Nepean Highway	4.5m from northern boundary.
	428 Nepean Highway	4.5m from southern boundary.

Table 17 - Building setbacks

Sub-precinct	Preferred building setbacks	Preferred upper level setbacks
All precincts	0.0m to all streets and Kananook Creek Promenade other than Kananook Creek Boulevard between Beach and Wells Street.	10.0m from the mandatory street wall setback to Kananook Creek Promenade and Boulevard to contribute to a recessive tower form when viewed from the west. 5.0m upper level setback from the street wall to Beach Street, Wells Street, Playne Street, Davey Street and Nepean Highway.
4A		Development above 35m (10 storeys) should be set back so that it is recessive from the tower form when viewed from the opposite Gould Street properties. The assessment should be measured from a distance of 10.0m from the rear boundary of the Gould Street properties. Refer to Diagram 10 . 3.0m upper level setback from a street wall where the street wall abuts a pedestrian link.
4B		Development above 35m (10 storeys) should be set back so that it is recessive from the tower form when viewed from the opposite Gould Street properties. The assessment should be measured from a distance of 10.0m from the rear boundary of the Gould Street properties. Refer to Diagram 10 .
4C		Development above 35m (10 storeys) should be set back so it is recessive from the tower form from the Kananook Creek Trail within the foreshore reserve opposite. Refer to Diagram 11 .
4D		10.0m setback above the street wall height to McCombs Reserve interface. Development above 35m (10 storeys) should be set back so it is recessive from the tower form from the Kananook Creek Trail within the foreshore reserve opposite. Refer to Diagram 12 .

Diagram 10 Upper level setbacks from Gould Street properties Precinct 4A and 4B

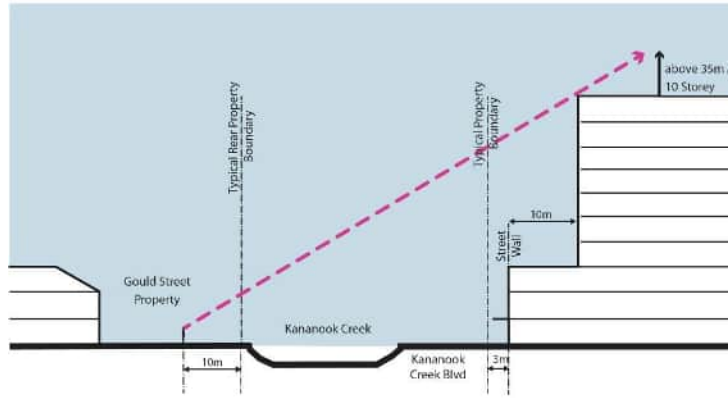


Diagram 11 Upper level setbacks from Kananook Creek trail and foreshore Precinct 4C

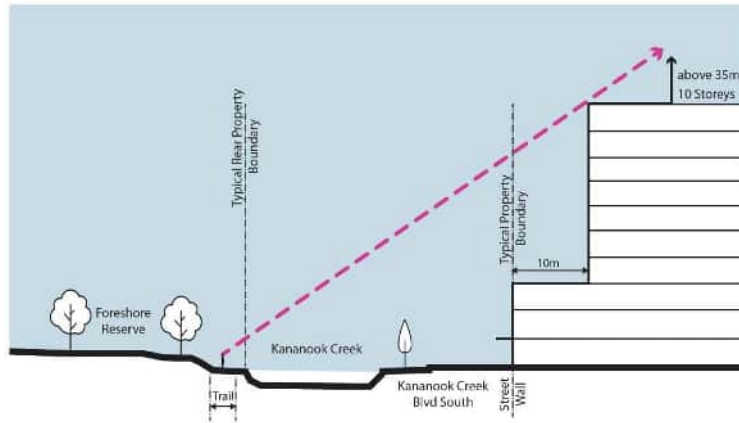


Diagram 12 Upper level setbacks from Kananook Creek trail and foreshore Precinct 4D

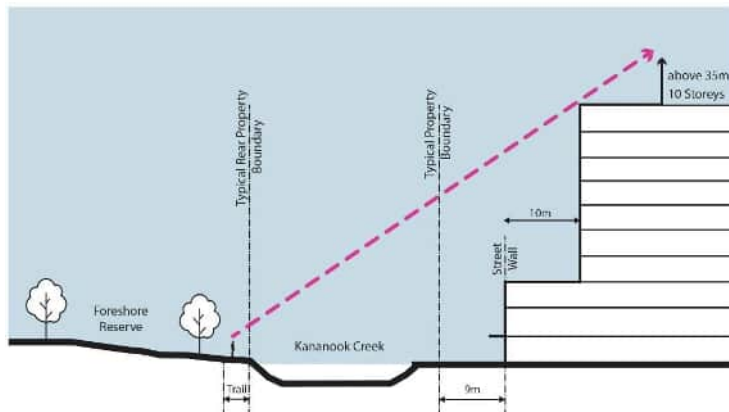


Table 18 - Solar Access

Street or public space	Location	Preferred minimum solar access to be maintained
Kananook Creek	Eastern edge of Kananook Creek (Refer Diagram 13).	Between 10am and 2pm on 22 September.
Foreshore reserve	All (Refer Diagram 14).	Between 10am and 2pm on 22 June.
Kananook Creek trail	All	Between 10am and 2pm on 22 September.
Kananook Creek Boulevard South	Beyond a distance of 9.0m from the eastern boundary of the road reserve (Refer Diagram 15).	
Future Kananook Creek Promenade (510 Nepean Highway)	Beyond a distance of 7.0m from the eastern edge of the future promenade (Refer Diagram 16).	
McCombs Reserve	Beyond a distance of 20.0m from the northern property boundary of the reserve (Refer Diagram 17).	
Nepean Highway	Within 7.0m of the eastern property boundary of Nepean Highway (Refer Diagram 18).	
Wells Street	Entire southern footpath to the kerb line.	
Playne Street		
Davey Street		

Diagram 13 Kananook Creek eastern edge

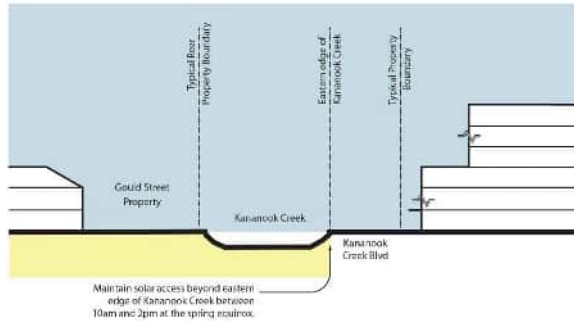


Diagram 14 Foreshore Reserve

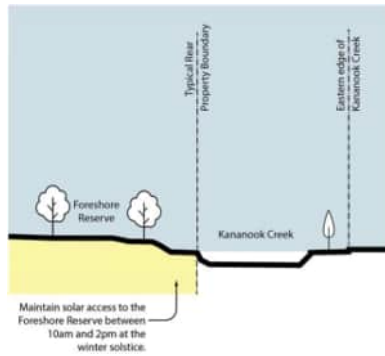


Diagram 15 Kananook Creek Boulevard South

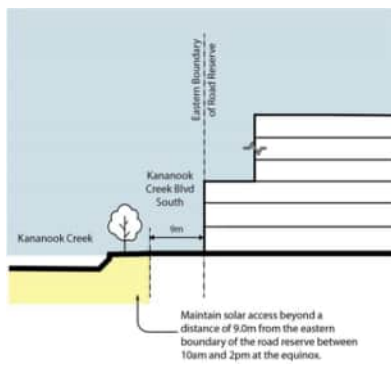


Diagram 16 Kananook Creek Promenade

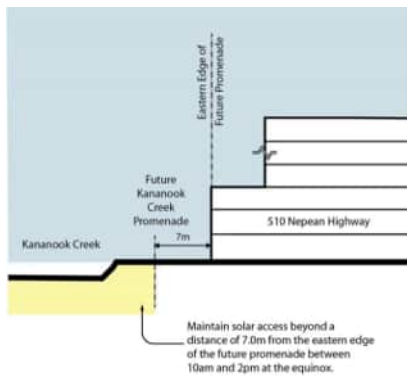


Diagram 17 McCombs Reserve

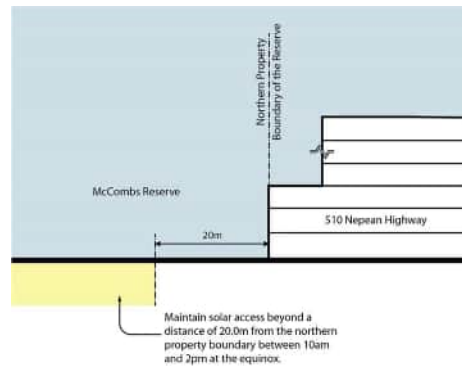
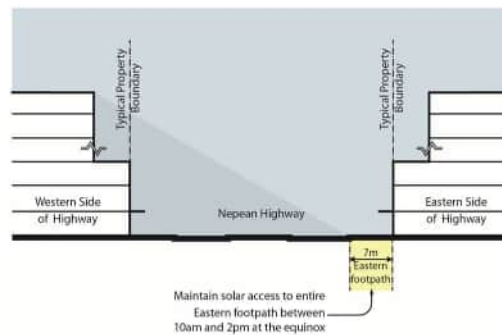


Diagram 18 Nepean Highway



5.4-4 Precinct guidelines

Direct residential uses and uses that do not provide an active frontage to upper levels of buildings.

Development should provide a mix of narrower and wider tenancies along Nepean Highway to support a variety of land uses.

Towers should be designed with slender forms, narrower than the 45m width specified in **Section 4.4 Design of tower elements**, that maximise spaces between built form elements.

Design buildings to respond to the topography and potential for inundation so that the ground level of any setback area to Kananook Creek Boulevard is generally consistent with the existing footpath level at both the Kananook Creek and Nepean Highway frontages.

Ensure that the internal area of buildings and any basements are designed to be protected from inundation from Kananook Creek in a 1% Annual Exceedance Probability flood event and under a 2100 sea level rise scenario.

Design buildings to enhance views from Kananook Creek and Foreshore Reserve.

Architectural elements, balconies and building services should generally not intrude into ground floor setbacks in Precinct 4. Above ground level, where they do, they should not present as solid elements which give the appearance of the street wall coming forward.

Address laneways and pedestrian links with active uses at ground level and provide surveillance from upper levels of development.

Provide activated spaces along the Kananook Creek frontage and Kananook Creek Boulevard/Promenade to provide high quality space for pedestrian amenity and outdoor dining.

Encourage use or development that would result in any of the following:

- Provide active frontages at ground level.
- Optimise pedestrian amenity.
- Manage significant traffic and vehicle movements on streets and laneways.

Provide vehicle access to basement car parks from Beach Street, Wells Street, Playne Street and Davey Street rather than from Nepean Highway and Kananook Creek Boulevard where possible.

5.4-5 Any other requirements

None specified.

5.5 Precinct 5 – Nepean Boulevard

5.5-1 Precinct map



5.5-2 Precinct objectives

To encourage development along the Nepean Highway Boulevard that is responsive to its role as an entry to the Frankston MAC.

To provide for a range of commercial and residential uses that complement the mixed-use function of the precinct.

To support mid-scale apartment and townhouse development across the precinct.

To provide landscaping and canopy trees in the landscaped setbacks identified in the map at clause 5.5-1 to complement the Nepean Highway Boulevard landscape and retain existing canopy trees.

5.5-3 Precinct requirements

Table 19 - Building and street wall height

Sub-precinct	Preferred maximum building height	Preferred maximum street wall height
5A	12.0m (3 storeys)	12.0m (3 storeys)
5B	28.0m (8 storeys)	
5C		
5D	12.0m (3 storeys)	

A permit cannot be granted for buildings or works that are set back less than the minimum requirements specified in Table 20 and any specified condition must also be met.

Table 20 - Mandatory building setbacks

Sub-precinct	Mandatory minimum building setbacks	Mandatory minimum upper level setbacks
5A	Where properties abut Kananook Creek Reserve: Minimum 5.0m from the rear boundary or to a surface level above the 1.7m AHD contour, whichever is greater (Refer Diagram 19). Where properties abut Kananook Creek: Minimum 10.0m from the 1.15m AHD contour (2 year Annual Recurrence Interval) or to a surface level above the 1.7m AHD contour, whichever is greater (Refer Diagram 20). in either case, above the minimum building setback and below the 2.4m AHD contour, there must be no loss of flood storage through impervious enclosure or filling of the area.	None specified
5B	Where properties abut Kananook Creek Reserve: Minimum 5.0m from the rear boundary or to a surface level above the 1.7m AHD contour, whichever is greater (Refer Diagram 21). Within the minimum building setback and below the 2.4m AHD contour, there must be no loss of flood storage through impervious enclosure or filling of the area.	None specified

Table 21 - Building setbacks

Sub-precinct	Preferred building setbacks	Preferred minimum upper level setbacks
5A	Minimum 5.0m to Nepean Highway. Minimum 3.0m to all other streets.	Where a site abuts Kananook Creek or Kananook Creek Reserve, the second and third levels should be set back 3.0m from the level below. Private open space is permitted within this setback.
5B	Minimum 5.0m to Nepean Highway 0.0m to Beach Street.	5.0m upper-level setback from the street wall for development above 12.0m. Where a site abuts Kananook Creek Reserve, the second and third levels should be set back 3.0m from the level below. Private open space is permitted within this setback. Upper levels above the third level should be setback a further 5.0m.
5C	Minimum 5.0m to Nepean Highway. Minimum 3.0m to all other streets. Minimum 4.5m from the rear boundary to provide for landscaping.	5.0m upper-level setback from the street wall for development above 12.0m.
5D	0.0m to Kitson Street Minimum 5.0m to Nepean Highway. Minimum 3.0m to all other streets. Minimum 4.5m from the rear boundary to provide for landscaping.	

Diagram 19 – Kananook Creek Reserve setbacks Precinct 5A

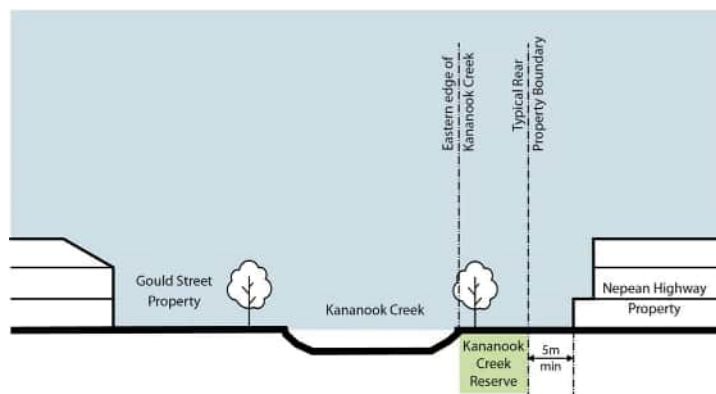


Diagram 20 – Kananook Creek setbacks Precinct 5A

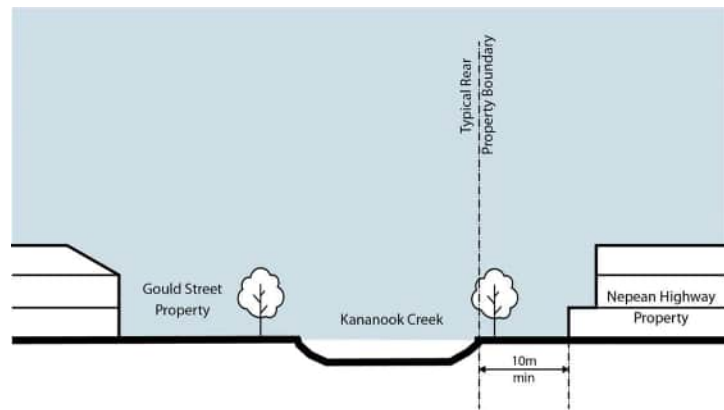


Diagram 21 – Kananook Creek Reserve setbacks Precinct 5B

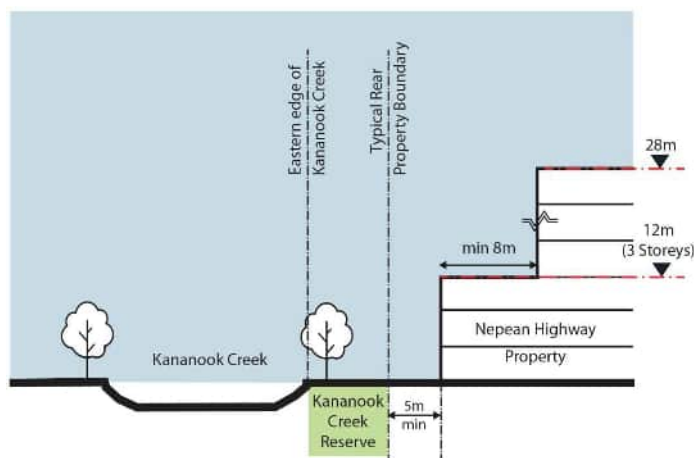
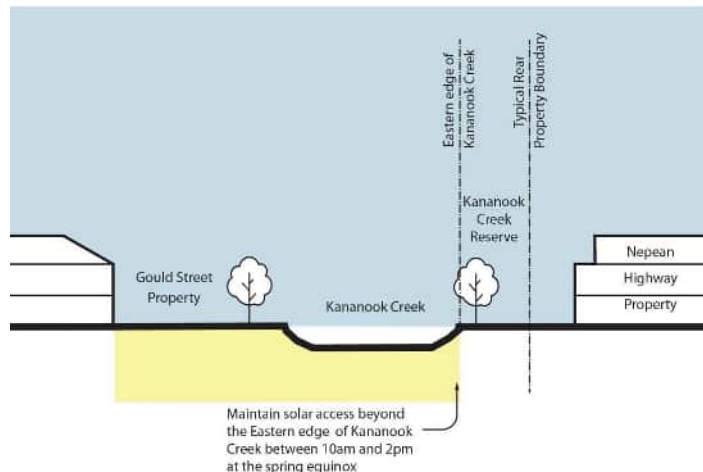


Table 22 - Solar Access

Street or public space	Location	Preferred minimum solar access to be maintained
Kananook Creek	Eastern edge (Refer Diagram 22).	Between 10am and 2pm on 22 September.
Kananook Creek trail	All.	Between 10am and 2pm on 22 September.
Nepean Highway	Eastern and western footpaths south of Fletcher Road to the kerb line.	Between 10am and 2pm on 22 September.
Ebdale Street Reserve	All.	Between 10am and 2pm on 22 June.
Beach Street	Entire southern footpath to the kerb line.	Between 10am and 2pm on 22 September.
O'Grady Reserve	All.	Between 10am and 2pm on 22 June.

Diagram 22 Kananook Creek



5.5-4 Precinct guidelines

Encourage a mix of residential, retail and commercial uses throughout the Precinct.

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.

Ensure that the internal area of buildings and any basements are designed to be protected from inundation from Kananook Creek in a 1% Annual Exceedance Probability flood event and under a 2100 sea level rise scenario.

Provide landscaping in landscaped setback areas as shown in the maps at clause 5.5-1 and as set out in Table 21.

On corner allotments, provide landscaped interfaces to both street frontages.

Screen basement or semi-basement parking from the street and Kananook Creek.

At grade car parking areas should be located away from street interfaces and not within front setbacks.

Incorporate landscaping in at grade parking areas to provide for visual amenity and shade.

Landscaping within front setbacks should complement the landscaping within the Nepean Boulevard road reserve.

Front fencing to Nepean Highway should provide for a level of visual permeability to allow for passive surveillance and views to vegetation.

Prioritise the retention of mature vegetation including large canopy trees.

Where there are a number of trees on the site, prioritise the retention of high value canopy trees over lower value canopy trees.

Design and site buildings at 383-389 Nepean Highway to minimise overshadowing to Evelyn Reserve.

Within Sub-Precinct 5A, site and design development to respect and respond to the sensitive residential, open space and Kananook Creek interface by:

- Maintaining and enhancing the natural landscape character of the creek corridor, in which the topography of the creek and its banks, and a naturalistic corridor of canopy trees, are the dominant features in public views of the creek and its setting.

- Minimising the visual intrusion of new development when viewed from paths, bridge crossings and public open space
- Ensuring that all building elevations, materials, colours and finishes complement Kananook Creek, its landscape and environmental character.
- Providing space between buildings to minimise the visual impact of buildings and allowing views to Kananook Creek and its vegetated corridor.
- Setting development back from the creek edge to protect the landscape, topography and vegetation as the dominant visual elements.
- Ensuring public views of new development are filtered through vegetation and trees.
- Using external materials, visible from Kananook Creek, that complement the landscape setting and be softened with indigenous screen planting where practical.

5.5-5 Any other requirements

None specified.

5.6 Precinct 6 – Cranbourne Road

5.6-1 Precinct map



5.6-2 Precinct objectives

To encourage built form along Cranbourne Road that is responsive to its role as an entry to the Frankston MAC.

To provide for a range of commercial and residential uses that complement the mixed-use and commercial function of the precinct.

To encourage the use of land for offices along Cranbourne Road, increased housing densities on upper levels and the integration of health and education uses as part of mixed use development.

To provide landscaping and canopy trees within landscaped setbacks as shown in the map at clause 5.6-1 that contribute to a high amenity entry experience into the Frankston MAC.

5.6-3 Precinct requirements

Table 23 - Building and street wall height

Sub-precinct	Preferred maximum building height	Preferred maximum street wall height
6A	22.0m (6 storeys)	12.0m (3 storeys)
6B	16.0m (4 storeys)	

Table 24 - Building setbacks

Sub-precinct	Preferred building setbacks	Preferred minimum upper level setbacks
6A	Minimum 3.0m to all streets.	5.0m upper-level setback for development above 12.0m
6B	Minimum 4.5m from the rear boundary to provide for landscaping. Side setbacks to provide for visual breaks between buildings and landscaping.	

5.6-4 Precinct guidelines

Direct residential and other uses that do not provide an active frontages to upper levels of buildings.

Design front fencing to Cranbourne Road to provide for a level of visual permeability and allow for passive surveillance and views to vegetation.

Encourage the retention of mature vegetation including large canopy trees.

Where there are a number of trees on the site, prioritise the retention of high value canopy trees over lower value canopy trees.

Provide landscaping in landscaped setback areas as shown in the map at clause 5.6-1 and as set out in Table 24.

On corner allotments, provide landscaped interfaces to both street frontages.

Buildings should maximise solar access by orientating buildings and associated open space areas to the north, where possible.

Projections such as architectural elements, balconies and building services should not intrude into side building setbacks.

Provide vehicle access from Olive Grove, Willis Street, Joy Street and James Street, Catherine Parade, Melvin Street, Allenby Street, Lawrey Street and Clarendon Street rather than from Cranbourne Road where possible.

Screen basement or semi-basement parking from the street.

Locate at grade car parking areas away from street interfaces and not within front setbacks.

Incorporate landscaping in at grade car parking areas to provide for visual amenity and shade.

5.6-5 Any other requirements

None specified.

6.0

Proposed C160frn

Application requirements

The following application requirements apply to an application for a permit under Clause 37.08, in addition to those specified in Clause 37.08 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

General

A traffic and parking assessment report, prepared by a suitably qualified person justifying the car parking provision, layout and access arrangements for the proposal. The report must also include how the proposal will mitigate detrimental traffic impacts on the capacity and safe and efficient operation of the surrounding street network including laneways.

Buildings and works

- An acoustic assessment of the development, prepared by a suitably qualified person, detailing how noise impacts to residential uses from within the development and from surrounding uses and development including road and rail noise will be mitigated.
- A waste management plan detailing how waste will be dealt with on-site including details relating to how:
 - Food and garden organics, recyclables, glass and residual waste will be stored and disposed of from the site.
 - Waste storage will be consolidated on-site to avoid bins for each individual tenancy particularly in large developments.
 - The development will avoid detrimental impacts to surrounding properties through the collection of waste receptacles.
 - Waste management for the development is consistent with *Waste Management Guidelines for Multi-Unit Developments* (SALT, 2017).
- A 3D digital model of the development and its surrounds that is compatible with Council's software.
- In Precincts 2, 3, 4, 5 and 6 an arboriculture assessment of all vegetation on the site and directly adjoining properties (within 5.0m of the common boundaries) including recommendations to protect vegetation to be retained for both the on-site and adjoining properties, from any detrimental effects of the development and its construction.
- For buildings of 5 or more stories, a wind report by a suitably qualified person detailing how the development mitigates wind impacts from the development and the environment to protect the safety and comfort of building occupants and people in the public realm.
- For development in Precincts 4 and 5, a report prepared by a suitably qualified person on the potential for acid sulfate soils and any management recommendations having regard to:
 - The condition of the soil on the site and the directly abutting area.
 - How the development will mitigate detrimental impacts to any acid sulfate soils.
 - How the development will protect itself from any adverse effects from the soils and ground conditions.
 - How the development accords with the *Victorian Coastal Acid Sulfate Soils Strategy 2009*.
- For buildings of 4 or more storeys, a reflected glare assessment including:
 - The applied method used for the reflected glare assessment.
 - Any assessment assumptions.
 - Identification of potential observers receiving glare.
 - Review of materials, finishes and reflectors.
 - Assessment of the proposed development's disability and discomfort glare.
 - Mitigation measures for reflected glare.

7.0 Notice and review

Proposed C160fran None specified.

8.0 Decision guidelines

Proposed C160fran The following decision guidelines apply to an application for a permit under Clause 37.08, in addition to those specified in Clause 37.08 and elsewhere in the scheme to use land or construct a building or construct or carry out works which must be considered, as appropriate, by the responsible authority:

- How the proposed development's design, architectural quality, scale, height, materials, mass and visual bulk responds to the requirements and guidelines of this schedule and to the surrounding built form.
- How the development respects the visual and environmental qualities of the Foreshore and Kananook Creek and environs.
- The effect of the development on the amenity of nearby properties and the public realm, particularly in regard to visual impacts, overlooking and overshadowing.
- How the proposal contributes to or improves the pedestrian environment and other areas of the public realm.
- How potential on and off-site amenity impacts have been mitigated through measures including the design, location and siting of the proposed development.
- Whether the proposal provides housing for a diversity of housing outcomes.

9.0 Signs

Proposed C160fran None specified.

10.0 Other provisions of the scheme

Proposed C160fran None specified.

11.0 Reference documents

Proposed C160fran *Frankston Metropolitan Activity Centre Structure Plan (Tract, September 2024).*

FRANKSTON PLANNING SCHEME

Proposed C160fran

SCHEDULE 12 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO12**.

RESIDENTIAL GROWTH ZONE AREAS ADJACENT TO THE FRANKSTON METROPOLITAN ACTIVITY CENTRE

1.0

Design objectives

Proposed C160fran

Encourage higher density residential development and a variety of dwelling types that integrate successfully with the public realm.

Ensure new buildings respect the sharing of amenity for current and future residential development on adjoining sites.

Encourage open, landscaped street frontages and activated building interfaces that promote surveillance of adjoining streets.

Encourage site responsive, high quality and contemporary design of new dwellings.

2.0

20/09/2019
C124fran

Buildings and works

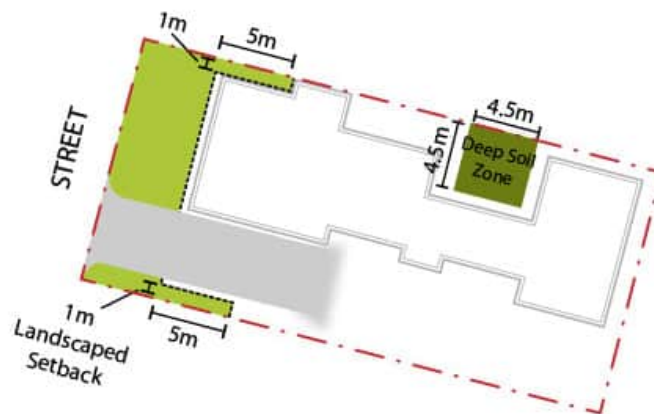
A permit is not required to:

- Construct a building or construct or carry out works associated with one dwelling on a lot.

The following buildings and works requirements apply to an application to construct a building or construct or carry out works:

- Residential building heights should be constructed to a preferred maximum height of 13.5 metres.
- A minimum of one 4.5 metre wide deep soil zone should be provided adjacent to one side boundary on a single lot and two side boundaries on consolidated lots for a minimum of 4.5 metres in length. Side boundary deep soil zones are not to encroach into the front street setback areas (see Figures 1 and 2).
- Buildings on single lots should be setback by at least 1 metre from each side boundary for the first 5 metres of the buildings that front to the street (see Figure 1).
- Buildings on consolidated lots should be setback by at least 3 metres to one side boundary and at least 1 metre to the other side boundary for the first 5 metres of the buildings that front to the street (see Figure 2).

Figure 1



FRANKSTON PLANNING SCHEME

Figure 2



- Walls on boundaries are permitted provided they are setback 5 metres from the front wall of the buildings that front to the street.
- For buildings of more than two storeys above natural ground level, the wall/s of the storey/s above the second storey should be setback from the wall/s of the storey below a minimum of 2.5 metres along the front and rear elevations. Balconies may encroach into this setback.
- Rear setbacks at ground level should be at least 4.5 metres where they adjoin land in a residential zone. Where there is an adjoining industrial or commercial use the building should be setback in accordance with ResCode provisions at Clause 55.04-1. Separation between buildings should utilise a 9 metre distance where possible to avoid overlooking between habitable rooms.
- 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 on upper levels.
- Habitable room windows should be located on street facing facades.
- Habitable rooms should have a window facing an outdoor space open to the sky.
- Minimise the screening of windows, but where screening is necessary provide a mix of screening treatments and strategically place windows to avoid the need for screening.
- Building entries should directly front the street and be clearly defined and legible from the public realm.
- Articulate or divide roof forms into distinct sections in order to minimise visual bulk.
- Encourage screening of a basement or semi-basement parking from the street.
- At grade car parking areas should be located away from street interfaces and not within front setbacks. Landscaping should be incorporated within at grade car parking areas.
- Garages facing the street should be avoided.

FRANKSTON PLANNING SCHEME

- Utilities and services should not be located within the street frontage and should be screened.
- A minimum of 30% of the site area should be permeable unless on-site stormwater run-off is managed through alternative methods such as green roofs, raingardens and on-site bio-retention, to the satisfaction of the responsible Authority.
- Roof decks and their associated structures should not exceed the preferred building height specified in 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.
 - 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.

3.0
20/09/2019
C124fran
Subdivision
None specified.

4.0
20/09/2019
C124fran
Signs
None specified.

5.0
20/09/2019
C124fran
Application requirements
None specified.

6.0

Proposed C160fran
Decision guidelines
The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The impact of the any variation to the preferred building height specified in Section 2.0 of this Schedule with regards to the visual bulk, streetscape, solar access, overshadowing and overlooking.
- 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.

FRANKSTON PLANNING SCHEME

- Whether the layout provides for the safe ingress/egress to and from the site 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.
- 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.

FRANKSTON PLANNING SCHEME

Proposed C160fran

SCHEDULE 13 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO13**.

FRANKSTON COMPLEMENTARY HEALTH MIXED USE AREA

1.0

Proposed C160fran

Design objectives

Encourage development along Hastings Road that is responsive to its role as a gateway to the City Centre.

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.

2.0

20/09/2019
C124fran

Buildings and works

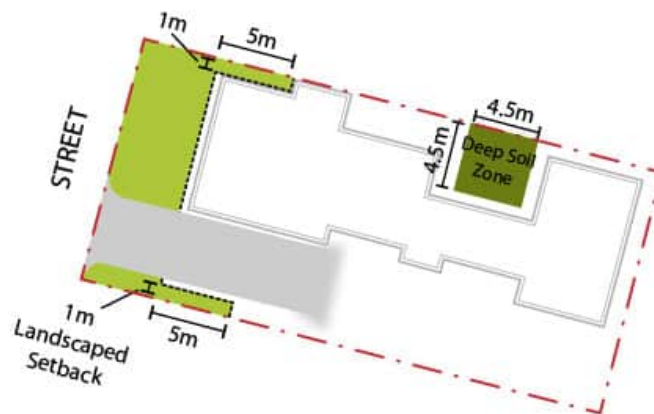
A permit is not required to:

- Construct a building or construct or carry out works associated with one dwelling on a lot.

The following buildings and works requirements apply to an application to construct a building or construct or carry out works:

- Buildings should be constructed to a preferred maximum height of 14 metres.
- Street setbacks should be a minimum of 3 metres.
- Buildings should be setback by at least 1 metre from each side boundary for the first 5 metres of the buildings that front to the street (see Figure 1).

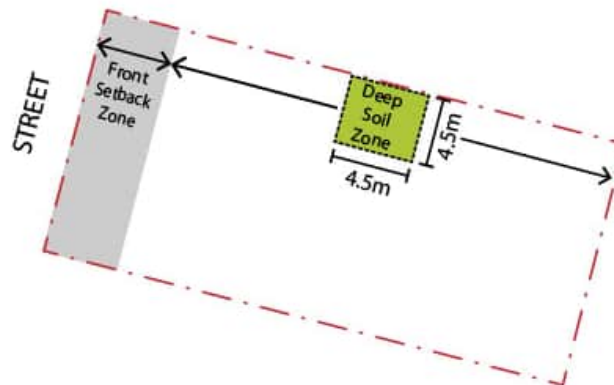
Figure 1



- 4.5 metre wide deep soil zones should be provided adjacent to side boundaries for a minimum of 4.5 metres in length. Side boundary deep soil zones are not to encroach into the front street setback areas (see Figure 2).

FRANKSTON PLANNING SCHEME

Figure 2



- For buildings of more than two storeys above natural ground level, the wall/s of the storey/s above the second storey should be setback from the wall/s of the storey below a minimum of 2.5 metres along the front and rear elevations. Balconies may encroach into this setback.
- Where a neighbouring development includes residential use, separation between buildings should utilise a 9 metre distance where possible to avoid overlooking between habitable rooms.
- 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 on upper levels.
- Building entries should directly front the street and be clearly defined and legible from the public realm.
- Buildings on corner allotments should present as activated and articulated to the side elevation with opportunities for landscaping within the side setback.
- Buildings should maximise solar access by orientating buildings and associated open space areas to the north.
- Larger developments should incorporate communal outdoor space for staff, residents and visitors.
- Encourage screening of basement or semi-basement parking from the street.
- At grade car parking areas should be located away from street interfaces and not within front setbacks. Appropriate landscaping should be incorporated within at grade car parking areas.
- Utilities and services should not be located within the street frontage and should be screened.
- A minimum of 30% of the site area should be permeable unless on-site stormwater runoff is managed through alternative methods such as green roofs, raingardens and on-site bio-retention, to the satisfaction of the responsible authority.
- Directional and promotional signage should be of appropriate scale and incorporated into the building design.
- Roof decks and their associated structures should not exceed the preferred Building Heights specified in this schedule.
- A roof deck should:

FRANKSTON PLANNING SCHEME

- 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.
- 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.

3.0
20/09/2019
C124fran
Subdivision
None specified.

4.0
20/09/2019
C124fran
Signs
None specified.

5.0
20/09/2019
C124fran
Application requirements
None specified.

6.0
-/-/-/-/
Proposed C160fran
Decision guidelines
The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- 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 is appropriate.
- Whether compliance with the requirements of this schedule is achievable having regard to the size, shape, orientation and topography of the site.
- 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.
- Whether the layout provides for the safe ingress/egress to and from the site and that the layout provides for the separation of vehicle and pedestrian movement.
- Whether the development provides for adequate access to each building for emergency services and the pickup of waste.
- 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.

FRANKSTON PLANNING SCHEME

- 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.

FRANKSTON PLANNING SCHEME

23/05/2019
C133fran

SCHEDULE TO CLAUSE 45.01 PUBLIC ACQUISITION OVERLAY

1.0
Proposed C160fran

Public acquisition

PS map ref	Acquiring Authority	Purpose of acquisition
PAO1	Head, Transport for Victoria	Road purposes
PAO2	Frankston City Council	Road purposes
PAO3	Frankston City Council	Open Space / recreation
PAO4	Department of Education	School purposes
PAO5	Department of Natural Resources and Environment	Open space
PAO6	Secretary to the Department of Infrastructure	Southern and Eastern Integrated Transport Project and connecting roads
PAO7	Southern and Eastern Integrated Transport Authority	Peninsula Link
PAO8	Frankston City Council	Kananook Creek Promenade
PAO9	Frankston City Council	Road purposes

FRANKSTON PLANNING SCHEME

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Proposed C160fr

SCHEDULE 1 TO CLAUSE 45.09 PARKING OVERLAY

Shown on the planning scheme map as **PO1**.

FRANKSTON METROPOLITAN ACTIVITY CENTRE AND ADJACENT AREAS

1.0

--/---
Proposed C160fr

Parking objectives to be achieved

- To improve car parking provision in the Frankston Metropolitan Activity Centre and adjacent areas.
- 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.

2.0

22/11/2018
C111

Permit requirement

None specified.

3.0

22/11/2018
C111

Number of car parking spaces required

If a use is specified in the Table below, the number of car parking spaces required for the use is calculated by multiplying the *Rate* specified for the use by the accompanying *Measure*.

Table 1: Car parking spaces

Use	Rate	Measure
Food and Drink Premises	3	Car spaces to each 100 square metres of leasable floor area
Residential Building other than residential aged care facility as listed in Table 1 of Clause 52.06-5	0.3	Car spaces to each bedroom.
Shop (other than Restricted retail) as listed in Table 1 of Clause 52.06-5	3	Car spaces to each 100 square metres of leasable floor area

For all other uses listed in Table 1 of Clause 52.06-5, the *Rate* in Column B of Table 1 in Clause 52.06-5 applies.

4.0

22/11/2018
C111

Application requirements and decision guidelines for permit applications

None specified

5.0

23/05/2019
C133fran

Financial contribution requirement

Within the Frankston Metropolitan Activity Centre area defined in Map 1: FMAC Parking Precinct Plan Map in this schedule, the responsible authority may consider accepting a financial contribution in-lieu of one or more car parking spaces required under this Clause 45.09 and/or Clause 52.06, provided the following criteria are met, to the satisfaction of the responsible authority:

- i. The applicant demonstrates that the car parking requirement cannot be practically provided on-site or reasonably nearby;
- ii. The number of car parking spaces to be provided on-site is low, and is not considered to achieve the objective of consolidating car parking into large, well located, easily accessible and locatable facilities; and

FRANKSTON PLANNING SCHEME

- iii. The applicant agrees, under Section 173 of the *Planning & Environment Act 1987*, to the financial contribution being applied to the provision of public shared parking, at any site in or adjacent to the Frankston Metropolitan Activity Centre Area, as determined by the responsible authority.

The financial contribution rate is \$19,500 (plus GST) for each car space. The amount of contribution for each space specified above will be adjusted by the responsible authority on 1 July each year, commencing from 1 July 2017, by applying the *Building Price Index, Melbourne*, in Rawlinsons Australian Construction Handbook. If that index is unavailable, an equivalent index will be applied by the responsible authority.

The financial contributions specified above must be made before the use or development commences unless a permit condition allows payments by instalments under the Section 173 agreement provisions of the *Planning and Environment Act 1987*. This agreement may provide for the payment of the contribution in instalments plus an interest component equivalent to the interest payable on unpaid rates and charges under the *Local Government Act 1989* and it must provide that all instalments and accrued interest are paid within 5 years of the first instalment.

Until the responsible authority is paid the financial contribution, the permit must contain one of the following two conditions:

Prior to the commencement of the use or development allowed under this permit a payment of \$19,500 excl GST (indexed annually by applying the Building Price Index, Melbourne, in Rawlinsons Australian Construction Handbook) must be paid to the responsible authority for each car parking space required, but not provided on the land.

Or alternatively:

Prior to the commencement of the use or development allowed under this permit, the owner of the land must enter into an agreement under Section 173 of the Planning and Environment Act 1987 with the responsible authority in which the owner agrees to a payment of \$19,500 excl GST (indexed annually by applying the Building Price Index, Melbourne, in Rawlinsons Australian Construction Handbook) for each car parking space required, but not provided on the land.

The agreement may provide for the payment of the contribution in instalments, plus an interest component equivalent to the interest payable on unpaid rates and charges under the Local Government Act 1989 and it must provide that all instalments and accrued interest are paid within 5 years of the first instalment.

All funds collected by the responsible authority must be utilised on public parking projects within the Frankston Metropolitan Activity Centre or adjacent to the Frankston Metropolitan Activity City Centre in accordance with the Frankston Metropolitan Parking Precinct Plan, including (where appropriate) multi storey facilities.

6.0 Requirements for a car parking plan

22/11/2018
C111

None specified.

7.0 Design standards for car parking

22/11/2018
C111

None specified.

8.0 Decision guidelines for car parking plans

22/11/2018
C111

None specified.

9.0 Background document

Proposed C160fran

Frankston Metropolitan Activity Centre Parking Precinct Plan (Frankston City Council, 2018).

Note: Occupiers of any dwellings approved by permit subject to the provisions of this schedule may not be eligible for Resident Priority Parking Permits.

FRANKSTON PLANNING SCHEME

23/05/2019
 C133fran

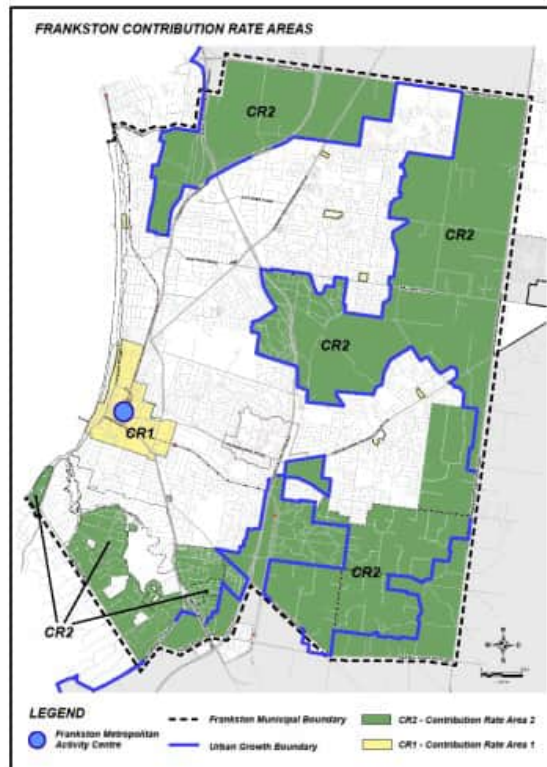
SCHEDULE TO CLAUSE 53.01 PUBLIC OPEN SPACE CONTRIBUTION AND SUBDIVISION

1.0
 Proposed C160fran

Subdivision and public open space contribution

Type or location of subdivision	Amount of contribution for public open space
All land shown as area CR1 on Plan 1 forming part of this schedule.	8%
All land shown as CR2 on Plan 1 forming part of this schedule.	2%
All other land within the municipality.	5%

Plan 1 to Clause 53.01



FRANKSTON PLANNING SCHEME

23/05/2019
C133fran

SCHEDULE TO CLAUSE 72.04 DOCUMENTS INCORPORATED IN THIS PLANNING SCHEME

1.0

Proposed C160fran

Incorporated documents

Name of document	Introduced by:
<i>Balmoral Offices, 12 Balmoral Walk, Frankston – September 2021</i>	C151fran
<i>Carrum Level Crossing Removal Project Incorporated Document, December 2017 (Amended February 2018)</i>	GC94
<i>Concept Plan March 2000, Restricted Retail Area Between McMahons Road and Bryan Street, Frankston</i>	NPS1
<i>Figure 3, ERM Flora and Fauna Investigation (May 1999)</i>	NPS1
<i>Frankston Bulky Goods Precinct - Stage 2 (October 2011)</i>	C77
<i>Frankston Safe Boat Harbour (Frankston City Council, June 2008)</i>	C50
<i>Gertrude Street, Frankston, Concept Plan Bird De La Couer Architects P/L Reference SK-01A (18 June 1999)</i>	NPS1
<i>Golf Links Road and Grant Road (Peninsula Link to Frankston-Flinders Road) Upgrade Project Incorporated Document, November 2019</i>	GC158
<i>Hall Road (McCormicks Road to Cranbourne-Frankston Road) Upgrade Project Incorporated Document, August 2021</i>	GC181
<i>Hospital Emergency Medical Services - Helicopter Flight Path Protection Areas Incorporated Document (June 2017)</i>	GC49
<i>Improve Frankston Station Project, Incorporated Document (February 2018)</i>	C119
<i>Kananook Train Storage Facility Project Incorporated Document (July 2017)</i>	C117
<i>Kristen Close, Frankston South (February 2011)</i>	C72
<i>Landscape Concept, Carol Frank-Mas Landscape Architects Drg. No. 2164/1a (17/06/99)</i>	NPS1
<i>Lathams Road (Oliphant Way to Frankston-Dandenong Road) Upgrade Project Incorporated Document, April 2019</i>	C134fran
<i>McClelland Drive, Langwarrin Conceptual Development Plan (May 1999)</i>	NPS1
<i>Olivers Hill Lot Restructuring Plan (December 2010)</i>	C46(Part 1)
<i>Peninsula Link Project, Incorporated Document, July 2009 (amended June 2011)</i>	C80
<i>Peninsula Private Hospital Master Plan (August 2013)</i>	C74
<i>Sandhurst Comprehensive Development Plan (May 1996)</i>	NPS1
<i>Seaford Road, Seaford Level Crossing Removal Project Incorporated Document, December 2017 (Amended February 2018)</i>	GC94
<i>Skye/Overton Road, Frankston Level Crossing Removal Project Incorporated Document (May 2017)</i>	C116
<i>South East Water Corporation, Head Office, Frankston (February 2013)</i>	C90
<i>Tree Protection Guidelines for Construction Sites (September 2005)</i>	C37
<i>Western Port Highway Upgrade Project Incorporated Document, August 2021</i>	GC182
<i>Woolworths Oxygen, Carrum Downs (February 2011)</i>	C73

FRANKSTON PLANNING SCHEME

31/07/2018
VC148

SCHEDULE TO CLAUSE 72.08 BACKGROUND DOCUMENTS

1.0

Proposed C160fran

Background documents

Name of background document	Amendment number - clause reference
Built Form Guidelines for Higher Density Residential Growth Areas adjacent to the Frankston Metropolitan Activity Centre (Frankston City Council, 2023)	C124fran – 32.07 Schedule 1, 43.02 Schedule 12
Built Form Guidelines Frankston Complementary Health Mixed Use Area (Frankston City Council, 2023)	C124fran – 43.02 Schedule 13
<i>Climate Change Impacts and Adaption Plan</i> (Frankston City Council Climate Change Taskforce, 2011)	
<i>Economic Development Strategy</i> (Frankston City Council, 2011)	
<i>Flood Management Plan for Frankston City Council and Melbourne Water</i> (Frankston City Council/Melbourne Water, 2019)	
<i>Forward Planning for Potential Landfill Sites in the Cranbourne/Frankston Area</i> (Woodward-Clyde, 1995)	
<i>Frankston Bicycle Strategy</i> (Aurecon, 2010)	
<i>Frankston City Council Plan, 2013-2017</i> (Frankston City Council, 2013)	
<i>Frankston City Council Health and Wellbeing Plan 2017-2021</i> (Frankston City Council, 2017)	
<i>Frankston City Council Local Gambling Policy: Planning Implementation Report</i> (Planisphere, 2014)	
<i>Frankston City Investment Prospectus</i> (Frankston City Council, 2016)	
<i>Frankston City Neighbourhood Character Study</i> (Planisphere and John Curtis Pty Ltd, 2002)	
<i>Frankston City Open Space Strategy 2016-2036</i> (Frankston City Council, 2016)	
<i>Frankston Fauna Linkages and Crossing Structure Design Study</i> (Practical Ecology, 2012)	
<i>Frankston Green Wedge Management Plan</i> (Frankston City Council, 2021)	
<i>Frankston Housing Strategy</i> (Frankston City Council, 2018)	
<i>Frankston Integrated Transport Strategy</i> (Aurecon, 2013)	
<i>Frankston Local Gaming Policy - Planning Implementation Report</i> (Planisphere, 2014)	
Frankston Metropolitan Activity Centre Parking Precinct Plan (Frankston City Council, 2018)	C133fran – 45.09 Schedule 1
<i>Frankston Metropolitan Activity Centre Structure Plan</i> (Tract, September 2024)	C160fran – 02.03, 11.03-1L-02, 16.01-1L, Clause 37.08 Schedule 1
<i>Frankston Municipal Health and Wellbeing Plan, 2013-2017</i> (Frankston City Council, 2013)	
<i>Frankston Public Open Space Contributions Report</i> (SGS Economics & Planning, 2019)	C127fran – Schedule to Clause 53.01
<i>Frankston Street Tree Master Plan</i> (Tree Dimensions, 2006)	

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Name of background document	Amendment number - clause reference
<i>Greening Our Future – Frankston City Council’s Environment Strategy 2014-2024</i> (Frankston City Council, 2014)	
<i>Metropolitan Waste and Resource Recovery Implementation Plan</i> (Metropolitan Waste and Resource Recovery Group, 2016)	
<i>Outdoor Advertising Signage - Design Guidelines</i> (Frankston City Council, 2014)	
<i>Waste Management Policy (Siting, Design and Management of landfills)</i> (Environment Protection Authority, 2004)	
<i>Victorian Coastal Strategy</i> (Victorian Coastal Council, 2014)	

FRANKSTON PLANNING SCHEME

10/02/2022
C141fran

SCHEDULE TO CLAUSE 74.01 APPLICATION OF ZONES, OVERLAYS AND PROVISIONS

1.0

Proposed C160fran

Application of zones, overlays and provisions

This planning scheme applies the following zones, overlays and provisions to implement the Municipal Planning Strategy and the objectives and strategies in Clauses 11 to 19:

Zones

- . Low Density Residential Zone to provide for low-density residential lots that can treat and retain wastewater.
- . Mixed Use Zone to areas previously used for a mix of industrial and commercial purposes that provide opportunities for residential and commercial re-development and renewal.
- . Residential Growth Zone to areas where increased density is anticipated.
- . General Residential Zone to established areas where incremental change is anticipated.
- . Industrial 1 Zone to industrial areas with a mix of manufacturing and commercial uses.
- . Commercial 1 Zone to retail and commercial areas where more intensive retail, commercial and residential development is anticipated, including strip shopping areas.
- . Commercial 2 Zone to provide for offices, bulky goods retail, appropriate manufacturing and industries and associated uses.
- . Green Wedge Zone to land with important agricultural, environmental, historic, landscape, recreational and tourism opportunities.
- . Rural Conservation Zone to protect and enhance natural resources and the biodiversity of the area.
- . Farming Zone to provide for the use of land for agriculture.
- . Public Use Zone to specific public land uses and institutions including public schools.
- . Public Park and Recreation Zone to public parkland for a range of passive and active recreational and environmental purposes.
- . Public Conservation and Resource Zone to protect public land for its historic, scientific, landscape, habitat or cultural values.
- . Transport Zone 2 or Transport Zone 3 to selected major roads controlled by the Head, Transport for Victoria and Frankston City Council as the local road authority.
- . Special Use Zone to:
 - A variety of recreational, cultural, arts private sports grounds, religious, educational institutions and related institutions and operations related to Frankston City Council.
 - Sites where a Work Authority has been issued for extractive industry to protect regionally significant stone resources and where the future use of the sites has not been determined or is not clear.
- . Comprehensive Development Zone to sites that require an overall development plan to guide redevelopment for specific land uses and building form.
- . Urban Floodway Zone to identify urban locations with the greatest risk and frequency of being affected by flooding.
- . Activity Centre Zone to facilitate the development of the Frankston Metropolitan Activity Centre.

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Overlays

- Environmental Significance Overlay to areas where the development of land may be affected by environmental constraints.
- Significant Landscape Overlay to protect significant landscapes.
- Heritage Overlay to places and precincts identified in heritage studies.
- Design and Development Overlay to areas where specific requirements relating to the design and built form of new development is required.
- Development Plan Overlay to sites or precincts where redevelopment and land use should be generally in accordance with an approved development plan.
- Erosion Management Overlay to areas prone to erosion, landslip or other land degradation processes.
- Land Subject to Inundation Overlay to areas identified as subject to flooding by the 1 in 100 year flood or any other area determined by the Floodplain Manager (Melbourne Water).
- Special Building Overlay to inundation prone land by overland flows from the urban drainage system.
- Bushfire Management Overlay to areas and sites affected by bushfire.
- Public Acquisition Overlay to sites, road widening and other locations such as adjoining waterways where an acquiring authority has requested the overlay.
- Environmental Audit Overlay to sites and areas where potential contamination from former land use or other sources, indicates an environmental audit must be undertaken before any sensitive use (such as housing) commences.
- Parking Overlay to sites or precincts where particular parking rates or financial contributions should be regulated.
- Specific Controls Overlay to land to be developed in accordance with a specific control contained in a corresponding incorporated document.

FRANKSTON PLANNING SCHEME

10/02/2022
C141fran

SCHEDULE TO CLAUSE 74.02 FURTHER STRATEGIC WORK

1.0

Proposed C160fran

Further strategic work

- Develop urban design guidelines to deliver architectural excellence, design innovation and ecologically sustainable design for all new development.
- Undertake a review of Council's neighbourhood character precincts and policy.
- Undertake a review of the schedule to the Design and Development Overlay and the Development Plan Overlay in line with the review of neighbourhood character policy and precincts.
- Complete the Health and Education Precinct Structure Plan.
- Develop a student housing policy to facilitate student residential developments within the Health and Education Precinct and the Frankston Metropolitan Activity Centre
- Identify activity nodes suitable for coastal related recreational development along the foreshore having regard to existing patterns of use and land capability as part of the Coastal Management Review
- Identify sites of biological and cultural significance and environmental sensitivity, including the marine environment that should be protected.
- Implement *Greening Our Future* (Frankston City Council, 2014) – Frankston City Council's Environment Strategy 2014 – 2024.
- Identify specific housing needs by undertaking a housing survey to inform the review of Housing Strategy 2013.
- Develop an Industrial Land Use Strategy with a view to encourage the renovation of ageing industrial stock and the use of disused industrial land.
- Undertake a study of existing extractive industry areas to identify land use impacts and develop a strategy to mitigate those issues and to consider potential reuse of rehabilitated extractive industry sites and zoning.
- Determine appropriate methods of reclamation and reuse of extractive sites.
- Investigate the need for Development Contributions Plans to fund physical and community infrastructure associated with urban development.
- Develop a green wedge local policy to implement the visions for each sub-precinct identified in the *Frankston Green Wedge Management Plan* (Frankston City Council, 2021) and to provide decision guidelines on land use within the Green Wedge.
- Investigate and implement planning controls to achieve the environmental objectives outlined in the *Frankston Green Wedge Management Plan* (Frankston City Council, 2021).
- Undertake an assessment of green wedge areas to assist with the viability of agricultural and horticultural activities.



Frankston Metropolitan Activity Centre

Structure Plan

September 2024

Prepared by:
Tract Consultants

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©Frankston City Council 2024
30 Davey Street, Frankston

PO Box 490 Frankston Vic 3199

Phone: 1300 322 322
Email: info@frankston.vic.gov.au
Web: Frankston.vic.gov.au



Acknowledgment of Country

Frankston City Council acknowledges the Bunurong people of the Kulin Nation as the Traditional Custodians of the lands and waters in and around Frankston City, and value and recognise local Aboriginal and Torres Strait Islander cultures, heritage and connection to land as a proud part of a shared identity for Frankston City.

Council pays respect to Elders past and present and recognises their importance in maintaining knowledge, traditions and culture in our community.

Council also respectfully acknowledges the Bunurong Land Council as the Registered Aboriginal Party responsible for managing the Aboriginal cultural heritage of the land and waters where Frankston City Council is situated.

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Glossary of Terms

ACZ	Activity Centre Zone - A planning zone used to apply land use and built form Controls in Activity Centres.
Activity Centre	An area that provides for shopping, services , employment, housing, transport and social interaction. Activity Centres are commonly know as town centres.
DTP	Department of Transport and Planning- The State Government department that manages arterial roads and the public transport network.
Equitable Access	An approach where development considers its impact on the amenity of neighbouring sites by limiting overshadowing, overlooking and ensuring outlook and views are maintained. This should consider both existing uses and future development outcomes on neighbouring sites.
ESD	Environmentally Sustainable Design - The purpose of Environmentally Sustainable Design is to reduce impacts in the construction and use of buildings on the natural environment, whilst improving the comfort of the inhabitants.
Fine-grain subdivision	An urban environment where there are relatively narrow shopfronts (generally less than 10 metres in width) providing for a high level of visual interest, and diverse range of uses and experiences within the street.
FMAC	Frankston Metropolitan Activity Centre.
Hospitality	Land uses such as restaurants, cafes and hotels that provide food, drink, entertainment and accommodation.
Laneway	<p>A laneway is a narrow road or lane generally located at the rear of the property. Motor vehicle access is provided along laneways and they are typically used to provide servicing to properties. Within the FMAC, there are number of laneways that are utilised by both pedestrians and motor vehicles.</p> <p>The Structure Plan identifies Future and Indicative Laneway Extensions.</p> <p>A Future Laneway Extension is proposed laneway where the desired future width and location is known and identified in the Structure Plan.</p> <p>An Indicative Laneway Extension is a proposed laneway where further detailed design and master planning is required to determine the width and location of the laneway.</p>
Mid-Scale Housing	Mid-scale housing is housing that contains two or more dwellings on a lot. Common housing types include townhouses, terraces and low-scale (2-4 storey) apartment buildings.

Night Time Economy (NTE)	Refers to retail and hospitality activity occurring after the conclusion of 'normal' business hours (around 5 or 6pm). Broadly, most NTE activities occur in the hours before midnight, though in some centres there may be a role for activities beyond midnight, extending to 6am.
Pedestrian Links	<p>A Pedestrian Link is a walkway or public plaza space that is used by pedestrians with no motor vehicle access provided. The Structure Plan identifies Future and Indicative Pedestrian Links.</p> <p>A Future Pedestrian Link is a proposed link where the desired future width and location is known and identified in the Structure Plan.</p> <p>An Indicative Pedestrian Link is a proposed link where further detailed design and master planning is required to determine the width and location of the link.</p>
Primary Active Frontage	Building frontage which contains uses that promote a high level of activity and interaction with the street. This includes shops, cafes and restaurants.
Principal Pedestrian Network	A strategic network of pedestrian routes that encourage walking for transport. A high level of amenity and priority for pedestrians will be provided along a Principal Pedestrian Network.
Retail	Land uses providing for the sale of goods and services to consumers.
Secondary Retail	Retail uses that have limited customer activity.
Shared Zone	A Shared Zone is a road or network of roads where pedestrians, cyclists and vehicles share the roadway. A shared zone provides improved amenity for pedestrians and an improved streetscape.
Spring Equinox	For the purpose of assessing the overshadowing impacts, the Spring Equinox is referenced as a measure within the Structure Plan. The Spring Equinox sits mid-way between the Winter Solstice (least amount of daylight hours) and the Summer Solstice (greatest amount day light hours). The Spring Equinox currently occurs on September 22.
Street Wall	The wall of a building that is closest the street boundary.
Streetscape	The visual elements of a street, including the road, adjoining buildings, street furniture, trees and open spaces, etc, that combine to form the street's character.
Winter Solstice	For the purpose of assessing the overshadowing impacts, the Winter Solstice is referenced as a measure within the Structure Plan. The Winter Solstice is the day of the year that has the least amount of daylight hours. It currently occurs on June 22.
WSUD	Water Sensitive Urban Design - An approach to the planning and design of public spaces such as streets and parks to provide for the treatment of stormwater before it enters waterways.

1. Introduction



1.1. Project Background

As a designated Metropolitan Activity Centre, Frankston is emerging as one of Melbourne's most important commercial precincts, transforming itself into a vibrant new 'capital of the South East.'

The Frankston City Centre represents a unique and strategic asset for Melbourne, with the opportunity to establish itself as the key economic and social hub within the South East. The Centre's waterfront location combined with existing transport, education, health, retail and recreational infrastructure underpins Frankston's potential to facilitate not only its own economic growth, but also the broader Mornington Peninsula and surrounding residential areas.

Over the next 20 years the Frankston Metropolitan Activity Centre (FMAC) will need to cater to a substantial increase in employment uses, retail and housing. The Structure Plan sets out a framework to guide development within the FMAC providing clear direction on land uses, housing, built form, employment, streetscapes and open space, and movement and transport.

The Structure Plan not only plans for the future growth and changing population but also recognises the importance of making improvements for the people that currently live in and visit the Centre.

1.2. The Frankston Metropolitan Activity Centre Structure Plan, 2015

In 2015, the Frankston Metropolitan Activity Centre (FMAC) Structure Plan was adopted by Council. It provided a range of recommendations for infrastructure and public realm improvements, a number of which have been further developed or delivered by Council.

The 2015 Structure Plan also provided Built Form and Design recommendations including height controls. These recommendations were only partly implemented into the planning scheme, leaving the majority of the FMAC without any guidance for the preferred development outcomes. With significant development interest in the FMAC, it is critical that Council implements clear built form controls that seek to achieve exemplary development outcomes and provide more certainty for investment.

A number of key State Government projects and policy changes have also arisen since 2015 which will influence the role and function of the FMAC. These include the Frankston Hospital upgrade, the Suburban Rail Loop Project, level crossing removals on the Frankston line, the release of Plan Melbourne 2017-2050 and a greater focus on the provision of affordable housing, particularly in locations which are well serviced by infrastructure.

With consideration of the above, Frankston City Council have undertaken a 'refresh' of the adopted 2015 Frankston Metropolitan Activity Centre (FMAC) Structure Plan.

1.3. How to use the Structure Plan

The FMAC Structure Plan should be read in conjunction with the relevant technical reports outlined in Section 1.7. These reports provide analysis of the key issues and opportunities, and supporting strategic and technical information.

The Structure Plan comprises the sections outlined opposite.

1. Introduction

Provides an overview of the project, this document, the FMAC boundary and the policy context.

2. Positioning the FMAC

Provides a description of the FMAC context, the community, future land use projections, opportunities and influencing projects.

3. The Vision

Provides a 20 year vision for the growth and development of the FMAC.

4. The Strategic Response

A strategic framework providing recommendations across the entire FMAC under four themes to achieve the Vision.

5. The Precincts

Outlines specific projects and detailed built form recommendations across six precincts.

6. Implementation

An overview of the next steps required for implementation of the Structure Plan.

1.4. The Frankston Metropolitan Activity Centre

1.3.1. The Structure Plan Boundary

The Structure Plan Boundary encompasses the retail and commercial areas of the FMAC as well as the peripheral precincts of Nepean Highway and Cranbourne Road.

The delineation of the boundary has been guided by the State Government's Practice Note 58 - Structure Planning for Activity Centres, which outlines a number of criteria for determining the boundary. The boundary serves an important role in providing a focus for the application of future projects, planning policies and controls. Some areas within the FMAC may experience limited change whilst other areas may experience greater transformation.

Six Precincts have been identified within the FMAC which are broadly defined by land uses, road and rail infrastructure. The Precincts are:

- Precinct 1 - City Centre
- Precinct 2 - Transport Interchange, Community and Education
- Precinct 3 - Arts, Entertainment and Government Services
- Precinct 4 - Promenade
- Precinct 5 - Nepean Boulevard
- Precinct 6 - Cranbourne Road

Chapter 5 outlines detailed recommendations for each of the precincts.

1.3.2. Why has the 2015 Structure Plan Boundary been modified?

The 2015 Structure Plan Boundary covered a substantial area beyond the retail and commercial core of the FMAC. It incorporated surrounding residential areas, the Frankston Hospital, the Monash University and the Frankston Power Centre on the east side of McMahons Road (Moorooduc Highway). Refer to Figure 1.

The 2015 Structure Plan also identified thirteen precincts and outlined a range of land use objectives for each of these.

The Structure Plan has reduced the overall boundary. This will remove the areas outlined above and focus primarily on the commercial and mixed use zoned land within the central area of the FMAC and key entrances. The boundary has been reduced for the following reasons:

- The Frankston Hospital and Monash University are identified in Plan Melbourne as a Health and Education Precinct. Council is proposing to undertake a separate study to that will set the future planning and design framework of this precinct. The study area will also cover surrounding areas such as the Leawarra Station and the Power Centre, and consider the impacts of the potential electrification of the Baxter Rail Line. As a result, the Frankston Hospital and surrounding land, the Monash University and the Power Centre have been removed from the Structure Plan Boundary.
- Frankston City Council have commenced a Housing Strategy for the entire municipality. This will identify the future vision for housing in Frankston and identify areas of housing change. This Strategy will include the residential areas surrounding the FMAC and set out detailed recommendations for future planning zones and controls to deliver desired housing. As a consequence, the surrounding residential areas have been removed from the Structure Plan Boundary.



Figure 1. Structure Plan Boundary and Precincts

1.5. Key Project Stages

The FMAC Structure Plan has been developed across five stages with the sixth to occur post adoption of this document as outlined in Figure 2.

The Final Structure Plan has been produced following consideration of community feedback on the vision and framework outlined in the Draft Structure Plan. A planning scheme amendment has also been prepared to implement the key land use and development recommendations outlined in the Final Structure Plan.



Mayor Cr Nathan Conroy at the community engagement Pop-up at PARC for the Draft Structure Plan.
(Source: Capire Consulting Group)



Figure 2. FMAC Structure Plan Stages

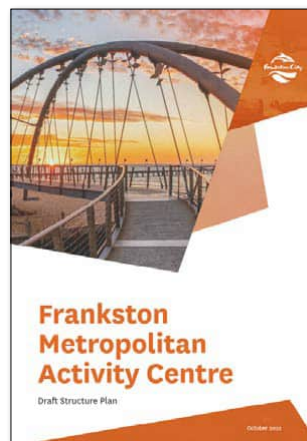
1.6. The Draft FMAC Structure Plan

The Draft FMAC Structure Plan was released for public comment in October 2022 and community consultation was undertaken throughout November and December 2022.

Approximately 500 people participated in the engagement activities, which involved an online survey, stakeholder workshops and focus groups, stakeholder interviews, community pop-up events, a walking tour and social media posts.

Council received significant feedback throughout the consultation period, which was provided through written and online surveys, community pop-up events, community and stakeholder workshops, walking tours and social media posts. Throughout the consultation program, 856 comments and seventeen written submissions were received.

A special Council meeting was held in March 2023 for the Hearing of Submitters for the Draft FMAC Structure Plan, where speakers were given the opportunity to present their feedback to Council. This feedback has been considered and as a result changes have been carried through into the Final Structure Plan.



Community Engagement event for the Draft Structure Plan
(Source: Capire Consulting Group)

1.7. Policy Context and Influencing documents

Figure 3 outlines the key planning policy framework that applies to the FMAC and has influenced the development of the Structure Plan. It also identifies a number of concurrent / previously prepared documents that have informed the Plan as well as technical studies that were prepared as part of this project. The scope of these technical studies is outlined below and the key findings are summarised in Chapter 2.

FMAC Structure Plan: Urban Design and Planning Assessment, Tract, 2022

The Planning and Urban Design Analysis Report outlines the planning context of the FMAC as well as opportunities for public realm, connections and built form improvements. It also includes a detailed assessment of built form across the FMAC and provides recommendations for future building heights, setbacks and other built form requirements.

Kananook Creek Built Form Review, Tract 2022

The Built Form Review provides a detailed assessment of a number building height and setback scenarios for the Promenade Precinct of the FMAC. It tests impacts on identified views, provides recommendations relating to overshadowing and other development outcomes. The findings from this report have been incorporated into the Structure Plan.

Potential Shadowing Impacts on Aquatic Flora and Fauna on Kananook Creek, Ecology Heritage & Partners 2022

The study assesses the potential impacts of over shadowing on Aquatic Flora and Faun the area of Kananook Creek within Precinct 4. Specifically the

effect of the reduced sunlight to Kananook Creek between 8am and 10am at the winter solstice.

Frankston MAC Structure Plan: Economic Assessment and Land Use Capacity, SGS 2022

This report provides an economic assessment of the FMAC and identifies the key drivers influencing its future growth and development. It provides an estimate of future employment, retail and housing demand in the FMAC, and assesses the capacity of the City Centre to deliver the forecast growth.

FMAC Structure Plan: Transport and Movement Assessment Analysis, Institute for Sensible Transport 2021

This report provides an assessment of transport and movement across the FMAC identifying opportunities and constraints relating to walking, cycling, public transport, vehicle movement and car parking. It also compares options for the potential relocation of the bus interchange.

Planning Practice Notes

The Structure Plan has also been developed in accordance with the following Planning Practice Notes:

- Planning Practice Note 56 – Activity Centre Zone
- Planning Practice Note 58 – Structure planning for activity centres
- Planning Practice Note 59 – The Role of Mandatory Provisions in Planning Schemes
- Planning Practice Note 60 – Height and setback controls for activity centres

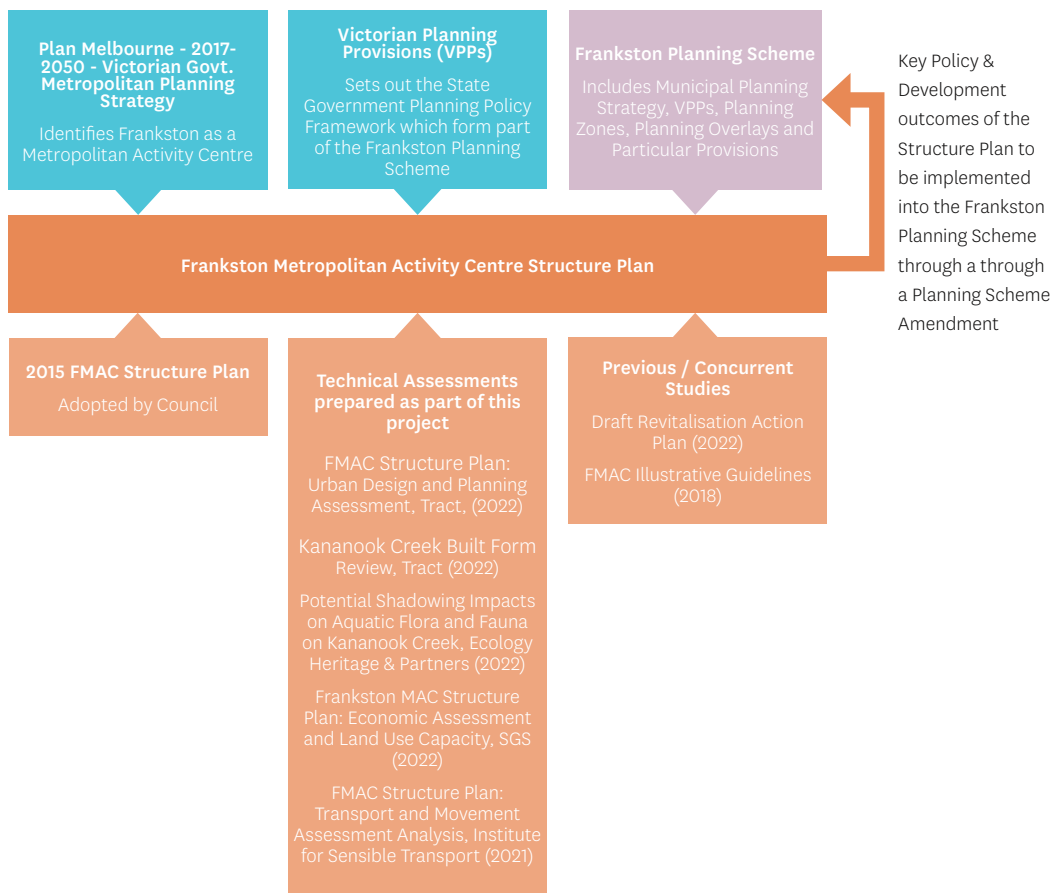
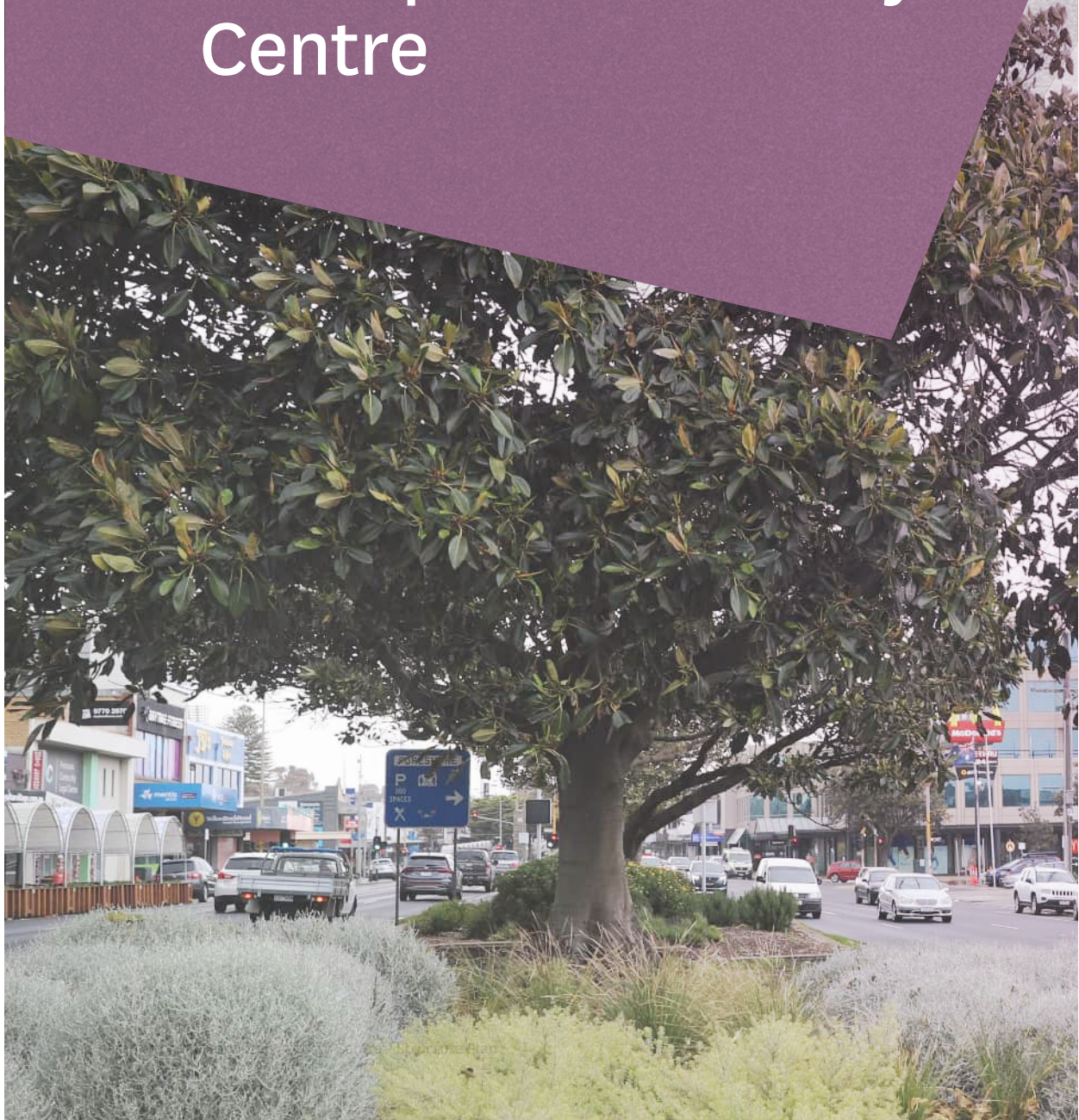


Figure 3. Planning Policy Framework Summary.

2. Positioning the Frankston Metropolitan Activity Centre



2.1. Metropolitan Context

2.7.1. Plan Melbourne 2017-2050

In 2017 the State Government released Plan Melbourne Refresh, a document intended to guide growth across Victoria to 2050. The Plan identifies Frankston as one of nine existing Metropolitan Activity Centres.

The purpose of the Metropolitan Activity Centres as outlined in Plan Melbourne is to: 'provide a diverse range of jobs, activities and housing for regional catchments that are well served by public transport. These centres will play a major service delivery role, including Government, health, justice and education services, as well as retail and commercial opportunities'¹

Plan Melbourne identifies that Metropolitan Activity Centres will need to accommodate significant growth and infrastructure while increasing amenity and connectivity into the regional catchment.

Plan Melbourne also identifies Frankston Hospital and the Monash University Precinct (Frankston) as a Health and Education Precinct. This precinct is a place of state significance that will be a focus for investment and growth.

2.7.2. Regional Context

Frankston is located approximately 40km South East of the Melbourne CBD and positioned adjacent to Port Phillip Bay at the northern end of the Mornington Peninsula. The FMAC is unique among the Metropolitan Activity Centres in metropolitan Melbourne because of its bayside location and lifestyle opportunities.

Frankston is a major health and education hub for the south-east metropolitan region and the Mornington Peninsula, anchored by the Frankston Hospital, a number of private hospitals, Monash University and Chisholm Frankston. It is also one of the largest retail centres outside of the Melbourne CBD.

Frankston's service catchment extends north to include suburbs such as Seaford, east to include Cranbourne and south to include the Mornington Peninsula.

Frankston is recognised as a regional public transport node. The Transport Interchange, Community and Education Precinct provides rail and bus access to the Melbourne CBD and surrounding employment areas. The planned Suburban Rail Loop and potential electrification of the railway line to Baxter will further increase accessibility.

The Centre is very well serviced by road infrastructure with EastLink, the Frankston Freeway, Moorooduc Highway, Peninsula Link and the Nepean Highway connecting the Centre within metropolitan Melbourne and the Mornington Peninsula.

¹ Victorian State Government, Plan Melbourne, 2017-2050.

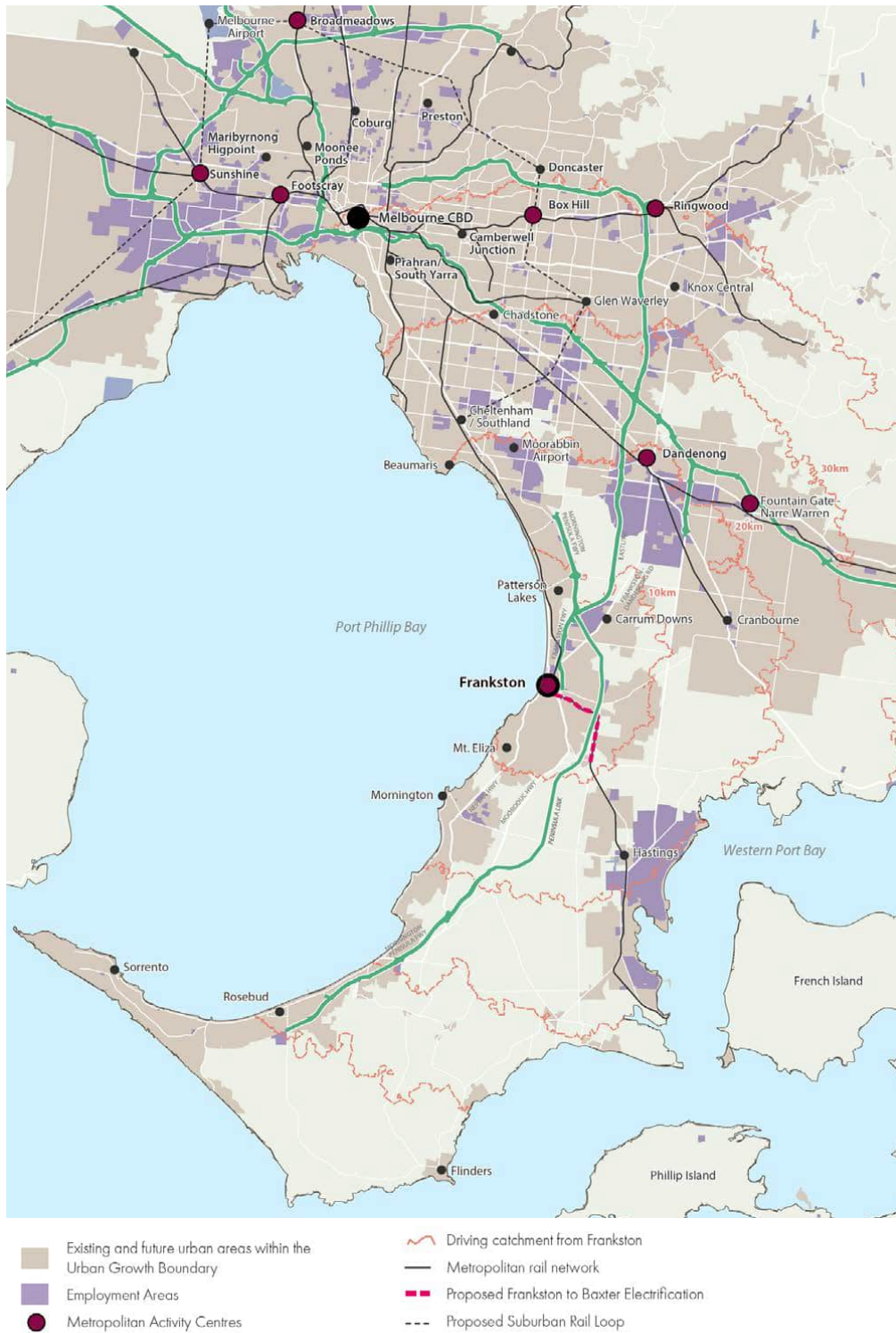


Figure 4. Regional Context Plan

2.2. Local Context

The FMAC has a number of distinctive, natural features which are highly valued by the community and define its identity. The most significant natural feature is the foreshore, which is recognised as the jewel in the crown for the FMAC. Kananook Creek is another major natural asset however it is currently underutilised and is yet to reach its full potential.

Major open space areas including Beauty Park, Frankston Oval and the Botanical Gardens form a green edge to the City Centre that connects down to the foreshore. The topography rises up to Olivers Hill providing spectacular views across the bay and back to the Melbourne CBD.

The Bayside Shopping Centre provides the focus for retail uses and has had a major physical impact on the street network and urban grain of Frankston. Street based retail is focused on Wells Street, Station Street Mall and Shannon Street Mall. Restaurant, cafe and entertainment uses are emerging across the FMAC, and tend to be focused around Playne Street, Nepean Highway and some sections of Wells Street.

Other streets within the City Centre accommodate a mix of secondary retail uses, service business and offices.

Chisholm Frankston, Monash University and Frankston Hospital are major institutions that serve both Frankston and the wider region. The Frankston Civic Centre, Frankston Library, Frankston Arts Centre and Peninsula Aquatic Recreation Centre (PARC) also provide important community facilities within and adjoining the FMAC.

Public transport plays an important role in getting people into the City Centre and provides access to other major employment areas. The railway station and bus interchange are both centrally located and easily accessed from the City Centre, Chisholm Frankston and the surrounding residential areas.

“Frankston is blessed with an array of unique natural assets- which is at the heart of this exceptional Lifestyle opportunity”

Emerging Ideas Paper
Survey respondent



LEGEND

- FMAC Study Area
- Rail Line and Station
- Walking distances from railway station
- Retail / Hospitality / Residential
- Commercial / Industrial / Office / Bulky Goods / Residential
- Mixed Use
- Education
- Civic /Health
- Open Space

Figure 5. Existing Local Context Plan

2.3. The Frankston Community

The following provides a snapshot from the 2021 Census of the community within the Frankston Central geographic area as identified in the Frankston City Community Profile¹. This area is larger than the Structure Plan Boundary encompassing additional residential areas to the north, east and south.

10,999

Was the usual resident population of Frankston Central in 2021 living in 6,023 dwellings with an average household size of 1.95.

37.6%

Of people were of English ancestry followed by Australian (30.4%) and Irish (10.7%). Each of these proportions is substantially higher than Greater Melbourne.

45.8%

Of dwellings in Frankston Central are medium density (attached dwellings like townhouses and 2-storey apartments). This is significantly higher than Greater Melbourne at 21.6%.

38.7%

Of households earned an income of less than \$1,000 per week, compared to 24.4% of households in Greater Melbourne. 12.8% of households in Frankston Central earned an income of \$3,000 or more per week

40.8%

Of households in Frankston Central were occupied by a lone person, which is substantially higher than Greater Melbourne at 23.7%.

19.3%

Of the workforce works in Health Care and Social Assistance, followed by Construction at 11.4% and Retail Trade at 10.1%

35-49

Is the most common age group comprising 20.9% of the population followed by young workforce (25 to 34) at 16.7%

55.5%

Of people traveled to work in a private motor car, 20.2% worked at home, 4.8% rode a bike or walked and 4.2% took public transport

1. Source: <https://profile.id.com.au/frankston/>

2.4. What are we Planning for?

2.3.1. Forecast growth and change for the FMAC

The FMAC is forecast to experience substantial growth and change over the next 20 years. SGS Economics and Planning forecast the population growth for Frankston FMAC to increase from the 3,900 residents in 2021 to 8,600 by 2041, equating to an annual growth rate of 4.0%. It is important to plan for this growth so that new development aligns with the FMAC Vision and caters to the future population needs.

The following provides a summary of the key findings from the economic assessment undertaken as part of the Structure Plan.²

Employment

Baseline forecasts show employment for non-retail uses in the FMAC growing by around 2,000 jobs between 2021- 41 (2.0% increase per year on average). This converts to approximately 175,000 sq.m of additional of employment floor space. This will be primarily split between population services, knowledge services, and health and education floor space.

The FMAC will need to provide suitable developments to accommodate this forecast floor space. This could be provided within upper levels of mixed use buildings within the City Centre to ensure more active uses are provided at ground level. In addition, these uses could be provided in the peripheral precincts where there is convenient vehicle access and parking.

By 2041...

The FMAC is forecast to provide approximately:

175,000 sq.m

Of additional employment floor space

50,000 sq.m

Of additional retail and hospitality floor space

3,030

Additional dwellings

For a population of:

8,600

Residents

2. *Frankston MAC Structure Plan: Economic Assessment and Land Use Capacity, SGS, 2022 and SGS expert evidence presented at the planning panel for Planning Scheme Amendment C160fran to implement the Structure Plan into the Frankston Planning Scheme, 2024*

Retail and hospitality

Retail and hospitality is forecast to grow with demand for additional 50,000 sqm of floor space by 2041.²

Retail will need to evolve will need to be increasingly innovative, unique and experience focused to align with changing trends and consumer expectations. High quality interconnected urban spaces, events and branding will be critical to supporting this sector.

Hospitality also has an opportunity to evolve and provide a greater amount of activity beyond the conclusion of normal business hours to provide a stronger night time economy (NTE).

Housing

Higher density housing development within the FMAC will be critical to supporting a more vibrant, sustainable and economically strong centre.

An ageing population and changes in the formation of households will result in a smaller share of traditional ‘couple family with children’ households. This trend, combined with growing preferences for more cosmopolitan living and affordability pressures, will create increased demand for a greater diversity of housing types within the local community.

Importantly, this will not result in a dramatic shift from large, detached houses to small high-rise apartments. Rather, it will drive demand for a wide range of products including townhouses, low-rise and bigger apartments across a range of price points. In addition to providing a greater diversity of housing within the private market, there will be a growing need to support those most vulnerable in the community through increased social and affordable housing.

2. Frankston MAC Structure Plan: Economic Assessment and Land Use Capacity, SGS, 2022 and SGS expert evidence presented at the planning panel for Planning Scheme Amendment C160fran to implement the Structure Plan into the Frankston Planning Scheme, 2024

A range of forecast scenarios have been developed to understand the amount of housing that will be required in the FMAC by 2041 (refer to Figure 6 below). These scenarios present a range of demand outcomes dependent on the level of transformation that will be observed in the FMAC. If there is transformational change to infrastructure, the public realm and land uses in the FMAC, it would likely achieve a medium scenario, where there will be demand for 3,030 additional dwellings by 2041.

To achieve this scenario, there would need to be a significant shift to higher density housing, which would be located primarily within the central precincts of the FMAC where there is access to amenity and transport. This could be supported by mid-scale apartments and townhouses in the peripheral precincts of the FMAC.

Housing Demand Scenario	Additional Dwellings: 2021-2041
Baseline	598
Low	2,588
Medium	3,030
High	4,691

Figure 6. Housing Demand Scenarios for the FMAC²

2.3.2. Opportunities for the FMAC

The technical reports prepared as part of this project have identified the following opportunities which have informed the Structure Plan.

Civic, Arts, Entertainment and Culture

Frankston has a rich arts culture anchored by the Frankston Arts Centre located on Davey Street. There is a significant opportunity to build on this facility and create an iconic 'heart' for the arts and entertainment along Davey and Playne Streets. This could be achieved through enhanced facilities, better integration with the railway station and City Centre streets, and significant streetscape upgrades to Playne Street to support complimentary restaurants, cafes and entertainment uses.

Frankston currently provides a range of successful events across the year bringing the community together and strengthening the sense of pride in the City. As well as the social benefits, there are also significant economic benefits, providing a boost to local businesses and broader recognition of Frankston as a regional destination. There is an opportunity to expand on the success of these events with additional events and festivals across the year, and provide new and improved event spaces such as along Kananook Creek.

The Frankston Civic Centre is located at the periphery of the FMAC with limited integration with the City Centre and ageing facilities. There is an opportunity to provide a new Civic Centre within the FMAC and Council is exploring a number of options, including, the Council owned Sherlock and Hay's site.



The Block Party in Frankston's laneways

Built Form and Design

The built form character of the FMAC has changed marginally since the previous Structure Plan was adopted by Council in 2015. Recently there has been significant development activity through planning permit applications and approvals. This activity is focused in locations where there is access to the water and views, such as along Kananook Creek and Plowman Place.

The Structure Plan will encourage new development across the FMAC to revitalise the streets and public spaces. High quality built form will enhance the skyline, better activate streetscapes, and increase social and economic activity by providing opportunities for more people to live within the heart of the FMAC.

Future built form controls should seek to maximise development across the FMAC to support its role as a Metropolitan Activity Centre. These controls need to be balanced with a number of considerations such as overshadowing to key streets and open space, visual impact of development on key views and sensitive interfaces, and ensuring new development provides equitable development opportunities for future sites.

The location of the FMAC on the bay creates a coastal landscape character, which distinguishes Frankston from other activity centres. The unique qualities of this setting should be respected, and expression of the area's coastal location should be strengthened.

This could be achieved through generous landscaping that incorporates local plant and tree species, designing development to provide for the equitable sharing of views to the water and encouraging innovative architecture and the use of building materials that reflect the coastal setting.

Climate Change

Like many coastal locations, the FMAC is particularly vulnerable to the impacts of climate change through extreme weather events and the urban heat island effect.

Frankston City Council approaches the challenges of Climate Change as opportunities and has developed the Climate Change Strategy 2023-2030 to ensure that Future of the City is climate-smart. The Strategy is based on the latest climate science, and incorporates input from Council's key strategic documents and the community.

There are opportunities to design buildings, public spaces and infrastructure in a way that significantly improves the environmental performance of the FMAC. Council has an opportunity to lead the way through the development of its own buildings, infrastructure and landscapes.

“Our City needs structure to keep it open to light and maintain views of the bay for all”

Draft Structure Plan Survey respondent

Open Space and Streetscapes

Surrounding the FMAC are a number of open space assets, however the heart of the FMAC lack parks and gathering spaces. Additional public space, and improved streetscapes and public realm will provide new spaces for residents, workers, students and visitors to relax, socialise and participate in community events.

The streets of the FMAC play an important role in providing space for people to not only walk and shop but also gather, socialise and enjoy the outdoors. There are opportunities to re-balance the streets so that they are not dominated by motor vehicles and instead prioritise pedestrian movement and active uses. Wider footpaths and additional greening will make many of the City Centre streets more attractive, accessible and functional for people to use. Nepean Highway, Playne Street and Kananook Creek Boulevard present significant opportunities for revitalisation.

“It would be incredible to turn Wells St into a boulevard gateway down to the beach with the outdoor dining and vibrant/edgy/beach feel. So much potential in Frankston”

Emerging Ideas Paper Survey respondent

Walking and Cycling

A key ingredient of a successful activity centre is one where pedestrians and cyclists can move conveniently and safely between origins and destinations, and are enriched by a range of activities and experiences.

Across the FMAC cyclists and pedestrians are not a priority, due to the existing physical barriers. This includes missing links in the walking and cycling network, limited road space allocated to pedestrians and cyclists, and intersections that prioritise motor vehicle movement. There are significant opportunities to address these issues across the FMAC.

“I think that creating more green space and easier walking and cycle opportunities is vital.”

Emerging Ideas Paper Survey respondent

Vehicle Movement

The FMAC has a well-defined ring road network (Fletcher Road) that helps circulate traffic around the activity centre and out onto the arterial road network. The ring road currently under performs in its role and many drivers prefer to drive through the centre of FMAC rather than use the ring road. This creates congestion and causes conflicts with buses, pedestrians, and cyclists.

Implementing measures that encourage drivers to use the ring road will improve local traffic and make the City Centre more vibrant by removing unnecessary through-traffic.

Car Parking

Car parking is a dominant land use in FMAC, with 8,160 parking bays. This comprises of:

Parking Bays	Number	%
Council owned	2,306	28.3
Government owned	1,311	16.1
Privately owned	4,543	55.7
Total	8,160	

Figure 7. Existing Parking Bays within the FMAC³

Much of the car parking is located in the heart of the City Centre, drawing thousands of cars into the core each day. This creates unnecessary congestion which reduces public transport efficiency and diminishes the pedestrian environment.

There are opportunities to provide new car parking facilities at the periphery of the FMAC that can be easily accessed from the ring road whilst being within a comfortable walking distance of key destinations.

Parking rates and time restrictions also vary significantly across the FMAC and creating a consistent pricing framework for parking will make

it easier for people who need to drive to find a park. Incorporating new technology, such as real-time display signage, would also help lead drivers to available parking bays that may not be viewable from car park entrances.

Public Transport

Frankston is an important public transport interchange for the broader region with 22 bus routes that connect with the Frankston Railway Station. Although recently upgraded, the bus interchange could be improved with additional signage directing people to relevant bus stops.

The efficiency of the bus network is reduced within the FMAC as buses are often stuck behind cars, particularly along Young Street and at key intersections of the FMAC. Traffic measures should be implemented to improve the efficiency of the network and enable more frequent services to be provided.

The relocation of the bus interchange to the east side of the railway line has been identified as an idea in a number of previous studies for the FMAC. The transport assessment undertaken as part of the Structure Plan assessed three options for bus interchange, including:

1. Bus interchange to remain in current Young Street location.
2. Bus interchange to relocate to Fletcher Road.
3. Bus interchange to be relocated to the Frankston Station car park to the east side of the railway line.

All three options will be further tested and explored as part of further work to improve movement along Young Street.

3. *FMAC Structure Plan: Transport and Movement Assessment Analysis, Institute for Sensible Transport 2021*

2.5. Influencing Projects

There are a number of major projects that currently have, or upon completion will have, a key impact on the role and function of the FMAC. Future planning will need to consider the integration of these projects in order to capitalise on investment and future opportunities. Projects that have recently been completed or are underway include:

Frankston Hospital Redevelopment

The Frankston Hospital is currently undergoing a \$1.1 billion redevelopment and expansion. It will provide for a 12-storey clinical services tower and main entrance, 130 more beds, new spaces for mental health and oncology services and 15 new operating theatres.

This will further strengthen the hospital as a major employment anchor in Frankston and could result in additional medical related uses occurring within areas surrounding the hospital.

Construction is underway, with the main works expected to be completed in 2025.

Chisholm Frankston Expansion

Stage 2 of Chisholm Frankston expansion is currently underway and the development will provide for a new three-storey learning facility on the south east corner of the campus, which will connect with the Stage 1 Learning and Innovation Precinct that was opened in 2019.

The redevelopment will strengthen the FMAC's education offerings and bring more students into the City Centre.



Frankston Hospital Redevelopment - Victorian Health Building Authority.

Frankston Railway Line Level Crossing Removals

Along the Frankston Railway Line, a total of 27 level crossings will have been removed on the Frankston Line by 2029. 16 have already been removed, with 4 more currently in planning or construction, and 7 more to go. Although these crossings are located outside of the FMAC boundary, their removal will improve access to the City Centre.

Suburban Rail Loop

The proposal will create an underground passenger railway route traversing through middle and outer suburbs of Melbourne connecting to many of the existing radial above-ground railway lines.

The first stage will connect Cheltenham and Box Hill providing people on the Frankston Rail Line with access to health, education, retail and employment precincts in Melbourne's South East and East. This improved access would make places like Frankston more attractive as a housing choice as it will be easier to access destinations on the radial railway lines.

Frankston to Baxter Rail Electrification

The project will provide for the duplication and electrification of the railway line beyond the Frankston Railway Station. The Federal Government has committed funds to the electrification project, however it would require additional funding to be delivered and at this stage the State Government hasn't made any funding commitments.

If the project was to proceed, it would increase accessibility to the FMAC from areas adjacent to the boundary and from parts of the Mornington Peninsula Shire. It would also enable more train stabling to occur at Baxter, which would free up land around the existing Frankston Railway Station.

3. The Vision



3.1. The Vision for the Frankston Metropolitan Activity Centre

The Vision outlined below provides a statement for the preferred future of the FMAC up until the year 2040. It responds to community input and feedback received across the project and builds upon 'Our Community Vision 2040', which is the Vision developed by the Frankston community to articulate its long-term aspirations for the City.

"Frankston is the capital of the South East - a vibrant and diverse City Centre boasting a strong beachside character.

It is a place where all residents and visitors can take part in a range of learning, employment and recreational opportunities, and arts and cultural experiences that are unsurpassed in the region.

The lifestyle qualities of Frankston are enriched by a strong connection to its natural assets - the waterfront and Kananook Creek.

There is a strong sense of pride in the streets and public spaces. The City Centre is a people-oriented, thriving place for business and an inspiring place to be in due to the quality of landscaping, public art and architecture. Everyone is welcome to engage in public events and to socialise in the streets.

Frankston is a great place to live, with a range of housing choices that are close to everything. Residents benefit from opportunities for walking, cycling or using public transport to access their daily needs."



Frankston Metropolitan Activity Centre - Structure Plan

4. The Strategic Response



The Strategic Response for the FMAC Structure Plan outlines a range of Objectives, Strategies and Actions to plan for the growth and development of the Activity Centre in a holistic way. It is arranged under the four themes outlined below.



4.1 Activities and Land Use

The FMAC will strengthen its employment, service and retail role to become the capital of the South East. Employment opportunities will build upon the surrounding health and education anchors whilst attracting a variety of smaller and larger scale office tenants in new developments. Retail and hospitality uses will enliven the City Centre streets across the day and night supported by a schedule of regular events, and the regional arts and cultural precinct. A range of housing opportunities will be provided across the FMAC enabling people to live amongst the action.



4.3 Public Realm

The streets and open spaces of the FMAC will be beautiful, activated, inclusive and sustainable places that people want to spend time within. Streetscapes will be consistent in their design, through furniture and material treatments with generous footpaths and large street trees. New plazas and parks in the heart of the City Centre will provide much needed spaces for events, catching up with friends and family, or just relaxing outside.



4.2 Built Form and Design

Development across the FMAC will seek to strengthen the beachside character and contribute to engaging and attractive streets. High density development will be provided across the FMAC whilst maintaining sunlight to key streets and public spaces, and addressing sensitive interfaces in an appropriate way. The connection to the foreshore and Kananook Creek will be strengthened across the precinct through new plazas and laneways, and visual breaks between buildings enabling residents, workers and visitors to enjoy views of the sky and water from upper levels of buildings.



4.4 Movement and Transport

The streets of the FMAC will be places where people can move conveniently and safely between destinations through new pedestrian links, and increased pedestrian priority. New bicycle connections will provide alternative ways to get around, and public transport will be enhanced and prioritised along key streets making it a more desirable option. The Ring Road will continue to provide a key vehicle access route that is supported by dedicated car parking facilities at the periphery of the City Centre.

4.1. Activities and Land Use

4.1.1. Overview

The Vision seeks to provide a City Centre that is rich with employment opportunities and has a thriving retail and hospitality sector. This theme provides Centre-wide Objectives and Strategies for how this will be achieved through land use and investment.

Figure 8 reflects the proposed future land use precincts across the FMAC, existing and future land use anchors, and locations for increased hospitality, entertainment and retail activity. An overview of the land use roles of each precinct is outlined below:

- **Precinct 1 - City Centre** - The retail core of the FMAC. It will provide for retail and hospitality uses at ground level with residential, office, accommodation, community and other uses on upper levels.
- **Precinct 2 - Transport interchange, Community and Education** - A transport and mixed use hub providing retail, hospitality, community, civic and institutional uses at the ground level, with residential, office, accommodation and other uses on upper levels.
- **Precinct 3 - Arts, Entertainment and Government Services** - An arts and entertainment focused precinct anchored by the Frankston Arts Centre, providing hospitality, entertainment, retail and arts-based uses along Playne and Young Streets, office and residential uses along Davey Street, and primarily residential uses along Plowman Place. Residential, office, accommodation and other uses will be provided on upper levels.
- **Precinct 4 - Promenade** - A thriving hospitality and entertainment precinct focused on Kananook Creek and Nepean Highway. Ground level uses will include hospitality, entertainment and retail, with residential, office, accommodation and other uses on upper levels.
- **Precinct 5 - Nepean Boulevard** - A mixed use entry to the FMAC providing for residential, office, accommodation and commercial uses with local retail and hospitality opportunities
- **Precinct 6 - Cranbourne Road** - A mixed use precinct with a focus on allied health, medical, offices, commercial and complimentary residential uses.

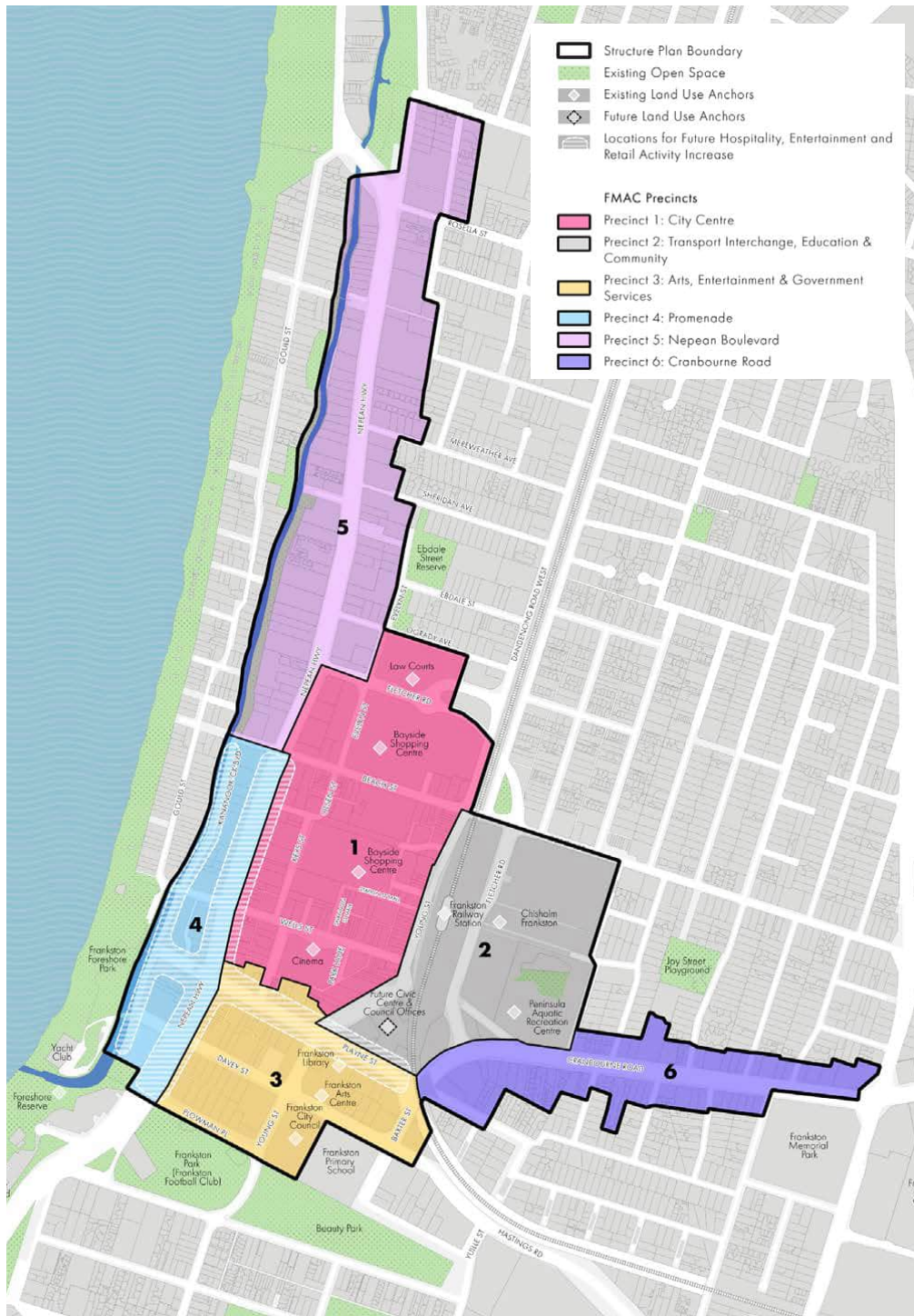


Figure 8. Land Use and Activities Framework Plan



OBJECTIVE 1.

Encourage economic investment in the FMAC.

Strategy 1.1.

Deliver a range of public realm and infrastructure improvements to encourage economic investment.

The FMAC's role as the capital of the South East will continue to grow. Private investment will be incentivised by significant improvements to the public realm, infrastructure and redevelopment of Council owned land in the City Centre.

Strategy 1.2.

Provide a greater level of planning certainty.

The application of the Activity Centre Zone (ACZ) to the FMAC will provide a clear direction for growth and provide greater planning certainty for developers, land owners and the community. The ACZ will outline clear land use and built form controls and provide precinct specific directions.

Actions

Action 1. Planning Scheme Amendment

Undertake a Planning Scheme Amendment to implement the Frankston Metropolitan Activity Centre Structure Plan and a Development Contributions Plan (DCP) into the Frankston Planning Scheme.

Action 2. Advocacy

Undertake advocacy for a number of FMAC projects that require the supporting, funding or approval of agencies, authorities and stakeholders which includes but is not limited to:

- Nepean Boulevard
- The Ring Road
- Public transport
- Level crossing improvements



OBJECTIVE 2.

Strengthen the FMAC as a regional employment hub.

Strategy 2.1.

Leverage the broader employment opportunities from Health and Education.

Although not directly located within the FMAC, the Frankston Hospital, and the Monash University will be better integrated into the FMAC through potential satellite facilities within the City Centre, increased connections with related business and improved physical connections to the facilities.

Council will work with local institutions to understand, plan and unlock broader economic opportunities and increase local business connections to support the growing sector.

Strategy 2.2.

Attract major new head offices and Government departments within the heart of the FMAC.

The high level of amenity and accessibility provided within the FMAC will make it an attractive destination for large employers. Additional workers and visitors will enliven streets and spaces and boost the economic performance of local businesses.

Strategy 2.3.

Support development for small scale/co-working office employment.

The FMAC will cater to the changing nature of working by facilitating a range of smaller co-working spaces. The planned streetscape and open space improvements will create a high amenity environment for these uses to prosper. The smaller co-working spaces will be delivered through the re-purposing of new buildings or within podium or tower levels of new developments. There will be a focus for these uses within the City Centre and the Arts and Entertainment Precincts to support the retail hospitality uses.

Strategy 2.4.

Continue to grow and consolidate public service functions within the FMAC.

Council is exploring a range of locations in the FMAC that it could potentially relocate the Civic Centre and Council offices to. This would bring additional people to the streets of the City Centre and provide highly accessible services for the community.



High quality office buildings supported by active ground level uses

Actions

Action 3. Health and Education Precinct Plan

Prepare strategic policy to guide the use and development of the Health and Education Precinct as identified in the Southern Land Use Framework Plan and implement this into the Frankston Planning Scheme.

Action 4. Business Attraction - Major offices

Engage with State Government Agencies and large businesses to connect them to development sites within the FMAC.



Figure 9. Indicative Study Area for future Health and Education Precinct Strategic Plan.



OBJECTIVE 3.

Strengthen Retail, Arts, Entertainment and Culture.

Strategy 3.1.

Rebuild and support the continued evolution of the local retail and hospitality sector.

Retail uses across the FMAC will evolve to cater to the changing preferences of shoppers providing enhanced experiences. These sectors will benefit from additional people living and working within the FMAC, along with high quality interconnected urban spaces and local branding enabling businesses to expand their markets.

Strategy 3.2.

Strengthen the arts and entertainment precinct.

The arts and entertainment precinct of Frankston will draw people from across the region. It will be anchored by the Frankston Arts Centre at the eastern end and supported by hospitality and entertainment uses that extend along Playne Street through to the foreshore. Playne Street will be beautifully landscaped with creative public art and provide substantial spaces for outdoor dining.

Strategy 3.3.

Provide additional events and festivals within the FMAC.

The FMAC will be a place where there is always something happening. Events and festivals will be held across the year recognising and celebrating the Frankston's arts, culture, indigenous history, natural and constructed assets.

Strategy 3.4.

Create additional events spaces.

A range of spaces within the FMAC will be on offer to host events across the year. The foreshore reserve space into revitalised Kananook Creek Promenade and Boulevard. New events will celebrate the iconic waterway and its history.

Actions

Action 5. Vacant commercial properties

Engage with owners of vacant properties that have underutilised building spaces across the FMAC to:

1. Attract new tenants for businesses that are looking to relocate to Frankston or to locate a home bases business to a commercial tenancy.
2. Develop a branding and marketing strategy for vacant properties in the FMAC to fill vacancies and also to improve the aesthetic of the vacant businesses.

[Master Plan for the Frankston Arts Centre and Frankston Library](#) - Refer to Action 32 in Chapter 5 for more details.



The Frankston Waterfront Festival



OBJECTIVE 4.

Provide a diversity of housing to support evolving population needs.

Strategy 4.1.

Encourage high density housing within the centre of the FMAC.

The central precincts of the FMAC (Precincts 1-4) will be a focus for high quality apartments offering excellent accessibility and unsurpassed lifestyle qualities. Housing will be encouraged through future amenity improvements to streets and open spaces, and supportive planning controls. The planning controls will support high density housing whilst ensuring employment opportunities are prioritised within podium levels of buildings.

Strategy 4.2.

Encourage mid-scale housing surrounding the City Centre.

Nepean Highway and Cranbourne Road will be a focus for mid-scale housing including apartment buildings and townhouses. This will help to diversify the offering between housing in established residential areas and the high density apartments in the central precincts.

Strategy 4.3. Provide more affordable housing

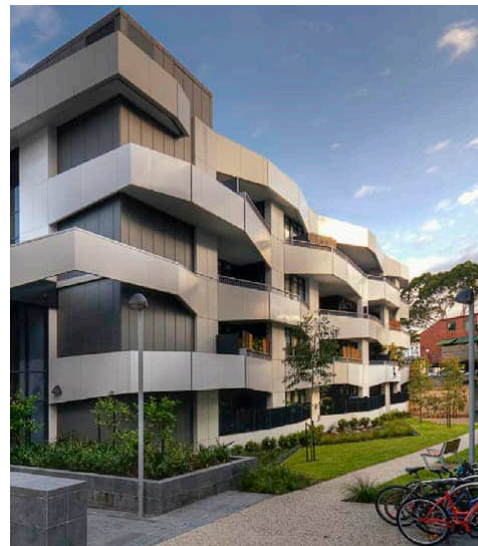
The FMAC will provide housing opportunities for people of all circumstances. Affordable housing will be encouraged through facilitative planning provisions.

Actions

Delivered in Action 1 - Planning Scheme Amendment

Action 6. Social and Affordable Housing

Encourage an increase in the supply of social and affordable housing throughout and nearby to the FMAC.



Example of mid-scale housing

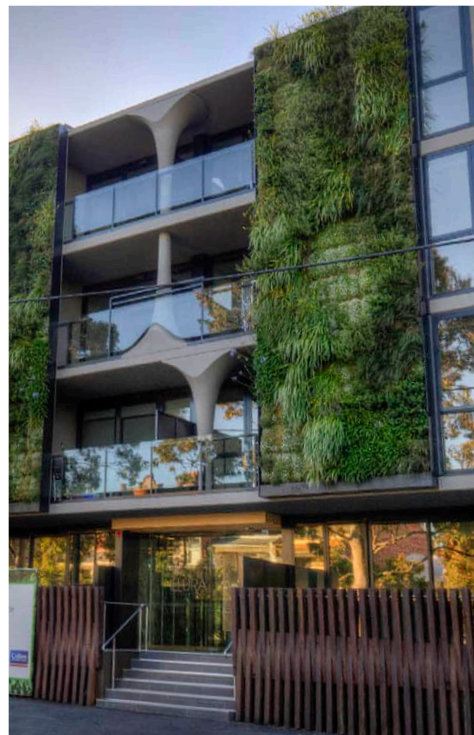
4.2. Built Form and Design

4.2.1. Overview

The Vision promotes high quality architecture and design that contributes to attractive and engaging streets. This theme provides a range of Objectives and Strategies that will assist in delivering a high quality built form throughout the FMAC.

Figure 10 identifies the preferred building heights and other key built recommendations across the FMAC.

Refer to the Chapter 5 - Precincts for more detailed built form recommendations.



An articulated and green street wall

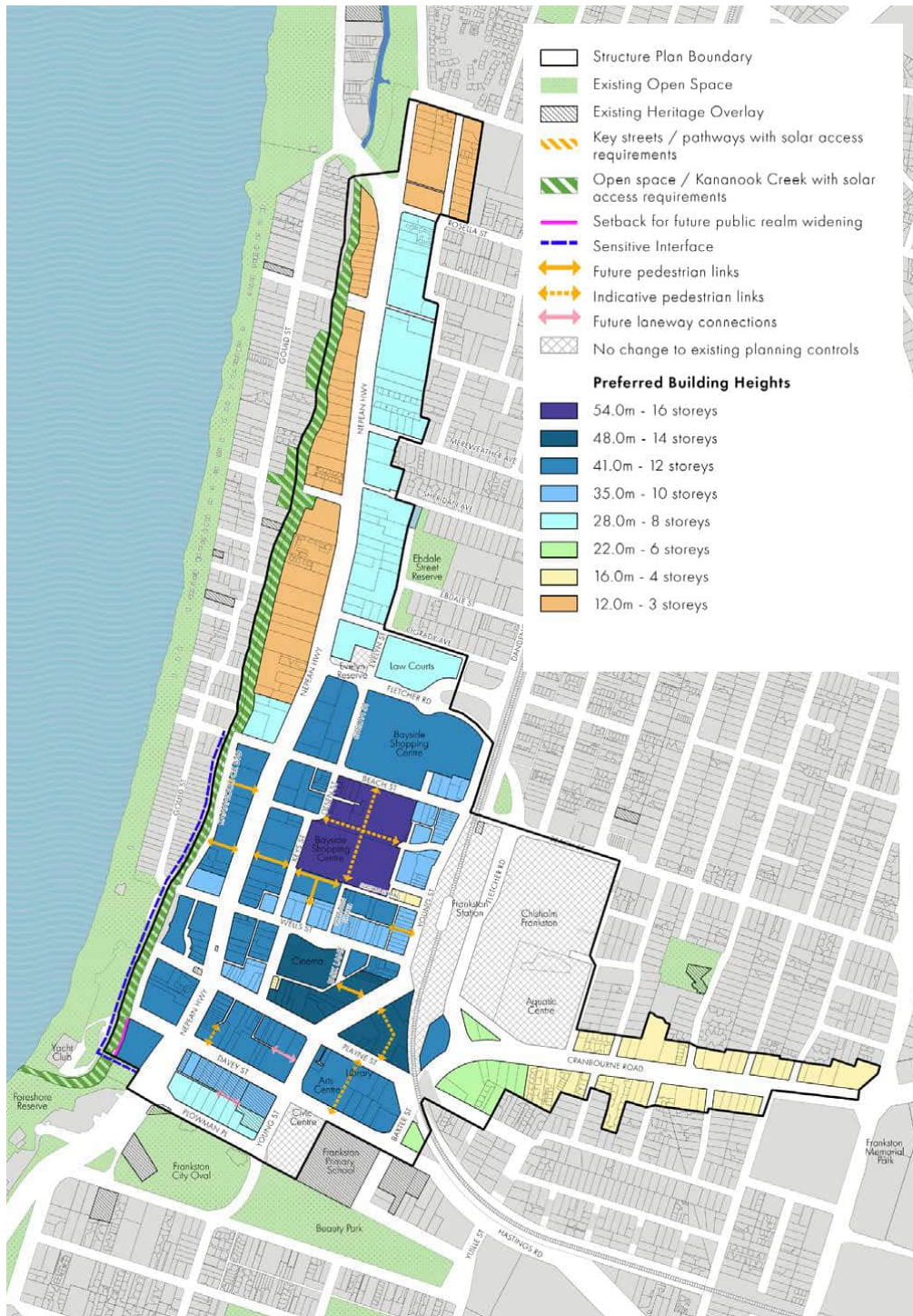


Figure 10. Built Form & Design Framework Plan



OBJECTIVE 5.

Provide high quality built form across the FMAC that contributes to the coastal character and responds to the preferred character of the precincts.

Strategy 5.1.

Implement a range of building heights across the centre that reinforces the city core and responds to sensitive interfaces.

The proposed building heights will provide for a substantial increase in floor area across the FMAC enabling the land use forecasts to be delivered. The City Centre and station areas will be reinforced as a focus for activity with taller buildings of up to 16 storeys. Building heights scale down towards the edges of the FMAC where sensitive interfaces exist including Kananook Creek, the foreshore reserve and in visually prominent locations such as Davey Street and Plowman Place.

The proposed building height approach will provide for a considered skyline and a clear delineation between the surrounding residential areas and the more intensified FMAC.

Strategy 5.2.

Set a new standard for architecture and Environmentally Sustainable Design (ESD) that reflects the coastal character and contributes to the creation of exciting and attractive public realm in Frankston.

The design of buildings makes a significant contribution to the image and identity and experience of a place. Opportunities exist to significantly lift the design standard in new buildings and renovations and respond to the coastal character of the FMAC and define a contemporary and exciting character for the City Centre.

The unique bayside location of the FMAC requires design that recognises, values and enhances the natural, coastal landscape setting. The principles of good design remain, however additional consideration should be given to the following:

- Providing for the equitable sharing of views to the bay.
- Providing building forms and articulation that take cues from the coastal landscape.
- Integrating light, natural materials and textures that complement the coastal landscape.
- Incorporating design features that mitigate the harsher environmental conditions such as feature sun shading devices and canopies.
- Minimising the disturbance to existing indigenous vegetation and using appropriate indigenous species in new landscaping within the public and private realm.
- Providing ground and upper levels that address and embrace the foreshore and Kananook Creek.

Actions

Delivered in Action 1 - Planning Scheme Amendment

Action 7. Urban Design Standards

Develop new FMAC Urban Design Standards that are consistent with the FMAC Structure Plan and implement these into the Frankston Planning Scheme as a reference document.

Action 8. Climate Change

Achieve the corporate emission reduction target and climate adaptation priorities set out by the Climate Change Strategy 2023-2030 with a particular focus on Council led developments and upgrades within the FMAC.

Assist the community and collaborate with developers to incorporate a climate action consideration in new and existing buildings through elevating Environmentally Sustainable Design requirements.



OBJECTIVE 6.

Strengthen visual and physical connections to the water.

Strategy 6.1.

Provide strategic mid-block links to increase pedestrian access to Kananook Creek and the Foreshore.

Better connecting the City Centre to the Foreshore and Kananook Creek has been a long held aspiration for planning in Frankston. The Structure Plan proposes new mid-block pedestrian links from Nepean Highway to Kananook Creek, in the blocks between Beach Street and Wells Street to make it easier to access to the Creek. These links will also provide for greater visual connection to the Foreshore and Kananook Creek.

Strategy 6.2.

Provide visual breaks between upper levels of buildings to maintain views to the sky and reduce visual bulk.

New development should reflect the bayside location and protect long distance views to the water by providing visual breaks between buildings across the FMAC. This will allow for glimpses of the sky and water from surrounding areas and also reduce the visual impact of buildings when looking back from the Foreshore and Kananook Creek.

The Structure Plan provides requirements for minimum upper-level breaks between buildings and tower widths to achieve this outcome.

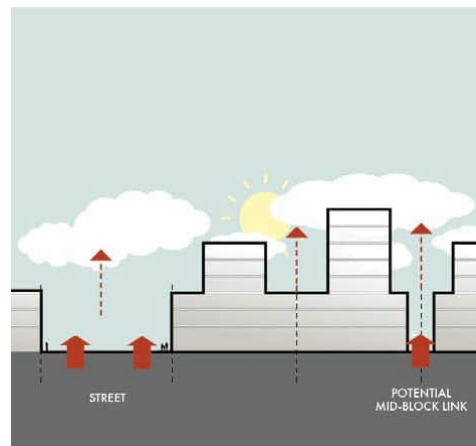


Figure 11. Diagram illustrating the physical and visual connections to the water.

Actions

Delivered in Action 1 - Planning Scheme Amendment



OBJECTIVE 7.

Protect streets, plazas and parks from overshadowing, wind and storm water impacts.

Strategy 7.1.

Maintain sunlight to key streets, laneways, parks and public spaces.

The streets, parks and other public spaces within the FMAC will become more important as the City Centre grows and intensifies. Providing adequate sunlight to these spaces will ensure that they remain attractive and comfortable places to be in. The proposed built form controls will ensure that new development doesn't significantly overshadow key streets, parks and other public spaces.

The following measures for solar access have been adopted for the Structure Plan. These time periods will ensure sunlight is provided to the footpaths at the most active times of the day, which will help to support hospitality and retail uses. These measures were tested and considered to provide a balance between providing good solar access whilst not unreasonably limiting development opportunities:

- **For key footpaths:** The Structure Plan recommends that sunlight is retained to southern, eastern and western footpaths between 10am and 2pm at the September 22 Spring equinox. This is a common benchmark used across activity centres in Victoria.
- **For public open space:** A more restrictive control is proposed which requires sunlight to be provided between 10am and 2pm at the June 22 Winter Solstice. This standard has been modified in some locations such as where a property directly abuts an adjoining public open space, in order to support feasible development outcomes.

Strategy 7.2.

Reduce the wind impacts of taller buildings.

Another potential impact from new development is an increase in wind in spaces adjacent to the buildings. This occurs when buildings are not designed to deflect downward drafts. The Structure Plan provides recommendations to mitigate the impacts of wind and requires wind impact assessments to be undertaken as part of the planning permit process. More details are provided in Section 5.8 - Centre-wide Design Guidelines.

Actions

Delivered in Action 1 - Planning Scheme Amendment

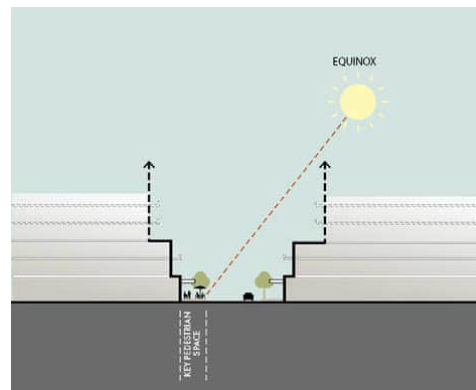


Figure 12. Diagram showing sunlight to footpaths.



OBJECTIVE 8.

Ensure built form contributes to active and people focused streets.

Strategy 8.1.

Provide development outcomes that contribute to human scaled streets through lower street wall heights and tower setbacks.

The Structure Plan proposes planning measures to avoid visually dominant building forms adjacent to city streets and public spaces. This will be achieved through a lower scale podium at the street edge with a taller, tower building set back behind the podium. This will create a building scale that does not overwhelm the streetscape and better relates to pedestrians.

Strategy 8.2.

Create active City Centre streets and laneways through engaging building frontages and weather protection.

Continuous retail and business activity across the FMAC is key to providing a positive pedestrian experience. The Structure Plan identifies areas of Primary Active Frontages, where windows and open frontages will be provided at ground level, and uses at the front of the building will provide for customer engagement. These areas will also provide awnings for weather protection to pedestrians.



Examples of open and engaging ground level frontages

Strategy 8.3.

Strengthen the fine-grain character of the FMAC

The narrow shopfronts across the FMAC are an important component providing visual interest and a greater diversity of uses and experiences. Only a small proportion of buildings within the FMAC reflect this character.

When considering the massing of new developments, it is important to reinforce the fine grain and vertical rhythm of the streetscapes. Buildings with a longer street frontage should be broken into smaller vertical sections, with a range of parapet heights and rebates of sufficient depth to provide modulation in the street façade.

Pedestrian laneways should cater for a mix of fine-grain commercial uses, with smaller frontages allowing for cafes, pop-ups and convenience-based retail.

It is recommended that the fine-grain character is continued through new development. However there is also an opportunity for wider frontages in some areas to create a variety of floor plates that support a diversity of land uses.

Actions

Delivered in Action 1 - Planning Scheme Amendment



Example of fine-grain built form



Example of fine-grain built form can be maintained within the pedestrian laneways allowing for a mix of smaller uses.



OBJECTIVE 9.

Respond to sensitive interfaces and protect amenity of existing and future residents.

Strategy 9.1.

Enhance the built form interface to Kananook Creek, the foreshore and other public open spaces.

New development will seek to enhance the interface to key public open spaces and draw people to these locations with activated ground level frontages. The building heights, setbacks and solar access requirements outlined in the Structure Plan will ensure that these areas remain desirable places across the year.

Strategy 9.2.

Provide appropriate building scale at existing residential interfaces.

There are limited locations within the FMAC where commercial uses directly interface with low scale residential areas. A key location is the Long Island Residential area, situated on the west side of Kananook Creek. Development along Kananook Creek Boulevard will be visible from this area and will need to be designed to so that its visual dominance is minimised to residents. The significant upper-level setbacks from the edge of the building podium and visual breaks between buildings will provide for an appropriate interface to this area.

Strategy 9.3.

Provide for equitable access to amenity

As the FMAC develops, it is important to have measures in place to ensure that the future development potential of adjoining sites is not significantly compromised by the first development. A key consideration in equitable access is ensuring adjoining buildings have sufficient separation, to limit overshadowing and ensure adequate privacy for apartments and access to daylight.

The Centre-Wide Design Guidelines outlined in Chapter 5 provide a range of upper level setback requirements that will ensure adequate separation can be provided. This will not only ensure equitable amenity for development but also provide visual breaks between buildings across the FMAC.

Actions

Delivered in Action1 - Planning Scheme Amendment

4.3. Public Realm

4.3.1. Overview

The Vision aims to provide streets and public spaces that are inspiring and people oriented. This theme provides a range of Objectives and Strategies to achieve this aspiration and identifies key projects for delivering the Vision.

Figure 14 reflects the future public realm framework for the FMAC identifying streetscape types, open space opportunities and key gateways.

Refer to the Chapter 5 - Precincts for more detailed Public Realm Projects.



Recently upgraded Station Street Mall

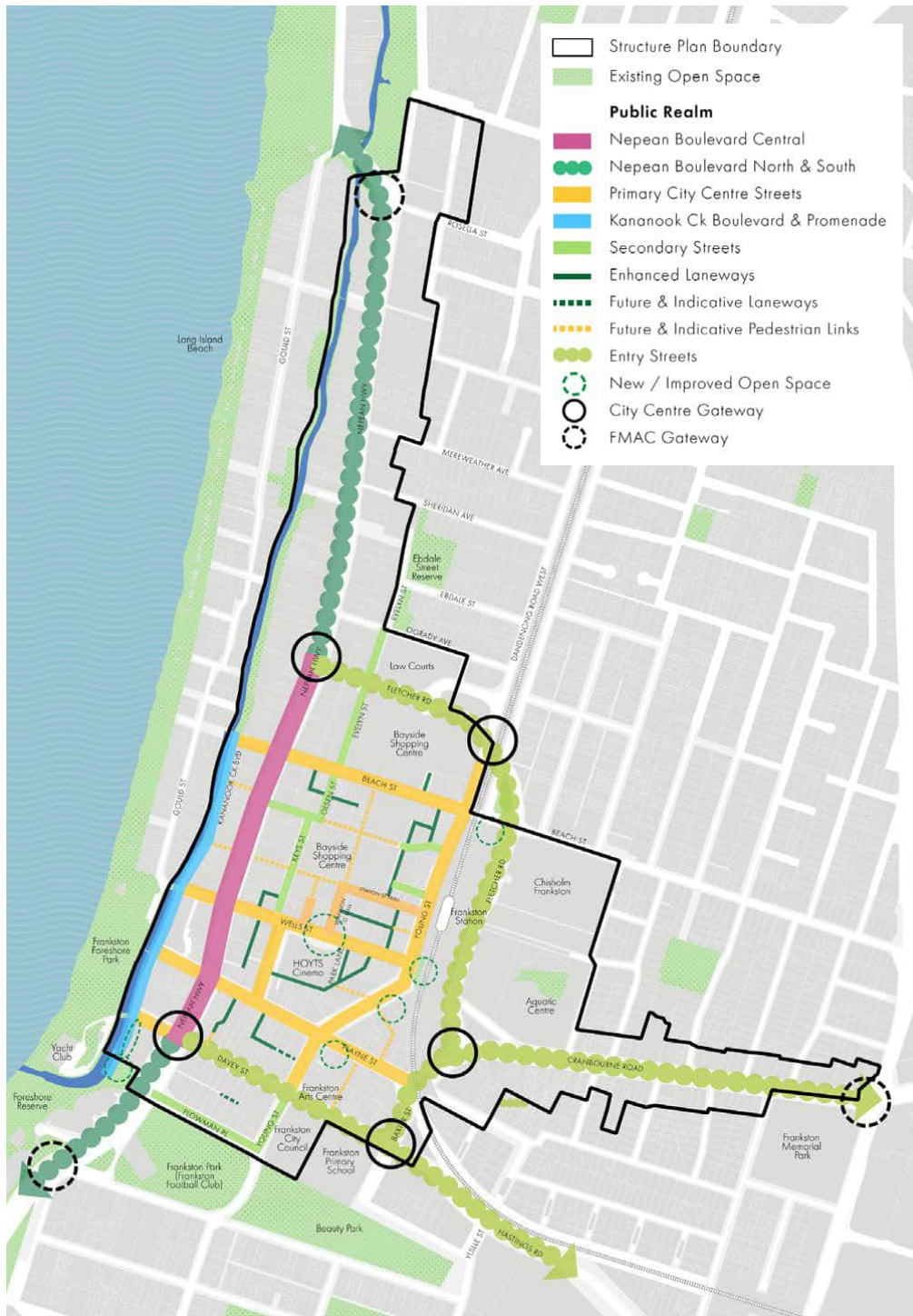


Figure 13. Public Realm Framework Plan



OBJECTIVE 10.

Provide a range of public and civic spaces that support community gathering, social interaction and passive and active recreation

Strategy 10.1.

Deliver new public spaces within the heart of the FMAC

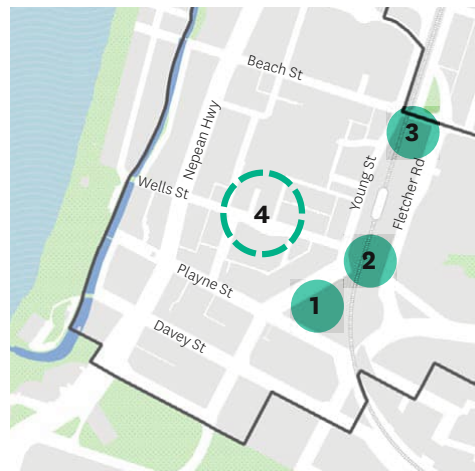
The Structure Plan identifies the need for a new open space within the heart of the FMAC to provide new open spaces for residents, workers, students and visitors to relax, socialise and participate in community events. The following locations have been identified for providing new / expanded public spaces:

- **1. Sherlock and Hay’s Site** - If redeveloped, the site provides an opportunity for a new, civic focused park.
- **2. City Park** - Potential expansion of the park into VicTrack land to provide a 1,600 sq.m space.
- **3. Signal Box Park** - Potential for new park occupying the car park in front of the Heritage protected Signal Box. The Signal Box would be re-purposed to activate the space.
- **4. Wells Street** - Potential for a new plaza or town square through private land acquisition in close proximity of Shannon Mall, or through partial closure of Wells Street to motor vehicles.

Actions

City Park expansion - Refer to Action 25 in Chapter 5 for further Details.

Signal Box Park - Refer to Action 26 in Chapter 5 for further Details.



- Potential new / expanded open space
- Investigation area for new public space

Figure 14. Potential locations for new open space within the centre of the FMAC.



Opportunity to extend City Park



Communal green spaces in Sydney's Central Park



OBJECTIVE 11.

Provide streets across the FMAC that are people focused and green.

Strategy 11.1.

Upgrade key City Centre streets.

The central FMAC streets are the primary places for economic and social activity and should be designed as places for people. Key streets across the City Centre will be upgraded to provide more greenery, high quality paving, and additional space for people to gather or enjoy outdoor dining. The key streets for upgrades will include:

- **Playne Street** - Create a spine for the arts and entertainment precinct. See Strategy 11.3.
- **Shannon Street Mall** - Reinforce its role as a key public plaza.
- **Thompson Street** - Enhance its convenience role and better connect Playne Street and Wells Street.
- **Young Street South of Wells Street** - Complete the streetscape upgrades along Young Street and enhance the connection between the station and the arts precinct.

Strategy 11.2.

Increase tree canopy cover and biodiversity across the FMAC.

The highly urbanised nature of the FMAC lends itself to increased urban heat as it is dominated by hard surfaces and buildings. Increasing tree canopy cover will help shade and cool the streets and public spaces, making it a desirable and comfortable place for people.

This should be supported landscaping within private land that contributes to the landscape character of the FMAC. Development should provide:

- Landscaped rooftop terraces providing shaded communal spaces
- Green walls
- Balcony gardens

- Ground level canopy tree and shrub planting in locations where street setbacks are provided
- Indigenous plant species that strengthen biodiversity across the FMAC
- Opportunities for urban food production

Strategy 11.3.

Develop Playne Street as the arts and entertainment spine.

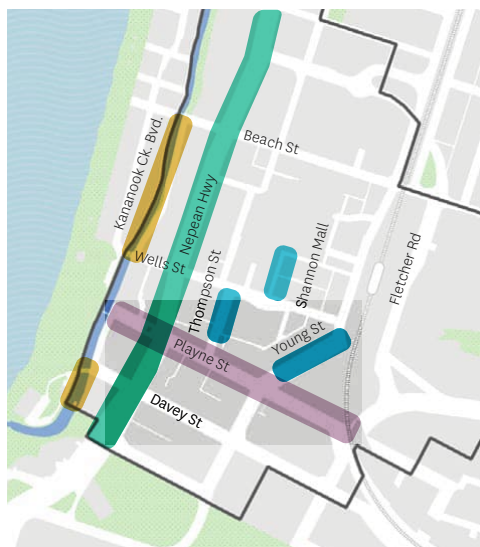
Playne Street will be upgraded to increase its role as the spine for the arts and entertainment precinct connecting the City Centre to the foreshore. The street will be reconfigured to provide wider footpaths, bike lanes (connecting the Baxter Trail to the foreshore), additional street tree planting and Water Sensitive Urban Design (WSUD) treatments. This would be achieved through a reduction in the vehicle lane widths and reconfiguring car parking. As part of the project, the Frankston Library forecourt would be extended and upgraded to integrate with the revitalised streetscape.

At the western end of Playne Street, the existing Comfort Station will be activated as a key destination along Nepean Highway.

Strategy 11.4.

Transform the Nepean Highway into an Iconic Boulevard.

The Nepean Highway will be transformed into an iconic boulevard that forms an exciting entrance for the FMAC. The proposed upgrades will seek to increase pedestrian footpath space on both sides of the road, increase canopy tree planting and WSUD treatments, and provide bicycle lanes in each direction. To improve safety and connectivity to the foreshore, additional signalised crossing opportunities will be provided.



- City Centre Precinct Street upgrades
- Playne Street upgrade
- Nepean Boulevard Upgrade
- Kananook Creek Boulevard & Promenade upgrade

Figure 15. Proposed Streetscape Upgrades across the FMAC.



The large fig trees are iconic elements of the Nepean Highway streetscape that should be retained.



Opportunities to improve and green the public realm, creating shading and lighting, with improved and continuous cycleways to promote active movement.

Strategy 11.5.

Create a thriving Kananook Creek promenade.

Kananook Creek will be transformed into a thriving pedestrian focused area, which is activated across the day and night. Between Beach and Wells Street, streetscape upgrades will provide for wider footpaths to support outdoor dining, additional tree planting, WSUD treatments and a shared pedestrian and vehicle pavement that enables easy movement across the boulevard. Further south, the Kananook Creek promenade will be continued through the Cheeky Squire site at 510 Nepean Highway. These upgrades will provide for a continuous link along Kananook Creek from Beach Street through to the foreshore reserve.

Additional master planning of the creek corridor will seek to introduce additional on-water activities along the creek in strategic locations and provide enlarged public spaces in key areas providing lookouts and steps to access the water.

Strategy 11.6.

Enhance and activate the laneways

The FMAC laneways are evolving into key public spaces offering unique public art and alternative hospitality experiences. The Frankston Laneway Action Plan was prepared in 2021 and identified a range of proposals to further enhance the laneways.



Provide opportunities to better engage with the creek edge.



Artistic lighting opportunities in the laneways.

Strategy 11.7.

Improve the integration of the Bayside Shopping Centre into the surrounding streets.

The Bayside Shopping Centre occupies a significant footprint within the City Centre and generates significant pedestrian activity. The Structure Plan aims to provide for better integration of the shopping centre into the existing streets to encourage pedestrian movement through the centre into the adjoining retail streets. A close working relationship between Council and Vicinity Centres will be key to implement improvements.



Activated spaces at a shopping centre entry.

Actions

Action 9. Cooling and Greening

Integrate a range of cooling and greening initiatives throughout the FMAC to achieve the targets set by the Urban Forest Action Plan (2020) (In particular Precinct 1 and Precinct 2).

[City Centre Street Upgrades](#) - Refer to Action 23 in Chapter 5 for further details.

[Playne Street Upgrade](#) - Refer to Action 31 in Chapter 5 for further details.

[Nepean Boulevard Master Plan and Implementation](#) - Refer to Action 34 in Chapter 5 for further details.

[Kananook Creek Boulevard upgrade \(between Wells and Beach Streets\)](#) - Refer to Action 35 in Chapter 5 for further details.

[Improvements to Kananook Creek](#) - Refer to Action 37 in Chapter 5 for further details.

[Bayside Shopping Centre Integration](#) - Refer to Action 24 in Chapter 5 for further Details.

4.4. Movement and Transport

4.4.1. Overview

The Vision seeks to enhance Frankston as a place where people can walk, cycle or use public transport for their daily needs. The Movement and Transport theme provides a range of Objectives and Strategies to achieve this aspiration as well as making vehicle and parking access more efficient.

Figure 16 reflects the future Movement and Transport Framework for the FMAC. It identifies a range of network and intersection improvements for walking and cycling along with public transport, vehicle movement and car parking improvements.

Refer to Chapter 5 - Precincts for more detailed Movement and Transport Projects.



Example of a pedestrian priority street

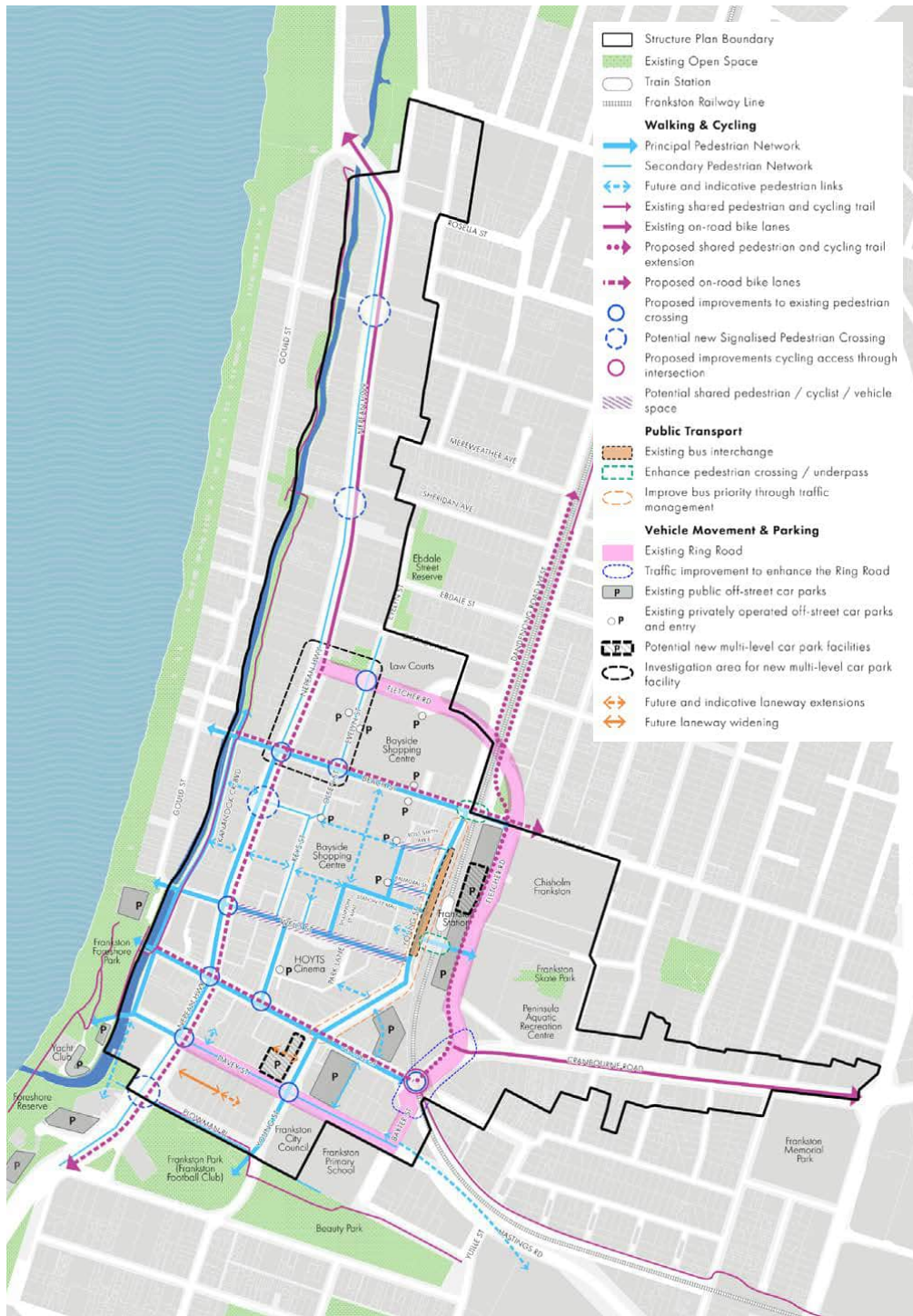


Figure 16. Movement and Transport Framework Plan



OBJECTIVE 12.

Prioritise walking across the FMAC.

Strategy 12.1.

Develop a network of priority pedestrian routes.

The Principal Pedestrian Network identified in Figure 17 recognises the importance of pedestrians in contributing to the FMAC’s local economy and street life. These routes will be designed in a way that prioritises pedestrian movement both along and across the street, and through key intersections.

Strategy 12.2.

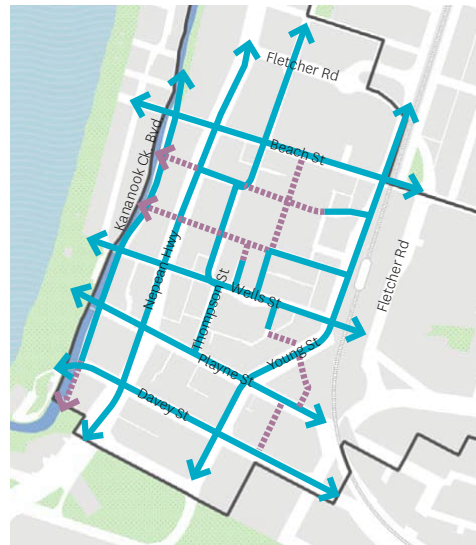
Increase the permeability of the walking network.

Pedestrians will have a range of options for moving around the FMAC with new links aligning with key desire lines. The new walking links will make it easier for people to access shops, services and the foreshore, whilst creating new experiences.

Strategy 12.3.

Create shared pedestrian, cyclist and motor vehicle zones in areas of high pedestrian activity.

Key streets within the FMAC including Wells Street, Balmoral walk, and Ross Smith Avenue East will be redesigned as shared zones. A shared zone is an area all road users can use however vehicles and cyclists must give way to pedestrians. Redesigning these streets as shared zones will make it easier and more inviting for people to use the shops. Design changes would include changing from bitumen to pavers, eliminating the kerbs, and lowering the speed limit to allow pedestrians, cyclists and motorists to share the space safely.



Existing pedestrian links
 New & Indicative pedestrian links

Figure 17. Existing and Proposed walking links.



Example of a shared street

Strategy 12.4.

Enhance pedestrian priority and safety at key intersections.

Key intersections across the FMAC will be upgraded to make it easier and allowing for people to move around safely. Providing longer crossing times, installing zebra crossings where possible, and reducing crossing distances will all help make it safer to cross the street. Figure 16 identifies a number of intersections where improvements are proposed.

Strategy 12.5.

Make it safer and easier to cross the rail line.

The Frankston Railway Line will no longer be a major barrier separating the FMAC and improvements to the existing underpass will make the space feel safer by opening up view lines. A potential pedestrian bridge across the railway line through the Sherlock and Hay's site will improve access in the south of the FMAC and connect two key development sites. Long term, the solutions to mitigate these safety issues could potentially consider replacing the dangerous Beach Street at-grade rail crossing with an overpass that connects into the proposed multi-deck car park and a new northern entrance for the station.



Example of a safe pedestrian crossing

Actions

Action 10. Pedestrian Network Audit and Framework (Safety and Amenity)

- a. Undertake an audit of all the streets and laneways in the FMAC to establish a new streetscape capital works program and to improve the maintenance of existing streets and assets.
- b. Develop a framework for the current and the future amenity of the streets to be assessed and prioritised.

Action 11. Wayfinding Signage (Pedestrian and Cycle)

Implement the Frankston City Council Wayfinding Strategy and Style Guide (October 2022) throughout the FMAC.

[Railway Underpass Upgrade](#) - Refer to Action 30 in Chapter 5 for further Details.



OBJECTIVE 13.

Create a safe and convenient cycling network.

Strategy 13.1.

Develop a network of connected cycling routes

The FMAC will be highly accessible by bike through the installation of bike lanes and shared user paths connecting residents and workers to key destinations. Bike lanes along Playne Street, Nepean Highway and Beach Street will provide for good City Centre connections. Improved integration of the Baxter Trail into the City Centre and a potential bike trail along Dandenong Road West will make it easier for surrounding residents and workers to access the FMAC.

Actions

Action 12. Cycling connections

Prepare design concepts and implement the provision of new bike lanes / shared user paths throughout the FMAC that also provide broader connections to and from areas outside of the FMAC boundary.

[Baxter Trail Extension](#) - Refer to Action 29 in Chapter 5 for further Details.



Opportunity for new shared user path to connect the Frankston-Baxter Trail across the FMAC.



OBJECTIVE 14.

Increase the use of the Ring Road and reduce traffic on City Centre streets.

Strategy 14.1.

Implement traffic measures to increase the use of the ring road

A range of traffic measures will developed and implemented over time to increase the use of the Ring Road. This will reduce traffic on the City Centre streets and the Nepean Highway making these places better for people.

These measures will be developed in consultation with the community, businesses and public transport providers.

Actions

Action 13. Ring Road

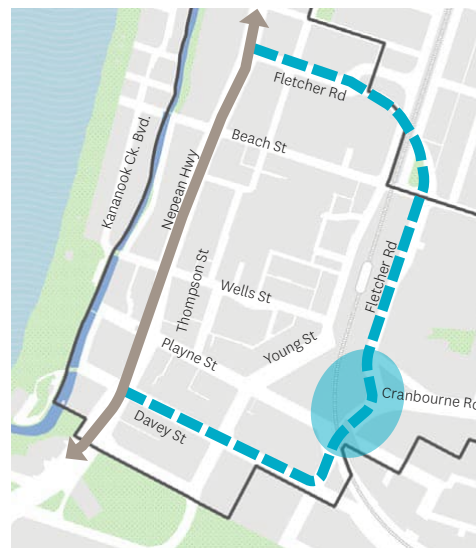
Work with DTP to develop and implement options to cater for the increase in vehicle movements and improve the functionality and efficiency of the Ring Road to support the objectives of the Structure Plan (Nepean Boulevard).

Action 14. Amenity improvements to the Ring Road

Improve the amenity of the Ring Road through the planting of canopy trees and under-storey planting, by improving pedestrian and cycling connectivity and implementing way finding and public lighting.

Action 15. Directional and Guidance Signage (Roads)

Work with DTP to implement directional and signage guidance signage on key roads throughout the FMAC.



- Existing Ring Road
- Location for Traffic Management improvements

Figure 18. Existing Ring Road & Location for Traffic Management Improvements.



OBJECTIVE 15.

Provide car parking that is easy to locate and access.

Strategy 15.1.

Provide car parking facilities at the edge of the FMAC.

Future car parking facilities will be provided in locations that are easily accessed from the Ring Road. This will reduce the number of cars accessing the central streets, making them safer and more inviting for pedestrians. Walking connections between the new car parks and key destinations will be enhanced to improve safety. Figure 16 identifies the existing at-grade car park at the corner of Davey Street and Young Street as a potential location and an investigation area north of Beach Street for another facility. The provision of additional commuter car parking located outside of the FMAC will further assist in alleviating the number of cars accessing the city streets.

Strategy 15.2.

Provide real time signage for car parking.

Real time signage for car parking across the FMAC will direct people to available parking bays reducing unnecessary vehicle movements and reduce visitor frustration when looking for a park. This system has been successfully implemented for underground parking at the Frankston Arts Centre.

Strategy 15.3.

Provide a consistent approach to parking time limits and costs.

A consistent framework for parking time limits and costs will reduce the need for people to circulate to find the best parking deal.

Actions

Action 16. Construction of multi deck car parks integrated with development

Undertake conceptual planning and design and upgrade Council owned car parks to facilitate development with active street frontages and multi deck car parks throughout the FMAC.

Action 17. Car parking time limit and cost assessment

Undertake an audit of all Council owned car parks, existing car parking time limits and costs and develop and implement a consistent framework for these.

Action 18. Parking Permits for residential streets

Investigate a resident parking permit system for residential streets within and adjacent to the FMAC to determine the need for a resident parking permit system and in which streets.



Example of real-time car parking signage.



OBJECTIVE 16.

Enhance the FMAC as a public transport hub for the region.

Strategy 16.1.

Improve bus priority along key City Centre streets.

Buses will move efficiently along City Centre streets contributing to a reliable public transport network. A number of traffic management initiatives will be developed and implemented to prioritise bus movement along key streets including Young Street and Playne Street

Strategy 16.2.

Support the Baxter rail line electrification.

Council will continue to support the electrification of the Baxter railway line. Electrification will open up significant opportunities for the FMAC and draw more people into the City Centre. The future electrification will provide for a redesign of the Frankston station platforms potentially reclaiming extra open space / development land through a decommission of the station's current western platform.

Actions

Action 19. Bus service review

Advocate for a bus service review for all buses within City Centre.

Action 20. Bus network

Work with DTP to improve the efficiency of the bus network, with a focus on Young, Playne and Beach Streets.

Action 21. Public Transport Improvements

Advocate for public transport improvements, to, from and within the FMAC, including the electrification of the railway line beyond the Frankston Train Station.

Action 22. Sustainable transport

Establish a working group to find ways to encourage an increase in the opportunities for sustainable transport.



The existing bus interchange in Young Street.

5. The Precincts



5.1. Overview

This chapter provides details of actions and the Built Form and Design requirements that will help to achieve the Vision for the FMAC.

Six precincts have been designated as outlined in Figure 19 and are described in the following pages.



Figure 19. FMAC Precinct Plan

5.2. Precinct 1: City Centre

5.1.1. Precinct 1 - Overview

Activities and Land Use

The City Centre Precinct is the heart of Frankston. It will be a vibrant place for business, shopping, living, dining and entertainment. Bayside Shopping Centre will continue to provide a regional shopping role however, it is better integrated into the surrounding streets. Street based retail is boosted by a range of streetscape and public space upgrades enabling shoppers to move easily through interconnected urban spaces. Employment, residential, accommodation and community uses are provided across the precinct providing additional people in the City Centre to support a day and night time economy.

Built Form and Design

New built form will strengthen the street based experience with open and engaging frontages that reflect the fine-grain subdivision patterns of existing shopfronts. A three storey street wall will provide a scale that does not overwhelm the streetscape and taller development will be set behind the street wall to minimise visual impact. Building heights will increase around key retail streets where overshadowing impacts can be managed.

Existing blank walls to Keys Street, Olsen Street, Evelyn Street and key laneways will be gradually replaced with well designed buildings providing windows and activity at ground level.

Public Realm and Open Space

The streets and laneways of the City Centre are people focused, safe and green providing high quality spaces for people to shop, enjoy outdoor dining and socialise. Shannon Street Mall is upgraded with new paving, lighting and additional tree planting to reinforce its importance connecting Wells Street to the Bayside Shopping Centre. Thompson Street is also upgraded as a key north-south link connecting into Precinct 3. In the longer term, a new public square in Wells Street will provide a central space for festivals and public events.

Movement and Transport

Pedestrians can move around easily and safely in the City Centre enhancing its primary role as a retail precinct. A range of streetscape upgrades will seek to enhance pedestrian amenity and safety and improve pedestrian priority at intersections.

Wells Street will be redesigned to enable people and vehicles to share the road space in a safe and high amenity environment. This will strengthen retail activity by allowing people to move across and along the street more freely. Residents and workers will be able to access the City Centre from the north through a safe pedestrian crossing on Fletcher Road.

New bicycle lanes along Beach Street will provide another key east-west access route for cyclists into the City Centre.

Car parking will be maintained in future streetscape upgrades and Council will seek to provide a multi-level car park facility north of Beach Street in a location accessible from the Ring Road.

Precinct 1 - Actions

Action 23. City Centre Street upgrades

Prepare design concepts and construct Street/ Mall upgrades within the FMAC as part of a staged approach for the following:

1. Wells Street to occur first (central Wells Street as a shared zone and include investigation of a gathering space/plaza);
2. Shannon Street Mall;
3. Thompson Street;
4. Balmoral Walk and Keys Street (In consultation with Vicinity to resolve challenges around the loading bays for the Bayside Shopping Centre); and
5. Ross Smith Avenue.

Refer to further details below:

Wells Street, Balmoral Walk and Ross Smith Avenue Shared Zones

Key components of the concept design could include:

- Removal of kerbs so that the footpaths and road surface is at the same grade.
- Providing a unified paving treatment across the footpath and road space.
- Additional street tree planting.
- Retention of car parking within the streets
- Slowing motor vehicles and cyclists to 20 km/hr to enable them to give way to pedestrians.

The concepts will be developed on conjunction with traders and the community.



Example of an activated and pedestrian focused plaza.



Example of pedestrian plaza spaces with landscaping, seating and engaging uses.

Precinct 1 - Actions

Shannon Street Mall

Shannon Street Mall is one of the most heavily used pedestrian links in the FMAC providing a key link between Wells Street and the Bayside Shopping Centre. A future upgrade could provide for:

- High quality surfaces with feature paving that integrates with the FMAC's wider streetscape palette.
- Pedestrian scale lighting.
- Additional street tree planting.
- Defined outdoor dining zones.



Thomson Street

An upgrade to Thomson Street will enhance it as a key connection between the arts precinct and retail core along Wells Street. The upgrade could provide for:

- High quality surfaces with feature paving that integrates with the FMAC's wider streetscape palette.
- A widened western footpath to enhance adjoining retail and hospitality uses. This will be achieved through the reduction in vehicle lanes and reconfiguring car parking.
- Additional street tree planting within kerb outstands.
- A shared cyclist and vehicle traffic lane.



Shared zone examples.



Example of Laneway activation.

Precinct 1 - Actions

Action 24. Bayside Shopping Centre enhancements

Work with Vicinity Centres to explore better integration of the Shopping Centre with the surrounding streets.

Improvements should consider:

- Creating a safe pedestrian route through the centre independent of Shopping Centre / Balmoral Walk opening times, and improve physical safety and quality of public realm in laneways and access ways surrounding the centre.
- Determining the status of loading docks and car park access to potentially free up space for outdoor use at edges.
- Creating new arrival / welcome area at Beach street.
- Provide additional Activation on the south side of Beach Street and considering options for renovations to create active frontages on the north side of the street.
- Continuing the expansion of the city mural programme to enliven external facing walls.

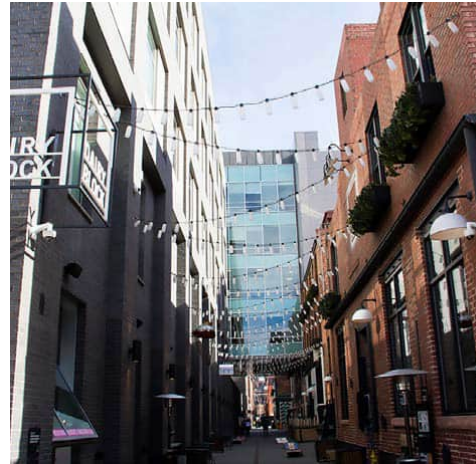


Example of an activated square.

5.2.2. Precinct 1 - Development Framework

Development Objectives

- To activate all streets and laneways across the Precinct with retail, restaurants and cafes, uses across the day and night.
- To support residential, office, accommodation and other uses on upper levels of buildings across the precinct.
- To encourage development to address laneways with active uses at ground level and surveillance from upper levels.
- To provide buildings with landscaped front setbacks north of Fletcher Road.
- To maintain and enhance the fine-grain rhythm of shopfronts across the City Centre streets.
- To enhance the built form interface to improve activation and safety.
- To maintain adequate sunlight to key streets in the City Centre.
- To establish additional east-west pedestrian links to improve connection between the City Centre Precinct and the Promenade Precinct.
- To enhance the integration of the Bayside shopping centre with surrounding streets.
- To improve the pedestrian and walkability of the City Centre.
- To minimise the impact of driveway crossovers on key retail streets.



Example of Laneway activation.



Example of activated laneways with shared street zones.

Precinct Development Requirements

Refer to Figure 21 for Sub-Precinct boundaries and other built form requirements for Precinct 1.

Element	Development Requirements
Preferred Building Heights	<ul style="list-style-type: none"> • Sub-Precinct 1A – Preferred Maximum Building Height is 54.0m (16 storeys). • Sub-Precinct 1B – Preferred Maximum Building Height is 48.0m (14 storeys). • Sub-Precinct 1C – Preferred Maximum Building Height is 41.0m (12 storeys). • Sub-Precinct 1D – Preferred Maximum Building Height is 35.0m (10 storeys). • Sub-Precinct 1E – Preferred Maximum Building Height is 16.0m (4 storeys). • Sub-Precinct 1F – Preferred Maximum Building Height is 28.0m (8 storeys).
Preferred Street Wall Heights	<ul style="list-style-type: none"> • Sub-Precinct 1A,1B,1C,1D,1E,1F – Preferred street wall height to <i>Young Street, Wells Street, White Street Mall, Thompson Street, Beach Street, Nepean Highway, Fletcher Road, Keys Street, Olsen Street, Ross Smith Avenue East and West, Balmoral Street, Evelyn Street, O’Grady Avenue, Home Street</i> and <i>all laneways</i> is 12.0m (3 storeys). • Sub-Precinct 1A,1C,1D – Preferred street wall height to Shannon Mall and Station Street Mall is 8.0m (2 storeys).
Preferred Building Setbacks	<ul style="list-style-type: none"> • Sub-Precinct 1A,1B,1C, 1D, 1E - 0.0m to all streets • Sub-Precinct 1F - 3.0m to all streets to provide for landscaping.
Preferred Upper-Level Setbacks	<ul style="list-style-type: none"> • Sub-Precinct 1A, 1B, 1C, 1D, 1E - 5.0m setback from the street wall. • Sub-Precinct 1A, 1C - Future pedestrian links - 3.0m setback for upper-level development from the future laneway street wall to create a total of 15.0m building separation. • Sub-Precinct 1A, 1B, 1C, 1D, 1E - Upper level setbacks provided to maintain solar access as outlined below. • Refer to 5.8 Centre-Wide Guidelines for additional upper level setback requirements.
Future Pedestrian Links	<ul style="list-style-type: none"> • Sub-Precinct 1A - Indicative pedestrian links through the Bayside Shopping Centre. Location and width to be determined through future master planning. • Sub-Precinct 1B - Future pedestrian link through <i>122-124 Young Street</i> with a minimum width of 6m. • Sub-Precinct 1C - Future pedestrian link between <i>Keys Street</i> and <i>Nepean Highway</i> with a 9.0m total width. This will comprise of 5.6m from <i>19 Keys Street</i> and 3.4m from the southern property boundary of <i>431 Nepean Highway</i>. • Sub-Precinct 1C - Continuation of <i>White Street mall</i> with a minimum width of 12.3m. Continuation of <i>Station Street Mall</i> with a minimum width of 9.5m. • Sub-Precinct 1D - Future pedestrian link through <i>76 Young Street</i> to provide for clear sight lines into <i>Stiebel Place</i> with a minimum width of 6m.

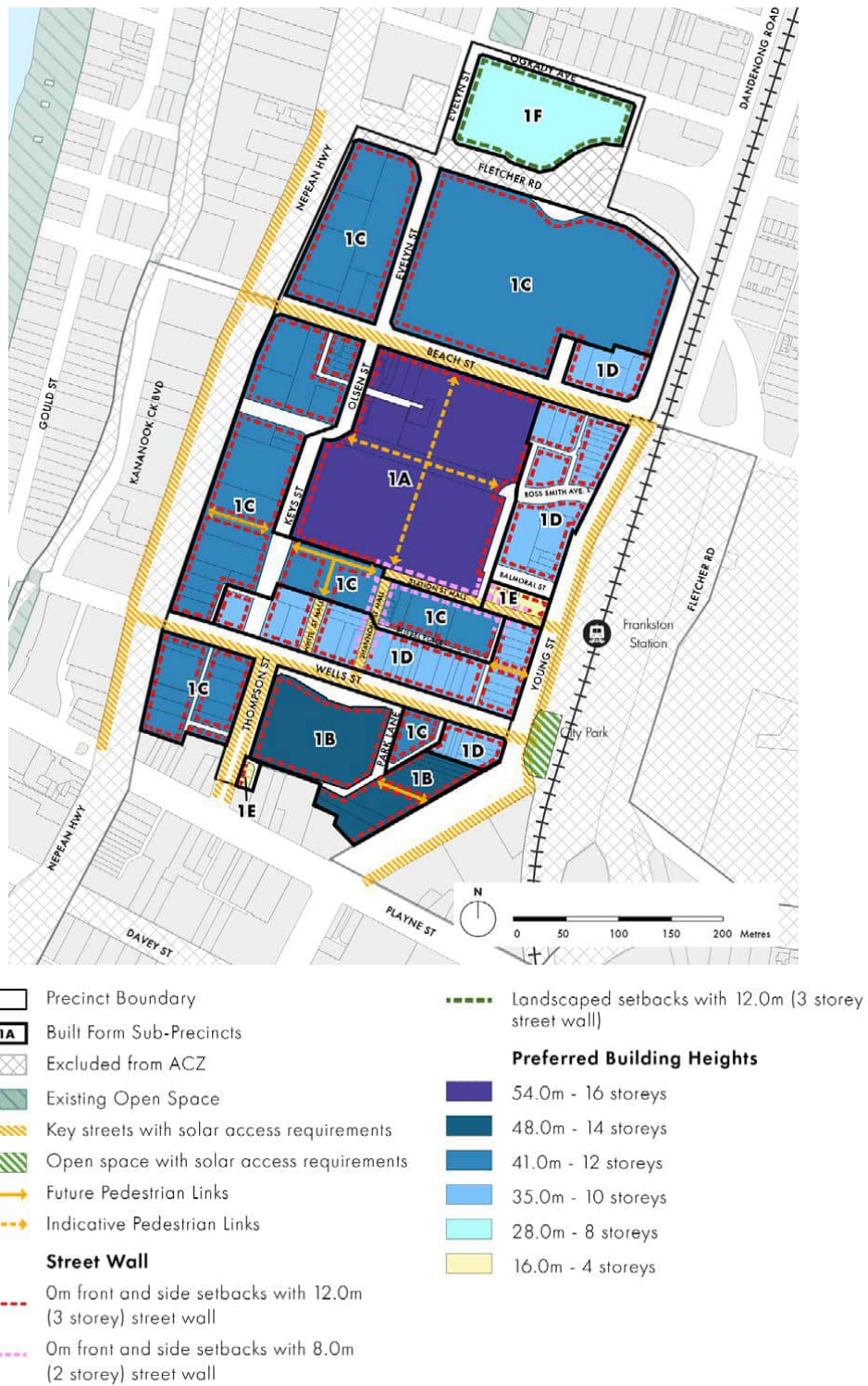


Figure 21. Precinct 1 - Built Form & Development Framework
 Frankston Metropolitan Activity Centre - Structure Plan

Element	Development Requirements
Solar Access	<p>Ensure solar access is maintained to the following:</p> <ul style="list-style-type: none"> • Within 7.0m of the western property boundary of <i>Nepean Highway</i> between 10am and 2pm at the equinox (September 22). This measurement accounts for future widening of the <i>Nepean Highway</i> footpath. Refer to Figure 22. • The entire southern footpath of <i>Wells Street</i> and <i>Beach Street</i> between 10am and 2pm at the spring equinox (September 22). • The entire eastern and western footpaths of <i>Thompson Street</i> between 10am and 2pm at the spring equinox (September 22). • The entire eastern footpath of <i>Young Street</i> between 10am and 2pm at the spring equinox (September 22). • <i>City Park</i> from 10am-1pm at the winter solstice (June 22). Refer to Figure 23. • <i>Shannon Mall</i> - No additional shadow beyond what would be cast by an 8.0m (2 storey) street wall between 10am and 1pm at the spring equinox (September 22). Refer to Figure 24. • <i>Station Street Mall</i> - No additional shadow beyond what would be cast by an 8.0m (2 storey) street wall at 10am at the spring equinox (September 22). Refer to Figure 24. • <i>White Street Mall</i> - No additional shadow beyond what would be cast by an 12.0m (3 storey) street wall between 10am and 1pm at the spring equinox (September 22). Refer to Figure 25.

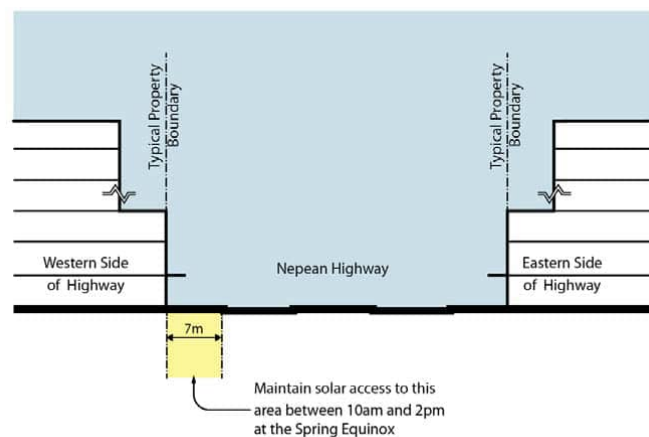


Figure 22. Solar Access Requirements to Nepean Highway.

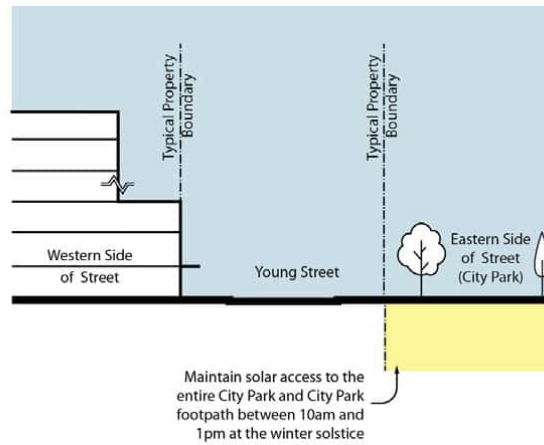


Figure 23. Solar Access Requirements to City Park.

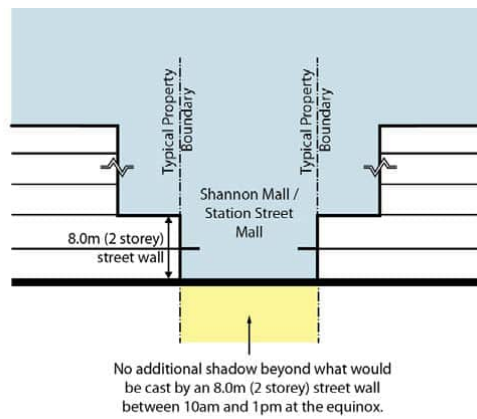


Figure 24. Solar Access Requirements to Shannon Mall.

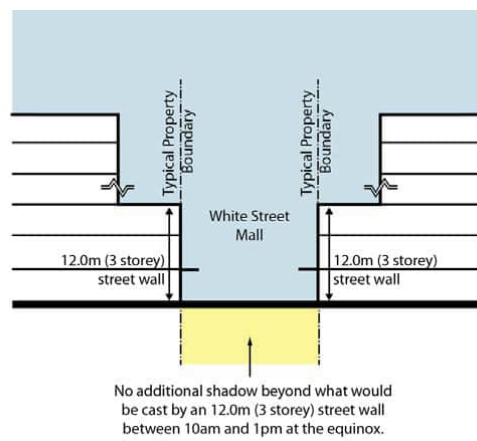


Figure 25. Solar Access Requirements to White Street Mall.

Precinct Development Guidelines

Please also refer to Section 5.8 - Centre-wide Design Guidelines.

- Buildings should be designed to reinforce the pedestrian scale with fine-grain building articulation and tenancies at ground and upper podium levels.
- Encourage architectural elements that assist in creating an interesting and varied skyline.
- Address existing laneways with active uses at ground level and provide surveillance of the laneway from upper levels of development.
- Encourage the consolidation of Bayside Shopping Centre car parks and loading areas to surrounding streets to enhance the pedestrian environment
- Provide publicly accessible links through the Bayside Shopping Centre if redeveloped.
- Encourage the sleeving of existing and future car parks across the precinct with active uses.
- Provide vehicle access to loading areas and car parking from existing laneways or secondary streets. Where this is not possible, minimise the width of vehicle crossovers to primary active frontage streets.



Example of Fine-grain activation to laneways to provide active uses throughout the day and night.

5.3. Precinct 2: Transport Interchange, Community and Education

5.3.1. Precinct 2 - Overview

Activities and Land Use

This Transport Interchange, Community and Education Precinct is a highly active transport and mixed use hub that brings people to the heart of Frankston City via metropolitan and regional rail and bus routes. A range of retail, office, institutional, community and residential land uses will be provided across the precinct.

When redeveloped, the Sherlock and Hay's Site will provide a key land use anchor for the Precinct and inject a significant amount of people into the area. The gradual redevelopment of Victrack and Council owned land on the east side of the railway line will further strengthen the mixed-use role of the precinct and create active links between the City Centre and Chisholm Frankston.

Built Form and Design

Development within this precinct will seek to activate newly created public spaces and linkages with open and engaging building frontages. Development will be of substantial scale reflecting the importance of the precinct and the significant opportunities that exist on large development sites. Because of the significant scale, buildings will be designed in a way where they present with high quality facades from all views.

Public Realm and Open Space

The streets and public spaces will be welcoming creating a strong sense of arrival into the FMAC. The southern end of Young Street will be upgraded to create a green and people focused connection between the station and the Arts and Entertainment Precinct. Key public spaces will include an expanded and enhanced City Park, a new park in front of the rail signal box and an iconic Civic space created as part of the Council offices and Civic Centre development.

Movement and Transport

This precinct will connect the City Centre across the rail line into the Chisholm Frankston campus and eastern residential precinct with new and improved linkages. The Transit Interchange will function efficiently within high quality public spaces that provide a memorable arrival and departure experience for residents, workers and visitors. Cycling access will be significantly enhanced by completing the missing link that connects the Frankston - Baxter Trail with the shared path along Dandenong Road East.



Activation of a public space.

5.3.2. Precinct 2 - Actions

Figure 26 identifies actions and improvement across Precinct 2. These actions are outlined in the following pages.

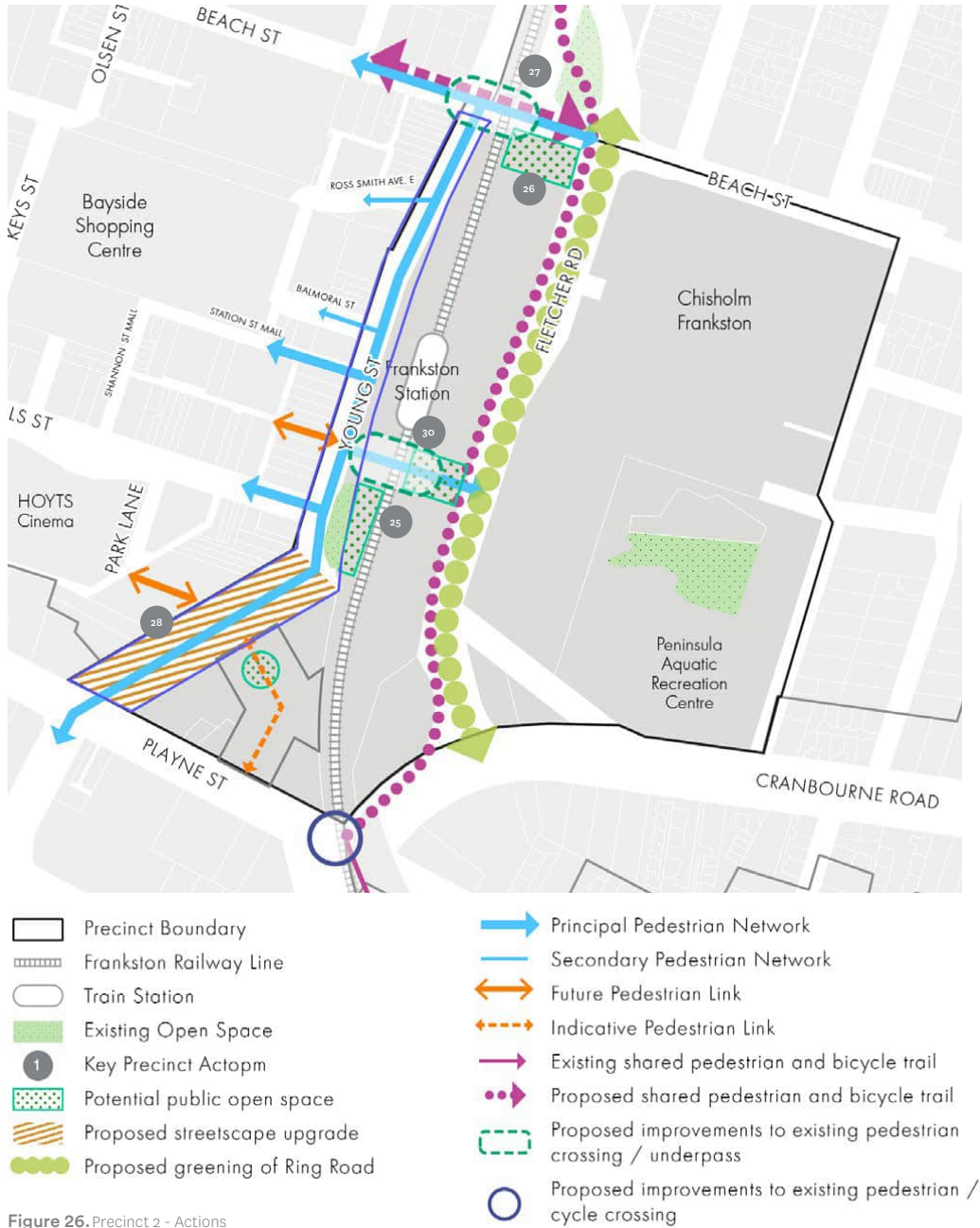


Figure 26. Precinct 2 - Actions

Precinct 2 - Actions

Action 25. City Park Expansion

Advocate for funding to implement and construct the concept plan for City Park.

The existing City Park space at the junction of Young Street and Wells Street is optimally located however it is limited in its function due to its size. A concept has been developed to expand the park into underutilised land within railway reserve. There is also an opportunity to provide an additional space on the eastern side of the railway line adjacent to the existing underpass. This could connect across to Fletcher Road.

Key elements of the current concept plan for City Park include:

- An expanded park space with total area of 1,600sq.m.
- Plaza space and additional seating
- Picnic Lawn
- Children's water play
- Additional tree planting
- Opportunities for activation of the park



City Park expansion concept.



Opportunity for lawn spaces and canopy tree planting.

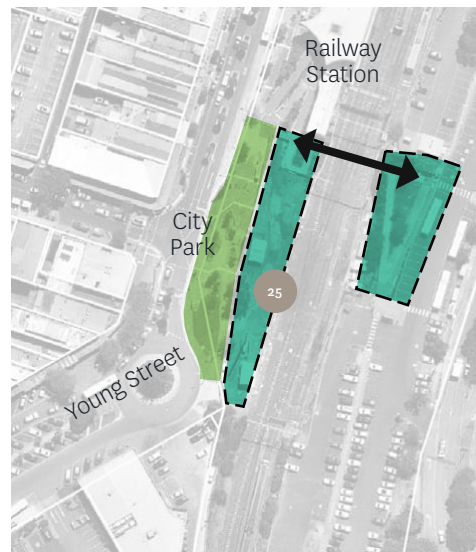


Figure 27. City Park Expansion

Precinct 2 - Actions

Action 26. Signal Box Park

Undertake design concepts and construct a park adjacent to the heritage protected signal box on Vic Track land to activate the space.

The Beach Street rail signal box is strategically located close to Chisholm Institute and would form a key part of the open space network east of the railway line. The opportunity will provide for a small park adjacent to the heritage protected signal box which could potentially be re-purposed to activate the space. This land is currently owned by VicTrack and would require Council to work collaboratively to see the land developed as a park.

The design concept should consider:

- A landscape design response that complements the heritage significance of the signal box.
- Options for the adaptive re-use of the rail signal box to activate the adjoining public space.
- Picnic Lawn, seating and tables, and canopy tree planting.

Action 27. Beach Street rail crossing

(to be undertaken in conjunction with Action no. 26 Signal Box Park)

Work with DTP and VicTrack to develop short and long term design options for improving the safety and amenity of the Beach Street at grade rail crossing.

Options could consider:

- Short term improvements to the safety of the existing crossing.
- Scenarios that plan for a future station re-build with a new northern station entrance and overpass that connects Beach Street to Young Street.

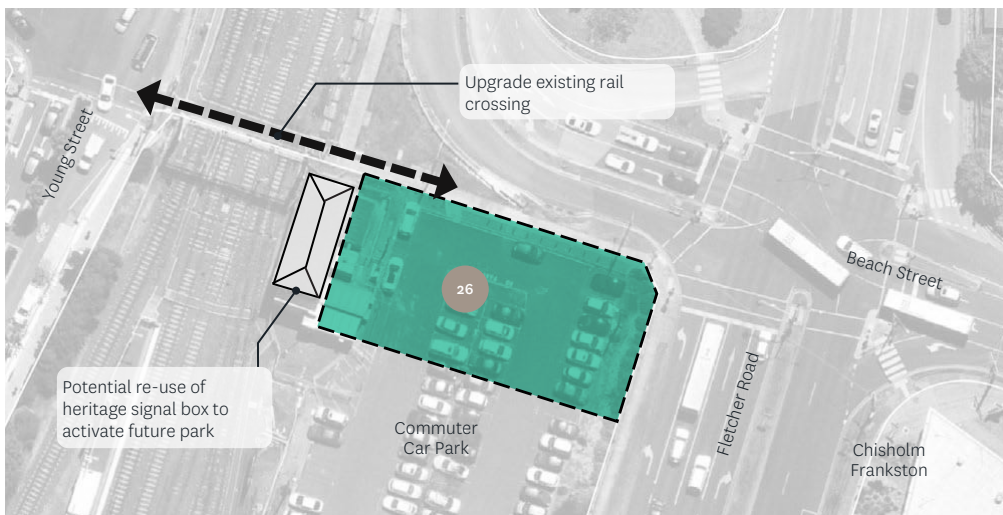


Figure 28. Signal Box Park Plan

Precinct 2 - Actions

Action 28. Young Street Upgrade (between Wells Street and Playne Street)

Undertake design concepts and construct upgrades to the section of Young Street between Wells and Playne Streets to provide an improved connection between Precinct 3, the Frankston Train Station and surrounding redeveloping properties.

The concepts should consider:

- Widened footpaths on the south side of Young Street.
- High quality surfaces with feature paving that integrates with the FMAC's wider streetscape palette.
- Additional street tree planting.
- A mid-block pedestrian crossing that connects the Sherlock and Hay's Site to the 122-124 Young Street.

Action 29. Baxter Trail Extension

Design and construct the missing link between the Baxter Trail and the shared pedestrian connection and cycle path along Dandenong Road East.



Streetscape with generous footpaths and canopy trees.



An example of a shared user path.

Precinct 2 - Actions

Action 30. Rail underpass upgrade

Work with DTP and VicTrack to improve the safety and amenity of the existing rail underpass at the Frankston Train Station to provide better pedestrian connections to and from Chisholm and PARC.

Improvements should consider:

- Removal /relocation of objects and infrastructure that limit views into the underpass.
- Flaring of the underpass entrances to expand lateral views and widening of the underpass.
- The potential for a new public arrival plaza on the east side of the railway line that connects through to Fletcher Road.



Examples of rail underpass improvements to that increase safety, visibility and amenity .



An example of a pedestrian overpass footbridge with landscaping and lighting creating a raised green street.

5.3.3. Precinct 2 - Development Framework

Development Objectives

- To create an active, safe and attractive transit interchange that welcomes people to a vibrant place for business, education, shopping, hospitality and housing.
- To activate Young Street and Playne Street with retail, hospitality and community uses across the day and night.
- To provide offices, institutional uses and housing the east side of the railway line with activated ground level uses.
- To strengthen the connections across the rail line between Young Street and Fletcher Road with activated links.
- To provide active frontages to new open space delivered across the precinct.
- To ensure new development along Fletcher Road contributes to creating a green edge to the FMAC.
- To enhance the eastern entry to the FMAC with development of exemplary quality.
- To provide visual breaks between buildings that allows for views to the sky and supports sharing of views.
- To maintain adequate sunlight to the future widened southern footpath of Playne Street, the western footpath of Young Street at key times of the year.
- To contribute to the significance of adjacent Precincts 1 and 3 by delivering high quality, activated streetscapes that encourage pedestrian engagement.



An example of trees, greening and shading to provide a comfortable and attractive transport interchange.



Artist renders of concepts for the City Park open space.



Recent upgrade to Evelyn Street Reserve.

Development Requirements

Refer to Figure 29 for Sub-Precinct boundaries and other built form requirements for Precinct 2.

Element	Development Requirements
Preferred Building Heights	<ul style="list-style-type: none"> • Sub-Precinct 2A – Preferred Maximum Building Height is 48.0m (14 storeys) . • Sub-Precinct 2B – Preferred Maximum Building Height is 41.0m (12 storeys). • Sub Precinct 2C - Preferred Maximum Building Height is 22.0m (6 storeys).
Preferred Street Wall Heights	<ul style="list-style-type: none"> • Sub-Precinct 2A - Preferred street wall height to <i>Young Street</i> and <i>Playne Street</i> is 12.0m (3 storeys). • Sub-Precinct 2B, 2C - Preferred street wall height to <i>Fletcher Road</i> and <i>Cranbourne Road</i> 19.0m (5 storeys).
Preferred Building Setbacks	<ul style="list-style-type: none"> • Sub-Precinct 2A - 0.0m to <i>Playne Street</i> and <i>Young Street</i>. • Sub-Precinct 2B, 2C - Provide a setback to <i>Fletcher Road</i> and <i>Cranbourne Road</i> of 3.0 metres to provide for landscaping and the retention of existing canopy trees.
Preferred Upper-Level Setbacks	<ul style="list-style-type: none"> • Sub-Precinct 2A, 2B, 2C - 5.0m upper level setback from the street wall • Sub-Precinct 2A, 2B - Upper level setbacks provided to maintain solar access as outlined below
Future Pedestrian Links	<ul style="list-style-type: none"> • Sub-Precinct 2A - Indicative pedestrian Link through the <i>Sherlock and Hay's Site</i>. Location and width to be determined through future master planning.
Solar Access	<p>Ensure solar access is maintained to the following:</p> <ul style="list-style-type: none"> • Southern footpath to a depth of 5.0m from the property boundaries on the south side of <i>Playne Street</i> between 10am and 2pm at the spring equinox (September 22). • The entire eastern footpath of <i>Fletcher Road</i> between 10am and 2pm at the spring equinox (September 22).

Precinct Development Guidelines

Please also refer to Section 5.8 - Centre-wide Design Guidelines.

- Enhance the eastern entry to the FMAC along Cranbourne Road with development of exemplary architectural quality with forms that create an interesting skyline.
- Provide a new public open space on the Sherlock and Hay's site as part of its redevelopment.
- Multi-deck car parks should be sleeved with uses to the first two levels of the building to activate Fletcher Road and other key pedestrian and cycling links.
- Provide setbacks to Fletcher Road to support landscaping and courtyard opportunities for development.
- Seek to retain existing canopy trees where practical.

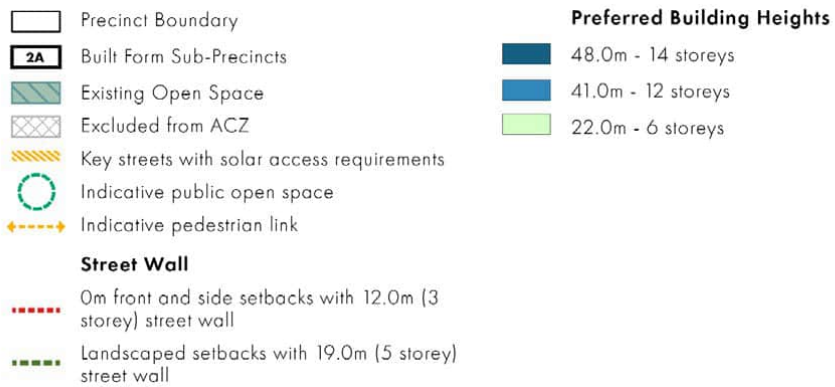


Figure 29. Precinct 2 - Built Form and Design Framework

5.4. Precinct 3: Arts, Entertainment and Government Services

5.4.1. Precinct 3 - Overview

Activities and Land Use

The Arts, Entertainment and Government Services Precinct will become the premier arts and entertainment destination for the South East region and an iconic part of Frankston City's identity. Playne Street will be the key activity spine connecting between the Frankston Arts Centre and the foreshore. It will provide for a range of entertainment, arts, hospitality and retail uses that support activity across the day and night. Along both sides of Davey Street, ground level and podium development will have a stronger office and commercial focus providing employment opportunities close to the Frankston Hospital. Plowman Place will continue to transform with a higher density residential focus.

Built Form and Design

Built form within the precinct will respond to the arts and entertainment theme providing creative architectural responses. Building heights will increase in Playne Street capturing the proximity to the railway station and foreshore. The southern footpath of Playne Street will remain in sunlight at key times of the year by applying upper-level setbacks on the north side of the street.

Building heights will decrease towards Davey Street and Plowman Place, responding to the high visibility of this area, its location further away from the City Centre, the sensitive open space interfaces to the south, and the transition to the detached residential areas of Frankston.

Along the northern side of Davey Street, development will reinforce the City Centre edge with buildings extending up to the street boundary. The southern side of Davey Street and Northern side of Plowman Place will have a different character, providing landscaped front setbacks and opportunities for landscaping between new buildings and the retention of significant trees.

Streetscapes and Open Space

Playne Street will be developed as spacious, green street providing an interesting journey connecting the Frankston Arts Centre to the foreshore. Large street trees will line the generous footpath spaces that support a range of activities including outdoor dining and incidental gathering spaces.

The Frankston Library forecourt will be upgraded and expanded to better connect with Playne Street and provide an inspiring northern entrance to the Frankston Arts Centre. On Davey Street, the Frankston Arts Centre forecourt will also be upgraded to better reflect the importance of this key destination within the FMAC.

Davey Street will retain its iconic Norfolk Island Pines that provide a key visual landmark for the FMAC. New street tree planting will be supplemented by landscaped setbacks on the southern side of the road to create a green edge to the City Centre.

Movement and Transport

Pedestrian priority will be focused along Playne Street reinforcing it as a key link to the Foreshore. This will be delivered through wider footpaths, pedestrian priority at street crossings and a higher level of comfort and amenity provided through additional street tree planting and furniture. Bicycle lanes along Playne Street will create a key east-west cycling link providing access into the City Centre and connecting the Baxter Trail to the foreshore.

Pedestrian amenity along Davey Street will be enhanced through additional street tree planting however Davey Street will retain its key role as part of the Ring Road providing peripheral access into the City Centre and car parking facilities (one potential multi-deck car park is identified within this precinct).



Concept render for Playne Street.



Concept render for Playne Street.

5.4.2. Precinct 3 - Actions

Figure 30 identifies actions and improvement across Precinct 3. These actions are outlined in the following pages.

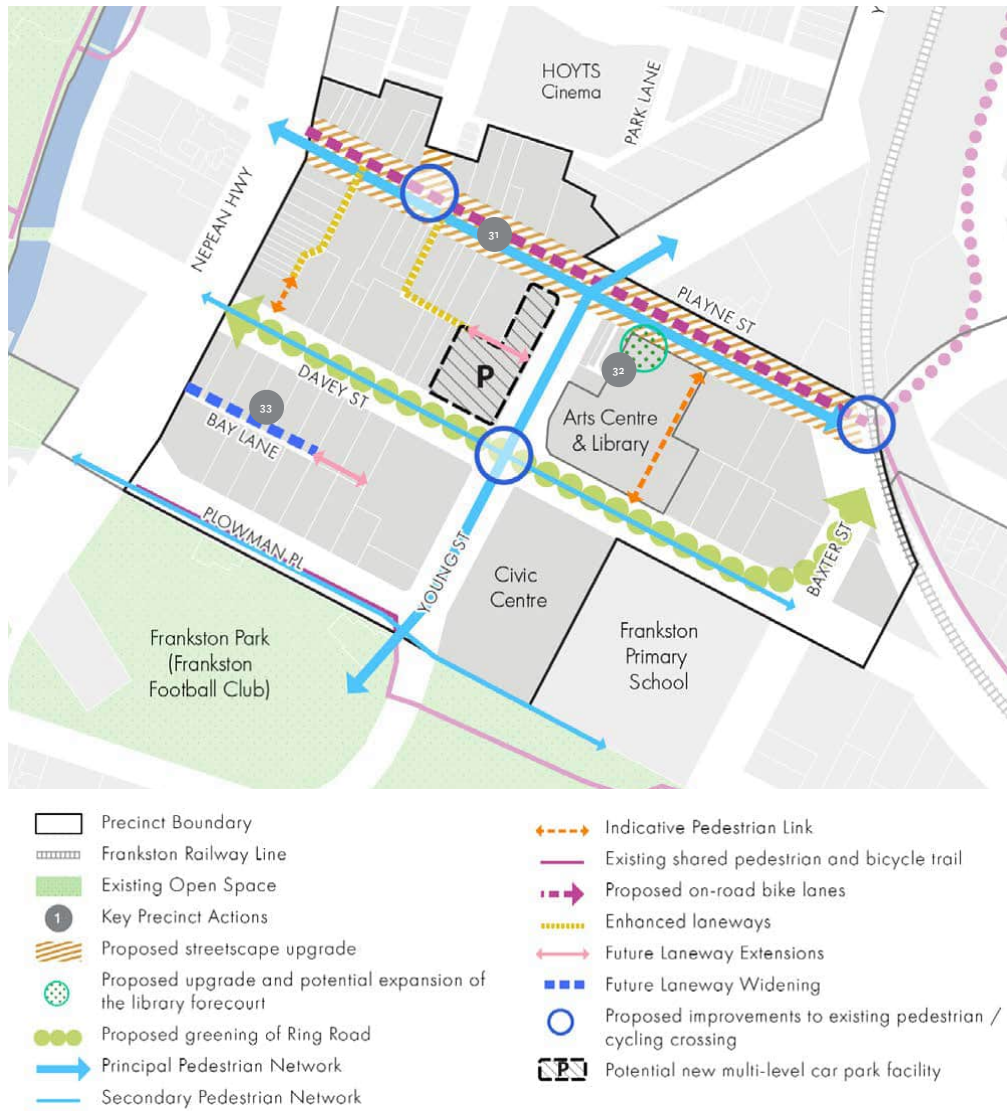


Figure 30. Precinct 3 - Actions

Precinct 3 - Actions

Action 31. Playne Street Upgrades

Prepare design concepts, undertake consultation, and construct improvements to Playne Street.

The concepts should consider:

- Wider footpaths paved with high quality surfaces that integrate with wider streetscape palette.
- On-road bicycle lanes in each direction.
- Re-configuration of parking and narrower traffic lanes.
- Additional tree planting and extended vegetated median.
- Water Sensitive Urban Design treatment to passively irrigate vegetation.
- Additional pedestrian crossings.
- Public art and a gateway treatment at Nepean Highway.



A civic forecourt extending into the street



Pedestrian priority in the street

Precinct 3 - Actions

Action 32. Frankston Arts Centre and Frankston Library Master planning

Prepare a masterplan for the Frankston Arts Centre and Frankston Library to provide better integration with Precinct 1 (Playne Street) and enhance it as the premier arts and entertainment destination for the South East.

The masterplan should consider:

- Future expansion requirements for existing facilities.
- Complimentary uses that could be provided on the site i.e. gallery spaces that would make the facility a regional destination.
- Ground level uses that would activate the street and adjoining spaces.
- Enhanced forecourts to Davey and Playne Street.
- The potential to integrate adjacent land holdings into any future expansion of the facilities and forecourt spaces.
- Improved physical connections from Playne Street into the Frankston Library and Frankston Arts Centre.

Action 33. Widen Bay Lane

- a. Undertake a Planning Scheme Amendment to apply the Public Acquisition Overlay (PAO) to the relevant properties.
 - b. Prepare design concepts and undertake construction to widen Bay Lane to achieve redevelopment of the surrounding properties.
-



The Frankston Arts Centre

5.4.3. Precinct 3- Development Framework

Development Objectives

- To activate Playne Street with retail, restaurants, cafes, arts and entertainment uses during the day and night.
- To provide for employment, community, Government services and residential uses along Davey Street and Plowman Place
- To provide residential, accommodation and office uses on upper levels of buildings across the precinct.
- To better integrate the Frankston Arts Centre and Frankston Library with Playne Street and Davey Street.
- To protect and enhance heritage places along Davey Street
- To encourage exemplary built form that reflects the arts character of the Precinct.
- To ensure the impact of built form on adjoining heritage places on Davey Street is appropriate when viewed from surrounding areas.
- To provide landscaped front setbacks south of Davey Street to provide a built form transition into the adjoining residential areas.
- To maintain adequate sunlight to the southern footpaths of Playne Street and Davey Street, Frankston Park (Frankston Football Club) and Beauty Park at key times of the year.
- To reinforce the green edge to the FMAC south of Davey Street.
- To provide design responses that retain and integrate existing significant trees.
- To minimise impacts of development on the Davey Street Norfolk Island Pines.
- To ensure development can be adequately serviced from Bay Lane.
- To minimise the disruption of footpaths along Playne Street with vehicle crossovers.

Development Requirements

Refer to Figure 31 for Sub-Precinct boundaries and other built form requirements for Precinct 3.

Element	Development Requirements
Preferred Building Heights	<ul style="list-style-type: none"> • Sub-Precinct 3A – Preferred Maximum Building Height is 48.0m (14 storeys). • Sub-Precinct 3B – Preferred Maximum Building Height is 41.0m (12 storeys). • Sub-Precinct 3C, 3D – Preferred Maximum Building Height is 35.0m (10 storeys). • Sub-Precinct 3E – Preferred Maximum Building Height is 28.0m (8 storeys). • Sub Precinct 3F - Preferred Maximum Building Height is 22.0m (6 storeys).
Preferred Street Wall Heights	<ul style="list-style-type: none"> • Sub-Precinct 3A, 3B, 3C, 3F - Preferred street wall height is 12.0m (3 storeys). • Sub-Precinct 3D, 3E - Preferred street wall height is 8.0m (2 storeys)
Preferred Building Setbacks	<ul style="list-style-type: none"> • Sub-Precinct 3A, 3B, 3C, 3F - 0.0m to all streets. • Sub-Precinct 3D - Building setback of at least 7.0m to <i>Davey Street</i> to respect heritage places, 4.0m Building setback to <i>Young Street</i> and 0.0m Building setback to <i>Nepean Highway</i>. • Sub-Precinct 3E - Building setback of 4.0m <i>Young Street</i> and <i>Plowman Place</i> and 0.0m Building setback to <i>Nepean Highway</i>. • Building setbacks to avoid the tree protection zones of Significant Trees identified in Figure 31.
Preferred Upper-Level Setbacks	<ul style="list-style-type: none"> • Sub-Precinct 3A, 3B, 3C, 3D, 3E, 3F - 5.0m upper level setback from the street wall. • Sub-Precinct 3A, 3B, 3C, 3D, 3E, 3F - Provide upper-level setbacks as required to achieve the solar access requirements outlined below.
Future Pedestrian Links and Laneway Extensions	<ul style="list-style-type: none"> • Sub-Precinct 3B - Indicative pedestrian link through <i>the Frankston Arts Centre</i> connecting <i>Playne Street</i> to <i>Davey Street</i>. Location and width to be determined through future master planning. • Sub-Precinct 3B - Laneway extension through <i>170R Young Street</i> with a width of 3.0m. • Sub-Precinct 3D – Extension of <i>Bay Lane</i> through <i>16 and 18 Davey Street</i> with a width of 7.5m. • Sub-Precinct 3D – Widening of <i>Bay Lane</i> by 2.0m provided within <i>6 Davey Street</i> from the rear boundary and 4.5m provided within <i>8, 10, 12 and 14 Davey Street</i> from the rear boundary.

Element	Development Requirements
Solar Access	Ensure solar access is maintained to the following: <ul style="list-style-type: none"> • Within 7.0m of the western property boundary of <i>Nepean Highway</i> between 10am and 2pm at the spring equinox (September 22). This measurement accounts for future widening of the <i>Nepean Highway</i> footpath. • Southern footpath to a depth of 5.0m from the property boundaries on the south side of <i>Playne Street</i> between 10am and 2pm at the spring equinox (September 22). • The entire southern footpath of <i>Davey Street</i> to the kerb line, including the nature strip and Norfolk Island Pines between 10am and 2pm at the spring equinox (September 22). • The entire eastern and western footpath of <i>Young Street</i> to the kerb line between 10am and 2pm at the spring equinox (September 22). • <i>Beauty Park</i> beyond northern edge of the existing shared path park between 10am and 2pm at the winter solstice (June 22). • <i>Frankston Park (Frankston Football Club)</i> beyond a distance of 30m from the northern property boundary between 10am and 2pm at the winter solstice (June 22).

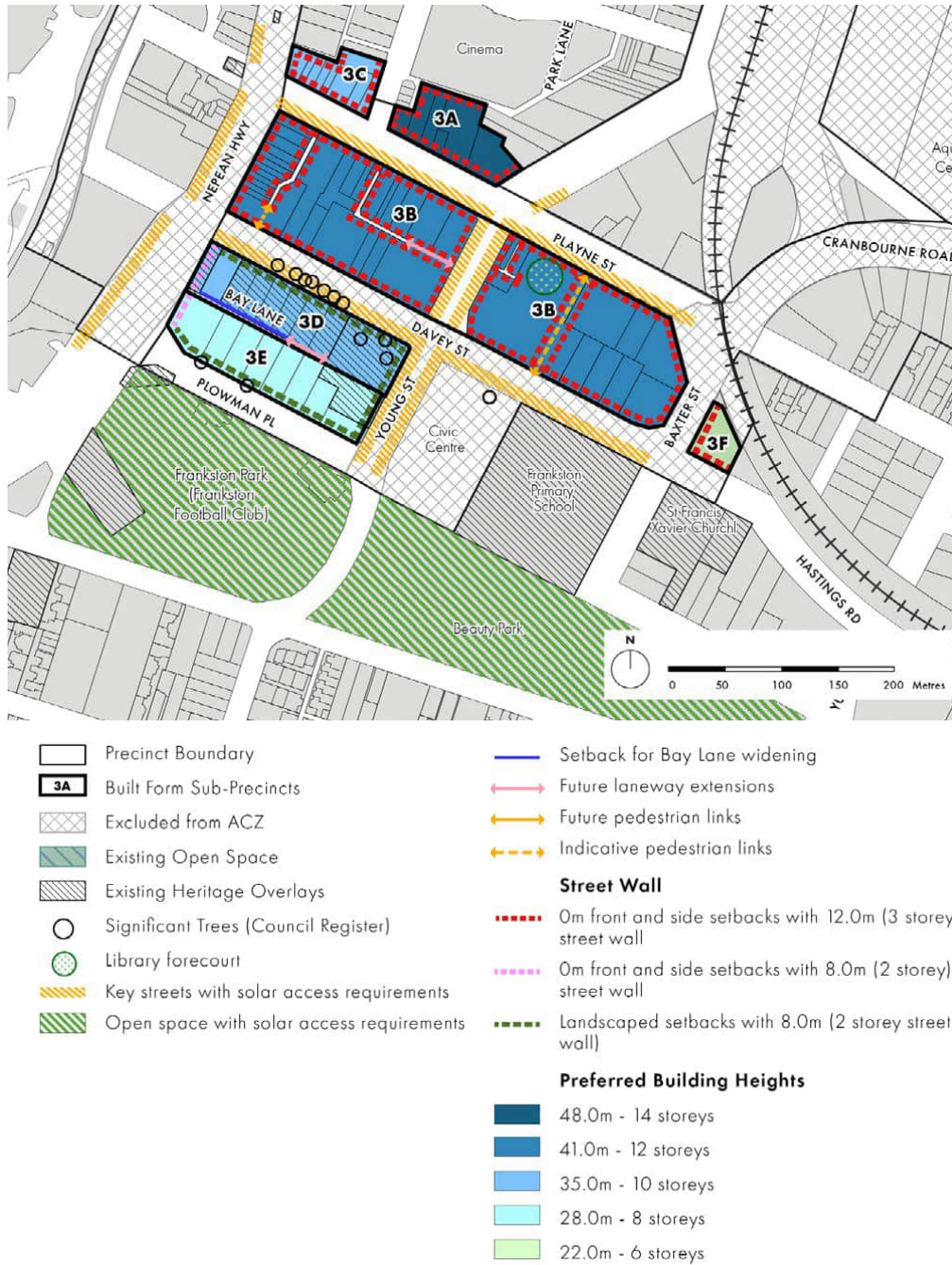


Figure 31. Precinct 3 - Built Form and Design Framework

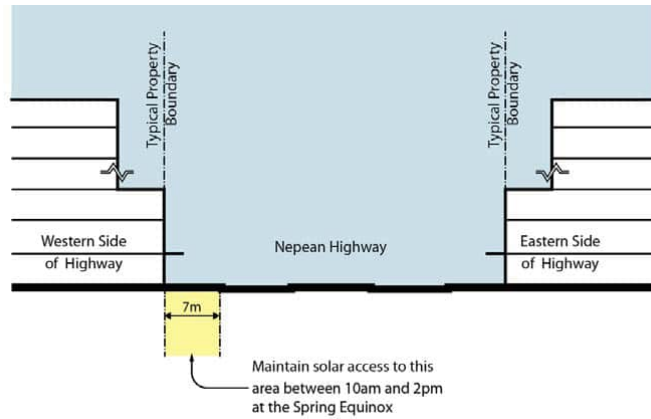


Figure 32. Solar Access Requirements to Nepean Highway

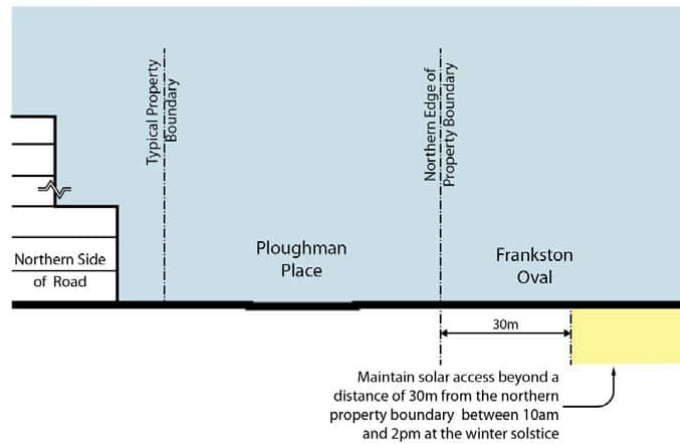


Figure 33. Solar Access Requirements to Frankston Park

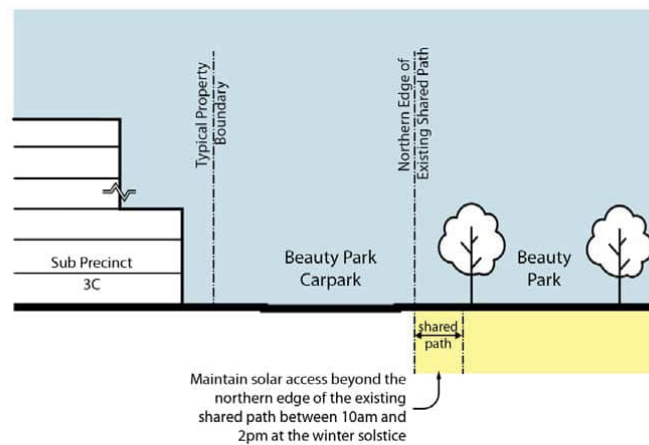


Figure 34. Solar Access Requirements to Beauty Park

Development Guidelines

Please also refer to Section 5.8 - Centre-wide Design Guidelines

- Buildings should be designed to enhance views to the precinct from surrounding areas and incorporate architectural elements that create an interesting and varied skyline.
- Design buildings to respond to the topography and provide accessible ground levels from each street frontage.
- Provide fine-grain tenancies to Playne Street, Nepean Highway and Young Street to strengthen street activity.
- Provide for wider tenancies along Davey Street to suit a variety of employment uses.
- Address existing laneways with active uses at ground level and provide surveillance of the laneway from upper levels of development.
- Development on land within a Heritage Overlay or adjoining a Heritage Overlay should not dominate the heritage building and streetscape, utilise materials and finishes that are recessive in texture and colour, and incorporate simple architectural detailing that does not detract from the heritage buildings and streetscape.
- Landscaped setbacks south of Davey Street should incorporate canopy trees and complimentary coastal landscaping. Retain and reinforce low, visually permeable fencing to the southern side of Davey Street.
- Development should be designed to integrate identified Significant Trees through appropriate setbacks, building recesses and courtyard spaces.
- Ensure development is designed to protect existing significant trees both within the road reserve and private land.
- For properties with frontages to both Playne Street and Davey Street, provide vehicle access from Davey Street where practical.
- For properties that abut Bay Lane, provide vehicle access from the lane.

5.5. Precinct 4: Promenade

5.5.1. Precinct 4 - Overview

Activities and Land Use

The Promenade Precinct will transform into a bustling hub of activity and recreation reinforcing the foreshore and Kananook Creek as the jewel in the crown for the FMAC. It will be lively all year round with regular events and markets, that celebrate the area's history and its natural values. The precinct will be a focus for high quality, mixed use development, embracing Kananook Creek, the foreshore and Nepean Highway with cafes, restaurants, entertainment and tourism uses activating ground level spaces. Above the ground level, housing, accommodation and offices spaces will capture the high level of amenity and accessibility offered by the precinct.

Built Form and Design

Built form within the precinct will be of significant quality recognising the importance of this location within the FMAC. Development will support significant transformation of this precinct whilst balancing the sensitive interfaces to Kananook Creek, the Foreshore reserve and residential uses within the Long Island neighbourhood. Upper levels of buildings will be designed with significant gaps, reducing the visual bulk of buildings when viewed from the foreshore and other surrounding areas and also allowing views to the sky when viewed from Nepean Highway. Appropriate upper level setbacks will ensure Kananook Creek, key streets and the foreshore reserve receive adequate sunlight across the year.



High quality built form addressing the creek, with upper level setbacks and good street activation.



Well integrated and Creek facing street activation with cafes/bars.

Public Realm

Kananook Creek and Nepean Highway will be a focus for revitalisation within the FMAC. Streetscape upgrades to Kananook Creek Boulevard between Beach Street and Wells Street will provide more space for pedestrians and outdoor dining, more greenery whilst supporting vehicle movement and parking. The Kananook Creek Promenade will be continued south of Davey Street providing connections into the foreshore reserve and future park on Melbourne Water owned land. Across the precinct, the creek environment will be enhanced with additional planting to enhance its environmental role. This will be balanced with opportunities to better engage with the creek through stronger visual and physical connections to the water and an increase in on-water activities.

Nepean Highway will be developed into a green boulevard, with additional greening and opportunities for outdoor dining and social interaction, maintaining its iconic Fig trees within the central median, but enhanced by substantial tree and understorey planting along the eastern and western footpaths. Vehicle lanes will be reduced and footpaths will be widened to provide greater opportunities for outdoor dining and social interaction.

Movement and Transport

Pedestrians and cyclists will be prioritised across the precinct through streetscape upgrades to Kananook Creek Boulevard and Nepean Highway. The connection to the foreshore will be strengthened with new mid-block links providing additional access points to Kananook Creek. Waiting times for pedestrians and key crossings will be shorted to reduce Nepean Highway as a key barrier in accessing the foreshore. Bike lanes along Nepean Highway will fill a key gap in the cycling network allowing safe travel between the South Eastern suburbs and the Mornington Peninsula.

The role of private motor vehicles for accessing businesses and future developments is recognised. Although the traffic role of Nepean Highway will be reduced through the removal of one vehicle lane in each direction, appropriate parking will be provided along the highway and along Kananook Creek Boulevard to support businesses.



Activated the Creek Boulevard to offer a desirable landscaped public realm.



Examples of shared paths offering resting places and connection to the foreshore and creek edge.

5.5.2. Precinct 4 - Actions

Figure 35 identifies actions and improvement across Precinct 3. These actions are outlined in the following pages.

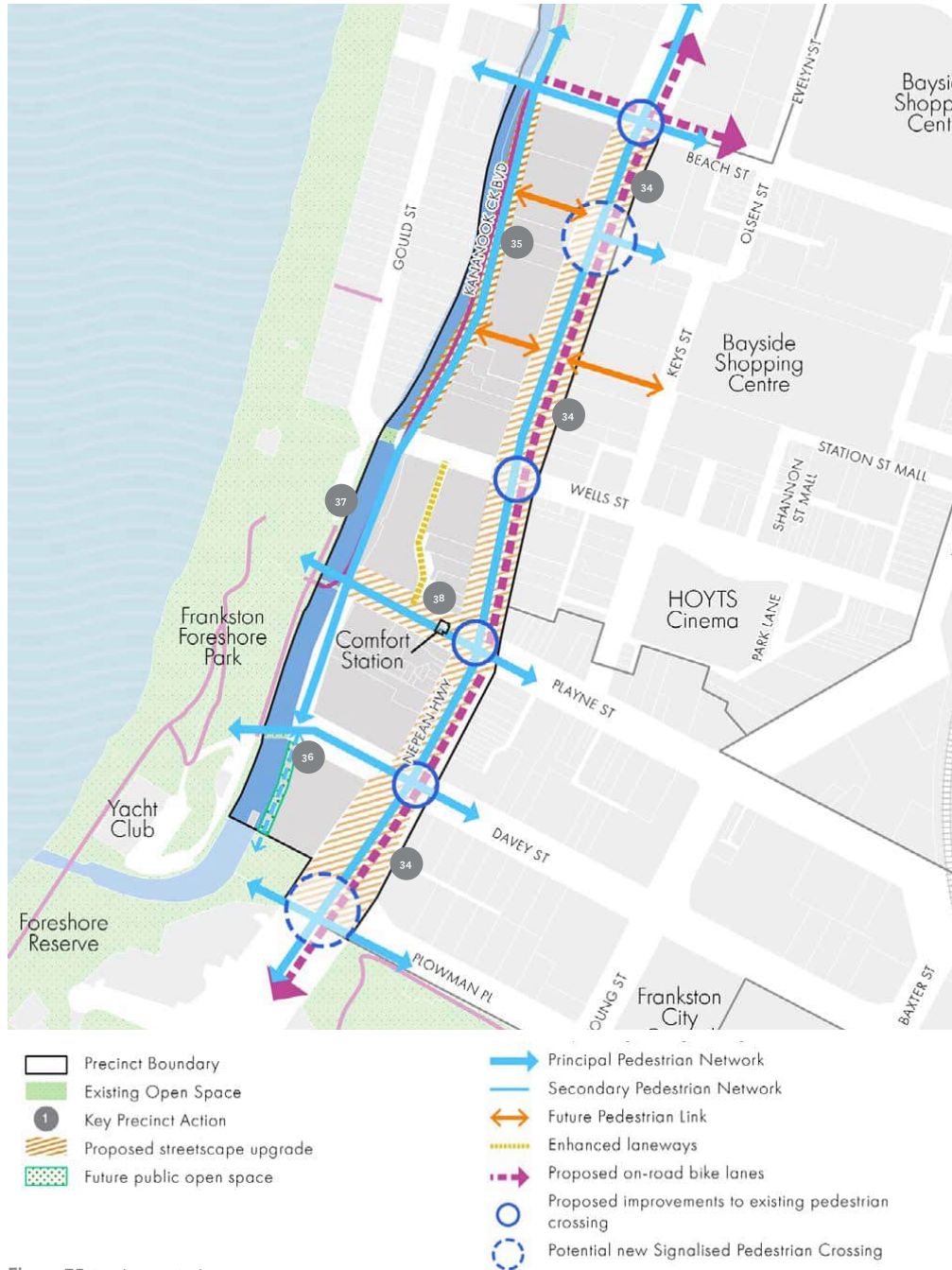


Figure 35. Precinct 4 - Actions

Precinct 4 - Actions

Action 34. Nepean Boulevard Upgrade

Advocate to and work with a range of stakeholders to prepare a master plan for the Nepean Boulevard and construct staged upgrades to transform Nepean Highway to a Boulevard.

The master plan should consider:

- Increased footpath space to support outdoor dining enable retail uses to spill out into the street space.
- A distinctive sense of place, with high quality pavements, furnishings, lighting and signage
- Additional tree planting within the median and along the retail edge to reinforce the iconic Fig trees.
- WSUD treatments to improve environmental performance of the highway.
- Bike lanes in each direction.
- Retention of on-street parking.

Figures 36 and 37 provide an impression of how Nepean Highway could be transformed. Key elements include widened footpaths supporting outdoor dining, additional street tree planting, water sensitive urban design treatments and bike lanes. The median and existing fig trees remain in their current location.

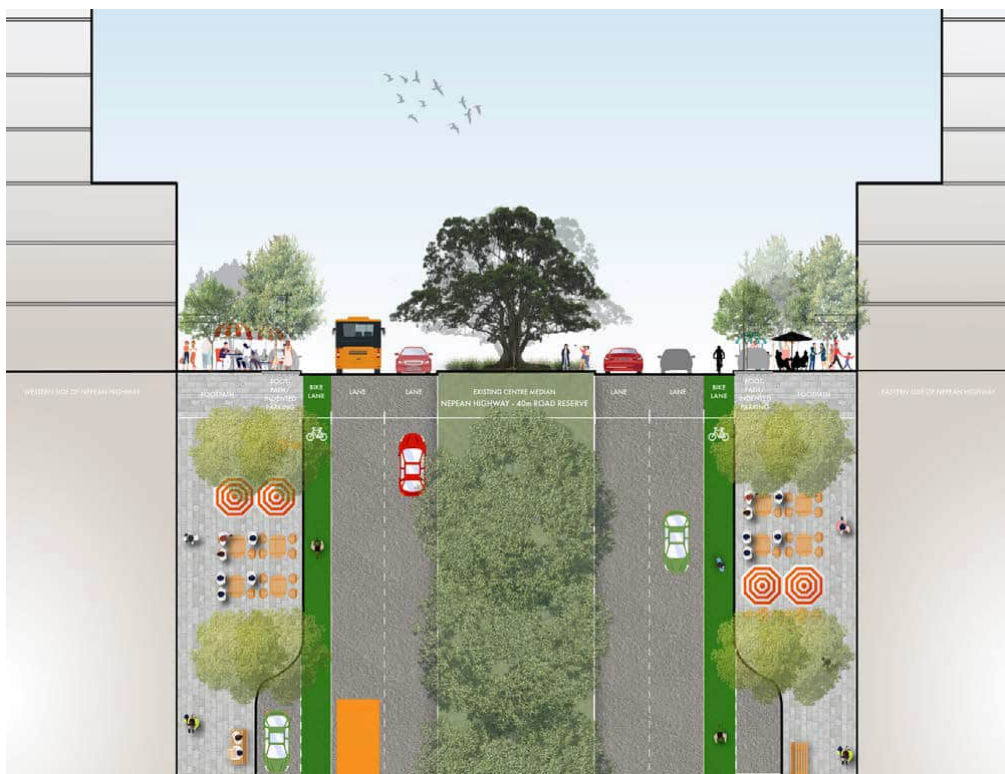


Figure 36. Example plan and cross section showing how Nepean Highway could be transformed.



Figure 37. An artists impression of the Nepean Boulevard.



Precinct 4 - Actions

Action 35. Kananook Creek Boulevard upgrade (between Wells and Beach Streets)

Prepare design concepts and upgrade Kananook Creek Boulevard between Wells and Beach Streets to become a shared zone.

The the design concepts should consider the provision of:

- Large kerb outstands in between parking bays to provide increased footpath space and tree planting.
- Canopy tree planting.
- Integration of a water sensitive urban design treatments.
- A shared pedestrian and vehicle pavement that enables easy movement across the boulevard.
- Retention of the shared path in its current location.
- Creation of activity and landscape nodes along the corridor at key access points.
- A shared pedestrian, cyclist and vehicle space.

Figures 38 and 39 provide an impression of how Kananook Creek Boulevard could be transformed. Key elements include widened footpaths through kerb outstands, outdoor dining spaces within the development setback, a shared vehicle and pedestrian space allowing people to move comfortably across the road and additional street tree planting . The shared path remains in its current location.

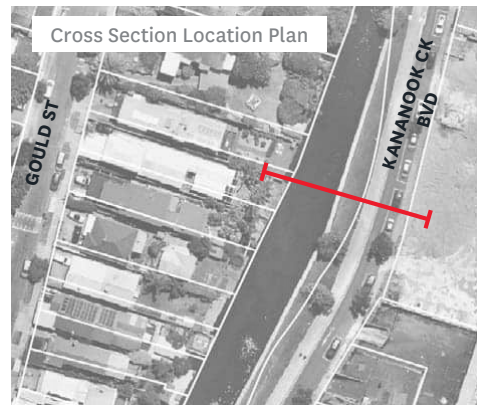


Figure 38. Example plans and cross sections showing how Kananook Creek could be enhanced.



Figure 39. An artists impression of Kananook Creek Boulevard.



Precinct 4 - Actions

Action 36. Kananook Creek Promenade (between 510 Nepean Highway to Wells Street)

- a) Undertake a Planning Scheme Amendment to apply the Public Acquisition Overlay (PAO) to the western frontage of 510N Nepean Highway to facilitate the continuation of the promenade (Included within Action 1).
- b) Prepare design concepts and construct upgrades to improve the pedestrian focused promenade.

Design concepts should consider the provision of:

- Paved surfaces of sufficient width to allow for outdoor dining, seating and observation locations adjacent to the creek and movement of pedestrians.
- Canopy tree planting
- Water sensitive urban design treatments.
- Locations with stairs or viewing platforms to provide greater engagement with the creek.
- Activation from uses on the adjoining site.

Figure 40 provides an impression of how the Kananook Creek Promenade could be extended further south to connect to the Melbourne Water owned land. It shows a wide promenade with space for outdoor dining, pedestrian movement and tree planting.

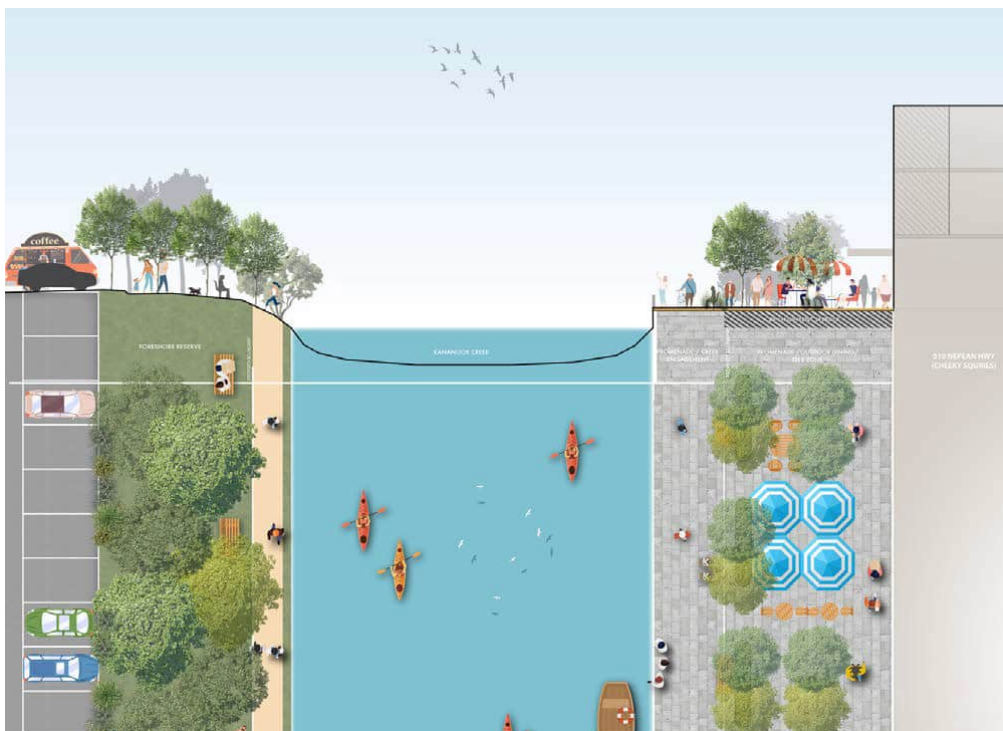


Figure 40. Example plans and cross sections showing how Kananook Creek Promenade could be extended.

Precinct 4 - Actions

Action 37. Improvements to Kananook Creek

Advocate to and work with Melbourne Water and DEECA to improve the quality of and beautify Kananook Creek.

Improvement should consider:

- Interpretation opportunities along the creek.
- Improvements to the environmental performance of the creek.
- Unified streetscaping standards and landscaping treatments along the corridor.
- Identification of activity nodes and creek engagement opportunities.
- Improved connections to the foreshore reserve and the City Centre
- A range of supportable uses within the creek

Action 38. Comfort Station Activation

Develop concept plans to activate the Comfort Station and the surrounding area.

5.5.3. Precinct 4 - Development Framework

Development Objectives

- To activate Kananook Creek, Nepean Highway, Beach Street, Wells Street, Playne Street and Davey Street with retail, restaurants, cafes, arts and entertainment uses across the day and night.
- To support residential and office uses on upper levels of buildings.
- To provide for a mix of fine-grain and wider frontage shopfronts along Nepean Highway to support a diversity of land uses.
- To ensure development responds to the topography and addresses all streets with active and accessible frontages.
- To activate new pedestrian links with ground level retail and hospitality uses.
- To encourage exemplary built form that creates a high quality backdrop when viewed from the foreshore reserve and Kananook Creek.
- To address the potential visual dominance of development when viewed from the foreshore reserve and Gould Street residences.
- To maintain adequate sunlight to Kananook Creek, Melbourne Water land, southern footpaths of Wells Street, Playne Street and Davey Street and the eastern footpath of Nepean Highway at key times of the year.
- To soften the visual impact of buildings with vertical landscaping and visible courtyard spaces.
- To protect the environmental qualities of Kananook Creek.
- To minimise the impact of vehicle access from Kananook Creek Boulevard and Nepean Highway.



An example of activated and green street edges.

Development Requirements

Refer to Figure 41 for Sub-Precinct boundaries and other built form requirements for Precinct 4.

Element	Development Requirements
Preferred Building Heights	<ul style="list-style-type: none"> • Sub-Precinct 4A, 4C, 4D – Preferred Maximum Building Height is 41.0m (12 storeys). • Sub-Precinct 4B – Preferred Maximum Building Height is 35.0m (10 storeys).
Preferred Street Wall Heights	<ul style="list-style-type: none"> • Sub-Precinct 4A, 4B, 4C, 4D - Preferred street wall height is 12.0m (3 storeys).
Mandatory Building Setbacks	<ul style="list-style-type: none"> • Sub-Precinct 4A, 4B - 3.0m setback of the street wall of the building to <i>Kananook Creek Boulevard</i> to provide an outdoor dining / activation zone for new development. • Sub-Precinct 4D - Extension of <i>Kananook Creek Promenade</i> at 510 Nepean Highway – 9.0m Building setback to the western property boundary to create the future public open space.
Preferred Building Setbacks	<ul style="list-style-type: none"> • Sub-Precinct 4A, 4B, 4C, 4D - 0.0m to <i>Nepean Highway, Beach Street, Wells Street, Playne Street, Davey Street, Kananook Creek Boulevard South</i> and <i>Kananook Creek Promenade</i>.
Preferred Upper-Level Setbacks	<ul style="list-style-type: none"> • Sub-Precinct 4A, 4B, 4C, 4D - <i>Kananook Creek</i> interface - 10.0m setback for upper-level development from the street wall to contribute to a recessive tower form when viewed from the west. • Sub-Precinct 4A, 4B - Development above 35m (10 storeys) should be set back so that it is recessive from the tower form when viewed from the opposite <i>Gould Street</i> properties. The level of visibility should be measured from a distance of 10.0m from the rear boundary of the <i>Gould Street</i> properties. Refer to Figure 42. • Sub-Precinct 4A - Future pedestrian links - 3.0m setback for upper-level development from the future laneway street wall to create a total of 15.0m building separation. • Sub-Precinct 4D- <i>McCombs Reserve</i> Interface - 10.0m setback for upper-level development from the street wall. • Sub-Precinct 4C, 4D - Development above 35m (10 storeys) should be set back so it is recessive from the tower form when viewed from the <i>Kananook Creek Trail</i> within the foreshore reserve opposite. Refer to Figures 43 and 44. • Sub-Precinct 4A, 4B, 4C, 4D - 5.0m setback for upper-level development from the street wall to <i>Beach Street, Wells Street, Playne Street, Davey Street</i> and <i>Nepean Highway</i>. • Sub-Precinct 4A, 4B, 4C, 4D - Provide upper-level setbacks as required to achieve the solar access requirements outlined below.

Element	Development Requirements
<p>Future Pedestrian Links</p>	<ul style="list-style-type: none"> • Sub-Precinct 4A - Future pedestrian link between <i>Nepean Highway</i> and <i>Kananook Creek Boulevard</i> with a 9.0m total width. This will comprise of 4.5m from the northern property boundary of 446 <i>Nepean Highway</i> and southern property boundary of 438 – 444 <i>Nepean Highway</i>. • Sub-Precinct 4A - Future pedestrian link between <i>Nepean Highway</i> and <i>Kananook Creek Boulevard</i> with a 9.0m total width. This will comprise of 4.5m from the northern property boundary of 432 <i>Nepean Highway</i> and southern property boundary of 428 <i>Nepean Highway</i>.
<p>Solar Access</p>	<p>Ensure solar access is maintained to the following:</p> <ul style="list-style-type: none"> • The eastern edge of <i>Kananook Creek</i> between 10am and 2pm at the spring equinox (September 22). Refer to Figure 45 and 46. • The entire <i>foreshore reserve</i> between 10am and 2pm at the winter solstice (June 22). Refer to Figure 45 and 46. • The <i>Kananook Creek Trail</i> between 10am and 2pm at the spring equinox (September 22). • <i>Kananook Creek Boulevard South</i> - Beyond a distance of 9.0m from the eastern boundary of the road reserve between 10am and 2pm at the spring equinox (September 22). Refer to Figure 47. • Future <i>Kananook Creek Promenade (510 Nepean Highway)</i> - Beyond a distance of 7.0m from the eastern edge of the future promenade between 10am and 2pm at the spring equinox (September 22). Refer to Figure 48. • <i>McCombs Reserve</i> - Beyond a distance of 20.0m from the northern property boundary of the reserve between 10am and 2pm at the spring equinox (September 22). Refer to Figure 49. • Within 7.0m of the eastern property boundary of <i>Nepean Highway</i> between 10am and 2pm at the spring equinox (September 22). This measurement accounts for future widening of the <i>Nepean Highway</i> footpath. Refer to Figure 50. • The entire southern footpath of <i>Wells, Playne Street</i> and <i>Davey Street</i> between 10am and 2pm at the spring equinox (September 22).

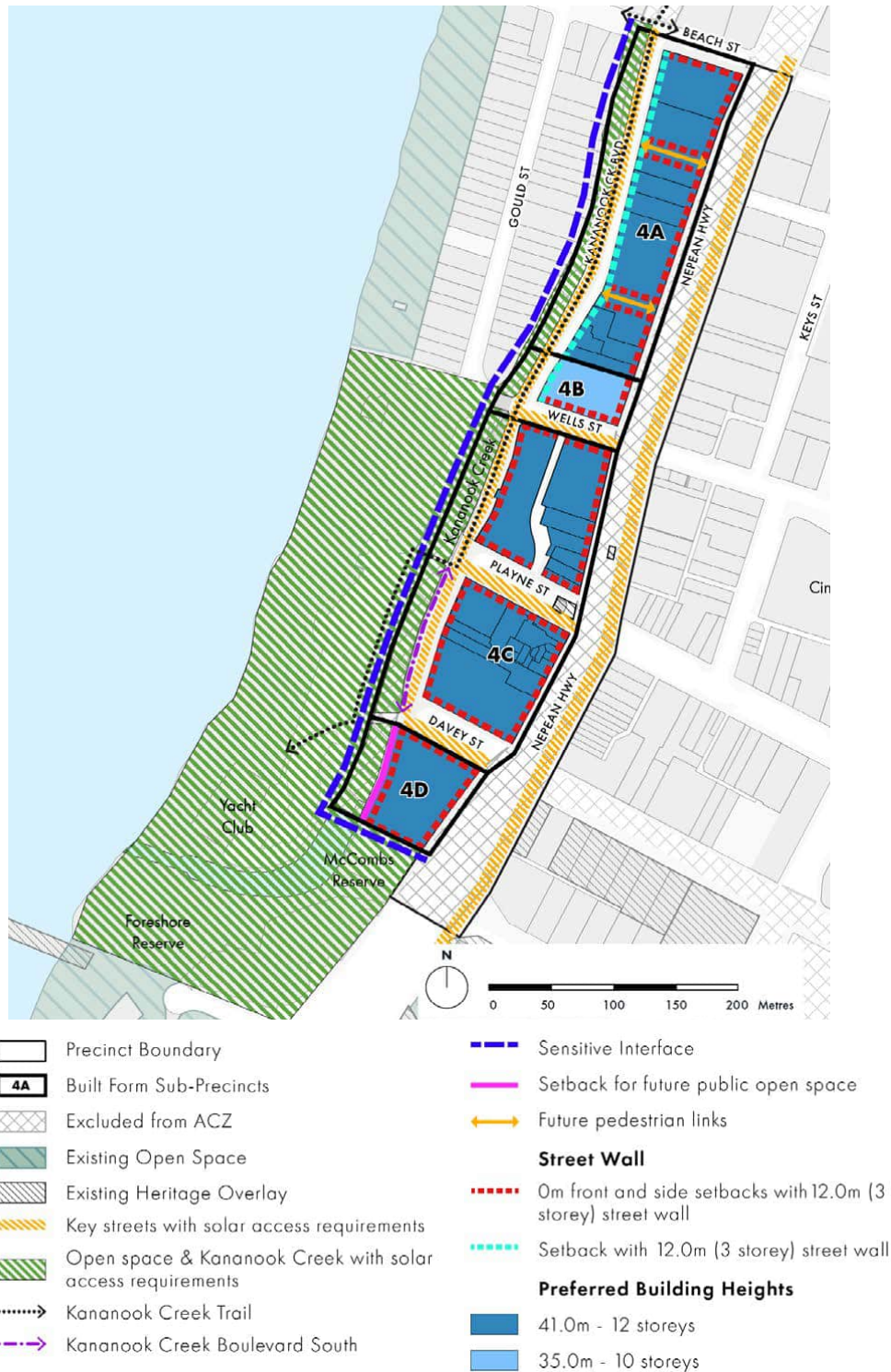


Figure 41. Precinct 4 - Built Form and Design Framework

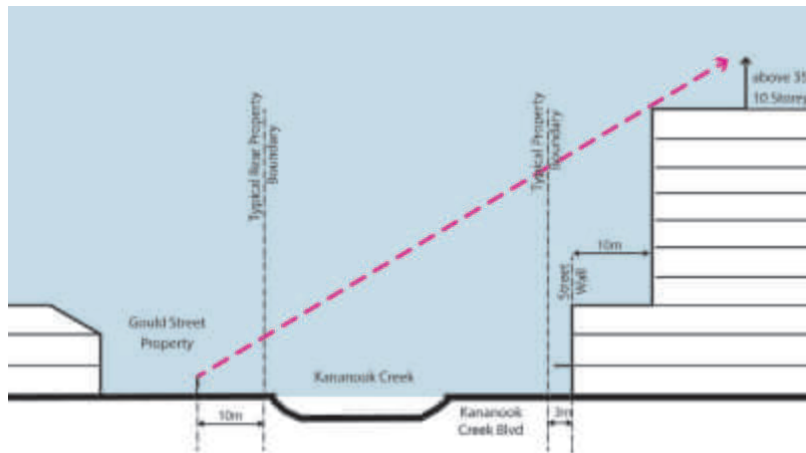


Figure 42. Upper-level visibility requirements in Sub-Precinct 4A.

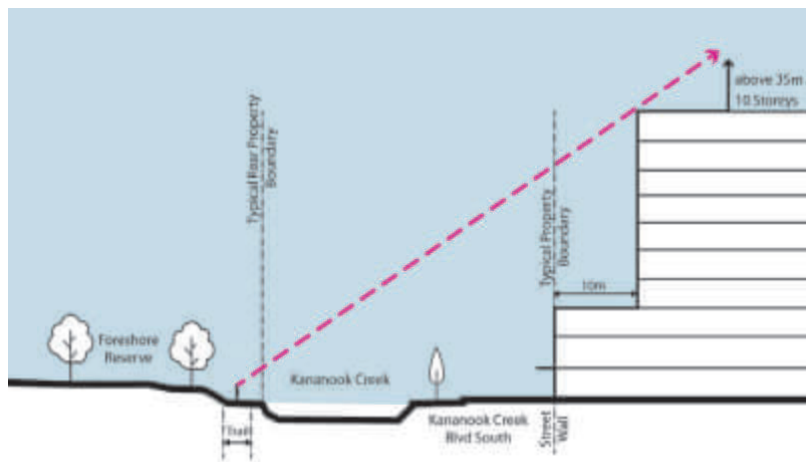


Figure 43. Upper-level visibility requirements in Sub-Precinct 4C.

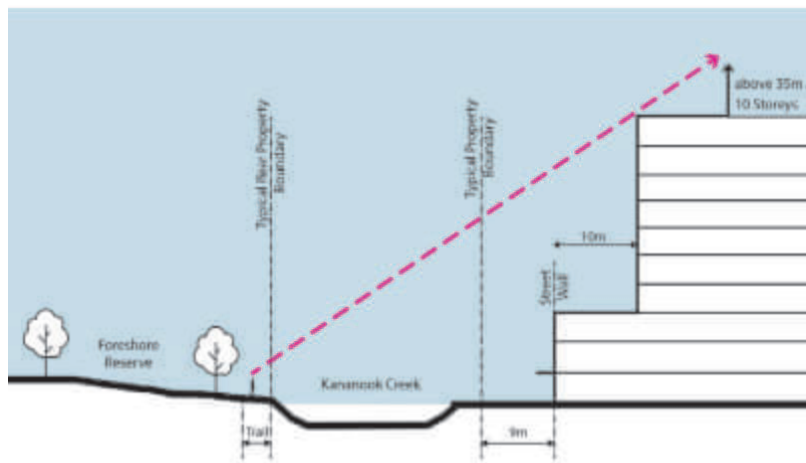


Figure 44. Upper-level visibility requirements in Sub-Precinct 4D.

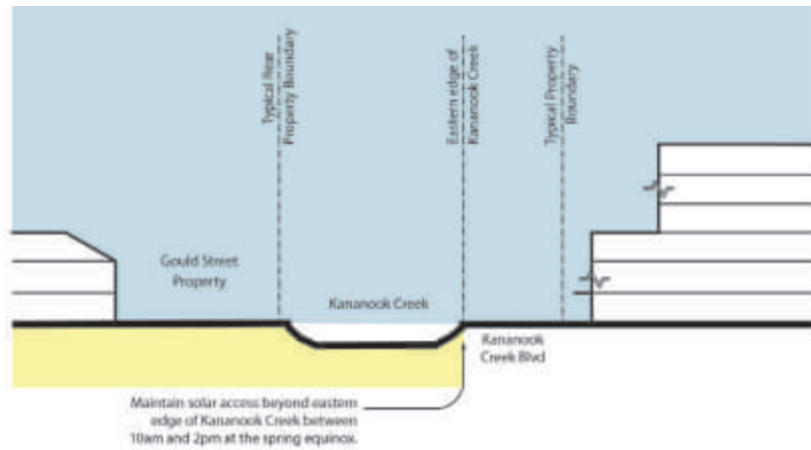


Figure 45. Solar Access Requirements to Kananook Creek.

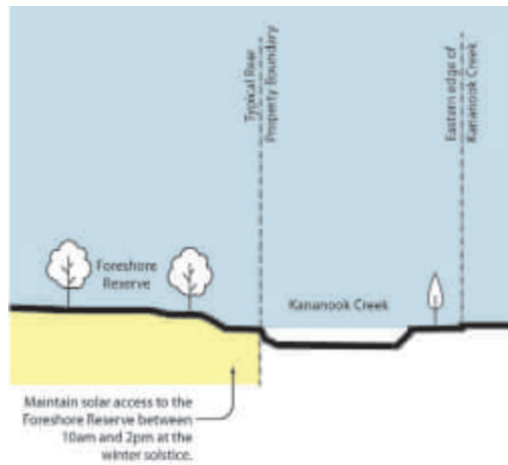


Figure 46. Solar Access Requirements to Kananook Creek.

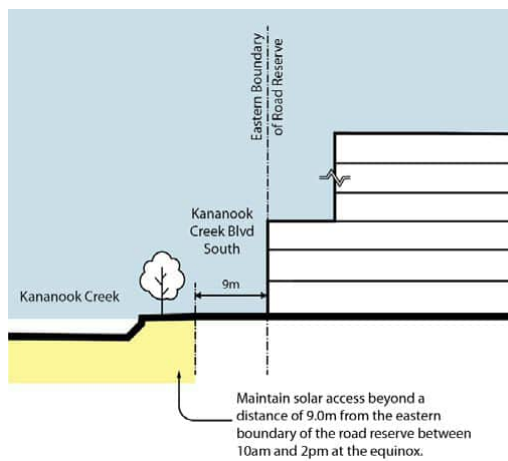


Figure 47. Solar Access Requirements to Kananook Creek Boulevard South in Sub-Precinct 4C.

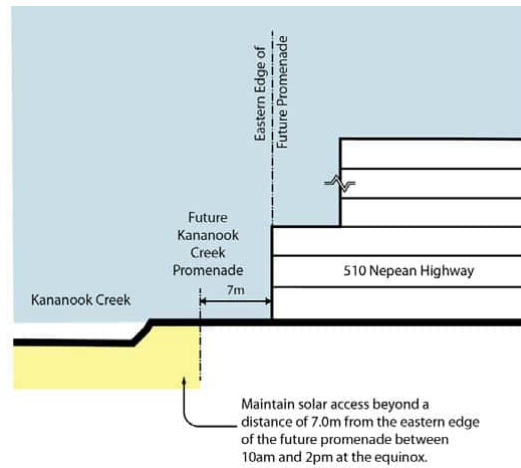


Figure 48. Solar Access Requirements to future Kananook Creek Promenade in Sub-Precinct 4D.

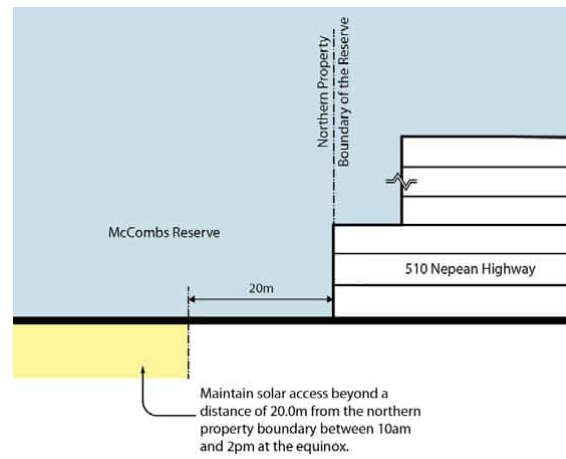


Figure 49. Solar Access Requirements to McCombs Reserve.

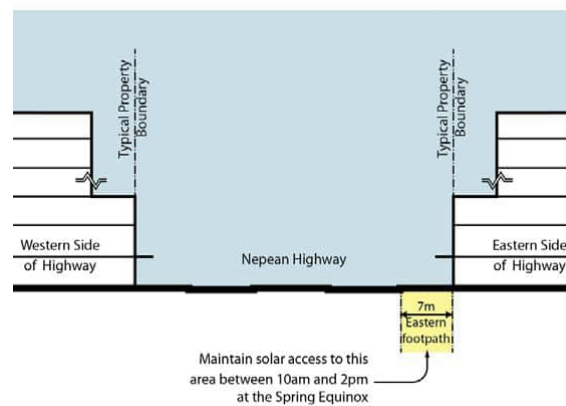


Figure 50. Solar Access Requirements to Nepean Highway.

Development Guidelines

Please also refer to Section 5.8 - Centre-wide Design Guidelines

- Enhance the southern entry to the FMAC along Nepean Highway with development of exemplary architectural quality with forms that create an interesting skyline.
- Buildings should be designed to enhance views from Kananook Creek and the Foreshore Reserve.
- Encourage architectural elements that assist in creating an interesting and varied skyline
- Towers should be designed with slender forms with bulk minimised to the sensitive interfaces including of the foreshore reserve and Gould Street.
- Design buildings to respond to the topography and potential for inundation so that the ground level of any setback area to Kananook Creek Boulevard is generally consistent with the existing footpath level at both the Kananook Creek and Nepean Highway frontages.
- Development should provide a mix of fine-grain and wider tenancies along Nepean Highway to support a variety of land uses.
- Architectural elements, balconies and building services should generally not intrude into ground floor setbacks beyond the street wall in Precinct 4. Above ground level, where they do, they should not present as solid elements which give the appearance of the street wall coming forward.
- Ensure that the internal area of buildings and any basements are designed to be protected from inundation from Kananook Creek in a 1% Annual Exceedance Probability flood event and under a 2100 sea level rise scenario.
- Address existing laneways with active uses at ground level and provide surveillance of the laneway from upper levels of development.
- Provide plaza spaces along the Kananook Creek frontage to provide a high quality space for pedestrian amenity and outdoor dining and assist in reducing wind speeds.
- Provide embedded balcony spaces within the podium of developments to enhance surveillance and provide for landscaping opportunities.
- Provide landscaping and planting that relates to the native habitat planting within the Kananook Creek Corridor.
- Provide vehicle access to basement car parks from Beach Street, Wells Street, Playne Street and Davey Street rather than from Nepean Highway and Kananook Creek Boulevard. Where this is not possible, minimise the width of the car park entries and impact on street trees.

5.6. Precinct 5: Nepean Boulevard

5.6.1. Precinct 5 - Overview

Activities and Land Use

The Nepean Boulevard will provide for a range of commercial, accommodation and residential uses at increased densities that enhance the northern entry into the FMAC. Businesses will benefit from significant exposure provided along the Boulevard.

Built Form and Design

Development will provide for a high quality address to the boulevard set behind landscaped gardens with canopy trees that complement the boulevard planting. Building heights will increase closer to the FMAC and on the eastern side of the Nepean Highway. On the west side of the highway, development will be of a lower scale and set back from Kananook Creek to respond to this sensitive interface.

Streetscapes and Open Space

The arrival experience into Precinct 5 will be memorable with iconic planting and public art highlighting the Mile Bridge crossing. Large canopy trees lining the Nepean Boulevard will provide for a green outlook complemented by lush planting in front setbacks. The Kananook Creek and foreshore are key open space assets for the precinct and will be made more accessible to people living, working or visiting the precinct.

Movement and Transport

Nepean Boulevard will provide for a higher level of pedestrian amenity and priority with wider footpaths and additional canopy planting providing shade. Two new signalised crossings aligned with Kananook Creek bridges will enable people to cross safely and conveniently. The existing bike lanes along the Boulevard enable easy access into the FMAC and to the South Eastern suburbs of Melbourne.

5.6.2. Precinct 5 - Actions

Figure 51 identifies actions and improvement across Precinct 5. These actions are outlined in the following pages.

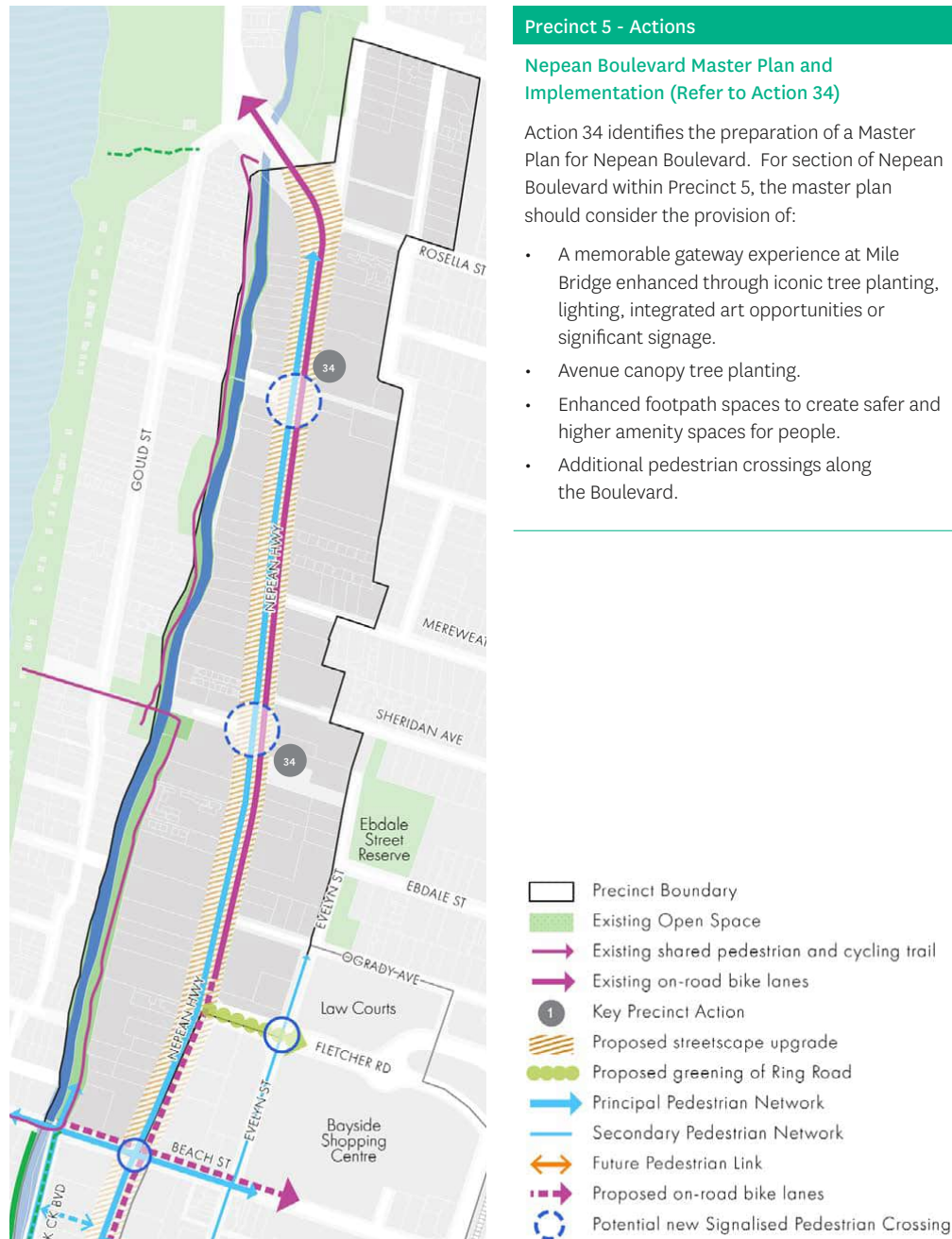


Figure 51. Precinct 5 - Actions

5.6.3. Precinct 5 - Development Framework

Development Objectives

- To encourage development along Nepean Boulevard that is responsive to its role as an entry to the City Centre.
- To provide for a range of commercial and residential uses that complement the mixed-use function of the precinct.
- To support mid-scale apartment and townhouse development across the precinct.
- To ensure development respects the environmental qualities and amenity of Kananook Creek.
- To create a new, high quality and visually permeable built form edge along the west side of Nepean Highway that provides visual links to Kananook Creek.
- To encourage building interfaces that promotes surveillance of adjoining streets through activated frontages.
- To provide high quality landscaping and canopy trees within private land to complement the Nepean Boulevard landscape.
- To retain existing canopy trees.
- 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.

Development Requirements

Refer to Figure 52 for Sub-Precinct boundaries and other built form requirements for Precinct 5.

Element	Development Requirements
Preferred Building Heights	<ul style="list-style-type: none"> • Sub-Precinct 5A, 5D – Preferred Maximum Building Height is 12.0m (3 storeys). • Sub-Precinct 5B, 5C - Preferred Maximum Building Height is 28.0m (8 storeys).
Preferred Street Wall Heights	<ul style="list-style-type: none"> • Sub-Precinct 5A, 5B, 5C, 5D - Preferred street wall height is 12.0m (3 storeys).
Preferred Building Setbacks	<ul style="list-style-type: none"> • Sub-Precinct 5A, 5C – 5.0m ground level setback <i>Nepean Highway</i>. 3.0m ground level setback to all other streets. • Sub-Precinct 5B – 5.0m ground level setback to <i>Nepean Highway</i> and 0.0m ground level setback to <i>Beach Street</i>. • Sub-Precinct 5C, 5D - 4.5m from the rear boundary to support landscaping opportunities. • Sub-Precinct 5D - 0.0m ground level setback to Kitson Street, 5.0m ground level setback to Nepean Highway. Minimum 3.0m setback to all other streets. • Sub-Precinct 5A, 5B, 5C, 5D - Side setbacks to provide visual breaks between buildings and support landscaping opportunities.
Mandatory Building Setbacks	<ul style="list-style-type: none"> • Sub-Precinct 5A - Where properties abut <i>Kananook Creek Reserve</i>*: Minimum 5.0m from the rear boundary or to a surface level above the 1.7m AHD contour, whichever is greater. Refer to Figure 53. • Sub-Precinct 5A - Where properties abut <i>Kananook Creek</i>: Minimum 10.0m from the 1.15m AHD contour (2 year Annual Recurrence Interval) or to a surface level above the 1.7m AHD contour, whichever is greater. Refer to Figure 55. • Sub-Precinct 5A: In either case, above the minimum building setback and below the 2.4m AHD contour, there must be no loss of flood storage through impervious enclosure or filling of the area. • Sub-Precinct 5B - Where properties abut <i>Kananook Creek Reserve</i>*: Minimum 5.0m from the rear boundary or to a surface level above the 1.7m AHD contour, whichever is greater. Refer to Figure 54. Within the minimum building setback and below the 2.4m AHD contour, there must be no loss of flood storage through impervious enclosure or filling of the area.

* *Kananook Creek Reserve* includes areas of open space abutting the Creek and includes the *Kananook Creek Trail*.

Element	Development Requirements
<p>Preferred Upper-Level Setbacks</p>	<ul style="list-style-type: none"> • Sub-Precinct 5A - Where a site abuts <i>Kananook Creek</i> or <i>Kananook Creek Reserve</i>* the second and third levels should be set back 3.0m from the level below. Private open space is permitted within this setback. • Sub-Precinct 5B - Where a site abuts <i>Kananook Creek Reserve</i>, the second and third levels should be setback 3.0m from the level below. Private open space is permitted within this setback. Upper levels above the third level should be setback a further 5.0m. • Sub-Precinct 5B, 5C - 5.0m upper-level setback from the street wall for development above 12.0m.
<p>Solar Access</p>	<ul style="list-style-type: none"> • Design and site buildings at 383-389 <i>Nepean Highway</i> to minimise overshadowing to <i>Evelyn Reserve</i>. <p>Ensure solar access is maintained to the following:</p> <ul style="list-style-type: none"> • The eastern edge of <i>Kananook Creek</i> between 10am and 2pm at the spring equinox (September 22). Refer to Figure 56. • The eastern and western footpaths of <i>Nepean Highway</i> south of <i>Fletcher Road</i> between 10am and 2pm at the spring equinox (September 22). • <i>Ebdale Street Reserve</i> between 10am and 2pm at the winter solstice (June 22). • <i>Kananook Creek trail</i> between 10am and 2pm at the spring equinox (September 22). • <i>Beach Street</i> - Entire southern footpath to the kerb line between 10am and 2pm at the spring equinox (September 22). • <i>O’Grady Reserve</i> between 10am and 2pm at the winter solstice (June 22).

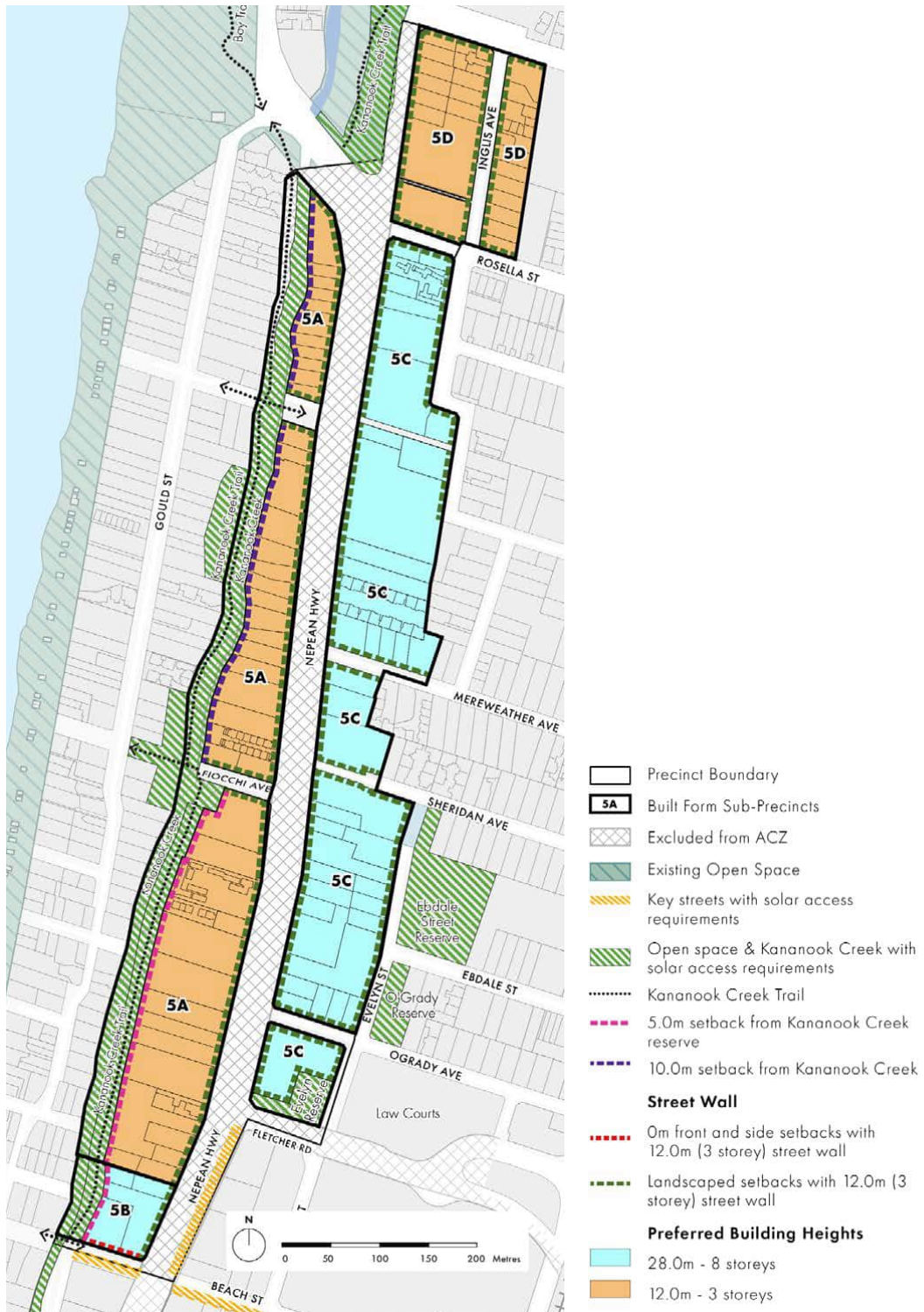


Figure 52. Precinct 5 - Built Form and Design Framework

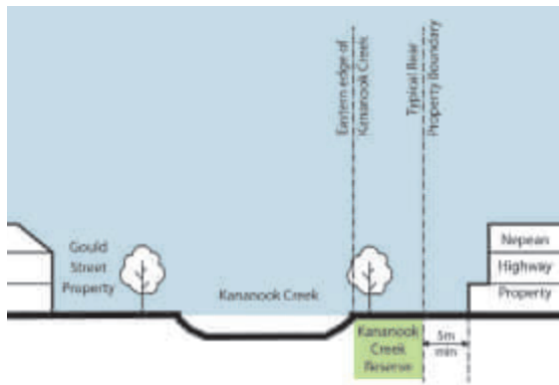


Figure 53. Rear setbacks for properties that abut the Kananook Creek Reserve in Precinct 5A.

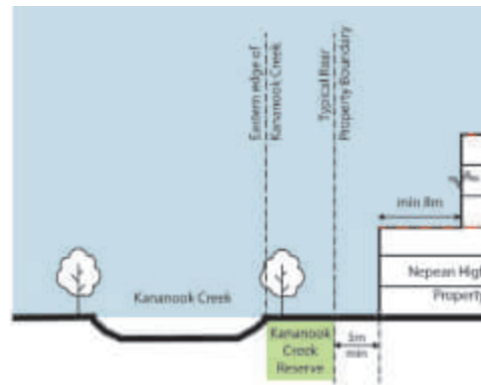


Figure 54. Rear setbacks for properties that directly abut Kananook Creek reserve in Precinct 5B.

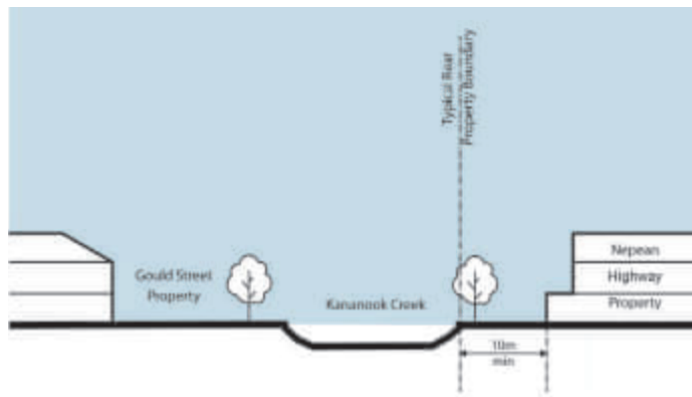


Figure 55. Rear setbacks for properties that directly abut Kananook Creek Precinct 5A.

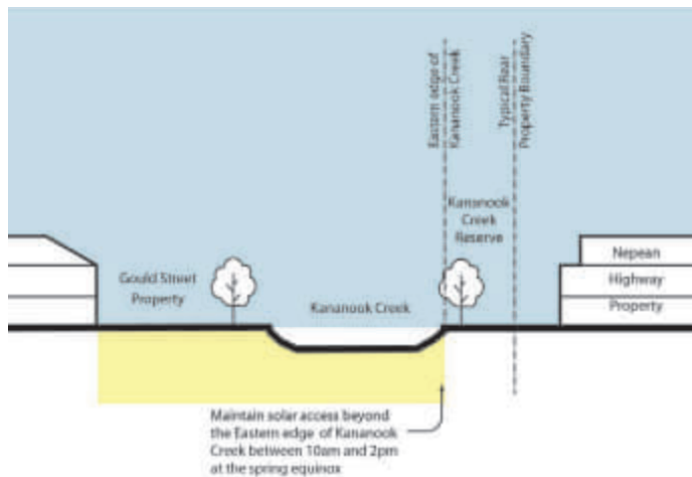


Figure 56. Solar Access Requirement to Kananook Creek in Precincts 5A and 5B.

Development Guidelines

Please also refer to Section 5.8 - Centre-wide Design Guidelines

- Development should enhance the northern entry to the FMAC across Mile Bridge with development of exemplary architectural quality.
- Encourage screening of basement or semi-basement parking from the street and Kananook Creek.
- At grade car parking areas should be located away from street interfaces and not within front setbacks. Appropriate landscaping must be incorporated within at grade parking areas.
- 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.
- On corner allotments both street frontages should provide activated and landscaped interfaces. This may include separate entries to individual dwellings
- Directional and promotional signage should be of appropriate scale and incorporated into the building design.
- Within Sub-precincts 5A and 5E, a minimum of 30% of the site area should be permeable unless on-site stormwater runoff is managed through alternative methods such as green roofs, rain gardens and on-site bio-retention.
- 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.
- Projections such as architectural elements, balconies and building services should not intrude into rear building setbacks.
- Ensure that the internal area of buildings and any basements are designed to be protected from inundation from Kananook Creek in a 1% Annual Exceedance Probability flood event and under a 2100 sea level rise scenario.



Example of positive street interface with canopy tree planting.



Example of large trees retained and incorporated into open space.

- Landscaping within front setbacks should complement the Nepean Boulevard landscaping
- Front fencing to Nepean Highway should provide for a level of visual permeability to allow for passive surveillance and views to vegetation.
- 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.
- Within Sub-Precinct 5A, development must respond appropriately to the sensitive residential, open space and Kananook Creek interface by:
 - Maintaining and enhancing the natural landscape character of the creek corridor, in which the topography of the creek and its banks, and a naturalistic corridor of canopy trees, are the dominant features in public views of the creek and its setting.
 - Minimising the visual intrusion of new development when viewed from paths, bridge crossings and public open space
 - Ensuring that all building elevations, materials, colours and finishes demonstrate a positive interface with Kananook Creek, its landscape and environmental character.
 - Minimising visual bulk and allow views to Kananook Creek and its vegetated corridor by providing space between buildings.
 - Set back development from the creek edge to protect the landscape, topography and vegetation as the dominant visual elements.
 - Ensuring public views of new development are filtered through vegetation and trees.
 - External materials visible from Kananook Creek should complement the landscape setting and be softened with indigenous screen planting where practical.
 - Ensuring development provides passive surveillance of public areas.



Example of integrating trees, landscaping into new developments to filter views of the elevation along the creek.

5.7. Precinct 6: Cranbourne Road

5.7.1. Precinct 6 - Overview

Activities and Land Use

Precinct 6 will develop as a mixed use precinct with a focus on allied health, medical, offices, commercial and complimentary residential uses. Businesses will benefit from convenient access to the Moorooduc Highway, the Frankston Hospital and the FMAC.

Built Form and Design

New development will help to revitalise the precinct through the gradual replacement of existing housing stock with high quality multi-level buildings enhancing the eastern entry to the FMAC. Development will be of a scale and density that is compatible with surrounding residential areas and increase moderately towards the City Centre.

Streetscapes and Open Space

Cranbourne Road will provide for a welcoming entry to the FMAC. Large canopy trees will line the road side and existing medians providing for a green outlook. This will be complemented by landscaped setbacks and canopy tree planting in private lots.

Movement and Transport

Cranbourne Road will provide for a higher level of pedestrian amenity delivered through additional planting and street furniture providing for a pleasant walking journey into the City Centre. Existing bike lanes along Cranbourne Road will support safe bicycle access. Convenient vehicle access to businesses will continue to be provided from Cranbourne Road.

5.7.2. Precinct 6 - Actions

Figure 57 identifies key actions and improvement across Precinct 6. These actions are outlined in the following pages.



Figure 57. Precinct 6 - Actions

Key Projects - Precinct 6

Action 39. Pedestrian Connections

Identify and implement additional pedestrian crossings across Cranbourne Road to facilitate pedestrian connectivity to and from the City Centre.

Action 40. Amenity Improvements to Cranbourne Road

Improve the amenity of the Cranbourne Road through the planting of understorey, by improving pedestrian and cycling connectivity and implementing wayfinding (improving the visibility of PARC) and public lighting.

Action 41. Car Parking for PARC

Investigate improved car parking options for PARC, Chisholm Frankston and the surrounding businesses.

Action 42. Connectivity to Frankston Hospital and Monash University

Improve pedestrian and cycle connectivity to the Frankston Hospital and Monash University.



An example of landscaping and canopy trees that contributes to a high quality entry experience.



An example of improved crossing facilities.

5.7.3. Precinct 6 - Development Framework

Precinct Objectives

- To provide for a range of commercial and residential uses that complement the mixed-use and commercial function of the precinct including the development of office suites along Cranbourne road, increased housing densities on upper levels of new development and the integration of health and education uses as part of mixed use development.
- To encourage built form that enhances Cranbourne Road as a gateway to the FMAC.
- To encourage building interfaces that promotes surveillance of adjoining streets through activated frontages.
- To provide landscaping and canopy trees within private land that contributes to a high quality entry experience into the FMAC.
- To retain existing canopy trees.
- 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.
- To Identify and implement additional pedestrian crossings across Cranbourne Road to facilitate pedestrian connectivity to and from the City Centre.

Development Requirements

Refer to Figure 57 for Sub-Precinct boundaries and other built form requirements for Precinct 6.

Element	Development Requirements
Preferred Building Heights	<ul style="list-style-type: none"> • Sub-Precinct 6A - Preferred Maximum Building Height is 22.0m (6 storeys). • Sub-Precinct 6B - Preferred Maximum Building Height is 16.0m (4 storeys).
Preferred Street Wall Heights	<ul style="list-style-type: none"> • Sub-Precinct 6A, 6B - Preferred street wall height is 12.0m (3 storeys).
Preferred Building Setbacks	<ul style="list-style-type: none"> • Sub-Precinct 6A, 6B - 3.0m Building setback to Cranbourne Road. • Sub-Precinct 6A, 6B - 4.5m from the rear boundary to support landscaping opportunities. • Sub-Precinct 6A, 6B - Side setbacks to provide visual breaks between buildings and support landscaping opportunities.
Preferred Upper-Level Setbacks	<ul style="list-style-type: none"> • Sub-Precinct 6A, 6B - 5.0m upper-level setback from the street wall for development above 12.0m.



Figure 58. Precinct 6 - Built Form and Design Framework

Development Guidelines

Please also refer to Section 5.8 - Centre-wide Design Guidelines

- Development should enhance the eastern entry to the FMAC across with development of high architectural quality.
- 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.
- Front fencing to Cranbourne Road should provide for a level of visual permeability to allow for passive surveillance and views to vegetation.
- 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.
- Where a neighbouring development includes residential use, separation between buildings should utilise a 9.0m distance where possible to avoid overlooking between habitable rooms.
- Buildings on corner allotments should present as activated and articulated to the side elevation with opportunities for landscaping within the side setback.
- Buildings should maximise solar access by orientating buildings and associated open space areas to the north.
- Larger developments should incorporate communal outdoor space for staff, residents and visitors.
- Encourage screening of basement or semi-basement parking from the street.
- At grade car parking areas should be located away from street interfaces and not within front setbacks. Appropriate landscaping should be incorporated within at grade car parking areas.
- Utilities and services should not be located within the street frontage and should be screened.
- A minimum of 30% of the site area should be permeable unless on-site stormwater runoff is managed through alternative methods such as green roofs, raingardens and on-site bio-retention.
- Directional and promotional signage should be of appropriate scale and incorporated into the building design.
- Projections such as architectural elements, balconies and building services should not intrude into side building setbacks.
- Provide vehicle access from Olive Grove, Willis Street, Joy Street and James Street, Catherine Parade, Melvin Street, Allenby Street, Lawrey Street and Clarendon Street rather than from Cranbourne Road where possible.

5.8. Centre-wide Design Guidelines

5.8.1. Centre-wide Objectives

- To develop Frankston Metropolitan Activity Centre as the commercial, civic, cultural, creative, community and entertainment destination for the South Eastern metropolitan area.
- To encourage high quality built form that contributes to safe, engaging and attractive streets and which provides innovative approaches to dealing with potential inundation.
- To facilitate development at a scale that accommodates a mix of uses while respecting the coastal character of Frankston and sensitive interfaces.
- To provide visual breaks between buildings that allows for views to the sky and supports sharing of views.
- To encourage a diverse range of housing choices that provide for on and off site amenity including affordable housing options.
- To reinforce the coastal character through landscaping and species selection.
- To strengthen the presence of canopy tree cover within private and public land.
- 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 development anticipates the impacts of climate change and is resilient to the potential impacts of inundation.
- 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.

5.8.2. Centre-wide Design Guidelines

Building heights & Setbacks

- The preferred maximum building height excludes rooftop services which should be hidden from view from any adjoining public space or designed as architectural roof top features. Roof top services includes but is not limited to plant rooms, air conditioning, lift overruns and roof mounted equipment.
- Architectural features may exceed the preferred building heights.
- 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:
 - 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

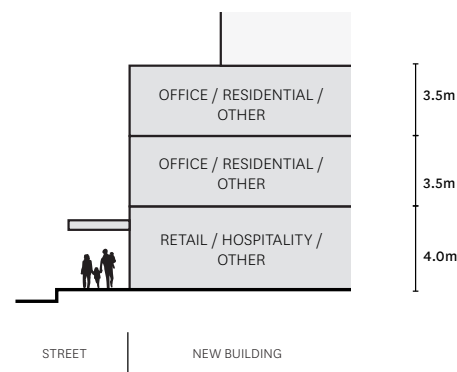


Figure 59. Diagram showing the minimum floor to floor heights for the street wall / podium levels of buildings.

- 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, building services and architectural features should not intrude into the preferred upper level setbacks above the street wall height.
- 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.
- Where development shares a common boundary and no setbacks are specified in the Precinct Requirements, the side and rear setbacks outlined in Figure 60 and Figure 61 should be provided to achieve adequate sunlight, outlook and privacy for habitable rooms and reduce the visual bulk of development. Where the site abuts a laneway that is not shown as a pedestrian link, the setback is applied from the centre of the laneway (refer to Figure 62) or a minimum setback above the street wall height of 3m, whichever is greater.
- Where there are multiple buildings / towers within the site provide tower separation in accordance with Figure 61.

Overall Building Height	Preferred minimum side and rear setback above the street wall	Preferred minimum tower separation within a site above the street wall height
Up to 28.0m	4.5m	9.0m
Between 28.0m and 42.0m	6.0m	12.0m
Above 42.0m	10.0m	20.0m

Figure 60. Preferred minimum side and rear setbacks to ensure building separation.

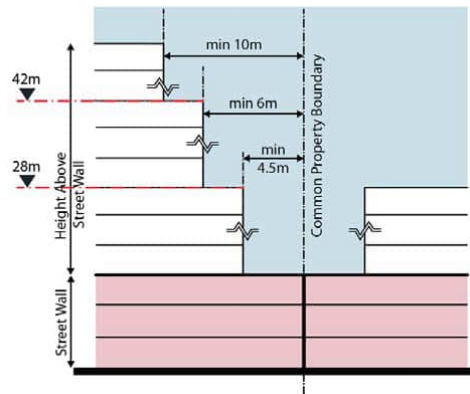


Figure 61. Diagram showing the minimum side and rear setback where development shares a common boundary and the street wall is built to the side or rear boundary.

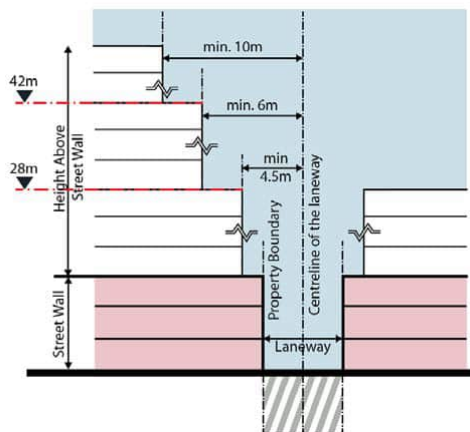


Figure 62. Diagram showing the minimum side and rear setback where development abuts a laneway.

Building form and design

- Building facades should be articulated through the design of openings, balconies, varied materials, recessed and projected elements, and revealing structural elements.
- Building facades should not rely on excessive use of materials to achieve visual interest.
- 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 address the visual bulk of large buildings through significant breaks and recesses in building massing.
- Buildings should have a maximum tower length of 45 metres to reduce visual bulk and allow for sharing of views.
- Buildings should utilise materials that do not generate glare, and can withstand the effects of weathering.
- Incorporate a coastal design aesthetic in the built form and materiality by considering:
 - Building forms that take cues from the coastal landscape.
 - Light, natural materials and textures that complement the coastal landscape.
 - Design features that mitigate the harsher environmental conditions such as feature sun shading devices and canopies.
 - Additional landscaping that softens the building and integrates with the surrounding coastal landscape.



Example of coastal design aesthetic and materials, with light and natural materials with interesting forms and consideration of specific local environmental issues.

- Where fine-grain subdivision patterns are recommend, development should narrow shopfronts within the shopping strip by incorporating separate ground floor tenancies and vertically and horizontally modulated forms that integrate with the streetscape context. Refer to Figure 63.
- Encourage buildings in areas subject to inundation to keep internal finished floor levels above the flood level and to provide any transition to ground level setbacks internally to the building where practicable.
- Pedestrian Links should be either open to the sky or enable views of the sky.

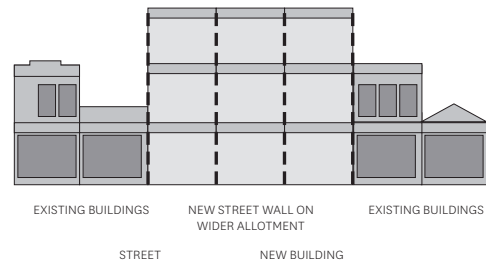


Figure 63. Diagram demonstrating fine-grain articulation on wider allotments.

Street interface

- Refer to Figure 64 which identifies Primary Active Frontage and Active Frontage Areas across the FMAC.
 - **For Primary Active Frontage Areas** - A minimum of 80% of the ground level frontage should incorporate clear glazing or building entries. Provide ground level uses that engage with the adjoining public realm.
 - **For Secondary 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.
- Buildings on corner sites should be designed to actively address both frontages at both the street and upper levels.
- Upper levels of buildings should be designed to provide habitable rooms with windows or balconies that overlook the public realm.
- Avoid the presentation of blank walls to the public realm. Wall on boundaries that will eventually be built out should still have some form of articulation while awaiting adjoining development - i.e. art, pre-cast patterned concrete etc.
- Provide embedded balconies within the podium levels above ground floor to support surveillance of the streets and adjoining public spaces.
- Provide basement car parking where possible to avoid inactive building frontages. Where this not possible and parking needs to be provided above ground in the podium level, ensure parking levels are sleeved with active uses.
- Building entries should directly front the street and be clearly defined and legible from the public realm.



Examples of Primary Active Frontages



Figure 64. Active Frontages within the FMAC

Weather protection

- Provide awnings on all buildings located in the Primary Active Frontage Areas and Active Frontage Areas.
- Canopies or verandahs should be at an appropriate height above the footpath and sufficiently set back from the kerb to avoid damage from large vehicles while still providing effective weather protection, between 3.0m and 4.0m above the footpath level and 750mm from the kerb, and generally consistent with adjoining sites.
- Awnings 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. The building design should be refined in response to the design advice and mitigation measures recommended in the wind assessment.
- Consideration should be given to the increased winds from the bay and coastal storm conditions due to the FMAC Location.
- Incorporate measures to mitigate the effect of the wind on the public realm and building occupants.



Examples of awnings protecting the public realm from downdraughts



Examples of inset balconies and winter gardens above podium

Landscaping

- Communal garden spaces should be provided at podium and rooftop levels where appropriate to create amenity for residents, workers and visitors. The gardens should take into consideration, aspect, materials and solar orientation.
- Encourage the use of green roofs, walls and balconies to further contribute to a visually engaging landscape character and reduce the impact of urban heat island effect.
- Utilise planting species that complement the coastal character and strengthen local habitat. Refer to the Frankston City Council Indigenous Plant Guide for species selection.
- Where front, side or rear setbacks are required:
 - Maximise deep soil planting zones within front and rear setbacks (excluding basement access) in accordance with Better Apartments Design Standards to support canopy trees and contribute to the coastal landscape character.
 - Incorporate grassed and planted areas that comprise a minimum of 60 per cent of the total front setback area. This can include a combination of garden beds with dense planting, grassing and/or vegetation.
 - Incorporate some vertical greening in side setbacks to create the effect of the buildings sitting in a landscaped setting. This will preferably include trees with a narrow canopy to suit the side setback environs, however where trees are not feasible, as a minimum shrubs or climbers on fences/walls.
 - Provide integrated, well designed soft landscape within sites to reduce the impact of urban heat island effect, provide increased biodiversity and habitat and contribute to a strong, visually engaging landscape character maximizing the use of ground level setbacks.
 - Avoid projections such as balconies and building services into the landscaped setbacks.



Example of a communal terrace space



Examples of a green wall

Environmental Sustainable Design

- All new buildings are to incorporate best practice Environmentally Sustainable Development (ESD) principles. Refer to Clause 15.01-2L-01 of the Frankston Planning Scheme on Environmentally Sustainable Development.

Access and services

- Pedestrian entries to buildings should be clearly visible and easily identifiable from the street and accessible for all abilities.
- Residential entries should be distinguished from retail and commercial entries.
- Loading, service access and car park access should be provided from laneways and secondary streets and be located away from streets and public spaces or within basements or upper levels. Where this not possible, vehicle crossovers should be minimised to reduce disruption to the footpaths and located to avoid street trees if present.
- Provide appropriate setbacks at the rear of the building to laneways ensure adequate space for car park access and servicing. Further details at Clause 52.06 of the Frankston Planning Scheme for Carparking.
- Ensure all services located on balconies, such as air conditioning units, are screened from public view.
- Avoid or minimise building services and utilities at ground floor street frontages to prioritise active frontages. Integrate services and utilities with the building design.

6. Implementation



6.1. Implementation

Implementation of the Frankston MAC Structure Plan into the Frankston Planning Scheme is critical to ensuring its success and this success is dependent on collaboration between local, State and Federal Governments, agencies, organisations and the community.

6.1.1. Approach

The Frankston Structure Plan will:

- Be a Council-adopted document used to implement the actions over a 20 -year timeframe.
- Provide a clear framework to inform the community, major stakeholders and Government agencies of projects that are to take place in the City Centre.
- Provide clear direction on the priority projects and resource allocation which has been developed following extensive consultation with the community, Government agencies, major stakeholders and senior management within Council.
- Be reviewed every five years.
- Be used to inform the Frankston MAC Structure Plan Implementation Plan.

6.1.2. Guiding principles

The following guiding principles lay the foundation for this Action Plan:

- It has been informed by the Frankston MAC Structure Plan.
- It provides a strategic link to:
 - The Structure Plan.
 - Council work plans and budget allocations.
 - Council seeking external funding direction.
 - Council's advocacy role.
- It is an accountability tool to ensure that the actions identified in the Structure Plan are not just shelved and forgotten.

6.1.3. Actions

Forty-two actions are listed in the Structure Plan which are summarised in the Structure Plan Actions Table on the following pages, and identify the following:

- The allocated timeframe.
- The responsible agent (Council or the Victorian Government department/agency where Council will play an advocacy role).
- How the delivery/outcome of the task will be measured.

Timeframe

The timeframe for each action has been allocated in the following six categories:

1. Immediate (0-2).
2. Short term (2-5 years).
3. Medium term (5-10 years).
4. Long Term (10+ years, likely to be beyond the life of the Structure Plan, which includes advocacy).

Responsible agency

Each action identifies the responsible agent that has a role in implementing the action. In cases where a Victorian Government department/agency has been identified, Council will play an advocacy role in the action identified.

The Structure Plan identifies a number of actions/projects the delivery of which is Council's responsibility. Such projects place additional strain on the existing Council budget and Council needs to explore a range of other sources to assist in funding these projects. A range of mechanisms will need to be explored which include (but are not limited to):

- A Development Contributions Plan (DCP).
- The Long Term Infrastructure Plan (LTIP).
- An open space contribution of 8%.
- Victorian Government funding sources.
- Australian Government funding sources.

Victorian Government departments and agencies will need to play a key role in implementing the identified actions that are beyond the control of Council. Council will however play an advocacy role to develop long-term partnerships for the delivery of these projects. It is acknowledged that any Victorian or Australian Government funding would need to be considered as part of future budget processes and against other state/nationwide priorities.

Measure

'Measures' have been identified for each action to ensure they can be tracked and monitored, and more importantly to identify if an action has been delivered within the identified timeframe.

Objective / Strategy

Provides a reference to the relevant Objective and / or Strategy that the Action relates to.

6.1.4. Planning Scheme Amendment

A planning scheme amendment has been prepared alongside the Structure Plan to implement elements of the Structure Plan into the Frankston Planning Scheme. This will undergo an additional phase of consultation.

The recommended approach for implementing the Structure Plan into the Planning Scheme is outlined in Section 6.2

Structure Plan Actions Table

Action Number	Action	Responsible Agency		Time Frame	Measure	Objective / Strategy
		Council	External			
Activities & Land Use						
1	Planning Scheme Amendment Undertake a Planning Scheme Amendment to implement the Frankston Metropolitan Activity Centre Structure Plan and a Development Contributions Plan (DCP) into the Frankston Planning Scheme.	City Futures (Lead)	DTP (Planning)	Immediate	Planning Scheme Amendment Gazetted.	Multiple Objectives & Strategies
2	Advocacy Undertake advocacy for a number of FMAC projects that require the supporting, funding or approval of agencies, authorities and stakeholders which includes but is not limited to: - Nepean Boulevard; - The Ring Road; - Public transport; and - Level crossing improvements.	A number of Council Departments	A range of external Agencies, Authorities and stakeholders.	Long	The funding of and delivery of a number of FMAC projects.	Objective 1 Strategy 1.1
3	Health and Education Precinct Plan Prepare strategic policy to guide the use and development of the Health and Education Precinct as identified in the Southern Land Use Framework Plan and implement this into the Frankston Planning Scheme.	City Futures (Lead)	DTP Monash University Peninsula Health	Short	Precinct Plan adopted by Council.	Objective 2 Strategy 2.1
4	Business Attraction (Major offices) Engage with State Government Agencies and large businesses to connect them to development sites within the FMAC.	City Futures (Lead)	DJSIR Invest Victoria	Immediate	A new Government Agency / company headquarters located within the FMAC.	Objective 2 Strategy 2.2
5	Vacant commercial properties Engage with owners of vacant properties that have underutilised building spaces across the FMAC to: a) Attract new tenants for businesses that are looking to relocate to Frankston or to locate a home bases business to a commercial tenancy. b) Develop a branding and marketing strategy for vacant properties in the FMAC to fill vacancies and also to improve the aesthetic of the vacant businesses.	City Futures (Lead)	DJSIR	Short	a) A decrease in the current commercial property vacancy rate. b) An increase in approvals for the installation of decals and the installation of the decals.	Objective 2 Strategy 2.3 Objective 3 Strategy 3.1
6	Social and Affordable Housing Encourage an increase in the supply of social and affordable housing throughout and nearby to the FMAC.	Development Services (Lead) City Futures (Support)	The Frankston City Strategic Housing and Homelessness Alliance Homes Victoria	Immediate	An increase in the number of planning permits issued that increase social and affordable housing options within the FMAC.	Objective 4 Strategy 4.3

Action Number	Action	Responsible Agency		Time Frame	Measure	Objective / Strategy
		Council	External			
Built Form and Design						
7	Urban Design Standards Develop new FMAC Urban Design Standards that are consistent with the Structure Plan and implement these into the Frankston Planning Scheme as a reference document.	City Futures (Lead)	DTP (Planning)	Short	Urban Design Standards adopted by Council and the Planning Scheme Amendment Gazetted.	Multiple Objectives & Strategies
8	Climate Change a) Achieve the corporate emission reduction target and climate adaptation priorities set out by the Climate Change Strategy 2023-2030 with a particular focus on Council led developments and upgrades within the FMAC. a) Assist the community and collaborate with developers to incorporate a climate action consideration in new and existing buildings through elevating Environmentally Sustainable Design requirements.	City Futures (Lead) Development Services, Capital Works (Support)		Immediate	a) (Increased) proportion of capital works projects budget allocated for ESD needs a) Increased number of planning permits issued that incorporate climate action considerations	Objective 11
Public Realm						
9	Cooling and Greening Integrate a range of cooling and greening initiatives throughout the FMAC to achieve the targets set by the Urban Forest Action Plan (2020) (In particular Precincts 1 and 2).	City Futures (Lead) Development Services (Support)	Planning Permit applicants	Immediate		Objective 11 Strategy 11.2
Movement and Transport						
10	Pedestrian Network Audit and Framework (Safety and Amenity) a) Undertake an audit of all the streets and laneways in the FMAC to establish a new streetscape capital works program and to improve the maintenance of existing streets and assets. b) Develop a framework for the current and the future amenity of the streets to be assessed and prioritised.	City Futures (Lead) Capital Works Delivery, Sustainable Assets, Engineering Services (Support)	DTP (Transport) Melbourne Water Relevant Service Authorities	Short	a) Completed audit of streets and laneways in the FMAC. b) Streetscape upgrade renewal program established and integrated into Council's LTIP.	Objective 12
11	Wayfinding Signage (Pedestrian and Cycle) Implement the Frankston City Council Wayfinding Strategy and Style Guide (October 2022) throughout the FMAC.	City Futures (Lead)	DTP (Transport) DJSIR	Short	Wayfinding signage implemented throughout the FMAC.	Objective 12 Objective 13

Action Number	Action	Responsible Agency		Time Frame	Measure	Objective / Strategy
		Council	External			
12	Cycling connections Prepare design concepts and implement the provision of new bike lanes / shared user paths throughout the FMAC that also provide broader connections to and from areas outside of the FMAC boundary.	Engineering Services, Capital Works Delivery (Lead) City Futures (Support)	DTP (Transport)	Short	Implementation of new bike lanes and shared user paths.	Objective 13 Strategy 13.1
13	Ring Road Work with DTP to develop and implement options to cater for the increase in vehicle movements and improve the functionality and efficiency of the Ring Road to support the objectives of the Structure Plan (Nepean Boulevard).	Engineering Services (Lead)	DTP (Transport)	Short	Implementation of options that improve the functionality and efficiency of the Ring Road.	Objective 14 Strategy 14.1
14	Amenity improvements to the Ring Road Improve the amenity of the Ring Road through the planting of canopy trees and under-storey planting, by improving pedestrian and cycling connectivity and implementing wayfinding and public lighting.	Engineering Services (Lead) City Futures (Support)	DTP (Transport)	Medium	Implementation of amenity improvements to the Ring Road.	Objective 14 Strategy 14.1
15	Directional and Guidance Signage (Roads) Work with DTP to implement directional and signage guidance signage on key roads throughout the FMAC.	Engineering Services (Lead)	DTP (Transport)	Short	Directional and guidance signage implemented on key roads.	Objective 14 Strategy 14.1
16	Construction of multi deck car parks integrated with development Undertake conceptual planning and design and upgrade Council owned car parks to facilitate development with active street frontages and multi deck car parks throughout the FMAC.	Engineering Services (Lead) City Futures, Procurement, Property and Risk, Capital Works Delivery (Support)		Long	Construction of multi deck car park on Young Street and the identification of a car park location in the north of the FMAC.	Objective 15 Strategy 15.1
17	Car parking time limit and cost assessment Undertake an audit of all Council owned car parks, existing car parking time limits and costs and develop and implement a consistent framework for these.	Engineering Services (Lead) Safer Communities, City Futures (Support)		Short	Implementation of consistent car parking time limit and costs.	Objective 15 Strategy 15.3
18	Parking Permits for residential streets Investigate a resident parking permit system for residential streets within and adjacent to the FMAC to determine the need for a resident parking permit system and in which streets.	Engineering Services (Lead)		Short	Residential parking signs implemented and resident parking stickers issued.	Objective 15

Action Number	Action	Responsible Agency		Time Frame	Measure	Objective / Strategy
		Council	External			
19	Bus service review Advocate for a bus service review for all buses within Frankston City.	Engineering Services (Lead) City Futures (Support)	DTP (Transport) Mornington Peninsula Shire	Long	Bus service review undertaken.	Objective 16 Strategy 16.1
20	Bus network Work with DTP to improve the efficiency of the bus network, with a focus on Young, Playne and Beach Streets.	Engineering Services (Lead) City Futures (Support)	DTP (Transport)	Short	Decrease in the number of, or no buses on Young Street and an improved pedestrian experience.	Objective 16 Strategy 16.1
21	Public Transport Improvements Advocate for public transport improvements, to, from and within the FMAC, including the electrification of the railway line beyond the Frankston Train Station.	Community Relations (Lead) City Futures, Engineering Services (Support)	DTP (Transport) DITRDCA	Long	Development of advocacy plan for public transport improvements.	Objective 16
22	Sustainable transport Establish a working group to find ways to encourage an increase in the opportunities for sustainable transport.	Engineering Services (Lead) Business Transformation, Sustainable Assets (Support)		Short	Establishment of a working group.	Objective 13 Strategy 13.1

Action Number	Action	Responsible Agency		Time Frame	Measure	Objective / Strategy
		Council	External			
Precinct 1						
23	<p>City Centre Street upgrades</p> <p>Prepare design concepts and construct Street/Mall upgrades within the FMAC as part of a staged approach for the following:</p> <ol style="list-style-type: none"> 1) Wells Street to occur first (central Wells Street as a shared zone and include investigation of a gathering space/plaza); 2) Shannon Street Mall; 3) Thompson Street; 4) Balmoral Walk and Keys Street (In consultation with Vicinity to resolve challenges around the loading bays for the Bayside Shopping Centre); and 5) Ross Smith Avenue. 	<p>City Futures (Lead)</p> <p>Capital Works Delivery, Engineering Services (Support)</p>	Vicinity	Medium	Implementation of street upgrades.	Multiple Objectives & Strategies
24	<p>Bayside Shopping Centre enhancements</p> <p>Work with Vicinity C to explore better integration of the Shopping Centre with the surrounding streets.</p>		Vicinity	Medium	Approval of a planning permit application.	Objective 11 Strategy 11.7
Precinct 2						
25	<p>City Park expansion</p> <p>Advocate for funding to implement and construct the concept plan for City Park.</p>	<p>City Futures (Lead)</p> <p>Community Relations, Procurement, Property and Risk (Support)</p>	<p>DTP (Transport - Provider)</p> <p>VicTrack (Owner)</p> <p>MTM (Operator)</p> <p>DJSIR</p>	Short	Implementation of City Park.	Objective 10 Strategy 10.1
26	<p>Signal Box Park</p> <p>Undertake design concepts and construct a park adjacent to the heritage protected signal box on Vic Track land to activate the space.</p>	<p>City Futures (Lead)</p> <p>Procurement, Property and Risk (Support)</p>	<p>DTP (Transport / Provider)</p> <p>VicTrack (Owner)</p> <p>MTM (Operator)</p> <p>DJSIR</p>	Long	Implementation of Signal Box Park.	Objective 10 Strategy 10.1
27	<p>Beach Street rail crossing</p> <p><i>(to be undertaken in conjunction with Action no. 26 Signal Box Park)</i></p> <p>Work with DTP and VicTrack to develop short and long term design options for improving the safety and amenity of the Beach Street at grade rail crossing.</p>	<p>Engineering services (Lead)</p> <p>City Futures (Support)</p>	<p>DTP (Transport - Provider)</p> <p>VicTrack (Owner)</p> <p>MTM (Operator)</p>	Long	Upgrade of Young Street. And agreed design option and implementation of short and long term outcomes.	Objective 10 Strategy 10.1

Action Number	Action	Responsible Agency		Time Frame	Measure	Objective / Strategy
		Council	External			
28	Young Street upgrade (between Wells and Playne Streets) Undertake design concepts and construct upgrades to the section of Young Street between Wells and Playne Streets to provide an improved connection between Precinct 3, the Frankston Train Station and surrounding redeveloping properties.	City Futures (Lead) Engineering Services (Support)	DTP (Transport)	Medium	Upgrade of Young Street.	Objective 11 Strategy 11.1
29	Baxter Trail extension Design and construct the missing link between the Baxter Trail and the shared pedestrian connection and cycle path along Dandenong Road East.	Engineering Services (Lead)	DTP (Transport)	Short	Construction of the missing link.	Objective 13 Strategy 13.1
30	Rail underpass upgrade Work with DTP and VicTrack to improve the safety and amenity of the existing rail underpass at the Frankston Train Station to provide better pedestrian connections to and from Chisholm and PARC.	City Futures (Lead) Engineering Services (Support)	DTP VicTrack PTV	Long	Surface and lighting improvements made to the underpass, an increased perception of safety and pedestrian use of this connection.	Objective 12 Strategy 12.5
Precinct 3						
31	Playne Street upgrade Prepare design concepts, undertake consultation, and construct improvements to Playne Street.	City Futures (Lead) Engineering Services, Capital Works Delivery (Support)	DTP (Transport) DJSIR	Long	Implementation of upgrades to Playne Street and an improved pedestrian experience.	Objective 11 Strategy 11.1
32	Master Plan for the Frankston Arts Centre and Frankston Library Prepare a masterplan for the Frankston Arts Centre and Frankston Library to provide better integration with Precinct 1 (Playne Street) and enhance it as the premier arts and entertainment destination for the South East.	City Futures (Lead) Customer Innovation and Arts, Capital Works Delivery (Support)		Medium	Adoption of the master plan.	Objective 3 Strategy 3.2
33	Widen Bay Lane a) Undertake a Planning Scheme Amendment to apply the Public Acquisition Overlay (PAO) to the relevant properties. b) Prepare design concepts and undertake construction to widen Bay Lane to achieve redevelopment of the surrounding properties.	City Futures (Lead) Engineering Services (Lead)	DTP (Transport and Planning)	Long	a) Planning Scheme Amendment Gazetted. b) Construction of the widening of Bay Lane.	Objective 11 Strategy 11.6

Action Number	Action	Responsible Agency		Time Frame	Measure	Objective / Strategy
		Council	External			
Precinct 4						
34	Nepean Boulevard Master Plan and Implementation Advocate to and work with a range of stakeholders to prepare a master plan for the Nepean Boulevard and construct staged upgrades to transform Nepean Highway to a Boulevard.	City Futures (Lead) Also led by a number of other Council Departments	DTP (Transport)	Short	Implementation of Nepean Boulevard improvements.	Objective 11 Strategy 11.4
35	Kananook Creek Boulevard upgrade (between Wells and Beach Streets) Prepare design concepts and upgrade Kananook Creek Boulevard between Wells and Beach Streets to become a shared zone .	City Futures (Lead) Engineering Services, Capital Works Delivery (Support)	Melbourne Water DTP (Transport)	Long	Implementation of Kananook Creek Boulevard upgrades.	Objective 11 Strategy 11.4
36	Kananook Creek Promenade (between 510 Nepean Highway to Wells Street) a) Undertake a Planning Scheme Amendment to apply the Public Acquisition Overlay (PAO) to the western frontage of 510N Nepean Highway to facilitate the continuation of the promenade (Included within Action 1). b) Prepare design concepts and construct upgrades to improve the pedestrian focused promenade.	City Futures (Lead)	Melbourne Water	Medium	a) Planning Scheme Amendment Gazetted. b) Extension and implementation of Kananook Creek Promenade.	Objective 11 Strategy 11.5
37	Improvements to Kananook Creek Advocate to and work with Melbourne Water and DEECA to improve the quality of and beautify Kananook Creek.	Engineering Services (Lead)	Melbourne Water Parks Victoria DEECA	Long	Quality of Kananook Creek improved and amenity improvements implemented.	Objective 9
38	Comfort Station Activation Develop concept plans to activate the Comfort Station and the surrounding area.	City Futures, Safer Communities, Engineering services (All Leads)	DTP (Transport)	Immediate	Adopted concept plan.	Objective 11
Precinct 5						
Refer to 34	Nepean Boulevard Master Plan and Implementation					

Action Number	Action	Responsible Agency		Time Frame	Measure	Objective / Strategy
		Council	External			
Precinct 6						
39	Pedestrian connections Identify and implement additional pedestrian crossings across Cranbourne Road to facilitate pedestrian connectivity to and from the City Centre.	Engineering Services (Lead)	DTP (Transport)	Medium	Construction of pedestrian crossings.	Objective 12
40	Amenity improvements to Cranbourne Road Improve the amenity of the Cranbourne Road through the planting of understorey, by improving pedestrian and cycling connectivity and implementing wayfinding (improving the visibility of PARC) and public lighting.	Engineering Services (Lead) City Futures (Support)	DTP (Transport) PARC	Medium	Implementation of amenity improvements to Cranbourne Road.	Objective 12 Objective 13
41	Car Parking for PARC Investigate improved car parking options for PARC, Chisholm Frankston and the surrounding businesses.	Engineering Services (Lead)	PARC Chisholm Frankston	Medium	Construction of additional car parking.	Objective 15
42	Connectivity to Frankston Hospital and Monash University Improve pedestrian and cycle connectivity to the Frankston Hospital and Monash University.	Engineering Services (Lead)	DTP MTM Vic Track Frankston Hospital Monash University	Medium	Implementation of pedestrian and cycle connections creating improved access to the Frankston Hospital and Monash University.	Objective 2 Strategy 2.1

6.2. Statutory Implementation

The Action Plan contains a set of statutory actions that are necessary to implement the vision for the FMAC.

6.2.1. Frankston Planning Scheme

The following amendments to the Frankston Planning Scheme are proposed to ensure that the vision for the FMAC is realised.

Activity Centre Zone

It is recommended that the Activity Centre Zone (ACZ) be applied to the majority of land within the Structure Plan (Activity Centre) boundary. A schedule to the zone will provide a tailored Table of Uses and associated development requirements.

The ACZ provides a fully customisable and comprehensive control that can facilitate use and development outcomes to realise the vision for the FMAC.

The ACZ builds on existing policy in the Frankston Planning Scheme at Clause 02.03-1 (Frankston Metropolitan Activity Centre) and 11.03-1L-02 (Frankston Metropolitan Activity Centre) that underline the importance of the centre and seek to (among others): 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.

The ACZ allows for a precinct based approach to use and development of land. This ensures that each precinct will be able to be developed in a way that gives effect to the Structure Plan.

It is further recommended that land outside of the FMAC currently affected by Schedule 2 to the Comprehensive Development Zone (Kananook Creek Comprehensive Development Plan, May 1999) be rezoned to Public Park and Recreation Zone (PPRZ). This will affect the foreshore reserve land.

Mandatory or Discretionary Controls

It is recommended that the objectives and directions of the Structure Plan be implemented via a combination of mandatory and discretionary controls.

Planning Practice Note 59 (The Role of Mandatory Provisions in Planning Schemes) states that: Mandatory provisions in the VPP are the exception. The VPP process is primarily based on the principle that there should be discretion for most developments and that applications are to be tested against objectives and performance outcomes rather than merely prescriptive mandatory requirements.

Mandatory requirements should only be applied where they are necessary to achieve preferred built form outcomes. In addition, it would need to be demonstrated that exceeding development requirements set by the relevant provision would result in unacceptable built form outcomes that would compromise the strategic vision underpinning the provision.

When taking into account the strategic vision for the FMAC and the role of Metropolitan Activity Centres outlined by Plan Melbourne 2017-2050, it is considered that the introduction of mandatory provisions are only appropriate to be used in the context of setback controls within Precincts 4 and 5. Mandatory setback controls have been applied in Precincts 4 and 5 to facilitate the vision for the Kananook Creek Promenade and Boulevard and to protect the landscape and topography of Kananook Creek as dominant visual elements.

The introduction of mandatory provisions can create additional administrative burden for Council in that they need to be regularly updated to ensure they are aligned with updates to census data or changes to state and local planning policy.

In particular Plan Melbourne 2017-2050 identifies that: *Plans for metropolitan activity centres will need to accommodate significant growth and infrastructure, while increasing amenity and connectivity for a regional catchment.*

Introducing mandatory height controls in a location that is strategically identified in both the state and local policy for significant growth would undermine the intended outcomes for the FMAC. The complex nature of use and development in the FMAC requires a level of flexibility that mandatory provisions cannot provide.

Funding Mechanisms

It is recommended funding mechanisms are explored in order to deliver the required physical infrastructure to achieve the vision of the Structure Plan and implement a number of the actions. This will include a review existing funding mechanisms, and if additional mechanisms need to be explored and developed.

Public Acquisition Overlay

It is recommended that the Public Acquisition Overlay be applied to give effect to the actions in this Structure Plan relating to a road widening and improvements to the public realm.

The purpose of the Public Acquisition Overlay is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To identify land which is proposed to be acquired by a Minister, public authority or municipal council.
- To reserve land for a public purpose and to ensure that changes to the use or development of the land do not prejudice the purpose for which the land is to be acquired.
- To designate a Minister, public authority or municipal council as an acquiring authority for land reserved for a public purpose.

The Public Acquisition Overlay is considered the most effective mechanism to ensure that land is set aside for the specified public purpose. It also requires planning permission for both Section 1 & 2 uses and buildings and works allowing the responsible authority to ensure that the use and development of land will not prejudice future outcomes.

6.3. Monitoring and Evaluation

Successful implementation is underpinned by effective monitoring, review and evaluation processes. Council is responsible for the monitoring and evaluation of the actions identified within the Action Plan. Targeted communications are proposed to ensure Government departments, agencies, key stakeholders and the community as a whole will remain well-informed and engaged in the process. Examples of targeted communications include (but are not limited to):

- Major projects/tasks and milestones published via Frankston City's ENews (the Council's community publication) or via a media release; and
- Council's website will be updated (when considered necessary) to advise the community of the achievements and milestones for projects/tasks.

An open and transparent monitoring and evaluation process that allows the community, stakeholders and Government agencies access to information about the progress of the Structure Plan and increases Council's credibility and accountability. The Structure Plan (including the Action Plan) will be reviewed every five years. It is expected that the documents will be reviewed in the year 2028.



frankston.vic.gov.au
1300 322 322

PO Box 490
Frankston
VIC 3199

Built form Guidelines for Higher Density Residential Growth Areas adjacent Frankston Metropolitan Activity Centre

June 2023

Tract
Landscape Architects
Urban Designers
Town Planners

Tract



Introduction to new version

The title of this document has been amended as the *Frankston Metropolitan Activity Centre Structure Plan (Frankston City Council, 2023)* (the 2023 Structure Plan) has been prepared and will replace the *Frankston Metropolitan Activity Centre Structure Plan (Frankston City Council, 2015)* (the 2015 Structure Plan).

The 2015 Structure Plan defined the extent of the Frankston MAC more widely and included residential areas within the activity centre boundary. The 2023 Structure Plan reduces the extent of the Frankston MAC to the commercial and mixed-use areas of the centre. The Frankston MAC boundary and the precincts identified in the 2015 Structure Plan are now superseded by the 2023 version (see image below).

Precincts 4 and 7 identified in the 2015 Structure Plan no longer fall within the boundary of the Frankston MAC and therefore this document has been renamed to clarify these areas are now adjacent to the Frankston MAC, rather than within it.

Therefore, the name of this document has been changed to *Built form Guidelines for Higher Density Residential Growth Areas adjacent Frankston Metropolitan Activity Centre (June 2023)*. For full transparency, the original document is retained in its entirety and only the document title has been changed, along with the inclusion of this new introductory page.



Built form Guidelines for Higher Density Residential Growth Areas

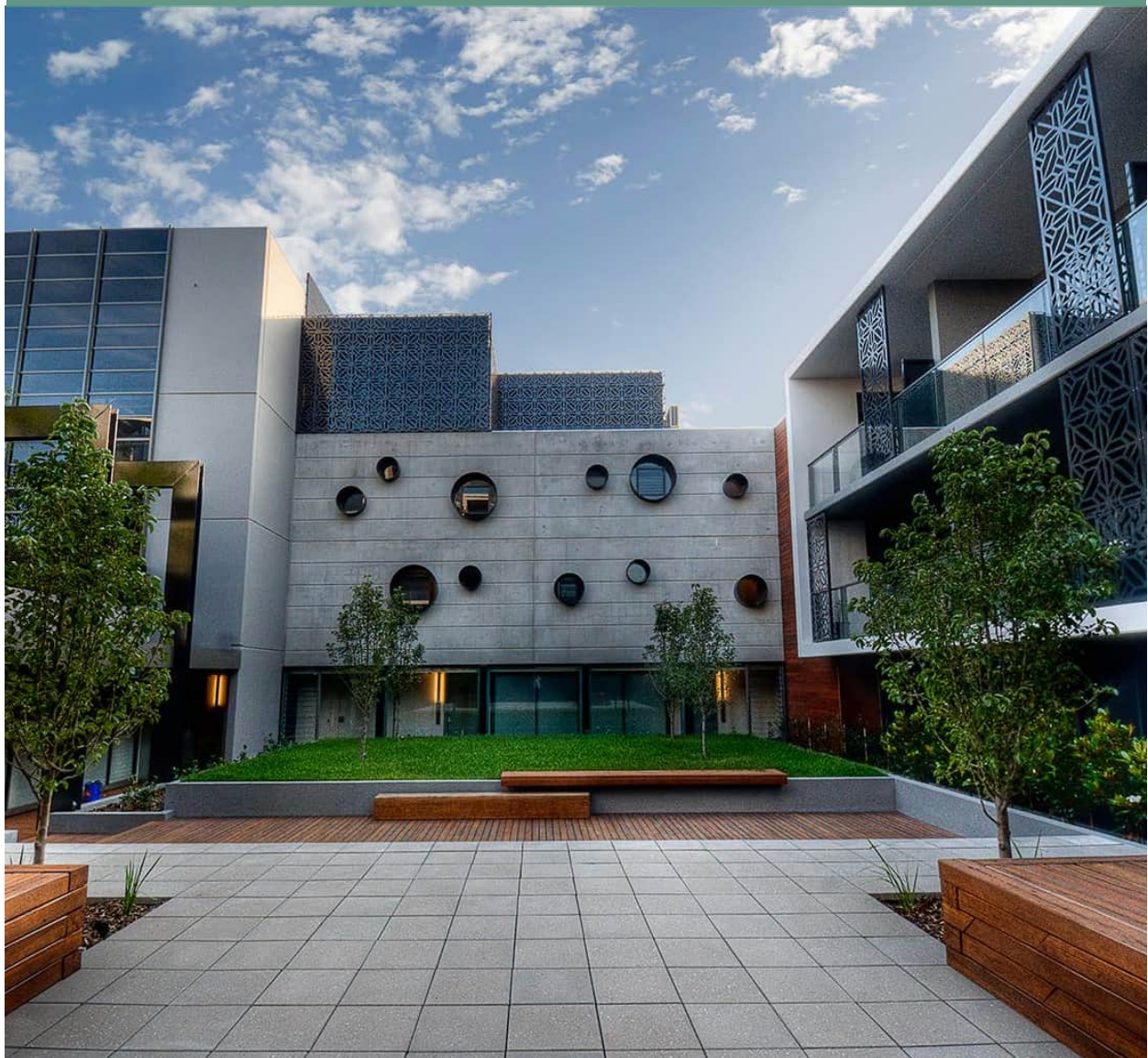
Frankston Metropolitan Activity Centre

Precincts 4 and 7

February 2017

Tract
Landscape Architects
Urban Designers
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1. Introduction

1.1 About the guidelines

Purpose

The purpose of this document is to provide guidance for the development of higher density housing within precincts 4 and 7 of the FMAC Structure Plan. The guidelines will be used to guide the design of developments, in the preparation of planning permit applications and by Council for the assessment of permit applications.

The guidelines aim to ensure that higher density residential development provides a high level of amenity for occupants and neighbours, and sets benchmarks in design quality.

Why the guidelines are needed

The FMAC is one of only nine Metropolitan Activity Centres identified by State Government across metropolitan Melbourne. These activity areas are seen to be the future regional centres that will provide business, employment and housing concentrations that will assist in accommodating anticipated population growth in Victoria.

Frankston City Council wishes to capitalise on the FMAC's bayside position, gateway to the Mornington Peninsula and its access to major transport links. Whilst looking to grow investment and employment and improve public infrastructure in the central business precinct, there are also significant opportunities for housing development in the peripheral areas.

Precinct 4 and 7 have been identified within the FMAC Structure Plan for additional higher density housing opportunities.

A significant proportion of Precincts 4 & 7 consists of detached single storey dwellings with generous setbacks to the front, side and rear boundaries and set in established gardens. The introduction of new higher density housing provides challenges in ensuring the spaciousness, garden character, low scale, and amenity of existing residential streets is respected.

It is critical that these areas are planned to the highest standard to enhance streetscapes and provide for a high level of amenity for existing and future residents. The guidelines have been prepared to ensure this occurs.

Guideline objectives

The objectives of the Guidelines are:

- To facilitate the development of high quality, amenable, and attractive higher density housing
- To ensure that the highest level of amenity is provided for existing and new residents within the precincts
- To respond to a variety of housing needs both now and into the future
- To ensure that development provides excellence in the standard of architecture and ESD
- To support existing State and Local planning objectives

1.2 How to use the guidelines

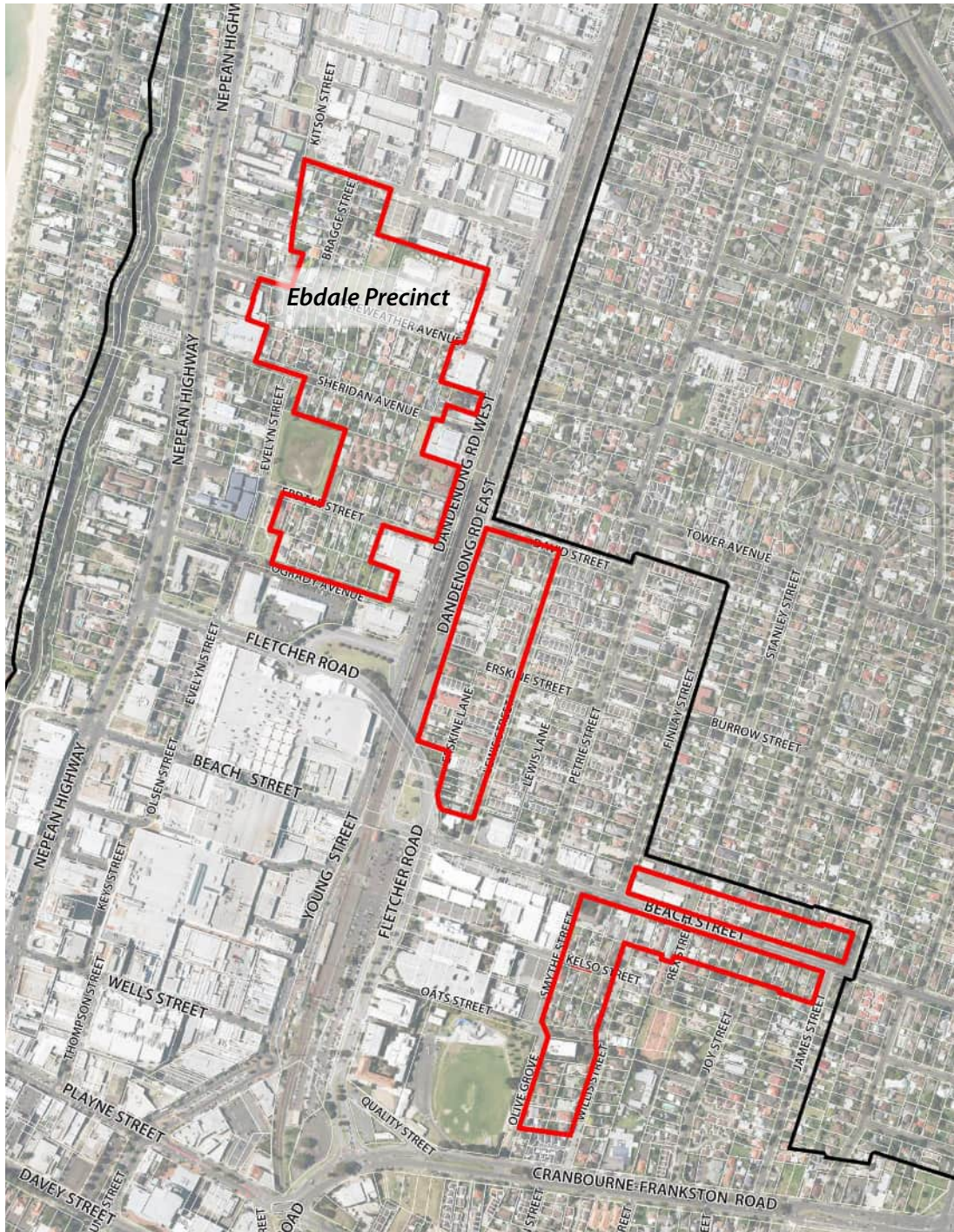
Where they apply

The Guidelines apply to Precincts 4 and 7 as identified in the FMAC Structure Plan.

How they apply

The guidelines must be considered for development where a permit application is required for:

- Construction of a dwelling if there is at least one dwelling existing on the lot
- Construction of two or more dwellings on a lot
- Construction of a residential building



Study Area Plan

1. Introduction

How they are structured

The guidelines are structured in six sections as described below:

Section 1 - Introduction - Provides the overall objectives for the guidelines and instructions on how they apply and should be used.

Section 2 - Site Response - Provides guidance on how the development should be sited and orientated on a site, and how open space and landscaping should be provided.

Section 3 - Building Form and Design - Provides guidance on elements such as building height and form, street interface, roof form and materials.

Section 4 - Services and Amenity - Provides guidance on the services that are provided for a site and guidance on both internal amenity for the proposed development and amenity impacts on neighbouring properties.

Section 5 - Car Parking and Access - Provides guidance on pedestrian and cycle access as well as car parking and vehicle access.

Section 6 - Development Typologies - Demonstrates how the guidelines would be applied on typical lots in the study area. A number of design scenarios are demonstrated within this section.

2. Site Response

2.1 Precincts

Objectives

Encourage higher density residential development and a variety of dwelling types that integrate successfully with the public realm.

Ensure new buildings respect the sharing of amenity for current and future residential development on adjoining sites.

Encourage open landscaped street frontages and activated building interfaces that promote surveillance of adjoining streets.

Ensuring the space around buildings is sufficient to accommodate landscaping.

Encourage site responsive, high quality and contemporary design of new dwellings.

Consolidation of land to facilitate the creation of viable development sites is encouraged.

Precinct 4 - Ebdale

This area is conveniently located between the Frankston City centre and a small industrial, commercial and office area to the North. With employment hubs within walking distance and good access to main transport routes, this area has been identified to accommodate significant increases in population.

This will be an area of transition as the urban fabric changes its existing character of mainly single storey detached dwellings to mainly apartments and townhouses. Development is encouraged to maximise its available building envelope whilst acknowledging existing key characteristics. The sense of space and mature vegetation in the area are considered important elements to build upon.

The Ebdale Precinct will be an attractive, well planned residential neighbourhood offering a diversity of housing choices at increased densities for people to live close to shops, jobs, transport and the beach. Multi-unit residential development will be of a high architectural quality.

2. Site Response

Precinct 7 - Residential Intensification

Located close to the Frankston city centre, public transport, major road infrastructure and growing regional health and education campuses, Precinct 7 offers great accessibility within a network of safe streets, shaded by trees and overlooked by local residents.

New townhouses and apartments will integrate with the existing urban fabric, with landscaping and trees in front, side and rear setbacks, and high quality architecture that is responsive to the site and context.

The residential intensification Precinct will provide for housing at increased densities, encourage a diversity of housing types and encourage a scale of development that provides transition to surrounding residential areas. The precinct will allow more people to live close to shops, jobs, transport and the beach.

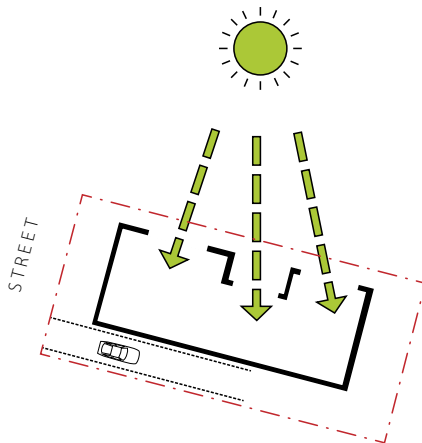
2.2 Building orientation and siting

Objectives

- O1 To ensure that site conditions including those on adjoining sites are considered
- O2 To provide good opportunities for solar access to dwellings
- O3 To ensure that new buildings have regard to the future development potential of adjoining sites and the ability for future development to gain reasonable solar access

Guidelines

- 2.2.1 Development should respond to existing conditions including adjoining uses, topography, vegetation and views
- 2.2.2 Siting of development should allow for adequate light and sun penetration to existing and future development on adjoining properties. Buildings should be sited away from main habitable rooms and private and communal open space on adjoining properties
- 2.2.3 Buildings should be sited and oriented to maximise opportunities for solar access to living areas and private open space
- 2.2.4 On lots with a generally east-west orientation, driveways should be located to the south of the lot where practicable
- 2.2.5 Maximise orientation of the building and dwellings to benefit from cooling breezes



Orient buildings to allow for good solar access to living areas and private open space

2.3 Front setback

Objectives

- O1 To support the streetscape character of tree-lined streets and landscaped front gardens
- O2 To provide opportunities for deep planting to front setbacks
- O3 To support the gradual implementation of consistent street setbacks
- O4 To provide a reasonable level of privacy to building occupants while encouraging passive surveillance of streets

Guidelines

- 2.3.1 Front street setbacks should be a minimum of 3m
- 2.3.2 Front setback areas should be free of structures such as rainwater tanks and outbuildings
- 2.3.3 On corner lots, front walls facing the side street should be setback 3 metres
- 2.3.4 The front setback must be landscaped with permeable surfaces and plants with the exception of driveways and pathways

2. Site Response

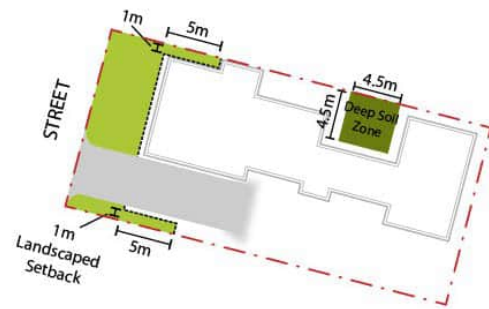
2.4 Side and rear setback

Objectives

- O1 To support the development of buildings separated by areas of planting**
- O2 To provide opportunities for daylight access and natural ventilation to dwellings**

Guidelines

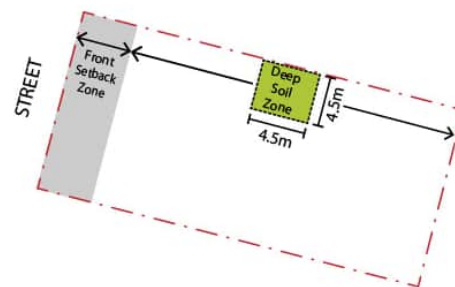
- 2.4.1 Buildings on single lots should be set back by at least 1m from each side boundary for the first 5 metres of the buildings that front the street.
- 2.4.2 Buildings on consolidated lots should be set back by at least 3m to one side boundary and at least 1m to the other side boundary for the first 5 metres of the buildings that front the street
- 2.4.3 Walls on boundaries are permitted provided they are set back 5m from the front wall of the buildings that front to the street and in accordance with ResCode provisions at Clause 55.04-2
- 2.4.4 A minimum of one 4.5m x 4.5m deep soil zone should be provided adjacent to one side boundary on a standard lot and two side boundaries on consolidated lots, for a minimum of 4.5m in length. Side boundary deep soil zones are not to encroach into front street setback areas.
- 2.4.5 Separation between buildings should utilise a 9 metre distance where possible to avoid overlooking. This may be able to be accommodated with adjoining landscape zones to side setbacks
- 2.4.6 In addition to guidelines 2.4.1, 2.4.2, 2.4.3 and 2.4.4, side and rear setbacks should be in accordance with ResCode provisions at Clause 55.04-1
- 2.4.7 On upper floors ResCode setbacks may be exceeded where appropriate to allow for improved building and amenity outcomes
- 2.4.8 Balconies and shading devices may encroach into side boundary deep planting zones by up to 1m
- 2.4.9 For buildings of more than 2 floors, the wall of the floors above the 2nd floor must be setback from the floor below a minimum of 2.5m to the street and rear. Balconies may encroach into this setback. All balustrades should have a minimum transparency of 40%
- 2.4.10 On street corner allotments the above requirements for front, side and rear setbacks may be varied to provide appropriate activated and landscaped interfaces to both streets



Side setback requirements for a standard single lot



Side setback requirements for a double consolidated lot



Deep soil zone located on single lot

2.5 Communal open space

Objectives

- O1 On consolidated lots, an area of communal open space should be provided that is accessible to all dwellings**
- O2 The amenity of a development and any adjoining future and existing developments should not be compromised by the placement and design of communal open space**

Guidelines

- 2.5.1 The placement of communal open space should maximise solar access
- 2.5.2 Landscape design of communal open space should be integrated with the overall development and provide a pleasant and inviting space that may include seating, shelter and communal garden beds
- 2.5.3 Bedrooms should not directly face communal open space
- 2.5.4 Rooftop gardens may be used to accommodate communal open space. They should be set back within the roof envelope to restrict overlooking and minimise bulk
- 2.5.5 Communal open space and access paths should incorporate baffled outdoor lighting

2.6 Landscape design

Objectives

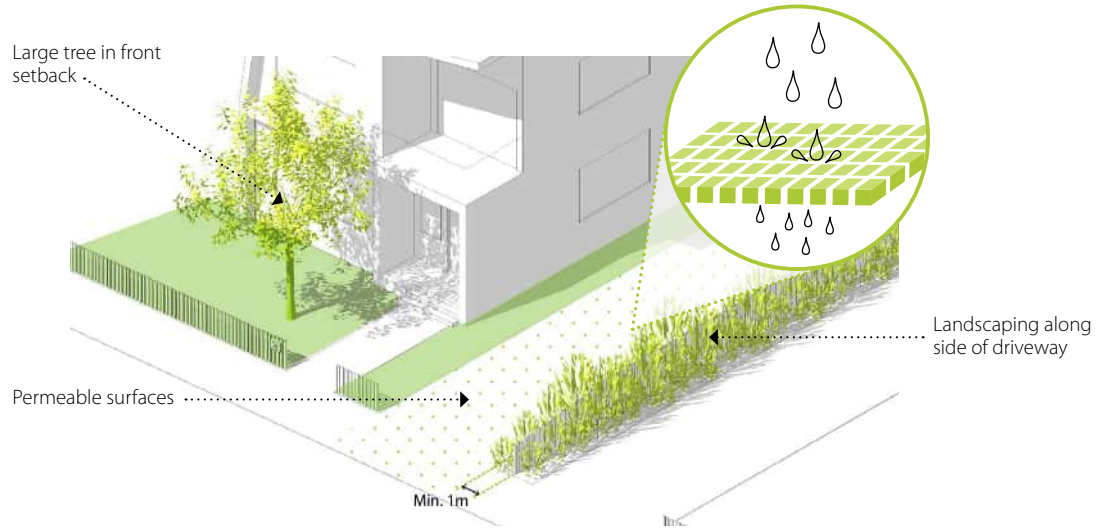
- O1 To support and improve tree canopy coverage by providing areas for deep soil zones in the setbacks of buildings**
- O2 To promote Water Sensitive Urban Design (WSUD)**
- O3 To provide high quality landscaping within the front setback that enhances the setting of buildings in the street**
- O4 To provide low maintenance and drought tolerant landscaping**
- O5 To provide dense tree planting and permeable landscaping to reduce the urban heat island effect**

Guidelines

- 2.6.1 Retain and protect existing mature trees where possible and integrate into the overall site planning
- 2.6.2 A minimum of 30% of the site area should be permeable unless on-site storm water run-off is managed through alternative methods such as green roofs, raingardens and on-site bio-retention, to the satisfaction of the Responsible Authority
- 2.6.3 Front setbacks should be planted with a minimum of one canopy tree per standard residential lot frontage combined with lower scale planting. The canopy tree should be capable of reaching a minimum of 7m in height
- 2.6.4 The front setback may incorporate bike racks, seating, raised garden beds, lighting or other hard and soft landscaping elements that complement the space and contribute to the streetscape
- 2.6.5 Corner sites should provide landscaped setbacks to both street frontages to the satisfaction of the Responsible Authority
- 2.6.6 Where possible locate deep soil zones to the north side of the lot and adjacent to a deep soil zone on adjoining properties to form contiguous areas for large tree planting

2. Site Response

- 2.6.7 Where canopy trees are to be provided, deep soil zones should be a minimum of 4.5m x 4.5m to enable sufficient space for root zones. Landscaped areas of shrub, grasses, sedges and groundcovers should be a minimum of 2 metres in width to provide suitable space for planting
- 2.6.8 Trees should be carefully selected and sited to allow scope for expected growth and structural protection of buildings
- 2.6.9 Vehicle access ways should be offset from the side boundary by a minimum of 1m to provide sufficient space for landscaping. Meander the driveway where practicable to provide large planting spaces for trees within the driveway area
- 2.6.10 Utilise water sensitive urban design (WSUD) techniques to treat stormwater run-off from car parks and passively irrigate vegetation
- 2.6.11 Landscape areas should be planted with species that are low maintenance and hardy, and do not require irrigation from the potable water supply. Species selection should generally provide an emphasis on native and indigenous plants that are appropriate to the site

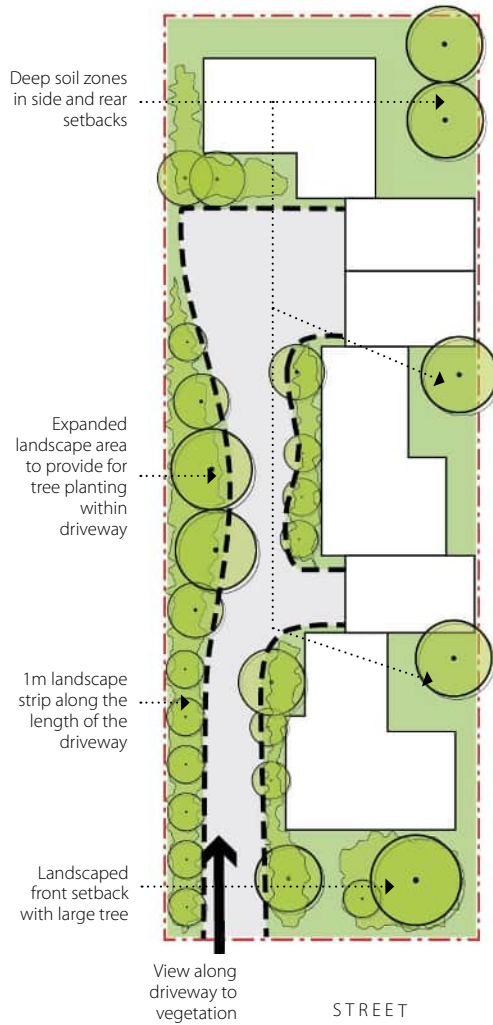


Setback landscaping and permeable paving

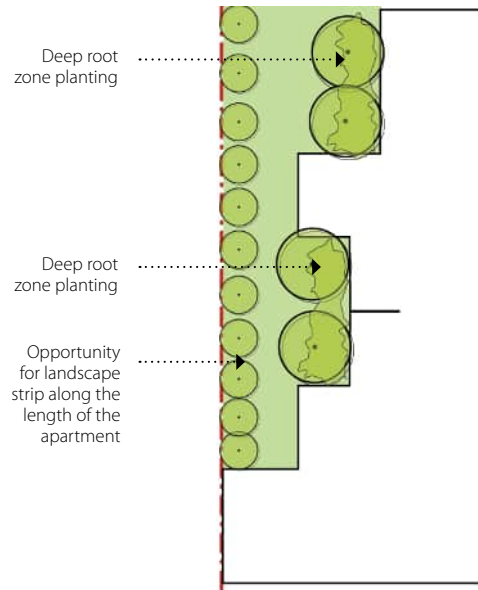


Buildings designed to retain established trees and create an attractive outlook from dwellings

2. Site Response



Meander the driveway where practicable to provide large planting spaces for trees within the driveway area



An example of planting opportunities around an 'apartment' style development



An example of how a driveway can be landscaped

3. Building Form and Design

3.1 Building height

Objectives

- O1 To support more efficient use of land by promoting the development of buildings of up to 13.5 meters in height
- O2 To enable height that supports pitched roof forms, reasonable floor-to-ceiling heights and raised ground floors

Guidelines

- 3.1.1 Building height is to be measured from natural ground level to the top of the apex of the roof
- 3.1.2 Buildings should be constructed to a maximum height of 13.5 meters

3.2 Building form

Objectives

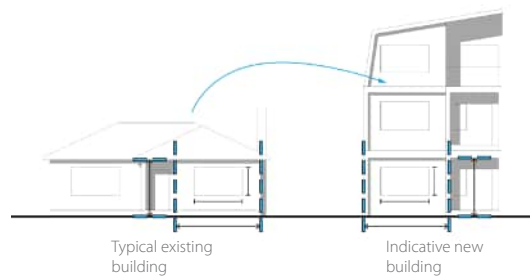
- O1 To provide a sense of address to dwellings
- O2 To allow for the integration of functional architectural elements into the overall building design.

Guidelines

- 3.2.1 Articulate building facades through the considered 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 on upper levels
- 3.2.2 On consolidated lots the streetscape interface of the development should break up the building bulk through significant recession into the building mass
- 3.2.3 Window proportions and alignment should respect neighbouring buildings
- 3.2.4 Street facing windows should generally have a horizontal emphasis (ie. 'Landscape' format)
- 3.2.5 Facade articulation should respect rhythm and grain of adjacent buildings



Articulation of building facade



Facade articulation to respect existing rhythm and proportions

3. Building Form and Design

3.3 Street interface

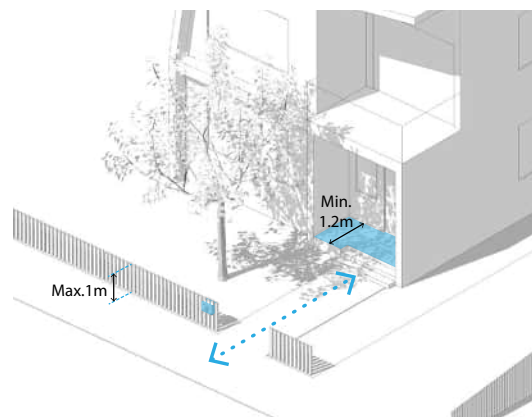
Objectives

- O1 To promote open streetscapes through low to medium height transparent front fencing**
- O2 To provide front building entries that are easily identifiable and complement the overall architectural design**
- O3 To enable passive surveillance of streets and public space through considered window composition and active uses facing the street**

Guidelines

- 3.3.1 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
- 3.3.2 On corner allotments both street frontages should provide activated and landscaped interfaces. This may include separate entries to individual dwellings
- 3.3.3 The building entries should directly front the street and be clearly defined and legible from the public realm. Lift cores should not face the street
- 3.3.4 Separate entry doors may be provided to ground floor dwellings. These may be provided to the side of the building but must be clearly identifiable
- 3.3.5 Integrate pedestrian access ramps with the overall design and landscape so that they are convenient, use similar materials and colour palettes as the building. Ramps should not dominate.
- 3.3.6 Street facing fencing should be a maximum of 1m in height
- 3.3.7 Street facing fencing should be constructed from predominantly lightweight materials and have a transparency of 30%
- 3.3.8 Walls facing streets and laneways should be punctuated by openings to provide passive surveillance
- 3.3.9 Street facing entries should generally be recessed within the overall facade by 1.2m and form a clearly identifiable element in the facade composition. Projected entry porticos should be integrated into the overall building design
- 3.3.10 Pathways must be provided to front entries
- 3.3.11 Weather protection should be provided at front entries

- 3.3.12 Innovative techniques should be used to define and give privacy to ground floor private open space. This may include the use of raised garden beds or decorative screening and fencing.
- 3.3.13 Ground floor windows facing the street should have a minimum sill height of 700mm above finished floor level to provide for adequate privacy for building occupants
- 3.3.14 The finished floor level of ground floor habitable rooms should be a minimum of 300mm above street kerb level



Street interface



Recessed dwelling entry

3.4 Roof design

Objectives

- O1 To provide skyline interest to streetscapes
- O2 To ensure roof design is integrated with the proportions and facade of the building

Guidelines

- 3.4.1 Roofs should be constructed with a pitch of 7 degrees from horizontal or greater. Roof forms may include gable, skillion or hipped designs. These forms may be combined with flat roof forms to provide articulation
- 3.4.2 Buildings of 2 or more storeys should have a skillion or gable roof for a minimum of 30% of the primary street facing facade
- 3.4.3 On larger buildings articulate or divide roof forms into distinct sections in order to minimise visual bulk and respond to the roof proportions of existing buildings
- 3.4.4 Services and equipment such as plant, lift cores, heating and cooling should be contained within the roof form or screened behind a parapet so that they are not visible
- 3.4.5 Consider site orientation in the design of roof forms so that element such as eaves can respond to solar access



Gabled roof form combined with flat roof



Skillion roof form combined with flat roof



Pitched roof form response

3. Building Form and Design

3.5 Materials and detailing

Objectives

O1 To provide visual interest and sense of address

Guidelines

- 3.5.1 Building facades should be clad with non-monolithic materials, such as brickwork, weatherboards or other articulated cladding. Large areas of rendered wall surface is discouraged
- 3.5.2 Building facades should use a maximum of 3 different primary cladding materials. (Use of a wide variety of cladding types is no substitute for meaningful building articulation)
- 3.5.3 Architectural detail of eaves should be considered as part of the design



Considered use of simple materials



Building composed from detailed materials with minimal areas of rendered surface

4. Services and Amenity

4.1 Site services

Objectives

- O1 To ensure that site services, such as water, power, gas, communications and waste, can be easily accessed and maintained**
- O2 To ensure that site services are incorporated into the design of developments**
- O3 To encourage use of sustainable technologies**

Guidelines

- 4.1.1 Conveniently locate mail boxes in accordance with Australia Post Requirements
- 4.1.2 Adequate space should be provided within developments to accommodate for services to be easily installed and maintained
- 4.1.3 Set aside appropriate space to allow for the installation of future site services, such as communications infrastructure and 'third pipe' water infrastructure
- 4.1.4 Site services, such as meter boxes, fire fighting equipment and mail boxes, should be incorporated into the design of the building or development and be constructed, where possible, with materials and details common to the development
- 4.1.5 Adequate space should be provided for rubbish and recycling bin storage. Bin storage is to be screened and incorporated into the design of the development
- 4.1.6 Solar boosted hot water systems are to be provided where practicable
- 4.1.7 Incorporate rainwater tanks on each building of at least 5,000 litres to collect runoff from roof areas. The water should be used for landscape irrigation, cleaning and toilet flushing
- 4.1.8 Where practical, incorporate grey water treatment and re-use systems (in accordance with EPA requirements)

4.2 Storage

Objectives

- O1 To provide adequate storage for each dwelling**
- O2 To ensure that storage is convenient, secure and weatherproof**

Guidelines

- 4.2.1 At least 6m³ of Storage space must be accessible from outside the dwelling
- 4.2.2 A minimum depth and width of 1.2m must be provided in at least 1 storage space per dwelling.
- 4.2.3 Ventilation should be provided to Storage spaces
- 4.2.4 Where storage is provided outside of dwellings, it must be lockable, weatherproof and conveniently located
- 4.2.5 Bicycle Parking does not contribute to Storage space requirements
- 4.2.6 Private Open Space does not contribute to Storage space requirements
- 4.2.7 Storage space should be clear of building services, such as pipework, rainwater tanks, mechanical equipment, and should not be located above car spaces

4. Services and Amenity

4.3 Daylight and sunlight access

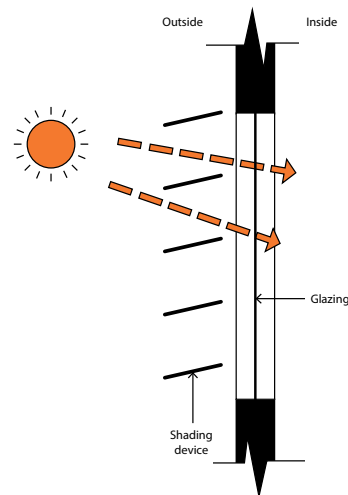
Objectives

- O1 To provide adequate natural light to habitable rooms**
- O2 To ensure that opportunities for passive solar gain to habitable rooms is maximised**
- O3 To discourage use of borrowed light and light courts to provide light to habitable rooms**

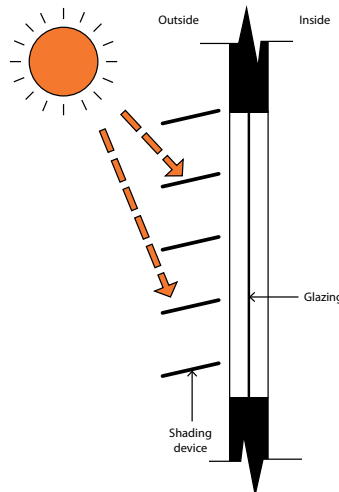
Guidelines

- 4.3.1 Habitable rooms should have a window facing an outdoor space open to the sky
- 4.3.2 Habitable rooms should be located to minimise southerly aspects
- 4.3.3 Building depths should be limited to the distances below to enable adequate sunlight to habitable rooms:
 - 9m for row houses and single loaded apartment buildings and row houses
 - 22m for double loaded apartment buildings
- 4.3.4 North and west facing glazing is to be protected by eaves or a shading device designed to allow solar penetration during colder months and minimise penetration of hot summer sun.
 - Horizontal shading devices are best suited to generally north facing glazing.
 - Vertical shading devices are best suited to generally west facing glazing.

N.B. Refer to Council publication Ecologically Sustainable Development Design Guide – Buildings (FCC 2010). These are a useful guide to assist with suitable ESD outcomes. These can be found on Council's website.



Winter



Summer

Horizontal shading designed to allow direct solar access to north facing rooms in winter and minimise direct solar access in summer

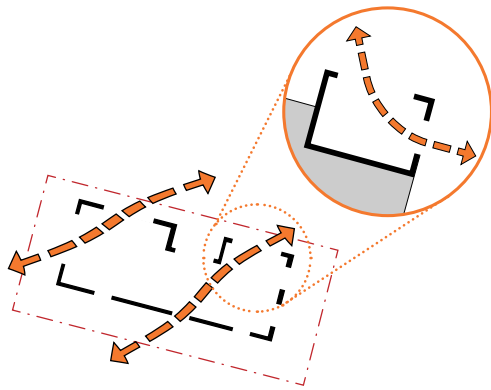
4.4 Natural ventilation

Objectives

- O1 To provide fresh air ventilation to buildings
- O2 To provide good levels of thermal comfort for building occupants
- O3 To increase energy efficiency of buildings by reducing the need for mechanical ventilation

Guidelines

- 4.4.1 Natural ventilation should be provided to all habitable rooms
- 4.4.2 Provide openings in two walls to rooms wherever practical



Provide natural cross ventilation of buildings. Where possible locate openings in 2 walls to rooms and apartments

4.5 Roof design

Objectives

- O1 To provide a good level of amenity and sense of space to rooms
- O2 To allow for good levels of daylight penetration into habitable rooms

Guidelines

- 4.5.1 Ceiling heights to habitable rooms should be a minimum of 2.7m measured from Finished Floor Level (FFL) to underside of Finished Ceiling Level (FCL), except where habitable rooms are located on a mezzanine floor, open to a double-height space with a minimum of 2m between the external glass line and balustrade to mezzanine level. In such instances, a minimum ceiling height of 2.4m from FFL to FCL may be acceptable.
- 4.5.2 Ceiling heights to non-habitable rooms should be a minimum of 2.4m from FFL to FCL.

4.6 Acoustic privacy

Objectives

- O1 To ensure that noise impacts on building occupants are minimised

Guidelines

- 4.6.2 Buildings located adjacent to Road Zone 1 and Road Zone 2, near railway lines and other sources of noise, should be designed to minimise noise impacts to habitable rooms
- 4.6.3 Vehicle access ways, parking areas and services equipment should be located to minimise noise impacts on bedrooms. Where locational separation cannot be achieved, noise impacts should be minimised through use of architectural solutions
- 4.6.4 Solutions to minimising noise impacts may include double glazing, operable screening, solid balustrade treatments and landscaping

5. Car Parking and Access

5. Car parking and Access

5.1 Pedestrian and cycle access

Objectives

- O1 To provide for safe, convenient and dignified access throughout developments by people with bikes, wheelchairs and prams**

Guidelines

- 5.1.2 Pedestrian routes to public areas, such as site facilities and parking areas, and main entries to dwellings accessible from ground floor should be accessible to people with bikes, wheelchairs and prams
- 5.1.3 All dwellings accessible from ground level should have clear access from the main entry to living areas and toilet at entry level to enable visiting by people with limited mobility
- 5.1.4 Design driveway access to minimise vehicle and pedestrian / cyclist conflicts by maintaining clear viewlines
- 5.1.5 Pedestrian routes to public areas and main entries in a development should be lit with low-glare or baffled lighting
- 5.1.6 The location of bicycle parking should be easily accessible from the street and at ground level
- 5.1.7 Bicycle parking should be secure and / or located in an area subject to passive or active surveillance. Bicycle parking must be compliant with Clause 52.34 of the Frankston Planning Scheme



Landscaped pedestrian path with lighting and passive surveillance

5.2 Vehicle access and parking

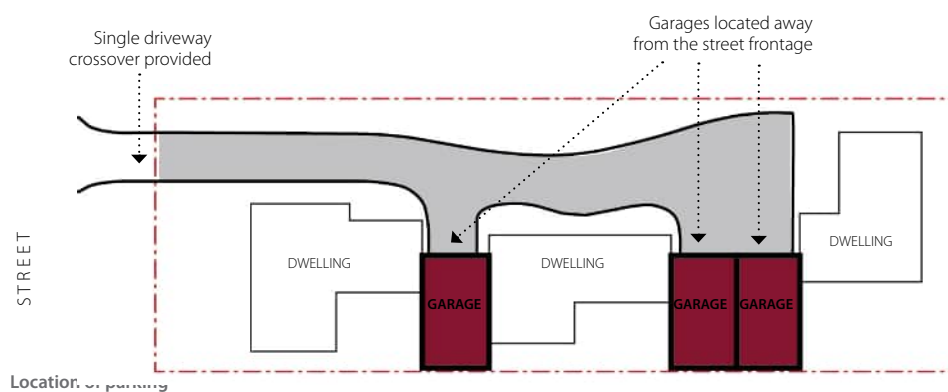
Objectives

- O1 To ensure the location, design and layout of car parking and access is integrated with the overall site planning and building design**
- O2 To minimise vehicle cross-overs**
- O3 To provide safe and secure car parking**
- O4 To manage potential conflict between vehicles, building occupants, pedestrians and cyclists**
- O5 To minimise the visual impact of car parking and access from the street so that it does not adversely affect streetscape character**

Guidelines

- 5.2.1 Provide 1 vehicle cross-over per site. This applies to standard single lots and consolidated lots. Two cross overs may be acceptable on corner lots. Re-use existing crossovers where possible, particularly to avoid the need to remove mature street trees
- 5.2.2 On lots with a generally east-west orientation, driveways should be located to the south of the lot where practicable
- 5.2.3 Security lighting should be provided to vehicle parking areas and entries. Light spillage to dwellings on site or those adjacent should not impact on amenity
- 5.2.4 The area of vehicle access way within the front setback and areas shared by vehicles and pedestrians should be a dressed surface treatment other than standard grey concrete
- 5.2.5 Clear sight lines should be provided at the vehicle exit point in accordance with Clause 52.06-8 of the Frankston Planning Scheme

- 5.2.6 Parking and vehicle entries should not present as a dominant element when viewed from the public realm. Appropriate and innovative screening and screen planting should be incorporated where necessary
- 5.2.7 Car parking areas should generally be located away from street interfaces and not within the front setbacks. Double garages facing the street should generally be avoided
- 5.2.8 Entry to car parking off a rear lane should be set back a minimum of 1m from the rear boundary
- 5.2.9 Undercroft car parking in apartment developments should be screened from the street with landscaping and / or articulated screening
- 5.2.10 Basement car parks should be designed with the following considerations:
 - Provide natural ventilation
 - Integrate ventilation grilles or security gates into the facade and landscape design
 - Provide security gates, conceal service pipes and ducts, to improve the appearance of basement entries from the street
- 5.2.11 Encourage the use of basement or semi basement car parks to reduce the visual impact of vehicle storage to the street and adjoining properties, maximise the potential for access to ground floor open space and provide privacy to ground floor apartments with a raised floor level
- 5.2.12 Where the Special Building Overlay applies, basement car parking will need to be designed to be compliant with relevant clauses of Schedule 44.05 - Special Building Overlay



6. Development Typologies

6. Development Typologies

6.1 Overview

Design typologies have been developed to demonstrate best practice development outcomes that accord with the design guidelines.

The typologies are intended to help applicants in understanding how guidelines are intended to be applied.

The typologies have been prepared on actual sites within the study area to cover the various development outcomes that are permissible under the existing and proposed planning controls. These include:

- Three storey townhouse development on a single lot
- Four storey apartment building on a consolidated lot

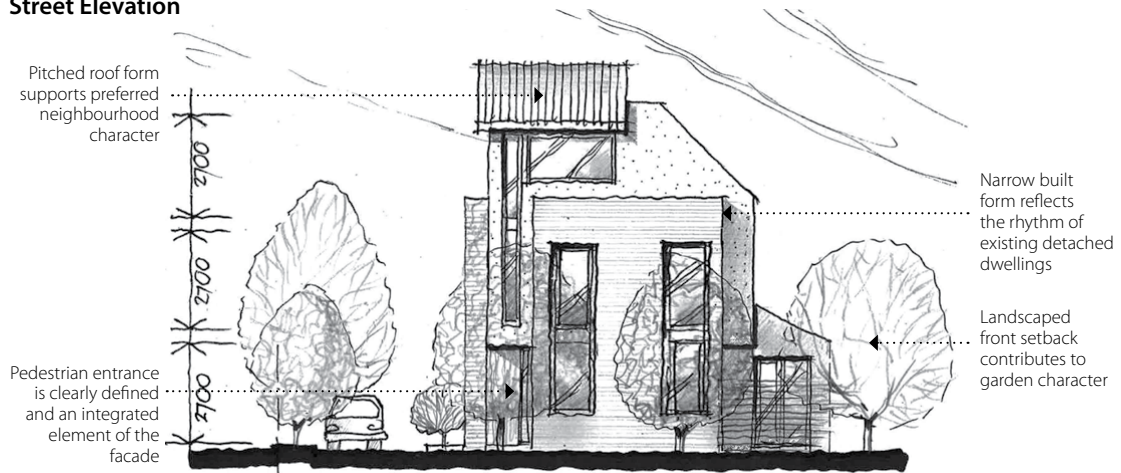
6.2 Three storey townhouses on a standard single lot

This typology provides for four, three storey townhouses on single lot

Site Layout Plan



Street Elevation



6. Development Typologies

6.3 Four storey apartment building on a double consolidated lot

This typology provides for 14 apartments within a four storey building on a double consolidated lot

Ground Floor Plan



Four storey apartment building on a double consolidated lot cont.

1st Floor Plan



6. Development Typologies

Four storey apartment building on a double consolidated lot cont.

2nd Floor Plan

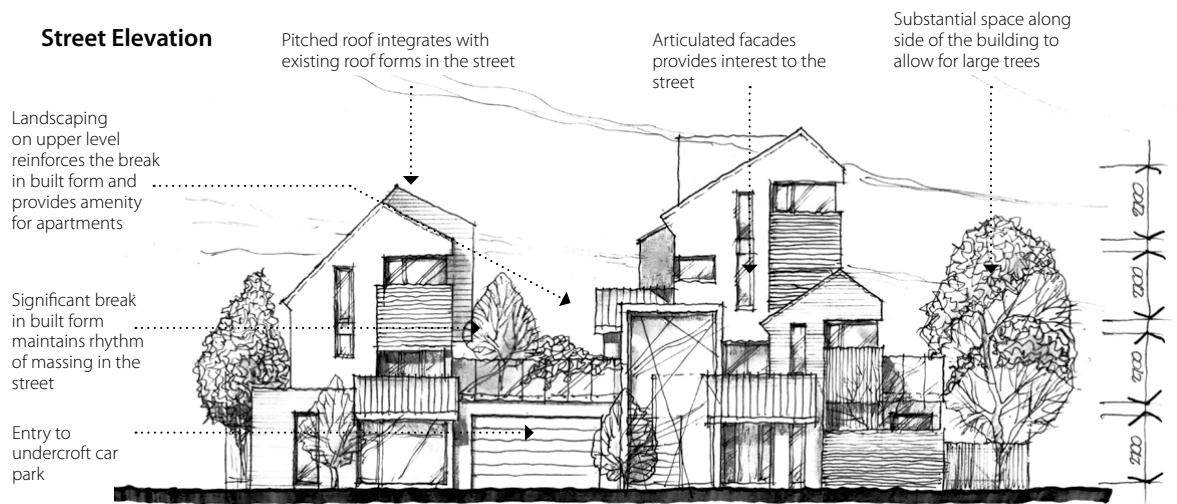


Four storey apartment building on a double consolidated lot cont.

3rd Floor Plan



Street Elevation



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Built Form Guidelines Frankston Complementary Health Mixed Use Area

June 2023



Introduction to new version

The title of this document has been amended as the *Frankston Metropolitan Activity Centre Structure Plan (Frankston City Council, 2023)* (the 2023 Structure Plan) has been prepared and will replace the *Frankston Metropolitan Activity Centre Structure Plan (Frankston City Council, 2015)* (the 2015 Structure Plan).

The 2015 Structure Plan defined the extent of the Frankston MAC more widely and included residential areas within the activity centre boundary. The 2023 Structure Plan reduces the extent of the Frankston MAC to the commercial and mixed-use areas of the centre. The Frankston MAC boundary and the precincts identified in the 2015 Structure Plan are now superseded by the 2023 version (see image below).

Precinct 8 – Health and Education identified in the 2015 Structure Plan no longer falls within the boundary of the Frankston MAC and therefore the built form guidelines in this document still apply to that area. This area has been renamed as the Frankston Complementary Health Mixed Use Area.

Precinct 9 – Cranbourne Road Office & Commercial identified in the 2015 Structure Plan is replaced by Precinct 6 in the 2023 Structure Plan. The built form guidelines in this document relating to this precinct no longer apply to this area, as they are superseded by the 2023 Structure Plan.

Therefore, this document has been renamed to *Built Form Guidelines Frankston Complementary Health Mixed Use Area (June 2023)*. For full transparency, the original document is retained in its entirety and only the document title has been changed, along with the inclusion of this new introductory page.



Built form Guidelines

Tract
Landscape Architects
Urban Designers
Town Planners

Tract

Frankston Metropolitan Activity Centre

Precinct 8 - Health & Education

Precinct 9 - Cranbourne Road Office & Commercial

FEBRUARY 2017



Built Form Guidelines for Frankston Metropolitan Activity Centre
Precinct 8 - Health & Education
Precinct 9 - Cranbourne Road Office & Commercial

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1. Introduction

1.1 About the Guidelines

Purpose

The purpose of this document is to provide built form guidance for Precinct 8 - Health & Education & Precinct 9 - Cranbourne Road Office & Commercial within the Frankston Metropolitan Activities Area. The guidelines will be used to guide the design of developments, be utilised in the preparation of planning permit applications and be utilised by Council for the assessment of permit applications.

The guidelines aim to ensure that future development provides a high level of amenity for employees, residents, visitors and neighbours, and sets benchmarks in design quality.

Why the guidelines are needed

The Frankston Metropolitan Activity Centre (FMAC) is one of only nine activity areas identified by state government across metropolitan Melbourne. These activity areas are seen to be the future regional centres that will provide business, employment and housing concentrations that will assist in accommodating anticipated population growth in Victoria.

Frankston City Council wishes to capitalise on the FMAC's bayside position, gateway to the Mornington Peninsula and its access to major transport links. Whilst looking to grow investment and employment and improve public infrastructure in the central business precinct, there is also a significant opportunity for office, commercial & residential development along Cranbourne Road to support the city centre.

It is critical that this area is planned to the highest standard to enhance streetscapes and provide for a high level of amenity for employees, residents and visitors. The guidelines have been prepared to ensure this occurs.

Guideline Objectives

The objectives of the Guidelines are:

- To facilitate the development of high quality, amenable, and attractive office and commercial development and residential development on upper levels
- To ensure that the highest level of amenity is provided for employees, visitors and residents
- To respond to a variety of commercial office and residential needs both now and into the future
- To ensure that development provides excellence in the standard of architecture and ESD
- To support existing State and Local planning objectives

1.2 How to use the guidelines

Where they apply

The Guidelines apply to Precinct 8 & 9 as identified in the FMAC Structure Plan

How they are Structured

The guidelines are structured in six sections as described below:

Section 1 - Introduction - Provides the overall objectives for the guidelines and instructions on how they apply and should be used

Section 2 - Site Response - Provides guidance on how the development should be sited and orientated on a site, and how open space and landscaping should be provided

Section 3 - Building Form and Design - Provides guidance on elements such as building height and form, street interface, roof form and materials

Section 4 - Services and Amenity - Provides guidance on the services that are provided for a site and guidance on both internal amenity for the proposed development and amenity impacts on neighbouring properties.

Section 5 - Car Parking and Access - Provides guidance on pedestrian and cycle access as well as car parking and vehicle access

Section 6 - Development Typologies - Demonstrates how the guidelines would be applied on typical lots in the study area. A number of design scenarios are tested within this section.



Precinct 8 and 9

2. Site Response

2.1 Precincts

Objectives

Strengthen Frankston's role as a major health and education hub through the location of ancillary health, medical and educational services that compliment Frankston Hospital, Frankston Private Hospital, Monash University and Chisholm Tafe.

Encourage development along Hastings and Cranbourne Roads that is responsive to their roles as gateways to the City Centre.

Encourage the development of office suits along Cranbourne Road.

Ensure that new buildings have regard to the future development potential of adjoining sites and the ability for future development to obtain reasonable solar access.

Integrate health and education uses as part of mixed use development.

Encourage housing at increased densities on upper levels of new development.

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.

Encourage open, landscaped street frontages and activated building interfaces that promote subservience of adjoining streets.

Precinct 8 - Health & Education

The Health and Education Precinct takes in the Frankston Public and Private Hospitals, the area between Hastings Road and the railway line, and the Frankston campuses of Monash University and Chisholm Institute. Frankston's role as the major health and education hub for the south east and Mornington Peninsula will be strengthened through additional health and educational services within the Precinct.

The area between Hastings road and the railway line will continue its transition to consulting rooms and smaller scale medical uses that are complementary to the hospitals. New health uses will be encouraged to locate on consolidated sites within purpose-built facilities.

Monash University and Chisholm Institute will be encouraged to intensify the use of their existing sites and establish satellite campuses within the City Centre to help meet future expansion needs.

Pedestrian and off-road cycle links between the precinct and the City Centre will be strengthened.

Precinct 9 - Cranbourne Road Office & Commercial

The Cranbourne Road Office and Commercial Precinct will provide a location for small businesses and start up opportunities seeking to take advantage of convenient access to major road links, the railway station and the City Centre.

New development will provide visual interest to the street using articulation, balconies, windows and a mix of high quality materials on all facades. Pedestrian entries will be clearly visible from the street while the visual impact of car parking is minimised through landscaping and locating car parking facilities to the side, rear or underneath buildings.

The precinct will also provide housing at increased densities particularly at upper levels.

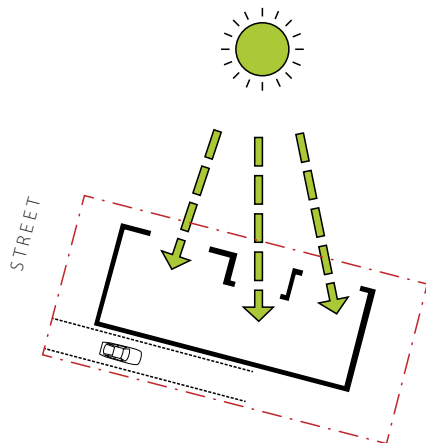
2.2 Building Orientation & Siting

Objectives

- O1 To ensure that site conditions including those on adjoining sites are considered
- O2 To provide good opportunities for solar access to habitable spaces
- O3 To ensure that new buildings have regard to the future development potential of adjoining sites and the ability for future development to gain reasonable solar access

Guidelines

- 2.2.1 Development should respond to existing conditions including adjoining uses, topography, vegetation and views
- 2.2.2 Siting of development should allow for adequate light and sun penetration to existing and future development on adjoining properties. Buildings should be sited away from main habitable rooms and private and communal open space on adjoining properties
- 2.2.3 Buildings should be sited and oriented to maximise opportunities for solar access to habitable and open space areas.
- 2.2.4 On lots with a generally east-west orientation, driveways should be located to the south of the lot where practicable
- 2.2.5 Maximise orientation of the buildings to benefit from cooling breezes



Orient buildings to allow for good solar access to living areas and private open space

2.3 Front Setbacks

Objectives

- O1 To support the preferred general streetscape character of a tree-lined streets and landscaped front gardens
- O2 To provide opportunities for deep planting to front setbacks
- O3 To support the gradual implementation of consistent street setbacks
- O4 To provide a reasonable level of privacy to building occupants while encouraging passive surveillance of streets

Guidelines

- 2.3.1 Front street setbacks should be a minimum of 3m
- 2.3.2 Front setback areas should be free of structures such as rainwater tanks and outbuildings
- 2.3.3 Car parking should not be located in the front setback
- 2.3.4 On corner lots, front walls facing the side street should be setback a minimum of 3 metres
- 2.3.5 The front setback must be landscaped with permeable surfaces and plants with the exception of driveways and pathways

2. Site Response

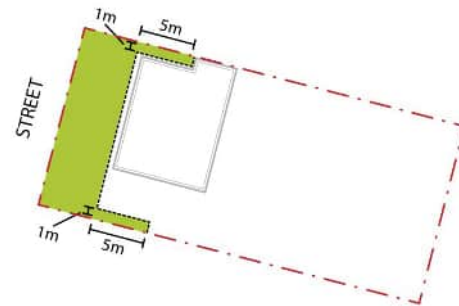
2.4 Side and Rear Setbacks

Objectives

- O1 To support the preferred general neighbourhood character of buildings separated by areas of planting
- O2 To provide opportunities for daylight access and natural ventilation to buildings

Guidelines

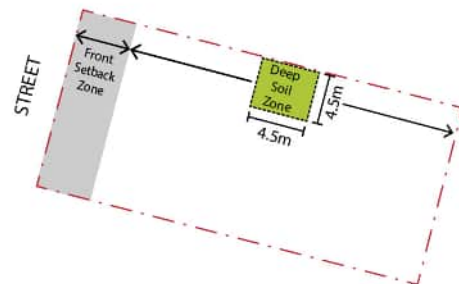
- 2.4.1 Buildings on single lots should be set back by at least 1m from each side boundary for the first 5 metres of the buildings that front to the street
- 2.4.2 Buildings on consolidated lots should be set back by 3m to one side boundary and 1m to the other side boundary for the first 5 metres of the buildings that front to the street
- 2.4.3 Walls on boundaries are permitted provided they are set back 5m from the front wall of the buildings that front to the street and in accordance with ResCode provisions at Clause 55.04-2
- 2.4.4 A minimum of one 4.5m x 4.5m wide deep soil zones should be provided adjacent to one side boundary on a standard lot and two side boundaries on consolidated lots, for a minimum of 4.5m in length. Side boundary deep soil zones are not to encroach into front street setback areas
- 2.4.5 Where a neighbouring development includes residential use, separation between buildings should utilise a 9 metre distance where possible to avoid overlooking. This may be able to be accommodated with adjoining landscape zones to side setbacks
- 2.4.6 In addition to guidelines 2.4.1, 2.4.2, 2.4.3 and 2.4.4, side and rear setbacks should be in accordance with ResCode provisions at Clause 55.04-1
- 2.4.7 Balconies and shading devices may encroach into side boundary deep planting zones by up to 1m where it can be demonstrated that such encroachment will not impact on tree growth, to the satisfaction of the Responsible Authority
- 2.4.8 For buildings of more than 2 floors, the wall/s of the floor/s above the 2nd floor must be setback from the floor below a minimum of 2.5meters to the street and rear. Balconies may encroach into this setback. All balustrades should have a minimum transparency of 40%
- 2.4.9 On street corner allotments the above requirements for front, side and rear setbacks may be varied to provide appropriate activated and landscaped interfaces to both streets.



Side setback requirements for a standard single lot



Side setback requirements for a double consolidated lot



Deep soil zone located on single lot

2.5 Landscape Design

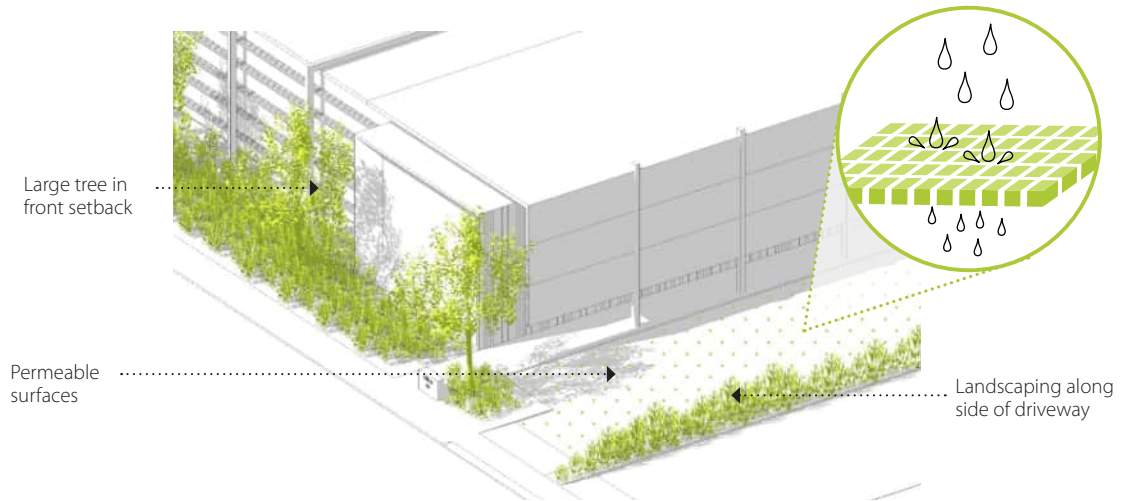
Objectives

- O1 To support and improve tree canopy coverage by providing areas for deep soil zones in the setbacks of buildings**
- O2 To promote Water Sensitive Urban Design (WSUD)**
- O3 To provide high quality landscaping within the front setback that enhances the setting of buildings in the street**
- O4 To provide low maintenance and drought tolerant landscaping**

Guidelines

- 2.5.1 Retain and protect existing mature trees where possible and integrate into the overall site planning
- 2.5.2 The landscape plan should respond to the site soil types, drainage conditions and other climatic factors
- 2.5.3 A minimum of 30% of the site area should be permeable unless on-site storm water run-off is managed through alternative methods such as green roofs, raingardens and on-site bio-retention, to the satisfaction of the Responsible Authority
- 2.5.4 Front setbacks should be planted with a minimum of one canopy tree per standard lot frontage combined with lower scale planting. The canopy tree should be capable of reaching a minimum of 7m in height
- 2.5.5 The front setback may incorporate bike racks, seating, raised garden beds, lighting or other hard and soft landscaping elements that complement the space and contribute to the streetscape
- 2.5.6 Provide elements within the front setback that will encourage the use of the space by residents staff and visitors. This could include landscaped areas incorporating seating and grassed areas
- 2.5.7 Corner sites should provide landscaped setbacks to both street frontages to the satisfaction of the Responsible Authority
- 2.5.8 Where possible locate deep soil zones to the north side of the lot and adjacent to a deep soil zone on adjoining properties to form contiguous areas for large tree planting
- 2.5.9 Where canopy trees are to be provided, deep soil zones should be a minimum of 4.5m x 4.5m to enable sufficient space for root zones. Landscaped areas of shrub, grasses, sedges and groundcovers should be a minimum of 2 metres in width to provide for the effective impact of planting
- 2.5.10 Trees should be carefully selected and sited to allow scope for intended growth and structural protection of buildings
- 2.5.11 Vehicle access ways should be offset from the side boundary by a minimum of 1m to provide sufficient space for landscaping. Meander the driveway where practicable to provide large planting spaces for trees within the driveway
- 2.5.12 Utilise water sensitive urban design (WSUD) techniques to treat stormwater run-off from car parks and passively irrigate vegetation
- 2.5.13 Landscape areas should be planted with species that are low maintenance and hardy, and do not require irrigation from the potable water supply. Species selection should generally provide an emphasis on native and indigenous plants that are appropriate to the site

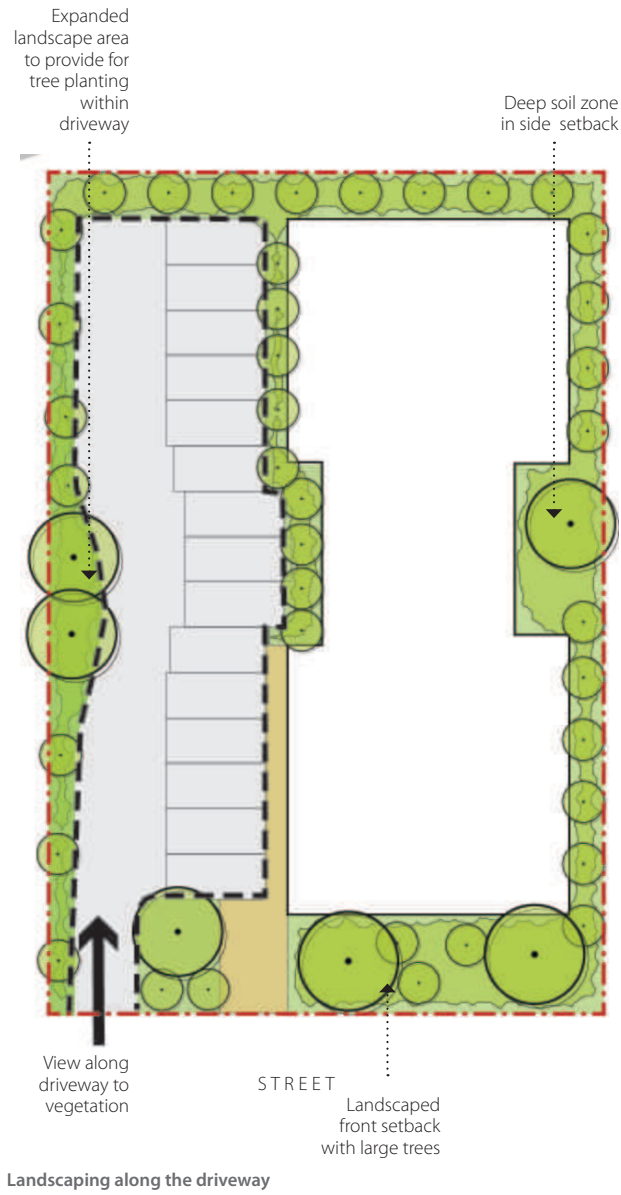
2. Site Response



Setback landscaping and permeable paving



An example where the building has been sited and designed to retain a remnant tree



This example of a landscaped area is wide enough to provide for a mix of grasses, shrubs and trees and have a strong impact on the streetscape



An example of how a driveway can be landscaped

2. Site Response

2.6 Communal Open Space

Objectives

- O1 To provide areas of outdoor space for residents staff and visitors**
- O2 To ensure that Outdoor communal space is usable and functional**

Guidelines

- 2.6.1 Developments should incorporate a minimum of 40m² of communal open space
- 2.6.2 The area must capable of containing a rectangle of 3m x 4m. The space should have minimal level changes
- 2.6.3 Rooftop gardens may be used to accommodate communal open space. They should be set back within the roof envelope to restrict overlooking and minimise bulk.
- 2.6.4 Services such as air conditioning units, rainwater tanks and hot water units must be not encroach into communal open space areas that are less than 45m²
- 2.6.5 Communal open space should be located to take advantage of northern aspect (where practicable), connect to internal common areas, and be landscaped with shade trees and seating
- 2.6.6 Communal open space and access paths should incorporate baffled outdoor lighting

3. Building Form and Design

3.1 Building Height

Objectives

- O1 To support more efficient use of land by promoting the development of buildings of up to 14m in height
- O2 To encourage a boulevard character along Cranbourne Road and Hastings Road
- O3 To enable good floor-to-ceiling heights, integrated architectural screening of roof-mounted plant and services, and articulated roof forms

Guidelines

- 3.1.1 Building height is to be measured from natural ground level to the underside of Finished Ceiling Level (FCL) of habitable rooms
- 3.1.2 Roof forms should extend no greater than 1.8m above the maximum building height
- 3.1.3 Roof plant and services may extend beyond the maximum roof height to the satisfaction of the Responsible Authority and must be appropriately screened

3.2 Building Form

Objectives

- O1 To provide a sense of address to buildings
- O2 To support a preferred boulevard character
- O3 To allow for the integration of functional architectural elements into the overall building design

Guidelines

- 3.2.1 Articulate building façades through the considered design of openings, balconies, varied materials, recessed and projected elements, and revealing structural elements such as columns and beams
- 3.2.2 Lighter and less detailed materials should generally be used on upper levels
- 3.2.3 On consolidated lots the streetscape interface of the development should break up the building bulk through significant penetration into the building mass
- 3.2.4 Window proportions and alignment should respect neighbouring buildings
- 3.2.5 Buildings constructed along long boundaries such as, corner lots and across double consolidated lots, should be separated to reflect the detached character of the precincts

3. Building Form & Design

3.3 Street Interface

Objectives

- O1 To promote open streetscapes through low to medium height transparent front fencing**
- O2 To provide front building entries that are easily identifiable and complement the overall architectural design**
- O3 To enable passive surveillance of streets and public space through considered window composition and active uses facing the street**

Guidelines

- 3.3.1 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 garages and bathrooms, should be located away from street-facing facades where practicable
- 3.3.2 Buildings should provide a minimum of 60% glazing in the facade that fronts the street. Where this is not practical, it will need to be demonstrated that the front facade contributes positively to the streetscape and provides passive surveillance of the street
- 3.3.3 On corner allotments both street frontages should provide activated and landscaped interfaces. This may include separate entries
- 3.3.4 The building entries should directly front the street and be clearly defined and legible from the public realm. Lift cores should not face the street
- 3.3.5 Integrate pedestrian access ramps with the overall design and landscape so that they are convenient, use similar materials and colour palettes as the building. Ramps should not dominate the visual appearance of pedestrian ingress/egress spaces
- 3.3.6 Walls facing streets and laneways are to be punctuated by openings to provide passive surveillance
- 3.3.7 Ground floor street-facing facades should incorporate visual permeability and avoid residential architectural expression
- 3.3.8 Street facing entries should generally be recessed within the overall facade by 1.2m and form a clearly identifiable element in the facade composition. Projecting entry porticos are not consistent with the neighbourhood character of the precincts
- 3.3.9 Pathways are to be provided to front entries
- 3.3.10 Seating should be integrated into building facades at front entries, where practicable
- 3.3.11 Weather protection should be provided at front

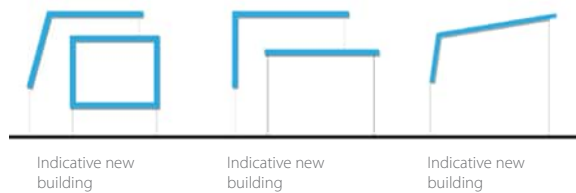
3.4 Roof Design

Objectives

- O1 To provide skyline interest to streetscapes**
- O2 To ensure roof design is integrated with the proportions and facade of the building**

Guidelines

- 3.4.1 Roof forms should be integrated with the overall building facade design
- 3.4.2 On larger buildings articulate or divide roof forms into distinct sections in order to minimise visual bulk and respond to the roof proportions of existing buildings
- 3.4.3 Services and equipment such as plant, lift cores, heating and cooling should be contained within the roof form or screened behind a parapet so that they are not visible
- 3.4.4 Consider site orientation in the design of roof forms so that element such as eaves can respond to solar access



Roof form response



An example of a roof form integrated with the design of the building facade

3.5 Materials and Detailing

Objectives

- O1 To ensure that buildings compliment and respect preferred neighbourhood character.
- O2 To provide visual interest and sense of address.

Guidelines

- 3.5.1 Building facades should be clad with non-monolithic materials, such as brickwork, weatherboards or other articulated cladding. Large areas of rendered wall surface is discouraged
- 3.5.2 New development should utilize simple details and forms. Avoid excessive detailing in facades
- 3.5.3 Building facades should use a maximum of 3 different primary cladding materials. (Use of a wide variety of cladding types is no substitute for meaningful building articulation.)
- 3.5.4 Architectural detail of eaves should be considered as part of the design
- 3.5.5 Architectural detailing should not replicate past architectural styles



Building composed from detailed materials



An example of simple detailing and form



An example of mixed use development

4. Services, Signage and Amenity

4.1 Site Services

Objectives

- O1 To ensure that site services, such as water, power, gas, communications and waste, can be easily accessed and maintained**
- O2 To ensure that site services are incorporated into the design of developments**
- O3 To encourage use of sustainable technologies**

Guidelines

- 4.1.1 Adequate space is to be provided within developments to accommodate for services to be easily installed and maintained
- 4.1.2 Allow appropriate redundant space to allow for the installation of future site services, such as communications infrastructure and 'third pipe' water infrastructure
- 4.1.3 Site services, such as meter boxes, fire fighting equipment and mail boxes, should be incorporated into the design of the building or development and be screened with materials and details common to the development
- 4.1.4 Adequate space should be provided for rubbish and recycling bin storage. Bin storage is to be screened and incorporated into the design of the development. Bin storage should not be located within the front setback
- 4.1.5 Solar boosted hot water systems are to be provided where practicable
- 4.1.6 Incorporate rainwater tanks on each building of at least 5,000 litres to collect runoff from roof areas. The water should be used for landscape irrigation, cleaning and toilet flushing
- 4.1.7 Where practical, incorporate grey water treatment and re-use systems (in accordance with EPA requirements)
- 4.1.8 Services and equipment such as plant, lift cores, heating and cooling should be contained within the roof form or screened behind a parapet so that they are not visible

4.2 Signage

Objectives

- O1 To ensure signage and advertising is designed and located to be compatible with the character of the area**
- O2 To provide for the identification of businesses in a way that maintains the character and amenity of the street and is designed to be compatible with visually sensitive areas**
- O3 To ensure signage is informative and co-ordinated in a way that enables customers to easily locate the industry or business and determine its services**

Guidelines

- 4.2.1 Signage should be integrated into the design of buildings by forming a logical element of the front facade and be in keeping with the scale of the facade. The expression line / building fascia between ground and first levels is generally a good location for signage
- 4.2.2 Signage should be limited in numbers to avoid visual clutter and unnecessary repetition.
- 4.2.3 Where there are multiple business occupancies within the one site, one shared sign should be provided that details the location of the businesses. A small identification sign may be provided for each business that is co-ordinated with the shared sign in terms of style and materials
- 4.2.4 Freestanding signage should be avoided and will only be permitted if it can be demonstrated that signage on the building facade will not provide effective business identification. If freestanding signage is permitted, it should integrate with the overall design of the site in terms of scale, form, landscaping and materials, and should not detract from the streetscape character and key views to the area
- 4.2.5 Signage attached to front fences should be avoided
- 4.2.6 Directional signage should be provided within sites to delineate entries and exits, staff and visitor parking, office /reception areas, and loading areas. Directional signage within the site should be consistent in style and form

4.3 Daylight & Sunlight Access

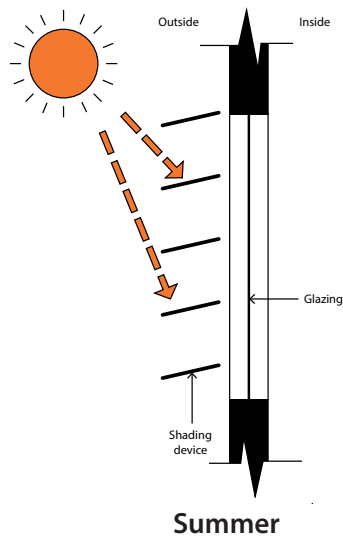
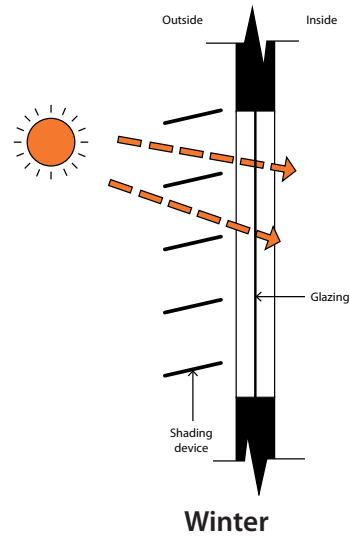
Objectives

- O1 To provide adequate natural light to habitable spaces
- O2 To ensure that opportunities for passive solar gain to habitable rooms is maximised in winter months
- O3 To minimise solar gain in summer months
- O4 To discourage use of borrowed light and light courts to provide light to habitable rooms

Guidelines

- 4.3.1 Habitable rooms should have a window facing an outdoor space open to the sky
- 4.3.2 Building with sunlight access to both sides should have a maximum depth of 22m to enable adequate sunlight to habitable rooms
- 4.3.3 North and west facing glazing is to be protected by eaves or a shading device designed to allow solar penetration during colder months and minimise penetration of hot summer sun
 - Horizontal shading devices are best suited to generally north facing glazing
 - Vertical shading devices are best suited to generally west facing glazing

N.B. Refer to Council publication Ecologically Sustainable Development Design Guide – Buildings (City of Frankston2010). These are a useful guide to assist with suitable ESD outcomes. These can be found on Council’s website.



Horizontal shading designed to allow direct solar access to north facing rooms in winter and minimise direct solar access in summer

4. Services Signage & Amenity

4.4 Acoustic Privacy

Objectives

- O1 To ensure that noise impacts on building occupants are minimised**

Guidelines

- 4.4.1 Buildings located near busy roads and other sources of noise should be designed to minimise noise impacts to habitable rooms
- 4.4.2 Solutions to minimising noise impacts may include double glazing, operable screening, solid balustrade treatments and landscaping

4.5 Internal Ceiling Heights

Objectives

- O1 To provide a good level of amenity and sense of space to rooms**
- O2 To allow for good levels of daylight penetration into habitable rooms**
- O3 To allow for appropriate servicing of office spaces**

Guidelines

- 4.5.1 Ceiling heights to habitable rooms on ground floor level are to be a minimum of 4.2m measured from Finished Floor Level (FFL) to underside of Finished Ceiling Level (FCL)
- 4.5.2 Ceiling heights to habitable rooms with a commercial use above ground floor level are to be a minimum of 3.0m measured from FFL to underside of FCL
- 4.5.3 Ceiling heights to non-habitable rooms are to be a minimum of 2.4m measured from FFL to underside of FCL
- 4.5.4 Where developments include residential use, ceiling heights to habitable residential rooms above ground floor level are to be as outlined in *Frankston Built Form Guidelines for Higher Density Residential Development - Frankston Central Activities Area*

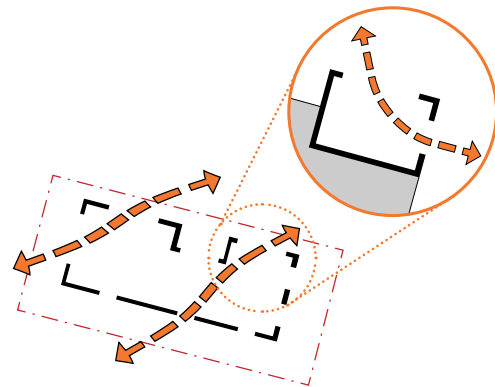
4.6 Natural Ventilation

Objectives

- O1 To provide fresh air ventilation to buildings**
- O2 To provide good levels of thermal comfort for building occupants**
- O3 To increase energy efficiency of buildings by reducing the need for mechanical ventilation**

Guidelines

- 4.6.1 Natural ventilation should be provided to all habitable spaces
- 4.6.2 Single sided ventilation of rooms should be minimised
- 4.6.3 Where practicable, building users should have control of, and be appropriately trained in, the operation of natural ventilation openings



Provide natural cross ventilation of buildings. Where possible locate openings in 2 walls to rooms and apartments

5. Car Parking and Access

5.1 Pedestrian and cycle access

Objectives

- O1 To provide for safe, convenient and dignified access throughout developments by people with bikes, wheelchairs and prams**

Guidelines

- 5.1.1 Pedestrian routes to public areas, such as site facilities and parking areas, and main entries to offices accessible from ground floor should be accessible to people with bikes, wheelchairs and prams
- 5.1.2 Design driveway access to minimise vehicle and pedestrian / cyclist conflicts by maintaining clear viewlines between the exiting or entering vehicle and pedestrians
- 5.1.3 Pedestrian routes to public areas and main entries in a development should be lit with low-glare or baffled lighting
- 5.1.4 The location of bicycle parking should be easily accessible from the street and at ground level
- 5.1.5 Bicycle parking should be secure and / or located in an area subject to passive or active surveillance. Bicycle parking is to be compliant with Clause 52.34 of the Frankston Planing Scheme
- 5.1.6 Showers, lockers and change rooms should be provided in accordance with Clause 52.34 of the Frankston Planing Scheme



An example of safe pedestrian access being provided in a car park

5. Car parking and Access

5.2 Vehicle access and parking

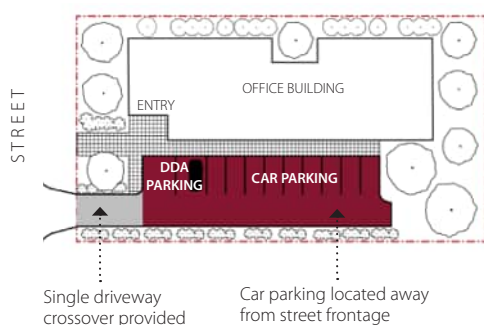
Objectives

- O1 To ensure the location, design and layout of car parking and access is integrated with the overall site planning and building design**
- O2 To minimise vehicle cross-overs**
- O3 To provide safe and secure car parking**
- O4 To manage potential conflict between vehicles, building occupants, pedestrians and cyclists**
- O5 To minimise the visual impact of car parking and access from the street so that it does not adversely affect streetscape character**

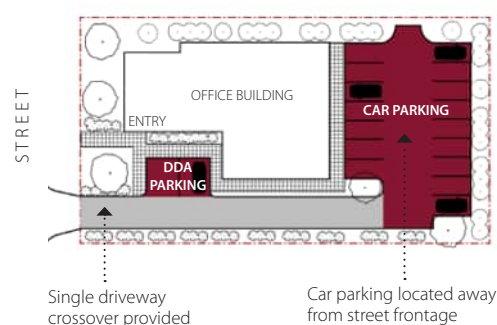
Guidelines

- 5.2.1 Provide 1 vehicle cross-over per site. This applies to standard single lots and consolidated lots. Two cross overs may be acceptable on corner lots. Re-use existing crossovers where possible, particularly to avoid the need to remove mature street trees
- 5.2.2 On lots with a generally east-west orientation, driveways should be located to the south of the lot where practicable
- 5.2.3 Security lighting should be provided to vehicle parking areas and entries. Light spillage to dwellings adjacent sites should not impact on amenity
- 5.2.4 The area of vehicle access way within the front setback and areas shared by vehicles and pedestrians should be a dressed surface treatment other than standard grey concrete
- 5.2.5 Disabled car parking should be provided close the main entrance of buildings
- 5.2.6 Clear sight lines should be provided at the vehicle exit point with shrub planting restricted within the immediate vicinity to a maximum of 500mm in height

- 5.2.7 Parking and vehicle entries should not present as a dominant element when viewed from the public realm. Appropriate and innovative screening and screen planting should be incorporated where necessary
- 5.2.8 At grade car parking areas should generally be located away from street interfaces and not within the front setbacks. Garages facing the street should be avoided
- 5.2.9 Undercroft car parking should be sleeved with active use facing the street, where practicable. Use of other screening from the street, such as landscaping and / or articulated screening, may be acceptable where an applicant can demonstrate that active use sleeving is not achievable
- 5.2.10 Basement car parks should be designed with the following considerations:
 - Provide natural ventilation
 - Integrate ventilation grilles or security gates into the facade and landscape design
 - Provide security gates, conceal service pipes and ducts, to improve the appearance of basement entries from the street
- 5.2.11 Encourage the use of basement or semi basement car parks to reduce the visual impact to the street and adjoining properties, maximise the potential for access to ground floor open space
- 5.2.12 Where the Special Building Overlay applies, basement car parking will need to be designed to be compliant with relevant clauses of Schedule 44.05 - Special Building Overlay



Parking located to the side of building



Parking located to the rear of building with disabled accessible parking to the side

6. Development Typologies

6.1 Overview

Design typologies have been developed to demonstrate best practice development outcomes that accord with the design guidelines.

The typologies are intended to help applicants in understanding how guidelines are intended to be applied.

The typologies have been prepared on actual sites within the study area to cover the various development outcomes that are permissible under the existing and proposed planning controls. These include:

- Two storey commercial office development along Cranbourne Road for a single lot
- Two storey commercial office development along Cranbourne Road for a consolidated lot
- Three storey commercial, office and residential development along Cranbourne Road for a consolidated lot

6. Development Typologies

6.2 Two storey commercial office - Single lot

This typology provides for a two storey office development on a single lot.

Site Layout Plan



6.3 Two storey commercial office - Double lot (parking at side)

This typology provides for a two storey office development on a double lot

Site Layout Plan

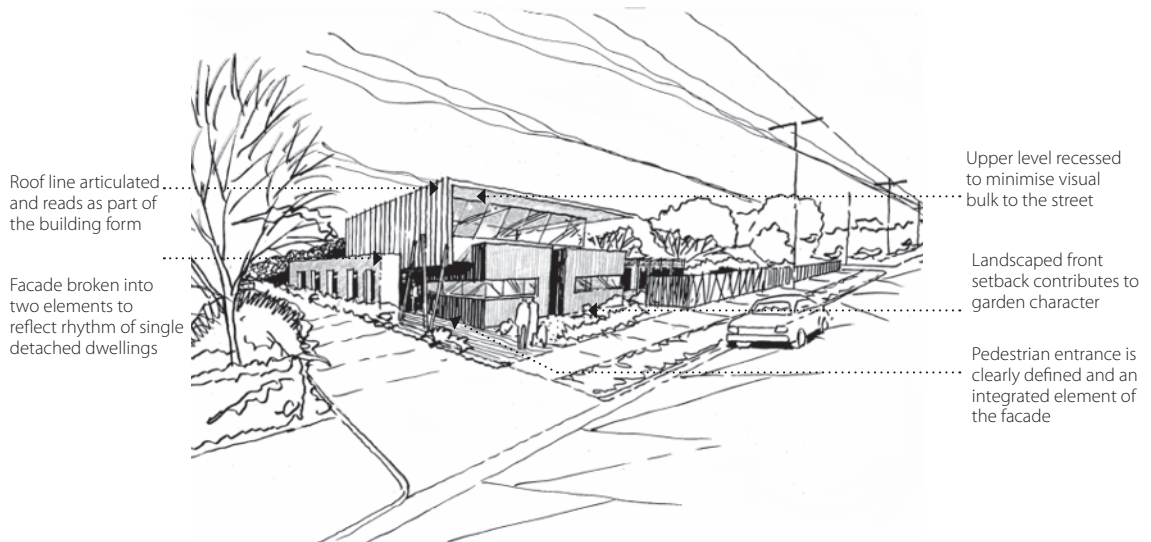


6. Development Typologies

6.4 Two storey commercial office - Double lot (parking at rear)

This typology provides for a two storey office development on a double lot

Site Layout Plan



6.5 Three storey commercial office - Double lot

This typology provides for a three storey office development on a double consolidated lot with a basement car park

Site Layout Plan



6. Development Typologies

Three storey commercial office - Double lot [cont.]

Basement car park plan

