



**WHITEHORSE  
CITY COUNCIL**

# Amendment C230 to the Whitehorse Planning Scheme

490 – 500 Burwood Highway,  
Vermont South

## Council Submission - Part A

**31 January 2023**

# CONTENTS

PRELIMINARY INFORMATION .....	3
PART 1: INTRODUCTION .....	4
PART 2: THE AMENDMENT LAND AND SURROUNDING AREA .....	6
Site History.....	6
Historical excisions from original ARRB landholding .....	8
Recent events - changes in ownership and fire damage .....	9
Land description.....	13
Surrounding Area .....	14
Surrounding transport networks .....	16
PART 3: BACKGROUND TO THE AMENDMENT .....	18
Chronology of events (Panel Direction 9a) .....	18
PART 4: STRATEGIC CONTEXT & ASSESSMENT ( <i>Panel Direction 9b</i> ).....	19
Purpose of the Amendment.....	19
Ministerial Directions .....	20
Planning Practice Notes .....	21
Planning Policy Framework and any adopted State policy .....	22
Local Planning Policy Framework (LPPF) the Municipal Strategic Statement (MSS).....	25
PART 5: ISSUES IDENTIFIED IN SUBMISSIONS ( <i>Panel Direction 9c</i> ).....	28
Height, Built Form and DDO6.....	28
Future traffic considerations .....	30
Removal of vegetation.....	30
Contamination, air quality and noise considerations.....	31
PART 6: ANY SUGGESTED CHANGES TO THE AMENDMENT IN RESPONSE TO SUBMISSIONS ( <i>Panel Direction 9d</i> ).....	32
CONCLUSION .....	33
ATTACHMENTS .....	34

## **PRELIMINARY INFORMATION**

**Planning Authority:** Whitehorse City Council

**Authorisation:** 11 April 2022

**Exhibition dates:** Thursday 2 June 2022 to Tuesday 5 July 2022

**Gazette Notice:** Thursday 2 June 2022

**Number of submissions:** Forty-three (43)

**Exemption granted in relation to Ministerial Direction 15:** request for the appointment of a Panel within 40 business days after the closing for submissions: 5 September 2022

**Council consideration of submissions:** 26 September 2022

**Directions Hearing:** Friday 28 October 2022

**Site Inspection:** Friday 21 November 2022

**Panel Hearing:** Tuesday 7 February 2023 – Friday 10 February 2023

**Council representative:** Gabby McMillan, Terralogic

## PART 1: INTRODUCTION

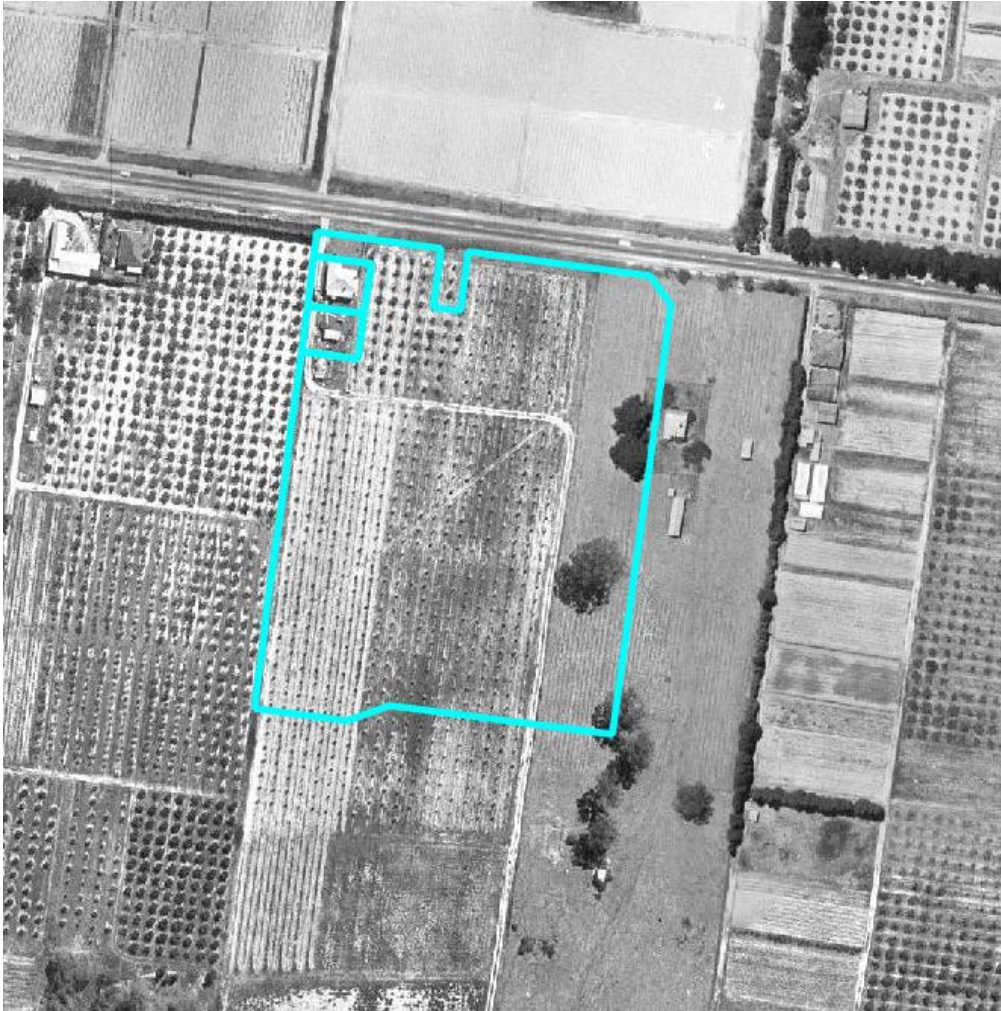
1. This submission is made on behalf of Whitehorse City Council (**Council**) in relation to Amendment C230whse (**Amendment** or **C230**) to the Whitehorse Planning Scheme (**Planning Scheme**).
2. The Amendment is proposed in order to facilitate residential development at 490-500 Burwood Highway, 1/490 Burwood Highway and 2/490 Burwood Highway, Vermont South (**site** or **Amendment land** or **Subject land**).
3. The site was used as the headquarters for the Australian Road and Research Board (**ARRB**) from the 1970's until 2017. The land is no longer used for a public purpose. The site was sold in 2017 and has remained vacant since. The administrative building on the site, the landscaped setting, layout of buildings and open space arrangement is of particular heritage significance. The building was damaged by fire in late 2021.
4. Council prepared the Amendment in response to a request from Tract consultants on behalf of the stated landowner, PAN Investments Australia (**proponent** or **landowner**). It is noted that the landowner listed with Council is Dandenong Views Pty Ltd and it is understood that PAN Investments Australia is the management company for the project. Council is advised that Tract consultants and Pan Investments Australia are authorised to act on behalf of Dandenong Views Pty Ltd
5. The request by Tract consultants was initially made in 2018, with updated documents provided to Council on 15 October and 18 October 2021. Council is the Planning Authority for the Amendment.
6. The Panel has been provided with the relevant Amendment documentation, including relevant Council reports, the details of the proposed Amendment and a copy of all the submissions to the Amendment that have been referred to it for its consideration.
7. The Amendment seeks to apply the following zone and overlay controls to the site:
  - Rezone from Transport Zone Schedule (**TRZ4**) to Residential Growth Zone Schedule 3 (**RGZ3**).
  - Apply the Design and Development Overlay and a new Schedule 6 (**DDO6**)
  - Apply the Significant Landscape Overlay and a new Schedule 10 (**SLO10**).
  - Apply the Vegetation Protection Overlay Schedule 5 (**VPO5**).
  - Apply the Environmental Audit Overlay (**EAO**).
  - Amend the schedule to the Heritage Overlay (**HO23**) to include reference to an updated Statement of Significance, *Former Australian Road and Research Board, 490-500 Burwood Highway, Vermont South – Statement of Significance (Whitehorse City Council, June 2021)* (**Statement of Heritage Significance**).
8. The amendment also proposes the following changes to the Planning Policy Framework and other provisions:

- Amend the Housing Framework Plan at Clause 21.06 to include the land within a Substantial Change Area
  - Amend Map 1 Neighbourhood Character Precincts at Clause 22.03 to include the land in the Garden Suburban 7 precinct.
  - Amend the schedule at Clause 72.04 to incorporate the Statement of Heritage Significance and *Statement of Tree Significance, 490–500 Burwood Highway, Vermont South (September 2021) (Statement of Tree Significance)*.
9. The Amendment was authorised on 11 April 2022, subject to minor conditions (refer **Attachment 1**) as follows:
- 1. The key amendment documents be updated to reflect the current zoning is Transport Zone Schedule 4 (TRZ4). These documents include the Explanatory Report, the Strategic Assessment Guidelines Checklist, and the Planning Report. Other documents do not need to be updated unless the advice within the document will change due to the zone change from PUZ4 to TRZ4.*
  - 2. The list of what the amendment does in the Explanatory Report be revised to include a full list of all changes to the planning scheme consistent with the revised draft Explanatory Report DELWP will supply to Council officers.*
  - 3. For exhibition, the Design and Development Overlay Schedule 6 be updated to reflect the track-changes version DELWP will supply to Council officers.*
10. These conditions were met prior to exhibition and did not affect the intended outcome of the amendment. The former DELWP revised drafts of the Explanatory Report and DDO6 prepared in consultation with Council officers are shown in **Attachment 2**.
11. The amendment was placed on public exhibition between 2 June 2022 and 5 July 2022.

## PART 2: THE AMENDMENT LAND AND SURROUNDING AREA

### Site History

12. The site was originally an apple orchard purchased by ARRB in the late 1960's for their new headquarters (see **Figure 1**). Before moving to Vermont South, ARRB operated from the Victoria Country Roads Board headquarters in Kew.



*Figure 1 – 1960 Aerial photograph of site*

13. Architects Mockridge, Stahle and Mitchell designed the new facility for ARRB. The architectural design for the complex was approved in 1970 and a construction contract was awarded in 1971.
14. The ARRB headquarters opened in November 1972. The headquarters originally comprised a two and three storey administration building fronting Burwood Highway, a single storey publications room to the rear of the administration building and two research wings separated by large courtyards.
15. Research Wing R2 was extended to the east in 1974 and a western extension to the Research Wing R1 later followed in 1975 (see **Figure 2**).
16. Further works, including the construction of Research Wing R3 occurred in the 1980s (see **Figure 3**). The existing building layout is shown further below in **Figure 4**.



Figure 2 - 1975 aerial photograph of site





*Figure 3 - 1987 aerial photograph of site*

17. Renowned landscape architect Beryl Mann designed the gardens surrounding the buildings. The design included retention of several remnant eucalypts (one of which remains within the current lot boundaries) and the planting of dense stands of native trees along the side boundaries to function as wind-breaks and provide a buffer along the site's interfaces. The remnant eucalypt is noted as Tree 2 in the Statement of Tree Significance Incorporated Document with the proposed VPO.
18. The Burwood Highway frontage features stands of native trees adjacent to the road and east of the internal western access way, as well as an expansive grassed area and row of car-parking in front of the building.
19. The Heritage Overlay was applied to the site via Amendment C3 in 2001.

#### **Historical excisions from original ARRB landholding**

20. In the late 1990s, four hectares of land to the east and south of the buildings was sold to fund the ongoing operations of the ARRB. Following the sale of that land, a combined planning permit application and planning scheme amendment request was made to rezone the excised land to Residential 1 Zone and facilitate the development of the



Victoria Grange Residential Community (**Victoria Grange**). Construction of this facility occurred in stages over several years between 2005 and 2014.

21. In 2005, approximately 258 square metres of land along the Burwood Highway frontage was excised for the construction of an electrical substation to service the Burwood Highway tram extension to Vermont South.

22. **Figure 4** shows the existing building layout.



*Figure 4 – Existing building layout*

### **Recent events - changes in ownership and fire damage**

23. In 2017 the ARRB site was sold to Dandenong Views Pty Ltd when ARRB relocated to a new office in Port Melbourne. The site has remained vacant since ARRB relocated to the new premises.

24. In late March 2021, fire damaged the former heritage ARRB administration building that is of particular heritage significance under HO23. While there was extensive damage, all buildings remain standing and the heritage significance of the building was not affected. Councils Building Unit attended the site and have issued a Building Notice and Building Order with respect to undertaking repair works to the roof, upgrading essential safety measures and providing shutters to doors and windows. **Figures 5 – 8** show photos of the façade and internal office condition prior to the fire. **Figures 9 and 10** show the fire-damaged building.



25. Council notes that action and matters in relation to the fire incident are separate to this amendment process.



*Figure 5 – Building façade pre fire*

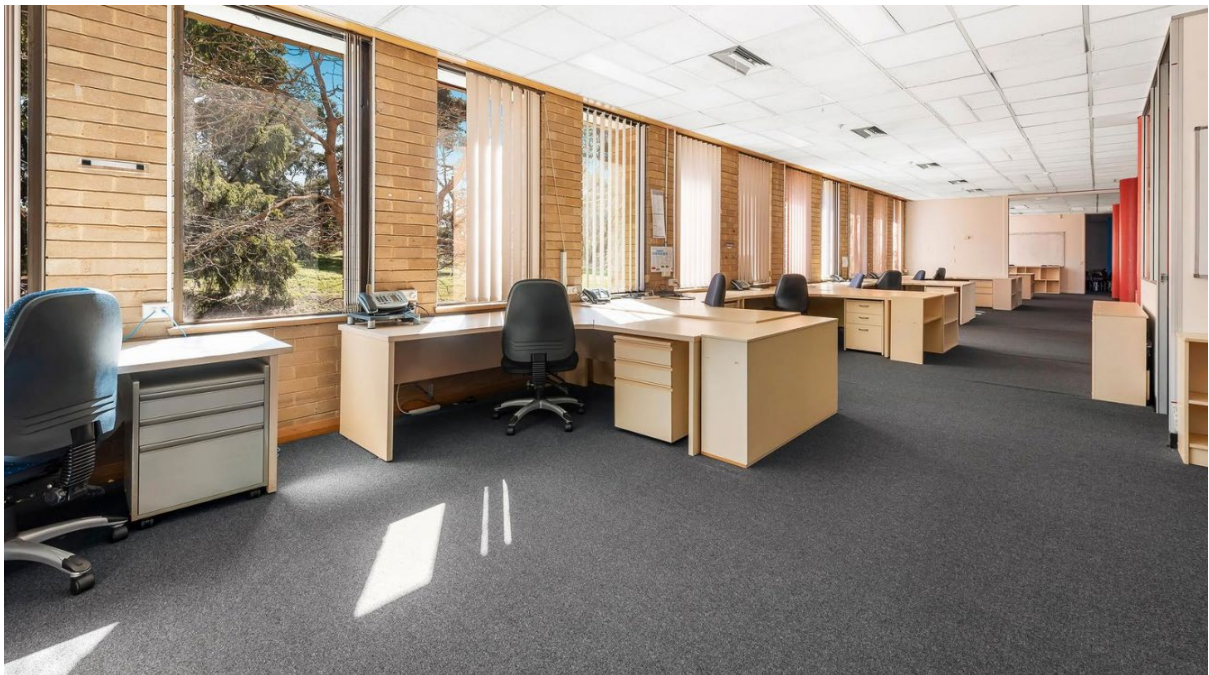


*Figure 6 – Building façade pre fire*





*Figure 7 – Internal office arrangement pre fire*



*Figure 8 – Internal office arrangement pre fire*





Figure 9 – Damage to the exterior of the main building

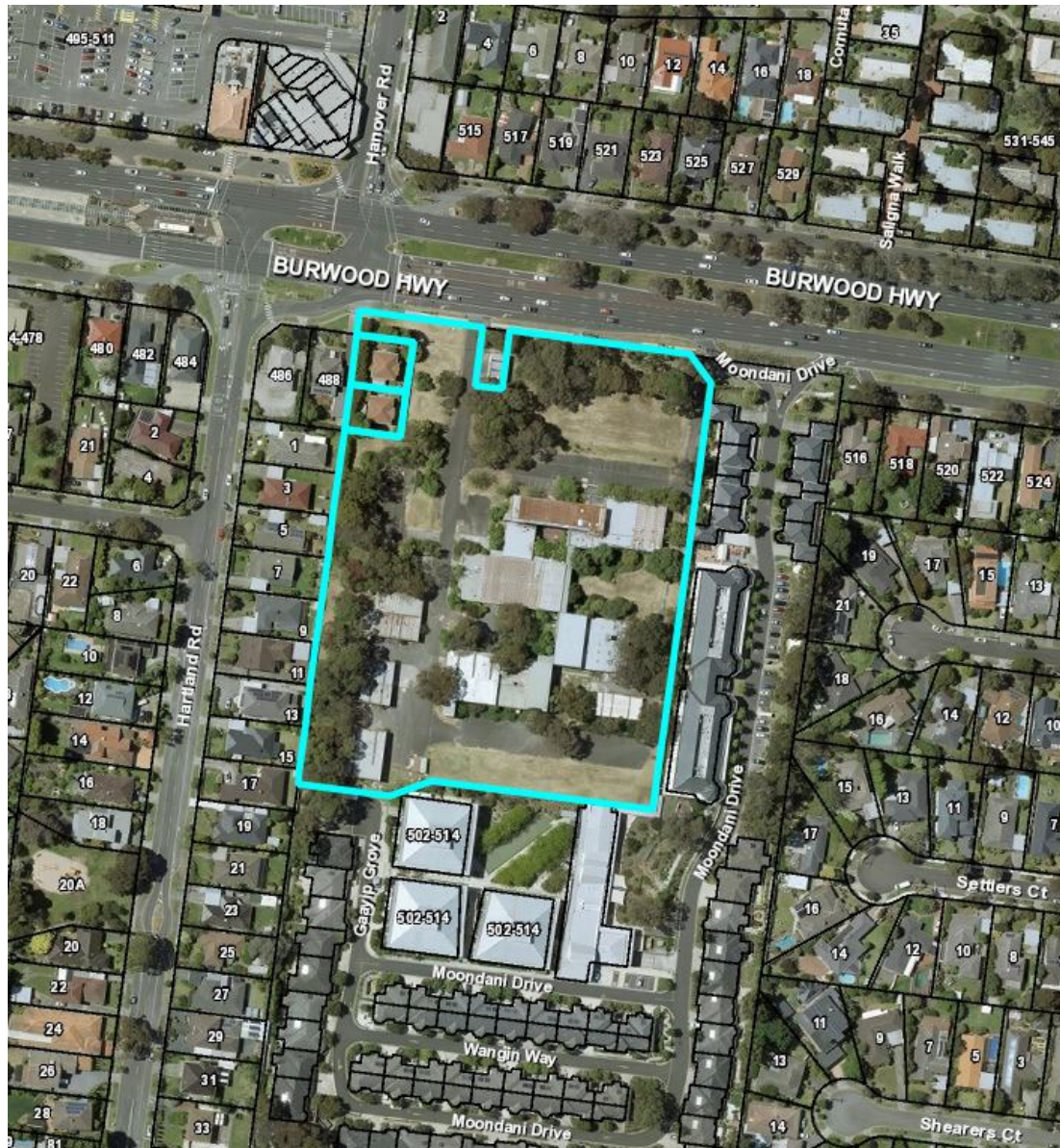


Figure 10 - Graffiti damage to the inside of the main building



## Land description

26. The site is located on the south side of Burwood Highway, 40 metres east of Hartland Road in Vermont South. It is formally described as Lot 1 on Plan of Subdivision 518296N.
27. The site has an area of approximately 2.58 hectares and is bounded by Burwood Highway to the north, Victoria Grange to the east and south, and the rear of residential properties that front Hartland Road to the west. The site contains a powerline easement with a width of 10 metres extending south from the Burwood Highway frontage to approximately halfway through the site (refer **Figure 11**).



**Figure 11: Aerial Image of the Amendment site and surrounding area**

28. Topographically, the site slopes downwards from a high point in the northwest corner to the south boundary of the site; the change in level is almost 10 metres. The downward sloping topography continues south and east of the site and as a result, the site has expansive views over the surrounding area to the south and east towards Dandenong Creek and the Dandenong Ranges.

29. Access to the site is via a wide crossover to Burwood Highway to the west of the substation in the western part of the frontage. A second entry/exit point is located in the eastern part of the frontage via a service road (Moondani Drive) off Burwood Highway that is partially located in the Victoria Grange property. Both access points facilitate left in/left out movements only.
30. There are two detached dwellings in the northwest part of the site at 1/490 and 2/490 Burwood Highway. These are also owned by Dandenong Views Pty Ltd. Access to these properties is via a crossover on a separated slip lane from Burwood Highway. This slip lane provides for a left turn into Hartland Road.
31. The landscape character of the subject site is an important aspect of the land. The site contains a significant number of tall native canopy trees. The large front setback is particularly noteworthy comprising an expansive grass area and substantial tree coverage at the interface with Burwood Highway. The strong presence of canopy vegetation continues throughout the site with clusters of trees along the west boundary, sections of the east boundary and between the buildings.

### **Surrounding Area**

32. Immediately abutting the site to the east and south is the Victoria Grange. This development ranges in scale from single storey to three storey developments.
33. Adjacent to the eastern interface with the site is a large three-storey building sited relatively close to and for 93 metres of the shared boundary and accommodates higher care residents at Victoria Grange. This lower storey of this building is recessed into the site such that the building appears largely as a 2 storey form when viewed from the Amendment land.
34. To the south of the site are three, three storey modern pavilion buildings containing apartments for Victoria Grange residents. The pavilions overlook a bowling green and communal open space and are adjacent to a community building. The nearest of these pavilions is approximately 0.5 metres from the angled southern boundary of the Amendment land, but is otherwise set back approximately 5.2 metres. Further to the south of the apartments and communal facilities there are rows of attached, single storey units – all forming part of the Victoria Grange community.
35. The adjoining land to the south appears to sit approximately 3 metres below the southern boundary of the site with retaining walls and terraced garden beds within the Victoria Grange property. A community building is sited at the eastern end of the south boundary of the site and has a boundary wall has a length of approximately 15 metres.
36. To the west of the site are a series of conventional residential lots with frontage to Hartland Road and Burwood Highway. These properties are generally in the order of 650 square metres and contain single storey dwellings, with the exception of a double storey dwelling at 13 Hartland Road. Most of these properties contain an area of secluded private open space between the dwelling and shared boundary with the site. The setback of dwellings in Hartland Road range between 4 metres and 12.5 metres from the Amendment land.
37. Beyond the immediate surrounds, the site is located within a predominantly residential area of Vermont South. Residential development is generally in the form of detached



single or double storey dwellings on conventional sized lots. Most of this area was developed in the 1970s.

38. There are however, examples of higher density forms of housing in the area that have been developed within the last 8 years, including:
- A part 4 and part 6 storey aged care development at 39 Livingstone Road next to the Vermont South Shopping Centre, known as BlueCross Livingstone Gardens;
  - A five storey apartment development on Burwood Highway at 1 Charlnet Drive, Vermont South; and
  - A part 4, part 5 and part 6 storey development on Burwood Highway at 1-5 Stanley Street, Vermont South.
  - Forest Ridge estate on the former ATV-0 site at 104-168 Hawthorn Road, Forest Hill being developed in several stages comprising detached and semi-detached 2 storey dwellings, 2 and 3 storey townhouses, and apartments that are soon to commence construction (fronting and extending into the site from Springvale Road). Approximately 600-700 dwellings are proposed to be delivered on the site. The television studio building (which is still used as a filming studio) is covered by a heritage overlay (HO272).
39. The higher density developments on Burwood Highway reflect identification of lots fronting the Highway as an area for substantial change in Council's *Housing Strategy* (2014).
40. Council has undertaken further work, known as the *Residential Corridors Built Form Study* (2019), to guide growth along the Burwood Highway and Whitehorse Road corridors. This Study forms the basis of current amendment C220whse. Submissions to the Amendment C220whse are being assessed and are due to be considered by Council in the February or March meeting cycle.
41. To the northwest of the site is the Vermont South Shopping Centre, which is located diagonally opposite the Amendment land, on the northwest corner of Burwood Highway and Hanover Road. It comprises two supermarkets, food and drink premises and a range of specialty shops and services. There is extensive at-grade car parking provided. The Vermont South neighbourhood activity centre also includes community facilities such as Sportlink (indoor and outdoor) recreation centre, a library, childcare centre, neighbourhood house, bowls and tennis club, special development school and Livingstone Primary School adjoining to the north of Sportlink.
42. Other nearby activity centres include:
- Tally Ho major activity centre approximately 1.3 kilometres to the west
  - Commercial development on Burwood Highway near the Whitehorse City Council Waste Transfer station approximately 1 kilometre to the east
  - Knox activity centre (in the City of Knox) approximately 4.6 kilometres to the east beyond Dandenong Creek
  - The Glen / Glen Waverley activity centre 2.5 kilometres to the south-east
  - Forest Hill Chase activity centre 2.6 kilometres to the north-west.

- Neighbourhood activity centres such as Brentford Square shops to the north on Canterbury Road, Vermont Village shops to the north-east (corner Canterbury and Boronia Roads) and Parkmore shops to the north-west on Springvale Road,
43. The site is in a location that is well served by public open space. In accordance with the Public Open Space Contribution policy at Clause 22.15 of the planning scheme, which is based on the *Whitehorse Open Space Strategy* (2007), Council is not seeking a land contribution from future subdivision of the site and will instead require a cash contribution (set at a minimum of 4%) as per the requirements of the schedule to Clause 53.01. It is noted that Council is currently reviewing its open space strategy.
  44. The concept plan included in DDO6 shows areas of communal open space between the heritage administration building and Burwood Highway and to the rear of the building. It is understood that these spaces are intended to be publicly accessible.
  45. Nearby sporting reserves include Terrara Park and Billabong Park. Hanover Reserve, Bellbird Dell (bushland reserve), the Dandenong Creek parklands, Tyrol Park and Licola Reserve provide larger areas of parkland and trails for informal recreation in the local area in addition to other smaller local parks. Morack (public) Golf Course is located 1.2 kilometres to the east along Dandenong Creek and the future regional linear park along the former Healesville freeway corridor is 1.2 kilometres to the north.
  46. Existing land use zones and overlays that apply near the site are shown in **Attachment 3**. A map of the broader surrounding area is at **Attachment 4**.

### **Surrounding transport networks**

47. Burwood Highway, to the north of the site, is a major arterial road through the municipality that extends generally in an east-west direction. Adjacent to the site, Burwood Highway has a road reservation width of approximately 57 metres, providing 3 lanes of through traffic travel in each direction as well as left and right turn lanes and a bus lane.
48. Burwood Highway is an arterial road managed by the Department of Transport and Planning (DTP) and is covered by the Transport Zone (TRZ2) under the Planning Scheme providing three lanes of traffic in each east/west direction. A service lane on each side of the road accommodates on-street parking and access to local streets. A bus lane is located at the traffic signals (Burwood Hwy/Hanover Rd intersection) for access to the Vermont South bus/tram interchange, located approximately 120 metres west of the Amendment site. A posted speed limit of 80km/h applies to Burwood Highway.
49. A short service road (Moondani Drive) is located on the south side of the road reservation at the north east edge of the site and is partly on Victoria Grange land. The service road provides access to Victoria Grange and to the eastern entry/exit point of the Amendment land. The service road is entered by a deceleration slip lane on Burwood Highway. The road into Victoria Grange from this service road is also called Moondani Drive and is a private road with a gate that restricts access to the public
50. Further east of the site, long service roads provide access to the residential properties that front both sides of Burwood Highway and to intersecting local streets.

51. On Burwood Highway to the west of the site is the Vermont South tramline where the route 75 tram between Marvel Stadium and Vermont South Shopping Centre terminates. A bus interchange also operates from this tram terminus.
  
52. Hartland Road, to the west of the site is a 'Collector Road' on the City of Whitehorse Register of Roads and is aligned in a north-south direction. Hartland Road is signalised at Burwood Highway and provides a single through traffic lane and a shared parking/bicycle lane in each direction. The default urban speed limit of 50km/h applies to Hartland Road. The offset signalised intersection also provides access across Burwood Highway to Hanover Road which takes traffic north of Burwood Highway.

## **PART 3: BACKGROUND TO THE AMENDMENT**

### **Chronology of events (Panel Direction 9a)**

53. The site was sold in 2017. As the site is no longer used for a public purpose it is therefore no longer appropriate for the land to be in a zone intended for a public purpose. Council has been in discussions with the landowner in relation to the future use and rezoning of the site since the site was sold.
54. A formal request to amend the Whitehorse Planning Scheme was lodged by Tract consultants on 21 May 2018 on behalf of t PAN Investments Australia acting for the landowner, Dandenong Views Pty Ltd.
55. Council would not support the amendment in the initial request. Concerns included matters such as building height and the relationship to the strategic work guiding amendment C220whse (being the *Residential Corridors Built Form Study*) as well as interfacing properties, tree protection, built form setbacks and relationship to the heritage building, with further heritage assessment being needed to support any future development.
56. Since the initial request for an amendment numerous meetings and discussions between Tract consultants and Council officers have occurred to refine the Amendment. An updated amendment request was lodged in October 2021 and forms the basis of the current Amendment C230whse.
57. Council resolved to request Authorisation from the Minister for Planning at its meeting on 13 December 2021. The request for authorisation was made to the former Department of Environment, Land, Water and Environment (**DELWP**) on 24 December 2021.
58. Council officers liaised with former DELWP representatives both prior to and after seeking authorisation.
59. The former DELWP authorised the Amendment on 11 April 2022.
60. Exhibition of the Amendment commenced on Thursday 2 June 2022 when Notice of the Amendment appeared in the Victoria Government Gazette. Exhibition closed on 5 July 2022.
61. Forty-three (43) objecting submissions were received during the exhibition period. Council considered those submissions at its meeting on 26 September 2022 and resolved to request the Minister for Planning to appoint an Independent Planning Panel to consider the Amendment and all submissions. Council did not make any changes to the Amendment as a result of the submissions
62. A Directions Hearing was held on 28 October 2022. The Panel issued written directions on 7 November 2022.
63. The Panel conducted an accompanied site inspection on 21 November 2022. After the site inspection, the Panel sent a letter dated 29 November 2022 outlining a list of issues that it would be seeking clarification on at the main hearing.

## **PART 4: STRATEGIC CONTEXT & ASSESSMENT (*Panel Direction 9b*)**

### **Purpose of the Amendment**

64. The proposed Amendment rezones land in the TRZ4 that is no longer required for a public purpose. The land is now in private ownership and the TRZ4 has subsequently become redundant and does not enable use and development that is not in accordance with the transport purpose of the public land zone.
65. The proposed Amendment will facilitate the residential redevelopment of a strategic development site in a well-serviced area of Vermont South that is close to an activity centre, public transport, public open space and the Tally Ho Business Park.
66. The new suite of planning controls will guide the transition of the site from a redundant TRZ4 site to a residential land use which better aligns with the surrounding residential area and the nearby activity centre context.
67. The DDO will ensure any future development of the site respects the existing heritage and landscape context of the site and responds to the existing neighbourhood character by providing an appropriate transition at the interfaces with the established adjacent residential area. The DDO will also respond to the opportunities and constraints presented by the site and allow for housing growth and diversity.
68. The unique landscape character of the land will be preserved and enhanced through the application of the SLO and VPO. These controls have distinct purposes.
69. The SLO has been applied in recognition of the landscape significance of the broader site; protecting existing trees and trees into the future, consistent with the purpose of the SLO:
  - *To identify significant landscapes.*
  - *To conserve and enhance the character of significant landscapes.*
70. Schedule 10 to the SLO sets out the landscape character to be achieved, which is broader than tree protection and includes the following objectives:
  - *To ensure that development responds to and maintains the landscape integrity and legacy of the original Beryl Mann native landscape design.*
  - *To encourage continuation of the landscaped courtyard structure to complement the building layout.*
71. The VPO has been applied to protect individual tree specimens to recognise their “*special significance, natural beauty, interest and importance*” as per the purpose of the overlay. The VPO has been used in this way across the City of Whitehorse through VPO schedules 1, 3 and 5.
72. The EAO recognises the research and testing activities on the land by the ARRB. The EAO is required to ensure any potential contamination on the land is identified and remediated prior to any sensitive use (including residential) occurring on the land.

73. The updated Statement of Heritage Significance for the HO is based on additional investigation through this amendment process of the heritage features of the site. In particular, the updated Statement has been informed by the *Conservation Management Plan* (revised February 2021) for the site by Bryce Raworth. The heritage features of the site will continue to be protected via the updated Statement of Heritage Significance that clearly outlines the significant and contributory elements of the heritage place to be retained and guides how future development should address these significant elements. It is acknowledged that application of the HO was one of the Minister's early inclusions in the City of Whitehorse, gazetted in 2001 (Amendment C3). This highlights the importance of the site while at the same time acknowledging the limitations of the heritage information required at the time.

### **Ministerial Directions**

74. There are several Minister's Directions that are relevant to the Amendment. These are outlined below, including an explanation of how the Amendment responds:

#### *Ministerial Direction on the Form and Content of Planning Schemes*

75. The Amendment is consistent with the requirements of 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*

76. This Direction requires the planning authority to be satisfied that any land proposed for sensitive uses is free from potential contamination. It is proposed that an EAO be applied to the site as part of the Amendment to ensure that potentially contaminated land issues are addressed before development for a sensitive use occurs.

#### *Ministerial Direction No. 9 Metropolitan Strategy*

77. This Direction outlines the requirements of planning scheme amendments considering relevant directions and policies in Plan Melbourne 2017-2050 being the relevant Metropolitan Planning Strategy. The proposed Amendment supports the following policy directions of Plan Melbourne:

- Policy 2.1.1 - Facilitate an increased percentage of new housing in established areas to create a city of 20-minute neighbourhoods close to existing services, jobs and public transport. The Amendment proposes to rezone redundant TRZ land for the potential supply of new housing close to existing infrastructure in an accessible urban location that is close to a large neighbourhood activity centre, areas of employment, a range of community facilities and public transport.
- Policy 2.1.4 – provide certainty about the scale of growth in the suburbs. The proposed rezoning and application of overlay controls specify requirements for future development and provide certainty around the extent and form of development envisaged for the Amendment land.
- Policy 2.2.3 – support new housing in activity centres and other places that offer good access to jobs, services and public transport. The proposed Amendment



facilitates the delivery of additional housing that will add diversity to housing choice in a location close to public transport, an activity centre, community facilities and an employment precinct.

- Policy 2.4.2 – Facilitate the remediation of contaminated land, particularly on sites in developed areas of Melbourne with potential for residential development. The proposed application of the EAO will ensure that any contaminated land is appropriately remediated prior to the commencement of residential development or other sensitive uses.
- Policy 4.4.1 – Recognise the value of heritage when managing growth and change. The proposed Amendment ensures the longevity of the heritage place by facilitating its adaptive reuse, and enabling future growth and change in a manner that respects the significance of the heritage asset.
- Policy 5.1.1 – Create mixed-use neighbourhoods at varying densities. The proposed Amendment will enable diversity in housing and opportunities for some non-residential uses in accordance with the RGZ.

#### *Ministerial Direction No 11 – Strategic Assessment of Amendments*

78. This Direction requires a comprehensive strategic evaluation of a planning scheme amendment. The requirements of this Direction are satisfied by the explanatory report and amendment documentation.

#### **Planning Practice Notes**

79. The following Planning practice notes (**PPN**) are relevant to the Amendment. These are outlined below, including an explanation of how the Amendment responds:

##### *PPN30: Potentially Contaminated Land*

80. This Practice Note provides guidance on how to identify potentially contaminated land, the appropriate level of assessment of contamination in different circumstances and how to incorporate appropriate provisions into planning scheme amendments.

81. Due to the nature of the past use of the site by the ARRB and the various bitumen and concrete testing operations that occurred on the land, the Amendment proposes to apply the EAO to the site. This will ensure that remediation of any contaminated land occurs before the land is developed for residential or other sensitive uses.

##### *PPN46: Strategic Assessment Guidelines*

82. Minister's Direction No. 11 requires a planning authority to evaluate and discuss how an amendment addresses a number of strategic considerations. PPN46 explains what should be considered as part of the direction. The Amendment addresses these guidelines in the explanatory report.

##### *PPN59: The Role of Mandatory Provisions in Planning Schemes*

83. While planning schemes are predominantly performance based, there will be circumstances where a mandatory provision is warranted, will provide certainty and will ensure a preferable and efficient outcome. PPN59 sets out criteria that can be used to decide whether mandatory provisions may be appropriate.
84. The Amendment includes mandatory and non-mandatory built form requirements in the DDO6 to strike an appropriate balance between housing supply, managing heritage and landscape characters and response to residential interfaces. The mandatory boundary setbacks and building heights seek to provide a suitable transition in building form and height from the adjoining NRZ5 to the taller apartment buildings that are central to the site and where discretion in height is proposed to be applied. The proposed mandatory height and setback control for the proposed apartment form at the north-west corner of the site is strongly informed by the *Residential Corridors Built Form Study* and the proposed DDO under Amendment C220. The Amendment C220 area adjoins this part of the site. The height of the central apartment forms (albeit discretionary) is also guided by Amendment C220 and the Built Form Study.

*PPN90: Planning for Housing*

85. The Amendment area is consistent with the substantial change characteristics outlined in PPN90 by virtue of its large size, proximity to activity centres, public transport and employment precincts, and its ability to create a new built form character.

*PPN91: Using the residential zones*

86. While the site does have special heritage and landscape qualities, these aspects can be appropriately managed through the overlay controls proposed. In accordance with PPN91, the RGZ is the most appropriate zone to apply to areas identified for substantial change.

**Planning Policy Framework and any adopted State policy**

87. The Planning Policy Framework (**PPF**) supports land use and development that takes advantage of existing infrastructure in established areas of Melbourne. Relevant policies include:

*Clause 11.02-2 – Supply of urban land*

88. The Amendment will increase the supply of housing in an existing urban area by rezoning underutilised land for higher density residential development.

*Clause 12.01-2S – Native vegetation management*

89. This policy seeks to ensure there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. Given the site is greater than 0.4 hectares there are likely to be permit triggers under Clause 52.17 for the removal of

native vegetation from the site. This is something that would need to be addressed as part of a future planning permit application, but may have built form implications.

*Clause 12.05-2S – Landscapes*

90. The Amendment seeks to protect and enhance the significant vegetation and landscape character of the ARRB site by identifying and protecting outstanding tree specimens via a VPO control and through the application of a SLO to ensure that the landscape character, in particular, tree canopy, is maintained into the future and enhanced as the site transitions to a residential use.

*Clause 13.04-1S – Contaminated and potentially contaminated land*

91. This policy seeks to ensure that contaminated and potentially contaminated land is used and developed safely and that any contamination is remediated before a site is used or developed for a sensitive use.

92. Due to the nature of the past use of the site by the ARRB and the various bitumen and concrete testing operations that occurred on the land, the Amendment proposes to apply the EAO to the site. This will ensure that remediation of any contaminated land occurs before the land is developed for residential or other sensitive use.

*Clause 13.05-1S – Noise Management*

93. This policy seeks to manage noise impacts to sensitive uses, including a consideration of the impact on human health from noise exposure to occupants of sensitive land uses (residential use, child care centre, school, education centre, residential aged care centre or hospital) near the transport system.

94. The DDO6 requires a generous setback to most of the Burwood Highway frontage, which will in part assist with management of noise to future occupants. The proposed building envelope in the north-west corner of the site is setback in a manner consistent with the *Residential Corridors Built Form Study* (that applies to the Burwood Highway corridor to the west of the site) to address amenity considerations which in part would assist with noise management.

*Clause 13.06-1S – Air quality management*

95. This policy seeks to protect and improve air quality. One of the strategies to achieve that policy includes to minimise air pollutant exposure to occupants of sensitive land uses near the transport system through suitable siting, layout and design responses.

96. The DDO6 requires a generous setback to most of the Burwood Highway frontage, which will in part assist with management of air quality impacts to future occupants. It is expected that the proximity of the site to facilities and public transport will reduce the need for car use, hence potentially reducing emissions.

*Clause 15.01-1S – Urban design*

97. This policy requires development to consider and respond to the local context and contribute to functional, enjoyable and safe urban environments that improve amenity.

The proposed controls, and particularly the DDO schedule will require development proposals to respond to the landscape, built form and surrounding context and to respect existing elements of heritage significance.

*Clause 15.01-3S – Subdivision design*

98. This policy supports the creation of liveable and sustainable residential areas that are safe, attractive and diverse. The Amendment will facilitate a range of lot sizes to suit a variety of dwelling and household types, catering for differing needs and aspirations. The location of the site in a well-serviced area of Vermont South promotes sustainable lifestyles through reduced car dependency. The amendment concept plan in DDO6 proposes to provide communal open space, including the sizable front setback to the former ARRB administration building which Council is advised is intended to be publicly accessible.

*Clause 15.03-1S – Heritage conservation*

99. Clause 15.03-1S provides a list of strategies to ensure the conservation of places of heritage significance. The Amendment will ensure the conservation of the heritage place, while also enabling adaptive reuse of a heritage building where the former use has become redundant.

100. The built form requirements and building envelopes in the DDO6 ensure that an appropriate setting and context for the heritage place is maintained. The inclusion of an updated Statement of Heritage Significance in HO23 will also provide more specific direction in relation to future development at the site.

*Clause 16.01-1R – Housing supply – Metropolitan Melbourne*

101. This regional policy encourages the supply of new housing in proximity to neighbourhood activity centres with good access to public transport that assist in the delivery of 20-minute neighbourhoods. The proposed rezoning will facilitate the delivery of higher density forms of housing close to existing shops, services and public transport.

*Clause 18.01-1S – Land use and transport planning*

102. This policy seeks to “create a safe and sustainable transport system by integrating land use and transport”. The Amendment site is located on a major road that is serviced by bus routes and a tram route, which terminates approximately 120 metres from the north east-corner of the site, at the Vermont South shopping centre.

103. This allows for access to the site by private vehicle, public transport and active transport and integrates future land use with the surrounding uses and transport modes.

104. Rezoning of the land and the application of overlay controls will support the above policies by facilitating residential development on a large, well-located site that benefits from close proximity to a variety of services and facilities.

## **Local Planning Policy Framework (LPPF) the Municipal Strategic Statement (MSS)**

105. There are several local planning objectives at Clause 21 and Clause 22 of the Whitehorse Planning Scheme which are relevant to the Amendment. Council notes that it is yet to complete a neutral translation of its LPPF and MSS into the PPF format. This is in progress. To the extent that Amendment C230whse only updates two maps in the MSS and LPPF (being the Housing Framework Plan at Clause 21.06 and the Neighbourhood Character Precincts at Clause 22.03, both to include the subject land) this change is unlikely to be affected by the PPF translation.

### *Clause 21.05 – Environment*

106. This clause acknowledges the natural, visual and built environment features that are significant to the municipality. In particular, tree preservation is noted as being “vitaly important within the City”.
107. Key issues include the promotion of vegetation protection and regeneration, heritage protection, design excellence and visual amenity. As the site contains numerous large and significant canopy trees, it is important that the amendment promotes the protection and enhancement of this landscape quality.
108. The proposed VPO recognises the three outstanding tree specimens on the site, while the SLO seeks to preserve and enhance the landscape character that is unique to this site.

### *Clause 21.06 – Housing*

#### *Clause 21.06-1 – Overview*

- This clause recognises that the municipality is under increasing pressure to accommodate more people who are attracted to the area, while also retaining the valued high-quality residential environment.
- The Amendment nominates the site as a ‘substantial change’ area with opportunities for housing growth at increased densities on a site that can support a substantial number of new houses.

#### *Clause 21.06-2 – Vision*

- As stated in Clause 21.06-2, the vision for housing in the City is “To ensure that housing in the City of Whitehorse meets residents’ needs in terms of location, diversity, sustainability, accessibility, affordability and good design.”
- The proposed Amendment seeks to meet the needs of future residents by promoting housing growth in locations within walking distance of public transport and local services such as shops, parks and education.
- The mix of townhouse and apartment style dwellings will increase the diversity of the housing mix, catering to a wide range of needs and lifestyle preferences. While the Amendment will facilitate new development, the overlay controls will ensure

that the valued heritage character and landscape significance is preserved and sensitive interfaces appropriately managed.

*Clause 21.06-3 – Housing location*

- The proposal aligns with substantial change area objectives and supports increased residential densities and housing choice in a location with good access to public transport, services and facilities as well as provide space for planting (in this case, tree retention and space for future trees) together with communal spaces to enhance the amenity and liveability of higher density development.
- A strategy is to “apply a Development Plan Overlay (DPO) or Design and Development Overlay (DDO) to guide the design and built form of new development as appropriate”. The proposal responds to this by proposing a DDO to guide future development.

*Clause 21.06-4 – Housing diversity*

- The amendment seeks to diversify the variety of housing types within Vermont South by providing opportunities for townhouse and apartment dwelling styles.

*Clause 21.06-5 – Housing affordability*

- The amendment will facilitate a range of housing types and sizes that will provide housing opportunities at varying price points, for a diverse array of future residents.

*Clause 21.06-6 – Housing design*

- The proposed overlay controls seek to facilitate an appropriate design response in a substantial change area that contributes to the neighbourhood character while supporting additional housing. Clause 21.06 also seeks to create “a valued and identifiable sense of place in Substantial Change Areas and providing an appropriate design response in locations with potential to support additional housing. The amendment responds to this by ensuring future development integrates with and respects the site’s heritage and landscape features.

*Clause 22.01 – Heritage buildings and precincts*

109. The Amendment seeks to maintain and preserve the existing heritage place, allowing for its appropriate adaptive reuse, while also ensuring that new development on the site is sympathetic to the heritage fabric and context.
110. The Amendment will update the Statement of Significance applying to the site, providing greater clarity on significant and contributory elements of the heritage place. Future planning permit applications will need to be supported by a Heritage Impact Assessment and management plan for the future conservation and reuse of the former administration building.

*Clause 22.03 – Residential development*

111. Clause 22.03-2 includes numerous objectives about residential development in the municipality. These include, to ensure development contributes to the preferred



neighbourhood character where specified, to ensure that new development does not detract from the natural environment and ecological systems, and to recognise the potential for change as a result of new social and economic conditions, changing housing preferences and state and local planning policies.

112. The proposed amendment will ensure that any future development contributes to the neighbourhood character of the established residential area to the west, south and east. To this end, the amendment proposes to include the site in the Garden Suburban 7 neighbourhood character precinct that surrounds it. The proposed application of the DDO6 identifies design objectives and lists requirements around built form, landscaping and traffic and transport.

*Clause 22.04 – Tree Conservation*

113. The proposal seeks to retain high and medium value trees on the site and incorporate these into the future design response. Three outstanding tree specimens will be individually recognised under the VPO5, and the broader landscape character of the site will be retained and enhanced via the SLO10 which will enable consideration of significant trees across the whole site.

*Clause 22.10 – Environmentally Sustainable Development*

114. The proposed Amendment supports Council's commitment to creating an environmentally sustainable city. The DDO6 requires the consideration of ESD principles and development that has the potential to attain a long-term, zero carbon outcome.

## **PART 5: ISSUES IDENTIFIED IN SUBMISSIONS (*Panel Direction 9c*)**

115. There were four main issues identified through the submissions:

- Height, built form and DDO6.
- Future traffic considerations.
- Removal of vegetation.
- Contaminated land, noise and air quality.

116. A summary of the submissions is provided below.

### **Height, Built Form and DDO6**

117. Thirty-seven (37) submitters raised concerns about the proposed height of buildings that the DDO6 will allow (refer to Figure 12). The main concern related to the designation of 'mandatory' heights for some buildings and 'preferred' (i.e.: discretionary) heights for others.

118. Residents from Victoria Grange expressed concern that there would be considerable overlooking from:

- the proposed apartments, anticipated to be centrally located on the site; and
- the three storey townhouse buildings proposed along the southern edge of the site.

119. Submitters suggested the following changes to the DDO6 to address their concerns:

- All buildings across the site should have mandatory height limits imposed.
- Buildings on the boundary of the site should be limited to a mandatory two-storey maximum.
- Given the fall of the land to the south, south facing apartments should be reduced in height to address potential overlooking to the south.
- More detailed design guidelines are needed to address overlooking onto the adjacent Victoria Grange.
- The setback from the southern boundary of the site should be a minimum of 9m to ensure adequate landscaping, and to minimise overlooking and overshadowing.

120. Although most of the submissions regarding building heights and the DDO came from the residents of Victoria Grange, a submission was also received from an adjoining resident on the north-western boundary of the site with concerns about the apartment built form on the north-western corner of the site. The submitter raised concern that while the town house development along the western boundary of the amendment site respects the neighbouring built form and scale of adjoining dwellings, because of the proposed north-western apartment, this principle has not been applied consistently.

121. The submitter asserts that any development on the north-western boundary of the site should be no more than three storeys in recognition of the sensitive residential interface.

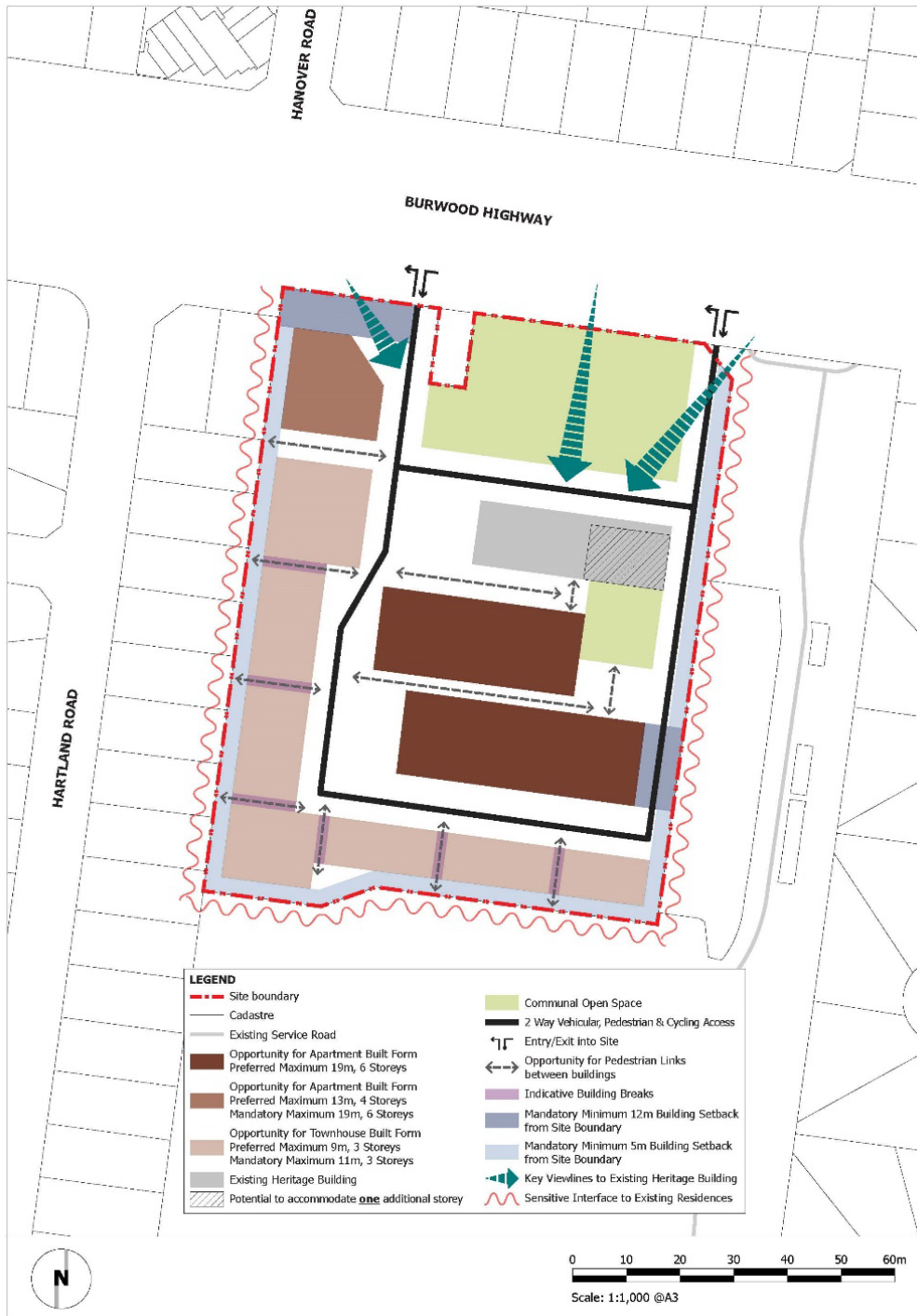


Figure 12: Proposed DDO6 Concept Plan

### **Future traffic considerations**

122. Forty-one (41) submissions raised concerns about traffic. Notably, the former Department of Transport (now DTP), as the manager of Burwood Highway, indicated that it had no objections to the proposed Amendment.
123. A number of submitters raised concern about the impacts that the construction period and future residents would have on traffic movements around the subject site.
124. Almost every submission from the residents of Victoria Grange raised traffic concerns, particularly the increased number of vehicles that would be using 'Moondani Drive,' the small service road that services Victoria Grange and the north-east corner of the Amendment land. The submissions received in relation to traffic can be summarised as follows:
- The high volume and speed of traffic (80kmh) on Burwood Highway already makes exiting from Victoria Grange difficult which will be exacerbated by new car movements generated by development of the site.
  - Any new development at the Amendment site must provide and use a completely separate access way to avoid using the service road and Moondani Drive.
  - Access into the high speed traffic environment on Burwood Highway will be an issue both during construction and when residents move into the development.
  - The Amendment should be modified to require that the access point at the north east corner of the proposed development be provided with a new separate access road directly to Burwood Highway with no access at all via the Victoria Grange service road.
  - Victoria Grange only has one entry/exit point to the site which means that a large number of traffic movements already exist on Moondani Drive including residents, visitors, staff, trades and services and emergency vehicles such as ambulances.

### **Removal of vegetation**

125. Two (2) submitters raised concerns reading the removal of vegetation.
126. One submission was received from a resident adjoining the subject site in Hartland Road. The submitter raised concern about the removal of vegetation, particularly the gum trees along the western boundary of the site. The submitter suggested that this portion of land should not be included in the Amendment.
127. A submission was also received from an abutting resident on the north-western boundary of the site. That submitter raised concern about any proposed removal of the hedge<sup>1</sup> that forms a visual and noise buffer to the properties at 1 and 2/490-500 Burwood Highway (part of the site).

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<sup>1</sup> Which is approximately 7 metres in height.

## **Contamination, air quality and noise considerations**

128. The EPA submitted that Council should consider the following:

- Justification of the decision to defer the assessment of contamination land, in the context of the requirements in PPN30.
- Noise and air quality impacts on the future residential development from Burwood Highway.

**PART 6: ANY SUGGESTED CHANGES TO THE AMENDMENT IN  
RESPONSE TO SUBMISSIONS (*Panel Direction 9d*)**

129. Council considered the submissions at its meeting 26 September 2022. No changes were made to the Amendment in response to submissions at that time.

## **CONCLUSION**

130. Council will provide a more detailed response to submissions, expert evidence circulated by the landowner, a response to issues raised by the Panel in letter dated 29 November 2022 and its final position on the Amendment in the Part B submission.

## ATTACHMENTS





## Department of Environment, Land, Water and Planning

8 Nicholson Street  
East Melbourne, Victoria 3002  
PO Box 500  
East Melbourne, Victoria 8002

Mr Simon McMillan  
Chief Executive Officer  
Whitehorse City Council  
Email address: [tessa.bond@whitehorse.vic.gov.au](mailto:tessa.bond@whitehorse.vic.gov.au)

Dear Mr McMillan

### **PROPOSED WHITEHORSE PLANNING SCHEME AMENDMENT C230**

I refer to your council's application for authorisation to prepare an amendment to the Whitehorse Planning Scheme. The amendment proposes to Rezone the land at 490-500 Burwood Highway, Vermont South from the Transport Zone (TRZ) to the Residential Growth Zone (RGZ) and apply the Design and Development Overlay (DDO), Environmental Audit Overlay (EAO), Significant Landscape Overlay (SLO) and Vegetation Protection Overlay (VPO) and update the Heritage Overlay (HO) Statement of Significance.

Under delegation from the Minister for Planning, in accordance with section 8A of the *Planning and Environment Act 1987* (the Act) I authorise your council as planning authority to prepare the amendment subject to the following conditions:

1. The key amendment documents be updated to reflect the current zoning is Transport Zone Schedule 4 (TRZ4). These documents include the Explanatory Report, the Strategic Assessment Guidelines Checklist, and the Planning Report. Other documents do not need to be updated unless the advice within the document will change due to the zone change from PUZ4 to TRZ4.
2. The list of what the amendment does in the Explanatory Report be revised to include a full list of all changes to the planning scheme consistent with the revised draft Explanatory Report DELWP will supply to Council officers.
3. For exhibition, the Design and Development Overlay Schedule 6 be updated to reflect the track-changes version DELWP will supply to Council officers.

The amendment must be submitted to the Minister for approval.

The authorisation to prepare the amendment is not an indication of whether the amendment will ultimately be supported.

Please note that [Ministerial Direction No. 15](#) sets times for completing steps in the planning scheme amendment process. This includes council:

- giving notice of the amendment within 40 business days of receiving authorisation; and
- before notice of the amendment is given, setting Directions Hearing and Panel Hearing dates with the agreement of Planning Panels Victoria. These dates should be included in the Explanatory Report ([Practice Note 77: Pre-setting panel hearing dates](#) provides information about this step).

The Direction also sets out times for subsequent steps of the process following exhibition of the amendment.

#### **Privacy Statement**

Any personal information about you or a third party in your correspondence will be protected under the provisions of the Privacy and Data Protection Act 2014. It will only be used or disclosed to appropriate Ministerial, Statutory Authority, or departmental staff in regard to the purpose for which it was provided, unless required or authorised by law. Enquiries about access to information about you held by the Department should be directed to the Privacy Coordinator, Department of Environment, Land, Water and Planning, PO Box 500, East Melbourne, Victoria 8002



**OFFICIAL**

The Minister may grant an exemption from requirements of this Direction. Each exemption request will be considered on its merits. Circumstances in which an exemption may be appropriate are outlined in [Advisory Note 48: Ministerial Direction No.15 – the planning scheme amendment process](#).

The changes proposed to the Local Planning Policy (LPP) must be drafted to take into consideration the Local Planning Policy Framework (LPPF) translation which will be undertaken as part of the Smart Planning program. The LPPF translation will have the effect of changing the way the local policy is ultimately presented in the planning scheme, by integrating the content into the new Municipal Planning Strategy (MPS) and the Planning Policy Framework (PPF) introduced by Amendment VC148. Council needs to ensure that changes to local policy content are consistent with the rules in Section 4 and writing instructions in Section 6 of the Practitioners Guide to Victorian Planning Schemes.

In accordance with sections 17(3) and (4) of the Act, the amendment must be submitted to the Minister **at least 10 business days** before council first gives notice of the amendment.

Please submit the amendment electronically using the Amendment Tracking System (ATS).

If you have any further queries in relation to this matter, please contact Mick Kannegiesser, Department of Environment, Land, Water and Planning, on 8508 2064 or email [mick.kannegiesser@delwp.vic.gov.au](mailto:mick.kannegiesser@delwp.vic.gov.au).

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'J. Close', is written over a faint circular stamp.

**Jason Close**  
**Manager State Planning Services**

11 April 2022

## WHITEHORSE PLANNING SCHEME

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## SCHEDULE 6 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO6**.

### 490-500 BURWOOD HIGHWAY, VERMONT SOUTH (FORMER AUSTRALIAN ROAD AND RESEARCH BOARD SITE)

#### 1.0 Design objectives

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To facilitate an integrated residential development that delivers a range of housing typologies including townhouses and apartments that incorporate Environmentally Sustainable Development (ESD) and Integrated Water Management (IWM) principles.

To support the appropriate adaptive reuse of the existing heritage buildings and a sympathetic design response that maintains key viewlines, particularly from Burwood Highway and the existing western entry road, to the former Administration building.

To retain the spacious and landscaped setting of the Burwood Highway frontage and enhance the existing landscape character of the site by retaining significant trees and stands of trees, and providing new landscaping that reflects the original landscaping themes.

To ensure the form and scale of development at the interface with land located in the Neighbourhood Residential Zone appropriately responds and transitions to the established lower scale development in the Garden Suburban 7 precinct.

To ensure high quality architectural, urban design and landscape outcomes that are responsive to the site's features and interfaces.

#### 2.0 Buildings and works

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A permit is not required to:

- Construct or extend one dwelling on a lot of more than 300 square metres.
- Construct or carry out works normal to a dwelling.
- Construct or extend an outbuilding (other than a garage or carport) on a lot provided the gross floor area of the outbuilding does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.
- Make structural changes to a dwelling provided the size of the dwelling is not increased, or the number dwellings is not increased and does not compromise the overall external design.
- Undertake works associated with a preliminary risk screen assessment statement in accordance with the *Environment Protection Act 2017*, or the remediation of the site in accordance with or for the purpose of obtaining a certificate or statement of environmental audit under the *Environment Protection Act 2017*.

##### Fences

A planning permit is required for any fencing along the frontage to Burwood Highway.

##### Built Form

The following buildings and works requirements apply to an application to construct a building or construct or carry out works.

- All buildings and works should be consistent with *Figure 1 - Concept Plan*.
- All buildings must not exceed the mandatory maximum building heights (storeys and metres) and should not exceed the preferred maximum building heights (storeys and metres) as indicated on *Figure 1 - Concept Plan*. **A planning permit cannot be granted to vary the mandatory height requirements.**
- All buildings must be set back a mandatory minimum 5 metres or 12 metres from land in the adjoining Neighbourhood Residential Zone as shown in *Figure 1 - Concept Plan*

to respect the existing character and amenity of established residential areas. A planning permit cannot be granted to vary this requirement.

- Apartment buildings should only be developed in the locations specifically identified for apartments in *Figure 1 – Concept Plan*.
- Apartment developments above four storeys must-should be set back at the upper two levels in order to create a distinguishable podium element with recessive upper levels that have limited visibility from the internal streets, adjacent Neighbourhood Residential Land and the Burwood Highway frontage. Balconies should not significantly encroach into upper level setbacks.
- Development must-should avoid creating a continuous wall of built form by providing physical breaks that accommodate vegetation and provide viewlines between apartment buildings and rows of townhouses.
- The upper levels of townhouses must-should be recessive and additional breaks should be provided between upper levels to provide articulation and reduce visual bulk, particularly when viewed from adjoining land in the Neighbourhood Residential Zone.
- Dwellings located on corner sites must-should be designed to address both interfaces to the public/municipal realm, including opportunities for passive surveillance.
- Buildings must-should provide a high quality architectural response through appropriate building massing and articulation, building materials, finishes and design detail.
- Buildings must-should be sited and designed to maintain the prominence and significance of the heritage building and other key heritage characteristics of the site such as the courtyard structure.
- Pedestrian and bicycle connections should be provided throughout the site, through a network of streets and paths, and through breaks between buildings.
- The development should be designed to maximise northerly aspects for passive solar design, natural ventilation and cooling, energy efficiency performance, and thermal comfort. In addition, natural lighting, urban greening and integrated water management are required to be incorporated into any new development.
- Building design must-should minimise screening as a means of addressing overlooking.
- Development should provide a mix of dwelling sizes, including one, two and three bedroom dwellings.

**Former Administration Building**

- The former Administration building must-should read as a standalone building from Burwood Highway.
- No buildings are to be constructed between Burwood Highway and the north façade of the former Administration building. A planning permit cannot be granted to vary this requirement.
- No buildings are to be constructed between Burwood Highway and the north façade of the former Administration building.
- Any additional car parking between Burwood Highway and the former Administration building should be subservient to the dominant landscape setting.
- Additions to, or new structures to the rear of the former Administration building must-should be respectful of the mass, form and detail of the heritage building.
- Any proposed works to extend above the former administration building must-should be:
  - limited to one additional level above the eastern end of the building
  - setback at least 2 metres from the north façade
  - designed with a simple form and complementary materials to appear visually recessive relative to the existing building
- Any proposed works to extend the footprint of the former administration building must-should:

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- be located to the rear (south) of the former administration building
- not exceed the height of the former administration building
- ~~be~~ designed to avoid any impact on the east courtyard at the rear of the former administration building.

**Landscaping**

- Retain existing significant trees and stands of trees, being those of high and medium value.
- Provide a landscape design that is a sensitive reinterpretation of the existing concept in the context of new residential use and development.
- Provide new landscaping, including canopy trees, and a chain of courtyards, that applaud Beryl Mann’s practical approach to the existing site landscape.
- Provide landscaped areas at the interfaces with existing residential land in the Neighbourhood Residential Zone.
- Provide a robust, low maintenance, drought-tolerant and aesthetically pleasing landscape that is inviting and is dominated by canopy vegetation.

**Traffic and Transport**

- Provide a permeable network of streets and open spaces to support safe and convenient vehicular, pedestrian and cycling movements.
- Provide appropriate road width in accordance with the requirements of Clause 56.06 to ensure practical and safe vehicular movement and facilitate on-street parking.
- Car parking for apartment developments should be located at basement or semi-basement level.
- The layout of on-street parking ~~must~~ should allow sufficient space for driveways, canopy tree planting in the road reserve, utility services and emergency vehicle access.

An application to construct a building or construct or carry out works that is more than 30 metres from the site boundary shown in *Figure 1-Concept Plan*, and that does not exceed the preferred maximum building height (storeys and metres) shown in *Figure 1 – Concept Plan* 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. This exemption does not apply to an application to ~~construct a building or~~ construct or carry out works within the area between the north façade of the former Administration building and Burwood Highway boundary.

**3.0**

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**Subdivision**

None specified.

**4.0**

~~Proposed~~  
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**Signs**

None specified.

**5.0**

~~Proposed~~  
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**Application requirements**

The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A Planning Report that demonstrates that the proposal:
  - is generally in accordance with the provisions of this Scheme;

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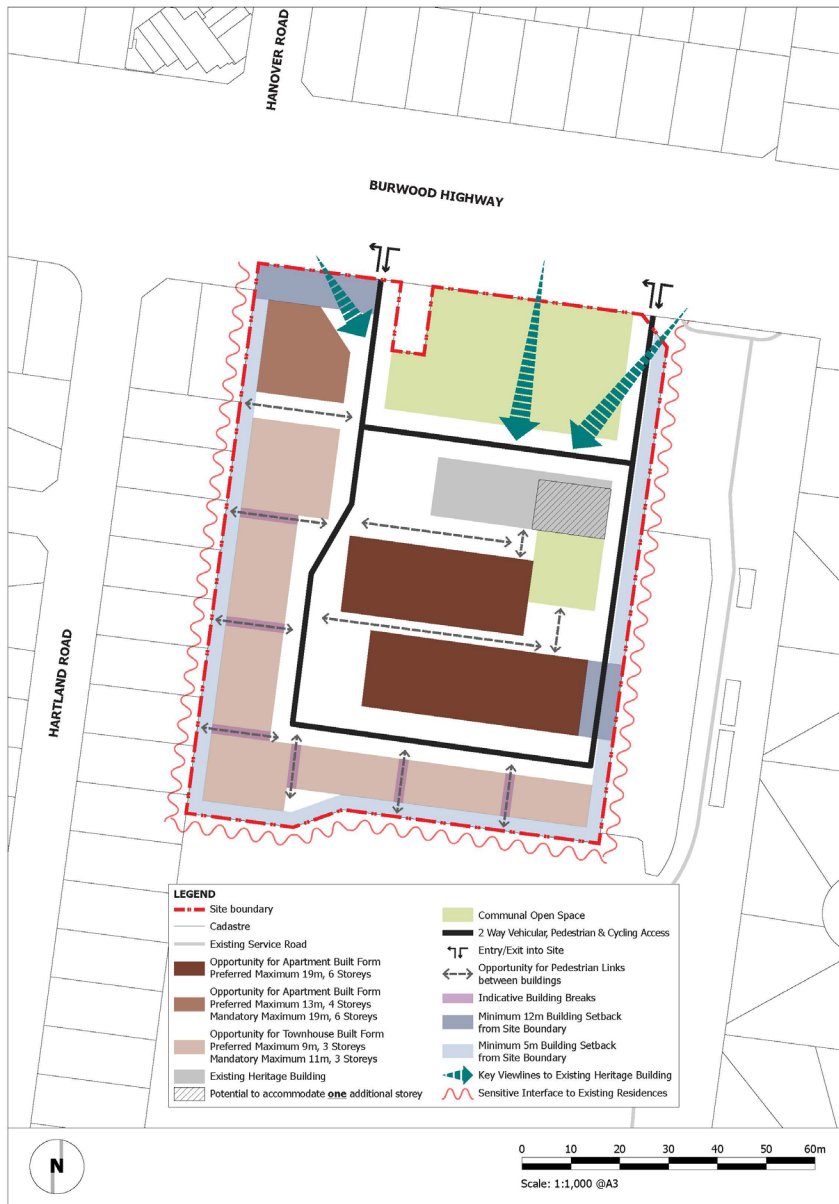
WHITEHORSE PLANNING SCHEME

- meets the design objectives and buildings and works requirements of Clause 1.0 and 2.0 of this schedule.
- An Urban Context Report that analyses the features of the land and its strategic planning context within the City of Whitehorse and metropolitan Melbourne. The report must also outline the residential community vision and the proposed housing mix for the site.
- A Heritage Impact Statement that analyses the relationship between proposed development and the existing heritage buildings and other elements of heritage significance.
- A management plan for future conservation and adaptive reuse of the former administration building that includes a prioritised Schedule of Conservation and Maintenance Works.
- A View Line Analysis and 3D modelling of the proposed development from vantages along Burwood Highway and surrounding areas to enable an assessment of the visual impact on the development on the existing heritage buildings and on the surrounding residential area.
- A report from a suitably qualified arborist that:
  - assesses the health of the trees and justifies any tree removal;
  - outlines the measures to be taken, particularly during construction phase, to ensure that long-term preservation of trees on, or adjoining , the development site.
- A Landscape Report that identifies vegetation to be retained, the future landscape vision, and landscape details for the site. Consideration must also be given to the staged removal of any vegetation and replacement planting to ensure that a dominant canopy tree presence at the interface is retained as the site is redeveloped.
- Plans which show, as relevant to the application:
  - The location, height, dimensions and floor area of the proposed building forms in the context of the immediately surrounding area
  - The indicative stages in which the land is to be developed.
  - The location of all vehicle, bicycle and pedestrian ways.
  - The location and layout of all car and bicycle parking areas and access and views to and from them.
  - The location of all communal open space.
  - The colours and details of materials to be used for external walls.
  - Annotation of WSUD and ESD measures on relevant plans.
  - The layout of vehicle and pedestrian access routes to surrounding public transport options.
- A Traffic Engineering Report prepared by a suitably qualified person confirming the suitability of traffic and access arrangements with reference to Clause 56.06 and the adequacy of the car parking provision.
- A Waste Management Report which provides details of waste collection, storage and removal facilities and areas.
- A Sustainability Management Plan which provides details regarding the Sustainable Design Assessment in the Planning Process (SDAPP) and Sustainable Subdivision frameworks, including the use of an ESD assessment rating tool. The Plan must include the following items:
  - o Energy performance;
  - o Integrated Water Management;
  - o Indoor Environment Quality;
  - o Transport;
  - o Waste Management, Materials and Circular Economy;

WHITEHORSE PLANNING SCHEME

- o Urban Heat; and
- o Ecology.

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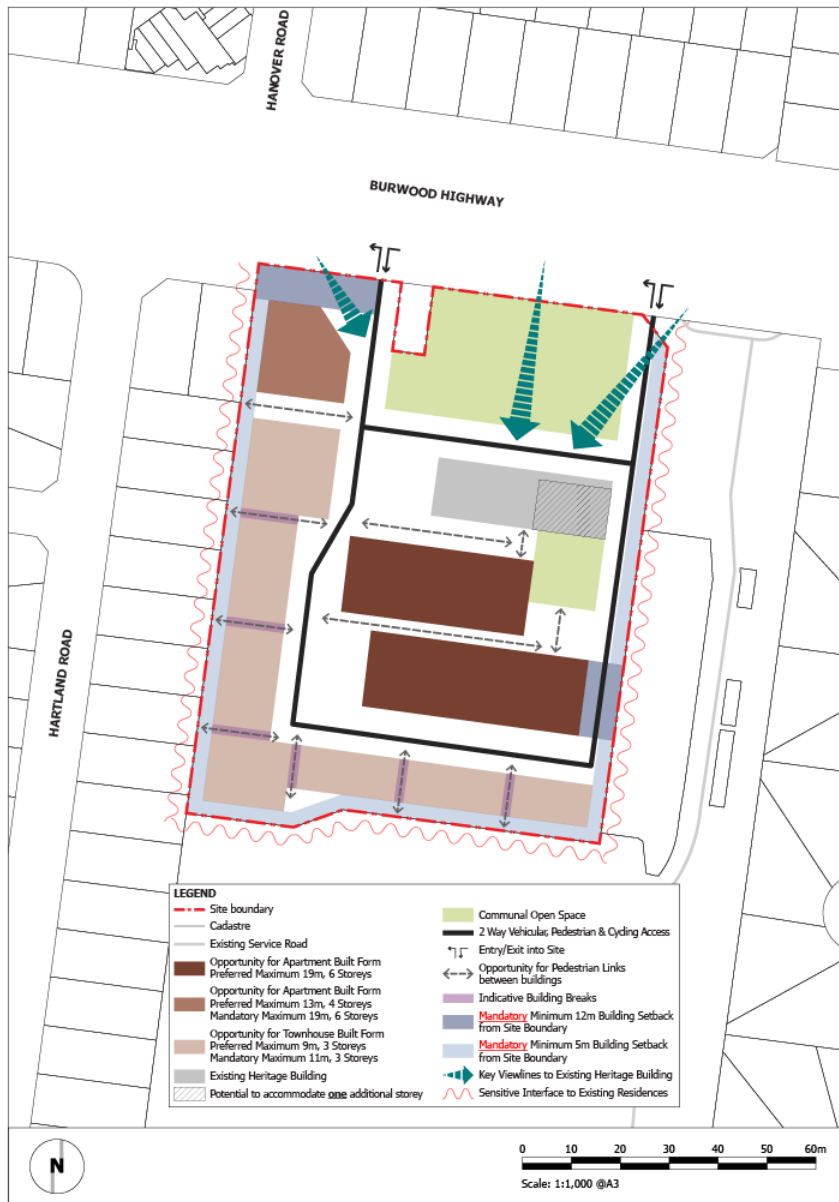


Figure 1 - Concept Plan

### 6.0 Decision guidelines

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The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

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- Whether the proposal achieves the design objectives of section 1.0, and the buildings and works requirements of section 2.0 of this schedule.
- The consistency of the proposed development with *Figure 1 – Concept Plan*.
- The reasonable, open, clear and unobstructed view lines from along Burwood Highway and surrounding area towards the existing significant heritage buildings.
  
- Whether the proposal respects and preserves the significant elements of the heritage place.
- Whether the development provides an appropriate transition to the adjoining properties in the Neighbourhood Residential Zone.
- The visibility of the upper levels of apartment buildings from internal streets, adjacent Neighbourhood Residential land and the Burwood Highway frontage.
- How the landscape design responds to the existing landscape character and Beryl Mann’s themes for the site, including the retention of significant vegetation.
- The impact of additional traffic generation and the provision of car parking and bicycle parking.
- The staging of development.
- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services, and public transport.
- The provision made for the storage of rubbish and materials for recycling in a manner that is screened from the public /communal realm.
- The proposed management arrangements for the maintenance of buildings, landscaping and paved areas.
- The design of the proposed buildings, their relationship to the streetscape and surrounding development and uses.
- The design of buildings, in response to ESD principles, that demonstrate that the development may attain a long-term, zero carbon, outcome.
- The application of IWM principles that address potential impacts concerning stormwater runoff, flooding, quality and drainage management, as well as, support water efficiency and the reduction of potable water demand.

*Planning and Environment Act 1987*

## **WHITEHORSE PLANNING SCHEME AMENDMENT C230whse**

### **EXPLANATORY REPORT**

#### **Who is the planning authority?**

This proposed amendment has been prepared by the Whitehorse City Council, which is the planning authority for this amendment.

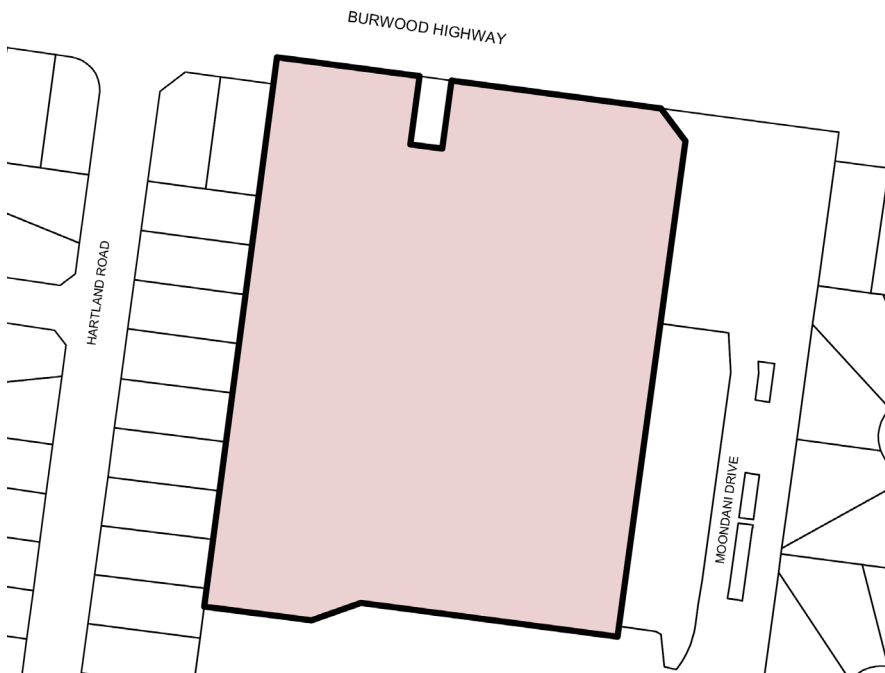
The proposed amendment has been made at the request of Tract, on behalf of the land owner.

#### **Land affected by the amendment**

The proposed amendment applies to the following three lots:

- 490-500 Burwood Highway, Vermont South;
- Flat 1/490-500 Burwood Highway, Vermont South;
- Flat 2/490-500 Burwood Highway, Vermont South.

The site is also known as the former Australian Road and Research Board (ARRB) site and is formally described as Lot 1 on Plan of Subdivision 518296N.



*Map 1 Location of the amendment area.*

#### **What the amendment does**

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The proposed amendment makes the following changes to the Whitehorse Planning Scheme.

- Amends the Local Planning Policy Framework at Clause 21.06 (Housing) by changing the map.
- Amends the Local Planning Policy Framework at Clause 22.03 (Residential Development) by changing the map.
- Rezones the land from the Transport Zone Schedule 4 (TRZ4) to the Residential Growth Zone Schedule 3 (RGZ3).
- Amends Schedule 5 to Clause 42.02 Vegetation Protection Overlay and applies it to the land.
- Inserts Schedule 10 to Clause 42.03 Significant Landscape Overlay into the planning scheme and applies it to the land.
- Amends the Schedule to Clause 43.01 Heritage Overlay to include reference to the updated statement of Significance, Former Australian Road and Research Board, 490–500 Burwood Highway, Vermont South – Statement of Significance (Whitehorse City Council, June 2021).
- Inserts Schedule 6 to Clause 43.02 Design and Development Overlay into the planning scheme and applies it to the land.
- Applies Clause 45.03 Environmental Audit Overlay (EAO) to the land.
- Amends the Schedule to Clause 72.04 to incorporate two documents, Former Australian Road and Research Board, 490–500 Burwood Highway, Vermont South – Statement of Significance (Whitehorse City Council, June 2021) and Statement of Tree Significance, 490–500 Burwood Highway, Vermont South (September 2021).
- Amends planning scheme maps 06DDO Design and Development, 06EAO Environmental Audit, 06SLO Significant Landscape, 06VPO Vegetation Protection and 06ZN Zones accordingly.

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#### Strategic assessment of the amendment

##### Why is the amendment required?

The proposed Amendment rezones land in the PUZ4 that is no longer required for a public purpose. The land is now in private ownership and the PUZ4 has subsequently become redundant and does not enable use and development that is not in accordance with the transport purpose of the public land zone. Land in private ownership cannot remain in a PUZ. A change to the zoning of the Amendment land is required to enable its future use and development.

The proposed Amendment will facilitate the residential redevelopment of a strategic development site in a well serviced area of Vermont South that is close to an activity centre, public transport, public open space and the Tally Ho Business Park.

The new suite of planning controls will guide the transition of the site from a redundant PUZ4 to a residential land use which better aligns with the surrounding residential land uses and the nearby activity centre context.

The DDO will ensure any future development of the site respects the existing neighbourhood character by providing an appropriate transition at the interfaces with the established adjacent residential area, while also responding to the opportunities and constraints presented by the site.

The unique landscape character of the land will be preserved and enhanced through application of the SLO and VPO controls. The heritage features of the site will continue to be protected via an updated Statement of Significance that clearly outlines the significant and contributory elements of the heritage place.

The EAO is required to ensure any potential contamination on the land is identified and remediated prior to any sensitive use (including residential) occurring on the land.

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

The objectives of planning in Victoria are outlined at Section 4(1) of the *Planning and Environment Act 1987*. They include:

- a) *To provide for the fair, orderly, economic and sustainable use, and development of land.*

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c) *To secure a pleasant, efficient and safe working, living and recreational Environment for all Victorians and visitors to Victoria.*

d) *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.*

g) *To balance the present and future interest of all Victorians.*

The rezoning of the amendment area will replace a redundant zone with a new suite of planning controls that facilitate and guide the development of a residential community on the land (objective A). The proposed controls will ensure that any future development on the site appropriately responds to the surrounding established residential area, protects significant vegetation, ensures the continued conservation of the significant heritage elements, and facilitates safe and pleasant residential development (objectives C and D).

The proposed amendment will enable additional housing in a well-serviced area of the municipality, thereby contributing to the growing demand for housing in the City of Whitehorse. The proposed controls will ensure that future development responds to the existing site constraints and interfaces to preserve the amenity of adjoining and nearby residents (objective G).

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

The proposed Amendment has been assessed against sections 12(2)(b) and (c) of the Act to consider the environmental, social and economic effects and whether or not the Amendment results in a net community benefit.

The proposed zone and overlay provisions will better align the planning controls with the environmental, landscape and heritage values of the site, ensuring that these attributes are given due regard in any future development proposal. The amendment will include application of the Environmental Audit Overlay (EAO), which will require remediation of any potential contamination prior to the commencement of sensitive uses on the site, including residential.

The proposed Amendment seeks to preserve the significant landscape and canopy tree characteristics of the site through the application of the SLO and VPO to assist in the retention and incorporation of existing and new vegetation in any future development, and contribute to urban cooling and greening.

The proposed amendment is expected to have positive economic and social effects by removing a redundant PUZ and applying a new set of planning controls that enable residential use and development in a well-serviced location that is in proximity to the Vermont South Shopping Centre, the Principal Public Transport Network and various other facilities and services. In this manner, the proposed Amendment will contribute to the achievement of 20-minute neighbourhoods in the municipality. Employment opportunities will be generated during the construction of any future development and expenditure of the new residential community will contribute to the economic viability of the nearby shopping centre.

#### **Does the amendment address relevant bushfire risk?**

The amendment will not result in any increase to the risk to life as a priority, property, community infrastructure and the natural environment from bushfire. The amendment land is not within a designated bushfire prone area. Bushfire risk is therefore not considered relevant to this amendment.

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

This proposed Amendment is consistent with the requirements of 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*

This Direction requires the planning authority to be satisfied that any land proposed for sensitive uses is free from potential contamination. It is proposed that an EAO be applied to the site as part of the Amendment to ensure that potentially contaminated land issues are addressed before development for a sensitive use occurs.

#### *Ministerial Direction No. 9 Metropolitan Strategy*

This Direction outlines the requirements of planning scheme amendments considering relevant directions or policies in Plan Melbourne 2017-2050, being the relevant Metropolitan Planning Strategy. The proposed Amendment supports the following policy directions of Plan Melbourne:

- *Policy 2.1.1 - Facilitate an increased percentage of new housing in established areas to create a city of 20-minute neighbourhoods close to existing services, jobs and public transport.* The Amendment proposes to rezone redundant PUZ land for the potential supply of new housing close to existing infrastructure in an accessible urban location that is close to a large neighbourhood activity centre and public transport.
- *Policy 2.1.4 – provide certainty about the scale of growth in the suburbs.* The proposed rezoning and application of overlay controls that specify requirements for future development, provide certainty regarding the extent and form of development envisaged for the Amendment land.
- *Policy 2.2.3 – support new housing in activity centres and other places that offer good access to jobs, services and public transport.* The proposed Amendment facilitates the delivery of additional housing that will add diversity to housing choice in a location close to public transport, an activity centre and an employment precinct.
- *Policy 2.4.2 – Facilitate the remediation of contaminated land, particularly on sites in developed areas of Melbourne with potential for residential development.* The proposed application of the EAO will ensure that any contaminated land is appropriately remediated prior to the commencement of residential development.
- *Policy 4.4.1 – Recognise the value of heritage when managing growth and change.* The proposed Amendment ensures the longevity of the heritage place by facilitating its adaptive reuse, and enabling future growth and change in a manner that respects the significance of the heritage asset.
- *Policy 5.1.1 – Create mixed-use neighbourhoods at varying densities.* The proposed Amendment will enable diversity in housing and opportunities for some non-residential uses in accordance with the RGZ.

#### *Ministerial Direction No. 11 – Strategic Assessment of the Amendment*

This Direction requires a comprehensive strategic evaluation of a planning scheme amendment. The requirements of this Direction are satisfied by using the assessment contained in this report for the proposed amendment documentation.

#### *Ministerial Direction No. 15 – The Planning Scheme Amendment Process.*

This Direction outlines the set times for completing the steps in the planning scheme amendment process. The Amendment will continue to comply with the requirements of this Direction.

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

The PPF supports land use and development that takes advantage of existing infrastructure in established areas of Melbourne. Relevant policies include:

##### *Clause 11.02-2 – Supply of urban land*

The proposed Amendment will increase the supply of housing in an existing urban area by rezoning underutilised land for higher density residential development.

##### *Clause 12.05-2S – Landscapes*

The Amendment seeks to protect and enhance the significant vegetation and landscape character of the of the ARRB site by identifying and protecting outstanding tree specimens via a VPO control and through the application of a SLO to ensure that the landscape character is maintained and enhanced as the site transitions to a residential use.

##### *Clause 13.04-1S – Contaminated and potentially contaminated land*

This policy seeks to ensure that contaminated and potentially contaminated land is used and developed safely and that any contamination is remediated before a site is used or developed for a sensitive use. Due to the nature of the past use of the site by ARRB and the various bitumen and concrete testing operations that occurred on the land, the Amendment proposes to apply the EAO to the site. This will ensure that remediation of any contaminated land occurs before the land is developed for residential use.

##### *Clause 15.01-1S – Urban design*

This policy requires development to consider and respond to the local context and contribute to

functional, enjoyable and safe urban environments that improve amenity. The proposed controls, and particularly the DDO schedule will require development proposals to respond to the landscape, built form and cultural context and respect existing elements of heritage significance.

*Clause 15.01-3S – Subdivision design*

This clause supports the creation of liveable and sustainable residential areas that are safe, attractive and diverse. The Amendment will facilitate a range of lot sizes to suit a variety of dwelling and household types, catering for differing needs and aspirations. The location of the site in a well-serviced area of Vermont South promotes sustainable lifestyles through reduced car dependency.

*Clause 15.03-1S – Heritage conservation*

Clause 15.03-1S provides a list of strategies to ensure the conservation of places of heritage significance. The Amendment will ensure the conservation of the heritage place, while also enabling adaptive reuse of a heritage building where the former use has become redundant. The built form requirements and building envelopes in the DDO6 ensure that an appropriate setting and context for the heritage place is maintained.

*Clause 16.01-1R – Housing supply - Metropolitan Melbourne*

This regional policy encourages the supply of new housing in proximity to neighbourhood activity centres with good access to public transport that assist in the delivery of 20-minute neighbourhoods. The proposed rezoning will facilitate the delivery of higher density forms of housing close to existing shops, services and public transport.

*Clause 18.01-1S – Land use and transport planning*

This policy seeks to “create a safe and sustainable transport system by integrating land use and transport”. The Amendment site is located on a major road that is serviced by bus routes and a tram route which terminates approximately 120 metres from the site at the Vermont South shopping centre. This allows for access to the site by private vehicle, public transport and active transport, and integrates future land use with the surrounding uses and transport modes.

Rezoning of the land and the application of overlay controls will support the above policies by facilitating residential development on a well-located site that benefits from close proximity to a variety of services and facilities. The overlay controls will ensure that future development addresses the constraints and opportunities of the site, including the heritage elements and environmental features.

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

The Amendment gives effect to several objectives under Clause 21 and Clause 22 of the Whitehorse Planning Scheme as summarised below.

*Clause 21.05 Environment*

This Clause acknowledges the natural, visual and built environment features that are significant to the municipality. In particular, tree preservation is noted as being “vitaly important within the City”. Key issues include the promotion of vegetation protection and regeneration, heritage protection, design excellence and visual amenity. As the site contains numerous large and significant canopy trees, it is important that the amendment promotes the protection and enhancement of this landscape quality. The proposed VPO recognises the three outstanding tree specimens on the site, while the SLO seeks to preserve the landscape character that is unique to this site.

*Clause 21.06 – Housing*

- *Clause 21.06-1*  
This clause recognises that the municipality is under increasing pressure to accommodate more people who are attracted to the area, while also retaining the valued high-quality residential environment. The proposed Amendment nominates the site as a ‘substantial change’ area with opportunities for housing growth at increased densities on a site that can support a substantial number of new houses.
- *Clause 21.06-2 – Vision*  
The proposed Amendment seeks to meet the needs of future residents by promoting housing growth in locations within walking distance of public transport and local services such as shops, parks and education. The mix of townhouse and apartment style dwellings will increase the diversity of the housing mix, catering to a wide range of needs and lifestyle preferences. While the Amendment will facilitate new development, the overlay controls will ensure that the valued

heritage character and landscape significance is preserved and sensitive interfaces appropriately managed.

- *Clause 21.06-3 – Housing Location*  
The proposal aligns with substantial change area objectives and supports increased residential densities in a location with good access to public transport, services and facilities.
- *Clause 21.06-4 – Housing Diversity*  
The Amendment seeks to diversify the variety of housing types within Vermont South by providing opportunities for townhouse and apartment dwelling styles.
- *Clause 21.06-5 – Housing Affordability*  
The Amendment will facilitate a range of housing types and sizes that will provide opportunity for a diverse array of future residents.
- *Clause 21.06 – Housing design*  
The proposed overlay controls seek to facilitate an appropriate design response in a substantial change area that contributes to the neighbourhood character while supporting additional housing.

#### *Clause 22.01 – Heritage and Building Precincts*

The Amendment seeks to maintain and preserve the existing heritage place, allowing for its appropriate adaptive reuse, while also ensuring that new development on the site is sympathetic to the heritage fabric and context. The Amendment will update the Statement of Significance applying to the site, providing greater clarity on significant and contributory elements of the heritage place. Future planning permit applications will need to be supported by a Heritage Impact Assessment and management plan for the future conservation and reuse of the former administration building.

#### *Clause 22.03 – Residential Development*

- *Clause 22.03-2 Objectives* includes numerous objectives around residential development in the municipality. These include, to ensure development contributes to the preferred neighbourhood character where specified, to ensure that new development does not detract from the natural environment and ecological systems, and to recognize the potential for change as a result of new social and economic conditions, changing housing preferences and state and local planning policies. The proposed rezoning will ensure any future development contributes to the neighbourhood character of the established residential area to the west, south and east. The proposed application of the DDO6 identifies design objectives and lists requirements around built form, landscaping and traffic and transport.

#### *Clause 22.04 – Tree Conservation*

The proposal seeks to retain high and medium value trees on the site and incorporate these into the future design response. Three outstanding tree specimens will be individually recognised under the VPO5, and the broader landscape character of the site will be retained and enhanced via the SLO10.

#### *Clause 22.10 – Environmentally Sustainable Development*

The proposed Amendment supports Council's commitment to creating an environmentally sustainable city. The DDO6 requires the consideration of ESD principles and development that has the potential to attain a long-term, zero carbon outcome.

#### **How does the amendment support or implement the Municipal Planning Strategy?**

The Whitehorse Planning Scheme does not contain a Municipal Planning Strategy at Clause 02.

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

The amendment makes proper use of the Victorian Planning Provisions by utilising a zone (RGZ) that reflects the strategic redevelopment opportunity presented by the site. The current PUZ4 is no longer appropriate as the site is privately owned and the public use has ceased. Residential use and development cannot occur until the site has been rezoned.

The proposed rezoning to RGZ is consistent with Planning Practice Notes No. 90 *Planning for housing* (PPN90) and No. 91 *Using the residential zones* (PPN91). The Amendment area is consistent with the substantial change characteristics outlined in PPN90 by virtue of its large size, proximity to activity



centres, public transport and employment precincts, and its ability to create a new built form character. While the site does have special heritage and landscape qualities, these aspects can be appropriately managed through the overlay controls proposed. In accordance with PPN91, the RGZ is the most appropriate zone to apply to areas identified for substantial change.

The amendment makes consequential changes to the Housing Framework Plan in Clause 21.06 to include the amendment land in a substantial change area, and to the Neighbourhood Character Precincts map at Clause 22.03, to include the amendment land in the Garden Suburban 7 precinct.

The application of the DDO6 assists in tailoring the built form outcome to the specific opportunities and constraints presented by the site, including the sensitive residential interfaces. In particular, the DDO6 provisions consider the appropriate extent and form of any future development and its relationship with the heritage and landscape characteristics of the site. The DDO6 will allow for exemptions from notice and review of future applications for buildings and works that are located away from the sensitive site interfaces, provided the development does not exceed the preferred maximum building heights set out in DDO6.

The VPO and SLO controls recognise and manage the unique treed character of the site and original landscape themes of the former land use. This will ensure that significant trees and stands of trees are retained and incorporated into any future proposal, as well as guide new landscaping.

Application of the EAO over the entire site is appropriate given the former use of the site and the bitumen and concrete testing operations that were carried out on the land by ARRB.

**The Heritage Overlay will be retained across the entire site, with an updated Statement of Significance providing greater clarity and direction regarding the various heritage elements on the land.**

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

As part of the exhibition of the amendment, the views of relevant agencies and public authorities will be sought.

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

The amendment is considered to be consistent with the objectives of the Transport Integration Act 2010. It is not expected that the proposed amendment will have a discernible impact on the existing road network, nor will it compromise the safety or operation of the existing transport system.

The Amendment will be referred to the Department of Transport during the exhibition phase.

**Resource and administrative costs**

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

In the long term, the new planning provisions will have minimal impact on the resource and administrative costs of the Responsible Authority. However, to the extent that the Amendment will encourage new residential development, it is anticipated that in the short term there will be an increase in applications for planning permits.

**Where you may inspect this amendment**

The amendment can be inspected free of charge at the Whitehorse City Council website at [www.whitehorse.vic.gov.au](http://www.whitehorse.vic.gov.au)

The amendment is available for public inspection, free of charge, during office hours at the following places:

- Whitehorse City Council, Planning Counter, 397 Whitehorse Road, Nunawading
- Whitehorse City Council Service Centres at Box Hill Town Hall and Forest Hill Chase Shopping Centre;

- Libraries in the City of Whitehorse at Nunawading and Vermont South

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The amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at [www.planning.vic.gov.au/public-inspection](http://www.planning.vic.gov.au/public-inspection).

#### **Panel hearing dates**

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- directions hearing: week beginning **day/month/year**
- panel hearing: week beginning **day/month/year**

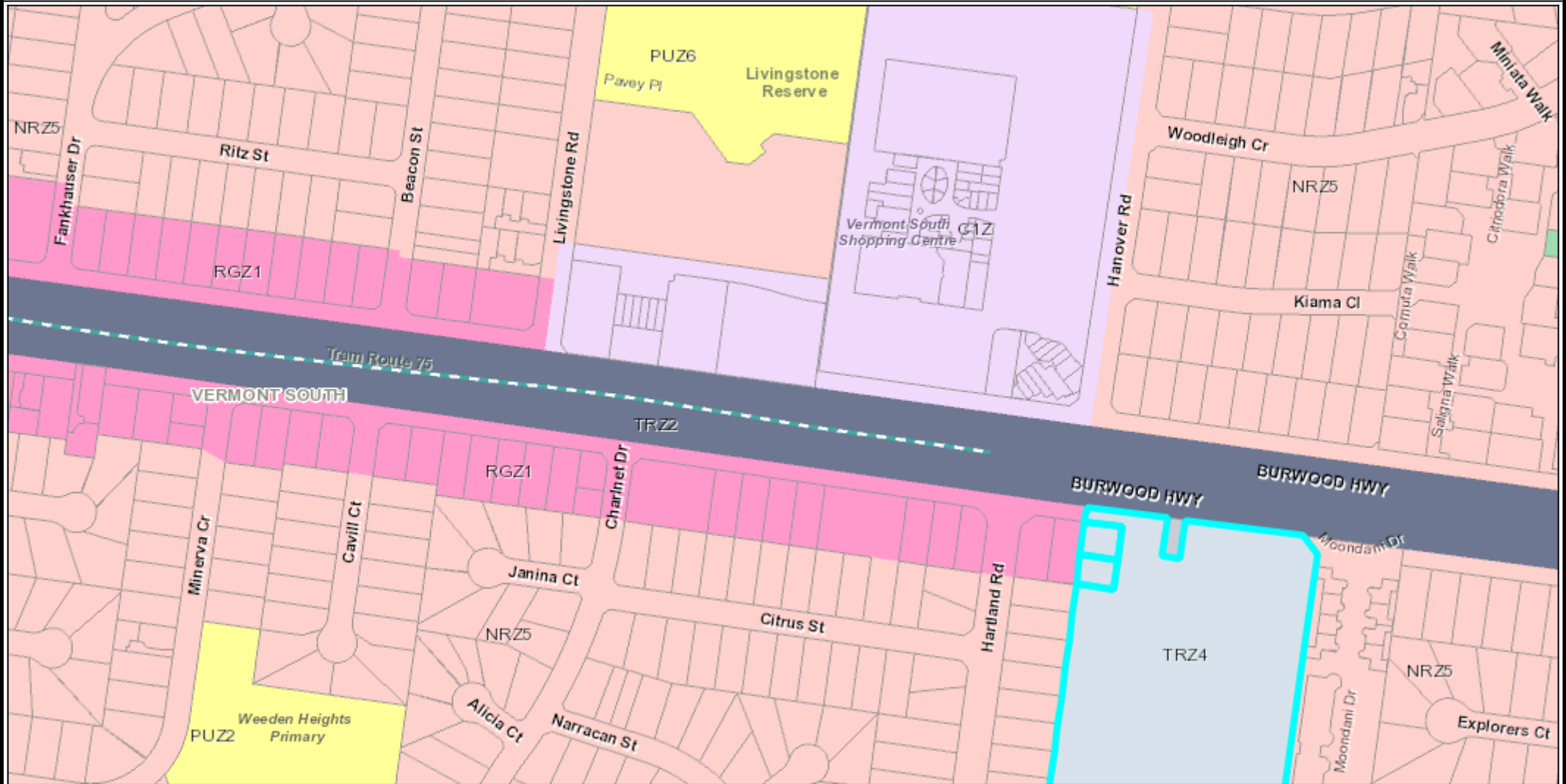
Anyone who has made a submission that has been referred to a Panel has an opportunity to be heard.

All submitters will be formally advised in writing of any Directions or Panel Hearing and the date.

#### **PRIVACY STATEMENT**

Any personal information you may include in any submission to Council on the Amendment is collected for planning purposes in accordance with the Planning and Environment Act 1987. The public may view the submissions whilst the Amendment is being considered. In accordance with the "Improving Access to Planning Documents" Practice Note dated December 1999, a copy of your submission may be made available upon request. If you fail to provide this information your comments may not be considered. You may access this information by contacting Council on 9262 6303.

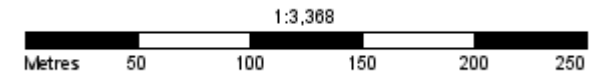
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# Legend

## Hospitals



## Railway Stations



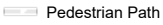
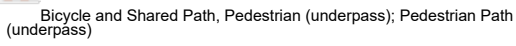
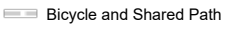
## Tram Lines



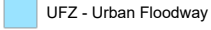
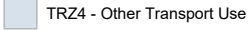
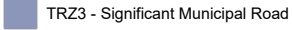
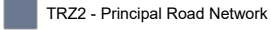
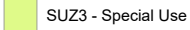
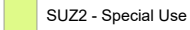
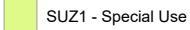
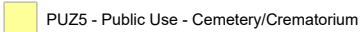
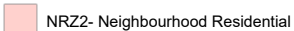
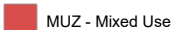
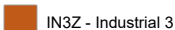
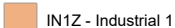
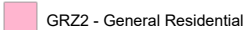
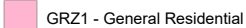
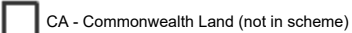
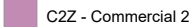
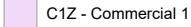
## Railway Lines



## Walk & Cycle Paths



## Planning Zones

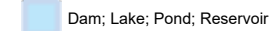


## Roundabouts

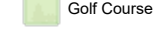
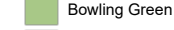
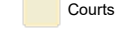
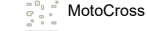
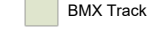
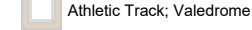


## Creeks

## Water Features



## Sports Facilities



## Cemeteries



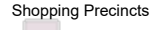
## Parks and Reserves



## Education Centres



## Retirement Villages

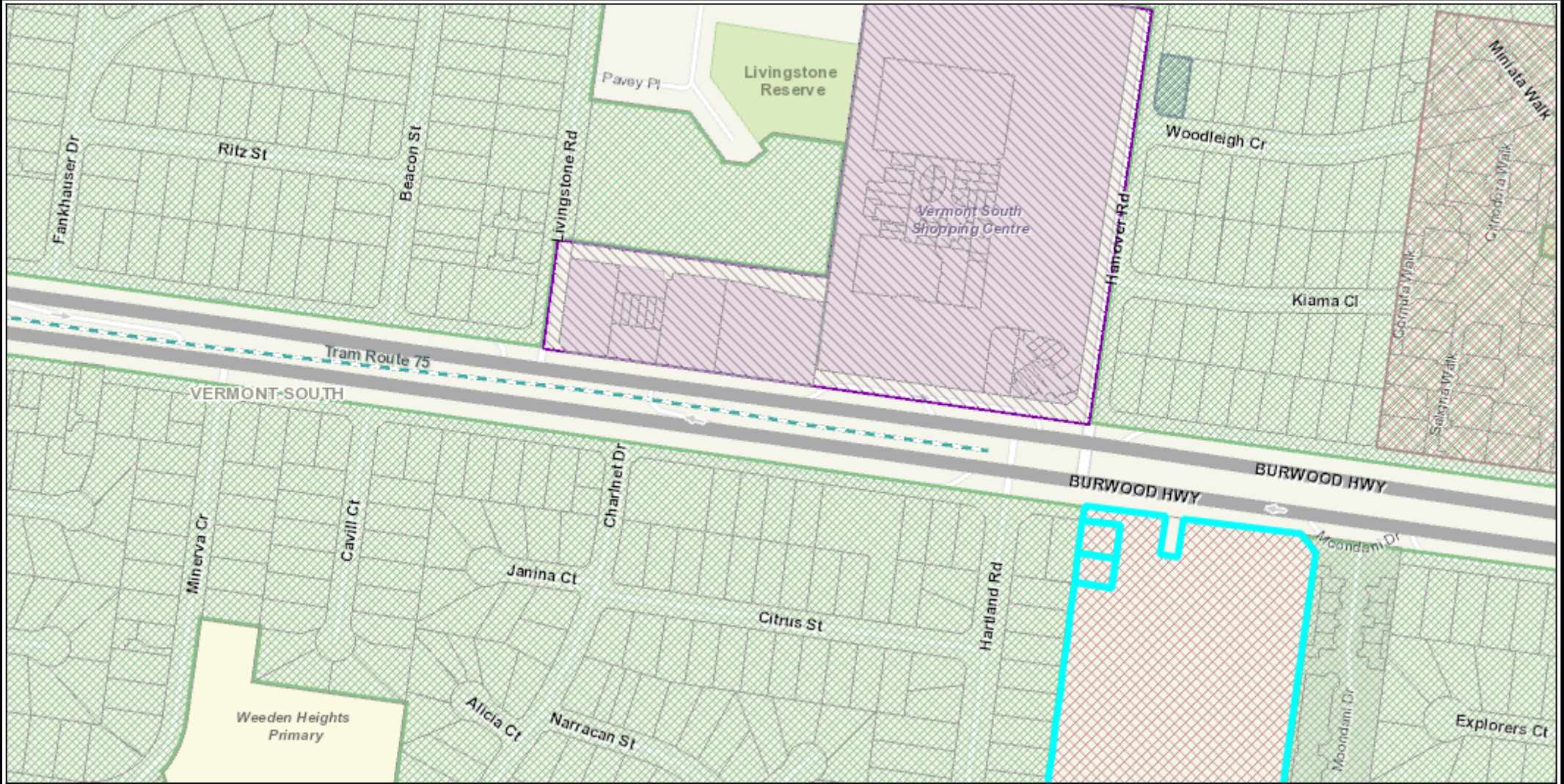


## Shopping Precincts





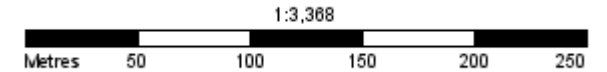
# Existing Overlays



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See page 2 for legend.



# Legend

## Hospitals



## Railway Stations



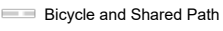
## Tram Lines



## Railway Lines



## Walk & Cycle Paths



Bicycle and Shared Path, Pedestrian (underpass); Pedestrian Path (underpass)



Pedestrian Path

## SCO - Specific Controls Overlay



## HO - Heritage Overlay



## VPO - Vegetation Protection Overlay



## DPO - Development Plan Overlay



## NCO - Neighbourhood Character Overlay



## DDO - Design and Development Overlay



## PAO - Public Acquisition Overlay



## SBO - Special Building Overlay



## SLO - Significant Landscape Overlay



## LSIO - Land Subject to Inundation Overlay



## PO - Parking Overlay



## BMO - Bushfire Management Overlay



## EAO - Environmental Audit Overlay



## ESO - Environmental Significance Overlay



## Roundabouts



## Creeks



## Dog Off Lead Parks



## Water Features

Dam; Lake; Pond; Reservoir



Drainage Basin



Fountain



Rain Garden



Water Tower



Wetland



## Sports Facilities

Athletic Track; Valedrome



BMX Track



MotoCross



Courts



Sports Ground



Bowling Green



Golf Course



## Cemeteries



## Community Gardens, Nurseries



## Parks and Reserves



## Education Centres



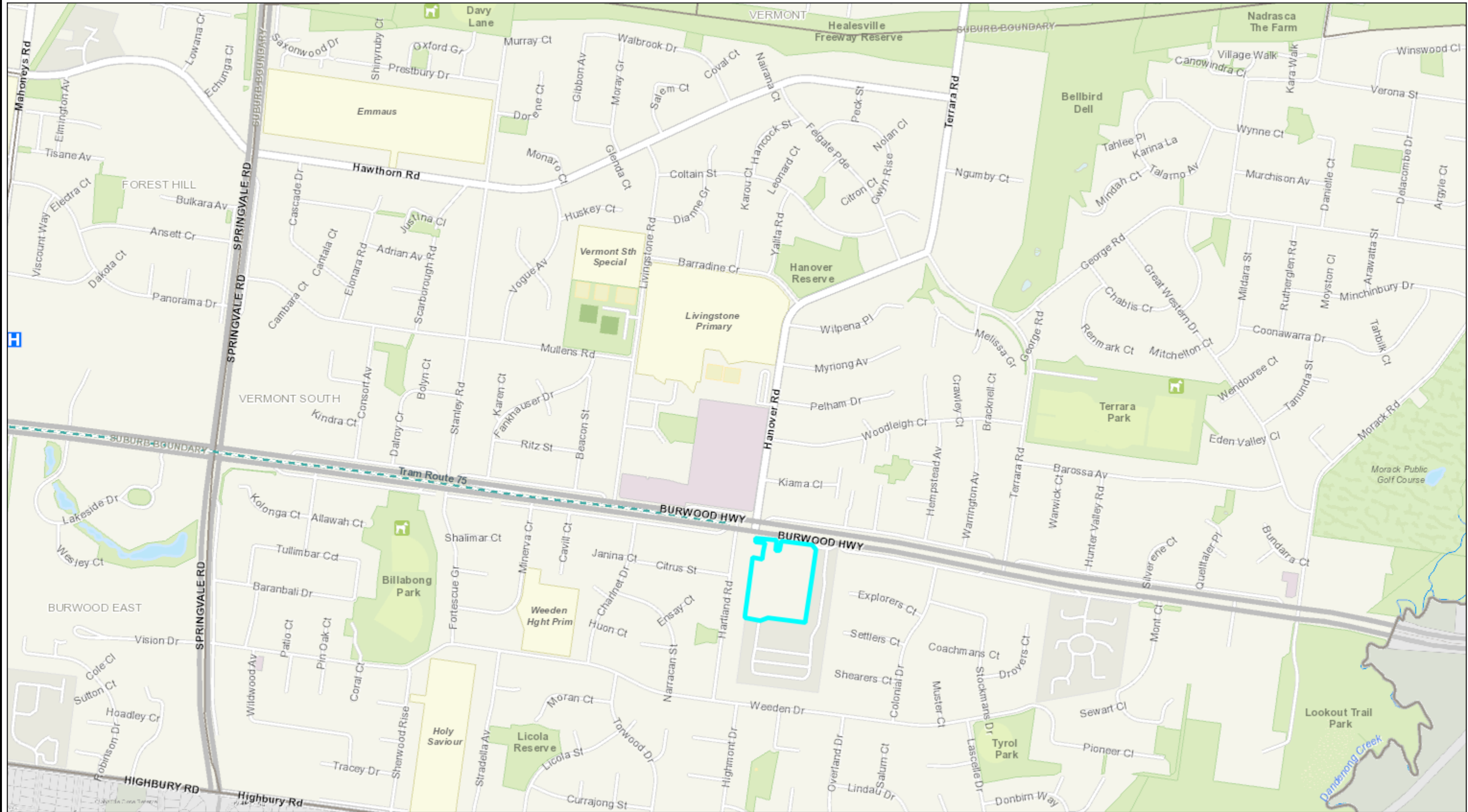
## Retirement Villages



## Shopping Precincts







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