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SCHEDULE 9 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO9**.

BOX HILL CENTRAL (NORTH) AND BOX HILL CENTRAL (SOUTH)

This overlay applies to land identified in Figure 1.

1.0

Objectives

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To facilitate the use, development and subdivision of the land in an integrated and holistic manner that:

- achieves the Vision for Box Hill, and the Central Precinct, as set out in the Box Hill Metropolitan Activity Centre to 2036 Structure Plan and the Box Hill Metropolitan Activity Centre to 2036 Urban Design Framework (2020).
- responds to the strategic significance, specific opportunities and constraints and context of the site.
- facilitates an integrated master-planned approach to redevelopment and improvement of public realm, public transport, and pedestrian and bicycle connectivity on and around the site.

To ensure development contributes to the creation of new public spaces, enhances existing public spaces, delivers high levels of pedestrian connectivity, and achieves activated vibrant streetscapes and interfaces with the public realm.

To consider the potential for offsite amenity impacts of built form and to ensure development achieves high quality public realm outcomes, amenity in terms of overshadowing, wind, access to daylight, building separation, outlook and visual bulk.

To facilitate the evolution of Box Hill Central into an integrated, vibrant, successful, highly accessible, regionally significant and high performing retail, entertainment and lifestyle hub, that supports significant employment growth and provides a diversity of housing opportunities.

To realise opportunities for transit oriented development and to encourage and plan for an improved, enhanced, integrated metropolitan transport interchange with development designed to:

- deliver high priority to customer and patron comfort, convenience, safety and security.
- provide improved pedestrian and cycling movement networks and facilities.
- manage vehicle access and car parking in a manner that priorities pedestrian movement and supports use of active and public transport modes.

2.0

Requirement before a permit is granted

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A permit may be granted before a development plan has been approved for the following:

- Subdivision
- Minor buildings and works
- Removal or creation of easements or restrictions.

Before granting a permit, the responsible authority must be satisfied that the permit will not prejudice the preparation of a Development Plan and the future use and development of the land in an integrated manner.

3.0

Conditions and requirements for permits

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A permit to subdivide, use or develop land should include, where relevant, conditions requiring the following:

- prior to the commencement of buildings or works, a detailed Construction Management Plan must 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.

An application for a permit for use, subdivision or buildings and works must be accompanied by (as appropriate):

- **planning report** that demonstrates:
 - that the proposal is generally in accordance with the provisions of the planning scheme and any Development Plan approved under this schedule.
- **3Dimensional digital model** in a format to the satisfaction of the responsible authority.
- **ESD Strategy** that demonstrates:
 - for new development, that at least a 5 star green star (or equivalent) standard will be achieved for each major element of new development.
 - for existing buildings that are being adapted or repurposed, the strategy should demonstrate incorporation of recognised ESD technologies and best practice.

4.0 Requirements for development plan

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The responsible authority must be satisfied that Development Plan:

- considers the entirety of the area covered affected by this Schedule as shown in Figure 1.
- is generally in accordance with the Indicative Concept Plan shown in Figure 2.
- achieves the Centre Wide and Precinct Objectives and Precinct Requirements, and responds appropriately to the Precinct Guidelines, for the Box Hill Central Precinct, as set out in the Activity Centre Zone Schedule 1.
- achieves the Objectives set out in the Design and Development Requirements of the Activity Centre Zone Schedule 1.
- is consistent with the Principles set out in this Schedule.
- includes and shows the information to be provided, as set out in this Schedule.

Before deciding whether to approve a Development Plan or a substantial amendment to an approved Development Plan, the responsible authority must first display the plan for public comment for a period of 14 days and must consider any comments received in response to display of the plan.

Principles

The development plan must be consistent with the following Principles for Box Hill Central:

- Buildings and works must achieve appropriate amenity outcomes for the public realm as set out below:
 - except for shadows cast by existing buildings, or new street walls that meet the relevant standards of Schedule 1 to the ACZ, buildings and works must achieve 3 hours of sunlight between the hours of 10:00am and 3:00pm:
 - on 21 June on the existing Market Street and Main Street Mall,
 - on 22 September for proposed new open spaces approved under this development plan.
 - buildings and works must not cause unsafe wind conditions, and should achieve comfortable wind conditions across all areas of public spaces that

are existing or proposed within the development plan. Wind amelioration measures should be integrated into the design and architecture of the building

- Building height should not exceed 120m and must be moderated as required to ensure overshadowing controls above are met.
- Buildings should be massed and height moderated to respond to heights of adjacent heritage buildings. The preferred height of buildings that interface with Market Street or the proposed Main Street open space is 4 storeys, for a depth of 20m.
- Buildings and works should comply with the preferred relevant standards set out in Schedule 1 to the ACZ for:
 - street wall heights,
 - street wall setbacks,
 - setbacks above the street wall,
 - setbacks from side and rear boundaries,
 - building separation within a site,
 - vehicle access car parking, loading and services
 - architecture, articulation and materials and finishes

Information to be provided

A development plan must be accompanied by a planning report that demonstrates:

- the nature, type and intensity of employment outcomes to be delivered and how the proposal contributes achieving a balance of employment and residential growth
- how the proposal contributes to provision of housing choice, diversity and housing affordability. If the development plan seeks to exceed any of the preferred maximum building height, the appropriateness of any affordable housing contribution.
- details about the relationship of the proposal to adjoining land, precincts and stages, including interface treatments, connectivity, interim treatment of any land and any attenuation measures that may be needed.

A development plan must include the following requirements to the satisfaction of the responsible authority:

- **Site analysis and urban context plan** that identifies existing conditions plan, showing surrounding land uses and development, adjoining roads and pedestrian links, public transport routes and social infrastructure.
- **Staging plan** showing the likely sequence and timing of development and including a description of the key components to be delivered in each stage and any interim uses proposed for land to be developed in subsequent stages
- **Design and Built form plan** showing detailed building envelopes that achieve the objectives and requirements of this Schedule including shadow diagrams describing overshadowing impacts both internal and external to the site
- **Public Realm plan** showing:
 - all public realm areas within the site and the indicative landscape treatment of public areas, open spaces, pedestrian connections and street interfaces between adjoining land uses and publicly accessible spaces.
 - proposals for ongoing management and maintenance of public areas. If land is to be developed in stages, it must show how land will be treated and managed at each stage.
- **Integrated Transport Plan** that demonstrates:
 - how pedestrian and cyclist movement will be prioritised and integrated within the site to provide convenient access to public transport.

- how any proposed changes to public transport facilities or routes will be facilitated within high quality and high amenity environments.
- vehicle access locations to car parking and loading areas, identifying opportunities for consolidation of car parking and minimisation of crossovers.
- **ESD Strategy** that demonstrates how ESD principles will guide and be incorporated into the use and development of the site.
- **Services and Engineering Infrastructure Plan** including:
 - an assessment of the existing engineering infrastructure servicing the site and its capacity to service the proposed development.
 - a description of the proposed provision of all appropriate utility services to each stage.
 - a stormwater drainage plan including integration of Water Sensitive Urban Design.
- **Community Infrastructure Plan** showing the location of relevant community facilities to be provided and including an assessment of the demand for such facilities.

The responsible authority may waive the need to provide any of the information detailed above that is not relevant to a particular Development Plan or part thereof.

4.0 Decision Guidelines

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Where an application development plan has been submitted for approval, the responsible authority will consider:

- whether the overall amount of accommodation floorspace to be delivered across all stages meets the maximum allowable percentage floor space specified in Clause 37.08.
- the staging of the development and whether it is appropriate for reallocation of accommodation floor space between individual sites within the development plan area.
- the mix of accommodation uses proposed, how it contributes to objectives to provide a range of accommodation uses and housing choices.
- whether an appropriate affordable housing contribution is proposed and is secured by a Section 173 Agreement.
- the nature and type of employment generating uses proposed, and the contribution to supporting employment growth in the centre.

Figure 1 – Land included in this schedule

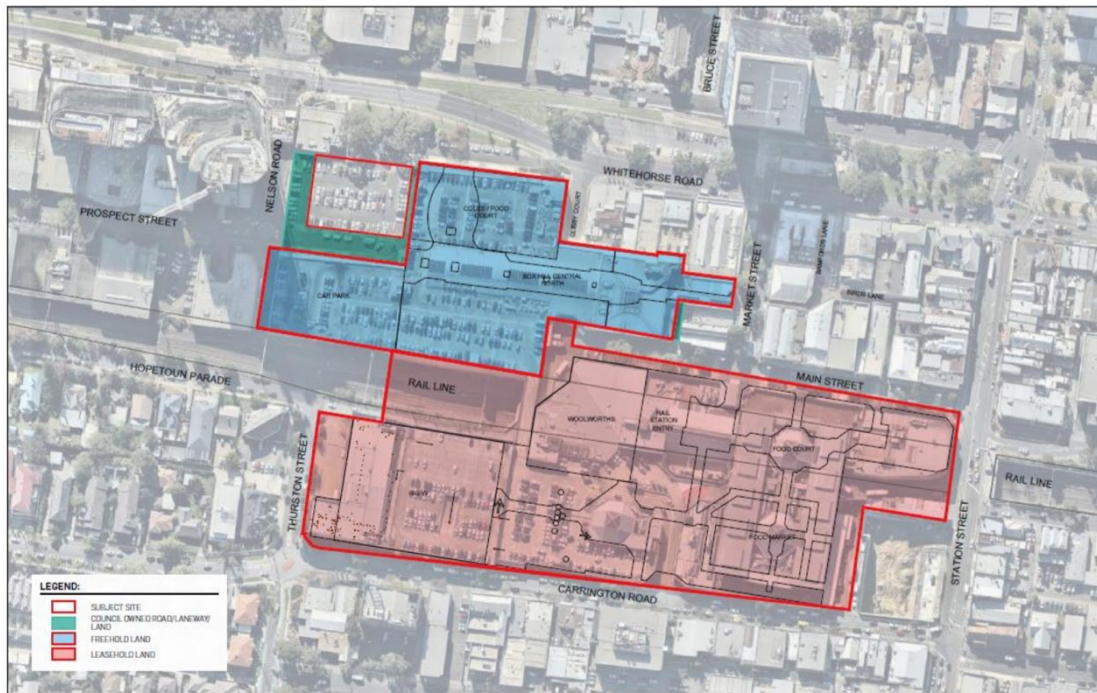


Figure 2 - Indicative Concept Plan to be provided by Vicinity