

WHITEHORSE PLANNING SCHEME

AMENDMENT C245WHSE

EXPLANATORY REPORT

Who is the planning authority?

This amendment has been prepared by the Minister for Planning, who is the planning authority for this amendment.

The amendment has been made at the request of Urbis on behalf of Vicinity Centres Pty Ltd.

Land affected by the amendment

The amendment applies to land at 17-21 Market Street, part of the land at 1 Main Street, 2 Prospect Street, 8 Prospect Street, 8A Prospect Street, part of Main Street, Prospect Street, Nelson Road, Fairbank Lane, and the landscape reserve fronting Whitehorse Road, Box Hill.

The land is currently developed with the Box Hill Central North Shopping Centre and associated car parking.

The land is formally described as Land in Plan of Consolidation 102909, Lot 1 on Title Plan 803942, Lot 1 on Title Plan 761487, Lot 1, 2, 3, 4 and 5 on Title Plan 665882, Lot 1 on Title Plan 333223, Lot 1 and 2 on Title Plan 957558, Lot 1 on Title Plan 234540, Lot 2 on Lodged Plan 45799 and R1 on Lodged Plan 82924.

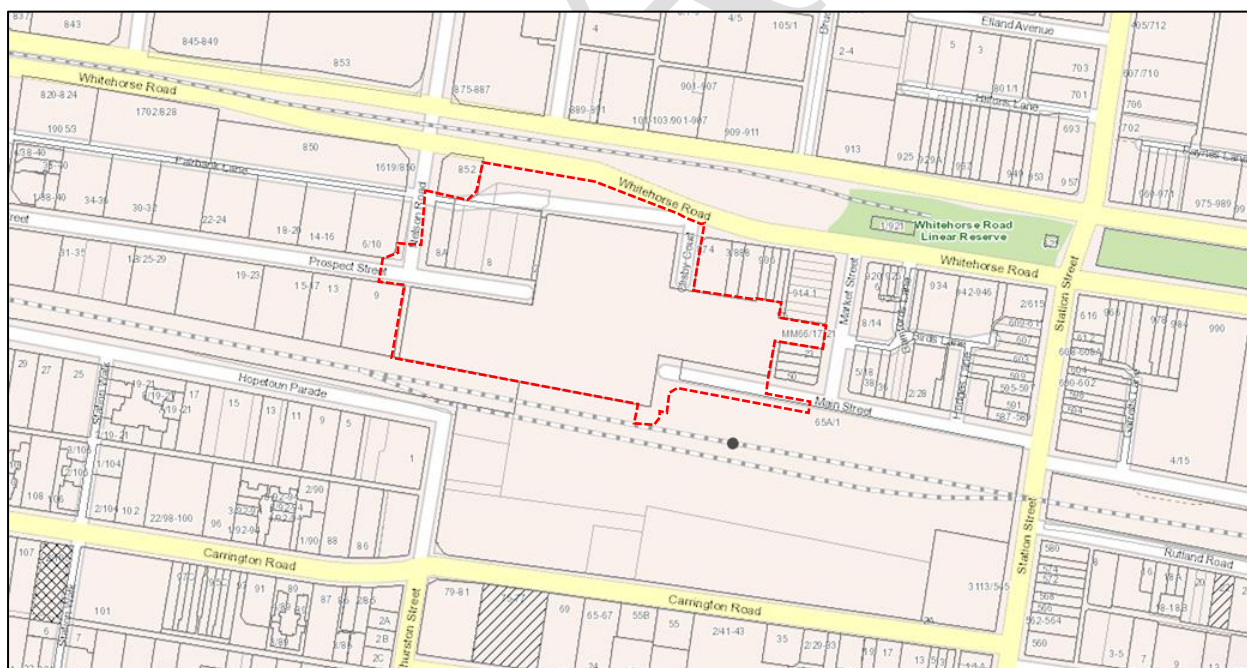


Figure 1: Subject Land

A mapping reference table is attached at Attachment A to this Explanatory Report.

What the amendment does

The amendment inserts a new Incorporated Document titled Box Hill Central North Master Plan into the Whitehorse Planning Scheme to guide the use, development and subdivision of the land for a mixed-use precinct comprising seven multi-storey developments and public realm works.

The amendment will:

- Insert a new Incorporated Document titled Box Hill Central North Master Plan into the Whitehorse Planning Scheme
- Introduce the Road Closure Overlay to facilitate the partial closure of Fairbank Lane (east of Nelson Road).
- Apply the Specific Controls Overlay to facilitate the site specific control Box Hill Central North Master Plan.
- Amend the Schedule to Clause 45.12 Specific Controls Overlay to incorporate the site specific control Box Hill Central North Master Plan.
- Amend the Schedule to Clause 72.04 Documents Incorporated in this Scheme to incorporate the site specific control Box Hill Central North Master Plan.
- Amend Planning Scheme Map 01SCO Specific Controls Overlay
- Insert new Planning Scheme Map 01RXO Road Closure Overlay

Strategic assessment of the amendment

Why is the amendment required?

The amendment is required to facilitate the assessment, approval, and administration of the proposed staged redevelopment of the land at 17-21 Market Street and 1 Main Street, 8 Prospect Street and 8A Prospect Street, Main Street and Prospect Street, Box Hill for the purpose of constructing seven multi-storey mixed-use buildings, a new public plaza, new public open spaces, a wind canopy, upgrades to the existing public realm, extending and connecting Prospect Street and Clisby Court, and constructing a new road network serving the site's redevelopment.

The site is located in the commercial core of the Box Hill Metropolitan Activity Centre (BHMAL), which is a key centre for commercial, retail, education, and healthcare services in Melbourne's eastern region, and features significant higher-density residential development. The BHMAL serves as a key public transport hub comprising the Box Hill Railway Station, Bus Interchange, and Route 109 tram services.

The majority of the subject land is owned by Vicinity Centres and is developed with the Box Hill Central North Shopping Centre, a two-storey shopping centre accommodating a supermarket, retail stores, food and drink premises, and medical facilities. The current shopping centre provides a retail offer to the community, however it is an underdevelopment of the site and represents a major urban renewal opportunity owing to its substantial size and strategic location at the core of the BHMAL.

Vicinity Centres intends to undertake a staged redevelopment of the site to deliver a vibrant mixed-use precinct incorporating retail, entertainment and lifestyle uses, significant employment space in the form of commercial offices, high-density residential development, and other complementary land uses within seven multi-level buildings. The redevelopment of the site will also create a new major public plaza and significant public realm upgrades including the extension of Prospect Street, and significant improvements to Clisby Court and the west end of Main Street. A wind canopy above the public plaza will assist in facilitating a comfortable environment within the site and the surrounding areas. The redevelopment will also integrate Fairbank Lane into adjacent open space and provide a catalyst for future open space along the southern side of Whitehorse Road and proposes to redevelop the Council owned at-grade carpark at 8A Prospect Street as a public open space. Fairbank Park will also be extended between Lots 1 and 2. This will provide for improved connectivity within the Box Hill

Metropolitan Activity Centre, including new and upgraded roadways and pedestrian thoroughfares and improved access to existing and future public transport services.

Given the size and significance of the site, the proposed redevelopment of the shopping centre site will require a staged approach, and certainty is required to support the investment needed to unlock this potential. The Incorporated Document is proposed to deliver a master-planned approach to the site by developing a framework for site-specific land use and built form outcomes. The intent of the Box Hill Central North Master Plan is the delivery of an integrated precinct, with substantial development that features quality architectural and urban design outcomes, and unlocks new and improved pedestrian, bicycle and vehicle connectivity at the centre of the Box Hill Metropolitan Activity Centre.

The proposal is consistent with long standing planning policies and strategies that have recognised the regional significance of Box Hill and sought to support its function as a major provider of commercial, community and transport development and services. An amendment to the Whitehorse Planning Scheme is the most appropriate means to facilitate the anticipated precinct renewal and will provide for good and orderly planning outcomes for the site.

The redevelopment under the Box Hill Central North Master Plan will result in net community benefit through the delivery of a new public plaza and extended road and pedestrian networks that will significantly enhance and add to the public realm, as well as improve connectivity within the BHMAL. The amendment will deliver a new public open space at the Council-owned car park at 8A Prospect Street, and the closure of Fairbank Lane will also contribute to future open space planned along Whitehorse Road. It will also provide significant new employment opportunities, and active frontages at ground level that will enhance the vitality and commercial operation of the BHMAL.

The proposal was recommended for accelerated assessment and determination as part of the Development Facilitation Program (DFP) on the basis that it will deliver significant short to medium term economic outcomes and public benefit, aligns with government policy and priorities, is shovel ready, and has sufficiently addressed probity considerations. The DFP has been established by the Minister to speed up the assessment and determination of identified priority projects that deliver investment into the Victorian economy, keep people in jobs and provide a substantial public benefit.

How does the amendment implement the objectives of planning in Victoria?

The amendment implements the objectives of planning in Victoria outlined within Section 4(1) of the *Planning and Environment Act 1987*, the following being of relevance to this amendment:

- a) *To provide for the fair, orderly, economic and sustainable use and development of land;*
- b) *To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;*
- c) *To conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value;*
- d) *To facilitate development in accordance with the objectives set out in paragraphs (a), (b), (c), (d), (e);*
- e) *To balance the present and future interests of all Victorians.*

The amendment will enable the fair, orderly, economic and sustainable use of land that will contribute to achieving the strategic planning objectives for the BHMAL.

The introduction of an Incorporated Document to specifically guide the development of the whole site via a masterplan approval will provide the certainty required to facilitate the high-density mixed use precinct that will contribute to the diversity of uses and built form and in turn achieve the vision for the BHMAL.

How does the amendment address any environmental, social and economic effects?

The amendment will have positive effects on the environment by making efficient use of an underutilised site that is well connected to existing infrastructure in an established urban area. The development proposal incorporates a wide range of environmentally sustainable design (ESD) features to ensure the environmental impacts of intensifying the land uses on the site are minimised.

The amendment will deliver positive social benefits through revitalising and activating a large parcel of underutilised land. The development will provide an improved community use through the creation of a new public plaza, public open spaces, and upgraded pedestrian realm and improved connectivity through the site that will facilitate recreational and social interaction opportunities. The new development will provide a safer environment with activated street frontages and passive surveillance provided by the new built form and improved public realm that will replace the existing underutilised site. The amendment will also provide ability for increased housing supply, diversity of housing product to meet demand in the rapidly growing area.

The site is an appropriate location for intensified development given it is within the core of the BHMAL, is proximity to well established commercial, retail, education and health facilities, and is supported by high levels of accessibility to train, bus and tram services. The site is buffered from the nearest residential precinct by the Belgrave/Lilydale Train Line, and the eventual built form anticipated by the Incorporated Document expected to have a positive impact on the environment by ensuring that new development enabled by the amendment is responsive to the emerging character of Box Hill, and the surrounding developments by generating appropriate transitions in height and scale to the approved and constructed higher-density development.

The amendment will assist in facilitating economic growth in the BHMAL by providing guidance on the land use and built form outcomes for the site in order to deliver a vibrant mixed-use precinct with substantial commercial and retail floor space. The site is located in an existing commercial area of a Metropolitan Activity Centre where commercial land uses are encouraged. The precinct will deliver a range of commercial, retail, hospitality and entertainment facilities that will enhance and diversify the current economic function of the BHMAL and provide for local employment opportunities.

Does the amendment address relevant bushfire risk?

The land affected by the amendment is not located within area of identified bushfire risk.

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

The amendment has been prepared in accordance with the Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the *Planning and Environment Act 1987*.

The amendment complies with Ministerial Direction No. 9 Metropolitan Planning Strategy as it facilitates the development of the site in accordance with the directions contained within Plan Melbourne: 2017-2050 (Plan Melbourne). Specifically, the amendment supports:

- Outcome 1 by attracting investment, supporting innovation, and creating jobs. This includes improving access to jobs closer to where people live as well as creating development opportunities at urban renewal precincts.
- Outcome 2 by providing housing choice in locations close to jobs and services. This includes managing the supply of new housing in the right locations, delivering housing closer to jobs and public transport, increasing the supply of affordable housing, as well as providing greater choice and diversity of housing.
- Outcome 4 by facilitating a development with quality design and amenity outcomes and contributing towards Melbourne's distinctiveness and liveability, including creating more great public places, achieving design excellence and respecting Melbourne's heritage.
- Outcome 5 by delivering a project that will contribute towards an inclusive, vibrant, and healthy neighbourhood, including creating a city of 20-minute neighbourhoods that support safe communities and healthy lifestyles.
- Outcome 6 by promoting Melbourne as a sustainable and resilient city.

Plan Melbourne identifies Box Hill as a "Metropolitan activity centre" (MAC), which is the highest order of Activity Centres outside of Melbourne's Central Business District. MACs are envisaged to provide for a diverse range of jobs, activities and housing and function as a major service provider of government, health, justice and education services to regional catchments. MACs also provide key

opportunities to deliver higher-density residential development in areas with high accessibility to services and transport infrastructure, which will further stimulate economic activity.

Box Hill further plays an important role as a “Health and education precinct” in Melbourne’s eastern region centred around the Box Hill Hospital and Box Hill TAFE Precinct. Plan Melbourne recognises this precinct as being of state significance, and seeks to protect and further promote health, education and ancillary activities that will build upon the precinct’s existing strengths.

The amendment addresses the required strategic assessment guidelines in accordance with Ministerial Direction No.11 Strategic Assessment of Amendments.

How does the amendment support or implement the Planning Policy Framework and any adopted State policy?

This amendment will align with the relevant clauses as below:

Clause 11.01-1S (Settlement) and Clause 11.01-1R (Settlement – Metropolitan Melbourne)

The amendment aligns with settlement objectives and strategies that seek to limit urban sprawl and promote urban renewal and infill redevelopment opportunities (in part through developing compact urban areas around activity centres) to maximise accessibility to facilities and services. Specifically, the amendment will direct investment and growth in a Metropolitan Activity Centre to create a more consolidated, sustainable city, and recognises the opportunities of the future Suburban Rail Loop to facilitate substantial growth beyond the central city to address Melbourne’s growing population. The amendment will also provide greater choice in housing and enable employment growth and improved access to services and facilities.

Clause 11.02-1S (Supply of urban land) and Clause 11.02-2S (Structure planning)

The amendment recognises the opportunities of the site for a consolidated and intensified urban area and will facilitate the orderly development of the Box Hill Metropolitan Activity Centre by establishing a masterplan for the site that will guide its future staged redevelopment.

Clause 11.03-1S (Activity centres) and Clause 11.03-1R (Activity centres – Metropolitan Melbourne)

This amendment will facilitate major commercial, residential and retail development within a Metropolitan Activity Centre in an orderly manner. The Master Plan approach will ensure effective planning and management of the site’s future land use and development that supports the role and function of the Box Hill Metropolitan Activity Centre that supports policies promoting commercial development, housing diversification and intensification in activity centres, improving connection to active and public transport, and enhancing access to a wider range of goods and services through the proposed high-density mixed-use precinct in a public transport hub.

Clause 15.01-1R (Urban design – Metropolitan Melbourne), Clause 15.01-4S (Healthy neighbourhoods), and Clause 15.01-4R (Healthy neighbourhoods – Metropolitan Melbourne)

The amendment will facilitate urban environments that are safe, function and enjoyable, which contribute to an emerging sense of place in the Box Hill Metropolitan Activity Centre. The built form outcomes of the proposed amendment will contribute positively to the emerging context and enhance the public realm, which in turn, will help foster healthy and active neighbourhoods. The mixed-use precinct envisaged by the Master Plan development will also contribute to the creation of 20 minute neighbourhoods, which will enable people to meet most of their daily needs within a 20 minute trip from their home.

Clause 16.01-1S (Housing supply), Clause 16.01-R (Housing supply – Metropolitan Melbourne) and Clause 16.01-2S (Housing affordability)

The amendment will increase the supply and diversity of housing choice in a Metropolitan Activity Centre. The amendment will deliver housing density, quality, affordability and type that reflects the desired future character for the Box Hill Metropolitan Activity Centre and is situated within close proximity to employment and transport services.

Clause 17.01-1S (Diversified economy), Clause 17.01-1R (Diversified economy – Metropolitan Melbourne), and Clause 17.02-1S (Business)

The amendment will help meet the needs of the community through the provision of:

- Retail and hospitality floorspace to support local employment opportunities and encourage spending in the local area.
- Significant commercial and office floor space that will contribute to the development of the Box Hill Metropolitan Activity Centre as a major commercial hub and Health and Education Precinct for the eastern metropolitan region.

Clause 18.01-1S (Land use and transport integration), Clause 18.01-2S (Transport system), Clause 18.02-1R (Sustainable and safe transport – Metropolitan Melbourne), Clause 18.02-3R (Principal Public Transport Network),

The development will help facilitate sustainable personal transport by locating in an area with good access to public transport, as well as enhancing connections to public transport from other parts of the Activity Centre, and by providing on-site bike parking facilities and amenities. The proposed car parking provision will reflect the proposal to promote sustainable modes of transport over vehicle use.

How does the amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?

Consistent with the policy objectives of the Municipal Strategic Statement and Local Planning Policy Framework, this amendment will align with relevant clauses as below:

Clause 21.03 (A vision for the City of Whitehorse)

The amendment will assist with achieving the City of Whitehorse's vision through maintaining and enhancing the built environment to ensure a liveable and sustainable city.

Clause 21.06 (Housing)

The amendment is responsive to this policy, which encourages higher density residential growth within 'substantial change' areas, such as activity centres where the site is located (BHMAC), that are best able to sustain substantial change. The size of the site and its characteristics provide the opportunity to accommodate higher-density residential development.

Clause 21.07 (Economic Development)

Box Hill as an identified Metropolitan Activities Centre (MAC) which provides significant opportunities for investment in commercial and retail, education, entertainment and higher density residential development that will strength the role of the area as a major regional activity centre. The amendment will deliver a mixed-use precinct through commercial and retail space that can accommodate a variety of uses including office, retail, entertainment and hospitality uses that will maximise employment opportunities and growth for Box Hill and Whitehorse more broadly

Clause 22.07-2 (Box Hill Metropolitan Activity Centre)

The amendment will deliver new development that is consistent with the objectives of the *Box Hill Transit City Activity Centre Structure Plan 2007*, which include ensuring that the BHMAC can continue to expand in line with market demand, to ensure that Box Hill provides accessible, lively and comfortable public spaces that offer diverse opportunities for recreation and social engagement and to support walking and cycling as sustainable and healthy means of travel in and around Box Hill. Additionally, the objectives also include encouraging significantly increased use of public transport and a reduction of private vehicle use for travel to and from the BHMAC.

The amendment seeks to accommodate a more intensive and diverse range of activities that increase choices and opportunities, encourage employment growth, offer opportunities for recreational and social engagement, and supports synergies between different uses. The amendment also seeks to create a new public plaza/civic steps that will provide a key social infrastructure that responds to an identified need for more public space within the BHMAC. Additionally, the amendment will facilitate the closure and redevelopment of Fairbank Lane as a public park that will be integrated with an upgrade of the adjacent public open space and provide a catalyst for the proposed public open space within the southern carriageway of Whitehorse Road. The Council-owned carpark at 8 Nelson Street is proposed to be redeveloped as a park to further enhance the public open space offering within the centre. The extension of Prospect Street and upgrades to the west end of Main Street and Clisby Court will

encourage walking and cycling by creating pedestrian and vehicle links and providing for bicycle use and storage.

Clause 22.07-3 recognises the need to create more and diverse opportunities for housing that will contribute to the land use mix, economic and social activities of the area, protect access to public open space, improve pedestrian amenity, and promote economic growth within the Box Hill MAC.

The introduction of the Incorporated Document will apply site specific built form design objectives and guidelines for the subject land and will deliver a development that aligns with the intent of the Structure Plan. The built form is designed to protect the amenity of the residential precinct to the south in terms of overshadowing.

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

The amendment makes proper use of the Victoria Planning Provisions by applying the Specific Controls Overlay and the Road Closure Overlay which are the appropriate tool to identify land subject to specific controls designed to achieve a particular land use and development outcome.

How does the amendment address the views of any relevant agency?

The views of relevant agencies will be sought during the planning scheme amendment process.

Does the amendment address relevant requirements of the Transport Integration Act 2010?

The Transport Integration Act 2010 establishes a framework for the provision of an integrated and sustainable transport system in Victoria. While the amendment is not considered to have a direct impact on the Transport Integration Act or transport system, it will facilitate a development which has proximate access to public transport systems and established road networks.

In particular, the subject site is within walking distance to the Box Hill Railway Station, Bus Interchange, and tram routes along Whitehorse Road. The amendment will enable the extension of Prospect Street to Clisby Court, opening up a previously landlocked section of BHMAC and significantly enhancing pedestrian, bicycle and vehicle permeability within the centre. Pedestrian accessibility is proposed to be enhanced across, and adjacent to, the sites through the redevelopment. The future location of the Suburban Rail Loop station will not be compromised through the redevelopment of the site.

Resource and administrative costs

What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?

The processing of planning permit applications, in accordance with the incorporated Box Hill Central North Master Plan, will result in additional administrative and resource costs on the responsible authority.

Notwithstanding, it is not anticipated the amendment will have an unreasonable or adverse resource and administrative cost impact on the responsible authority.

Where you may inspect this amendment

The amendment can also be inspected free of charge at the Department of Transport and Planning website at <https://www.planning.vic.gov.au/have-your-say>

ATTACHMENT A - Mapping reference table

Location	Land /Area Affected	Mapping Reference
Box Hill Central North	7-21 Market Street, 1 Main Street, 2 Prospect Street, 8 Prospect Street, 8A Prospect Street, Box Hill, and part of Main Street, Prospect Street, Nelson Road, Clisby Court, and Fairbank Lane, and the landscape reserve fronting Whitehorse Road, Box Hill	Whitehorse C245 001SCOMap01 Exhibition Whitehorse C245 001RXOMap01 Exhibition

DRAFT