

--/--/----  
Proposed C259whse

## SCHEDULE 12 TO CLAUSE 43.06 BUILT FORM OVERLAY

Shown on the planning scheme map as **BFO12**.

### TALLY HO ACTIVITY CENTRE

#### 1.0

--/--/----  
Proposed C259whse

#### Development objectives

To transform Tally Ho Activity Centre into a contemporary regional employment hub in a distinctive landscape setting with extensive tree canopy.

To build an identity for Tally Ho that combines landscape, place and culture with well-designed built form and well-connected public realm and open spaces.

To provide activated, connected and high amenity pedestrian-friendly streets that promote walkability and better connections between the activity centre precincts.

To promote enhanced sustainability of built form across the activity centre.

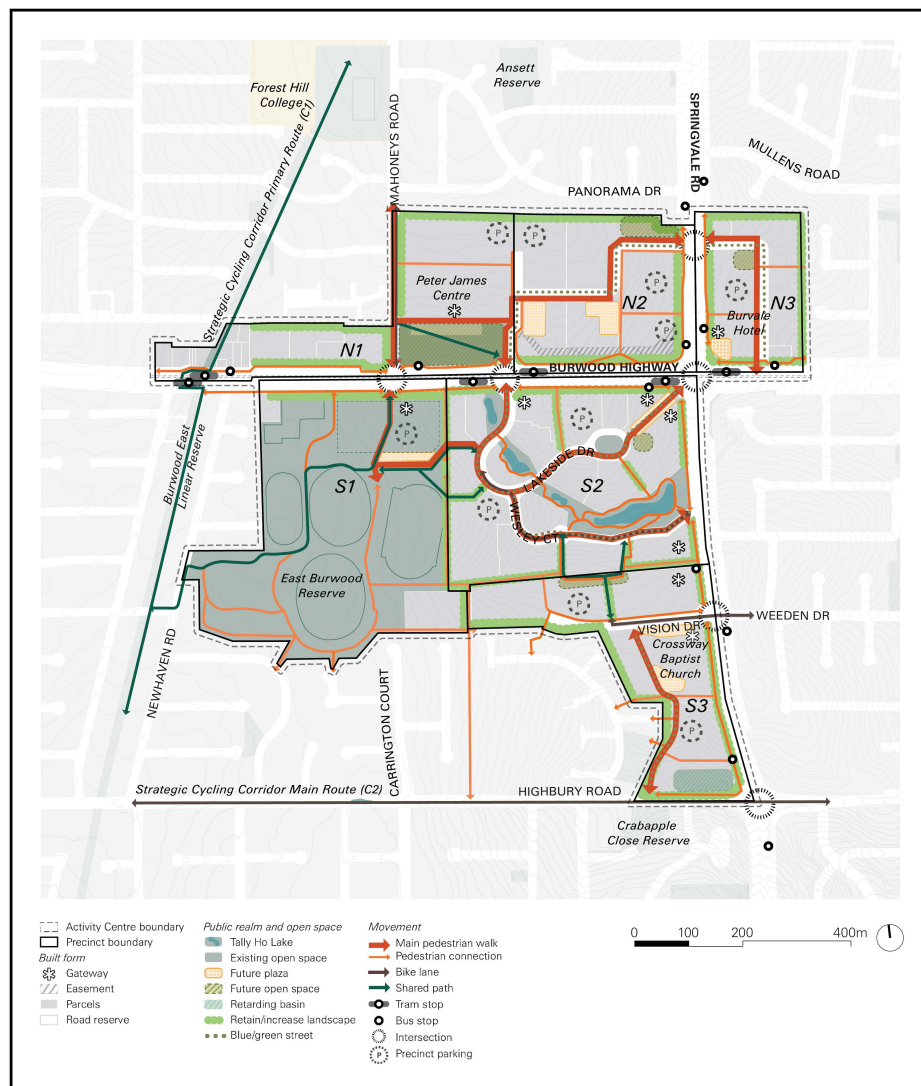
To ensure sensitive design interfaces with adjoining residential zones.

#### 2.0

--/--/----  
Proposed C259whse

#### Development framework

##### Map 1: Development Framework



Map 2: Precincts and preferred land uses

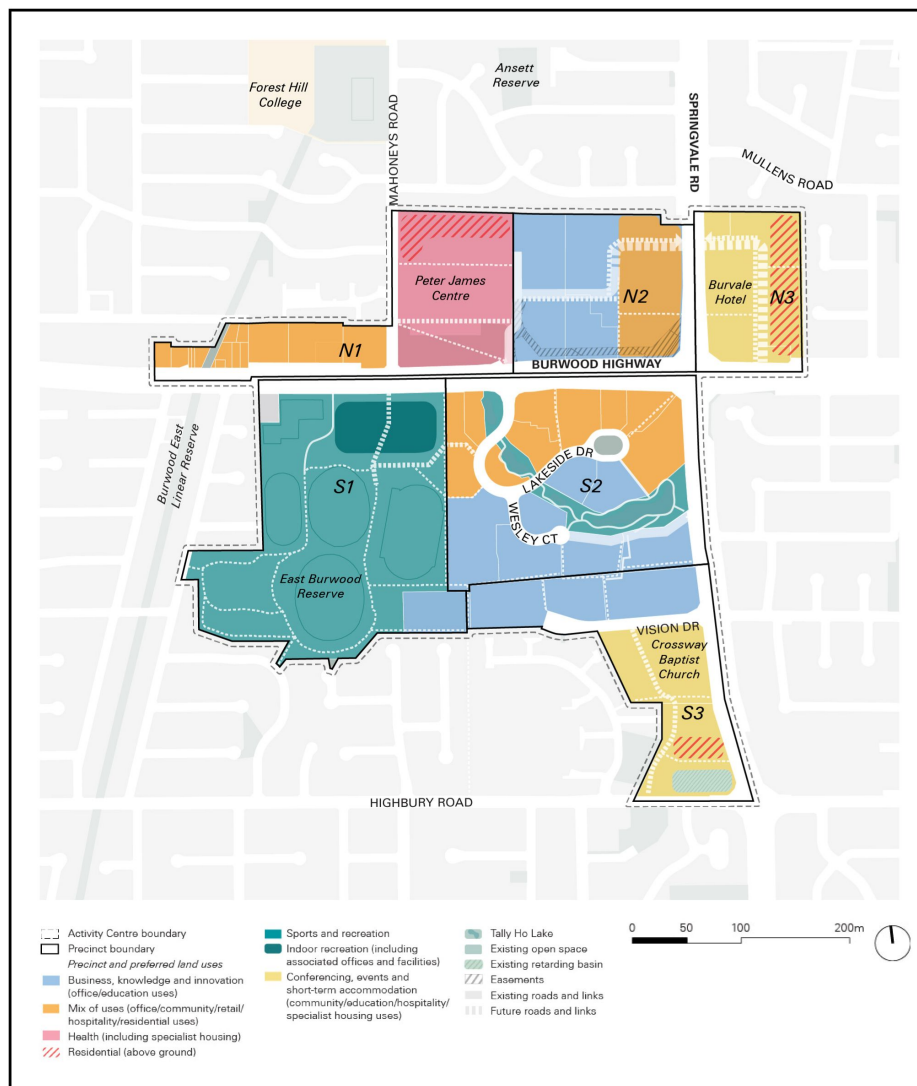


Table 1: Land use precincts

|                                                             |                                                                                                                                                                                                                                                                                                     |
|-------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Health and support services precinct - N1</b>            | The health and support services precinct will be a vital hub for health and wellbeing, offering integrated health services and specialist housing solutions within a connected and supportive community.                                                                                            |
| <b>Retail core and business precinct - N2</b>               | The retail core and business precinct will be established as a thriving and dynamic commercial heart, offering a diverse mix of retail, business, education and hospitality, interconnected by vibrant public plazas and pedestrian-friendly walkways that prioritise safe streets and walkability. |
| <b>Conferencing, events and entertainment precinct - N3</b> | The conferencing, events and entertainment precinct will become a premier destination for short term accommodation, conferences and events and entertainment, drawing visitors and residents alike with its contemporary facilities, diverse                                                        |

|                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|--------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                        | accommodations and engaging public spaces with convenient access to public transport and the wider activity centre.                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>East Burwood Reserve recreational precinct - S1</b> | The East Burwood Reserve recreational precinct will provide an inclusive and accessible recreational hub, offering diverse open spaces and facilities that seamlessly connect to the rest of the activity centre, enhancing the wellbeing of residents and visitors of all ages and abilities. With pedestrian safety and access as a priority, car parking will be consolidated and placed underneath buildings and a new signalised intersection will connect the precinct to the health and support services, residential communities and schools to the north. |
| <b>Creative business core precinct - S2</b>            | The creative business core precinct will serve as a regional hub for innovative businesses and employment and foster a dynamic and collaborative environment that attracts talent and investment. This vibrant precinct will integrate green spaces, support quality and affordable housing for key workers, and provide amenities that contribute to a sustainable work-life ecosystem.                                                                                                                                                                           |
| <b>Community support services precinct - S3</b>        | The community support services precinct will foster a caring and supportive community, providing essential and faith-based services for the community and specialist housing options within a welcoming and accessible environment surrounded by natural landscapes.                                                                                                                                                                                                                                                                                               |

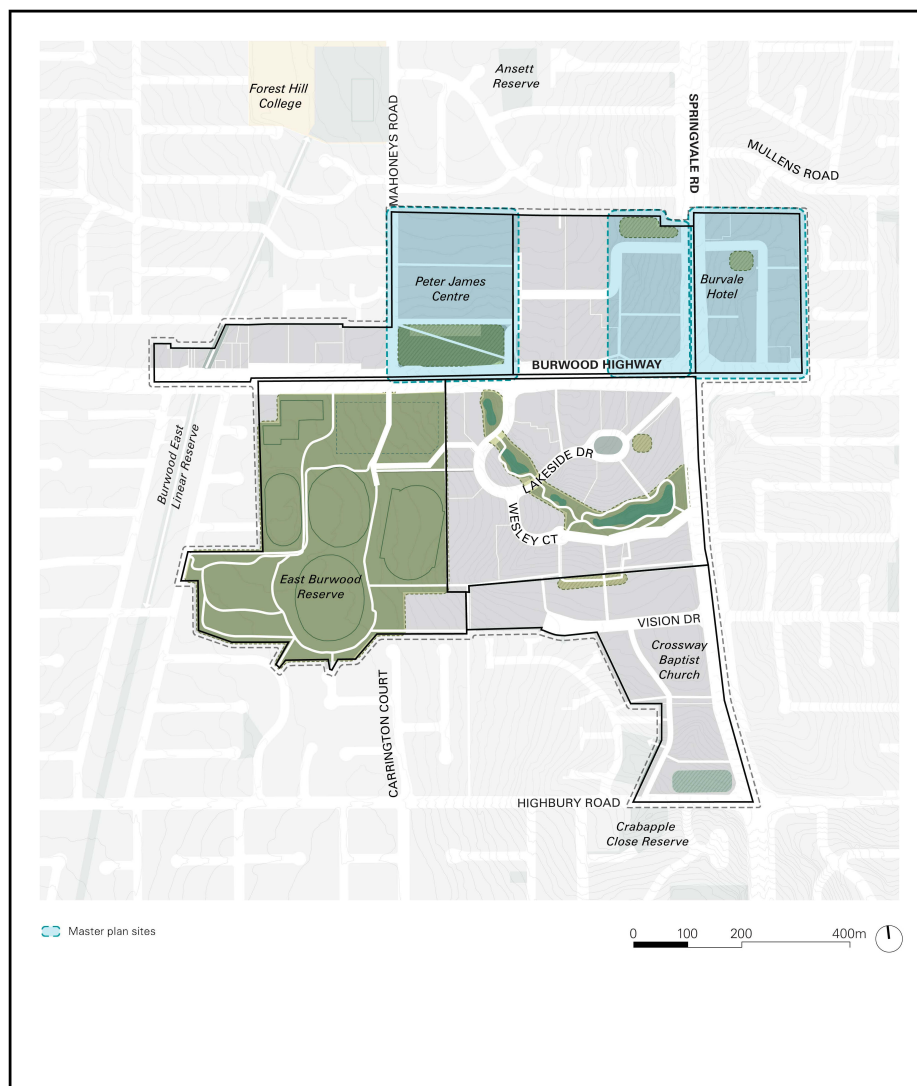
### 3.0

--/--/----  
Proposed C259whse

## Master plan requirements

### Land to which the master plan requirements apply

#### Map 3: Land to which master plan requirements apply



### Requirement before a permit is granted

A permit may be granted before a master plan has been prepared to the satisfaction of the responsible authority if the responsible authority is satisfied that:

- the granting of a permit will not prejudice the preparation of a master plan; or
- the proposed use or development will not prejudice the orderly use and development of land in accordance with the objectives of this schedule.

### Requirements for a master plan

None specified.

### 4.0

--/--/----  
Proposed C259whse

## Public benefit uplift framework

None specified.

**5.0**

**Buildings and works**

--/--/----

Proposed C259whse

**Permit requirement**

A permit is required to construct a fence along any street frontage.

A permit is required to construct any side or rear boundary fencing that exceeds 1.8 metres in height.

**6.0**

**Outcomes and standards**

--/--/----

Proposed C259whse

The outcomes and standards in this overlay and this schedule prevail over any inconsistent provision within this planning scheme unless an application is made generally in accordance with the Development Plan approved under Schedule 4 to Clause 43.04, which will prevail over any inconsistent provision in this overlay and this schedule.

**6.1**

**Outcomes that do not apply**

The outcomes in Clauses 43.06-7.3 and 43.07-7.11 do not apply.

**6.2**

**Standards**

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

## 6.2-1 Building heights

### Standard BF02

Map 4: Building heights

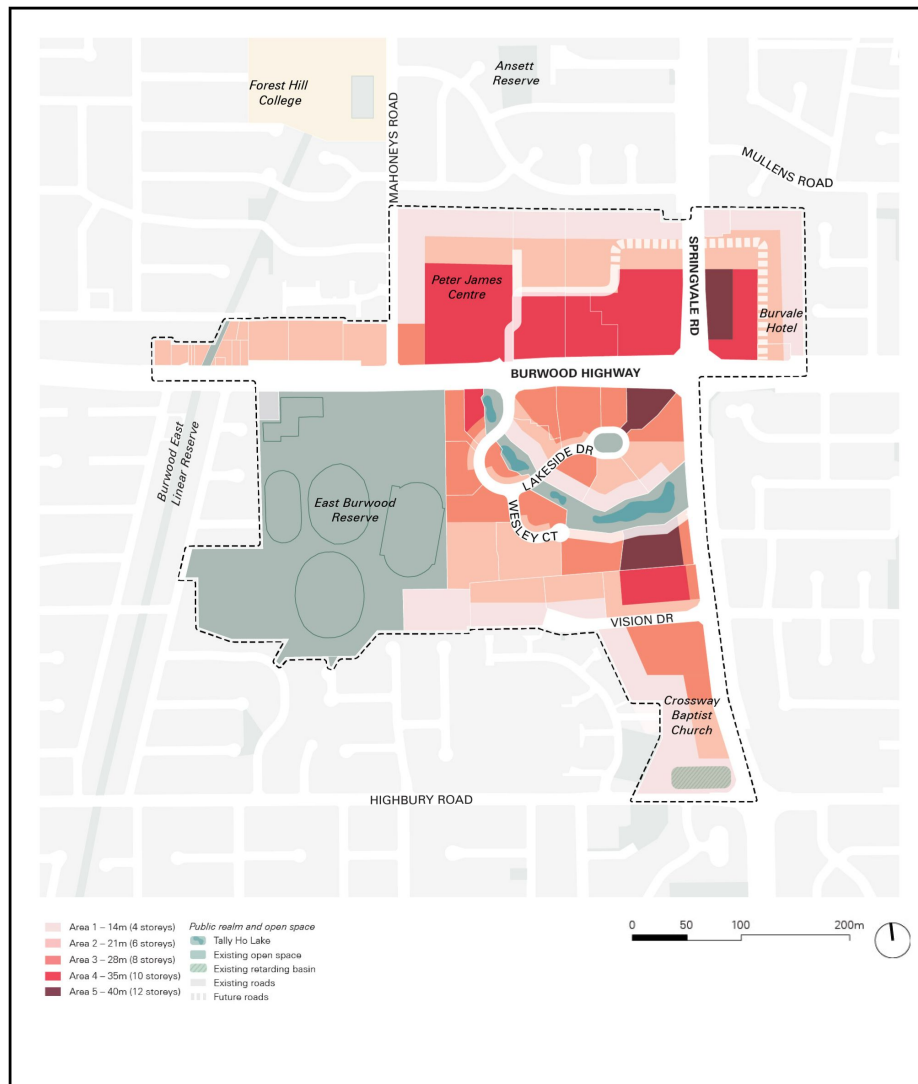


Table 2: Building heights

|        | Maximum building height | Mandatory or discretionary | Deemed to comply |
|--------|-------------------------|----------------------------|------------------|
| Area 1 | 14 metres (4 storeys)   | Discretionary              | Yes              |
| Area 2 | 21 metres (6 storeys)   | Discretionary              | Yes              |
| Area 3 | 28 metres (8 storeys)   | Discretionary              | Yes              |
| Area 4 | 36 metres (10 storeys)  | Discretionary              | Yes              |

|        | Maximum building height | Mandatory or discretionary | Deemed to comply |
|--------|-------------------------|----------------------------|------------------|
| Area 5 | 40 metres (12 storeys)  | Discretionary              | Yes              |

## 6.2-2 Overshadowing of open space or public realm

### Standard BF04

#### Map 5: Overshadowing of protection areas



**Table 3: Overshadowing of open space or public realm**

| Overshadowing areas shown on Map 5 | Sun access measurement                                                                                     | Mandatory or discretionary | Deemed to comply |
|------------------------------------|------------------------------------------------------------------------------------------------------------|----------------------------|------------------|
| Pedestrian streets                 | Maintain sun access to the opposite footpath measured at least 3 metres from the property boundary between | Discretionary              | Yes              |

| Overshadowing areas shown on Map 5                  | Sun access measurement                                                                                                | Mandatory or discretionary | Deemed to comply |
|-----------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|----------------------------|------------------|
|                                                     | 11:00am and 2:00pm on 22 September.                                                                                   |                            |                  |
| Plazas (proposed)                                   | Provide sun access to at least 50 per cent of the future plaza space between 11:00am and 3:00pm on 22 September.      | Discretionary              | Yes              |
| Open space (Tally Ho Lake and East Burwood Reserve) | Ensure no additional overshadowing beyond shadow cast by existing developments between 11:00am and 3:00pm on 21 June. | Mandatory                  | Yes              |

### ***6.2-3 Front setbacks, street wall heights, setbacks above the street wall and landscaped setbacks***

#### **Standard BF05**

The following standards replace Standard BF05 at Clause 43.06-7.5.

Development should provide building setbacks from the interface boundaries shown on Map 6 and Table 4.

Development should provide upper-level building setbacks to create a recessed building form above a human-scale podium base.

Development should provide front setbacks that accommodate pedestrian and cycle pathways, canopy planting, softscaping and bioswales while maintaining road access.

Map 6: Interface setbacks

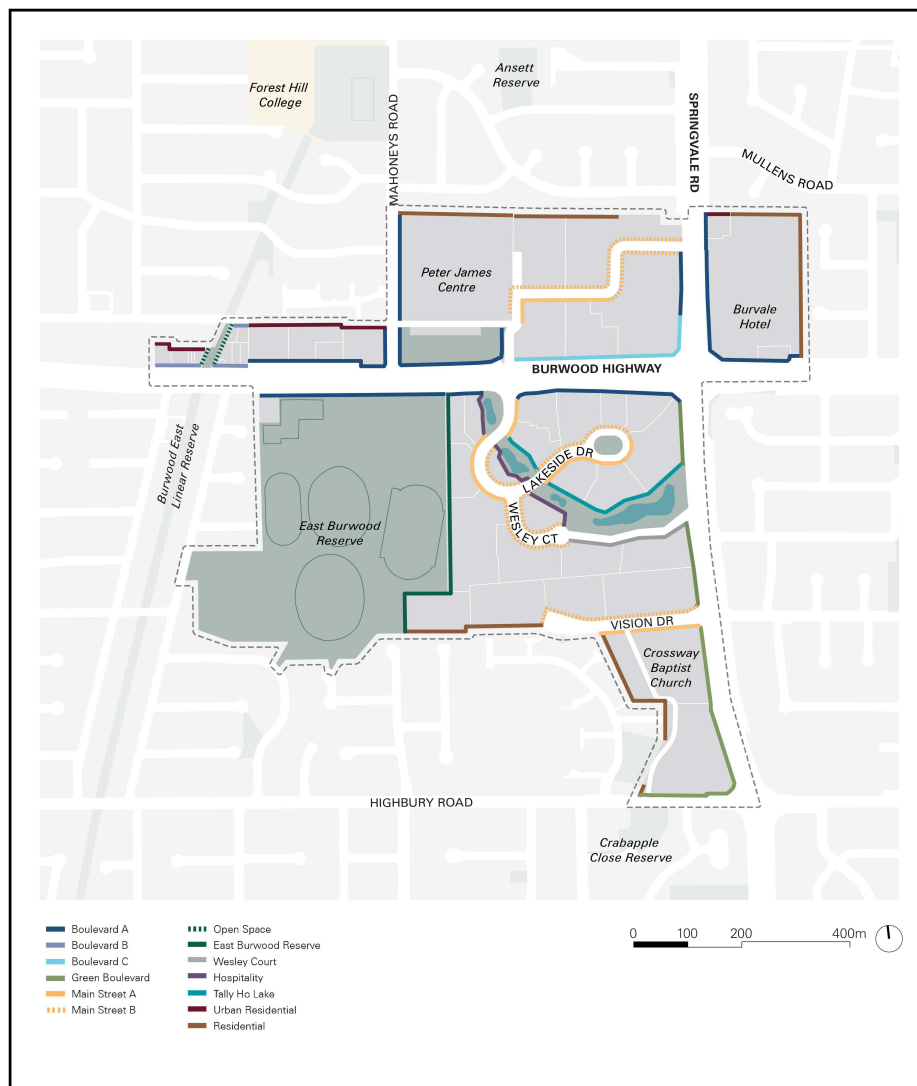


Table 4: Interface setbacks

| Interface as shown on Map 6 | Minimum setback from the interface boundary | Building height | Mandatory or discretionary | Deemed to comply |
|-----------------------------|---------------------------------------------|-----------------|----------------------------|------------------|
| Boulevard A                 | 6m                                          | Up to 21m       | Discretionary              | Yes              |
|                             | 9m                                          | Above 21m       |                            | Yes              |
| Boulevard B                 | 3m                                          | Up to 14m       | Discretionary              | Yes              |
|                             | 6m                                          | Above 14m       |                            | Yes              |
| Boulevard C                 | 20m                                         | None specified. | Discretionary              | Yes              |
| Green boulevard             | 12m                                         | Up to 21m       | Discretionary              | Yes              |
|                             | 15m                                         | Above 21m       |                            | Yes              |
| Main Street A               | 4.5m                                        | Up to 21m       | Discretionary              | Yes              |

# WHITEHORSE PLANNING SCHEME

| Interface as shown on Map 6 | Minimum setback from the interface boundary                                                                                 | Building height | Mandatory or discretionary | Deemed to comply |
|-----------------------------|-----------------------------------------------------------------------------------------------------------------------------|-----------------|----------------------------|------------------|
|                             | 9m with allowance for 3m encroachment of up to 50 per cent of the articulation zone in accordance with Standard BF15.       | Above 21m       |                            | Yes              |
| Main Street B               | 4.5m                                                                                                                        | Up to 21m       | Discretionary              | Yes              |
|                             | 9m                                                                                                                          | Above 21m       |                            | Yes              |
| Hospitality                 | 6m                                                                                                                          | Up to 21m       | Discretionary              | Yes              |
|                             | 9m                                                                                                                          | Above 21m       |                            | Yes              |
| East Burwood Reserve        | 6m                                                                                                                          | Up to 21m       | Mandatory                  | Yes              |
|                             | 13.5m with allowance for a 3m encroachment for up to 50 per cent of the articulation zone in accordance with Standard BF15. | Above 21m       |                            | Yes              |
| Open Space                  | 3m                                                                                                                          | Up to 14m       | Discretionary              | Yes              |
|                             | 9m with allowance for a 3m encroachment for up to 50 per cent of the articulation zone in accordance with Standard BF15.    | Above 14m       |                            | Yes              |
| Tally Ho Lake               | 12m                                                                                                                         | Up to 14m       | Mandatory                  | Yes              |
|                             | 30m                                                                                                                         | Above 14m       |                            | Yes              |
| Wesley Court                | 18m                                                                                                                         | Up to 21m       | Discretionary              | Yes              |
|                             | 21m                                                                                                                         | Above 21m       |                            | Yes              |
| Urban Residential           | 9m                                                                                                                          | Up to 14m       | Discretionary              | Yes              |
|                             | 12m                                                                                                                         | Above 14m       |                            | Yes              |
| Residential                 | 12m                                                                                                                         | NA              | Discretionary              | Yes              |

**6.2-4 Side and rear setbacks and building separation within a site****Standard BF06****Table 5: Side and rear set backs within a site**

| Side and rear setbacks within a site as shown on Map 2 | Minimum setback | Mandatory or discretionary | Deemed to comply |
|--------------------------------------------------------|-----------------|----------------------------|------------------|
| Precinct N1 - side and rear setback                    | 4.5m up to 14m  | Discretionary              | Yes              |
| All other precincts - rear setback                     | 6m up to 21m    | Discretionary              | Yes              |

**Table 6: Building separation within a site**

| Building height | Between habitable rooms and balconies | Between habitable rooms and non-habitable rooms | Between non-habitable rooms | Mandatory or discretionary | Deemed to comply |
|-----------------|---------------------------------------|-------------------------------------------------|-----------------------------|----------------------------|------------------|
| Up to 21m       | 12m                                   | 9m                                              | 6m                          | Discretionary              | Yes              |
| Above 21m       | 18m                                   | 12m                                             | 9m                          | Discretionary              | Yes              |

**6.2-5 Building layout and adaptability****Standard BF07****Table 7: Floor to floor heights**

| Minimum floor to floor height | Use and location criteria                                   | Mandatory or discretionary | Deemed to comply |
|-------------------------------|-------------------------------------------------------------|----------------------------|------------------|
| 4m                            | For all uses located at ground floor and first floor        | Discretionary              | Yes              |
| 3.5m                          | For non-residential uses located at second floor and above  | Discretionary              | Yes              |
| 3.2m                          | For residential uses located at second floor and above      | Discretionary              | Yes              |
| 3.2m                          | For car parking structures located at first floor and above | Discretionary              | Yes              |

**6.2-6 Active Frontages****Standard BF09**

The following standards replace Standard BF09 at Clause 43.06-7.9.

Development should:

- Position active uses to address the public realm.
- Maximise the number of pedestrian building entries.
- Break up long expanses of frontage with building entries.
- Locate smaller tenancies around large floor plate tenancies at the ground level to provide activation of streets or pedestrian connections.

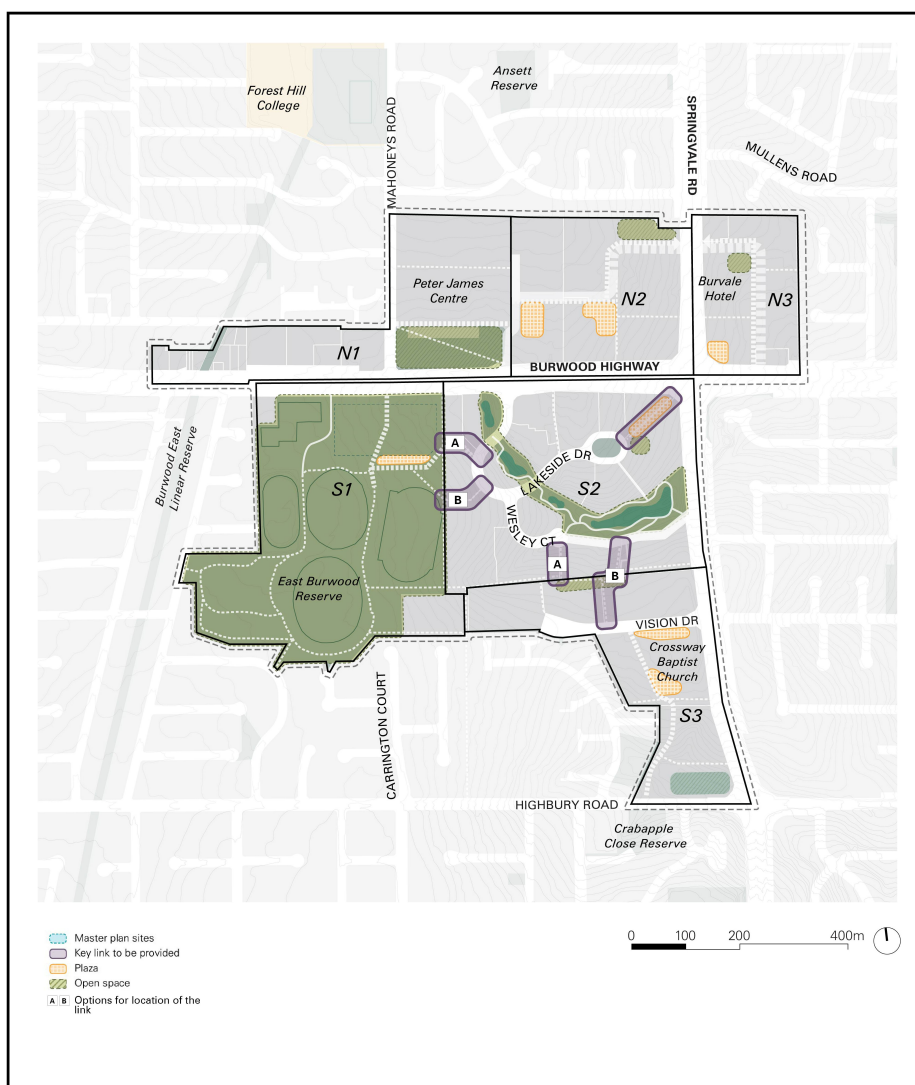
## 6.2-7 Pedestrian connections

### Standard BF10

Development must provide for pedestrian links, plazas and open space where identified in Map 7.

All links are specific unless they are accompanied by an 'A' or 'B' designation in Map 7.

**Map 7: Pedestrian links, plazas and open space**



## 6.2-8 Landscaping and fencing

### Standard BF12

Buildings should:

- Provide canopy trees and landscaping within setbacks or where there are gaps in the existing canopy to reinforce the landscape character and buffers.
- Integrate green infrastructure elements such as green walls, vertical gardens, and planters within the building design.
- Maximise opportunities for urban greening on rooftops and terraces.
- Select native species which provides habitat for native fauna.

#### **6.2-9 Car parking design**

##### **Standard BF13**

###### **Car parking**

Car parking should:

- Be located in a basement where possible.
- Include design features, such as electric vehicle charging points, which support more sustainable forms of private car usage.

###### **Vehicle access and movement:**

Vehicle access arrangements for buildings should:

- Be consolidated and shared between adjacent properties where possible.
- Be limited to one per property frontage.
- Remove any existing redundant access points.

#### **6.2-10 Building services**

##### **Standard BF14**

Development should:

- Ensure plant and services are concealed from view at street level.

#### **6.2-11 Exterior design**

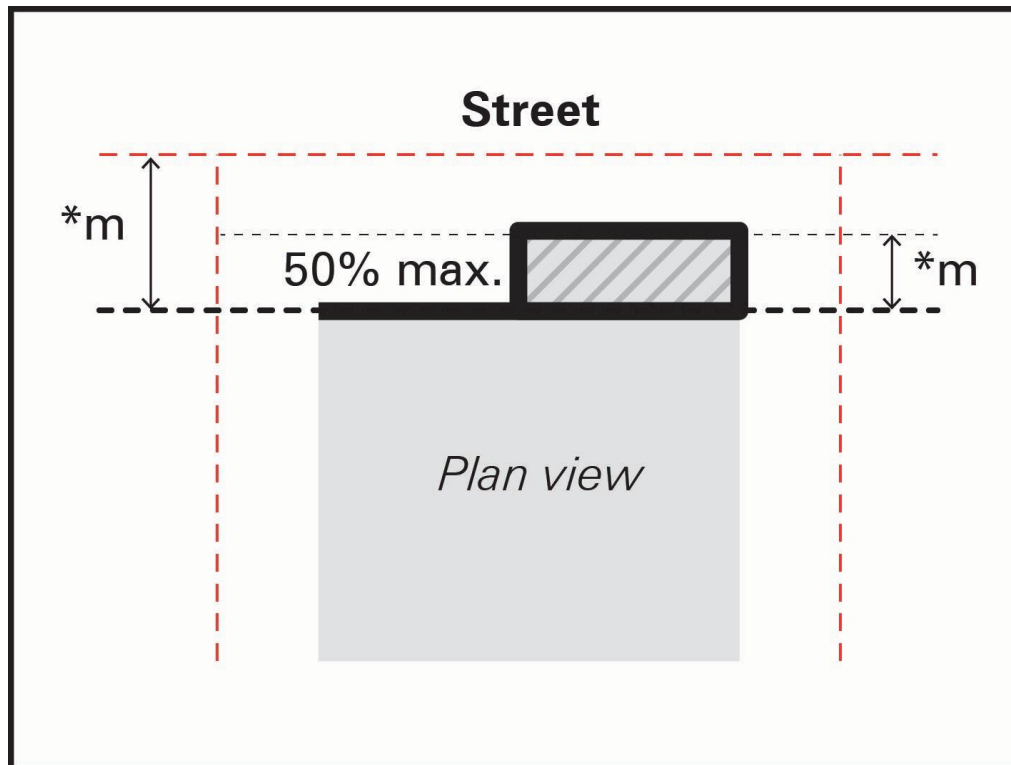
##### **Standard BF15**

The following standards replace Standard BF15 at Clause 43.06-7.15.

Buildings should:

- Contain articulations:
  - extending within the interface setback as set out in Table 4.
  - up to 50 percent of the articulation zone area as shown in Figure 1.

Figure 1: Articulation zone area



Buildings with street frontages exceeding 25 metres should:

- Incorporate vertical articulation through varied parapet heights and deep recesses to provide modulation in the street facade.
- Align vertical breaks between each building section with key building elements, such as light wells, building entrances and urban greening.
- Integrate urban greening elements such as green walls, vertical gardens, and planting within vertical breaks.
- Appear as several smaller buildings rather than one large building.
- Ensure each section is visually distinct to the adjacent section of the building.

### 6.3 Other outcomes and standards

#### 6.3-1 Site coverage

##### Standard

Buildings must not exceed a site coverage amount of 45 percent. Site coverage includes building footprints but excludes impervious surfaces such as at-grade car parking, accessways and loading areas.

## 7.0

--/--/---  
Proposed C259whse

### Subdivision

#### Permit requirements

None specified.

#### Subdivision requirements

None specified.

#### Public open space contribution requirement

None specified.

**8.0**

--/--/---  
Proposed C259whse

**Application requirements**

An application to construct a building or carry out works must be accompanied by the following information, as appropriate:

**Plans**

Professionally drafted plans including existing and proposed site layout, coloured elevations, cross-sections, floor plans, shadow diagrams and landscape plan, generally at 1:100 scale.

**Feature Survey**

A feature survey to Australian Height Datum (AHD) of the site (existing boundaries, fencing, buildings, levels, easements, vegetation and any other relevant features) and immediate surrounds (including adjoining properties, footpath and nature strip details).

**Arborist Report**

A construction impact assessment undertaken by a qualified Arborist in accordance with Australian Standard 4970-2009, if the proposal may result in impact or damage to existing vegetation on or immediately adjoining the subject site. The qualified Arborist must assess the species, health, structure and useful life expectancy of the tree(s) to be removed and adequate explanation for their removal (preferably with a plan showing location of trees).

**Urban Context Report**

A written and illustrated Urban Context Report which must:

- Explain the key planning, design and contextual considerations and influence on the proposed buildings and works.
- Describe the urban context of the area in which the proposed buildings and works are to be located.
- Provide streetscape elevations showing development in the context of adjacent buildings.
- Explain how the proposed buildings and works relate to their urban context including:
  - Architectural elements and materials in the surrounding streetscape including any heritage elements.
  - The relationship between the proposal and adjacent buildings (including likely adjacent equitable development envelopes) and open space.
  - Identify the key opportunities and constraints supporting the design response, including opportunities for new pedestrian connections.
- Explain how the design response addresses the development objectives, outcomes and standards of this schedule including how the development:
  - Will achieve the relevant development objectives if the outcomes and standards are not met.
  - Will provide well-designed public realm outcomes and ameliorate shadow and wind effects.
- Illustrate the following:
  - Concept plans, elevations and section drawings (minimum 1:50) that describe the design of the lower levels of the building including entries, shop front design, service doors or cabinets, weather protection canopies and integrated signage elements.
  - Where car parking is proposed above ground level, demonstration of appropriate sleeving car parking from view from the public realm.
  - Shadow diagrams showing overshadowing between the control periods specified at Clause 6.2-2 of this schedule.

- An illustration of the built form/massing and building heights of existing and approved development within the surrounding area of site.
- A concept landscape plan for any publicly or communally accessible areas, including podium or rooftop spaces detailing proposed hard and soft landscape elements, plant schedule, plant container details and maintenance and irrigation systems.

### **Design Excellence Report**

A report that demonstrates how the proposal:

- Explains how the application provides high-quality architecture, landscape architecture and urban design which demonstrates function, liveability, sustainability and public contribution to buildings and urban spaces.
- Explains how the application responds to the requirements of this schedule.
- Describes how the development addresses and provides high-quality public realm outcomes and appropriately ameliorates shadow and wind effects to adjacent public realm.

Where an application seeks to vary the standard(s) of this schedule the report must explain how the outcomes are achieved, and how the alternative response demonstrates appropriate built form outcomes having regard to the decision guidelines of this schedule.

### **Environmentally Sustainable Development**

A Sustainable Design Assessment or Sustainability Management Plan, prepared by a suitably qualified person, demonstrating compliance with the requirements of Clause 15.01-2L (Environmentally sustainable development) of the Whitehorse Planning Scheme.

### **Wind Impact Assessment**

For all applications for a building of 5 storeys or more, a wind impact assessment indicating compliance with the requirements in Clause 43.06-7.8 of the Whitehorse Planning Scheme.

### **Landscape Report**

A Landscape Report and accompanying plan and associated guidelines that identifies vegetation to be retained, the future landscape vision and landscaping details for the site.

### **Traffic Report**

A Traffic Engineering Report prepared by a suitably qualified person confirming the suitability of traffic and access arrangements and the adequacy of the car parking provision.

### **Drainage Management Plan**

A Drainage Management Plan which provides a drainage strategy for the site addressing all drainage related matters relevant to the site and the proposal which achieves compliance with Clause 53.18 (Stormwater Management in Urban Development).

### **Waste Management Plan**

A Waste Management Plan prepared by a qualified waste engineer, which includes:

- Details of the bin store location including a plan to show dimensions and details of waste bins, including clear access to bins.
- Waste generation calculations to determine the capacity and number of bins required.
- Total bin numbers and capacities for each dwelling, including general waste and recycling and garden bins or hard waste storage if applicable.
- Details of the proposed collection arrangements, including:
  - Whether collection to be carried out by a private contractor or Council.

- Whether collection is to be from within the property or from the street kerb.
- Where kerbside collection is proposed, plans that clearly indicate a 1 metre per bin clear space at the kerb.
- Frequency of collections.
- Details of on-site management of bin storage and bin placement/retrieval.

### **Lighting Strategy**

A Lighting Strategy including details of lighting to surrounding paths and roadways (where required), prepared in accordance with the Safety by Design Guidelines.

### **Noise Impact Assessment**

An acoustic report in accordance with the current and applicable EPA regulations assessing and managing noise impacts:

- To any proposed dwellings or accommodation land uses within the development from the proposed lift/stair core, any plant service infrastructure, and traffic generated from Burwood Highway and Springvale Road. Any noise generated from any lift/stair core, any plant service infrastructure proposed, and the proposed land use, to abutting residential areas.

### **Green Travel Plan**

A Green Travel Plan, prepared by a suitably qualified person.

## **9.0**

--/--/----  
Proposed C259whse

### **Notice and review**

An application to construct a building or construct or carry out works that does not meet the preferred maximum building height requirements or the preferred minimum setback requirements included in Clause 6.2-1, 6.2-3 or 6.3-1 of this schedule is not exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act in accordance with Clause 43.06-10.

## **10.0**

--/--/----  
Proposed C259whse

### **Decision guidelines**

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

#### **General**

- Whether the development meets the development objectives and requirements of this schedule.
- Whether development achieves the scale and intensity sought by the development outcomes of this schedule.
- Whether the development provides high-quality activation to streets and other public areas.

#### **Building setbacks**

- Whether setbacks from the street and rear of properties provide good outlooks, privacy and daylight for new dwellings.
- Whether the development avoids repetitive stepped forms.

#### **Overshadowing of open space or public realm**

- Whether development is unreasonably reducing sunlight on nominated public areas. Where shadows will be cast on these areas, consider the following:
  - The extent of shadows cast by adjacent buildings;

- The nature and use of the space; and
- The relative area that will remain in sunlight.

### **Landscaping**

- Whether building setbacks and contributions to open space areas, plazas or key linkages have been provided.
- The extent to which the landscape and design response contributes to biodiversity and a greener environment and reduces urban heat.
- The extent of landscaping provided to shade outdoor areas exposed to summer sun.

## **11.0**

### **Mandatory permit conditions**

--/--/----  
Proposed C259whse

In deciding to grant a permit or construct or carry out works where section 6.2-6 of this overlay applies, the responsible authority must include a condition that requires the provision of the benefit to be secured by an agreement made under section 173 of the Planning and Environment Act 1987.

## **12.0**

### **Signs**

--/--/----  
Proposed C259whse

None specified.

## **13.0**

### **Transitional provisions**

--/--/----  
Proposed C259whse

None specified.