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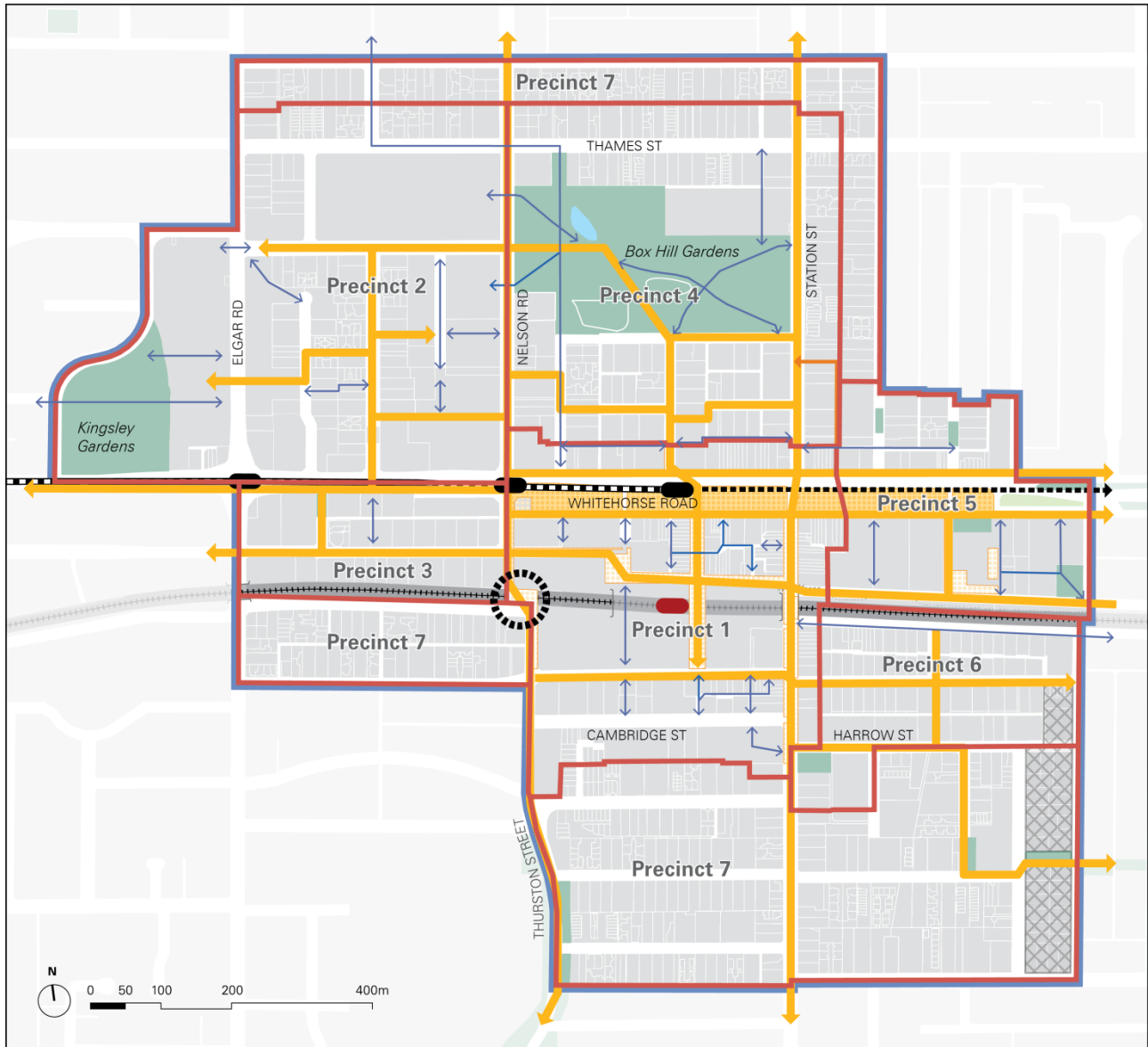
SCHEDULE 1 TO CLAUSE 37.08 ACTIVITY CENTRE ZONE

Shown on the planning scheme map as **ACZ1**

BOX HILL METROPOLITAN ACTIVITY CENTRE

1.0 Box Hill Activity Centre Framework Plan

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|---|--|
| Activity Centre Boundary | Priority new crossing over rail |
| Precinct Boundary | Whitehorse Road transformation |
| Belgrave/Lilydale railway line | New and upgraded urban space |
| Box Hill railway station | Primary pedestrian network – primary links |
| Tram route – existing | Local pedestrian network – local links |
| Tram extension – future | |
| Tram stop – existing | |
| Areas excluded from Activity Centre Zone – relevant zone provisions apply | |

- Precinct 1: Central Neighbourhood**
Precinct 2: Health & Education Neighbourhood
Precinct 3: Prospect Neighbourhood
Precinct 4: Garden Neighbourhood
Precinct 5: Civic & Cultural Neighbourhood
Precinct 6: Enterprise Neighbourhood
Precinct 7: Transition Neighbourhood

2.0 Land use and development objectives to be achieved

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Land use and development

1. To develop Box Hill as the pre-eminent urban centre for Melbourne's east with a wide range of uses.
2. To provide for future employment growth and rebalance future residential growth in preferred locations.
3. To encourage well-designed medium to high-density mixed-use development with a range of employment and accommodation uses, providing diversity of housing choices and affordable housing.
4. To support a regionally significant role as a focus for health, education, employment and enterprises.
5. To encourage a diverse range of retail, entertainment, community and cultural services and facilities.

Built form and design

6. To encourage the development of an interconnected network of distinctive, accessible, and vibrant neighbourhoods and ensure development responds to the defined character of each precinct.
7. To protect the amenity of key public spaces from overshadowing and wind impacts.
8. To ensure a high quality interface between buildings and the street at ground and lower levels, and reduce the impact of vehicle access and loading on footpaths and the public realm.
9. To provide for clear views to the sky from the street.
10. To relate building height to the height of neighbouring buildings and site size, and the preferred character and amenity of the precinct.
11. To ensure buildings demonstrate high levels of sustainability and architectural merit.

Transport and movement

12. To improve Box Hill's role and function as a public transport hub of metropolitan significance.
13. To prioritise and encourage walking, bicycle riding and use of public transport, including interchange between modes.
14. To allow for through traffic movement in a manner that is controlled and managed and ensure the function of Box Hill as a destination is not adversely impacted by through traffic.
15. To encourage more efficient use of car parking spaces in and around the centre, including providing for consolidated and publicly accessible parking within buildings (rather than private exclusive use parking).

Public Realm and open space

16. To deliver high quality publicly accessible spaces that promote social interaction and are engaging, safe, open and welcoming spaces for all.
17. To create streets, laneways and footpaths that promote walking and footpath activity.
18. To provide ample, abundant public open spaces for people to gather that are designed for people first.
19. To provide for trees and landscaping within the public realm that reflect the landscape character of the area.
20. To encourage the incorporation of landscape opportunities within private land that makes a contribution towards the landscape character of the area.

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Table of uses

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Section 1 - Permit not required

Use	Condition
Accommodation (other than camping and caravan, corrective institution, residential age care, residential building, residential hotel retirement village, group accommodation, host farm)	Must not exceed percentage specified in the Table 1. Any frontage at ground level must not exceed 2m in Precinct 1, 2, 3, 5 or 6. The total number of dwellings must not exceed 15 if the site is in Precinct 1, 2, 3, 5 or 6. This does not apply to the use of land in accordance with a planning permit for buildings and works granted before the approval date of Amendment CXXX.
Art and craft centre	Must be in Precinct 1 or 6.
Cinema	Must be in Precinct 1 or 5.
Cinema based entertainment facility	
Convenience shop	Must be in Precinct 1, 2, 3, 4, 5 or 6.
Education centre (other than Child care, Primary school or Secondary school)	Must not be in Precinct 4 or 7.
Food and drink premises (other than Convenience Restaurant or Take Away Food Premises)	Must be in Precinct 1.
Group accommodation	Must not exceed percentage specified in the Table 1.
Home based business	
Hospital	Must be in Precinct 2.
Industry	Must be in Precinct 6. Must not be a purpose listed in the table to Clause 53.10 except for bakery and smallgoods production. The land must be at least the following distances from land (not a road) in a residential zone, or land used for accommodation, hospital, education centre or Special Use Zone, or land in a Public Acquisition Overlay to be acquired for a hospital or education centre: <ul style="list-style-type: none"> • The threshold distance, for a purpose listed in the table to Clause 53.10 • 30 metres, for a purpose not listed in the table to Clause 53.10 If a purpose listed in the table to Clause 53.10, the land must be at least the threshold distance from land used for a dwelling or residential building.
Informal outdoor recreation	
Market	Must be in Precinct 1, 5 or 6, or must be on land owned by a public land manager. Must have direct ground level access.
Medical centre	Must be in Precinct 1, 2 or 3. In all other precincts the leasable area must not exceed 250sqm.
Office (other than Medical centre)	Must not be in Precinct 7. In Precinct 4 leasable area must not exceed 250sqm.

Place of worship	The gross floor area of all buildings must not exceed 250sqm. The site must adjoin, or have access to, a road in a Road Zone.
Postal agency	Must not be in Precinct 7.
Primary School	Must not be in Precinct 6.
Railway	
Residential aged care facility	Must not exceed percentage specified in Table 1.
Residential building (other than residential hotel)	Must not be in Precinct 1, 3, 5 or 6.
Residential hotel	If in Precinct 2 or 6 must not exceed percentage specified in the Table 1. Must not be in Precinct 7.
Retail premises (other than Food and drink premises, Gambling premises, Landscape gardening supplies, Manufacturing sales, Market, Motor vehicle, boat or caravan sales, Postal agency, Shop, Trade supplies)	Must be in Precinct 1. Must not exceed 250sqm in leasable floor area in Precinct 2, 3, 4, 5 or 6. Must not be in Precinct 7.
Retirement village	Must not exceed percentage specified in Table 1. Must not be in Precinct 6.
Research and development centre	Must be in Precinct 2 or 6.
Research centre	Must be in Precinct 2 or 6.
Secondary school	Must not be in Precinct 6.
Service industry (other than Car wash, Motor repairs)	Must be in Precinct 6.
Shop (other than Adult sex product shop, Convenience shop, Restricted retail premises, Supermarket)	Must be in Precinct 1, 2, 3, 4 or 5. Must not exceed 250sqm in leasable floor area in Precincts 2, 3, 4 or 5.
Supermarket	Must be in Precinct 1 or leasable area must not exceed 500sqm.
Takeaway food premises	Must be in Precinct 1.
Tramway	

Section 2 - Permit required

Use	Condition
Adult sex product shop Brothel	Must be in Precinct 1 or 6. 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. The leasable floor area must not exceed 200 square metres.
Bus terminal	Must be in Precinct 1.
Car park Car wash	The site must adjoin, or have direct access to, a road in a Road Zone.
Commercial display area	Must not be in Precinct 4 or 7.
Convenience Restaurant	Must be in Precinct 1 or the site must adjoin a road in a Road Zone.

Use	Condition
Food and drink premises (other than Convenience Restaurant or Take Away Food Premises) – where the Section 1 condition is not met	Must not be in Precinct 7, unless it adjoins a Road Zone.
Group Accommodation	Must not be in Precinct 6.
Industry	Must not be in Precinct 4 or 7. Must not be a purpose listed in the table to Clause 53.10.
Landscape and gardening supplies	Must be in Precinct 6.
Leisure and recreation (other than informal outdoor recreation, major sports and recreation facility, motor racing track)	
Manufacturing Sales	Must not be in Precinct 4 or 7.
Motor Repairs	Must be in Precinct 6.
Nightclub	Must be in Precinct 1, 3 or 6.
Office (other than Medical Centre)	If in Precinct 7 must adjoin a road in a Road Zone.
Place of Assembly (other than cinema, cinema-based entertainment, nightclub, place of worship)	Must not be in Precinct 7.
Primary School	Must not be in Precinct 6.
Residential Age Care Facility Residential building (other than residential hotel) Retirement Village	Must not be in Precinct 3 or 6.
Restricted Retail premises	
Retail premises (other than Food and Drink premises, landscape and gardening supplies, manufacturing sales, market, postal agency, shop, trade supplies)	Must not be in Precinct 7.
Secondary School	Must not be in Precinct 6.
Shop (other than adult sex product shop, restricted retail premises, supermarket)	Must not exceed a leasable floor area of 200sqm in Precinct 6. Must not be in Precinct 7.
Service industry (other than motor repairs, car wash)	Must not be in Precinct 4 or 7.
Service Station	The site must adjoin a road in a Road Zone
Supermarket	Must not be in Precinct 7.
Takeaway food premises	Must adjoin a road in a Road Zone.
Trade Supplies	Must be in Precinct 1 or 6.
Transport terminal (other than Bus terminal)	Must be in Precinct 1, 3 or 5
Warehouse (other than Commercial Display Area)	Must be in Precinct 6.
Any other use not in Section 1 or 3	

Section 3 – Prohibited

Use
Airport
Agriculture (Except Domestic animal boarding and Market garden)
Camping and caravan Park
Corrective institution
Host farm
Major sports and recreation facility
Motor racing track
Recreational boat facility
Road freight terminal
Saleyard
Wharf

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4.1**Centre-wide provisions****Use of land**

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Requirements for all land uses

Use of land must achieve the Centre wide and Precinct objectives of the schedule and be generally in accordance with the Precinct guidelines. Where a provision is expressed with the term ‘must’, a permit must not be granted to vary the provision.

Use of land should not detrimentally affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any building, works or materials.
- Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

Use of land for dwellings - affordable housing

These requirements apply to land within Precincts 1, 2, 3, 5 and 6.

For a development of 16 or more dwellings, at least one in sixteen dwellings within the development (at least 6%) should be an Affordable Housing dwelling unless otherwise agreed to by the Responsible Authority.

If in calculating the number of Affordable Housing dwellings the result is not a whole number, the number is to be rounded up to the nearest whole number.

Unless otherwise agreed to by the Responsible Authority, the Affordable Housing dwellings should be Social Housing.

Social Housing means a dwelling provided at no cost and either:

- transferred to an Affordable Housing Provider; or
- held in an affordable housing trust and managed for the sole purpose of affordable housing.

Affordable Housing has the meaning set out in the Planning and Environment Act 1987.

Affordable Housing Provider means an agency, a body or a person which provides affordable housing, including but not limited to Registered Housing Agencies, Rental Housing Agencies and other bodies established or recognised under the Housing Act 1983.

These requirements do not apply to the use of land in accordance with a planning permit for buildings and works granted before the approval date of Amendment CXXX.

Use of land for accommodation

Use of land for accommodation uses must not exceed the percentage allowable gross floor area specified in Table 1, unless a Development Plan prepared and approved pursuant to Schedule 9 of the Development Plan Overlay provides for an alternate specified percentage of accommodation uses.

The percentage allowable gross floor area includes all gross floor area used for all accommodation uses, as a percentage of the combined gross floor area of all buildings. It excludes:

- Floor area in basements.
- Floor area for car parking, services, and communal spaces shared between uses.
- A Residential Hotel if located outside Precinct 2: Health and Education Neighbourhood or Precinct 6: Enterprise Neighbourhood.

Table 1 Maximum allowable gross floor area

Precinct	Allowable GFA% for specified Accommodation uses (refer Table of Uses)
Central	50%
Health and Education	30%

Prospect	30%
Enterprise	30%
Civic and Cultural	30%
Garden	100%
Residential Transition	100%

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Subdivision

Subdivision of land should provide for the delivery of the primary and local pedestrian network links generally in accordance with the framework map of this schedule.

Car parking areas must be retained in single or a consolidated title as common property, unless the responsible authority agrees otherwise.

In Precinct 7: Transition Neighbourhood - An application to subdivide land must meet the provisions of Clause 32.07-3 as if it were an application made under that provision.

A permit granted must include, where relevant, a condition requiring the following:

- A permit granted should include a Section 173 Agreement to be entered into between the land owner, the responsible authority, and Council (if not the responsible authority) to the effect of:
 - Requiring the land owner to construct the through block links and pedestrian/cycling connections, generally in accordance with the primary and local pedestrian network links shown in the Framework Plan.
 - Vesting of the land in Council or provision of a carriageway easement to be included on title.

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Buildings and works

A permit is not required for:

- The installation of an automatic teller machine.
- An alteration to an existing building facade provided:
 - The alteration does not include the installation of an external roller shutter.
 - At least 80 per cent of the building facade at ground floor level is maintained as an entry or window with clear glazing.
- An addition or modification to a veranda, awning, sunblind or canopy of an existing building.
- In Precinct 7: Transition Neighbourhood, to construct or extend one dwelling on a lot of more than 500 square metres. This exemption does not apply to:
 - Construction of a dwelling if there is at least one dwelling existing on the lot.
 - Extension of a dwelling if there are two or more dwellings on the lot.
 - Construction or extension of a dwelling if it is on common property.

In Precinct 2: Health and Education Neighbourhood

A permit is not required to construct or carry out buildings or works for:

- Services normal to a hospital including medical oxygen and diesel facilities, plant equipment, skylights, heating and cooling systems, hot water systems, security systems and cameras, downpipes, window shading devices, or similar.
- Pathways, seating, rubbish bins, waste and loading bay modifications, security lighting, irrigation, drainage or underground infrastructure
- Works associated with emergency vehicle access.

In Precinct 7: Transition Neighbourhood

The following provisions apply as relevant, as if an application was made under the permit requirements of Clause 32.07:

- Clause 32.07-4 Construction and extension of one dwelling on a lot.
- Clause 32.07-5 Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings.
- Clause 32.07-6 Requirements of Clause 54 and Clause 55.
- Clause 32.07-7 Residential Aged Care Facility.
- Clause 32.07-8 Buildings and works associated with a Section 2 use.

Conditions on Permits

A permit granted must include, where relevant, a condition requiring the following:

- Prior to the commencement of buildings or works, a detailed Construction Management Plan should be prepared to the satisfaction of the Responsible Authority. All development must be carried out in accordance with the approved Construction Management Plan to the satisfaction of the Responsible Authority.

4.4**Design and development**

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The following design and development requirements apply to an application to construct a building or construct or carry out works:

- The Design and Development 'Requirements' comprise 'Objectives' and 'Standards'.
- Buildings and works must meet all design and development Objectives specified.
- A permit cannot be granted for buildings and works which is not in accordance with a design and development Standard expressed with the term 'must' or listed as a 'mandatory' requirement in the Tables, unless the buildings and works are consistent with an approved development plan that achieves the relevant design and development Objectives specified.
- A permit may be granted for buildings and works to vary a design and development Standard expressed with the term 'should' or listed as a 'preferred' requirement in the Tables, providing the buildings and works achieve the relevant design and development Objectives specified.

4.4-1 Overshadowing**Objectives**

To protect key public spaces and the primary pedestrian network from overshadowing.

To protect and enhance the amenity and quality of the public realm.

To inform appropriate maximum building heights.

Standards

For the overshadowing control areas shown in **Map 1**, buildings and works must not cast shadow at the times listed in **Table 1** or **Table 2**.

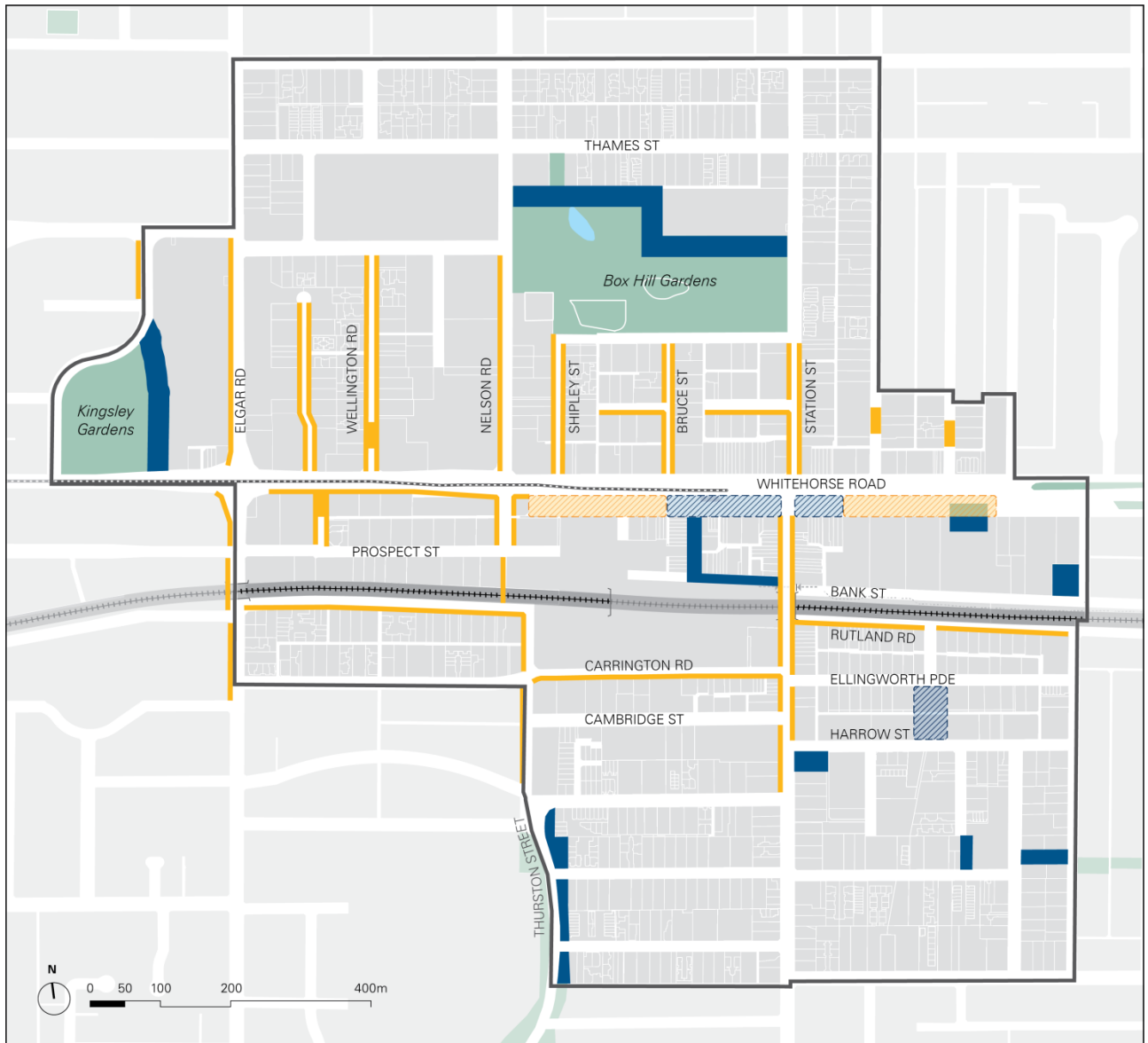
The mandatory overshadowing controls in Table 1 or Table 2 do not apply to:

- Shadows cast by a street wall that meets the preferred street wall height and setback specified in **Map 4 and Map 5**.
- Shadows cast by existing buildings.
- Shadows cast by buildings and works constructed within the public realm space.
- Shadows cast by a building constructed in accordance with an approved development plan that meet the mandatory shadow provisions for that plan.

The overshadowing control areas that apply along streets or roads are to be measured 6m from the property boundaries along that street or road, unless otherwise specified in **Table 1 or 2**.

Sites identified as sensitive residential interfaces must meet the overshadowing objective, and should meet Standard B21, of Clause 55.04-5.

Map 1: Public Realm Spaces with overshadowing protection



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|--------------------------------|---------------------------------------|
| Activity Centre Boundary | <i>Overshadowing protection areas</i> |
| Belgrave/Lilydale railway line | Spring equinox existing areas |
| Tram line | Spring equinox future open space |
| | Winter solstice existing areas |
| | Winter solstice future open space |

Table 1: Overshadowing – mandatory requirements

Overshadowing Control Area as shown in Map 1	Winter solstice control (Mandatory requirement)
Box Hill Gardens (measured 30m from property boundaries to the north)	11:00am to 2:00pm, 21 June
Harrow Street future open space	
Market Street (north of Main Street) and Main Street mall	
Station Street/Harrow Street open space	
Whitehorse Road Southern Public Space (measured 30m from property boundaries to south)	

Table 2: Overshadowing – preferred requirements

Overshadowing Control Area as shown in Map 1	Spring equinox control (Mandatory requirement)
Box Hill Gardens (measured 30m from property boundaries to the north)	11:00am to 2:00pm, 22 September
Bruce Street (west side) - between Whitehorse Road and Irving Avenue	
Carrington Road (south side)	
Elgar Road (West side)– between Whitehorse Road and Victoria Crescent	
Hopetown Parade (south side)	
Nelson Road (west side) – between Whitehorse Road and Nelson Road	
Nelson Road extension (west side)	
Poplar Street (both sides) – north of Whitehorse Road	
Rutland Road (south side)	
Shipleigh Street (both sides) - between Whitehorse Road and Irving Avenue	
Station Street (both sides) – between Whitehorse Road and Irving Avenue	
Wellington Road (both sides)	
Whitehorse Road (south side footpath on northern edge of Southern Public Open Space) – between Elgar Road and Kangerong Street	
Young Street and Young St extension (west side)	

4.4-2 Maximum building height

Objectives

To ensure building height responds to the vision and preferred character for the precinct, and responds to surrounding development.

To provide for an appropriate transition to adjoining heritage places when viewed from the street.

To ensure that a development that exceeds the preferred maximum building heights either contributes to achieving the employment growth objectives or delivers a commensurate affordable housing contribution.

Standards

Maximum building height:

- Must not create additional shadows beyond those established by **Clause 4.4-1** above.
- Should not exceed the preferred building height specified in **Map 2**, with the exception of the areas shown as “locations where overshadowing will reduce permitted height below preferred maximum building height”, where the maximum height will be set by the mandatory overshadowing controls in Clause 4.4-1.

Building height should respond to heights of existing heritage buildings on adjoining sites.

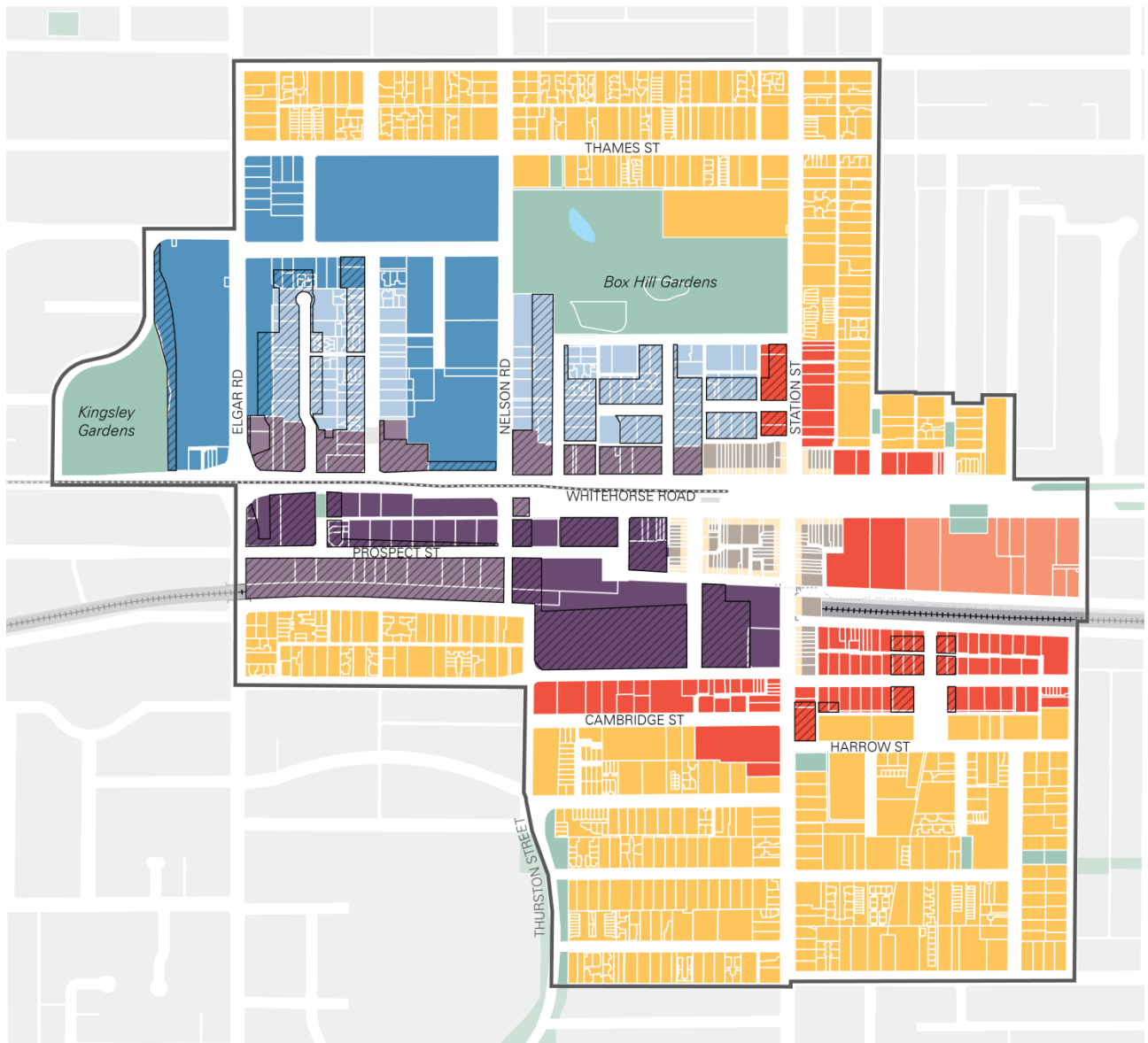
Building height that exceeds the preferred building heights specified (thus creating a Floor Area Uplift), should:

- Minimise additional amenity impacts on public spaces and the primary pedestrian network.
- Be considered as a mechanism for facilitating delivery of new open space or through block connections as sought in the Precinct Plans, having regard to the amount of floor space that would otherwise be delivered if those open space or linkages were not delivered.
- Only be considered where the proposal contributes to achieving the employment growth objectives for the precinct or delivers an affordable housing contribution that is commensurate with the Floor Area Uplift.
- Achieve a transition in height within the site to respond to the height of existing adjacent developments (completed or under construction) and the preferred height of other surrounding sites.
- Deliver an appropriate transition to any lower scale residential areas outside the activity centre boundary.

Floor Area Uplift means the part of the building(s) that exceed the preferred maximum building heights.

Unless otherwise agreed to by the Responsible Authority, the Affordable Housing dwellings should be Social Housing (as per the definition in Clause 4.1).

Map 2: Preferred maximum building heights



- Activity Centre Boundary
- Belgrave/Lilydale railway line
- Existing open space

- Locations where overshadowing controls will reduce permitted height below preferred maximum building height

Preferred maximum building height

<ul style="list-style-type: none"> 120m 35 storeys 90m 25 storeys 52m 15 storeys 42m 12 storeys 28m 8 storeys 21m 6 storeys 	<ul style="list-style-type: none"> 18m 5 storeys 13.5m 4 storeys 11m 3 storeys
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4.4-3 Wind effects

Objectives

To protect and improve the amenity and quality of the public realm space.

To achieve a safe and pleasant pedestrian environment on footpaths and other public spaces for walking, sitting or standing.

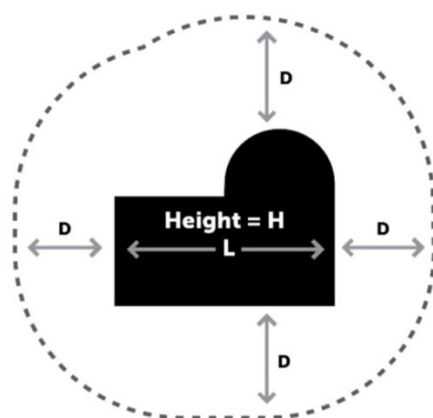
Standards

Buildings and works higher than 40m must not cause unsafe wind conditions, and should achieve comfortable wind conditions, as specified in **Table 3**, in publicly accessible areas within the assessment distances from all façades as set out in **Map 3**.

The assessment distance is the greater of half the longest width of the building, or half the total height of the building, whichever is the greater, as shown in **Diagram 1** below.

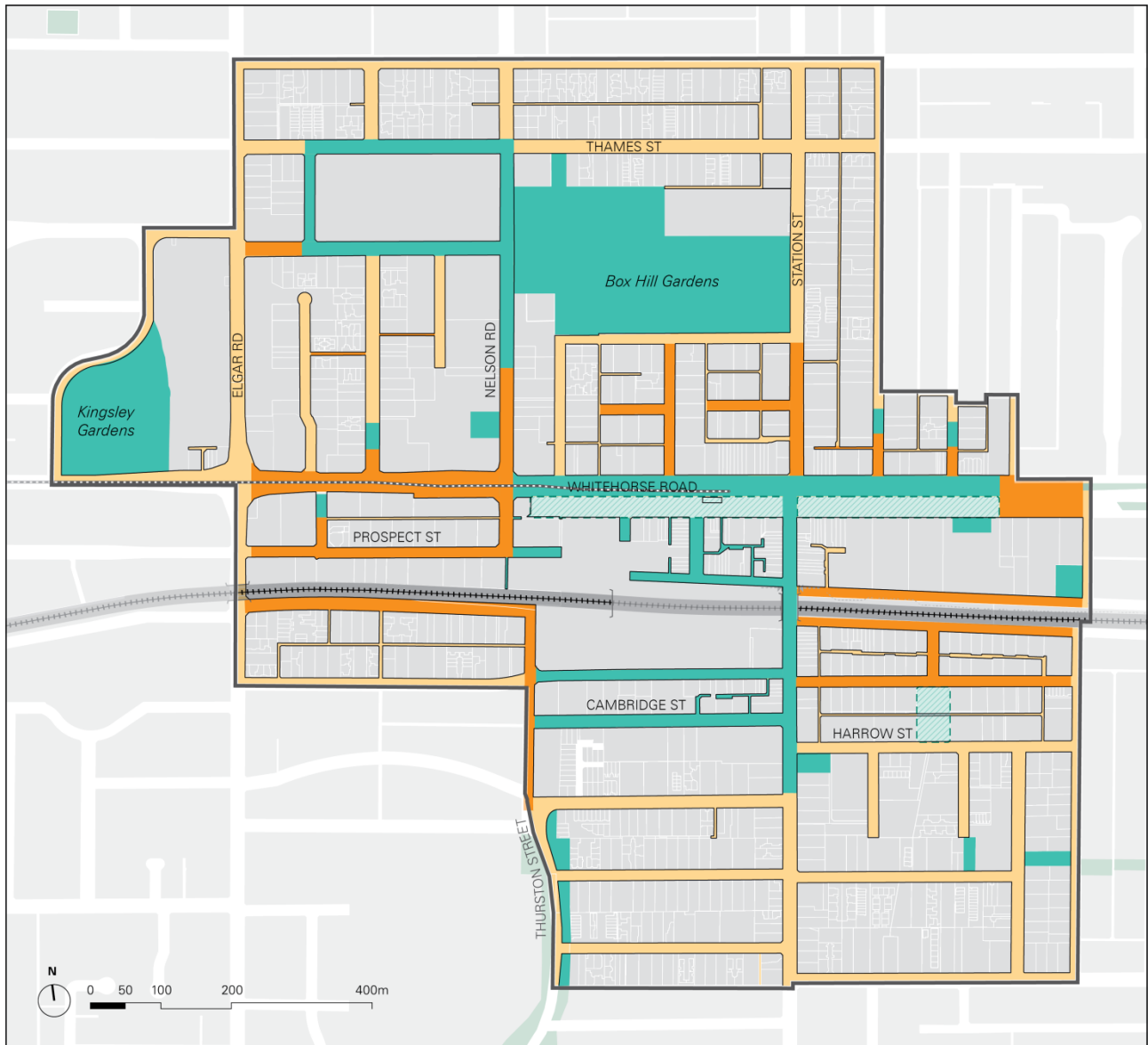
Wind amelioration measures should be integrated into the design and architecture of the building.

Diagram 1: Wind assessment distance



Assessment distance D = greater of:
 $L/2$ (Half longest width of building)
 OR
 $H/2$ (Half overall height of building)

Map 3: Wind effects



- | | |
|--------------------------------|--------------------------------------|
| Activity Centre Boundary | <i>Wind effects criteria areas</i> |
| Belgrave/Lilydale railway line | Walking areas (5m/s) |
| Existing urban block | Standing areas (4m/s) |
| | Sitting areas (3m/s) |
| | Future/proposed sitting areas (3m/s) |

Table 3: Wind conditions

Wind condition	Mandatory Requirement
Unsafe wind conditions	The hourly maximum 3 second gust from any wind direction (considering at least 16 wind directions) with a corresponding probability of exceedance percentage greater than 20 metres per second.
Wind condition	Preferred Requirement
Comfortable wind conditions	<p>The hourly mean wind speed from all wind directions combined with a probability of exceedance of 20 per cent, is less than or equal to:</p> <ul style="list-style-type: none"> - 3 metres/second for sitting areas. - 4 metres/second for standing areas. - 5 metres/second for walking areas. <p>Hourly mean wind speed is the maximum of:</p> <ul style="list-style-type: none"> - The hourly mean wind speed. - The gust equivalent mean speed (3 second gust wind speed divided by 1.85).

4.4-4**Street wall height****Objectives**

To create human scale buildings to define the street edge and create a sense of enclosure without overwhelming the public realm.

To create a clearly defined building base that relates to the width of streets and laneways.

To improve the amenity of public spaces and streets and allow access to daylight and mitigated wind effects at ground level.

Standard

On the primary street frontage, street wall heights to street width ratio should not exceed the street wall height as shown in **Map 4**:

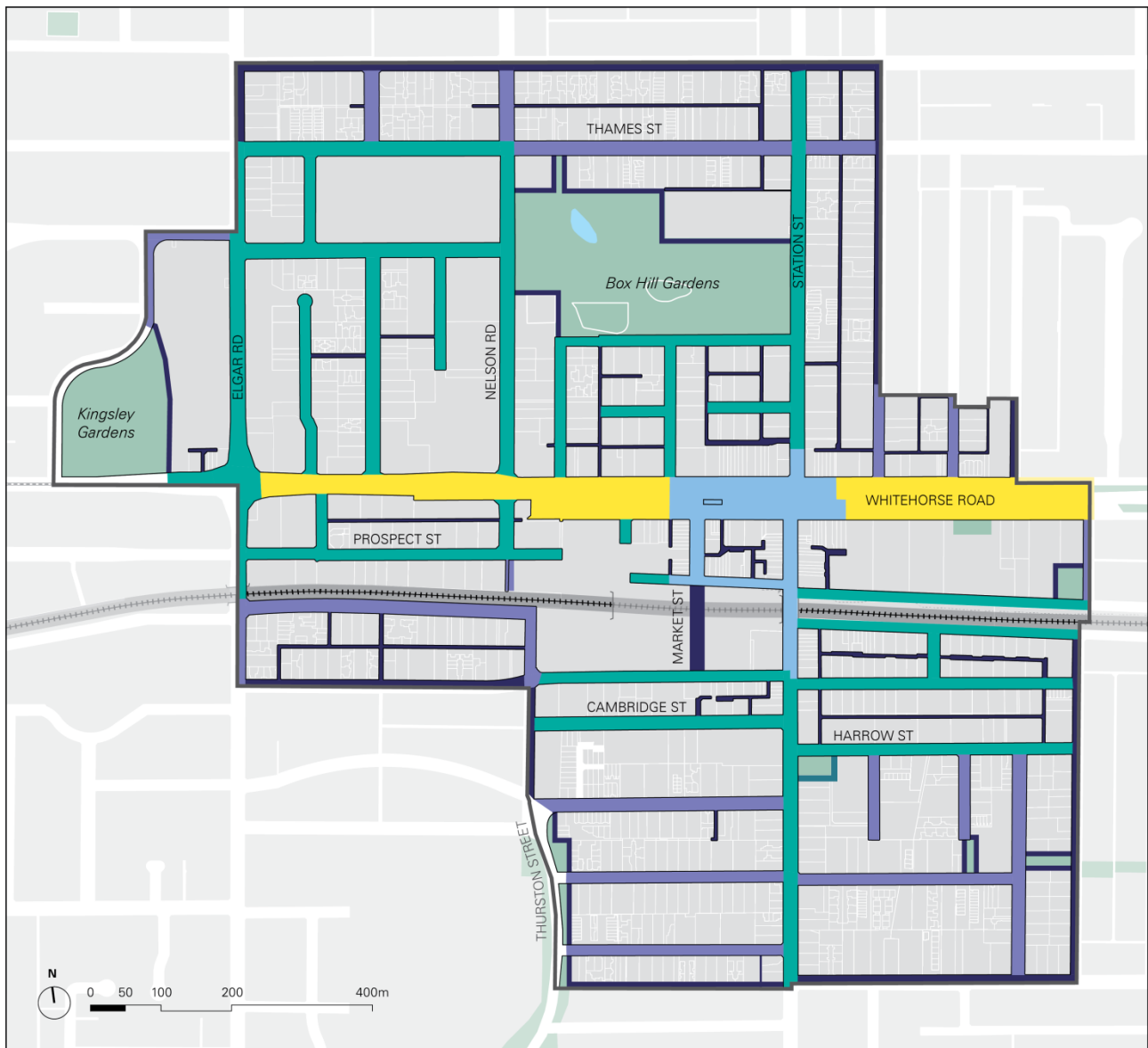
- In the traditional town centre, existing street wall heights should be retained. New street walls should respond to heights of adjoining frontages.
- Street wall heights to laneways and new pedestrian network links not shown on Map 3 should not exceed 11m.

On sites with side and/or rear frontages to streets or laneways, a corner transition height that adopts the higher street wall heights applies, transitioning to the lower street wall height within 30m of the corner.

Street wall heights should not exceed a street wall height to street width ratio of 2:1 in any location, except where the corner transition height, as specified immediately above, applies.

Street walls heights on laneways identified as sensitive residential interfaces must meet the relevant requirements of Clause 55 as set out at Clause 4.4.12 of this schedule.

Map 4: Street wall heights



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|--------------------------------|------------------------------------|
| Activity Centre Boundary | Street wall height (metres) |
| Belgrave/Lilydale railway line | 30m |
| Existing open space | 20m |
| Existing urban block | 15m |
| | 11m |
| | Traditional town centre |
| | <i>Retain existing street wall</i> |

4.4-5 Street wall setback

Objectives

To provide for an enhanced public realm with provision for widened footpaths and landscaping, including canopy trees, along the primary pedestrian network links.

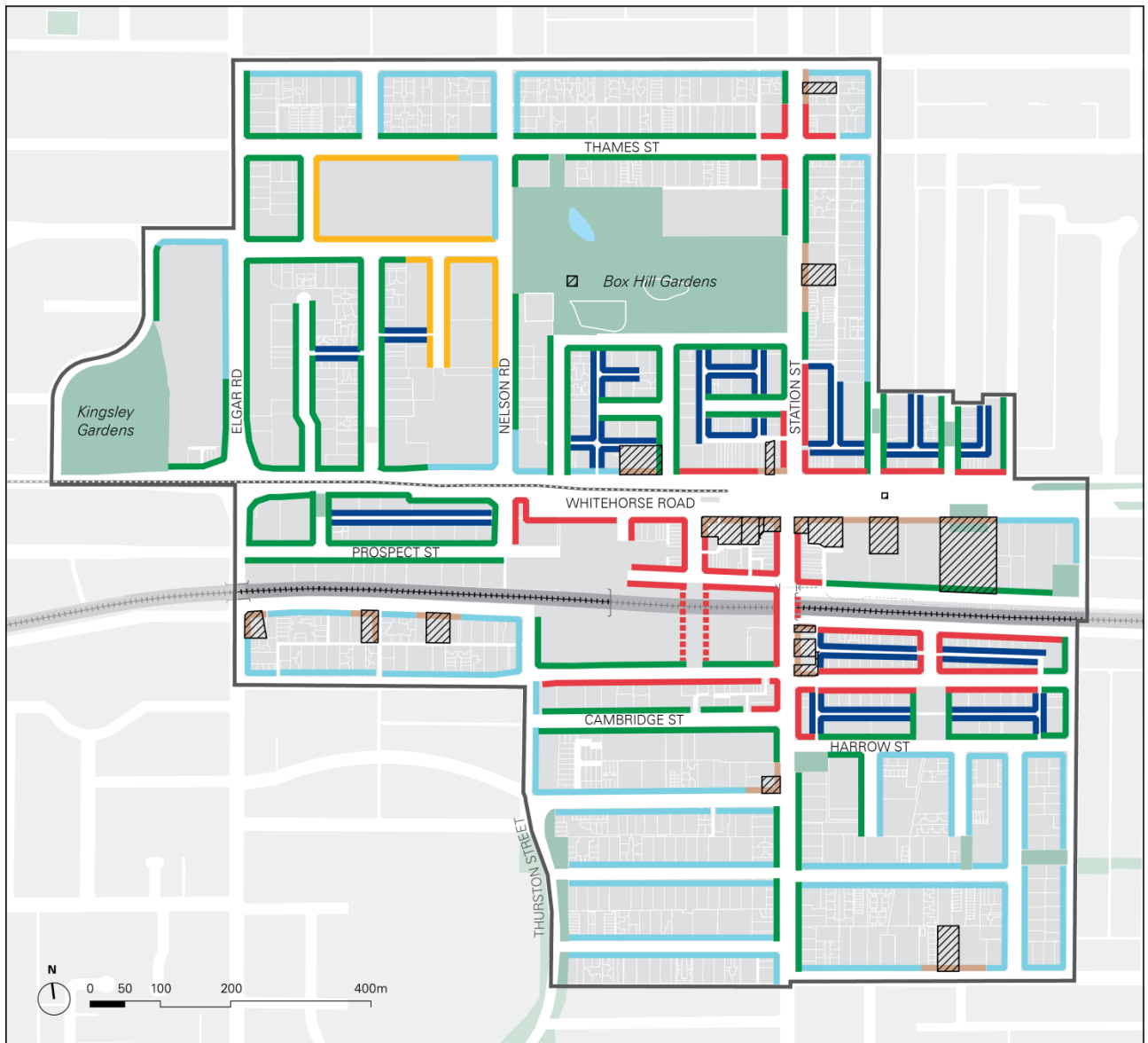
To ensure built form appropriately defines the street and provides a high quality ground level interface.

To provide for an appropriate transition to adjoining heritage places when viewed from the street.

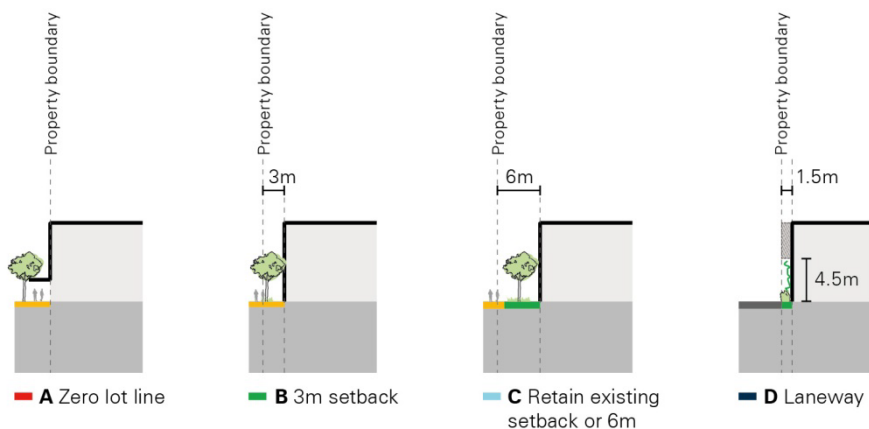
Standards

Street walls should provide the setbacks shown in **Map 5**.

Map 5: Street wall setbacks



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|--------------------------------|--|--|
| Activity Centre Boundary | Street wall setback | Type E – Accommodate hospital requirements |
| Belgrave/Lilydale railway line | Type A – Zero lot line | Type F – Respond to heritage |
| Existing open space | Type A – Zero lot line (proposed/future) | Heritage overlay |
| | Type B – 3m setback | |
| | Type C – Retain existing setback or 6m | |
| | Type D – 1.5 laneway landscape interface | |



4.4-6 Setback above the street wall

Objectives

To create defined human scale building bases with a clear visual distinction from taller building elements.

To enable daylight and sunlight in streets and laneways and help deliver comfortable wind conditions, to ensure appropriate amenity levels are achieved.

To minimise visual bulk of upper floors, and allow for views to the sky, when viewed from the street or laneway.

Standards

Any part of the building above the maximum street wall height must meet the mandatory setbacks, and should meet the preferred setbacks, as determined by the overall height of the building, as specified in **Table 4**.

The setback from a street or laneway less than 9m wide must be measured from the centreline of the street or laneway. A negative value setback must be interpreted as a zero setback.

Setbacks above street walls on streets or laneways identified as sensitive residential interfaces must the relevant requirements of Clause 55 as set out at Clause 4.4.12 of this schedule

Table 4: Upper level setbacks above the street wall

Overall building height	Mandatory	Preferred
Traditional town centre (shown on Map 4 as “retain existing street wall”)		
Below 17.5m (5 storeys or less)	5m	10m
All other areas		
Below 28m (8 storeys or less)	3m	5m
28m to 52m (8 to 15 storeys)	5m	10m
52m or greater (15+ storeys)	10m	N/A

Note: The setbacks are determined by overall building height and apply as a single upper level setback to all parts of the building above the street wall. They do not apply incrementally to sections of building up to the height specified.

4.4-7 Setbacks from side and rear boundaries**Objectives**

To allow equitable access to sunlight and daylight to lower levels of buildings and to existing and potential development on adjoining sites.

To ensure buildings do not appear as a continuous wall, and allow for views to the sky, when viewed from the street or laneway.

To ensure setbacks provide for appropriate levels of privacy, and outlook, and minimise the need for screening.

Standards

Below the street wall height, buildings:

- Should be built on, or within 300mm, of a side or rear boundary, or:
- Should be setback 4.5m, and must be setback at least 3m, from a side or rear boundary.

Above the street wall, buildings should be setback at least the preferred setback, and must be setback at least the mandatory setback, as specified in **Table 5**.

Setbacks from boundaries identified as sensitive residential interfaces must the relevant requirements of Clause 55 as set out at Clause 4.4.12 of this schedule.

Table 5: Side and rear setbacks above the street wall height

Buildings above the street wall up to the overall building height of:	Mandatory side and rear setback	Preferred side and rear setback
52m (15 storeys) – if building below the street wall is built to the boundary	5m	10m
52m (15 storeys) – other buildings	10m	10m
Built form above 52m (15 storeys)	10m	10m

4.4-8 Building separation within a site

Objectives

To ensure that adequate spacing is provided between buildings to provide an appropriate level of amenity for future occupants, having regard to outlook, daylight and overlooking.

To offset direct views between buildings within the same site, ensure appropriate levels of privacy, and minimise the need for screening.

To ensure buildings do not appear as a continuous wall, and allow for views to the sky, when viewed from the street or laneway.

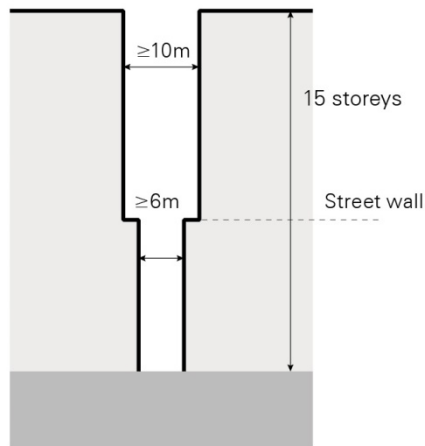
Standards

Below the street wall height, buildings should be setback 12m, and must be setback at least 6m, from a side or rear boundary.

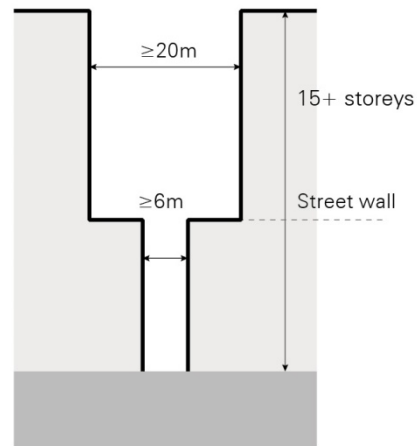
Above the street wall, buildings should be setback at least the preferred setback, and must be setback at least the mandatory setback, as specified in **Table 6**.

Table 6: Building separation within a site

Buildings above the street wall up to the overall building height of:	Mandatory building separation	Preferred building separation
52m (up to and including 15 storeys)	10m	20m
Built form above 52m (15 storeys)	20m	N/A



Building separation within a site
Up to and including 15 storeys



Building separation within a site
All buildings 15+ storeys

4.4.9 Street interface and activation

Objectives

To improve the quality of the building at the ground level and the interfaces of frontages to the primary and local pedestrian network.

To provide a variety of activated street frontages that respond to the site and precinct context.

To provide for passive surveillance to improve real and perceived safety.

To minimise the impact of car parking on the public realm.

Standards

Buildings should:

- Address and define existing or proposed streets or open space and provide direct pedestrian access from the street to ground floor uses.
- Address both street frontages if the building is on a corner.
- Create activated building façades with windows and legible entries.
- Avoid external steps or pronounced level changes at ground level that visually and physically separate the building from the street.
- Consolidate services within the sites and within buildings and ensure that any externally accessible services are integrated into the building facade design.
- Avoid unsafe indents with limited visibility.

All buildings should provide:

- Openable windows and balconies within the street wall along streets and laneways.
- Legible, accessible and with clear sight lines from the street to maximise visibility.

Buildings with residential development at ground level should provide direct individual entries to dwellings or home offices at ground level to create a sense of address at ground level, where practicable.

Buildings fronting the Urban Core Street, Urban Activity Street and Active Laneway on **Map 6** to this schedule, should:

- Achieve a diversity of fine-grain frontages.
- Provide canopies over footpaths where retail, hospitality and entertainment uses are proposed.
- Provide entries, clear glazing, and weather protection outcomes as specified in **Table 7**.

Buildings abutting open spaces should provide habitable rooms orientated towards the open space to maximise interaction and passive surveillance.

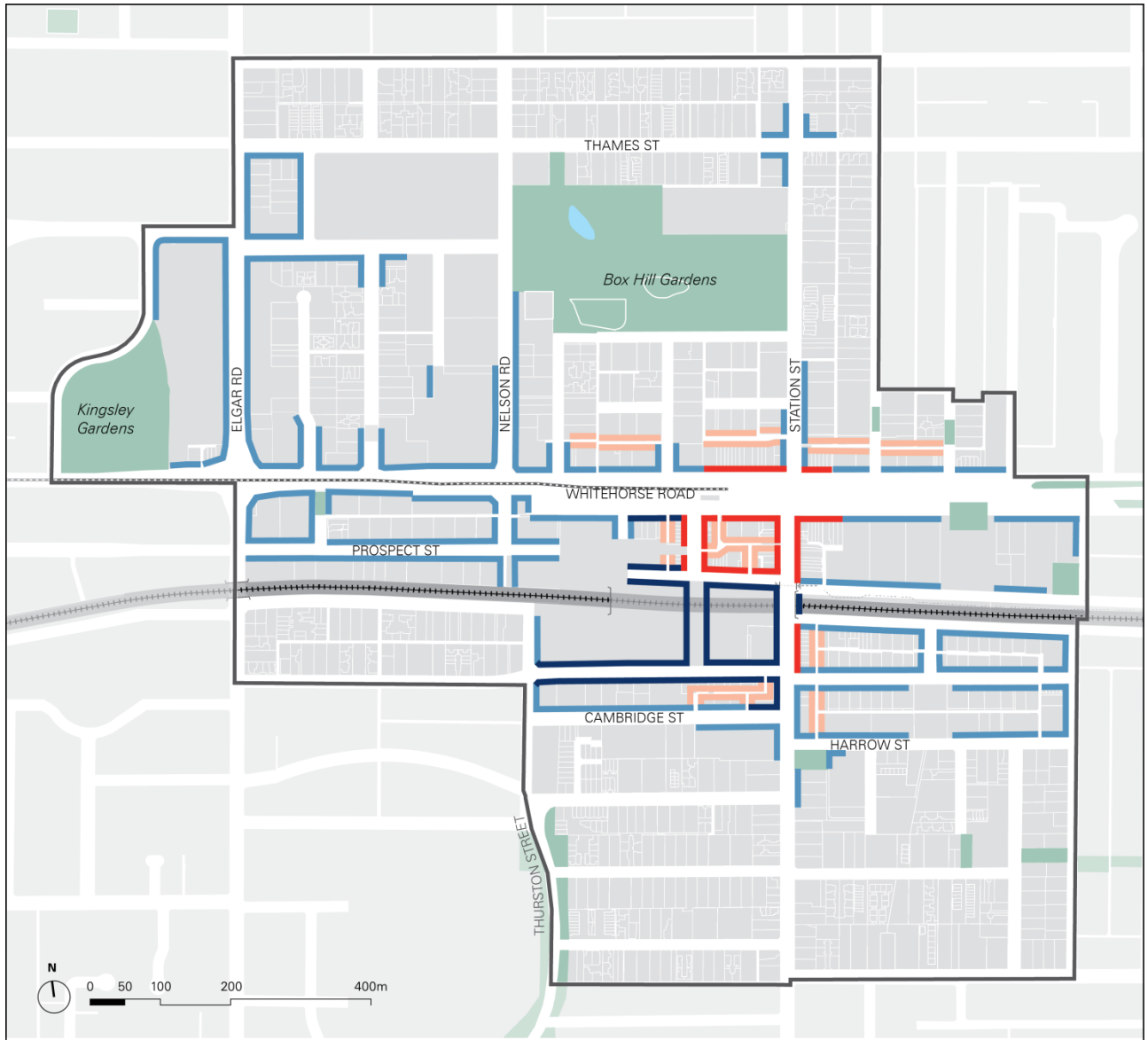
Car parking areas located within podium levels should be sleeved with active uses.

Buildings should not create blank walls or facades.

Table 7: Active street frontages and clear glazing requirements

Streets or areas on Map 6	Active street frontage outcomes		
Description	Entries	Glazing	Weather protection
Urban Core Street Buildings with ground-level street frontages in the core retail area should contribute to the appearance and function of the area.	Multiple entrances for individual tenancies from the street, providing a regular rhythm of activation, particularly for fine grain frontages in the Core	At least 80 per cent clear glazing along the ground level frontage to a height of 2.5 metres, excluding any solid plinth or base. Operable windows and detailing that engages with the street. Grilles or mesh with a high level of transparency	Functional and continuous canopies or similar weather protection must be provided, in order to provide a high amenity environment for walking throughout the core
Urban Activity Street Buildings with ground-level street frontages to pedestrian streets within mixed commercial and residential areas should contribute to appearance and function of the area.	Entrances are clearly visible from the street to encourage wayfinding. Orient active uses towards the street boundary.	At least 30 per cent clear glazing along the ground level frontage to a height of 2.5 metres, excluding any solid plinth or base.	Where non-residential uses are proposed at ground level, encourage the provision of canopies or similar weather protection where this does not clash with taller canopy trees.
Active Laneway Buildings with ground-level street frontages to shared laneways should contribute to the appearance and function of these laneways.	Locate secondary entrances towards laneways and uses that will activate the laneway. Where service entries and loading cannot be avoided, these should be highly recessive.	Provide clear glazing along the ground level frontage to a height of 2.5 metres, excluding any solid plinth or base and should be maximised where it is practicable. Encourage operable windows and detailing that engages with the street	None specified.

Map 6: Active street frontages



- | | |
|--------------------------------|--|
| Activity Centre Boundary | <i>Active street frontage type</i> |
| Belgrave/Lilydale railway line | Urban Core Street |
| Existing open space | Urban Core Street – retain rhythm of existing fine grain frontages |
| | Urban Activity Street |
| | Active Laneway |

Note: The classification of active street frontage types are intended to be consistent with the urban realm terminology used in the *Box Hill Urban Realm Treatment Guidelines*. Only key frontages with design and development requirements are identified.

4.4.10 Vehicle access, car parking, loading and services

Objectives

To improve the quality of the building at the ground level and the interfaces of frontages to the primary and local pedestrian network.

To minimise the impact of vehicle access and loading on the primary and local pedestrian network.

To ensure high levels of amenity and safety of these streets for pedestrians.

Standards

Buildings should be designed to:

- Locate car parking underground or at the upper levels of the building. Where car parking is located at the upper levels of a building, car parking must be sleeved with active uses to main street frontages, so it is not visible from the public realm or adjoining sites.
- Future-proof car parking structures to allow for adaption for other uses over time, including habitable spaces, by providing floor to floor heights of at least 3.5 metres within the lower levels of the building up to the height of the street wall.
- Consolidate car parking on major development sites and minimise the number of vehicular access points to prioritise the experience and safety of pedestrians.
- Allow for the commercial operation of car parking where appropriate to make car spaces available and accessible to the public at all times of the day.

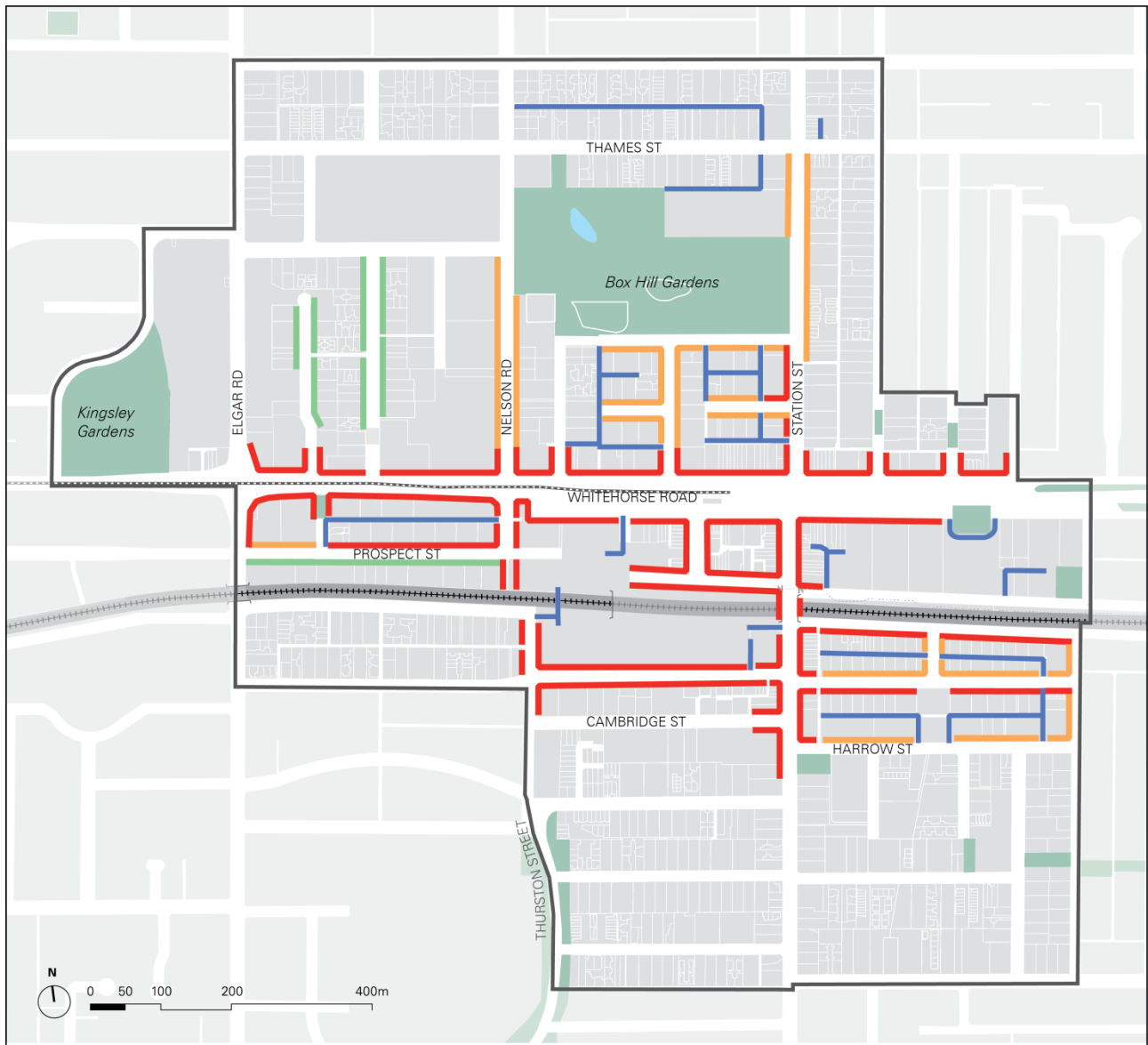
Vehicular access to car parking and loading areas:








- Should be located away from main streets and the primary and local pedestrian network.
- Should respond to the Vehicle access plan shown in **Map 7** as follows:
 - Vehicle access should be provided via laneway access where service laneways are available.
 - On streets shown as 'no crossovers permitted':
 - Buildings and works must not create new crossovers in locations shown as 'no cross overs permitted' unless no other access is possible.
 - Buildings and works should result in relocation of vehicle access, and removal of existing crossovers unless no other access is possible.
 - On streets shown as 'crossovers strongly discouraged', buildings and works should not create new crossovers unless no other access is possible.
 - On streets shown as 'shared crossovers strongly encouraged', vehicle access should be located at the side boundary to allow for sharing of crossovers between adjacent sites.

Services and waste management facilities should be located away from main street frontages, or within basements of upper levels of the building.

Services should be consolidated within sites and buildings, and any externally accessible services or substations should be integrated into the design of the building façade.

Map 7: Vehicle Access Plan



- | | |
|--|---|
|  Activity Centre Boundary | <i>Vehicular access to car parking and loading areas</i> |
|  Belgrave/Lilydale railway line |  Service laneway – preferred access |
|  Existing open space |  No crossovers permitted |
| |  Crossovers strongly discouraged |
| |  Shared crossovers strongly encouraged |

4.4.11 **Architecture, articulation and materials & finishes**

Objectives

To ensure high quality, well considered architecture that demonstrates considered massing and design detailing.

To encourage the use of high quality, robust, materials that provide durable and sustainable buildings and contribute to an enhanced interface with the public realm.

Standards

Buildings with a frontage of more than 45m should be massed and modulated to create two or more building components with distinct architectural expressions as follows:

- The frontage length of each architectural component should not exceed the height of the street wall.
- The minimum separation between these expressions should be no less than 6 metres for the full height of the building.
- The depth of the separation should be no less than the upper level setback for the full height of the building.

Buildings should be detailed to:

- establish a fine grain rhythm and scale within the façade.
- be detailed to provide visual interest streets and public spaces.
- integrate landscape opportunities.

Sites with multiple buildings should be designed and detailed to create distinctive families of building elements (including building entrances, balconies and balustrades, awnings, planters, pergolas, boundary walls and fences).

Buildings with frontages to major and arterial roads should use materials and finishes with a perpendicular reflectivity less than 20 per cent, measured at 90 degrees to the facade surface.

4.4.12 **Sensitive residential interfaces**

Building located adjacent to a sensitive residential interface must meet the objectives, and should meet Standards, as relevant, of the following parts of Clause 55.04:

- Clause 55.04-1 Side and rear setbacks objective, Standard B17.
- Clause 55.04-2 Walls on boundaries objective, Standard B18.
- Clause 55.04-3 Daylight to existing windows objective, Standard B19.
- Clause 55.04-4 North facing windows objective, Standard B20.
- Clause 55.04-5 Overshadowing open space objective, Standard B21.
- Clause 55.04-5 Overlooking objective, and should meet Standard B22.

4.5

Definitions

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Laneway means a road reserve with a width of 9 metres or less.

Street wall means the façade of a building at the street, laneway or public open space boundary, or if the existing building is set back from that boundary, the front of the existing building.

Street wall height means a height measured from the footpath or natural surface level at the centre of the site frontage.

Primary pedestrian network means a continuous route designed to encourage pedestrian access that is publicly accessible across the entire day without gates, doorways or blockages and is open to the sky for its entire width.

Primary street frontage means the front of the building addressing the street or laneway with the greatest street width.

Local pedestrian network means a continuous route designed to encourage pedestrian access that is publicly accessible across the entire day or by agreement to the satisfaction of the Responsible Authority.

Sensitive residential interface means any land that interfaces directly with a Residential Growth Zone, General Residential Zone or Neighbourhood Residential Zone

5.0 Precinct provisions

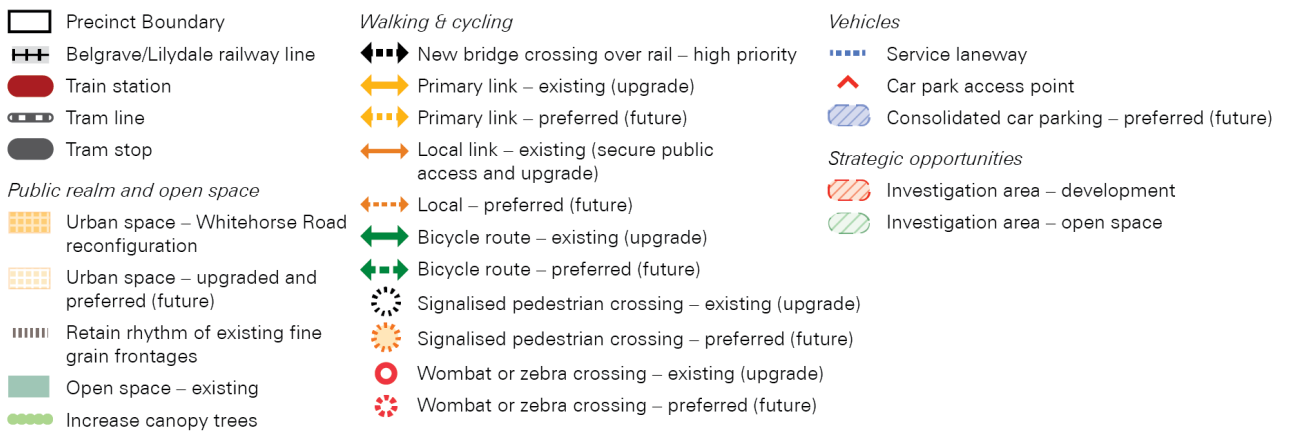
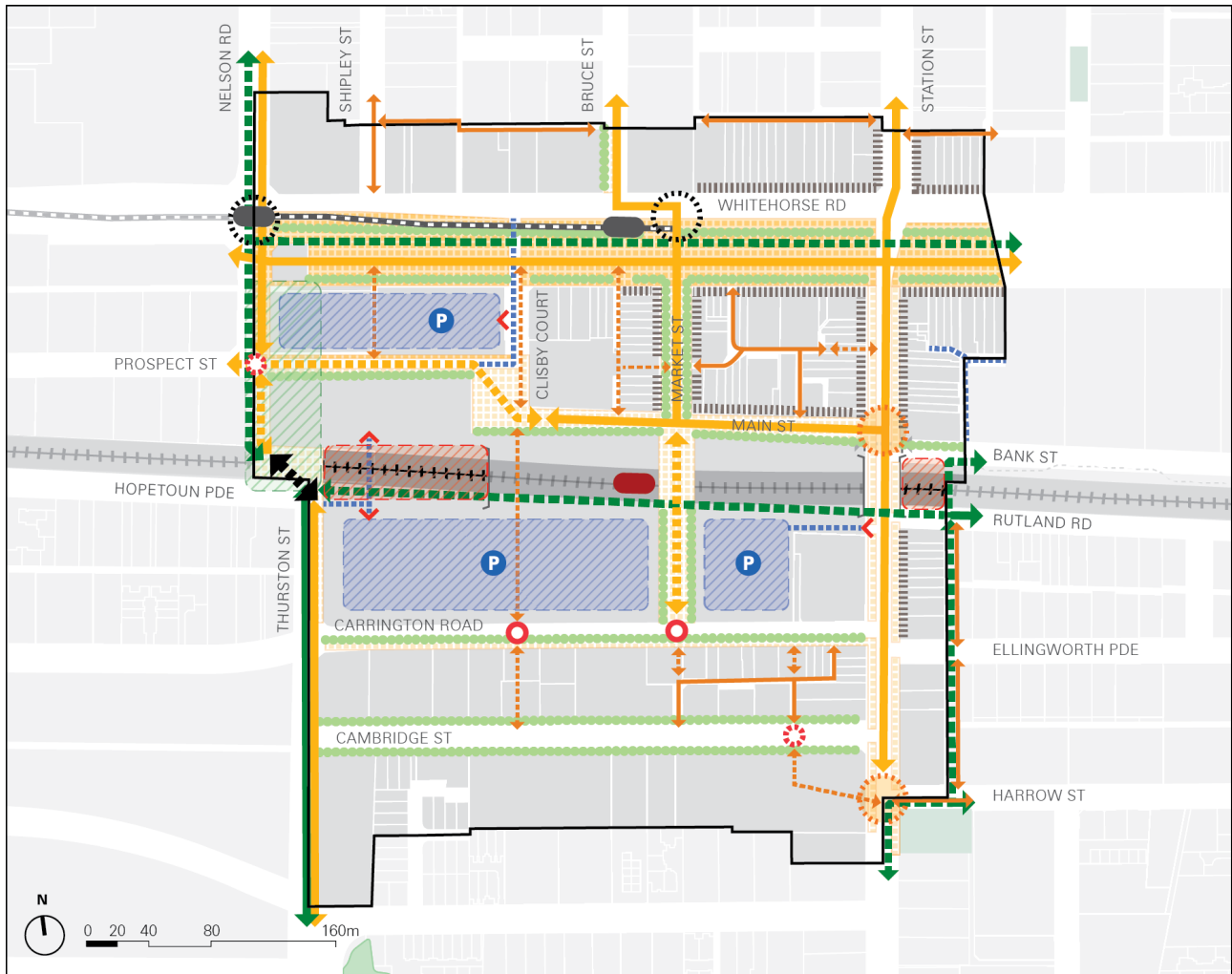
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5.1 Precinct 1 – Central Neighbourhood

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5.1-1 Precinct map

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5.1-2 Precinct objectives

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- To create the centre of Box Hill as a vibrant and diverse destination that is welcoming to all.
- To develop the precinct as a mixed use 'heart' of the centre including a vibrant and diverse range of retail, hospitality, entertainment, employment, and residential uses that extend activity from day into night.
- To provide enhanced and integrated public transport facilities, with convenient and direct physical connections between train, tram and bus and to improved pedestrian and cycle networks.
- To create a new major boulevard along Whitehorse Road with connecting public spaces that are welcoming to all and provide opportunities for vibrant street activity, festivals and public events.
- To retain the historical rhythm and scale of the traditional town centre while allowing for larger scale built form to accommodate a renewed and enhanced shopping centre with activated and engaged street interfaces.
- To minimise off-site amenity impacts of built form on key existing and proposed public spaces.

5.1-4 Precinct guidelines

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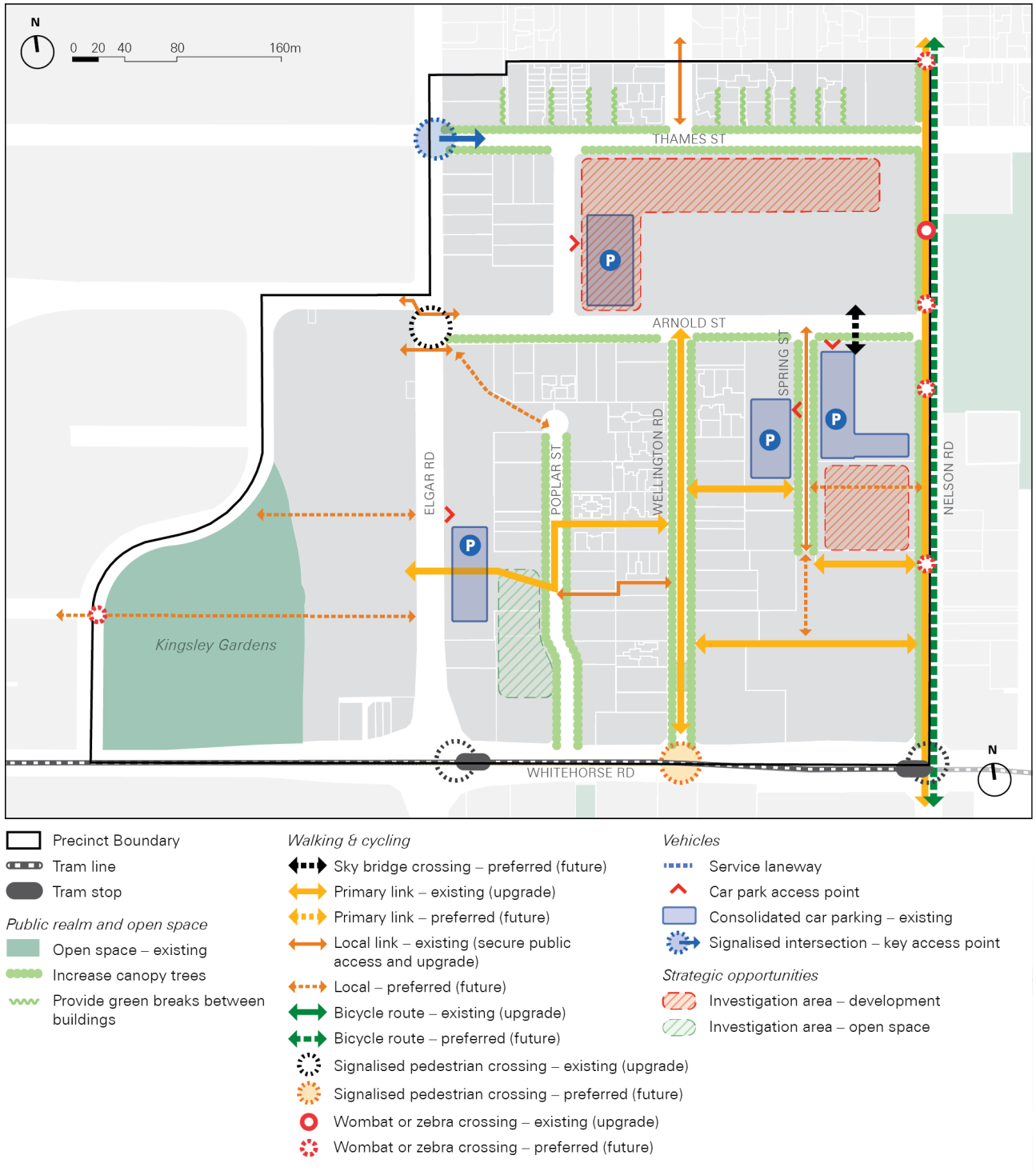
- Along the south side of Whitehorse Road, and in Station Street, Market Street and Main Street, respond to the proposed urban space and public spaces with development built to the boundary providing urban activated frontages that responds to Heritage where relevant.
- Provide activated street interfaces and active laneway interfaces and to prioritise pedestrian and cyclist movement over vehicle access along those street frontages.
- Provide enhanced and new through block links and activated laneway links to implement the primary and local pedestrian network links as shown.
- Encourage development to contribute to upgrading existing or preferred future signalised pedestrian crossing points in location shown.
- Extend Market Street as part of future redevelopment of the bus terminal. This should be open to the sky if possible, or if undercover, should achieve a sense of openness and provide safe and convenient public 24 hour access. Opportunities for daylight penetration and natural ventilation are encouraged.
- Provide a pedestrian and cyclist connection between Nelson Road and Thurston Streets.
- On sites identified as 'investigation area – development' encourage a master planned approach to facilitate decking and development of areas over the rail.
- Provide a 6m landscape setback on the north side of Carrington Road to allow for footpath widening.
- Provide street greening and planting of canopy trees in all key streets and public spaces.
- Consolidate car parking and limit vehicle access points to the identified locations.

5.2 Precinct 2 – Health and Education Neighbourhood

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5.2-1 Precinct map

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5.2-2 Precinct objectives

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- To create a metropolitan- significant health and education precinct integrated within a growing neighbourhood, strengthen the regionally significant health and education role of Box Hill and to accommodate substantial growth in health, education and complementary knowledge intensive jobs, and to prioritise the continued operation and expansion of existing major health and education institutions.
- To provide for supporting residential uses, including student accommodation and key worker housing, as a complementary role that is secondary to the core health and education focus of the neighbourhood.
- To prioritise pedestrian and cyclist movement within the local street network, and manage vehicle access and car parking, to create a permeable network of new laneway connections between streets, and to surrounding neighbourhoods.
- To encourage mid-rise built form that meets the needs of existing or new institutional campuses, and to allow for taller built form to accommodate supporting residential uses consistent with the strategic role of the neighbourhood.
- To provide for buildings of high-rise scale along Whitehorse Road and Elgar Road, and to achieve a transition in height down to mid-rise in the north and west parts of the neighbourhood.

5.2-4 Precinct guidelines

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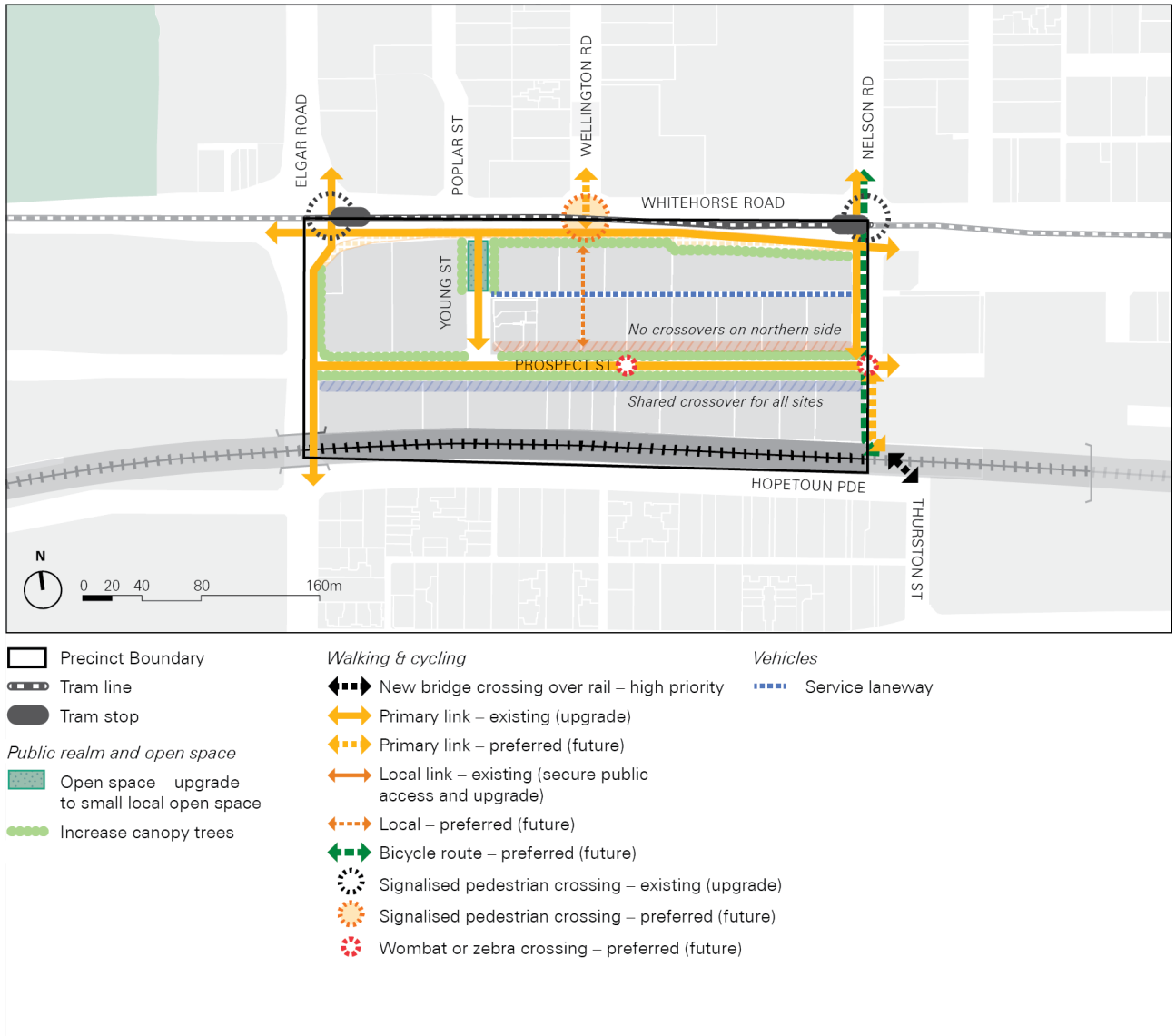
- On sites identified as ‘investigation area – development’, encourage a master planned approach to expansion of health, education and complementary uses and facilities.
- Between Eastern Health and Box Hill Hospital, provide an ‘airbridge’ over Arnold Street to enable direct connection.
- Make provision for landscaped setbacks and planting of canopy trees along other key streets as shown.
- For the Box Hill Hospital and Easter Health sites, and along Spring Street, provide institutional buildings that, where practicable, have activated facades at street frontages.
- Along Wellington Road and Nelson Road, provide activated street interfaces and prioritise pedestrian and cyclist movement over vehicle access along those street frontages.
- Provide enhanced and new through block links to implement the primary and local pedestrian network links.
- In Poplar Street, provide a new local open space area within the ‘investigation area’ identified. Preferred height may be exceeded providing an appropriate transition continues is achieved between the preferred heights for the ‘Core’ area and the 12-15 storey scale of surrounding institutional and higher density residential areas.
- For sites north of Thames Street provide landscape setbacks between buildings.
- For sites outside the area shown as ‘Core’ or ‘higher density residential’ in the ‘Preferred Building Heights’ Map, discourage development from exceeding the maximum allowable percentage for specified accommodation uses.

5.3 Precinct 3 – Prospect Neighbourhood

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5.3-1 Precinct map

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5.3-2 Precinct objectives

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- To create a lively and attractive employment precinct with diverse complementary uses within a leafy streetscape.
- To develop the neighbourhood as Box Hill's premier office and commercial precinct and protect the employment role of the precinct from being crowded out by residential uses.
- To encourage the vertical integration of a diverse range of uses to activate streets and create extended hours of activity.
- To enhance the role of Prospect Street as a priority link in the pedestrian and cycling network, with high quality landscaping and public realm.
- To allow for a range of mid-rise and high-rise office and mixed used buildings that respond to site opportunities and constraints.
- To ensure all new development provides high quality activated interfaces to the street with concealed vehicle access and servicing areas.

5.3-4 Precinct guidelines

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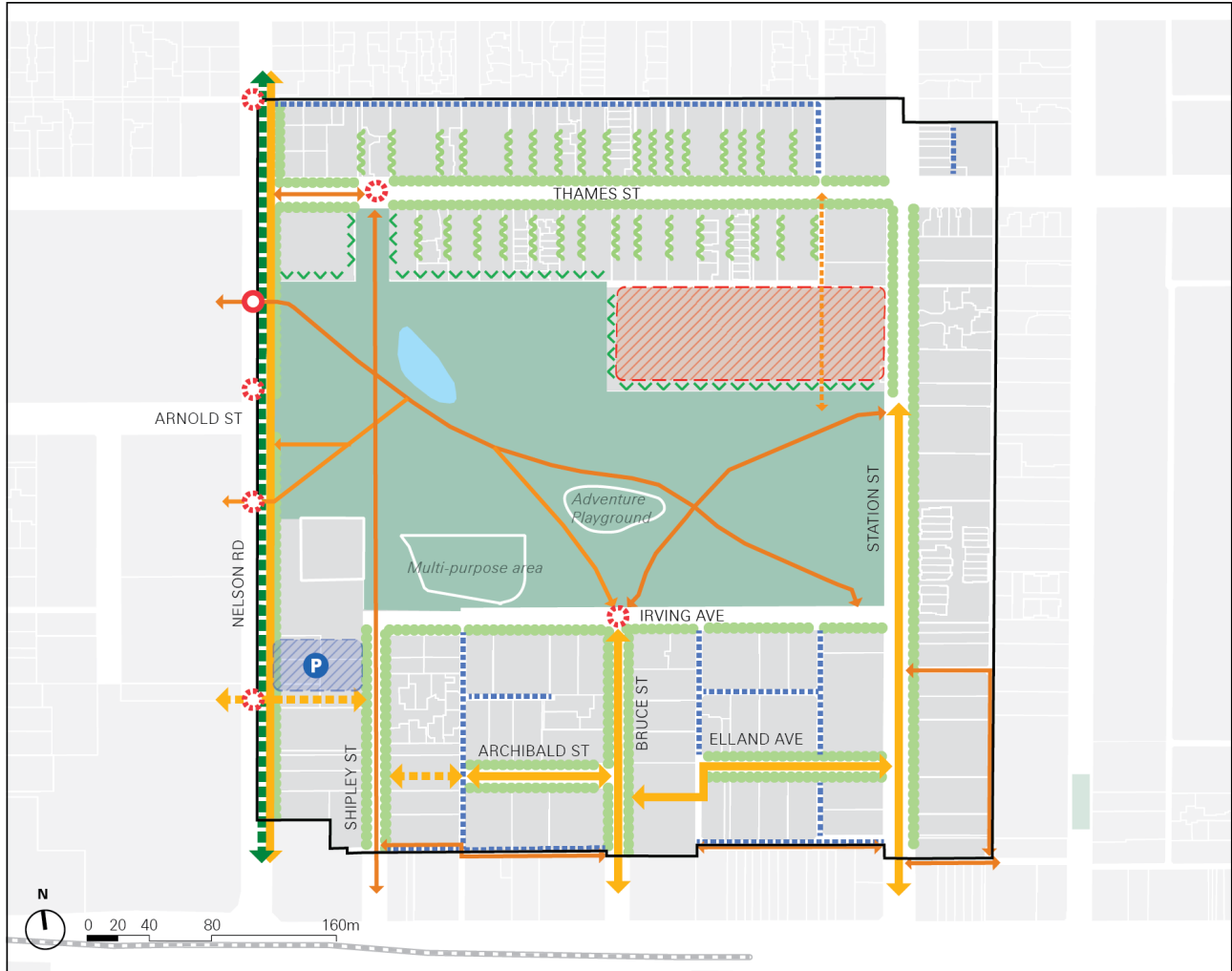
- Along Prospect Street, Young Street, and Nelson Road, make provision for landscaped setbacks and planting of canopy trees.
- On Whitehorse Road, build to the boundary for 'Urban Activity Streets' interfaces (as defined in this schedule).
- Provide activated street interfaces for all development. Locate office and commercial activities within podiums, with retail and complementary entertainment activities activating street and lower levels. Locate residential uses, including residential hotel and other complementary accommodation uses, in upper levels of buildings.
- Along street frontages, prioritise pedestrian and cyclist movement over vehicle access.
- For sites north of Prospect Street, encourage site consolidation with all vehicle access provided via rear laneways or Young Street.
- For sites south of Prospect Street, encourage site consolidation and minimise impacts of vehicle access through use of shared crossovers.
- Introduce a new mid-block link to implement the local pedestrian network link shown.

5.4 Precinct 4 – Garden Neighbourhood

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5.4-1 Precinct map

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Precinct Boundary	<i>Walking & cycling</i>	<i>Vehicles</i>
<i>Public realm and open space</i>	Primary link – existing (upgrade)	Service laneway
Open space – existing	Primary link – preferred (future)	Consolidated car parking – preferred (future)
Increase canopy trees	Local link – existing (secure public access and upgrade)	<i>Strategic opportunities</i>
Provide green breaks between buildings	Local – preferred (future)	Investigation area – development
<i>Built form</i>	Bicycle route – preferred (future)	
Open space interfaces	Wombat or zebra crossing – existing (upgrade)	
	Wombat or zebra crossing – preferred (future)	

5.4-2 Precinct objectives

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- To create a green inner-city neighbourhood providing a great place to live with an abundance of public open space.
- To provide a diverse range of residential development opportunities complemented by small office, retail and community uses.
- To maximise opportunities for healthy and active living and recreation provided by the Box Hill Gardens, and to promote use of walking and cycling with an enhanced permeable network of streets, laneways and places.
- To ensure new development responds to the recently established mid-rise character of the precinct.
- To ensure new development provides activated street and laneway interfaces and passive surveillance of streets and the public realm.

5.4-4 Precinct guidelines

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As shown in the Precinct Plan, encourage:

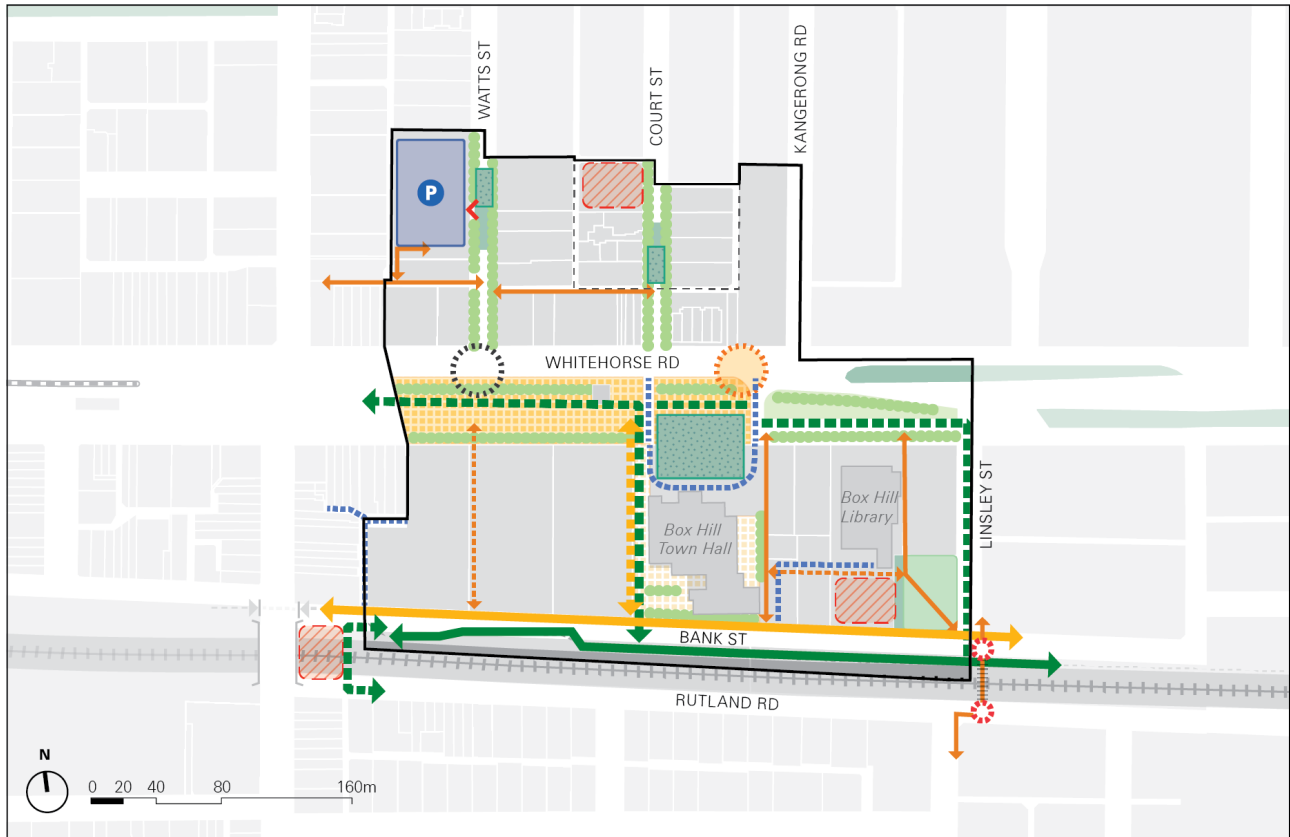
- On sites identified as 'investigation area – development', encourage a Master planned approach to redevelopment that provides a new mid-block link to implement the future local pedestrian network link shown.
- For sites with 'open space interfaces' to the Box Hill Garden, provide activated frontages and outlook to the gardens.
- For sites on Station Street (in the vicinity of Station Street/Thames Street intersection, build to the boundary for 'Urban Activity Street' interfaces (as defined in this schedule).
- Along Severn Street and Watts Street, provide a 6m setback that makes a landscape contribution, with habitable rooms or home occupation uses oriented to a landscape outlook.
- Along other key streets, provide a 3m landscaped setback and planting of canopy trees.
- Along rear laneways, provide a 1.5m setback for landscaping softening to as shown.
- For sites north and south of Thames Street, provide landscape setbacks between buildings.
- Along Nelson Road and Station Street, provide activated street interfaces and prioritise pedestrian and cyclist movement over vehicle access along those street frontages.
- Introduce new through block links to implement the primary and local pedestrian network links.

5.5 Precinct 5 – Civic and Cultural Neighbourhood

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5.5-1 Precinct map

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	Precinct Boundary		Walking & cycling		Vehicles
	Former Activity Centre Boundary		Primary link – existing (upgrade)		Service laneway
	Belgrave/Lilydale railway line		Primary link – preferred (future)		Consolidated car parking – existing
<i>Public realm and open space</i>			Local link – existing (secure public access and upgrade)	<i>Strategic opportunities</i>	
	Urban space – Whitehorse Road reconfiguration		Local – preferred (future)		Investigation area – development
	Urban space – upgraded and preferred (future)		Bicycle route – existing (upgrade)		
	Open space – existing		Bicycle route – preferred (future)		
	Open space – existing (upgrade)		Signalised pedestrian crossing – existing (upgrade)		
	Increase canopy trees		Signalised pedestrian crossing – preferred (future)		
			Wombat or zebra crossing – preferred (future)		

5.5-2 Precinct objectives

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- To create the civic heart of Box Hill – a well- connected community and cultural precinct serving the needs of the whole activity centre.
- To enhance the role of the neighbourhood as the civic and cultural focus for the centre and to support an expanded range of community uses with complementary mix of employment and other use.
- To create a new public gathering place for civic and cultural uses as an eastern anchor of the Whitehorse Road boulevard.
- To create improved connections and integration with surrounding neighbourhoods, with enhanced linkages for pedestrians and cyclists.
- To encourage the consolidation of car parking to relieve parking pressure and car congestion within Precinct 1.
- To encourage low to mid rise development that celebrates and responds the character and heritage of the Town Hall and civic buildings, with fine grain activated street frontages.

5.5-4 Precinct guidelines

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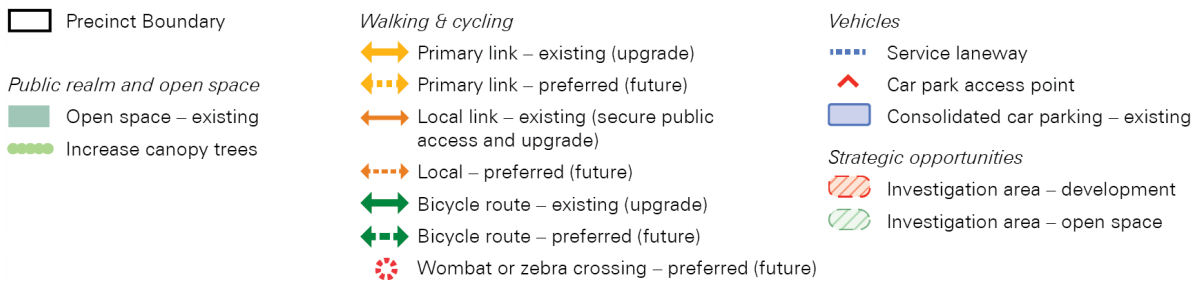
- Along the south side of Whitehorse Road, respond to the proposed urban space integrated with the Town Hall forecourt by providing an urban activated frontage setback 6m or greater, and that responds to Heritage context where relevant.
- If planning and feasibility studies identify the redevelopment of the rear of the Town Hall as a Community Hub with new open space oriented to Bank Street as viable, support the development of this concept.
- On the north side of Whitehorse Road build to the boundary and provide active urban interfaces.
- Where existing road closures exist in Watts Street and Court Street, repurpose and upgrade road space into pocket parks.
- Introduce new through block links and activated laneway links to implement the primary and local pedestrian network links.
- Provide activated street interfaces and active laneway interfaces that prioritise pedestrian and cyclist movement over vehicle access along those street frontages.
- Upgrade existing or provide signalised pedestrian crossings points in the preferred locations shown.
- Along Watts Street and Court Street provide a 6m setback that makes a landscape contribution with habitable rooms or home occupation uses oriented to a landscape outlook.
- Provide street greening and planting of canopy trees in all key streets and public spaces.
- For sites identified as ‘investigation area – development’, encourage a master planned approach to decking and development of areas over the rail, with provision for cycling connection at rear of deck.
- Redevelop the following existing Council owned facilities for community or cultural uses:
 - at grade car park at rear of library opportunity for community or cultural uses, with an active interface to Linsley Street Reserve.
 - Court Street community facility opportunity for redevelopment such as integrated community housing.
- Consolidate car parking and limit vehicle access points to locations shown.

5.6 Precinct 6 – Enterprise Neighbourhood

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5.6-1 Precinct map

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5.6-2 Precinct objectives

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- To create a dynamic mixed-use precinct providing opportunities for start-ups and enterprises close to the centre of Box Hill.
- To provide a diverse mix of uses and range of opportunities for creative and knowledge intensive employment and to ensure a genuinely mixed use character is created.
- To create a new green link and public open space within the neighbourhood and enhanced landscaping along streets that provide priority to pedestrians and cyclists.
- To provide a consolidated parking node that services the whole neighbourhood with enhanced access and connections to the surrounding neighbourhoods.
- To encourage development to respond to the rhythm and lot pattern established by the pre-existing industrial and commercial character of the area and respond to surrounding development.
- To provide for low rise and midrise development that provides an appropriate built form and land use transition to low scale residential areas to the south.

5.6-4 Precinct guidelines

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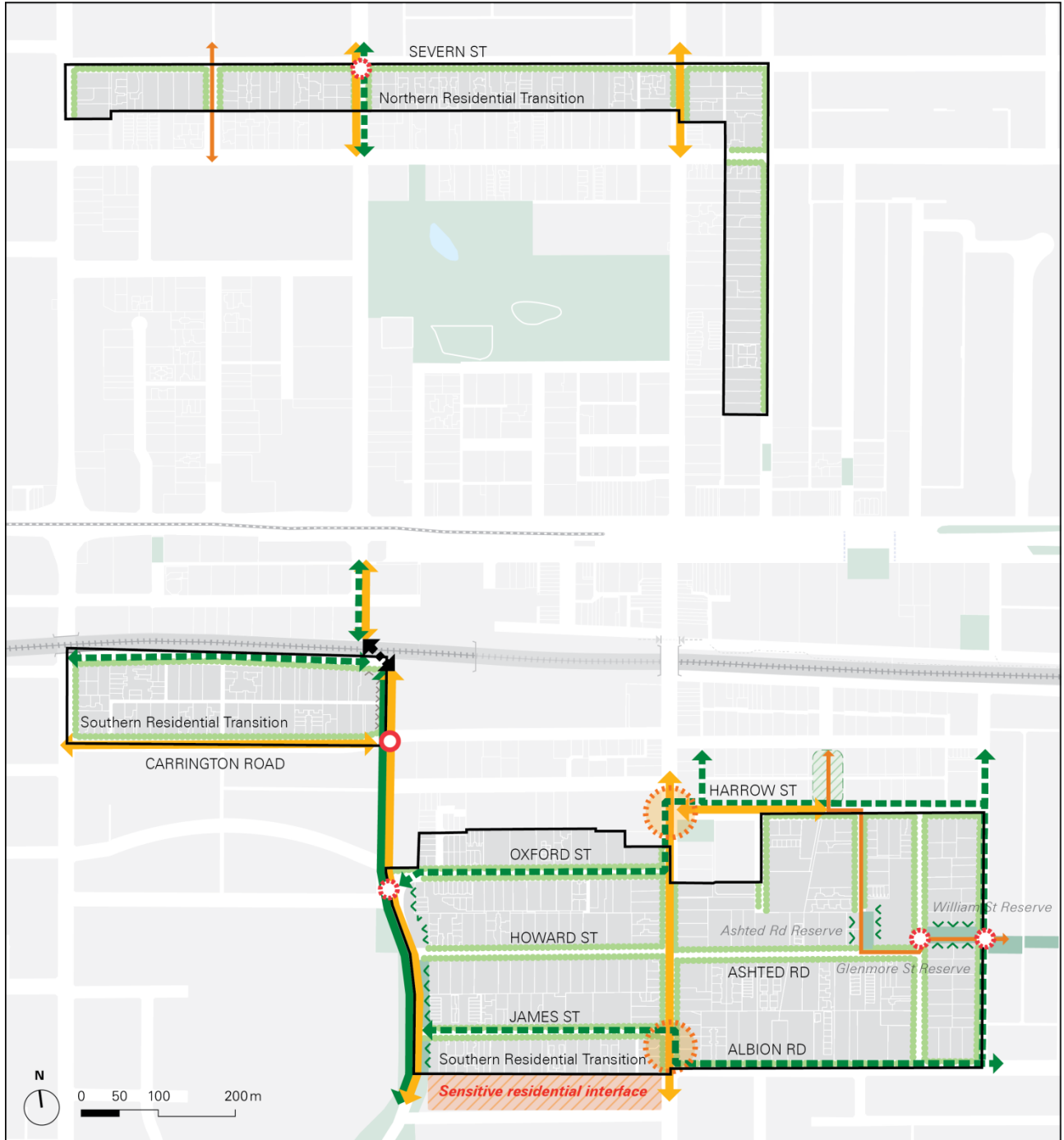
- Build to the boundary, and provide active urban interfaces that prioritise pedestrian and cyclist movement over vehicle access along those street frontages.
- Consolidate sites and provide vehicle access via rear laneways.
- For sites with 'open space interfaces' to the new open space (proposed for the existing Harrow Street carpark, provide activated frontages and outlook to the space.
- Provide for street greening and planting of canopy trees in all key streets and public spaces.

5.7 Precinct 7 – Transition Neighbourhood

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5.7-1 Precinct map

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▬ Precinct Boundary

Public realm and open space

■ Open space – existing

●●●● Increase canopy trees

~ ~ ~ ~ Open space interface

▨ Sensitive residential interface

Walking & cycling

↔ Primary link – existing (upgrade)

↔ Local link – existing (secure public access and upgrade)

↔ Bicycle route – existing (upgrade)

↔ Bicycle route – preferred (future)

⬤ Signalised pedestrian crossing – preferred (future)

⬤ Wombat or zebra crossing – existing (upgrade)

⬤ Wombat or zebra crossing – preferred (future)

Strategic opportunities

▨ Investigation area – open space

5.7-2 Precinct objectives

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- To provide opportunity to live close to the core of the MAC and provide a diversity of medium-density housing types in a highly accessible and well serviced location.
- To encourage a diversity of housing types in locations offering good access to services and transport including activity centres and town centres.
- To encourage a scale of development that provides a transition between areas of more intensive use and development and other residential areas.
- To ensure residential development achieves design objectives specified in a schedule to this zone.
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

5.7-3 Precinct requirements

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- Maximum building height should not exceed 13.5 metres for 3 storeys and 15 metres for 4 storeys.
- The requirements set out in Schedule 1 to Clause 32.07 apply as if the application was made under the permit requirements of Clause 32.07, except for minimum street setbacks and building height.
- Any buildings or works constructed on a lot that abuts land which is in a General Residential Zone, Neighbourhood Residential Zone, must meet the requirements of Clauses 55.03-5, 55.04-1, 55.04-2, 55.04-3, 55.04-5 and 55.04-6 along that boundary.

5.7-4 Precinct guidelines

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- Respond to the preferred building height of 4 storeys, as shown in the preferred building height map.
- For sites along Station Street and Thames Street, provide an activated medium density residential interface with 3m setback to provide for landscaping and footpath widening.
- For all other streets, provide a 6m setback that makes a landscape contribution, with habitable rooms or home occupation uses oriented to a landscape outlook.
- In all key streets and public spaces, provide for street greening and planting of canopy trees.

6.0 Application requirements

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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.

Use for Dwellings

An application to use land for 16 or more dwellings in Precincts 1, 2, 3, 5 or 6 must be accompanied by a report that addresses:

- Whether (and to what extent) the proposal meets the affordable housing contributions specified in the schedule.
- How the proposal contributes to the goal of delivering 6% of housing as affordable housing in Precincts 1, 2, 3, 5 and 6.

Use of land where maximum allowable GFA for specified accommodation uses (Refer Table of Uses):

An application to use land where the maximum allowable GFA for specified accommodation uses is exceeded should be accompanied by the following information, as appropriate:

- How the application contributes to the achievement of the land use Vision for the precinct.
- How the application is consistent with the allocation of accommodation floorspace provided for in any relevant development plan approved under the provision of the scheme.

Use of land for industry or warehouse

- The likely effects on adjoining land, including air-borne emissions, noise and emissions to land and water, traffic, including the hours of delivery and dispatch, light spill or glare.

Subdivision

- Information that demonstrates how the subdivision makes provision for delivery of the pedestrian and cycle networks, including widened footpaths, new laneways or connections, generally in accordance with the framework map of this schedule.
- Information that demonstrates how consolidated car parking areas will be used efficiently by different uses within the building and make provision for public parking within the building.

Construct a building or construct or carry out works

- An indicative development schedule including the number, type and density of dwellings and the floor area of any accommodation and other uses.
- A Waste Management Plan.
- Landscape plan showing:
 - All proposed landscaping.
 - Details of measures to be implemented during construction to protect and manage significant vegetation that is to be retained.
 - Details of implementation of landscape works including an ongoing management strategy.
- An Environmentally Sustainable Development Management Plan and Green Travel Plan.
- Where a Floor Area Uplift is sought and an affordable housing contribution is to be provided, a report calculating the Floor Area Uplift and corresponding affordable housing contribution in accordance with the guidance note "How to Calculate Floor Area Uplift and Affordable Housing Contributions, XXXX".

Precinct 7 – Transition Neighbourhood

- The application requirements of Clause 32.07-11 apply as relevant, as if an application was made under the permit requirements of Clause 32.07.

7.0**Notice and review**

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An application under Clause 37.08 and under any other 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, except for:

- An application to use the land for the purposes of a Brothel, Gambling premises, Hotel, Place of assembly or Tavern 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.
- An application for buildings and works that interface with a sensitive residential interface 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.

8.0**Decision guidelines**

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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 which must be considered, as appropriate, by the responsible authority:

Use of Land

- The extent to which the proposal contributes to the employment growth and housing diversity objectives for the precinct.
- Whether the use is complementary and appropriate to the area and in precincts with a primary employment and economic development focus, does not undermine these outcomes.
- The extent to which the proposal contributes to the provision of at least 6% Affordable Housing in Precincts 1, 2, 3, 5 and 6.
- Where development does not meet the Affordable Housing requirements of this schedule:
 - The amount of Affordable Housing available in Box Hill and nearby areas.
 - Whether it can be demonstrated that the Affordable Housing contribution would render the proposed development economically unviable.
 - Whether the scale of the project, the constraints of the site or the built form envelope available on the site makes it impractical to do so.
- The views of the relevant Affordable Housing Provider (where applicable).
- Where an application includes Affordable Housing, the dwellings should:
 - Be supported by the housing provider proposed to receive the housing.
 - Be able to be realistically delivered and secured by a suitable legal agreement.
 - Be a mix of one, two and three bedrooms that reflects the overall dwelling composition of the building, or composition otherwise agreed by the housing provider.
 - Have internal layouts identical to other comparable dwellings in the building.
 - Be externally indistinguishable from other dwellings.
- The strategic contribution to supporting the regional role of Box Hill and the employment, housing diversity, and range of services and facilities in the centre.

Subdivision

- The contribution the proposed subdivision makes creating a permeable pedestrian and cyclist movement network.
- Whether the subdivision promotes consolidated car parking and vehicle access.

- Whether the proposed staging of the subdivision is appropriate.
- The impact of the subdivision on landscape opportunities or footpath activity along street frontages.

Design and Built Form

The following decision guidelines apply to an application for a permit under Clause 37.08, in addition to those:

- The amenity of the public realm including overshadowing additional to that caused by street walls, and wind impacts from taller buildings.
- The extent of activation to the public realm to all street interfaces, laneways, and interfaces with open space.
- The extent to which the design and built form prioritises pedestrian and cyclist movement in the public realm and minimises impacts from vehicle access, services and loading.
- Provision for landscaping within street setbacks and within proposed new public spaces.
- The need for a construction management plan.

For applications in Precinct 2: Health and Education Neighbourhood

- For buildings and works associated with a Hospital or Education works, the net community benefit, specifically the strategic benefit in delivering health care (including surgical procedures, critical care and emergency services) and associated research, education and innovation facilities to the Victorian community.

For applications in Precinct 7: Transition Neighbourhood

- The decision guidelines of Clause 32.07-13 apply as relevant, as if an application was made under the permit requirements of Clause 32.07.

For applications seeking a Floor Area Uplift where affordable housing is provided:

In considering any Floor Area Uplift as set out in this policy, the responsible authority must assess whether the Floor Area Uplift is appropriately matched by the affordable housing to be provided, by considering the following:

- Whether the quantity and value of the Floor Area Uplift has been appropriately calculated; and
- The proposed affordable housing is of a matching value; and
- Whether the proposed affordable housing can be realistically delivered and secured by a suitable legal agreement; and
- Whether the proposed affordable housing is supported by the proposed receiving agency.
- The views of the relevant Affordable Housing Provider (where applicable).
- The Affordable Housing should:
 - Be supported by the housing provider proposed to receive the housing.
 - Be able to be realistically delivered and secured by a suitable legal agreement.
 - Be a mix of one, two and three bedrooms that reflects the overall dwelling composition of the building, or composition otherwise agreed by the housing provider.
 - Have internal layouts identical to other comparable dwellings in the building or as otherwise agreed by the housing provider.
 - Be externally indistinguishable from other dwellings.

9.0

Signs

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Sign requirements are at Clause 52.05.

- All land located within Precincts 1, 2, 3, 4, 5 and 6 is in Category 1.
- All other land is in Category 3.

10.0 Reference documents

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- *Box Hill Metropolitan Activity Centre to 2036 Structure Plan (MGS Architects) 2020*
- *Box Hill Metropolitan Activity Centre to 2036 Urban Design Framework (MGS Architects) 2020*
- *How to Calculate Floor Area Uplifts and Affordable Housing Contributions, XXX*