SCHEDULE 2 TO THE ACTIVITY CENTRE ZONE

Shown on the planning scheme map as ACZ2.

MENTONE ACTIVITY CENTRE

1.0 Mentone Activity Centre Framework Plan
2.0 Land use and development objectives to be achieved

- To promote Mentone as a contemporary centre that capitalises on its distinctive heritage and promotes a vibrant and active community through a high quality mixed use environment.
- To reinforce Mentone as a destination and recognise the strong relationship between the activity centre, the foreshore and heritage buildings.

**Land use**

- To strengthen and expand Mentone Activity Centre’s retail, office and mixed use areas.
- To provide for increased density development which provides for a mix of uses to enable residential living opportunities within the centre which capitalise on access to public transport, open space, community services and retail opportunities.
- To encourage ground floor uses that activate street frontages along main roads and laneways.

**Built form**

- To ensure new development achieves appropriate transitions in height and form from significant heritage places and to established surrounding neighbourhoods.
- To encourage contemporary architecture and urban design treatments at gateway locations identified in the Framework Plan.
- To ensure development enables the preservation of view lines of iconic Mentone buildings such as the former Coffee Palace, Mentone Railway Station, Abbott and Comber’s Building and the building located on the Como Parade West island.
- To ensure built form provides articulation, minimises overshadowing and provides for high quality architecture.
- To achieve a built form and urban fabric which features ‘fine grained’ elements, such as narrow ground level shop-fronts, articulated facades, and regular openings/entrances to the street.
- To ensure new development adjacent to a heritage place is contemporary in nature and demonstrates architectural detailing to sensitively respond to the heritage characteristics of the adjoining place.
- To ensure development is respectful of the heritage characteristics of the centre.

**Environmental sustainability**

- To ensure new development incorporates water sensitive urban design (WSUD) principles and environmentally sustainable design (ESD) measures.
- To achieve development that maximises opportunities for on-site renewable energy generation, alternative energy and sharing of energy resources, as well as water capture and re-use.

**Public realm**

- To strengthen the intimate pedestrian scale of Mentone as a commercial and community hub.
- To provide attractive and safe urban environments that increase opportunities for social interaction and community life.
Open space and landscaping

- To encourage the facilitation of new public open space north of Balcombe Road.
- To encourage opportunities for consolidated and enhanced recreational open space at the Mentone Reserve.
- To maximise opportunities for new open space areas within the centre to provide for meeting points and improved amenity.
- To maximise opportunities for landscaping and public art along key roads and public spaces to create appealing and safe streetscapes.

Transport, movement and access

- To encourage walking as the most desirable option of travel within and proximate to Mentone, through the creation of safe pedestrian routes and public spaces.
- To transform the intersection of Mentone Parade, Como Parade, and Florence Street to create an expanded public space, that improves pedestrian safety.
- To facilitate the interchange between modes of transport including buses, the railway station, commuter drop off points, and bike locker facilities and improved access to public transport.
- To provide a new approach to private vehicle and traffic access through to, and around Mentone.
- To consolidate and simplify vehicular access points to off-street car parking facilities.
- To maximise bicycle connections between the Activity Centre, the foreshore and other activity centres.
- To redefine Mentone’s laneways by activating and improving access to rear laneways, to enhance pedestrian connections within the Activity Centre.
- To support the creation of a new peripheral road to provide safe pedestrian public spaces and routes within the Centre and to improve traffic circulation.
- To retain car parking in preferred locations through basement car parking on key redevelopment sites.

Land configuration and Ownership

- To encourage the reconfiguration and consolidation of land where necessary to create viable development sites and optimal development of the centre.
- To avoid the underdevelopment or underutilisation of land that does not achieve the outcomes of the Framework Plan.

3.0 Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>USE</th>
<th>CONDITION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Camping &amp; caravan park, Caretaker’s house, Corrective institution, Dependant persons unit, Dwelling and Host farm)</td>
<td>Except for Precincts 3 and 4, must not be located at ground floor level, except for entry foyers.</td>
</tr>
<tr>
<td>Activity Type</td>
<td>Location Requirements</td>
</tr>
<tr>
<td>--------------------------------------------------</td>
<td>----------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Animal keeping (other than animal boarding)</td>
<td>Must be no more than 2 animals</td>
</tr>
<tr>
<td>Caretaker's house</td>
<td>Must not be located in Precincts 3 and 4</td>
</tr>
<tr>
<td>Dependant person's unit</td>
<td>Must be located in Precincts 3 and 4</td>
</tr>
<tr>
<td></td>
<td>Must be the only Dependant person's unit on the lot</td>
</tr>
<tr>
<td>Dry Cleaner</td>
<td>Must be located in Precinct 1</td>
</tr>
<tr>
<td>Dwelling</td>
<td>Must not be located in Precinct 7</td>
</tr>
<tr>
<td></td>
<td>In Precinct 1 or 2, any frontage at ground floor level must not exceed 2 metres</td>
</tr>
<tr>
<td>Education Centre</td>
<td>Must be in Precinct 6</td>
</tr>
<tr>
<td>Electoral office</td>
<td>Must not be in Precincts 3 and 4</td>
</tr>
<tr>
<td></td>
<td>May be used for only 4 months before an election and 2 weeks after an election</td>
</tr>
<tr>
<td>Food and Drink Premises (other than Hotel or Tavern)</td>
<td>Must not be located in Precincts 3, 4, 5, 6 and 7</td>
</tr>
<tr>
<td></td>
<td>Must be located at ground floor level, but is not limited to ground floor level</td>
</tr>
<tr>
<td>Home occupation</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Laundromat</td>
<td>Must be located in Precinct 1</td>
</tr>
<tr>
<td>Market</td>
<td>Must not be located in Precincts 3 and 4</td>
</tr>
<tr>
<td>Medical Centre</td>
<td>Must not be in Precincts 3, 4, 5, 6 and 7</td>
</tr>
<tr>
<td></td>
<td>Any frontage at ground floor level must not exceed 2 metres.</td>
</tr>
<tr>
<td>Minor sports and recreation facility</td>
<td>Must be located in Precinct 6 or 7</td>
</tr>
<tr>
<td>Minor utility installation</td>
<td></td>
</tr>
<tr>
<td>Office (other than Electoral office or Medical Centre)</td>
<td>Must not be located in Precinct 3, 4, 5, 6 and 7</td>
</tr>
<tr>
<td></td>
<td>Any frontage at ground floor level must not exceed 2 metres, and access must not be</td>
</tr>
<tr>
<td></td>
<td>shared with a dwelling (other than a caretaker's house), unless the office is bank,</td>
</tr>
<tr>
<td></td>
<td>real estate agency, travel agency, or any other office where the floor space adjoining</td>
</tr>
<tr>
<td></td>
<td>the street frontage is a customer service area accessible to the public</td>
</tr>
<tr>
<td>Postal Agency</td>
<td>Must not be located in Precincts 3, 4, 5, 6 and 7</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Shop (other than Adult sex bookshop)</td>
<td>Must not be located in Precincts 3, 4, 5, 6 and 7</td>
</tr>
</tbody>
</table>
### Section 2 - Permit required

<table>
<thead>
<tr>
<th>USE</th>
<th>CONDITION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult Sex Bookshop</td>
<td>Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from Precincts 3 and 4, a residential zone, business zone, land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for hospital, primary school or secondary school</td>
</tr>
<tr>
<td>Animal keeping (other than Animal boarding) if Section 1 condition is not met</td>
<td>In Precinct 3, 4, 5, 6 and 7 must be no more than 5 animals</td>
</tr>
<tr>
<td>Car wash</td>
<td>Must not be located in Precincts 3, 4, 6 and 7.</td>
</tr>
<tr>
<td>Convenience shop</td>
<td>Must not be in Precincts 3, 4, 6 and 7. Leasable floor area must not exceed 80 square metres</td>
</tr>
<tr>
<td>Commercial display area</td>
<td>Must not be in Precinct 3, 4, 6 and 7.</td>
</tr>
<tr>
<td>Electoral Office</td>
<td>Must not be located in Precinct 3, 4 and 7.</td>
</tr>
<tr>
<td>Food or drink premises (other than Hotel or Tavern) – if Section 1 condition is not met</td>
<td>Must not be located in Precinct 3 and 4.</td>
</tr>
<tr>
<td>Hotel</td>
<td>Must not be located in Precinct 3, 4, 6 or 7.</td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation, Major sports and recreation facility and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Minor sports and recreation facility, Major sports and recreation facility, Race track and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Major sports and recreation facility (other than Race track)</td>
<td>Must be located in Precinct 7</td>
</tr>
<tr>
<td>Market – if Section 1 condition is not met</td>
<td>Must not be located in Precincts 3 and 4.</td>
</tr>
<tr>
<td>Nightclub</td>
<td>Must be located in Precinct 1.</td>
</tr>
<tr>
<td>Office (other than Medical Centre) – if the Section 1 condition is not met</td>
<td>Must not be located in Precincts 3 and 4.</td>
</tr>
<tr>
<td>Place of assembly (other than Nightclub or Drive-in theatre)</td>
<td></td>
</tr>
<tr>
<td>Activity</td>
<td>Requirements</td>
</tr>
<tr>
<td>----------</td>
<td>--------------</td>
</tr>
<tr>
<td>Research and development centre</td>
<td>Must not be in Precincts 3 and 4</td>
</tr>
<tr>
<td>Retail premises (other than food and drink premises, Market, Postal agency and shop)</td>
<td>Must not be located in Precinct 3, 4, 6 or 7 Must be located at ground floor level, but is not limited to ground floor level</td>
</tr>
<tr>
<td>Service industry</td>
<td>Must be located in Precinct 1</td>
</tr>
<tr>
<td>Shop (other than Adult sex bookshop and Convenience shop) - if the Section 1 condition is not met</td>
<td>Must not be located in Precinct 3, 4, 6 and 7</td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

### Section 3 – Prohibited

<table>
<thead>
<tr>
<th>USE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture (other than Apiculture and Animal keeping)</td>
</tr>
<tr>
<td>Airport</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Camping and caravan park</td>
</tr>
<tr>
<td>Corrective institution</td>
</tr>
<tr>
<td>Drive-in theatre</td>
</tr>
<tr>
<td>Host farm</td>
</tr>
<tr>
<td>Industry (other than Service industry and Research and development centre)</td>
</tr>
<tr>
<td>Motor Racing Track</td>
</tr>
<tr>
<td>Race Course</td>
</tr>
<tr>
<td>Warehouse (other than a Commercial display area)</td>
</tr>
</tbody>
</table>

### 4.0 Centre-wide provisions

### 4.1 Use of Land

A permit is not required to use land for the purpose of Local Government or education providing the use is carried out by, or on behalf of, the public land manager.

### 4.2 Subdivision and Consolidation or Land

Applications for subdivision that do not support the objectives promoted by this Scheme for Mentone Activity Centre are discouraged.

Consolidation of land to facilitate the creation of development sites that assist to achieve the development objectives for the Activity Centre are encouraged.

### 4.3 Buildings and works

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*Activity Centre Zone - Schedule 2*
A permit is not required for the following:

- An alteration to an existing building façade provided:
  - The alteration does not include the installation of an external roller shutter.
  - At least 80 percent of the building façade at ground floor level is maintained as an entry or window with clear glazing.
- An awning that projects over a road if it is authorised by the relevant public land manager.
- An automated teller machine

**Dwelling on a lot of more than 300 square metres**

No permit is required to:

- Construct or extend one dwelling on a lot of more than 300 square metres. This exemption does not apply to the:
  - 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.
  - Construction or extension of a front fence if the fence is associated with two or more dwellings on a lot or a residential building, and the fence exceeds the maximum height specified in a Schedule to a Residential Zone.
  - Development of a Caretaker’s house or a Bed and Breakfast
- Construct or carry out works normal to a dwelling.
- Construct one dependant person’s unit on a lot.

**Dwellings on a lot less than 300 square metres**

A permit is required to:

- Construct or extend one dwelling; or
- Construct or extend a front fence associated with one dwelling.

A development must meet the requirements of Clause 54 if on a lot of less than 300 square metres.

A permit is required to:

- Construct a dwelling if there is at least one dwelling existing on the lot.
- Construct two or more dwellings on a lot.
- Extend a dwelling if there are two or more dwellings on the lot.
- Construct or extend a dwelling if it is on common property.
- Construct or extend a residential building .
- Construct or extend a front fence if:
  - The fence is associated with two or more dwellings on a lot or a residential building and / or
  - The fence exceeds the maximum height specified in the schedule to a Residential Zone.

A development must meet the requirements of Clause 55. This does not apply to a development of four or more storeys, excluding a basement.
4.4 Design and Development

Building Height

A permit cannot be granted for Buildings or Works which exceed the Maximum Building Height as specified in the precinct requirements of Clause 5 of this schedule.

For the purposes of this Schedule, the Maximum Building Height does not apply to service equipment, including plant rooms, lift overruns, solar collectors, and other such equipment provided that the following criteria are met:

- No more than 50% of the roof area is occupied by the equipment.
- The equipment is located in a position on the roof so as to minimise additional overshadowing of neighbouring properties and public spaces.
- The equipment does not extend higher than 3.6 metres above the Maximum Building Height as specified in the precinct provisions at Clause 5 of this Schedule.
- The equipment is designed and screened to the satisfaction of the responsible authority.

The above is not permissible in sub Precincts 1e, 1f and 1g.

A permit may be granted to replace a building or works existing on the approval date but which does not meet the height requirements of this schedule. The replacement building may be higher than the requirements of this schedule only if the responsible authority is satisfied an increased height improves the amenity of the area.

Building Setbacks

Development must not be setback less than the identified Building Setbacks specified in the precinct requirements of Clause 5 of this Schedule.

Minor buildings and works such as verandas, architectural features, sunshades, screens, artworks and street furniture may be constructed within the setback areas specified in the precinct provisions at Clause 5 of this Schedule.

Roof Terraces

A roof terrace should:

- Be designed and constructed of materials that integrate with the architectural style and form of the building.
- Be set back at least 2 metres from the roof edge immediately below on all sides to minimise the visual impact on the street, coastal environs and adjoining properties.
- Be designed to limit views into secluded private open space and habitable room windows of adjacent dwellings.
- Not include any structures or elements that exceed a height of 1.7 metres, apart from an access structure.
- Be accessed by a structure that is designed and located to have minimal impact on the street and adjoining properties, does not enclose any useable floor space and does not exceed 2.4 metres in height (measured from floor level at the point of access onto the roof deck).

For the purposes of this schedule a ‘roof terrace’ means an area designed and used as communal and private open space that is located above the upper storey of a building.
5.0 Precinct provisions

5.1 Precinct 1 – Retail Core

Precinct Map
5.1-2 **Precinct Objectives**

- To encourage an active street environment through commercial and retail activities, on-street dining and the display of goods and services.
- To provide mixed use, commercial and residential opportunities within the precinct with street level active retail premises and non active office and residential uses located within the upper floors of the development.
- To create strong links with the heritage elements of the Precinct.
- To ensure building responses to adjoining and existing heritage buildings enhance and protect heritage buildings including associated view lines to and from heritage buildings.
- To create well designed, attractive streetscapes on main thoroughfares with improvements to paving and landscaping.

5.1-3 **Precinct requirements**

<table>
<thead>
<tr>
<th>SUB PRECINCT</th>
<th>MAXIMUM BUILDING HEIGHT</th>
<th>BUILDING SETBACK</th>
</tr>
</thead>
</table>
| 1A.          | 4 storeys (14 metres)    | Any 3rd and 4th storey must be setback a minimum of 5 metres from the frontage and laneway edge  
                |                           | Any 4th storey is to be setback 14 metres from the boundary to land directly abutting or adjacent to a residential zone  
                |                           | Balconies may encroach within the 3rd and 4th storey setback but must be setback 2.8 metres from the front of the site and be of a visually transparent nature. |
| 1B.          | 4 storeys (14 metres)    | Any 4th storey must be setback a minimum of 5 metres from the frontage to provide a robust street wall of 3 storeys reinforcing the north axis of Como Parade  
                |                           | Any 4th storey is to be setback 14 metres from the boundary to land directly abutting or adjacent to a residential zone  
                |                           | Buildings must be setback 3 metres from the title boundary of directly abutting or adjacent to a residential zone.  
                |                           | Balconies may encroach within the 4th storey setback but must be setback 2.8 metres from the front of the site and be of an open appearance. |
| 1C.          | 4 storeys (14 metres)    | Any 3rd and 4th storey must be setback a minimum of 5 metres from all frontages of the building  
<pre><code>            |                           | Any 3rd and 4th storey must be setback a minimum of 3 metres from a rear building edge abutting a laneway/pedestrian thoroughfare. |
</code></pre>
<p>| 1D.          | 2 Storeys (9 metres)     | Not specified     |</p>
<table>
<thead>
<tr>
<th>SUB PRECINCT</th>
<th>MAXIMUM BUILDING HEIGHT</th>
<th>BUILDING SETBACK</th>
</tr>
</thead>
<tbody>
<tr>
<td>1E.</td>
<td>6 metres</td>
<td>Not specified</td>
</tr>
<tr>
<td>1F.</td>
<td>7.6 metres (No additional height permitted)</td>
<td>Not specified</td>
</tr>
<tr>
<td>1G.</td>
<td>7 metres (No additional height permitted)</td>
<td>Not specified</td>
</tr>
</tbody>
</table>

### Precinct guidelines

- Development should recognise the heritage elements within the precinct.
- Maintain a consistent two storey commercial street frontage and the existing fine grain shopfronts.
- Development should maximise built form opportunities afforded through possible site consolidation to activate rear laneways.
- Buildings should be innovative and contemporary and respond to the heritage character of the precinct.
- Any upper level additions to existing buildings should appear lightweight and must be setback in accordance with the precinct requirements.
- Any additions or new development in the vicinity of a heritage building shall be recessive to the significant architectural components of the building.
- Create improved and active pedestrian scaled thoroughfares along Old Bakery Lane and Granary Lane by encouraging any new development to address these laneways.
- Maintain low scale setting along the railway line and the existing heritage building at 48 Como Parade West.
- Pedestrian linkages should be created along Old Bakery Lane and Granary Lane with active laneway frontages and opportunities for outdoor dining.
- Any new development should be sympathetic to the residential amenity of the neighbourhood north of Balcombe Road.
- Any new use and development should be of the scale and design that does not obscure views to heritage buildings in Precincts 1, 2 and 6.
- Any new development should be sympathetic to the scale of adjoining established residential neighbourhoods.
5.2 Precinct 2 – Contemporary Redevelopment

5.2-1 Precinct Map
5.2-2  **Precinct Objectives**

- To encourage a greater mix of uses including commercial services on lower levels, residential opportunities and associated activities in upper levels.
- To encourage new, contemporary building form and an enhanced landscaped pedestrian environment within the precinct.
- To maximise opportunities for on-site renewable energy generation, alternative energy and sharing of energy resources, as well as water capture and re-use.
- To ensure building responses adjoining heritage buildings protect view lines to and from heritage buildings.
- To create gateway buildings at key intersections with Balcombe Road in the precinct.
- To create attractive streetscapes and laneways, with strong pedestrian linkages from laneways to main thoroughfares.
- To create an area of public open space north of Balcombe Road as a passive park to help cater for the future development in and around the Centre.

5.2-3  **Precinct requirements**

<table>
<thead>
<tr>
<th>Sub Precinct</th>
<th>Maximum Building Height</th>
<th>Building Setback</th>
</tr>
</thead>
<tbody>
<tr>
<td>2A</td>
<td>4 storeys (14 metres)</td>
<td>Any 3rd storey must be setback in accordance with ResCode with any 4th storey is to be setback 14 metres where sites directly abut or are adjacent to a residential zone.</td>
</tr>
<tr>
<td>2B</td>
<td>3 storeys (11 meters)</td>
<td>Any 3rd storey must be setback 12 metres from the Florence Street frontage. Balconies may encroach within the 3rd storey setback but must be setback 9 metres from the Florence Street frontage.</td>
</tr>
</tbody>
</table>

5.2-4  **Precinct guidelines**

- New development should provide active frontages to the Granary and Old Bakery laneways.
- Establish improved pedestrian and bicycle linkages between Granary and Old Bakery laneways, Mentone Parade and Florence Street.
- Development should respond to the interface with heritage places by ensuring a transitioning in height and adequate setbacks.
- Development outcomes should be maximised through site consolidation.
- Development on car parking areas must provide the equivalent replacement car spaces, as well as provide an appropriate amount of car parking to cater for planned development.
- Development should physically address the street through permeable architectural detail and points of entry.
- For the two areas north-east of the railway line, adjoining Balcombe Road and Swanston Street development should present to Swanston Street and Balcombe Roads, as a 3 storey building with the 4th storey setback from the frontage.
• Any new development should be of a scale and design that does not obscure views to heritage buildings in Precincts 1, 2 and 6.
• Buildings should be innovative and contemporary and respond to heritage elements in or on the edge of the precinct.
• Development fronting Florence Street is to be limited to a 2 storey building facade with upper levels setback to reduce the bulk of the building.
• Development shall address laneways by encouraging setbacks to reduce the sense of enclosure and enables an improved and active pedestrian scaled thoroughfare.
• Buildings should be contemporary in architectural form and include elements such as building articulation above a 2-3 level podium, use light weight materials, including communal green roof areas and incorporate usable and well orientated balcony spaces.
• Development on the north east corner of Balcombe Road and Swanston Street should be created with active street frontages and be designed to have passive surveillance of adjoining proposed public open space.
• Any new development should be sympathetic to the scale of adjoining established residential neighbourhoods.
5.3 Precinct 3 – Increased Residential Density

Precinct Map
5.3-2 Precinct Objectives

- To encourage new development to be designed with quality landscaped interfaces to the established residential nature of surrounding precincts.
- To maximise opportunities for on-site renewable energy generation, alternative energy and sharing of energy resources, as well as water capture and re-use.
- To maximise energy efficiency opportunities on site through good design.

5.3-3 Precinct requirements

<table>
<thead>
<tr>
<th>Precinct</th>
<th>Maximum Building Height</th>
<th>Building Setback</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.</td>
<td>3 storeys (11 metres)</td>
<td>Not specified</td>
</tr>
</tbody>
</table>

5.3-4 Precinct guidelines

- Any new development should be sympathetic to the scale of the surrounding residential neighbourhood.
- Buildings should be innovative and contemporary in architecture.
- Any new development should maximise sun penetration to habitable rooms.
- Create a pedestrian friendly interface with surrounding residential neighbourhoods through planting of native and indigenous vegetation.
- Development should step down in height to adjoining existing residential areas.
5.4 Precinct 4 – Existing Residential Areas

5.4-1 Precinct Map
5.4-2 **Precinct Objectives**

- To encourage residential development which provides for a high quality of design and a transition in scale from the Retail Core to the residential areas beyond the Activity Centre boundary.
- To develop the precinct as a focus for new medium density development at a lower scale than is proposed for precincts located in the centre of the Activity Centre.

5.4-3 **Precinct requirements**

<table>
<thead>
<tr>
<th>Precinct</th>
<th>Maximum Building Height</th>
<th>Building Setback</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.</td>
<td>2-3 storeys (9 metres)</td>
<td>Not specified</td>
</tr>
</tbody>
</table>

5.4-4 **Precinct guidelines**

- Provide for a high quality designed residential environment which reinforces the proximity and connectivity to the Activity Centre.
- Development should consist of new medium density housing comprising a variety of housing types and layouts which responds to the evolving urban character of this precinct.
5.5 Precinct 5 – Railway Precinct

5.5-1 Precinct Map
5.5-2 Precinct Objectives

- To create a gateway building at the eastern end of the precinct.
- To encourage, contemporary development with active frontages to Balcombe Road with quality landscaped settings that respond to the residential focus of the eastern edge of the precinct.
- To explore opportunities to develop a new contemporary multi level development for commuter car parking fronting Balcombe Road with careful attention to the materials used to clad the car park in its high profile location.
- To discourage land use activities that would present a negative amenity impact to residents to the east of the precinct.
- To encourage building heights to step back from the historic railway station to maximise views to the historic elements in the activity centre including the station and former Coffee Palace tower.
- To improve pedestrian safety through redevelopment of the railway station car park that increases passive surveillance of pedestrian thoroughfares and activates the environment.
- To strengthen pedestrian and bicycle linkages between the precinct and Mentone Parade.
- To ensure development provides a transition in building scale from the low rise residential properties adjacent to the precinct.

5.5-3 Precinct requirements

<table>
<thead>
<tr>
<th>Precinct</th>
<th>Maximum Building Height</th>
<th>Building Setback</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>4 Storeys (14 Metres)</td>
<td>Setbacks must be in accordance with ResCode with any 4th storey setback 14 metres from from the boundary to land directly abutting or adjacent to a residential zone</td>
</tr>
</tbody>
</table>

5.5-4 Precinct guidelines

- Ensure that opportunities are sought to provide more commuter parking as well as cater for the parking needs of the future development.
- Establish stronger and enhanced pedestrian connections between Balcombe Road and the Mentone Railway Station.
- Provide for a high quality designed residential environment with an active ground floor frontage to Balcombe Road which reinforces the entrance to the Activity Centre.
- Development should maximise opportunities afforded of increased building heights through land consolidation.
- An active frontage must be presented to the Balcome Road façade.
- Development should recognise the sensitive heritage interface of the adjoining railway station building and retain the important view line from Swanston Street to the former Coffee Palace tower.
5.6 Precinct 6 – Former Coffee Palace

Precinct Map
5.6-2 **Precinct Objectives**

- To encourage sensitive development within quality landscaped settings that respond to the heritage and educational focus of the precinct.
- To encourage uses to the south of the precinct that strengthen the educational focus of the precinct.
- To retain and enhance the historic elements within the precinct.
- To encourage enhanced pedestrian and bicycle links from this precinct to the public transport intersection and Precincts 1 and 2.
- To maintain and improve the positive engagement of this precinct with the main intersection of Florence Street, Mentone Parade and Como Parade East.

5.6-3 **Precinct requirements**

<table>
<thead>
<tr>
<th>SUB PRECINCT</th>
<th>MAXIMUM BUILDING HEIGHT</th>
<th>BUILDING SETBACK</th>
</tr>
</thead>
<tbody>
<tr>
<td>6A.</td>
<td>3 storeys (11 metres)</td>
<td>Any 3 storey development to areas of the precinct away from the original historic building must be setback 1.2 metres from the Mentone Parade title boundary and 3 metres at the Como Parade West title boundary. Buildings must be setback a minimum of 3 metres from the title boundary from the boundary to land directly abutting or adjacent to a residential zone. Any 3rd storey must be setback a minimum of 7 metres from the boundary to land directly abutting or adjacent to a residential zone. Buildings must be setback a minimum 5 metres from the Commercial Road frontage.</td>
</tr>
<tr>
<td>6B.</td>
<td>11 metres (No additional height permitted)</td>
<td>Not specified</td>
</tr>
</tbody>
</table>

5.6-4 **Precinct guidelines**

- Development should respond to the heritage elements within this and neighbouring precincts.
- Built form should achieve a general stepping down of the building in a southerly direction across the precinct.
- Connect with the improved pedestrian space proposed for the Florence Street, Mentone Parade and Como Parade East intersection at the northern end of the precinct.
- Strengthen links between this precinct and existing retail areas and the public transport interchange.
- Create a pedestrian friendly interface with precincts 1 and 4 and adjoining public areas.
- New additions and developments should demonstrate contemporary architecture which respects the heritage context of the precinct.
- New upper storey additions should be recessive at the residential interface.
- New street facing facades should respect the existing robust 2 storey facades of the existing buildings by setting back 3rd storeys from the street facade.
5.7 Precinct 7 – Community Activity Precinct

5.7-1 Precinct Map
5.7-2 Precinct Objectives

- To ensure development is responsive to its sensitive residential interfaces.
- To encourage connections that link this precinct with the northern end of the Activity Centre.
- To encourage community and recreational based uses which provide improved utilisation of community buildings and provides a hub for community and recreational events.
- To create a major recreation open space area comprising outdoor recreation space for the co-location of sporting clubs.

5.7-3 Precinct requirements

<table>
<thead>
<tr>
<th>PRECINCT</th>
<th>MAXIMUM BUILDING HEIGHT</th>
<th>BUILDING SETBACK</th>
</tr>
</thead>
<tbody>
<tr>
<td>7.</td>
<td>2 storeys (8.5 metres)</td>
<td>Not Specified</td>
</tr>
</tbody>
</table>

5.7-4 Precinct guidelines

- Public spaces should reflect the precinct’s functions.
- Establish strong pedestrian linkages from the precinct to all other precincts.
- Buildings should be contemporary in architectural form and include use of light weight materials.
- Buildings should only be erected where they are integral to the functioning of a sport, community, civic or recreational facility.
- Any new development should be sympathetic to the scale of the surrounding residential neighbourhood.
- Development should recognise the heritage elements and be appropriately setback from heritage feature within the precinct.
- Support the redevelopment of Remo Street for non vehicular, community and recreational uses.
6.0 Application requirements

Use
In addition to the application requirements set out at Clause 37.08-7, an application to use land must be accompanied by the following information, as appropriate:

- A Traffic and Transport plan which provides:
  - Details on existing traffic conditions including available on street parking allocation.
  - Anticipated traffic generation and distribution as a consequence of the proposal.
  - How any implications associated with the traffic generated or additional requirements for parking will be appropriately mitigated.

Buildings and Works
In addition to the application requirements set out at Clause 37.08-7, an application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A Traffic and Transport plan which provides:
  - Where appropriate how pedestrians and cyclists are accommodated in relation to access to the development and facilities on its periphery.
  - Means by which the construction of the development will be managed to reduce implications on existing road network.

- An assessment by a qualified design or planning professional which provides:
  - Details the impact to the heritage place should development be proposed to a heritage place.
  - The implications of new development adjoining a heritage place, and the impact to its heritage significance.
  - Where appropriate how the proposed detail, materials and colours will impact on the significance of the heritage place or adjoining heritage place.
  - Measures proposed to alleviate detriment to the significance of the heritage place.

- A Sustainability Management Plan (SMP) which:
  - Demonstrates the application of Australian best practice rating tools and design principles; use of emerging technology; and a commitment to ‘beyond compliance’ throughout the construction period and subsequent operation of the development.
  - Identifies statutory obligations and documented sustainability performance standards from Government and other authorities.
  - Specifies key performance indicators, to an agreed level, to measure the achievement of objectives and initiatives identified in the Plan.
  - Identifies responsibilities and a schedule for both implementing and monitoring the Plan over time.
  - The individual components of the SMP should address:
- Building Energy Management.
- Water Sensitive Urban Design.
- Construction Materials.
- Indoor Environment Quality
- Waste Management.
- Quality of Public and Private Realm.
- Transport.
- Demolition and Construction.

7.0 Notice and review

Use of Land

Other than in Precincts 2, 3, 4, 5, 6 and 7 an application to use land 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 in accordance with Clause 37.08-8 of the Activity Centre Zone. This exemption does not apply to an application within 30 metres of land (not a road) which is in a Residential Zone or Business 5 Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

Buildings and Works

An application for a building or works within 30 metres of land (not a road) which is in a residential zone or Business 5 Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre is not exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act in accordance with Clause 37.08-8 of the Activity Centre Zone.

8.0 Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

Use

- The adaptability of the proposal to be transitioned in the future to alternative, though complementary land uses.
- Whether the proposal achieves a mix of uses within the site to support the objectives of the Mentone Activity Centre.
- Whether the proposal achieves active uses and pedestrian generating activities at street level in identified precincts that contribute to a vibrant public realm.

Buildings and works

- Whether the development provides easy, safe, accessible entry/exits for pedestrians, cyclists, and people with a disability demonstrating how access needs are accommodated.
- Whether the development provides vehicular access to buildings fronting key roads off side streets or via rear access.
- Whether the proposed development ensures that all site services, roof plant and equipment is sufficiently screened or hidden from view.
• Whether the development complements the form, scale, materials, colour of a heritage place on the same site or adjoining place.
• Whether the development achieves the stepping down in built form to established residential neighbourhoods.
• Whether the development integrates car parking requirements into the design of buildings by encouraging the use of undercroft or basement car parking and minimises the use of open ground floor car parks.

**Subdivision**

• Whether the subdivision supports the objectives promoted by this Schedule and does not result in fragmentation of sites.

**Access**

• Incorporates provisions for pedestrians, cyclists, and people with a disability demonstrating how access needs are accommodated.
• Provides vehicular access to buildings fronting key roads off side streets or via rear access.

9.0 **Advertising signs**

Advertising Signage requirements at Clause 52.05 of the Planning Scheme are applicable as follows:

- Precinct 1 and 2 is Category 1.
- Precinct 3, 4, 5 and 7 are Category 2.
- Precinct 6 is Category 3.

10.0 **Reference documents**

Mentone Activity Centre Structure Plan, 2011