



Planning Scheme Amendment Request

853 Whitehorse Road and 16-18 Spring Street, Box Hill

Whitehorse Planning Scheme

Application on behalf of the Box Hill Institute

Date of report: September 2017



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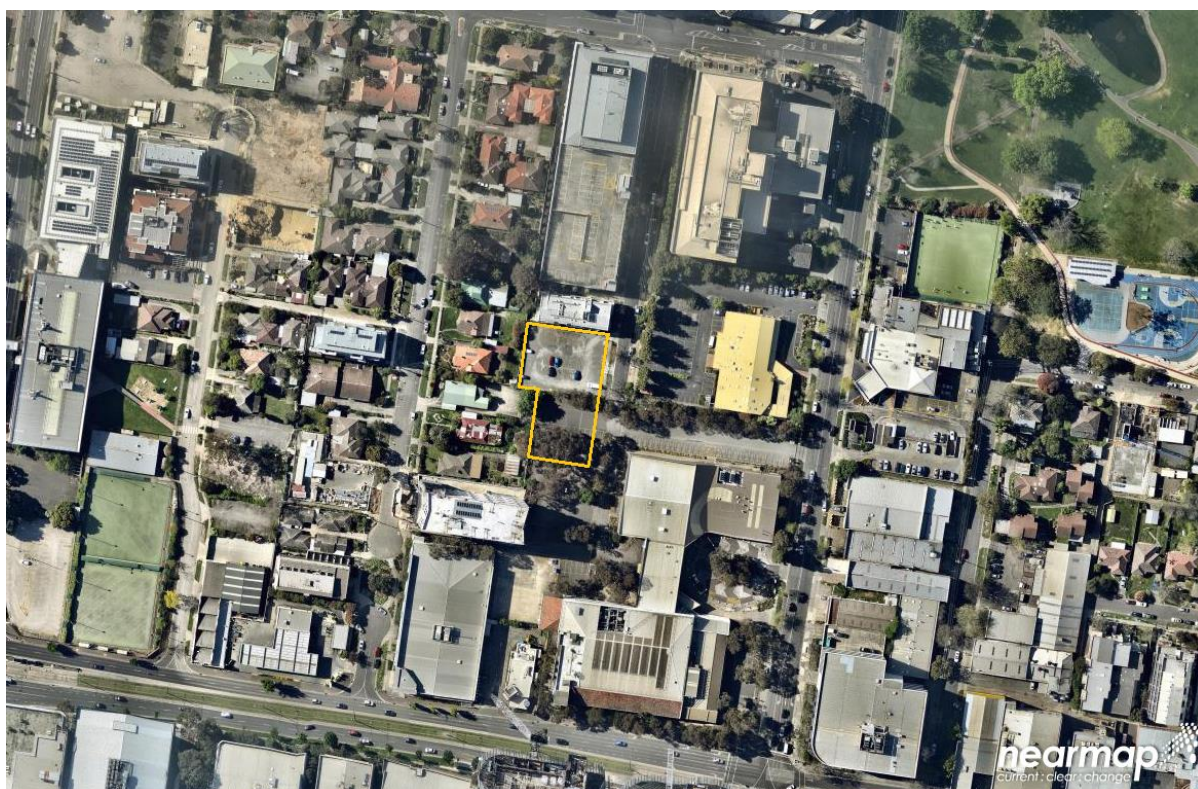
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1. Introduction

This planning report has been prepared on behalf of the Box Hill Institute (BHI) and accompanies an application for an amendment to the Whitehorse Planning Scheme.

BHI is a public entity promulgated under Section 3.1.11 of the Education and Training Reform Act 2006. It is one of 12 TAFE and polytechnic institutions that are public training providers throughout the state. The Institute provides vocational training in the animal studies, creative and performing arts, hospitality, engineering, education, science and information technology sectors and has over 60,000 annual enrolments. The BHI regularly reviews its land assets in accordance with the *Victorian Government Landholding Policy and Guidelines* to ensure efficient management of public assets for the Department's continuing use and development.

The BHI is the landowner of the land at 853 Whitehorse Road and 16-18 Spring Street, Box Hill (the subject site). It comprises a large, consolidated and regularly shaped parcel of land which contains part of the Nelson Campus of BHI's Box Hill Campus.

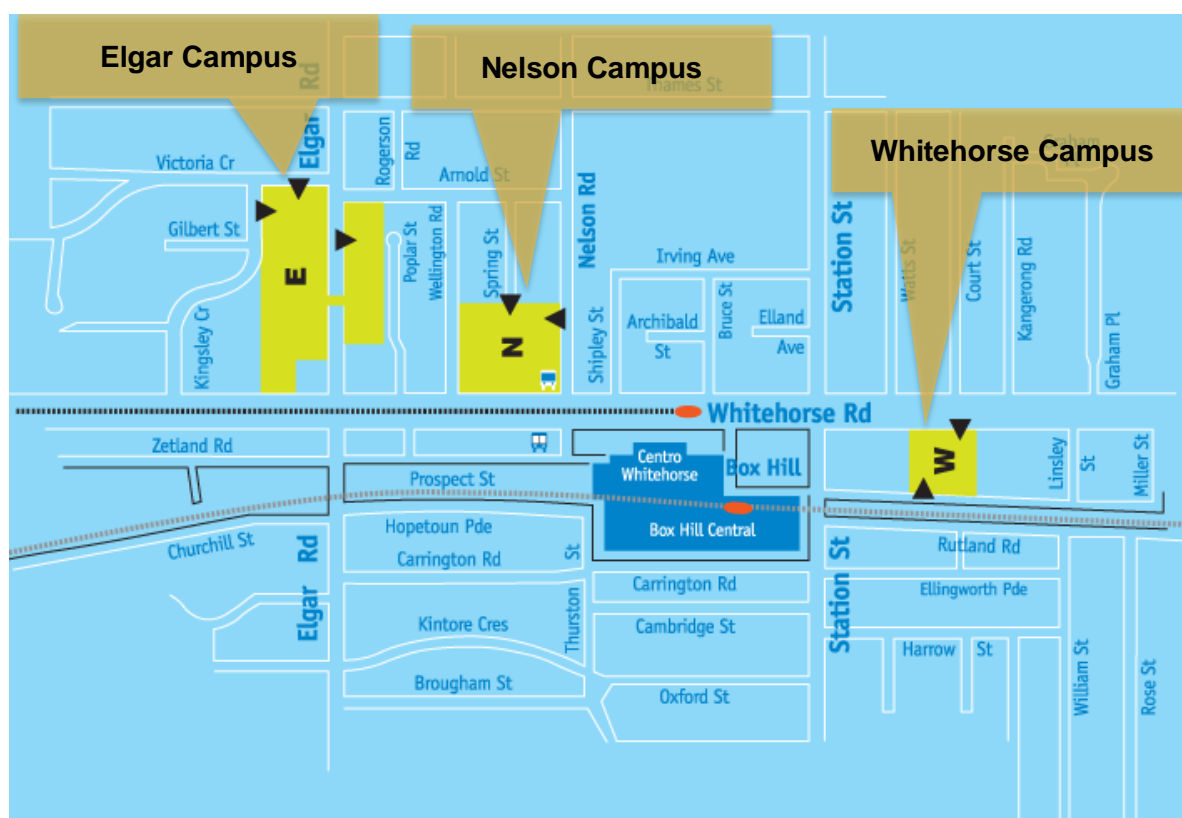


Aerial Photograph taken 8 October 2016 (Source: www.nearmap.com)

Campus Modernisation Program

The Box Hill Institute provides technical and further vocational education across three discrete campuses, which are geographically dispersed within the Box Hill Metropolitan Activity Centre, which are:

- **Elgar Campus** – a 40,000 square metre campus located on both sides of Elgar Road, immediately north of its intersection with Whitehorse Road.
- **Nelson Campus** – a 19,000 square metre campus, located on the western side of Nelson Road, immediately north of Whitehorse Road.
- **Whitehorse Campus** – a 10,000 square metre campus, located on the south side of Whitehorse Road, immediately west of the Box Hill Town Hall.



Box Hill Institute Campus Map

In 2014, a review identified that the facilities across all three campuses had a relatively low utilisation of 23% and that the geographical spread of the teaching facilities over three discrete sites more than 1 kilometre apart was contributing to a sub-optimal student experience. It also identified that some ageing facilities were poorly designed and not fit-for-purpose for contemporary teaching, contributing to a relatively high maintenance cost.



The same review also identified that the Institute had inadequate facilities to meet the increased demand for nursing, health and aged care courses and to take advantage of the synergies associated with the proximity to the Epworth Hospital and Box Hill Public Hospital.

BHI has recently commenced a Campus Modernisation Program, which aims to provide a vibrant and engaging campus experience, which fosters a social hub for students and the community.

To deliver this, the Program seeks to geographically consolidate the campus footprint, better utilise sites and improve the student experience by providing centralised social spaces and classes. The Program will also provide an opportunity to provide fit-for-purpose facilities and deliver better facilities to meet program demand for nursing, health and aged care courses.

The Institute recognises that it will need additional space to develop 'fit for purpose' facilities to train more nurses to meet the growing demand for nursing practitioners in the health and aged care sectors.

It has determined that the Spring Street land (the subject site) can be used to accommodate a purpose built training facility that is proposed to be integrated with the future expansion of the Epworth Hospital. It is anticipated that BHI and Epworth would enter into a training partnership to facilitate support and professional development for Epworth staff.

This application proposes to rezone the subject site from a Public Use Zone 2 (PUZ2) and Residential Growth Zone (RGZ3) to the Mixed Use Zone (MUZ) and apply a new schedule to the Development Plan Overlay. The existing Parking Overlay will be retained.

The proposed amendment will facilitate the future development of the subject site for an integrated, fit for purpose nurse training facility that will meet the future demands of the vocational education and healthcare sector within Box Hill.

The amendment will advance the vision set out in Plan Melbourne and within the Whitehorse Planning Scheme and should be supported.

2. The Subject Site and Surrounds

The Subject Site

The subject site is known as part 853 Whitehorse Road and 16-18 Spring Street, Box Hill. The site comprises an area of 2,630 square metres and is located immediately to the north and west of the Nelson campus of the Box Hill Institute.

The land is an irregular shaped section of the Nelson campus with a frontage to Spring Street of approximately 60 metres. It is located on the western side of Spring Street, approximately 130 metres from its intersection with Arnold Street.

The land currently contains an at-grade car park that provides vehicle parking for staff and students. Vehicle access is available via a crossover to Spring Street.



Subject site **looking north-west**



Subject site **looking south-west**



Subject site **looking north**



View north towards Spring Street



View South towards BHI 853 Whitehorse Road



14 Spring Street



Carpark adjoining BHI looking east



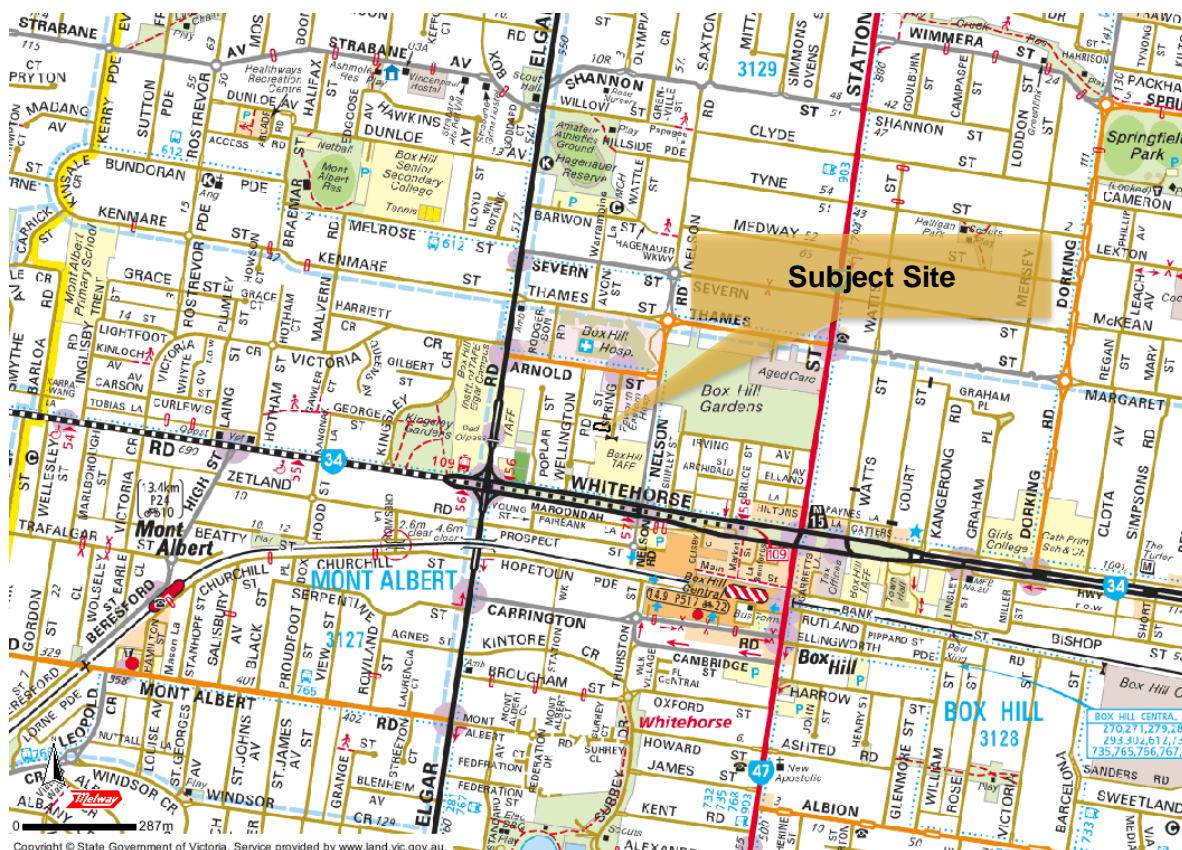
17-23 Nelson Road



The Surrounds

The site's immediate abutments can be described as follows:

- p.8**



Locality Plan (Source: www.land.vic.gov.au)

The subject site is in proximity¹ to a range of community services and facilities, including:

- Box Hill Train Station, located 600 metres walk to the south-east;
- Tram Route 109 operates along Whitehorse Road with a tram stop located 300 metres walk to the south-east;
- Bus routes 281, 293 and 302 operating along Arnold Street and Nelson Road with a bus stops located 220 metres walk to the north and south;
- Box Hill Hospital, located 270 metres walk to the north;
- Box Hill Gardens, located 250 metres walk to the north-east;
- Kingsleys Gardens, located 900 metres walk to the west;

¹ All distances are measured approximately.



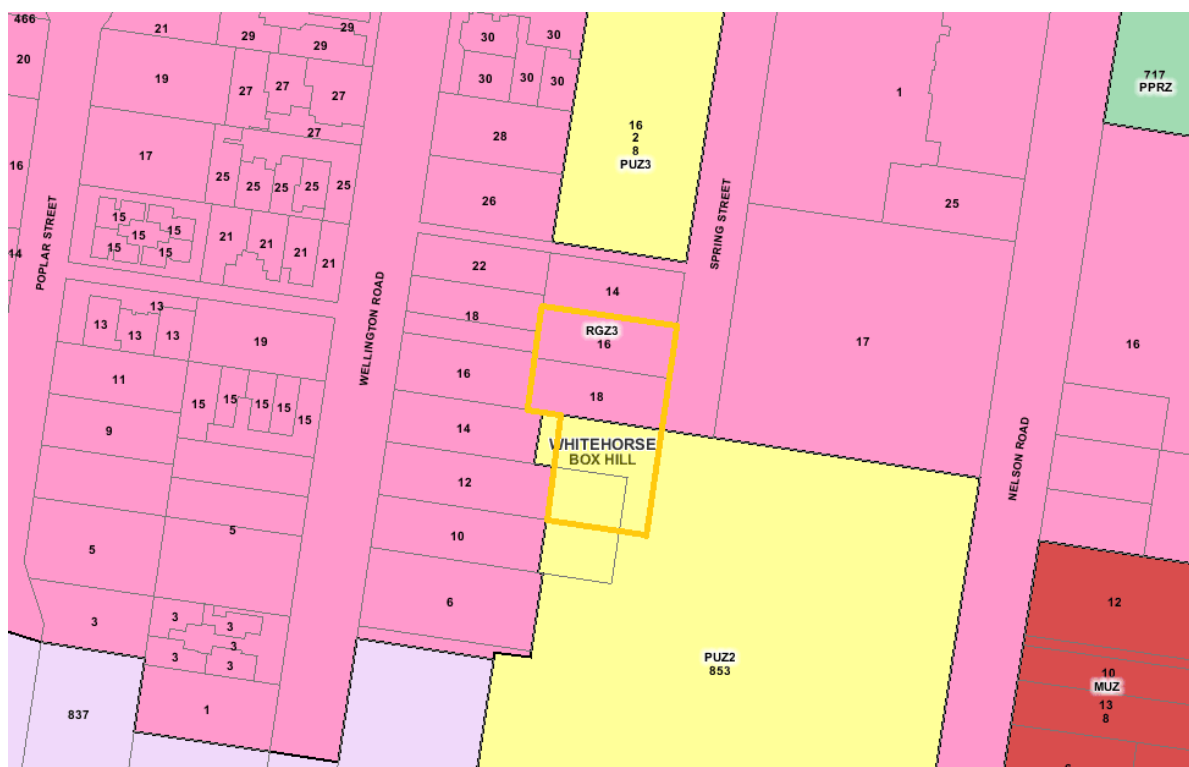
- Box Hill RSL, located 180 metres to the east;
- Box Hill Institute – Elgar Campus, located 650 metres walk to the west; and
- Box Hill Central Shopping Centre, located 650 metres walk to the south-east.



3. Current Planning Controls

Zone

The subject site is currently zoned Public Use Zone 2 (PUZ2) and Residential Growth Zone – Schedule 3 (RGZ3) under the Whitehorse Planning Scheme.



Zoning Map (Source: www.land.vic.gov.au)

The Purpose of the Public Use Zone is:

To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

To recognise public land use for public utility and community services and facilities.

To provide for associated uses that are consistent with the intent of the public land reservation or purpose.

More specifically, PUZ2 identifies land for education. Under the provisions of the Public Use Zone, a planning permit is required for any use that does not correspond to the public purpose for which the land is zoned or if it is not carried out by or on behalf of the public land manager.



The Purpose of the Residential Growth Zone is:

To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

To provide housing at increased densities in buildings up to and including four storey buildings.

To encourage a diversity of housing types in locations offering good access to services and transport including activities areas.

To encourage a scale of development that provides a transition between areas of more intensive use and development and areas of restricted housing growth.

To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

The Residential Growth Zone allows for land to be used for dwellings, a medical centre (not exceeding 250 square metres) and a residential aged care facility without the need for a permit.

The use of land for accommodation, hospital, education centre and larger medical centres requires a permit. A permit cannot be granted for a retail premises (except a food and drink premises of less than 100 square metres on a main road, plant nursery or shop on a main road).

A permit is required under the Residential Growth Zone to construct two or more dwellings on a lot or to construct a building or construct or carry out works associated with a Section 2 use.

Land surrounding the subject site comprises:

- Residential Growth (RGZ3) zoned land to the north, east and west; and
- Public Use (PUZ2) zoned land to the south.



Overlays

The land is affected by the Parking Overlay – Schedule 1 'Box Hill Activity Centre' (PO1).



Overlay Map (Source: www.land.vic.gov.au)

The Purpose of the Parking Overlay is:

To implement the State Planning Policy Framework and Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

To facilitate an appropriate provision of car parking spaces in an area.

To identify areas and uses where local car parking rates apply.

To identify areas where financial contributions are to be made for the provision of shared car parking.

The Parking Overlay varies the standard car parking requirements set out in Clause 52.06 for dwelling and office land uses within the Box Hill Metropolitan Activity Centre. Under this overlay, a planning permit is required to provide lower car parking on site than specified in Clause 52.06 or the Schedule to the Parking Overlay.



The surrounding land is affected by the following overlays:

- Parking Overlay – Schedule 1, which applies to all land within the Box Hill Metropolitan Activity Centre.
- Vegetation Protection Overlay – Schedule 3, which applies to one parcel of land to the west.

Amendment C175 to the Whitehorse Planning Scheme

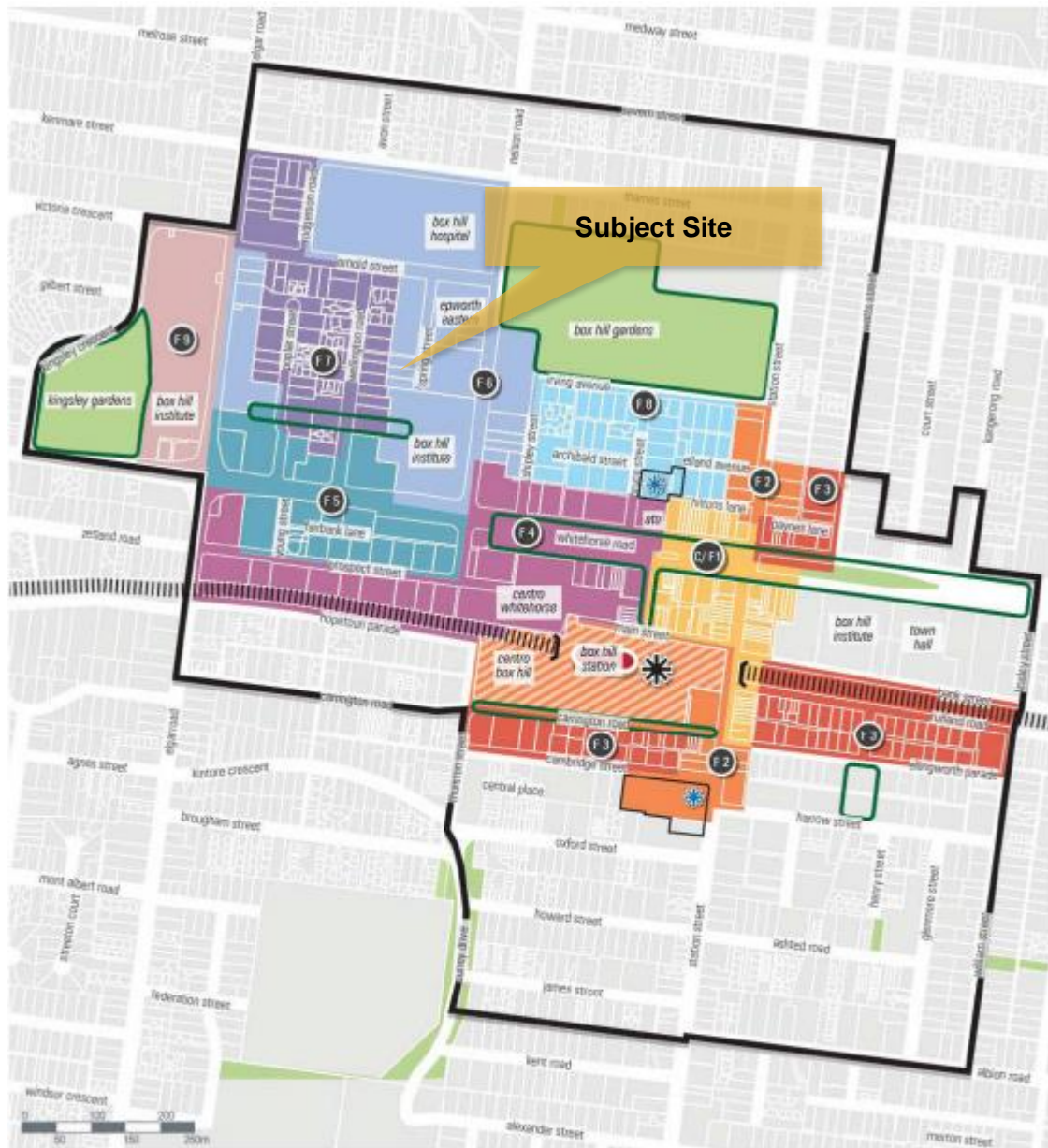
Amendment C175 to the Whitehorse Planning Scheme seeks to implement the *Box Hill Metropolitan Activity Centre Built Form Guidelines* by applying Design and Development Overlay – Schedule 6 ‘Box Hill Activity Centre Built Form Guidelines’ and rezoning the northern part of the subject site and other land to the Mixed Use Zone.

The subject site is located within Precinct F6, where the precinct objectives set out in the Design and Development Overlay schedule include:

- *To support high density education/institutional development within a generous landscape setting at the ground level (campus style).*
- *To encourage lot consolidation for medium and smaller lots.*
- *To encourage taller forms with smaller footprints with a generous separation between buildings.*
- *To ensure building orientation considers future development on or adjacent to the site, including potential linkages to such development.*

Key built form responses include:

- A minimum 10 metre separation between buildings.
- A plot-ratio approach for extra large sites.
- A preferred maximum height of 15 storeys.



legend

structure plan study area		precinct F-3		precinct F-8		proposed development subject to separate design brief for built form and urban design	
railway line		precinct F-4		precinct F-9			
railway station		precinct F-5		existing open space			
precinct C/ F-1		precinct F-6		key open space / link			
precinct F-2		precinct F-7		strategic development site			



The amendment has recently been considered by an independent planning panel and its report is forthcoming.

4. The Proposed Amendment

What is proposed?

The proposal seeks to amend the Whitehorse Planning Scheme by:

- Rezoning the land to Mixed Use Zone from the Residential Growth Zone – Schedule 3 and the Public Use Zone 2; and
- Introducing a new schedule to the Development Plan Overlay to establish particular built form and development requirements for the site.

The Parking Overlay (PO1) that affects the land will be retained.



Under the current Public Use Zone that applies to the southern half of the site, the land cannot be held in private ownership. This would restrict the ability of the future dwellings being privately owned.

The adoption of the Mixed Use Zone to the entire site will allow for the future land use and development of the land for residential and educational activities to be facilitated in a manner that is consistent with policy expectations set out within the Whitehorse Planning Scheme and complementing the existing use and development activity which already occurs in the vicinity of the site.

It is relevant that Amendment C175 to the Whitehorse Planning Scheme proposes to rezone part of the subject site and private land within the broader precinct to the Mixed Use Zone.

Development Plan Overlay

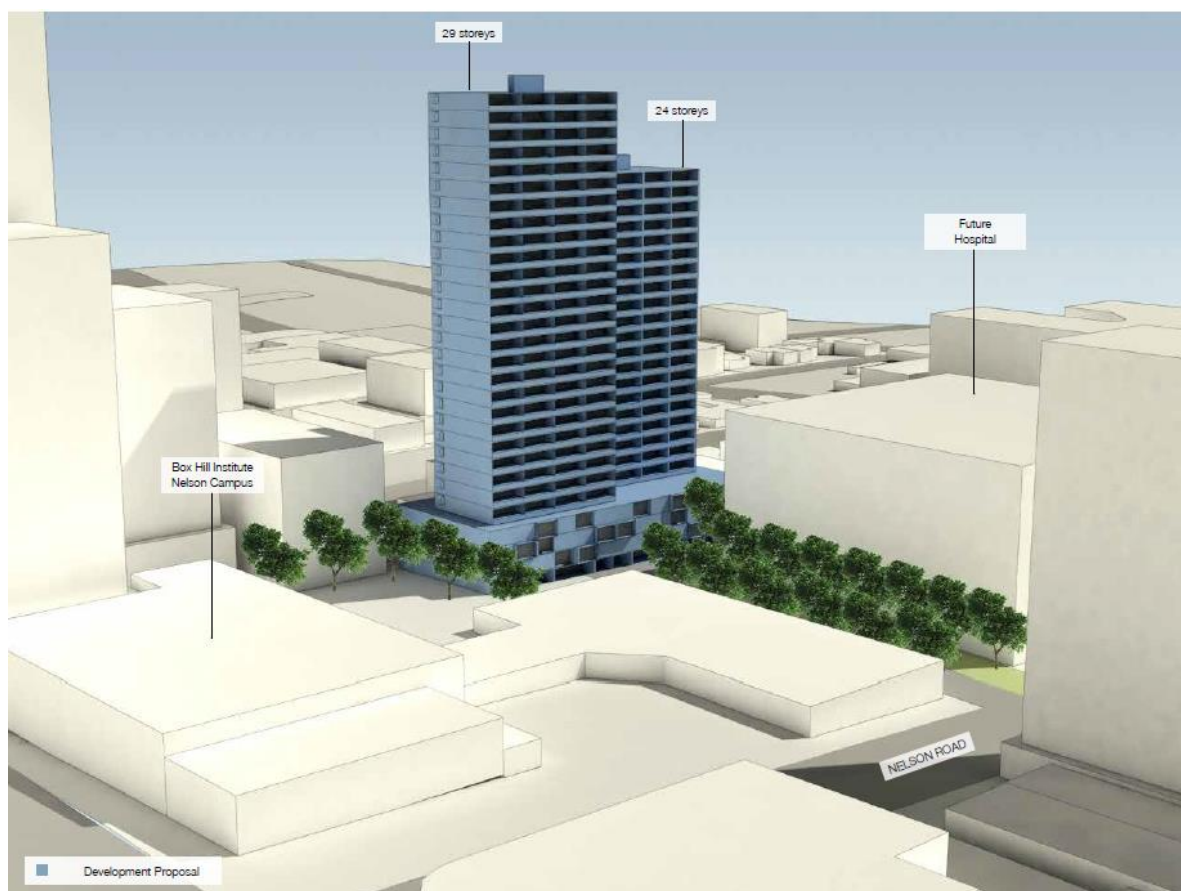
It is proposed to introduce a new schedule to the Development Plan Overlay into the Whitehorse Planning Scheme and apply it to the subject site.

The Development Plan Overlay will require that a Development Plan be prepared prior a planning permit application being lodged for land use and development for the subject site.

The Development Plan to be prepared under the Development Plan Overlay will be generally in accordance with the draft Development Plan that has been prepared by SJB Urban and exhibited as part of this Fast Track Government Land Service process.

The Development Plan will relevantly contain:

- Guidance for the adopted land use and built form mix to comprise:
 - 3 basement levels for resident and Box Hill Institute car parking, bicycle parking, storage and services;
 - A four storey podium including an active frontage at ground floor level and three storeys of nurse training facilities for the Box Hill Institute; and
 - A residential development of up to 29 storeys (in total height) above the podium.
- A traffic management plan for the site; and
- A landscape plan.



Proposed Massing Diagram (Source: Development Plan, prepared by SJB Urban)



5. Is the Proposed Amendment Appropriate?

Why is the Amendment required?

BHI is a leading vocational education provider for the healthcare and community service sector. High demand for care from an ageing population, alongside associated increases in chronic conditions and disability, is increasing the demand for both health care and community service roles. Current industry forecasts suggest that approximately 29,400 additional healthcare workers will be required to meet the needs of Victorians over the next five years.

As part of its Campus Modernisation Program, BHI has identified that its current facilities are inadequate in their ability to meet the growing demand for vocational education and training to support the healthcare sector. The Campus Modernisation program has identified that additional, 'fit for purpose' facilities are required for its vocational nursing training courses to meet expected future demand for nursing, health and aged care.

The subject site provides a significant opportunity to accommodate the purpose built training facilities to meet the future needs and requirements of this sector. It is strategically located to take advantage of agglomeration benefits from its co-location in proximity to the Box Hill Institute's Nelson Campus, the Epworth Hospital and the Box Hill Hospital. To facilitate these synergies, it is anticipated that BHI and Epworth Hospital will enter into a training partnership to support the ongoing professional development of Epworth staff.

To fund the delivery of the BHI training facilities, the Institute proposes to sell its air rights and allow for a residential development which will contribute to policy directives which seek to provide for significant housing growth within the Box Hill Metropolitan Activity Centre.

In this regard, the proposal will provide much needed capacity for health care education and training, as well as delivering future housing for a growing population. This will deliver a net community benefit to the eastern region and metropolitan Melbourne more broadly.

Policy Context

Within Plan Melbourne, Box Hill is identified as a Metropolitan Activity Centre, which is nominated as a place of state significance that will be the focus for investment and growth.

The Purpose of Metropolitan Activity Centres under this strategy is:

To provide a diverse range of jobs, activities and housing for regional catchments that are well served by public transport.

These centres will play a major service delivery role, including government, health, justice and education services, as well as retail and commercial opportunities.



Policy under Plan Melbourne supports the development of activity centres and identifies that metropolitan activity centres are critical to achieving housing and economic growth within the metropolitan area and will accommodate a significant amount of growth.

In terms of the Box Hill Institute's role and health and education, it is specific policy at Policy 1.1.4 within Plan Melbourne to:

Support the significant employment and servicing role of health and education precincts across Melbourne.

Under this policy, the Box Hill Hospital and Box Hill TAFE Precinct is identified as a key health and education precinct. The direction for these areas is as follows:

Victoria has an international reputation in health and medical research. It is also a leading provider of high-quality international education and home to two of five Australian universities ranked in the world's top 100 tertiary institutions.

...

Major health and education precincts across metropolitan Melbourne have been identified for further services and jobs growth. These precincts stimulate innovation, create employment and are of fundamental importance to the emerging knowledge economy and surrounding communities.

Planning for the growth of these precincts will need to focus on improving access – particularly via public transport – and diversifying job choices. Co-location of facilities (for example, a university with a hospital) will make better use of existing infrastructure and support the growth of associated businesses and industries. Specialised economic functions should be reinforced, but there should also be opportunities to provide ancillary retail, commercial, accommodation and supporting services.

More broadly, Plan Melbourne locates Box Hill within the Eastern region, where an additional 175,000-190,000 dwellings are expected to be required to meet population growth by 2051.

One of the key goals of Plan Melbourne is to introduce a network of '20-minute neighbourhoods' that are envisaged to allow a greater proportion of the community to live and work locally, by providing a range of accommodation, retail, commercial, civic and community facilities and transport within a 20-minute distance.

The identification of Box Hill as a Metropolitan Activity Centre of State significance and its proximity and connection to the Central Business District will ensure that Box Hill plays a significant role in delivering the anticipated population and employment growth within the region towards 2031 as well as the advancement of the 20-minute neighbourhood initiative. To achieve this, it is anticipated that the Box Hill Metropolitan Activity Centre will undergo significant change.



The Box Hill Activity Centre Transit City Structure Plan (the 'Structure Plan') was adopted by Whitehorse City Council in 2006 and is a reference document in the Whitehorse Planning Scheme.

The Structure Plan provides the strategic vision and land use and development framework to achieve outcomes within the Activity Centre. It relevantly nominates the subject site as being within the Box Hill TAFE and Hospital Precinct. Higher density development and the continuation of education and healthcare uses is anticipated within this precinct.

Zone Selection

The Mixed Use Zone is the most appropriate zone to guide the future land use and development for the subject site. *Planning Practice Note No. 78 – Applying the Residential Zones* identifies that the Mixed Use Zone is likely to be applied:

In areas with a mix of residential and non-residential development.

The principles for applying this zone include:

- *Areas encouraging a range of residential, commercial, industrial and other uses.*
- *Areas to provide for housing at higher densities and higher built form that responds to the existing or preferred neighbourhood character.*

Under the Mixed Use Zone, the following land use activities are 'as of right' (no permit required):

- Dwellings;
- Food and drink premises (up to 150 square metres); and
- Office and medical centre (up to 250 square metres).

The use of the land for education purposes, retail premises and place of assembly are all permissible under the zone.

The Box Hill Activity Centre Structure Plan identifies that the subject site will provide for a mixed use precinct and be a focal point for higher density development. The application of the Mixed Use Zone to the land is consistent with the outcomes expected by policy for this location.

Amendment C175 to the Whitehorse Planning Scheme relevantly also proposes to rezone the northern section of the subject site and the broader precinct to the Mixed Use Zone (from Residential Growth Zone – Schedule 3), which further reinforces the appropriateness of this zone selection for the subject site.



In turn, it is concluded that the Mixed Use Zone is the most appropriate zone selection for the subject site. It will provide an appropriate planning tool for managing land use and development in a manner that is consistent with BHI's vision and State, regional and local policy for the Box Hill Metropolitan Activity Centre.

Development Plan Overlay

The application of the Development Plan Overlay to the land will provide an appropriate mechanism for providing certainty about the site's development potential to prospective landowners, as well as Council and the local community. It will also allow BHI to achieve the delivery of its nurse training facility, through a joint-venture development agreement.

The adopted guidance within the requirements for the Development Plan is generally in accordance with the direction for the site set out in the *Draft Box Hill Metropolitan Activity Centre Built Form Guidelines*.

The Schedule has been drafted to provide certainty about the general 3-dimensional building envelope for the site. It adopts a built form envelope of up to 24-29 storeys, with apartments in a tower format, set above a mixed use podium incorporating commercial land use at ground floor and three levels of nurse training facilities for BHI.

The adopted heights within the Development Plan Overlay schedule are consistent with the emerging built form character within this section of the Box Hill Metropolitan Activity Centre, where development comprising heights of between 10-36 storeys are currently under assessment or have been approved. In this respect, the Development Plan will ensure that future development is consistent with the emerging built form character and policy expectations for higher density development within Metropolitan Activity Centres.

The Development Plan Overlay Schedule also incorporates measures to require that the Development Plan appropriately consider traffic and pedestrian movement, landscaping and other detailed design matters.

The Development Plan Overlay will provide certainty for the Council, community and future landowner about the land use and development mix for the site and is an appropriate outcome, having regard to BHI's vision for the site.

Strategic Assessment of the Amendment

Minister's Direction No. 11 Strategic Assessment Guidelines require a planning authority to evaluate and discuss how an amendment addresses a number of strategic considerations. Under *Planning Practice Note No. 46 (DTPLI, July 2014)*, the proposed amendment requires a full assessment against the Strategic Assessment Guidelines.

The full assessment is provided in this Section of the report.



Does the Amendment implement the objectives of planning and address any environmental, social and economic effects?

The amendment implements the objectives for planning in Victoria, set out at section 4 of the *Planning and Environment Act 1987*. In particular, the amendment implements the following objectives:

- *To provide for the fair, orderly, economic and sustainable use, and development of land;*
- *To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;*
- *To protect public utilities and other assets and enable the orderly provision and coordination of public utilities and other facilities for the benefit of the community; and*
- *To balance the present and future interests of all Victorians.*

Environmental Effects

The land is located within an urbanised area and contains scattered vegetation, which is not protected by a Vegetation Protection Overlay, Significant Landscape Overlay or Environmental Significance Overlay. Some limited vegetation removal is likely to be required to facilitate the future development of the site in accordance with the draft Development Plan prepared by SJB Urban.

In terms of land contamination, a preliminary site investigation has been undertaken by Cardno to determine the likelihood of soil and groundwater contamination. The investigation involved a desktop assessment and sampling from 15 boreholes on and around the subject site. The investigation concluded that land uses adjacent to the Nelson Campus (motor repairs and service station) could represent a potential source of groundwater contamination, however, these areas are well removed from the subject site and are likely to present a low risk of contamination.

On-site soil samples identified that there was no obvious sign of contamination in most borehole locations. One test location on the subject site reported a concentration of carcinogenic pathogens slightly exceeding criterion for high density residential land use. The report concludes that this presents a low potential risk to the site. The report concludes that the soils on the subject site did not report contamination that would preclude the proposed residential and educational land use and development activities from occurring and that an environmental audit, in accordance with the requirements of the *Potentially Contaminated Land General Practice Note* was not required.

It follows that the proposal is not likely to have significant environmental impacts.



Social and Economic Effects

The amendment will facilitate the growth and expansion of the Box Hill Institute, which provides important local and regional vocational training. The amendment will also provide opportunities for increased residential development within the Box Hill Metropolitan Activity Centre, where State, metropolitan and local planning strategies encourage increased development.

It is anticipated that the amendment will lead to positive social and economic effects, by virtue of the fact that it will provide for increased vocational training to meet the needs and requirements of the growing healthcare sector. The proposed amendment will also facilitate increased synergies between the Box Hill Institute and the Epworth Hospital in terms of vocational education and employment opportunities.

The amendment will facilitate the expansion of the Epworth Hospital, which provides important local and regional health facilities in an established area, with good access to its catchment. It will maintain local health services and employment opportunities. In turn, it is anticipated that the proposal will lead to positive social and economic effects.

Does the Amendment address relevant bushfire risk?

The subject site is not a bushfire prone area and will not result in any increase to the risk to life, property, community infrastructure and the natural environment from bushfire.

Does the Amendment comply with the requirements of any Minister's Direction applicable to the Amendment?

This amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under Section 7(5) of the Act.

Ministerial Direction No. 1 – Potentially Contaminated Land seeks to ensure that land is only rezoned to facilitate sensitive land uses, agriculture or public open space where a planning authority can be satisfied that the environmental conditions of the land are or will be suitable for that use. 'Potentially contaminated land' is defined as land used or known to have been used for industry, mining or storage of chemicals, gas, wastes or liquid fuel (if not ancillary to another use of land). A sensitive use is identified as a residential use, a child care centre, a pre-school or a primary school.

If land is identified as being potentially contaminated and a sensitive use is proposed, Ministerial Direction No. 1 provides that a planning authority must satisfy itself that the land is suitable for that use through an environmental audit.

The General Practice Note on Potentially Contaminated Land provides further guidance for potentially contaminated land. It broadens the consideration of potentially contaminated



land to 'land that may have been contaminated by other means such as by ancillary activities, contamination from surrounding land, fill using contaminated soil or agricultural activities.' It also sets out how potentially contaminated land is identified and what uses might have a high or medium potential for contamination. A number of land uses are listed.

A Preliminary Environmental Site Assessment has been undertaken for the subject site by Cardno to determine the likelihood of soil and groundwater contamination. The investigation involved a desktop assessment and sampling from 15 boreholes on and around the subject site. The investigation concluded that land uses adjacent to the Nelson Campus (motor repairs and service station) could represent a potential source of groundwater contamination, however, these areas are well removed from the subject site and are likely to present a low risk of contamination.

On-site soil samples identified that there was no obvious sign of contamination in most borehole locations. One test location on the subject site reported a concentration of carcinogenic pathogens slightly exceeding criterion for high density residential land use. The report concludes that this presents a low potential risk to the site. The report concludes that the soils on the subject site did not report contamination that would preclude the proposed residential and educational land use and development activities from occurring and that an environmental audit, in accordance with the requirements of the *Potentially Contaminated Land General Practice Note* was not required.

Relevantly, the report has not identified any potential contamination of land in a manner that is contemplated by the Practice Note or Ministerial Direction.

Ministerial Direction No. 9 – Metropolitan Planning Strategy seeks to ensure that planning scheme amendments have regard to Plan Melbourne 2017-2050: Metropolitan Planning Strategy (Department of Environment, Land, Water and Planning, 2017).

Policy initiatives within Plan Melbourne seek to accommodate a significant amount of population and economic growth within Metropolitan Activity Centres, such as Box Hill. It is also envisaged that the Box Hill TAFE and Hospital Precinct will continue to play a key role in the delivery of healthcare and vocational education services to meet future demand within these sectors.

The proposed amendment complies with the Ministerial Direction. No. 9.

Ministerial Direction No. 11 – Strategic Assessment of Amendments seeks to ensure a comprehensive strategic evaluation of a planning scheme amendment and the outcomes it produces.

A strategic assessment of the proposed amendment has been undertaken in accordance with this Ministerial Direction in this section of this report.



Does the Amendment support or implement the State Planning Policy Framework (SPPF)?

The elements of the SPPF that are most relevant to the Planning Scheme Amendment include:

- Clause 9 – Plan Melbourne;
- Clause 10 – Operation of the State Planning Policy Framework;
- Clause 11 – Settlement;
- Clause 15 – Built Environment and Heritage;
- Clause 16 – Housing;
- Clause 17 – Economic Development;
- Clause 18 – Transport; and
- Clause 19 – Infrastructure.

Clause 9 ‘Plan Melbourne’ requires that planning and responsible authorities must consider Plan Melbourne 2017-2050: Metropolitan Planning Strategy (Department of Environment, Land, Water and Planning, 2017). This is the same requirement as Ministerial Directions No. 9.

The proposed Amendment complies with Ministerial Direction No. 9. For this reason, the proposed amendment is consisted to also comply with the requirements of Clause 9.

Clause 10 ‘Operation of the State Planning Policy Framework’ seeks to ensure that the objectives of planning in Victoria (as set out in Section 4 of the Planning and Environment Act 1987) are fostered through appropriate land use and development planning policies and practices which integrate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development.

The proposal supports this goal by applying the most appropriate zone control to the subject site and will deliver a net community benefit by facilitating social infrastructure to meet community needs in terms of population growth and changing demographics in an area with good access to services and transport.

Clause 11 ‘Settlement’ provides that planning is to anticipate and respond to the needs of existing and future communities through the provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure. Planning is to facilitate sustainable development that takes full



advantage of existing settlement patterns, and investment in transport and communication, water and sewerage and social facilities.

The subject site is located within an MAC and a health and education precinct. The proposed amendment will ensure land required for infrastructure and services, including education and health services, are provided in an appropriate location and in a timely manner.

Clause 15.01 'Urban environment' seeks to create safe, functional and good quality urban environments. **Clause 15.02 'Sustainable development'** seeks to promote consolidation of urban development and the integration of land use and transport.

Clause 16 'Housing' states that new housing should have access to services and be planned for long term sustainability, including walkability to activity centres, public transport, school and open space. **Clause 16.01-3 'Housing Opportunity Areas'** seeks to identify opportunities for more medium and high density housing near employment and transport in metropolitan Melbourne. It relevant seeks to identify opportunities that are in Metropolitan Activity Centres and areas near existing and proposed railway stations that can support transit-oriented development (among other areas).

Clause 17 'Economic Development' seeks to provide for a strong and innovative economy and contribute to the economic well-being of communities by fostering economic growth. It also encourages development which meets the communities' needs for retail, entertainment, office and other commercial services and provides a net community benefit.

These directions are consistent with the objectives of the Mixed Use Zone.

Clause 18 'Transport' states that planning should ensure an integrated and sustainable transport system that provides access to social and economic opportunities, facilitates economic prosperity, contributes to environmental sustainability, coordinate reliable movements of people and goods, and is safe.

The proposed amendment will facilitate health and community services in close proximity to a transport hub, which includes train, tram and bus services. The proximity to existing public transport facility promotes the use of more sustainable modes of transport.

Clause 19 'Infrastructure' states that planning is to recognise social needs by providing land for a range of accessible community resources, such as education, cultural, health and community support facilities. The development of social and physical infrastructure should enable it to be provided in a way that is efficient, equitable, accessible and timely.

The proposed amendment will facilitate the continued location, viability and expansion potential of health facilities in an area accessible to public transport, whilst also supporting the need for health care facilities for the ageing population.



Does the Amendment support or implement the Local Planning Policy Framework (LPPF)?

The following Clauses of the Municipal Strategic Statement (MSS) are relevant to the proposed amendment:

- Clause 21.01 – Municipal Profile;
- Clause 21.03 – A Vision for the City of Whitehorse;
- Clause 21.06 – Housing;
- Clause 21.07 – Economic Development; and
- Clause 22.07 – Box Hill Central Activities Area.

Clause 21.01 ‘Municipal Profile’ identifies the Box Hill Central Activities district as an area of strength and importance for the City. It recognises the important contribution that BHI makes to the longevity of the centre. It also recognises the need to carefully cater for residential growth in a manner that protects the character of its suburbs, as well as the need to facilitate economic growth by retaining a focus on employment and business facilitation.

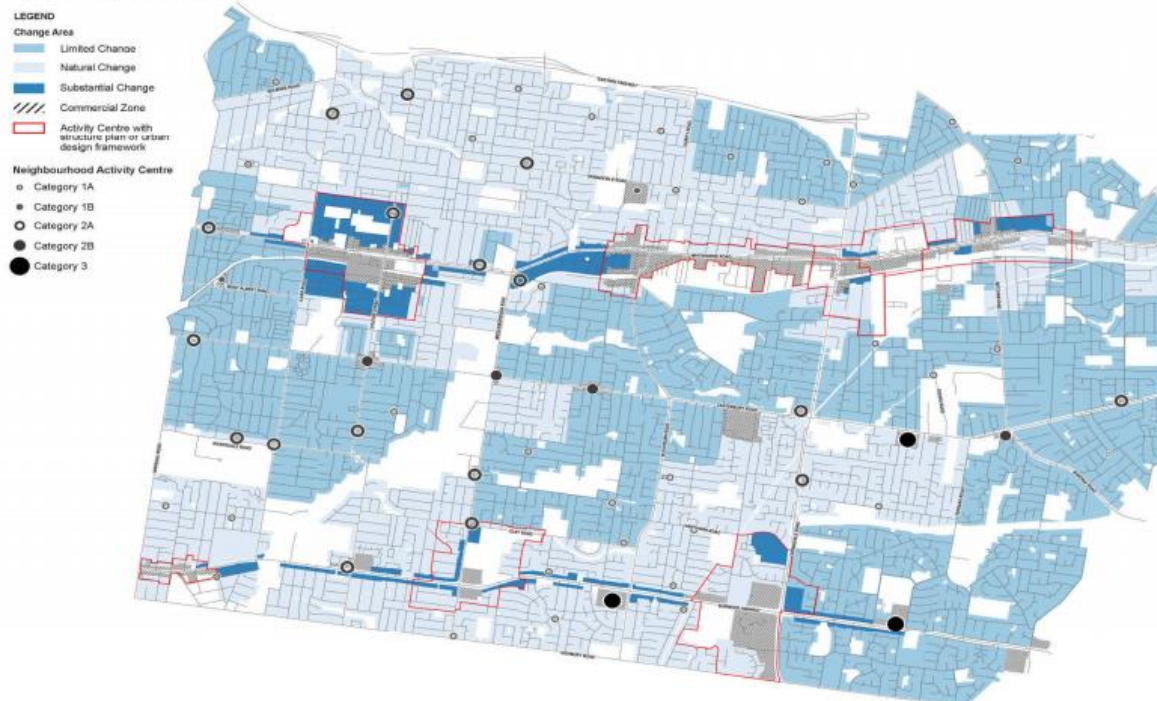
Clause 21.03 ‘A Vision for the City of Whitehorse’ sets out the vision for the City (as nominated in the Council Plan) as: *“We aspire to be a healthy, vibrant, prosperous and sustainable community supported by strong leadership and community partnerships.”*

Clause 21.06 ‘Housing’ provides the strategic direction for housing within the municipality. Much of the Box Hill Metropolitan Activity Centre is identified as being within a Substantial Change area. The anticipated development in these areas is described as follows:

Substantial Change areas provide for housing growth with increased densities, including inside designated structure plan boundaries and opportunity areas, in accordance with the relevant plans as well as around most train stations, adjoining tram routes and around larger activity centres.

This clause seeks to direct a large proportion of housing growth to areas that are well served by public transport and within activity centres, in order to limit housing growth in areas with valued landscape and built form character. It also seeks to provide for diverse and affordable housing options that are well designed and sustainable.

HOUSING FRAMEWORK PLAN



Housing Framework Plan at Clause 21.06, identifying Box Hill as a substantial change area.

Clause 21.07 ‘Economic Development’ provides the framework for economic development within the municipality. Its principal aim is to support the vitality of the Box Hill Metropolitan Activity Centre, by encouraging residential and entertainment facilities to strengthen its role as a centre for commerce, education, health and retail.

Key objectives at this clause reinforce the importance of BHI to economic development and include:

- *To develop the Box Hill Central Activities Area as the major focus for retail, commercial, health, transport, education and entertainment facilities in Melbourne’s east.*
- *To recognise the important regional role that our tertiary education and health sectors fulfil and provide support for the ongoing viability of these vital institutes such that they are positioned as leading industry providers.*

Clause 22.07 ‘Box Hill Central Activities Area’ advances the objectives set out in Clauses 21.06 and 21.07 and implements the Box Hill Activity Centre Transit City Structure Plan.

Key objectives at this clause include:

- *To ensure that the Box Hill Central Activities Area can continue to expand in line with market demand.*

- *To ensure that future development within the Box Hill Central Activities Area seeks to maximise employment growth for Whitehorse.*
- *To ensure that Box Hill accommodates a more intensive and diverse range of activities that increase choices and opportunities, support synergies between different uses, encourage use of sustainable transport and complement surrounding areas.*

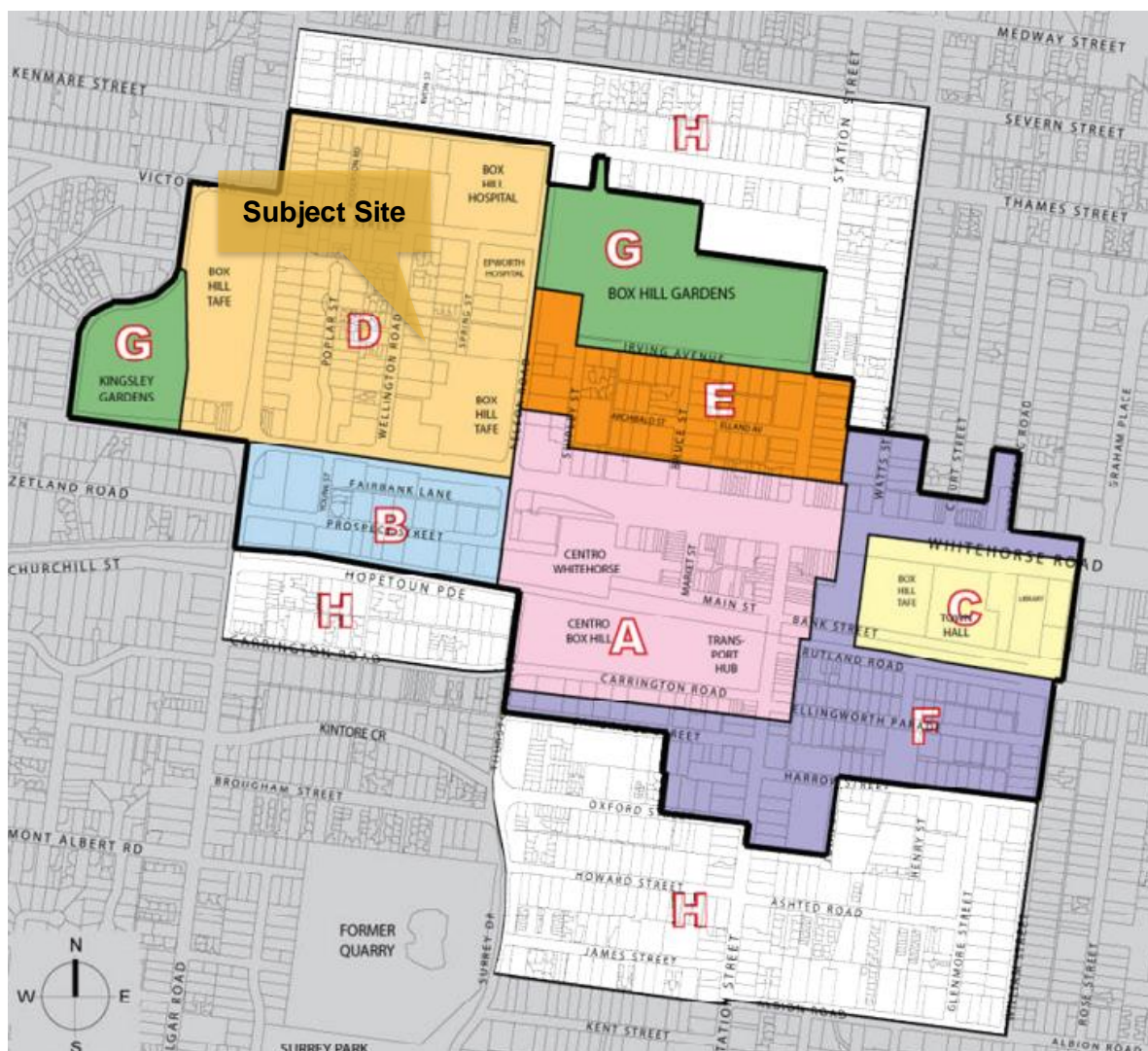
Clause 22.07 includes several precinct maps, which have been reproduced from the Box Hill Activity Centre Transit City Structure Plan (2007) and provide specific direction for land use and development within the centre.

The proposed amendment supports the relevant objectives and goals of the MSS and local policies for the following reasons:

- The proposed amendment facilitates the provision of community and health services which respond to the community's needs. It will achieve an orderly planning outcome;
- The subject site is located within close proximity to a wide range of existing facilities and services which will support the use of the land for community and health services; and
- The proposed amendment will not have any unreasonable amenity impacts on the surrounding residential uses.

The Box Hill Activity Centre Transit City Structure Plan (the 'Structure Plan') was adopted by Whitehorse City Council in 2006 and is a reference document in the Whitehorse Planning Scheme.

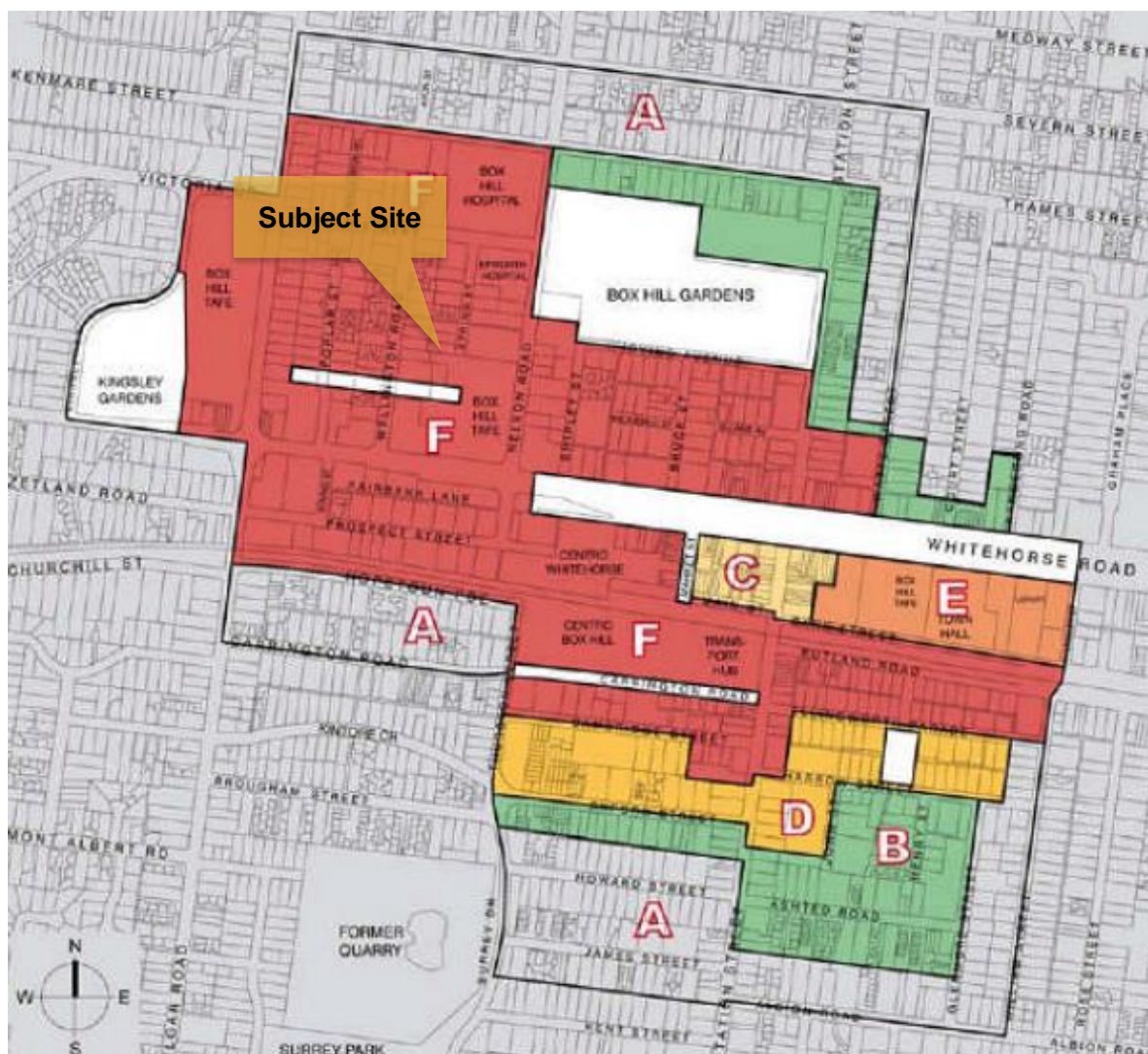
The Structure Plan provides the strategic vision and land use and development framework to achieve outcomes within the Activity Centre.



Land Use Activity Precinct Plan. Clause 22.07 of the Whitehorse Planning Scheme.

In terms of land use activity, the subject site is located within *Precinct D: Hospital and Western TAFE Precinct: Growth and enhancement of educational and medical institutions and support for related businesses and services, plus high density residential (including student housing).*²

² As described in the Box Hill Activity Centre Transit City Structure Plan (2007).



Built Form precinct Plan. Clause 22.07 of the Whitehorse Planning Scheme

In terms of built form outcomes, the subject site is located within *Precinct F: Major Development Precinct: Taller buildings permitted, enabling increased density. Heights must not cause overshadowing of Key Open Spaces, Residential Precincts A or B or residential areas beyond the study area. Transitional heights to be provided at edges of the precinct to respect the scale of neighbouring precincts.*

In summary, the Structure Plan sets out the following issues and strategic opportunities, as relevant to the subject sites:

- The health and medical cluster on Nelson Road / Thames Street / Arnold Street area and the Box Hill TAFE education cluster are established areas of economic activity that should be reinforced.

- Community services form an important activity cluster in Box Hill and it is appropriate for the centre to accommodate a wide range of highly-accessible services and facilities serving a wide catchment.
- There is a need to facilitate population growth and provide for more services.
- Higher density mixed use development is encouraged throughout much of the activity centre, particularly within its commercial core and the health and education precinct areas.

The vision for the centre relevantly seeks to retain the focus of the centre on regional health care, education and community facilities. It seeks to attract investment and expansion of these services, as part of providing a sustainable and vibrant activity centre. The vision also encourages a high degree of residential growth to support retail and commercial activity.

At a broad level, the Structure Plan acknowledges the need to provide higher built form and higher density residential development generally within the core of the Activity Centre (including within the healthcare and education precinct), in order to protect the established residential areas at the periphery of the centre from substantial change in built form and density. The Structure Plan also envisages that land use outcomes will contribute to the ongoing facilitation of established “anchor” activities, such as the medical, health and education precincts and related industries.

The Structure Plan anticipates that built form will provide high architectural quality, incorporate environmentally sustainable design and provide a positive contribution to the public realm. There is less of an emphasis on the need to provide for parking within private development, having regard to the centre’s access to fixed rail, light rail and bus public transport options.

Key actions at Section 4.7.A of the Structure Plan are relevant to the retention of medical and education land uses within the centre. They include:

Allow for expansion of health and medical services, especially in the area south of Box Hill Hospital, but prevent the spread of facilities beyond the Activity Centre into residential areas to the north.

Change the land use zoning in the north-west quadrant of the Activity Centre (between Arnold Street and Whitehorse Road) to support mixed use development with educational and health facilities and complementary uses including:

- *Medical suites.*
- *Health and fitness services.*



- *Student housing.*
- *Conference facilities.*
- *Hotel accommodation.*
- *Small office floor space.*

Facilitate the consolidation of properties between Arnold Street and Whitehorse Road to enable efficient, higher density and higher-rise redevelopment complementing the hospitals and TAFE.

The proposed amendment seeks to provide an outcome that will deliver on the expectations of the Structure Plan.

Does the Amendment make proper use of the Victoria Planning Provisions?

The Purpose of the Mixed Use Zone is:

To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality.

To provide for housing at higher densities.

To encourage development that responds to the existing or preferred neighbourhood character of the area.

To facilitate the use, development and redevelopment of land in accordance with the objectives specified in the schedule to this zone.

The amendment makes correct use of the Victoria Planning Provisions.

The future land use and development contemplated for the site are entirely consistent with the Purpose of the Mixed Use Zone, in that housing is encouraged at higher densities and the zone seeks to provide for uses (including educational land use) that complement the mixed use function of the locality.

The land use is consistent with the purpose of the Mixed Use Zone, in that residential land use is actively anticipated and education is a permit required use. The use of the Mixed Use Zone on this land is the appropriate tool to encourage the most appropriate underlying use and development of the site and is consistent with the emerging strategic directions of the site and the surrounding area, through Amendment C175. In the context of the site's designation for higher density development within a Metropolitan Activity Centre, the Mixed Use Zone will achieve the scale of development that is anticipated for the site.



The Development Plan Overlay will provide an effective mechanism for providing a 'master planned' outcome for the site that is consistent with the vision for the site, as outlined earlier in this report.

The application of these controls makes proper use of the VPPs and will not make any existing provisions in the Whitehorse Planning Scheme redundant.

How does the Amendment address the views of relevant agencies?

The views of relevant agencies can be considered as part of the exhibition process.

Does the Amendment address the requirements of the Transport Integration Act 2010?

The amendment meets the requirements of the *Transport Integration Act 2010*.

The amendment is not envisaged to have a significant effect on the transport system. The amendment maintains the status quo in terms of land use and development on the site.

What impact will the new Amendment have on the resource administrative costs of the responsible authority?

The proposed amendment is not considered to have any significant impact on the resource and administrative costs of the responsible authority.



6. Conclusion

The proposed planning scheme amendment is appropriate for the following reasons:

- The amendment will provide a mechanism for achieving the delivery of fit for purpose nurse training facilities that will provide a vital education service for the metropolitan region and increase the synergies between healthcare and education within the Box Hill Metropolitan Activity Centre.
- The proposed zoning will facilitate a more efficient use of scarce land in a Metropolitan Activity Centre. These centres are Victoria's highest order activity centres and are identified in Plan Melbourne and the State Planning Policy Framework as areas where a range of land use activities are encouraged at increased densities. It will also help to achieve BHI's goal of consolidating its footprint and making better use of its assets.
- The proposed zoning will result in an appropriate and orderly planning outcome within a MAC, supported by the relevant policies contained in the State and local Planning Policy Frameworks that seek to facilitate development of an underutilised asset in an area experiencing significant growth.
- It will create an opportunity to meaningfully contribute to the housing needs for the municipality and the metropolitan area, whilst also providing a complementary role to the existing land uses surrounding the site.
- The proposed zoning supports the directions of the Box Hill Structure Plan to develop a sustainable and vibrant activity centre.
- The Development Plan Overlay will provide an appropriate level of certainty for future development to meet BHI's vision and planning scheme expectations for the land.
- The amendment will result in a net community benefit.

On the basis of these reasons, the Amendment should be supported.

GLOSSOP TOWN PLANNING PTY LTD

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