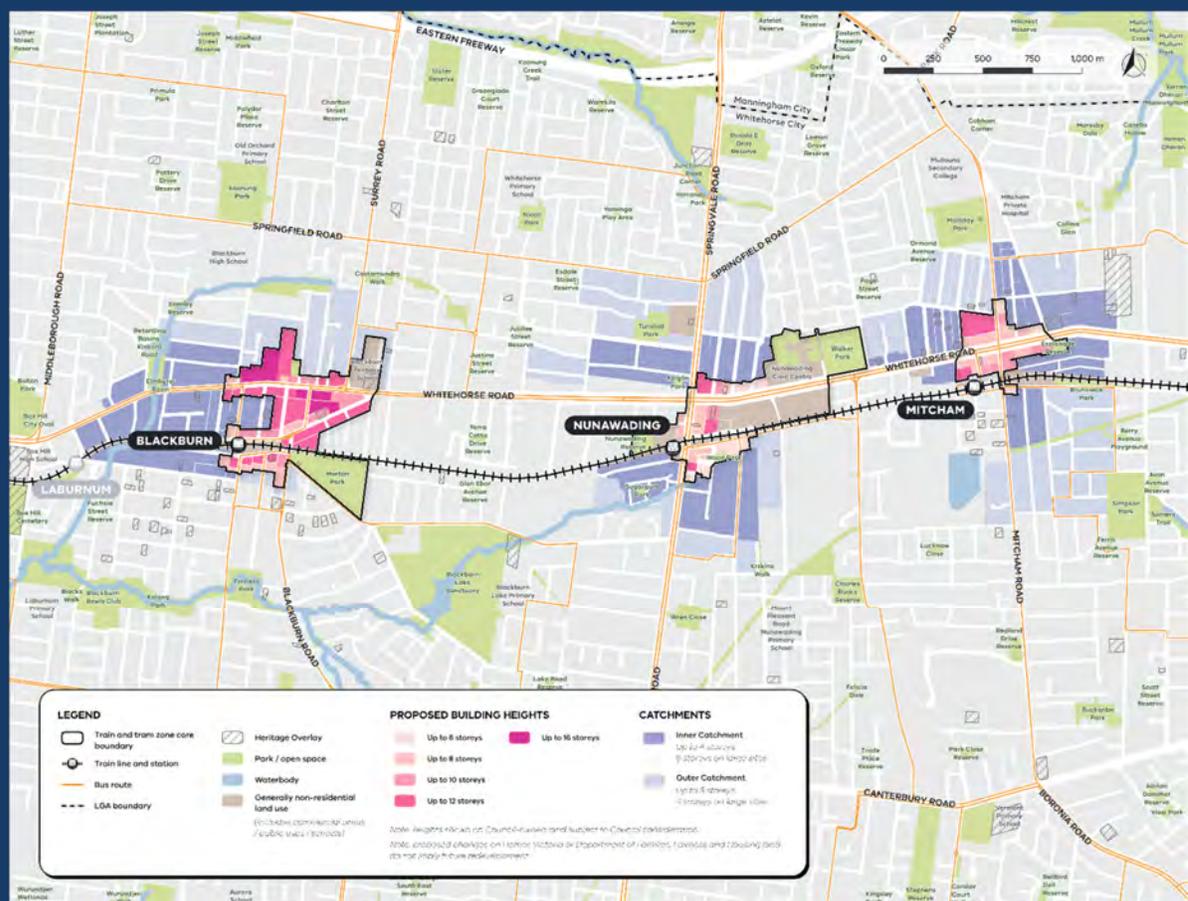




# Whitehorse City Council Submission

## Activity Centre Program – Phase 2 consultation on Draft Maps for Blackburn, Nunawading and Mitcham

19 March 2026



## ACKNOWLEDGEMENT OF COUNTRY

*“Whitehorse City Council acknowledges the Wurundjeri Woiwurrung people of the Kulin Nation as the Traditional Owners of the land on which we are meeting, and we pay our respect to Elders past present and emerging.”*



# Table of Contents

1. INTRODUCTION.....	4
2. CONTEXT AND BACKGROUND.....	8
3. FEEDBACK FROM COUNCIL-LED COMMUNITY ENGAGEMENT .....	12
3.1. Nunawading Pop-up Session.....	12
3.2. Blackburn Pop-up Session.....	14
3.3. Mitcham Pop-up Session .....	16
4. SUBMISSION.....	17
4.1 Planning methodology and approach.....	18
4.1.1 Housing Growth Index (HGI) and the Built Form Typologies .....	18
4.1.2 Proposed Activity Centres Core and Catchment Boundaries.....	21
4.2 Proposed Planning Outcomes .....	22
4.2.1 Activity Centre Core Built Form and Design Outcomes - Heights, Typologies, and Setbacks.....	22
4.2.2 Proposed Activity Centres Core Boundary .....	44
4.2.3 Proposed Activity Centres Catchment Boundaries.....	48
4.2.4 Master Plan Requirements .....	54
4.2.5. Proposed Changes to Existing Zones in the Activity Centre Core .....	56
4.2.6 Proposed Changes to Existing Design and Development (DDO) Controls .	57
4.2.7 Interaction with Existing Planning Controls and Overlays .....	58
4.2.8 Removal of third-party review rights.....	59
4.2.9 Integration with Local Strategies and State Planning Reforms .....	60
4.3 Strategic Considerations and Program Gaps.....	64
4.3.1 Housing Capacity – Planning in Absence of the HCAP.....	64
4.3.2 Lack of Plans for Each Train and Tram Zone Activity Centre.....	66
4.3.3 Affordable Housing .....	66
4.3.4 Local Identity, Character, and Economic Function of Activity Centres .....	66
4.3.5 Infrastructure Capacity and Climate-responsive Planning.....	66
4.3.6 Economic Function and Feasibility .....	68
4.4 Program Process and Governance.....	69
5. CONCLUSION .....	71
<i>APPENDIX 1 – SUMMARY OF COUNCIL SUBMISSION.....</i>	<i>74</i>
<i>APPENDIX 2 – RECOMMENDATIONS FOR THE PROPOSED SCHEDULE TO THE BUILT FORM OVERLAY, CLAUSE 43.06 .....</i>	<i>85</i>

## 1. INTRODUCTION

This submission provides Whitehorse City Council's formal response to the State Government's Phase 2 consultation on proposals for the Blackburn, Nunawading, and Mitcham Train and Tram Zone Activity Centres (TTZACs) from 11 February to 22 March 2026. It also includes Council's feedback on the supplementary draft planning information<sup>1</sup> provided for review by the Department of Transport and Planning (DTP). The documents include:

- Place-specific typologies (typology maps)
- Proposed changes to zoning within the core
- Proposed changes to overlays, Design and Development Overlays (DDOs), and local policy (tables and descriptions) for both core and catchment areas
- Draft maps of proposed planning controls, including details of proposed building heights for the Blackburn, Nunawading and Mitcham Activity Centres (the Blackburn-Mitcham Cluster). The draft maps also define the extent of the activity centre core and catchment boundaries.

Council's submission to the Phase 2 consultation was considered at its meeting on 16 March 2026.

Council has undertaken its own engagement with the community to raise awareness and assist the community in understanding the draft maps and interpreting the potential changes to local centres during Phase 2 consultation. Principally, this submission incorporates relevant feedback from the Whitehorse community on:

- Proposed building heights
- Proposed core and catchment boundaries
- Other matters of importance to the community about their 'place'

The submission reflects Council's role in advocating for planning outcomes that respond to local context, preserve neighbourhood character, protect environmental and heritage values, and ensure infrastructure supports anticipated growth.

Key aspects and concerns raised in the submission include:

- **Disputed Housing Growth Index (HGI) Classification:** The Council argues that Blackburn's proposed HGI 3 classification is disproportionate and requests it be adjusted to HGI 2 to achieve a more moderate and context-sensitive density outcome, aligning it with Nunawading and Mitcham (HGI 2).
- **Scale and Intensity of Development:** There are significant community and Council concerns regarding the excessive scale and intensity of proposed developments, particularly the 12-storey and 16-storey buildings in Blackburn, which are seen as inconsistent with the local "Village" context. Similar concerns exist for certain sites in Nunawading and Mitcham.
- **Site-specific issues:**
  - **Blackburn:** Proposed 12-storey buildings on South Parade are considered too high for the "Blackburn Village" character; 8 storeys are recommended. Likewise proposed building heights of 16 storeys for the Blackburn Hotel and adjoining sites

---

<sup>1</sup> DTP has advised that some of this information is not intended for public distribution.

is considered excessive and does not transition to the surrounding outer catchment.

- **Nunawading:** Calls for "High Protection" and mandatory sun access for Wood Park due to significant overshadowing concerns from proposed developments.
- **Mitcham:** Council's modelling indicates significant overshadowing of Britannia Mall and visual impact on heritage sites like the former Post Office due to proposed heights for adjoining land.
- **Built Form and Design Controls:** The Council emphasises the need for clear standards to manage overshadowing, wind, human scale, and visual bulk. It highlights that proposed planning controls do not fully incorporate local analysis from the "Foundation Maps," leading to insufficient setbacks and potential impacts on public realm amenity.
- **Activity Centre Core and Catchment Boundaries:**
  - Council generally supports the identified core boundaries, subject to minor refinements.
  - The exclusion of existing permanent Significant Landscape Overlays (SLOs) in Blackburn and Mitcham from catchment boundaries is strongly supported. However, Council remains concerned about parts of the Nunawading inner catchment that is affected by the recently introduced SLO11 along the Gardiners Creek / KooyongKoot corridor and this area should be excluded.
  - Concerns are raised about the configuration and excessive extent of proposed inner and outer catchment boundaries, which do not always achieve a graduated transition or align with a 10-minute walkable distance from the station. This impacts all 3 activity centres. The Council seeks clarification on the walkability methodology used by the Department of Transport and Planning (DTP) and a more refined boundary assessment, informed by on-ground conditions. Several locations in the catchments are excessively distant from the train stations. Some examples include areas to the north and south of Nunawading and Mitcham and to the north and west of Blackburn activity centres.
  - Sensitive areas, for example some locations currently in the Neighbourhood Residential Zone (NRZ) and heritage precincts should be excluded from the catchment. Further, some areas proposed as inner catchment are recommended as outer catchment. These areas are detailed in this submission.
- **Planning Controls and Overlays:** The proposed removal of existing Design and Development Overlays (DDOs) in core and catchments and their replacement in the core with an untested Built Form Overlay (BFO) is a concern and removes local planning guidance. In the residential catchments, land is proposed to be rezoned to the new Housing Choice and Transport Zone (HTCZ).
  - Council seeks clear mechanisms in the BFO to ensure existing environmental and heritage protections remain effective.
  - Council has recommended local variations through the BFO, such as locations for solar protection, setbacks and consideration of sensitive interfaces to provide suitable measures to protect the amenity of the public realm and transitions to the catchments

- Council also rejects that a one-size-fits-all approach is appropriate to all activity centres, particularly in relation to application of the HTCZ across the catchments. This approach does not sufficiently account for lot dimensions, topography and existing built form character.
- Exemptions from third-party review and notification under the HCTZ and BFO limit community input on planning applications. “Deemed to comply” provisions in the HCTZ automatically grant permits if specified standards are met, removing consideration of neighbourhood character and other local matters.
- **Masterplans** are recommended by Council under the BFO for several large sites and areas that have potential to play an important role in the activity centres, including:
  - 101-127 Whitehorse Road, Blackburn (including the Sikh Temple, the Blackburn Hotel and adjoining commercial land)
  - Solwood Lane Area (located north of the rail line / east of Blackburn Road), Blackburn
  - Residential Precinct between South Parade and Laburnum Street, Blackburn
  - 2-24 Silver Grove, Nunawading (Nunawading Reserve), where Council has advised this is a significant redevelopment opportunity.
  - Commercial 2 Zone (C2Z) Precinct, Nunawading (Amart, Harvey Norman, Home HQ and adjoining commercial land)
  - 1-9 Edward Street (Multi-deck Carpark), Shops 1-2/26 Enterprise Way (Supermarket) and 374 Mitcham Road (Open Car Park)
  - 556-572 Whitehorse Road, Mitcham (Mitcham Hotel)
  - Station Street Precinct between Britannia Mall and Mitcham Station (public realm areas and adjoining private land).
- **Strategic considerations and program gaps**, including:
  - *Housing Capacity – Planning in absence of the HCAP*: The Housing Capacity Assessment Platform (HCAP) and its assessment have not been released to Whitehorse, meaning Council lacks understanding of state government housing expectations and targets for the cluster, hindering local scenario testing.
  - *Lack of Plans for Each Train and Tram Zone Activity Centre*: Detailed, place-based Activity Centre Plans, like those for the 10 pilot centres, have not been released for 50 TTZACs, limiting community guidance on land use, built form, infrastructure, and centre functions.
  - *Affordable Housing*: Despite recent changes to the Planning and Environment Act 1987, which enact the overarching objective to facilitate the provision of affordable housing, the activity centre planning does not address issues.
  - *Local identity, character, and economic function of activity centres*: The draft plans propose generic precinct typologies and uniform building heights, which risk undermining established streetscape character, local heritage, and the "village" feel of areas like Blackburn and Mitcham.

- *Infrastructure and Environmental Considerations:* There are significant concerns about the lack of timely and funded infrastructure provision (integrated transport including active transport, open space, schools, stormwater management) to support anticipated growth. The Council also highlights gaps in climate-responsive planning, such as Integrated Water Management and updated flood modelling.
- *Economic Feasibility:* Council is cognisant of the economic conditions and financial structures that influence development outcomes beyond the planning framework. Planning interventions need to facilitate new development that complements rather than undermines the economic role of these centres.
- **Process and Governance:** The submission criticises:
  - the lack of substance in the Phase 1 engagement report
  - the limited collaboration with Council
  - the significant gaps in strategic information and analysis to accompany the Draft Plans and limited release of information to the community. The Council urges the Department of Transport and Planning to release all background information supporting the Draft Plans to the community.
  - the limited timeframe and transparency of the Phase 2 consultation, leaving limited time for Council to run its own engagement program and prepare its submission
  - the perceived steering of online surveys,
  - the absence (to date) of an independent Advisory Committee to review submissions from Phase 2. The Council urges the Minister to refer all submissions and plans to an independent Advisory Committee.

## 2. CONTEXT AND BACKGROUND

The Train and Tram Zone Activity Centres Program (TTZACP) is a Victorian Government initiative under Plan for Victoria, aimed at increasing housing supply in locations with strong access to public transport, employment, and services. Blackburn, Nunawading, and Mitcham have been identified as priority centres in Tranche 2 of the program due to their strategic role within Whitehorse, established commercial cores, and proximity to train stations. The program is intended to contribute to the State's housing targets, requiring Whitehorse to provide capacity for 76,500 new dwellings by 2051.

Phase 1 consultation, completed in late 2025, focused on raising awareness and gathering community insights on local values and priorities for these centres. During this consultation, the Blackburn–Mitcham cluster recorded 877 online survey responses, the highest among all Tranche 2 centres. Responses were predominantly from Blackburn (679 submissions, 77.5%), followed by Mitcham (136, 15.5%) and Nunawading (62, 7.1%), demonstrating strong community engagement.

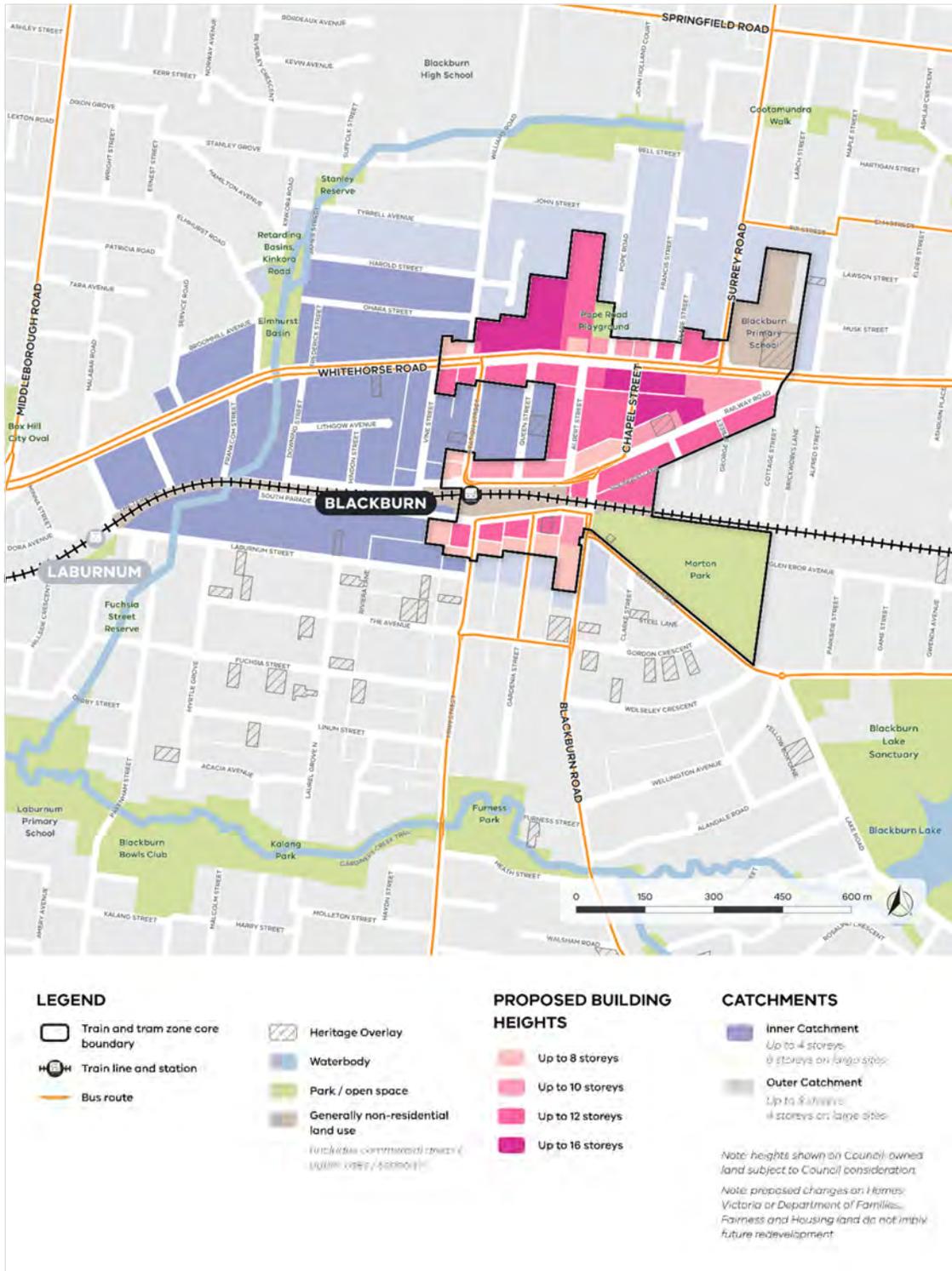
Although the State Government's online survey did not seek detailed information on community needs, aspirations or feedback, it nonetheless demonstrates the community's strong attachment to the leafy character and heritage of these suburbs, and the importance of context-sensitive planning.

The State Government's Phase 1 community engagement report, along with the accompanying map highlighting selected feedback, presents a very aggregated and simplified overview of responses. It appears to prioritise quantitative summaries over qualitative analysis, offering limited insight into what the community actually expressed. The report published on the website focuses primarily on who participated and how many were involved, rather than clearly representing what participants said or how their feedback has been reflected in the proposed draft maps. Overall, the report gives the impression that responses may have been selectively presented to support the objective of the Activity Centre Program.

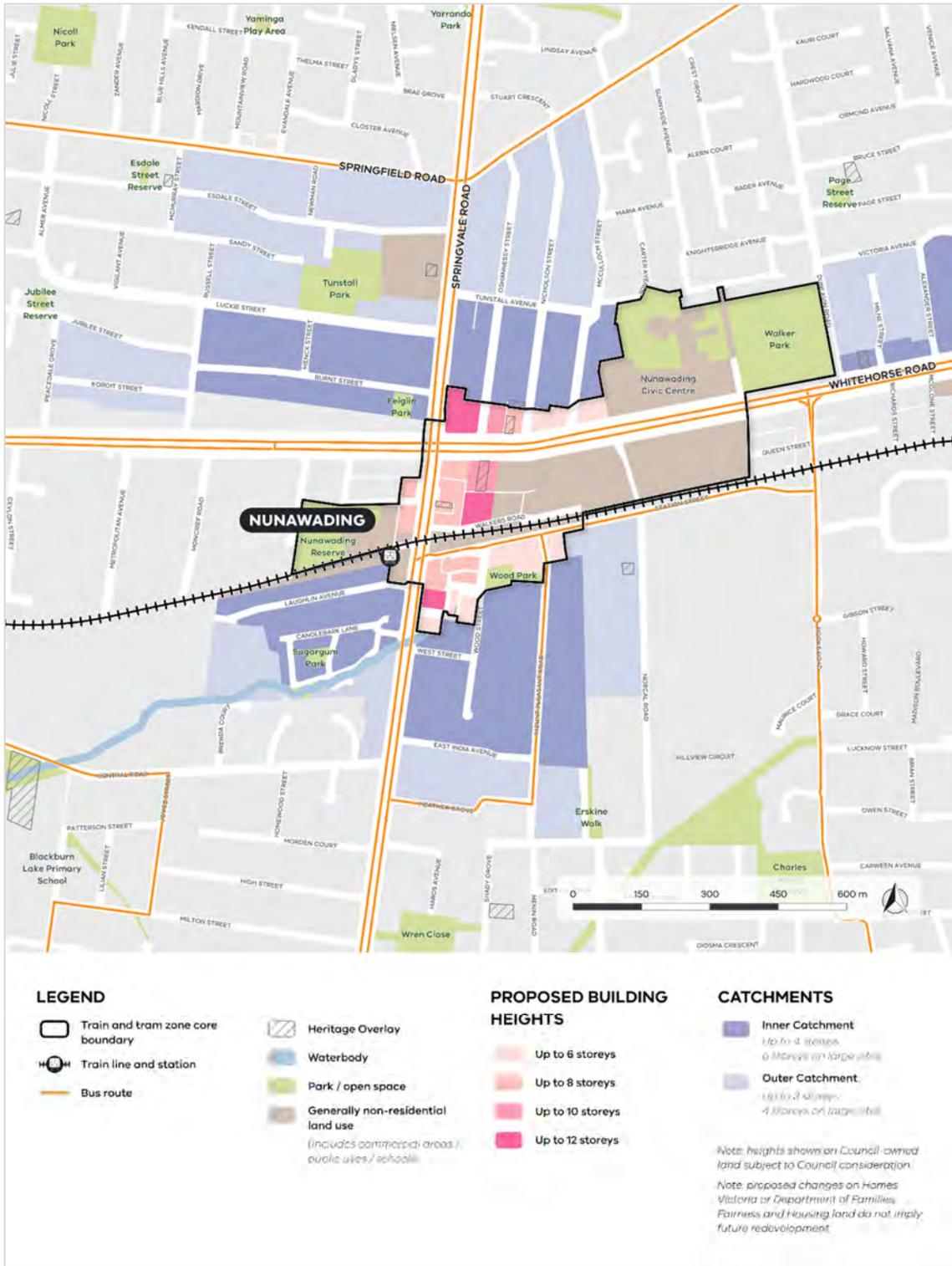
One of the Council resolutions from the meeting on 24 November 2025 requests that the Department of Transport and Planning (DTP) share the Phase 1 Community Consultation Report for the Blackburn–Mitcham cluster with Council and the community prior to the release of the Phase 2 draft plans. Additionally, Council requests that the Minister appoint an Advisory Committee to hear submissions on the draft plans following the Phase 2 consultation.

During Phase 1, Council-led pop-up community consultation sessions provided residents with the opportunity to give detailed feedback directly to councillors and council officers, complementing ongoing advocacy by local community groups. These efforts informed Council's Phase 1 submission to the State Government, which was endorsed at the Council meeting on 24 November 2025. The submission is publicly available on [Council's website](#) and demonstrates that community perspectives were clearly represented in shaping planning outcomes for Blackburn, Nunawading and Mitcham.

The protection of existing permanent Significant Landscape Overlays (SLOs) was a key outcome of the Phase 1 consultation and is reflected in the Phase 2 draft maps. Following strong advocacy from the community, Councillors, and Council officers, permanent SLOs 1, 2, and 4 in Blackburn, including the Bellbird National Trust landscape, and SLO 3 in Mitcham have been excluded from the proposed activity centre catchment boundaries. These SLOs remain in place and are not being removed; the exclusion applies only to the catchment boundaries, ensuring that existing environmental protections continue to be effective. Council reiterates its support for the removal of these areas from the activity centre areas.

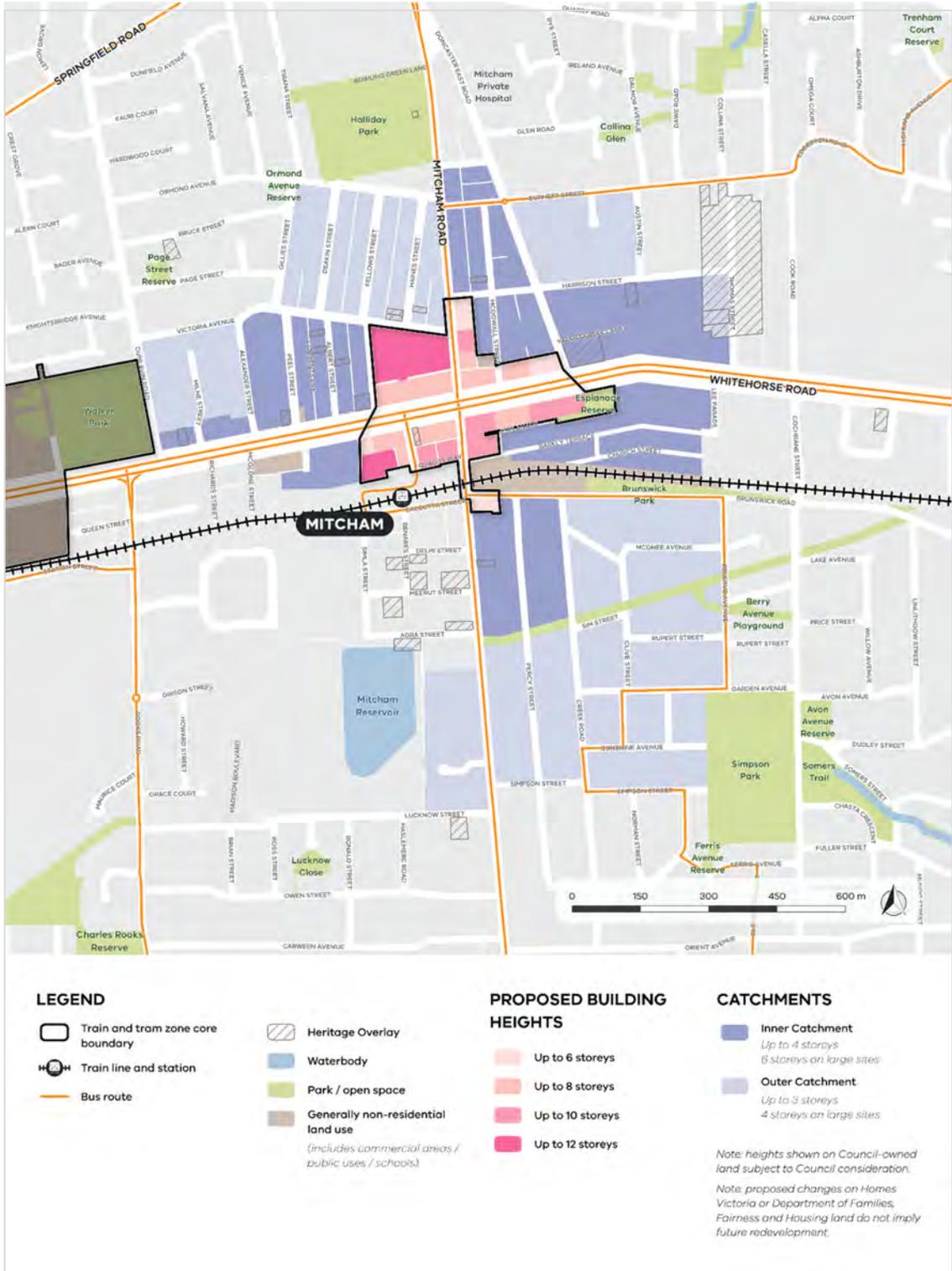


**Map 1: Blackburn Station Train and Tram Zone,**  
 Source: Department of Transport and Planning; data accessed via Engage Victoria



**Map 2: Nunawading Station Train and Tram Zone,**

Source: Department of Transport and Planning; data accessed via Engage Victoria



**Map 3: Mitcham Station Train and Tram Zone,**

Source: Department of Transport and Planning; data accessed via Engage Victoria.

### 3. FEEDBACK FROM COUNCIL-LED COMMUNITY ENGAGEMENT

Council hosted three pop-up engagement sessions in February and March 2026, each dedicated to one of the Blackburn, Nunawading, and Mitcham Activity Centres. Attendance at these sessions included approximately 170 community members engaging directly with Council officers and Councillors at the pop-ups. in Nunawading (22 February 2026) Blackburn (28 February 2026), and Mitcham (16 March 2026).

Participants were provided with clear, accessible information including the proposed core and catchment boundaries and indicative building heights. The sessions also outlined the potential implications of these changes for each local area, explained consultation processes, and detailed opportunities for providing feedback directly to the State Government. Community members raised questions and expressed concerns predominantly regarding increased residential densities and the potential impacts on the character and amenity of their neighbourhoods. There was some in-principal support provided for the concept of higher densities, though lower than proposed. Further details are below.

#### 3.1. Nunawading Pop-up Session

The Nunawading pop-up session was held on Sunday, 22 February 2026, at the Nunawading Civic Centre from 10:00 am to 12:00 noon.



**Figure 1: Council-led pop-up session at the Art and Craft Market, Civic Centre, Nunawading, 22 February 2026.**

Community interest was significant, with approximately 60 attendees participating in the session. Residents raised numerous questions regarding the released draft maps and the potential impacts of the proposed planning changes on their local area. Many participants expressed confusion about the information provided by the State Government and sought clarification on how the proposals would affect their properties and neighbourhood character.

Key concerns and suggestions raised by residents included:

- Concern about parking and traffic congestion, particularly within the inner catchment areas, with concerns about potential six-storey developments on large sites located in narrow residential streets (e.g. Shady Grove and Mount Pleasant Road, Nunawading).
- Concern about heritage protection, including support for the protection of former Council offices in Whitehorse Road, Nunawading<sup>2</sup>.
- Overshadowing impacts on open space and parks, including Wood Street Park and its playground.
- Concern for solar access, ensuring the ongoing efficiency and viability of existing solar panels and private gardens (i.e. the “right to light”).
- Questions were raised regarding the future of Silver Grove, Nunawading, a key strategic site that appears to have been overlooked in the Nunawading Activity Centre planning framework. General satisfaction with the proposed core boundary, along with a suggestion to include certain areas within the C2Z and IN1Z on Gardeners Lane and Glendale Street in the Nunawading core boundary.
- Suggestions for additional catalyst projects and increased ground-level activation to enhance vibrancy within the Nunawading core.
- Suggestion for Infrastructure improvements, including the need for undergrounding power lines, additional street tree planting, and upgrades to nature strips.
- Suggestion to use 3D visualisations to better communicate proposed building heights and built form outcomes.
- Drainage capacity concerns, particularly water overflow issues around Wood Street and stormwater discharge into the Newburn Ct Reserve.
- Concerns were raised regarding Laughlin Avenue in Nunawading, which is currently proposed as part of the inner catchment, with buildings up to 4 and 6 storeys on larger sites. Attendees noted that Laughlin Avenue is a dead-end street with no connection to the broader road network, creating potential traffic and access issues. Additional concerns were raised about parking, as the street currently allows only two-hour on-street parking along the avenue. *(Added from the 16 March pop-up session in Mitcham.)*

---

<sup>2</sup> The old shire/council offices are covered by a Heritage Overlay ([HO7](#)) in the Whitehorse Planning Scheme

### 3.2. Blackburn Pop-up Session

The Blackburn pop-up session was held on Saturday, 28 February 2026, at South Parade in Blackburn, from 10:00 am to 12:00 noon.

There was significant participation from predominantly Blackburn residents, who acknowledged the great work of the community, Councillors, and Council in advocating during Phase 1 engagement to protect permanent SLOs and exclude them from the activity centre boundaries in Blackburn. The community also expressed that the proposed plans are not realistic and may not be achievable in the medium term.



**Figure 2: Council-led pop-up session at South Parade, Blackburn, 28 February 2026.**

The main issues, suggestions, and perspectives raised by residents regarding the Blackburn Activity Centre included:

- Concerns about the proposed 12-storey buildings on South Parade and the risk of altering the local character.
- A suggestion to rezone industrial land along the eastern boundary of the Blackburn core to facilitate mixed-use development, specifically extending westward from Cottage Street.
- Concerns regarding the protection of heritage buildings, specifically 104 South Parade, Blackburn, and clarification of planning controls for areas adjacent to heritage overlays.
- Concerns about high-rise developments (up to 12 stories) at 127 Whitehorse Road, Blackburn adjacent to up to 3-story residential areas, including concerns about visual impact and overshadowing.
- Concerns regarding new parking provisions and minimum parking requirements in future developments in Blackburn, as well as related contradictions in the context of the proposed building heights.
- Significant community concern was raised regarding the narrow street conditions, traffic congestion, double parking, and related access and safety issues within the catchment, particularly along Pope Road and Francis Street in Blackburn. In addition, Council received a substantial number of community submissions strongly requesting that this area be excluded from the proposed activity centre catchment boundary due to the existing tree canopy, neighbourhood character and the traffic issues outlined above.
- Suggestions relating to affordable housing, including requirements for dedicating a proportion of new developments to affordable housing.

While several residents viewed the main aim of the program, to promote new developments in well-serviced areas and encourage the use of public transport, as positive for the future growth of the area, they felt that the mechanisms provided are insufficient to manage this scale of change.

### 3.3. Mitcham Pop-up Session

The Mitcham pop-up session was held on Saturday, 14 March 2026, at Britannia Mall in Mitcham, from 10:00 am to 12:00 noon. The session saw strong participation from Mitcham residents, as well as residents from Nunawading and Blackburn.



**Figure 3: Council-led pop-up session at Britannia Mall, Mitcham, 16 March 2026**

The main issues and suggestions raised by attendees regarding the Mitcham Activity Centre included:

- Strong concerns were raised about the walkable distance to the station, particularly for areas along the southern and south-eastern boundary near Simpson Park. Attendees emphasised that the local topography makes it difficult for many residents, especially older people and children, to reach the station within a 10-minute walk.
- Concerns about traffic congestion on the narrow streets within the catchment area, which are currently heavily parked, particularly in streets close to the station.
- Concerns about the proposed inclusion of parts of the heritage precinct near Thomas Street, located on the eastern side of the activity centre, within the outer catchment boundary.
- Concerns about the lack of supporting infrastructure, particularly schools, to accommodate additional population growth.
- Suggestions to include the C2Z (Commercial 2 Zone) area within the Mitcham activity centre core, particularly around McGlone Street.
- Concerns regarding stormwater management in Peel Street, with attendees noting potential drainage issues and the need to consider stormwater capacity in the area.
- Concerns about the functionality and adaptive reuse of heritage buildings in the area, such as the former post office building, which is currently occupied by a hairdresser.

## 4. SUBMISSION

At the start of the state government consultation period on Wednesday, 11 February 2026, Council received supplementary draft planning information for review, which is not publicly available as it is still in draft form, and includes:

- Place-specific typologies (typology maps)
- Proposed changes to zoning within the core
- Proposed changes to overlays, Design and Development Overlays (DDOs), and local policy (tables and descriptions) for both core and catchment areas

This information is in addition to the draft maps released for public comment with details of proposed building heights for TTZACs and the extent of catchment boundaries.

Council is required to review all relevant documents within a condensed timeframe and undertake comprehensive assessments to consider whether the planned growth for each activity centre is balanced, context-sensitive, and reflective of local character. Some key considerations include:

- Built form and design, including proposed building heights
- Current and future economic function of each activity centre
- Heritage and neighbourhood character
- Tree canopy and environmental impacts
- Housing diversity and affordability
- Transport and accessibility
- Public realm and open space impacts
- Infrastructure needs and delivery
- Amenity impacts such as overshadowing
- Planning boundaries, the activity centre core and residential catchments (inner and outer catchments)
- Community engagement
- Adequacy of proposed planning controls and the ability to include variations for each local context
- Larger sites that may warrant a master planned approach
- Loss of third-party review rights and standardised “deemed-to-comply” planning provisions
- Inadequate information for the community

The following discussion provides a detailed analysis of these matters, structured around four principal themes:

- Planning methodology and approach
- Proposed planning outcomes
- Program gaps and considerations
- Process and governance.

## 4.1 Planning methodology and approach

### 4.1.1 Housing Growth Index (HGI) and the Built Form Typologies

Council’s assessment of the proposed planning outcomes for activity centres has looked at the key tools considered by DTP in determining the proposed building heights. These factors are the Housing Growth Index (HGI) and the built form typologies.

- **Housing Growth Index (HGI)** – In the TTZACP, an earlier “Density Index” which was used for the classification of the first 10 pilot activity centres, has been replaced by the “Housing Growth Index” (HGI). The HGI is informed by a planning tool that combines a detailed analysis of transport services and the location of jobs and amenities (such as supermarkets, medical services and open space) into a measure called ATOS: *Access to Opportunities and Services*.

All activity centres in the TTZACP have been classified into four groups based on an ATOS score plus additional place assessments. One of the primary differences in built form between different HGI types is building height. A higher HGI equates to a greater accessibility and growth opportunity, and these centres are intended by state government to accommodate taller buildings (Refer Tabel 1).

	Accessibility Criteria	Core height range (BFO)
HGI: 4	Very high access to public transport, employment, shops & services	TBC
HGI: 3	High access to public transport, employment, shops & services	Generally up to 16* storeys
HGI: 2	Good access to public transport, employment, shops & services	Generally up to 12 storeys
HGI: 1	Modest access to public transport, employment, shops & services	Generally up to 6 storeys

**Table 1: Built Form Typology Precincts**

Source: *Train and Tram Zone Activity Centre Program Explainer, DTP, February 2026*

Although Council has not yet received formal confirmation of the Housing Growth Index (HGI) assignment for Blackburn, Mitcham, and Nunawading, it was verbally acknowledged during the workshop with DTP planning officers on 24 October 2025 that HGI 3 applies to Blackburn, and HGI 2 applies to Nunawading and Mitcham. During this workshop, **Council advises that, based on its assessment, these indices do not accurately reflect the realistic development capacity, particularly for Blackburn, and that Blackburn should be assigned HGI 2.**

#### ➤ ‘City of Centres’ and the Density Index

As noted above, Council acknowledges that in the TTZACP, the earlier “Density Index”, which was used for the classification of the first 10 pilot activity centres, has been replaced by the “Housing Growth Index” (HGI), primarily derived from the quantitative ATOS-based matrix. While this provides a consistent metropolitan-wide methodology for allocating density based on transport and job accessibility, there is no clear explanation of how DTP applies the ATOS-based matrix to assess centres and assign the HGI, which is the main factor in determining building heights. Council considers that this quantitative approach does not fully account for environmental and heritage constraints, infrastructure capacity limitations, or place-specific character considerations.

In examining the proposed building heights in each of the three activity centres, it is useful to consider the State Government’s initial Density Index contained in the [City of Centres work](#). According to Council’s assessment of two key factors in the Density Index matrix (Table 2), access to fixed public transport and access to employment, Blackburn is assigned a Density Index of 6, while Nunawading and Mitcham are assigned Density Index 5.

		Access to employment				
Access to fixed PT		< 2.5km from CBD	> 750k	500 - 750k	250 - 500k	< 250k
Train 3+ lines	10		9	8	7	6
Train - 2 lines			8	7	6	5
Train - 1 line + tram			7	6	5	4
Train - 1 line			6	5	4	3
Tram Route			5	4	3	2
No fixed PT			4	3	2	1

**Table 2: Density index matrix for MACs**

Source: City of Centres, Development of typology-based built form controls, May 2024

When translated to activity centre types, all three centres fall within the same density category, reflecting a moderate density classification (Table 3).

MeACs	4	Highest density
10 High density	3	Moderate - Higher density
9		
8		
7		
6	2	Moderate density
5		
4		
3		
2	1	Lowest density
1 Low density		

- Blackburn Activity Centre
- Nunawading & Mitcham Activity Centres

**Table 3. Translation of density index matrix to activity centre types**

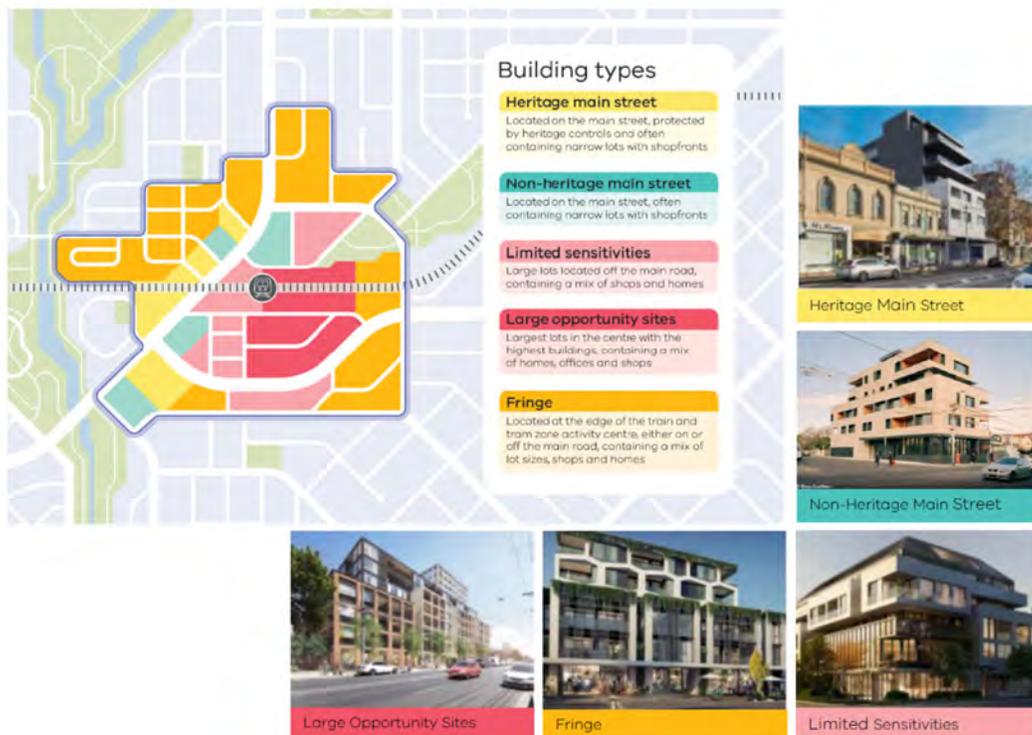
Source: City of Centres, Development of typology-based built form controls, May 2024

According to Council's assessment, as both the Density Index (previously used in the pilot activity centres classification) and the new HGI (applied to Train and Tram Zone activity centres classification) translate directly into built form expectations such as minimum and maximum heights, Blackburn's classification should be adjusted. Proposing Blackburn a higher HGI level (3) appears disproportionate and does not appropriately reflect its infrastructure capacity or contextual sensitivities, particularly when compared with the proposed HGI Level 2 designation for Nunawading and Mitcham, which have comparable transport access and activity centre characteristics.

**Council seeks that Blackburn's HGI should be adjusted to HGI Level 2 to achieve a more achievable and moderate density outcome, ensuring that future building heights and development intensity remain proportionate and responsive to the local context.**

- **Built Form Typologies** – Five typologies<sup>3</sup> have been developed:
  - Heritage Main Street Core
  - Non-Heritage Main Street Core
  - Fringe
  - Limited Sensitivities
  - Large Opportunity Sites/Enclosed Shopping Centres.

These typologies define typical building envelopes, including attributes such as zoning, lot size, and subdivision pattern. Each typology has associated planning controls, including maximum and minimum building heights, street wall heights, setbacks, and sun access requirements, to guide development outcomes for each activity centre. The typologies were applied to the activity centre cores based on its attributes (see Figure 4),



**Figure 4: built form typology precincts (generic example),**  
Source: Train and Tram Zone Activity Centre Program Explainer, DTP, February 2026

<sup>3</sup> Draft Urban Design Background Summary Report, September 2025

According to the current proposed **HGI** and applied **Built Form typologies**, the draft maps for the Blackburn–Mitcham cluster propose substantial increases in permissible building heights within the designated activity centre cores.

**Blackburn (Proposed HGI 3)** faces the highest intensity, with up to 16 storeys on some sites and widespread 12-storey areas, representing the highest intensity in the cluster. The proposed controls appear to exceed what can reasonably be accommodated within the existing urban structure and built form context, with the extent and magnitude of uplift considered excessive in both height and spatial coverage.

**Nunawading and Mitcham (Proposed HGI 2)** are generally capped at 12 storeys on select core sites. While taller buildings may have strategic merit on carefully justified sites, it is unclear whether all nominated sites meet locational logic, realisable development opportunities, site capability, infrastructure capacity, and appropriate transition outcomes.

While Council generally supports increased density in well-served locations, it is concerned that the proposed distribution, scale, and application of these height controls have not been rigorously assessed and may not adequately respond to site-specific local constraints and opportunities. Further discussion of activity centre classification, building heights, built form typology, and setbacks is provided in section 4.2 Planning outcomes.

#### **4.1.2 Proposed Activity Centres Core and Catchment Boundaries**

Under the Activity Centres Program, the proposed planning controls establish a hierarchy between the activity centre core and its surrounding catchments, with the intent that this will manage building scale, density and interface with existing residential areas.

**The core**, comprising largely commercial zones in proximity to public transport, retail, and employment nodes, is intended to accommodate higher-density development. We acknowledge that the activity centre core boundaries extend to adjoining open space and some public land at the edges of the existing commercial areas. DTP has advised that this extension is intended to ensure that solar access is protected for these land parcels from adjoining development. While this approach is supported in principle, its effectiveness relies on the implementation of genuine and enforceable planning controls to deliver the intended solar protection outcomes.

**The inner catchment**, adjoining the core, comprises predominantly residential zones and facilitates moderate-density development, generally up to four storeys. Exceptions apply to sites exceeding 1,000m<sup>2</sup> with a minimum frontage of 20m, where development up to six storeys may be possible.

**The outer catchment**, also largely residential, serves as a transitional zone to low-density residential areas, generally limited to three storeys, with a maximum of four storeys on larger sites (over 1,000m<sup>2</sup> with a 20m frontage). This graduated approach is intended to provide an orderly transition in built form and protects the amenity of adjacent residential zones.

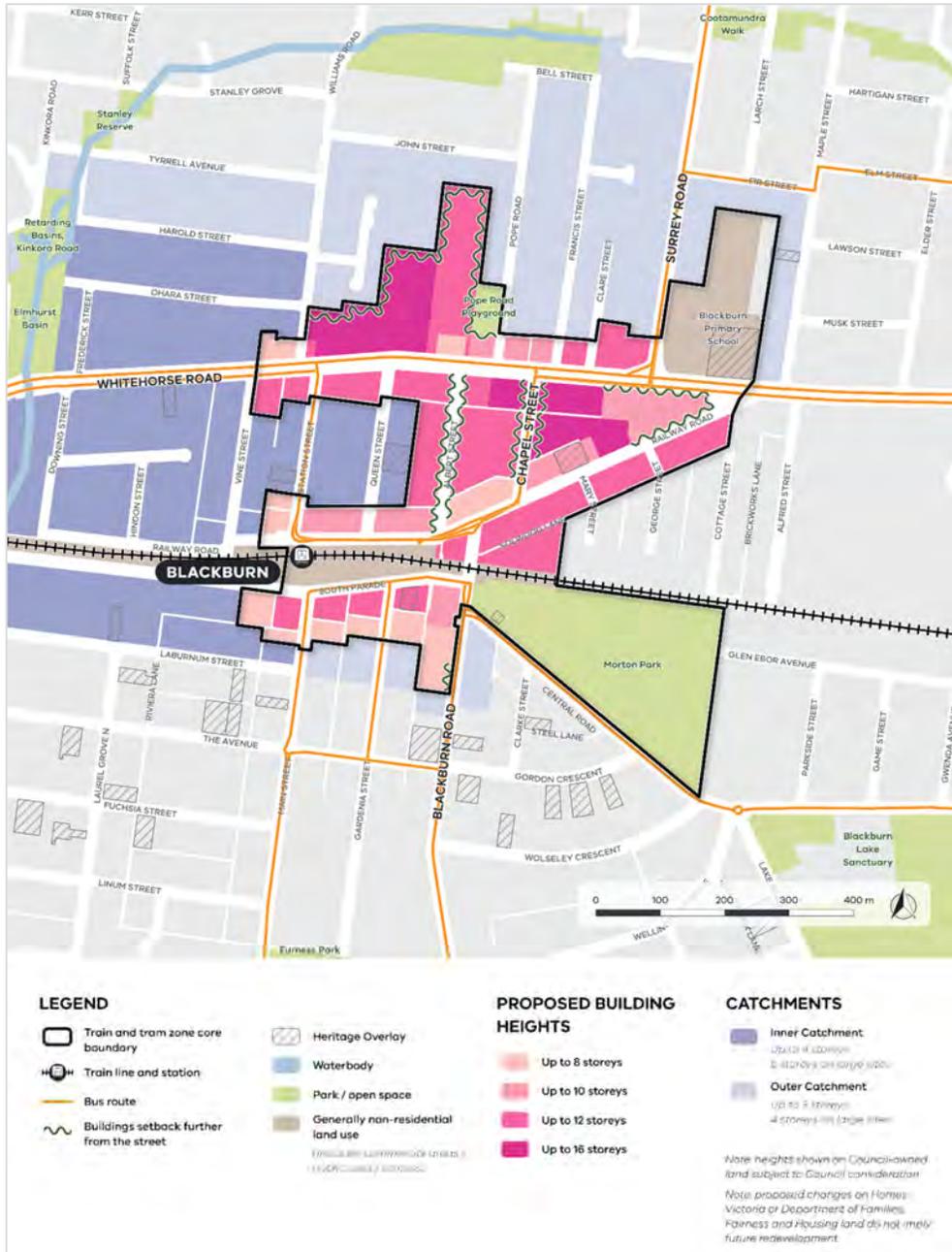
Issues in relation to the core and catchment areas for each of the centres are discussed in section 4.2 Planning outcomes.

## 4.2 Proposed Planning Outcomes

### 4.2.1 Activity Centre Core Built Form and Design Outcomes - Heights, Typologies, and Setbacks

- **Blackburn Activity Centre Core: Key Issues and Council Position**

Proposed maximum building heights are up to 16 storeys on some sites within and at the edge of the core, with the predominant maximum height being up to 12 storeys, representing the highest potential development intensity within the cluster.

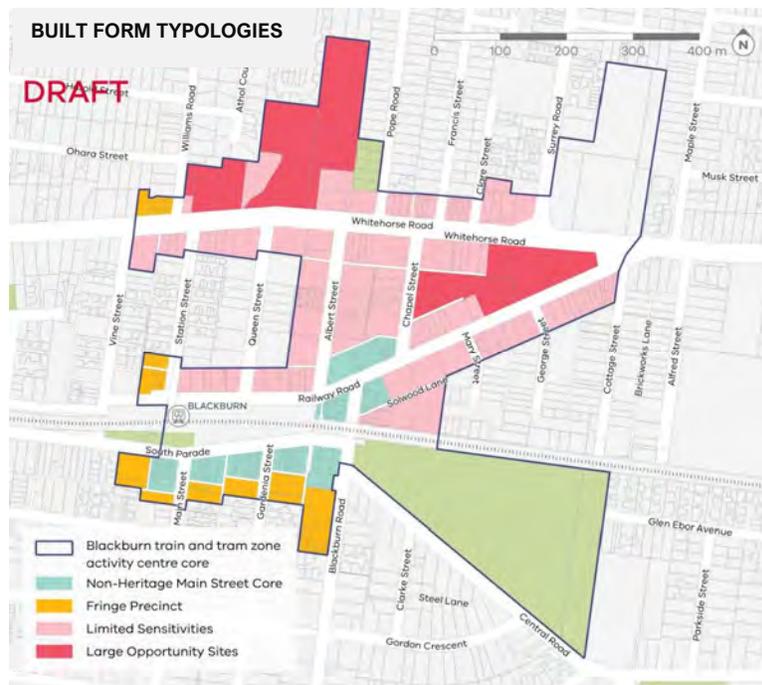


**Map 4: Proposed Building Heights, Blackburn Activity Centre Core,**  
 Data accessed via Engage Victoria

Council recently conducted a 3D built form modelling analysis of the Blackburn Activity Centre core (Figure 5), using DTPs set “Built Form Typologies” and then incorporating tests of local variations. **Overall, the Department proposed typologies for the Blackburn Activity Centre core (Map 5) are generally supported by Council; however, Council does not support the scale of the development subsequently applied and as reflected in the state government’s proposed Draft Plans, as this is considered inconsistent with the local “Village” context, and the desired outcomes for sensitive growth in Blackburn.**



**Figure 5: Blackburn Activity Centre – 3D Built Form Analysis**  
 Source: Council modelling, Whitehorse Activity Centres Built Form Scenario Testing



**Map 5: State Government – Proposed Built Form Typologies**  
 Source: Department of Transport and Planning, February 2026

As identified in section 4.1.1, the primary concern underlying the issue identified above relates to Blackburn’s assigned Housing Growth Index (HGI) as assigned by the state government. Analysis of the Maximum Building Heights within the HGI tables provided by the DTP <sup>4</sup> (Table 4) demonstrates significant variation in permitted heights between HGI levels for identical typologies. For instance, the “Non-Heritage Main Street Core” typology allows a maximum height of 27m (8 storeys) in centres with HGI 2, compared with 40m (12 storeys) in centres with HGI 3.

Similarly, the Minimum Building Heights table provided by DTP (Table 5) highlights a substantial difference between HGI 2 (13m, 4 storeys) and HGI 3 (21m, 6 storeys), further illustrating the scale of variation introduced by the Index assignment.

This marked discrepancy indicates that the current HGI assignment is the principal driver of the proposed development scale, rather than considerations of local context. Consequently, reviewing and adjusting Blackburn from HGI3 to HGI2 is essential to ensure built form outcomes that align with Council’s objectives for context-sensitive, incremental, and appropriately scaled development.

PRECINCT	MAXIMUM BUILDING HEIGHT*				DISCRETIONARY OR MANDATORY	DEEMED TO COMPLY
	1	2	3	4		
Heritage Main Street Core	21m	27m	40m	53m	Discretionary	Yes
Non-Heritage Main Street Core	21m	27m	40m	53m	Discretionary	Yes
Fringe	21m	27m	40m	53m	Discretionary	Yes
Limited Sensitivities	27m	27m or 34m or 40m	40m or 53m and some sites could be greater height subject to urban design testing		Discretionary	Yes
Large Opportunity Sites and Enclosed Shopping Centres	27m	27m or 34m or 40m	40m or 53m and some sites could be greater height subject to urban design testing	53m and some sites could be greater height subject to urban design testing	Discretionary	No

**Table 4: Maximum Building Heights by Built Form Typology**  
 Source: DTP, Draft Urban Design Background Summary Report, September 2025

<sup>4</sup> Draft Urban Design Background Summary Report, September 2025

PRECINCT	MINIMUM BUILDING HEIGHT				DISCRETIONARY OR MANDATORY	DEEMED TO COMPLY
	1	2	3	4		
Heritage Main Street Core	13m	13m	13m	13m	Discretionary	Yes
Non-Heritage Main Street Core	13m	13m	21m	21m	Discretionary	Yes
Fringe	13m	13m	13m	13m	Discretionary	Yes
Limited Sensitivities	13m	13m	21m	21m	Discretionary	Yes
Large Opportunity Sites and Enclosed Shopping Centres	None specified				Not applicable	No

**Table 5: Minimum Building Heights by Built Form Typology**

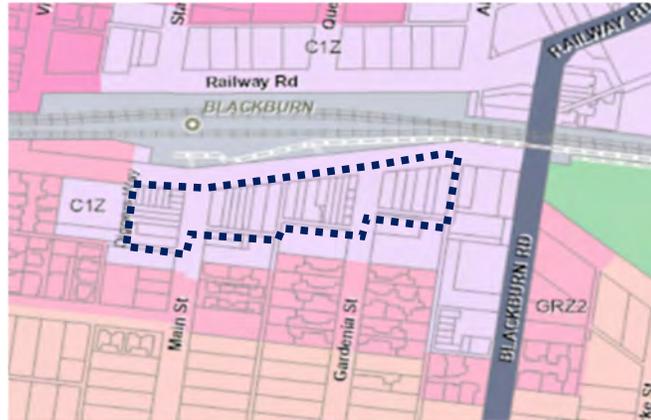
Source: DTP, Draft Urban Design Background Summary Report, September 2025

Given recent developments approved and constructed at lower heights in the core than proposed in the draft plans it seems unlikely that the proposed heights and dwelling yield will be realised. It is noted that there is currently a Design and Development Overlay (DDO8) across the Blackburn activity centre and extending east into the Megamile with much lower preferred maximum building heights than the state government’s draft plans<sup>5</sup>. More information on changes to existing DDOs is included in section 4.2.6.

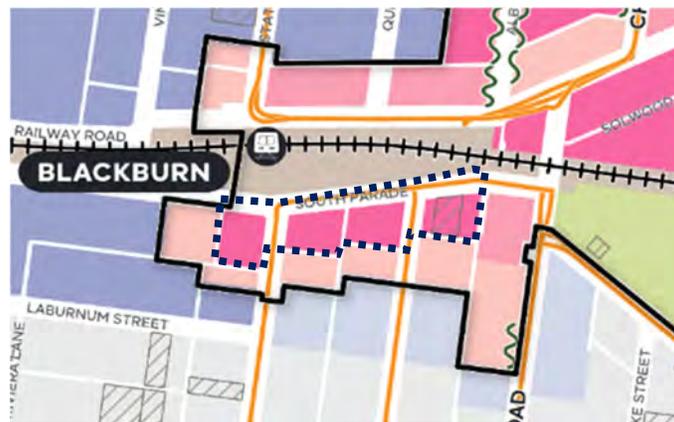
This context underscores a critical consideration in assessing activity centre planning: the achievability of the proposed building heights and the realism of redevelopment expectations, and the risk that the draft plans create a false capacity for housing growth. In the Blackburn activity centre core, for example, the proposed maximum heights of up to 16 storeys are inconsistent with existing land uses and the local context. The sites at 138–144 Whitehorse Road and 146 Whitehorse Road continue to operate as established car-related businesses (Lexus and Nissan/Kia), with recent and ongoing renovations demonstrating their ongoing commercial viability. Similarly, the site on the north east corner of Whitehorse and Surrey Road (173-175 Whitehorse Road) has a proposed maximum height of up to 12 storeys and has been recently developed for 5 storey apartments. Anticipating these properties to transition to high-density residential development is therefore unrealistic, at least in the medium and short term, and the notion of placing housing above active car yards raises significant questions regarding feasibility, market demand, and broader strategic planning outcomes. Similar examples exist in Nunawading and Mitcham activity centres as well. Another example highlighting the misalignment between proposed heights and the local context is South Parade. The proposal for development of up to 12 storeys on the south side of South Parade (Figures 6 & 7) involves fine-grain properties (mostly shops) and that warrants a more modest scale than shown in the draft plans and that responds to the existing street

<sup>5</sup> DDO8 includes preferred maximum building heights in the activity centre of 10 metres in South Parade, 15 metres for most of the land between railway Road and Whitehorse Road and 11 metres along Railway Road in the vicinity of the station

width, lot rhythm, and pedestrian experience of the “Blackburn Village”. Given the fragmented ownership of these fine-grain lots, with narrow lot widths (in some cases less than 5 metres) and depth ratios of approximately 1:6, achieving the proposed 12-storey height would require significant consolidation of multiple properties, making development at this scale unrealistic in practice.



**Figure 6: Zoning and Lot Sizes – South Parade, Blackburn Activity Centre**  
 Source: City of Whitehorse, Weave Interactive Map, accessed February 2026.



**Figure 7: DTP Proposed building heights of up to 12 storeys along the South Parade**  
 Data accessed via Engage Victoria

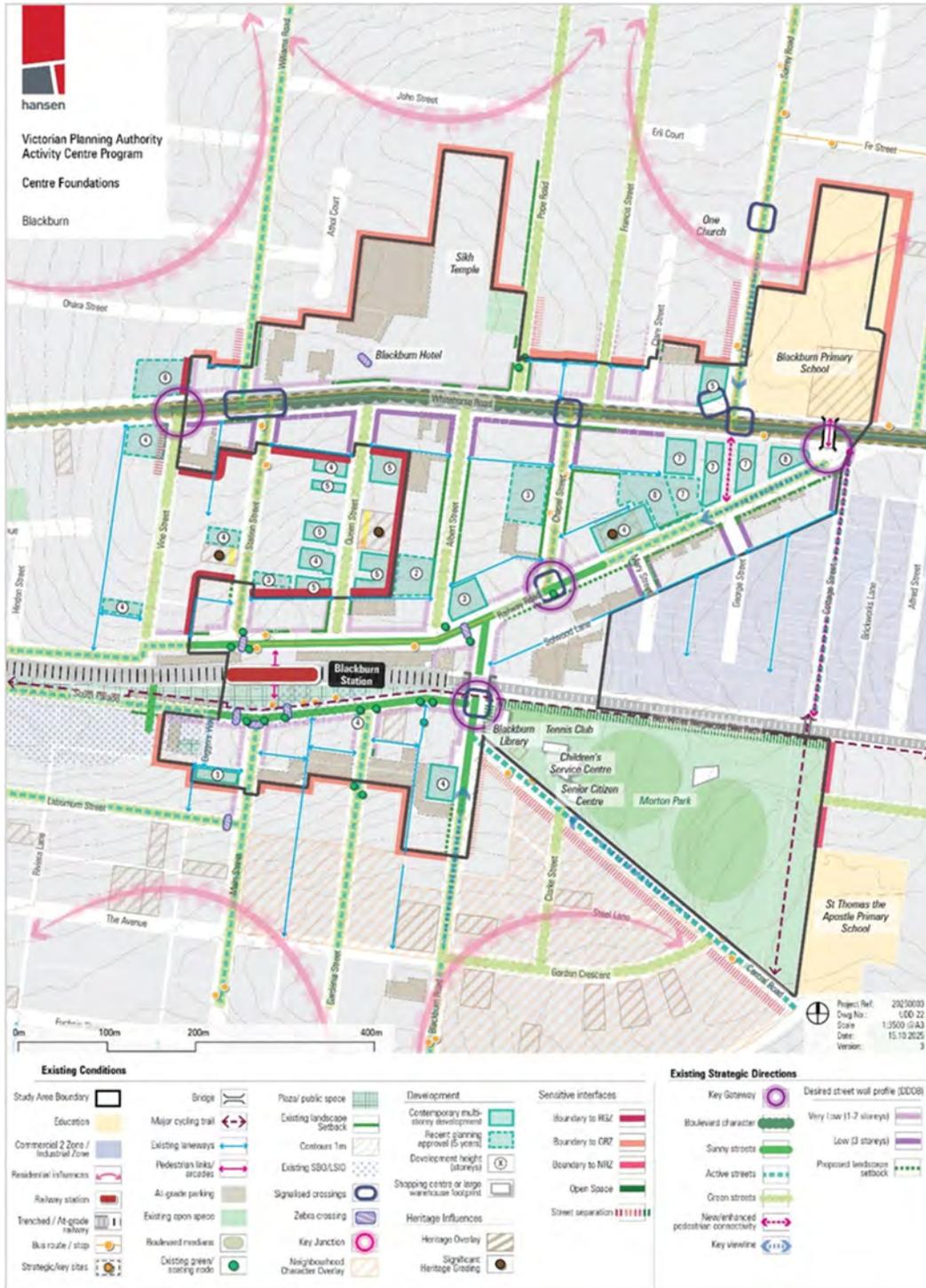
While a “Non-Heritage Main Street Core” Built Form Typology designation<sup>6</sup> is appropriate for this location, **it is recommended that building heights along South Parade be limited to 8 storeys** (the maximum height identified for the “Non-Heritage Main Street Core” typology in centres with HGI:2, as shown in Table 4, page 22), and **properties behind them should be limited to 6 storeys (Fringe Built Form typology), followed by a transition to 3 storeys within the Outer Catchment.**

This stepped height arrangement would provide a clear and appropriate transition toward the 3-storey Outer Catchment areas, maintaining compatibility with the fine-grain character of the South Parade and minimising potential adverse impacts on the streetscape.

Another key consideration in the Blackburn Activity Centre core is the proposed **built form and interface with the public realm**. Foundation Maps were previously prepared by the DTP

<sup>6</sup> Draft Urban Design Background Summary Report, September 2025

but not released to the public (Refer Map 6). The Foundation Maps show existing conditions, constraints, and opportunities. Council played a critical role by providing detailed local information to inform and complete these maps.



**Map 6: Blackburn Activity Centre Core, Foundation Maps**  
Source: Department of Transport and Planning (DTP), 2026

The main elements of the Foundation Maps are as follows:

- **Transport and Movement:** bus routes, cycling trails, signalised crossings, key junctions, at-grade parking, pedestrian links.
- **Land Use and Development:** strategic key sites, contemporary multi-storey developments, recent planning approvals, main overlays.
- **Public Realm and Open Space:** existing open spaces, public plazas, green nodes, boulevard character, sunny streets, active streets, green streets, existing landscape setbacks
- **Heritage and Sensitive Interfaces:** heritage sites, key view lines, desired street wall profiles according to the current DDOs.

Although the Foundation Maps provided a valuable evidence base to inform urban design controls within the activity centre cores, the proposed Planning Controls Map (Map 7) does not appear to fully incorporate or reflect this locally informed analysis. For example, Green Streets, Sunny Streets and Active Streets are not represented in the proposed Planning Controls Map. As a result, several key inputs provided by Council have not been translated into the draft built form framework, including proposed setbacks.

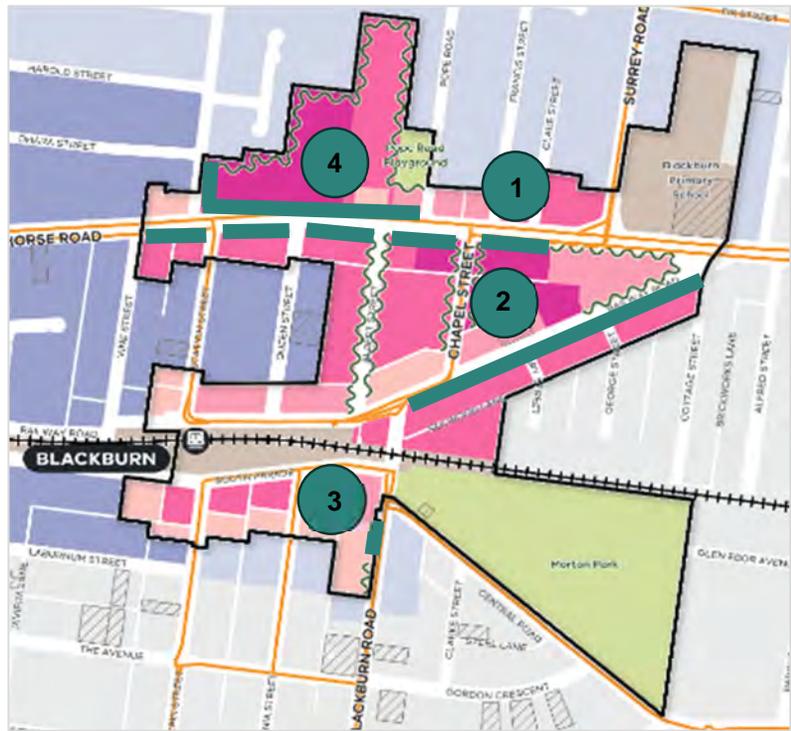


**Map 7: Selected Proposed Planning Controls, Blackburn Activity Centre Core**

*Source: Department of Transport and Planning (DTP), 2026*

For example, according to the Foundation Maps provided for the Blackburn Activity Centre core, **additional landscaped / building setbacks are required for certain streets beyond those currently proposed**, including Albert Street, Chapel Street, portions of Railway Road, and Whitehorse Road. These setbacks are needed to accommodate deep soil planting and canopy trees, support improved pedestrian amenity, and contribute to the overall character and usability of the public realm. They also help create sunny, active streets, reinforce human-

scale development, and enhance public realm interfaces in sensitive areas, as identified in Figure8.



**Figure 8: Proposed Extensions to Landscape / Building Setbacks in the Blackburn Activity Centre Core**

1. South side of Whitehorse Road, extending the proposed setback
2. South side of Railway Road, to provide greater public realm space.
3. West side of Blackburn Road, extending to South Parade.
4. North Side of Whitehorse Road (Between Williams Road and Pope Road)

These proposed extensions to landscaped / building setbacks are sought to enhance the streetscape, improve pedestrian amenity, and ensure that built form is appropriately responsive to the local context.

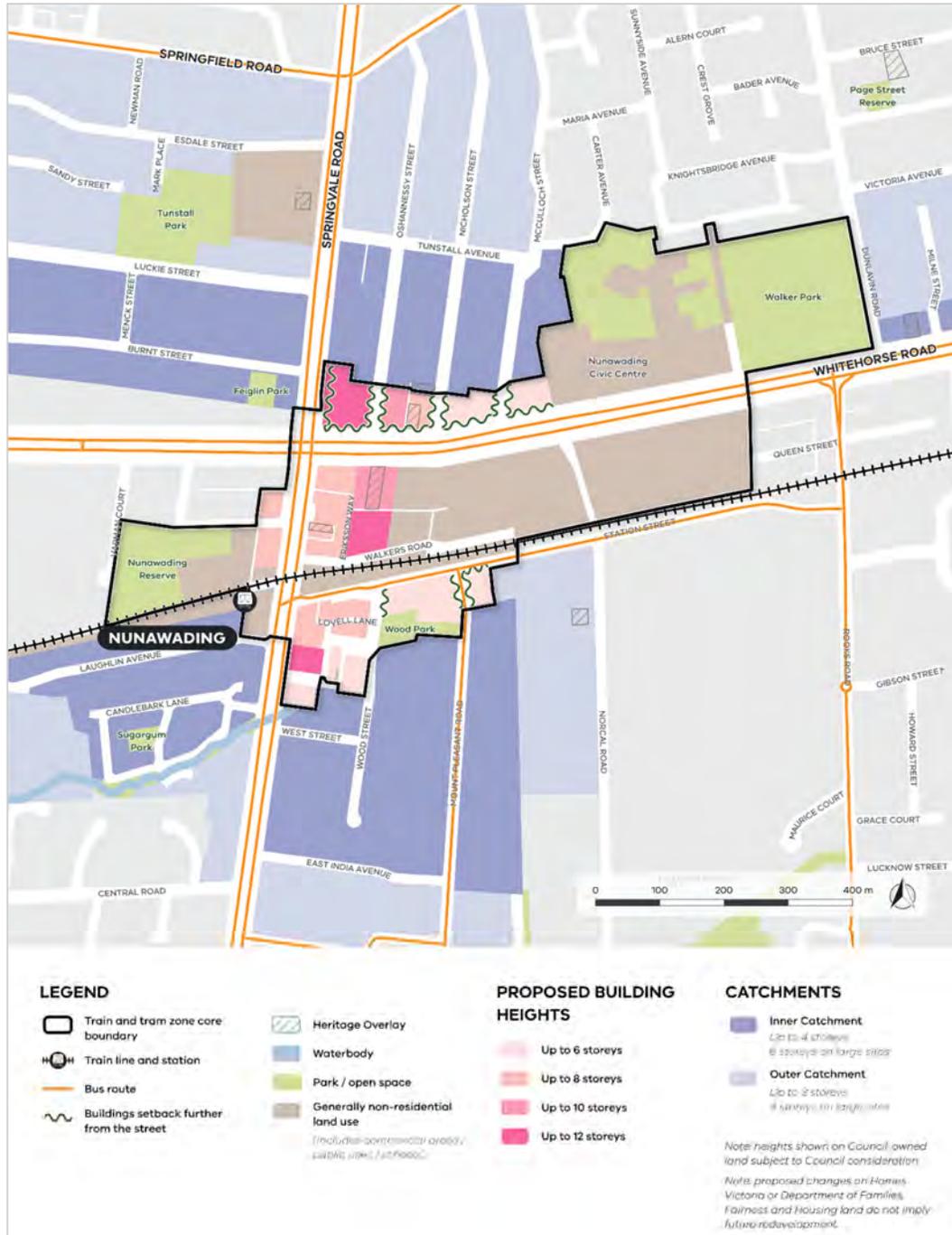
A further matter relates to inconsistencies in the proposed core plans regarding building setback requirements. The current documentation appears to contain errors in the depiction of setbacks from the street, with certain proposed setbacks also applying to interface conditions, which is appropriate in principle. However, the setback framework should be clearly and accurately articulated. In particular, a graduated transition in setbacks from the edge of the core through the inner and outer catchments, and beyond the catchment areas, is necessary to achieve an appropriate built form transition and to respond sensitively to surrounding contexts. This is especially relevant to the interfaces around the Blackburn Hotel and Sikh Temple precinct with surrounding low rise residential areas to the east, north and west, where the treatment of these sensitive interfaces is critical and there is inadequate information in the draft plans. Equally the broad principles about how building height might be applied across these large opportunity sites needs to be expressed in the Draft Plans. The need for master planning these sites is discussed later in this submission.

Appendix 2 includes Council’s recommended local variations for the proposed BFO schedule.

Council considers that sensitive interfaces should be clearly identified and shown on the maps to ensure these transition requirements are visually understood and implemented effectively.

- **Nunawading Activity Centre Core: Key Issues and Council Position**

The maximum proposed building height within the Nunawading Activity Centre is 12 storeys on selected sites, with most of the Nunawading core areas ranging between 6 and 8 storeys (Refer Map 8).



**Map 8: Proposed Building Heights, Nunawading Activity Centre Core,**  
Data accessed via Engage Victoria

The Nunawading Activity Centre Core boundary has been identified around the immediate surrounds of the Train Station, containing commercially zoned land (Commercial 1 Zone and Commercial 2 Zone land) and some residentially zoned (RGZ2) land to the north side of Whitehorse Road and the south side of Station Street next to Wood Park. The boundary also extends significantly to public land to the east, taking in the Whitehorse Civic Centre and Walker Park, and Silver Grove / Nunawading Reserve to the west.

Of the 3 activity centres in the Cluster, it is considered that, Nunawading demonstrates the strongest potential for future development due to its good access to public transport (train and orbital smart bus route), proximity to key community facilities such as the Whitehorse Civic Centre including the Nunawading Library, Council offices and the new regional arts and entertainment facility (The Round), as well as the Nunawading Community Hub, and police and emergency services. The area is also strategically well-positioned and has sites with future redevelopment opportunity that would contribute to housing supply and broader urban renewal objectives.

However, taller buildings should be confined to carefully identified and justified sites. For example, in Nunawading, the site at 193–195 Springvale Road (cnr Market Street) is identified for a 12-storey outcome (Figure 9). However, this property has been developed in the last 10 years as a multi-storey building at six (6) storeys, making redevelopment to the proposed height in the medium term unlikely. This indicates that some nominated uplift sites may not fully reflect existing development conditions, building life cycles, or realistic redevelopment potential.



**Figure 9: Proposed new development of up to 12 stories at 193–195 Springvale Road, Nunawading.**

**These considerations highlight the need for a carefully targeted and strategically coordinated approach to future height allocation within the Nunawading core. In collaboration with Council, a more refined review of site opportunities could identify locations with genuine redevelopment capacity and strong alignment with the centre’s long-term vision.**

In this context, sites such as Silver Grove, Nunawading, including the Nunawading Reserve site, may warrant further consideration as part of a comprehensive, master-planned redevelopment opportunity within the future core of the Nunawading Activity Centre. Council has already undertaken an assessment of this site including preparation of concept plans.

There are also other locations within the core, including larger consolidated sites, underutilised commercial or at-grade car park sites, and parcels with direct frontage to Springvale Road and close proximity to the Nunawading Station and civic precinct, that may present more feasible opportunities for taller built form outcomes. Further, the Phase 2 draft plan for Nunawading does not give any guidance as to building height or future zoning for the Commercial 2 zoned land included in the core boundary further east of Springvale Road. This includes particularly large sites currently known as Home HQ, Harvey Norman and Amart stores. **Council seeks further dialogue with DTP on these unaddressed sites.**

➤ **Overshadowing Impacts on Wood Street Park, Nunawading: Key Issues and Council Position**

Council’s built form testing in relation to Wood Street Park, Nunawading, indicates that under the DTP proposed controls and draft height maps for the surrounding parcels (maximum six storeys / 21 metres heights, see Figure 10), over 50 per cent of the park could be overshadowed during the winter solstice between 10:00 am and 3:00 pm, and the majority of the park is likely to remain in shadow between 10:00 am and 2:00 pm due to potential development to the north.



**Figure 10: Solar Analysis, Wood Street Park, Nunawading**  
Source: Council modelling, Whitehorse Activity Centres Built Form Scenario Testing

While these results illustrate the potential extent of overshadowing under the draft plans, the current predominantly single-storey dwellings north of the park, mitigates significant solar impacts. Review of Nearmap aerial imagery captured around mid-day on 21 June, Figure 11 shows that existing overshadowing is largely confined to that cast by the side and rear fences of adjoining properties. Under current conditions, sun access to the park is therefore largely maintained between 10:00 am and 3:00 pm.



**Figure 11 – Extract of Nearmap aerial showing the current extent of winter shadows, Wood Street Park, Nunawading**

Wood Street Park is classified in Council’s *Open Space Strategy, Technical Report 2025* as a “Proposed Expansion to Existing Open Space,” reflecting potential plans for enlargement or upgrades that could influence its function and characteristics. Given the park’s importance as a key local open space serving nearby residents and families, maintaining adequate solar access is critical to ensuring its usability and amenity. Council’s seeks assurance that future development balances growth with protection of solar access, preserving the usability and amenity of streets and open spaces for the community.

In recognition of this, **Council recommends that a “High Protection” designation be applied to Wood Street Park, corresponding to mandatory sun access protection<sup>7</sup>, to safeguard its ongoing amenity and public value. To support this objective, Council proposes that maximum building heights for parcels immediately north of the park be reduced, and wider landscape setbacks considered**, ensuring a buffer that both mitigates overshadowing and enhances the park’s public realm (Figure 12).

Appendix 2 includes Council’s recommended local variations for the proposed BFO schedule.

---

<sup>7</sup> No additional overshadowing between 10 am and 3 pm on 21 June.

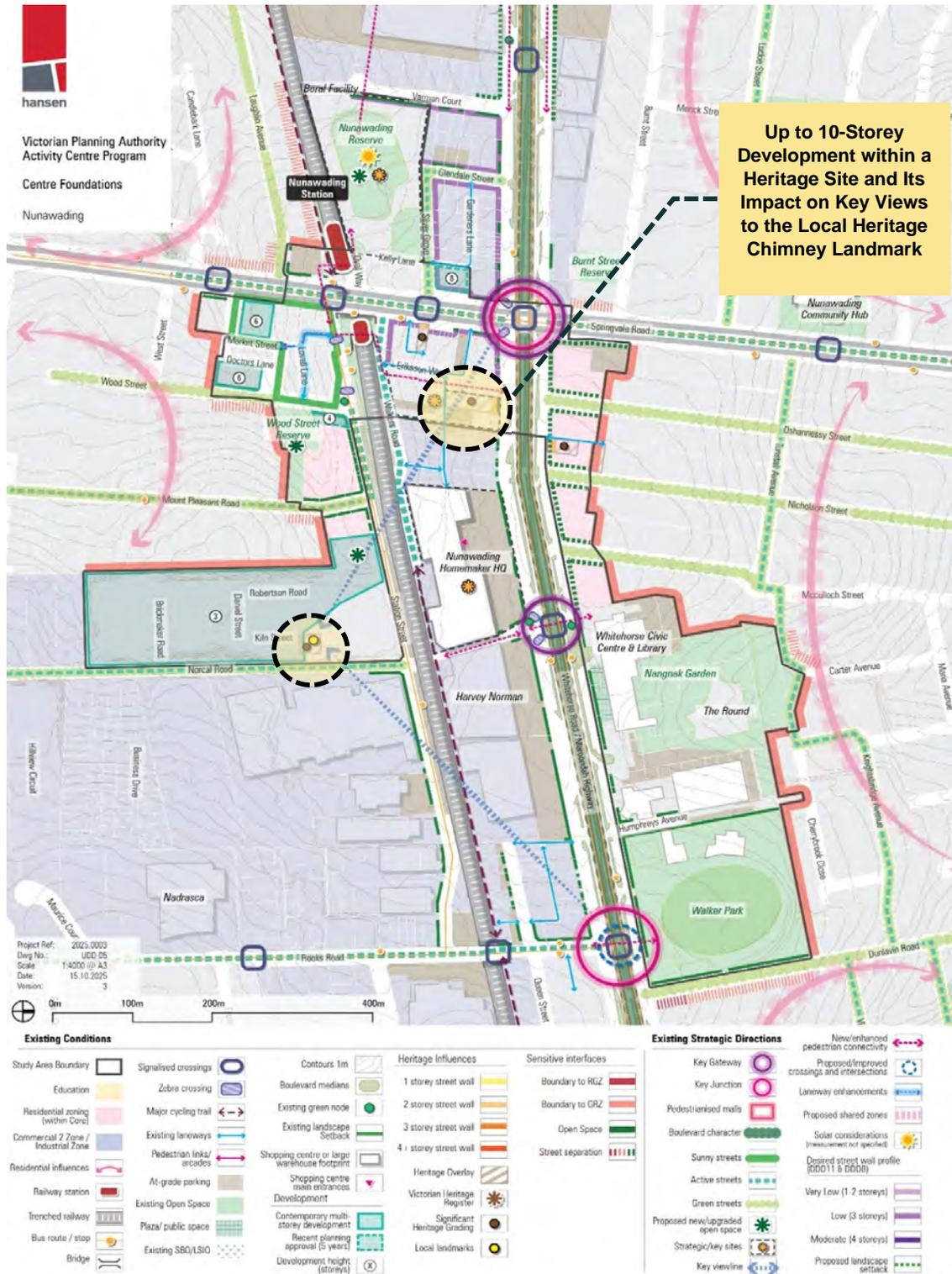


Figure 12: Proposed Extensions to Landscape / Building Setbacks in the Nunawading Activity Centre Core

➤ **Impacts on Nunawading’s Heritage Sites and Landmarks: Key Issues and Council Position**

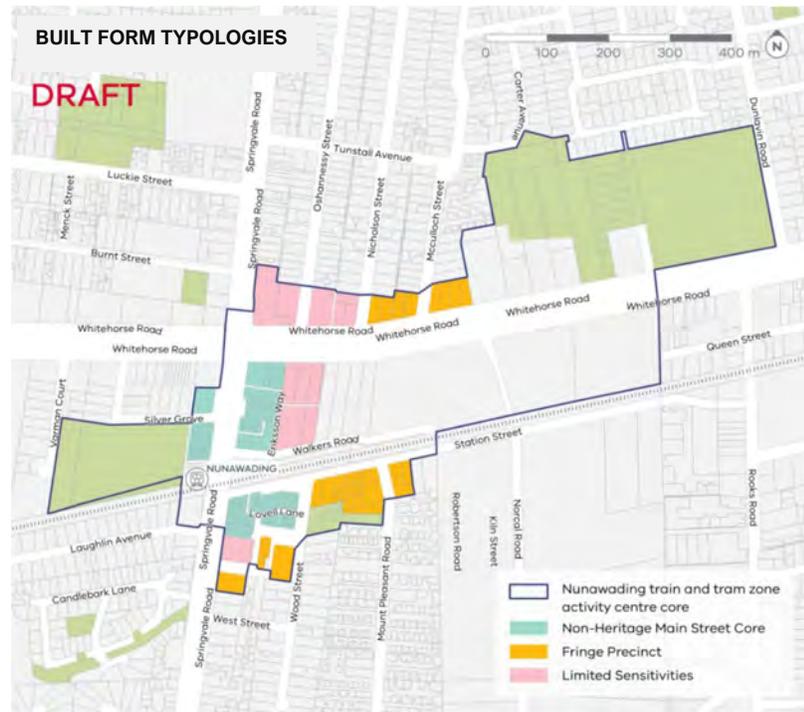
According to the Nunawading Foundation Map (Refer Map 9), the area contains several significant heritage-graded sites and local landmarks that require careful consideration in the proposed building height maps. Notably, one of the key view lines from the intersection of Whitehorse Road and Springvale Road is impacted by the proposed development of up to 10 storeys at 358–362 Whitehorse Road, Nunawading (comprising commercial buildings, the heritage former Shire Offices and half of the fire brigade site) and 12 storeys on the sites adjoining to the rear at 1 – 13 Walker Avenue.

This development would obstruct the primary view toward the heritage chimney at the Nunawading Brickworks site on Norcal Road and would also affect the visual context and prominence of the former Shire Office building on Whitehorse Road. **These potential impacts highlight the need for a more site-responsive approach to height allocation in proximity to heritage assets and key local landmarks.**



➤ **Proposed Built Form Typologies in the Nunawading Activity Centre Core**

Council generally supports the proposed Built Form Typologies applied to the Nunawading Activity Centre (Refer Map 10). Council also acknowledges that there are sites with immediate redevelopment potential, as well as larger underutilised parcels that could be strategically transformed over time to support the centre’s long-term growth and community functions.



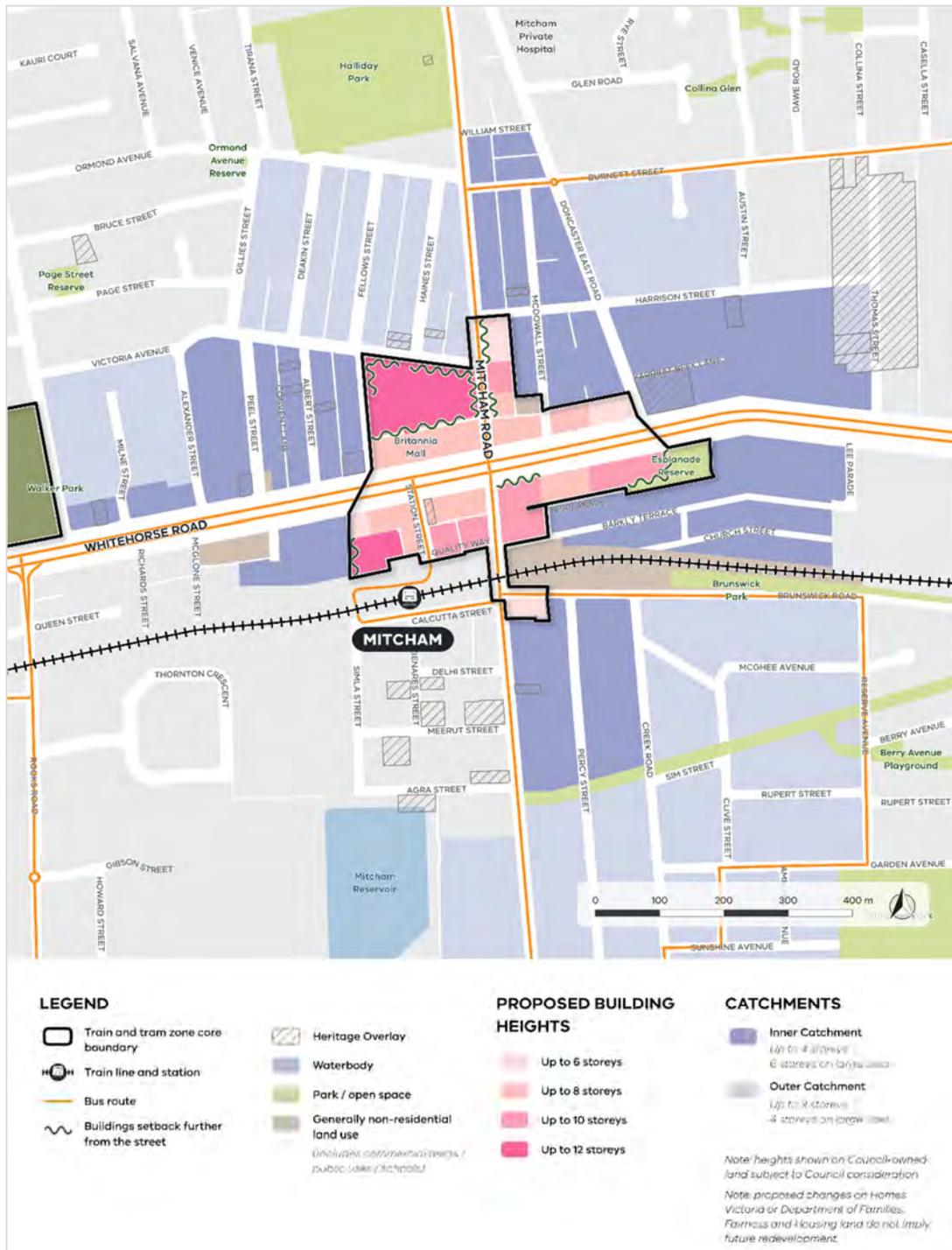
**Map 10: State Government – Proposed Built Form Typologies, Nunawading**  
 Source: Department of Transport and Planning, February 2026

A clear example of this potential is the Silver Grove site (Nunawading Reserve), which was identified through Phase 1 and Phase 2 community engagement as a strategic redevelopment opportunity. Currently underutilised and situated immediately north of Nunawading Station, the site offers a strong prospect for comprehensive, master-planned mixed-use development. With careful planning to ensure potential sensitive uses are not impacted by nearby industrial uses, this could include housing, with potential for social housing, alongside community facilities, retail space, and enhanced public open space. **Integrating Silver Grove within the activity centre core would focus growth in a highly accessible location, strengthen the centre’s economic and community functions, and deliver tangible public benefits, including improved open space and social infrastructure.**

Beyond Silver Grove, the presence of large C2Z (Commercial 2 Zone) sites within Nunawading presents further opportunities to develop the centre as a thriving, mixed-use hub that better serves the community. **Council seeks that the DTP consider these sites when designating Built Form Typologies, ensuring that commercial areas are strategically considered in the centre’s future growth framework.** Properly planned, these sites could contribute to enhanced economic activity, employment, and community amenity, complementing residential and civic redevelopment in the activity centre core.

- **Mitcham Activity Centre Core: Key Issues and Council Position**

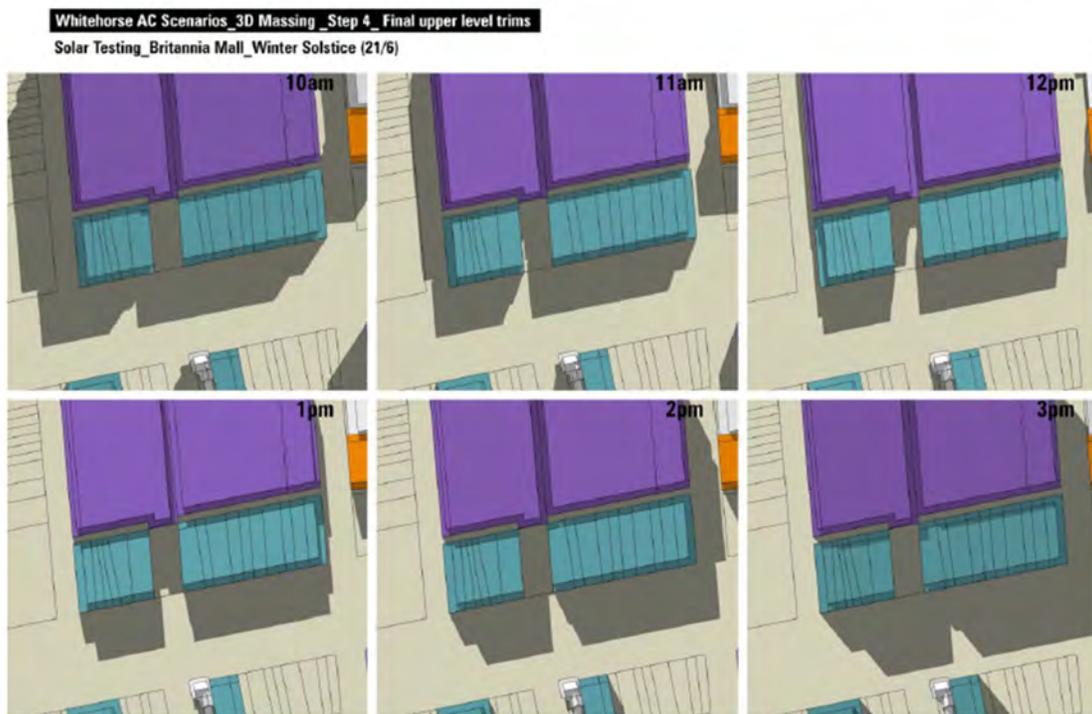
The maximum proposed building height within the Mitcham Activity Centre is 12 storeys on select sites, while most areas within the core are generally anticipated to range between 8 and 10 storeys (Refer Map 11).



**Map 11: Proposed Building Heights, Mitcham Activity Centre Core,**  
 Data accessed via Engage Victoria

As with Blackburn and Nunawading, based on the materials released to date, there is no clear evidence that the Local Variations Assessment, including detailed place-specific testing and refinement, has been undertaken or transparently demonstrated by DTP. The absence of documented local variation testing raises concern that the proposed controls reflect a standardised application of typologies rather than a calibrated response to site-specific constraints and opportunities.

As an example, the proposed building heights for Britannia Mall in Mitcham demonstrate a lack of detailed local variation testing. Council recently undertook built form scenario modelling for this precinct based on a 6-storey outcome (noting that the DTP proposed height for the site is up to 8 storeys), incorporating a 5-metre front setback above an 11-metre (three-storey) street wall and 4.5- to 6 metre side setbacks. The large opportunity site to the north was tested at 8 storeys (noting that the DTP proposed height for the site is up to 12 storeys), with a 3-metre front setback. (refer Figure 13).



**Figure 13: Solar Analysis, Britannia Mall, Mitcham**

*Source: Council modelling, Whitehorse Activity Centres Built Form Scenario Testing*

Overshadowing analysis undertaken by Council for the winter solstice (21 June), between 10 am and 2 pm, indicates that the public realm of Britannia Mall would be largely in shadow for most of this period, with only a small portion receiving sunlight at 12 pm. This represents a significant departure from the existing conditions, where the mall currently benefits from meaningful sunlight access between 11 am and 2 pm due to lower adjacent building heights and the limited scale of development at the existing Mitcham Shopping Centre site (Refer Figure 14).



**Figure 14: Extract of Nearmap aerial showing the current extent of winter shadows, Britannia Mall, Mitcham**

Notwithstanding this, the Department of Transport and Planning has proposed building heights of up to 8 storeys along Whitehorse Road and up to 12 storeys on the northern large opportunity site, which would further increase overshadowing of the mall, other public realm (such as footpaths) and adjoining residential areas particularly in the vicinity of the large development sites on Edward Street. The interface of Victoria Crescent has a sensitive interface to the Neighbourhood Residential Zone area to the north which should also be considered.

**Council considers it necessary that the proposed setbacks on the large opportunity site on the eastern side of Edward Street be extended** to provide a more appropriate transition to the adjoining residential areas. Further, that consideration be given to appropriate **setbacks and building presentation to Victoria Crescent** as a sensitive interface.

Another site within the Mitcham Activity Centre Core requires further overshadowing assessment is 3/602 Whitehorse Road, Mitcham. The site is proposed for buildings up to 10 storeys adjacent to The Esplanade Reserve on the southern side of Whitehorse Road. Council recommends that the building height be reduced from up to 10 storeys to 8 storeys along the park interface to ensure an appropriate transition and to protect amenity and prevent overshadowing of the park and surrounding areas.

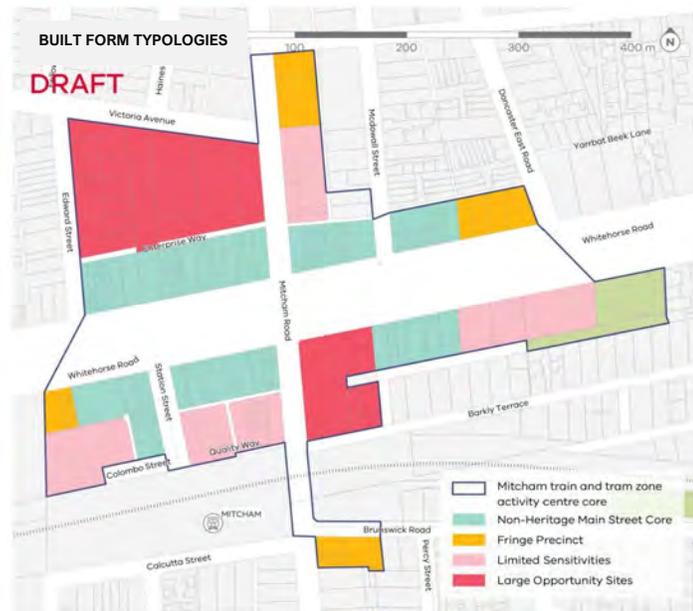
➤ **Impacts on Mitcham Heritage Sites and Landmarks: Key Issues and Council Position**

Another key component of Council’s Built Form Scenario Testing relates to the visual impact assessment of the proposed building heights and associated urban design controls on buildings adjoining the heritage place at 528 Whitehorse Road, Mitcham (former Post Office). This site is a significant element of Mitcham’s local character and represents an important component of the centre’s historic identity (Refer Figure 15).



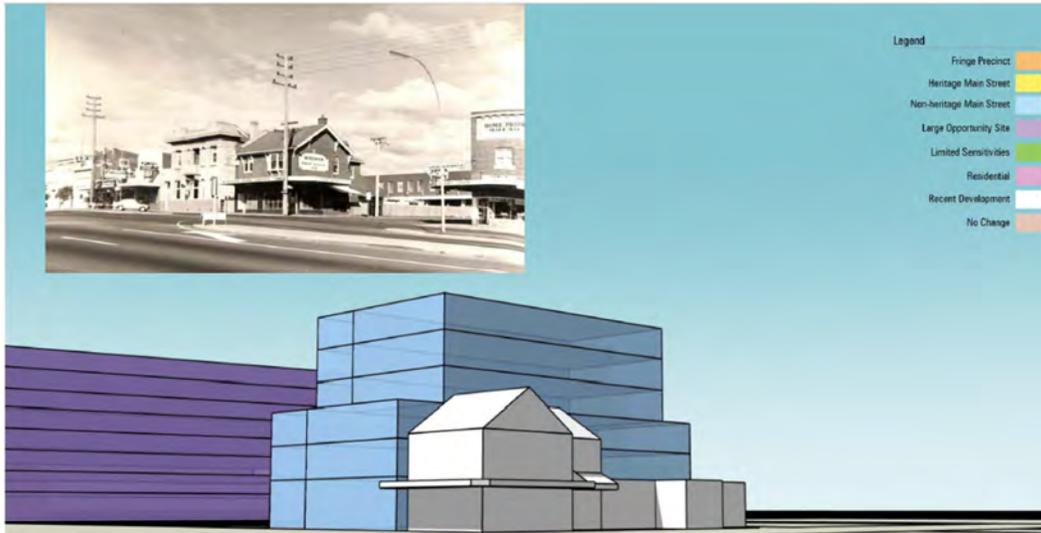
**Figure 15: Nearmap aerial of heritage site at 528 Whitehorse Road, Mitcham (former Post Office), local landmark.**

Under the exhibited Built Form Typology for Mitcham (Refer Map 12), identified as “Non-Heritage Main Street Core, State Government proposes a maximum building height of up to 8 storeys for the buildings adjoining the Post Office, together with standardised street wall heights and upper-level setback requirements.



**Map 12: State Government – Proposed Built Form Typologies, Mitcham**  
 Source: Department of Transport and Planning, February 2026

Council’s visual impact assessment was undertaken on a 6-storey form, reflecting a more conservative approach to evaluating potential impacts on the heritage setting (Refer Figure 16). Notably, even at 6-storeys, the assessment demonstrates a significant visual impact on the heritage place, highlighting that an 8-storey form would likely exacerbate these effects and further diminish the prominence and legibility of the Post Office within the Whitehorse Road streetscape.



**Figure 16: Visual Impact Assessment on Heritage Site in Mitcham (Former Post Office)**  
 Source: Council modelling, Whitehorse Activity Centres Built Form Scenario Testing

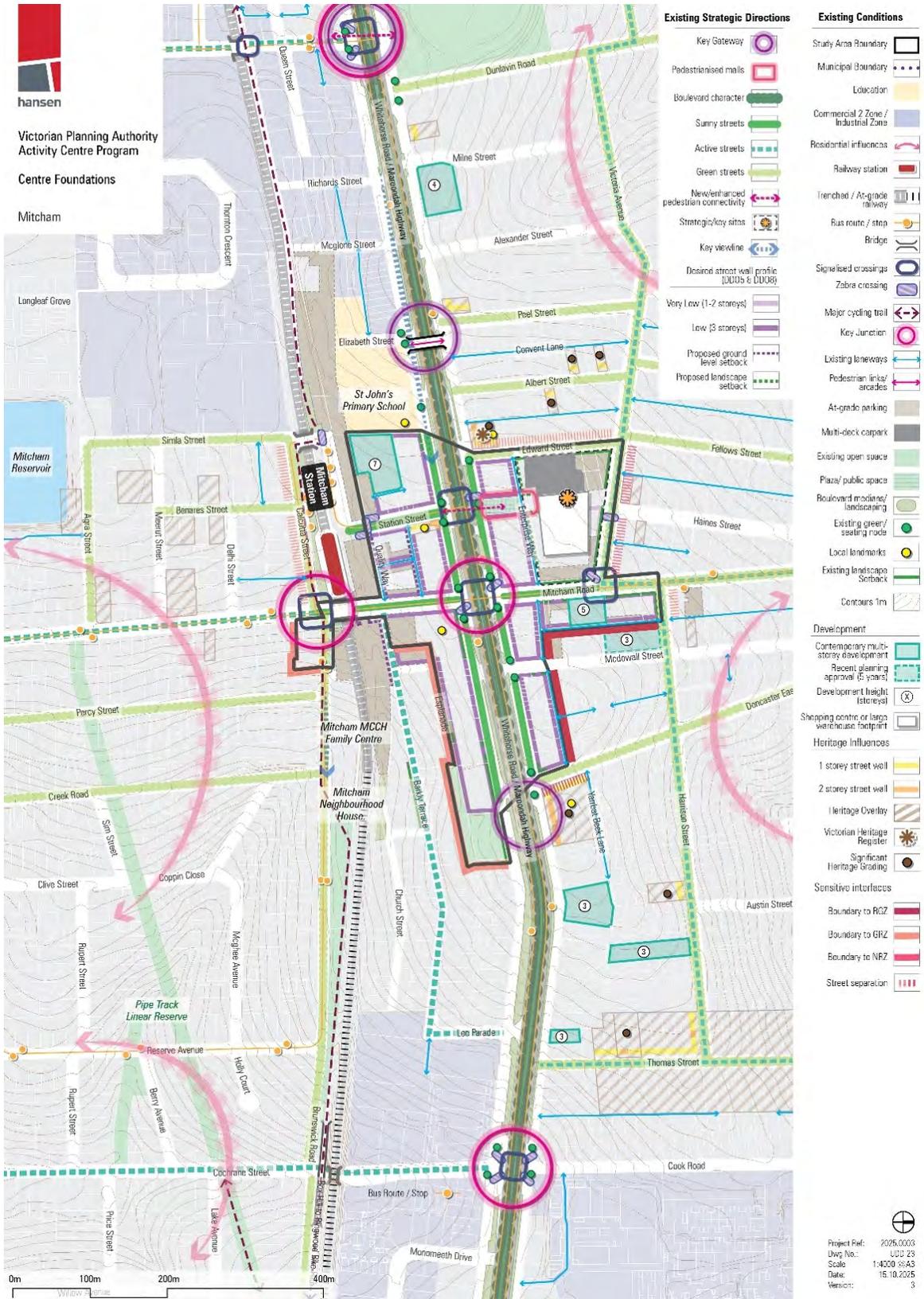
As shown above, the proposed street wall and setback controls, as currently articulated, may not sufficiently address issues of visual dominance, scale transition, and potential impacts on the heritage setting.

Accordingly, Council considers that further clarification and more tailored urban design controls are required where proposed typologies interface with context-sensitive sites and key public realm assets within Mitcham. These include heritage and community landmarks such as 559–561 Whitehorse Road (Church), 556–572 Whitehorse Road (Mitcham Hotel), 528 Whitehorse Road (Former Post Office), and 469–471 Whitehorse Road (Church), as well as important open space and landscape interfaces including Esplanade Reserve.

In addition, particular attention must be given to key pedestrian and highly active streets such as Station Street, Edward Street, Mitcham Road, Doncaster East Road and Victoria Avenue.

Consistent with the Movement and Place Framework and the Sun Access Standards outlined in the Urban Design Background Summary Report, **Council considers Station Street should be identified as a *Primary Active Frontage* (noting it is currently proposed as a *Secondary Active Frontage* in Map 13) and recognised as a key pedestrian spine linking Britannia Mall and the railway station. This corridor presents a strategic opportunity for integrated master planning to strengthen pedestrian connectivity, activation, and public realm quality.**

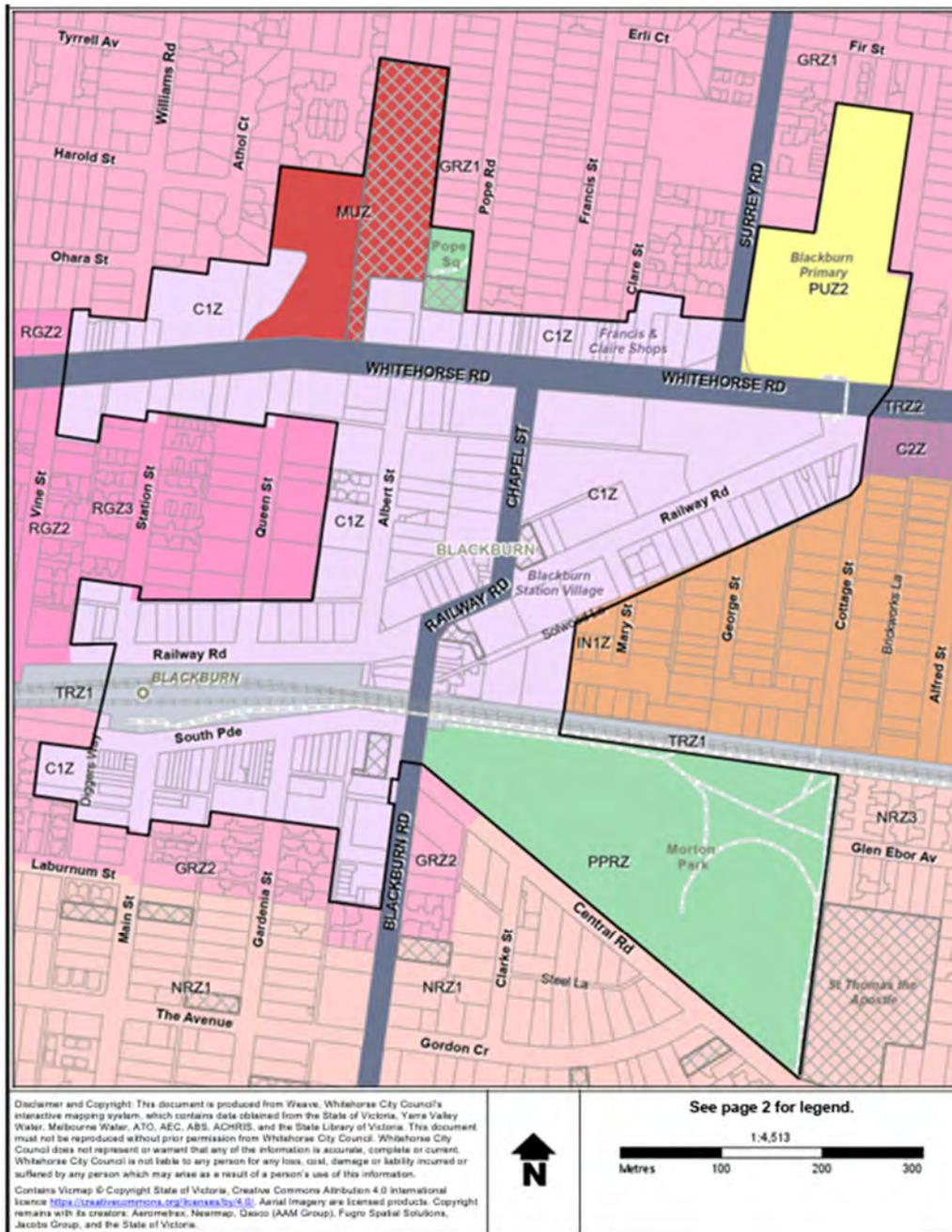




**Map 14: Mitcham Activity Centre Core, Foundation Maps**  
 Source: Department of Transport and Planning (DTP), 2026

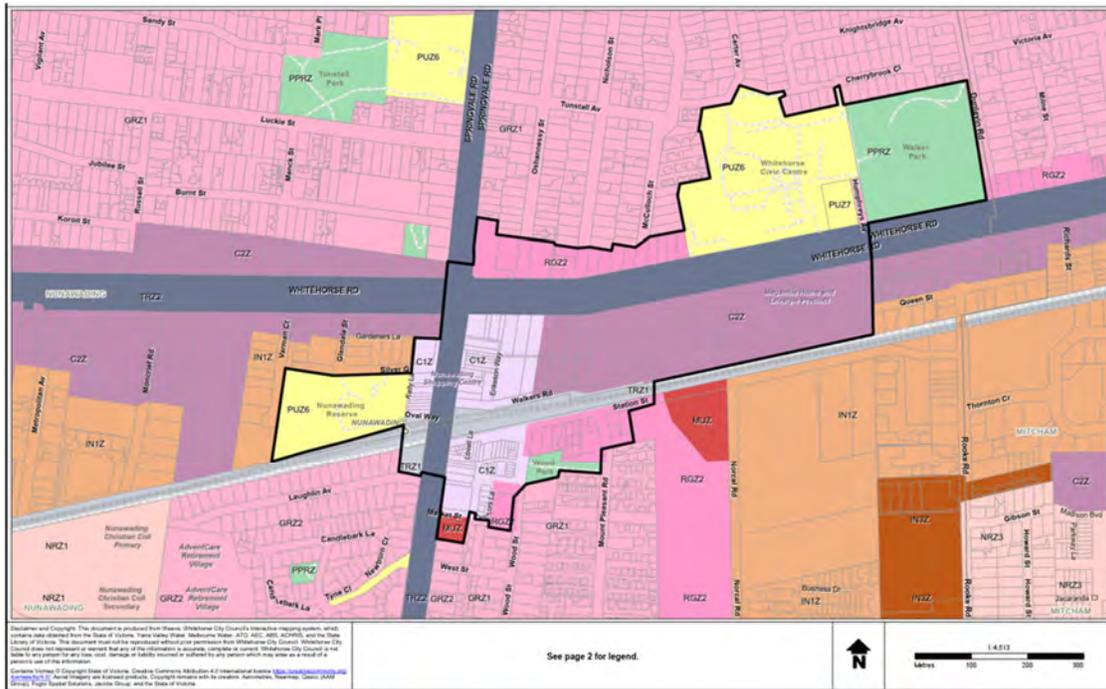
## 4.2.2 Proposed Activity Centres Core Boundary

Council supports the proposed Activity Centre core boundary in Blackburn, as it predominantly includes the C1Z and MUZ zones, encompassing the large opportunity sites at 111–125 Whitehorse Road (the Blackburn Hotel site) and 127 Whitehorse Road (the Sikh Temple). Inclusion of the adjacent PPRZ and PUZ sites within the core boundary is also supported to ensure that future development within the Activity Centre protects solar access to these publicly accessible and community-focused sites, consistent with the applicable sun access standards.



Map 15: Blackburn Activity Centre – Core Boundary and Current Zoning

In Nunawading, the core boundary includes C1Z land plus some C2Z (including large sites such as Amart, Harvey Norman and Home HQ), RGZ2 and MUZ land, providing integration of growth of the station precinct with a wider area.



**Map 16: Nunawading Activity Centre – Core Boundary and Current Zoning**

Existing RGZ land in the core along the north side of Whitehorse Road between Springvale Road and the Whitehorse Civic Centre, and in Station Street east of the Nunawading Village is proposed to be rezoned to the MUZ to provide greater opportunities for these sites. Council has not received any justification from DTP for the proposed rezoning (Refer Map 17).

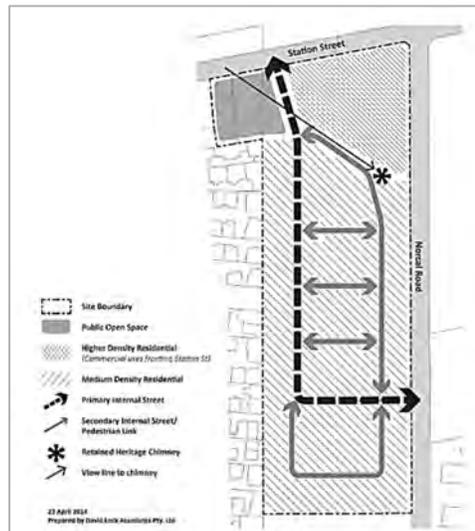


**Map 17: Selected Proposed Planning Controls, Nunawading Activity Centre Core**  
 Source: Department of Transport and Planning (DTP), 2026

The Nunawading core also includes Nunawading Reserve in Silver Grove and the Whitehorse Civic Centre (both in the PUZ) and Walker Park (PPRZ) to ensure solar protection. **Council reiterates its submission to the Phase 1 consultation period that Nunawading Reserve in Silver Grove should be included as a large opportunity site.** This recommendation has not been taken up by DTP in the Draft Plans.

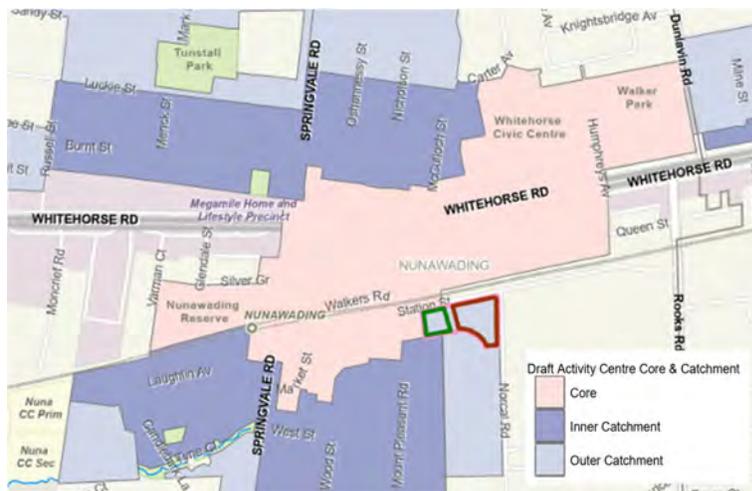
However, the proposed core boundary omits several important sites within Nunawading. In particular, there is an opportunity to include the existing public open space and the Mixed-Use Zone (MUZ), located in the northern portion of the land at 56–74 Station Street, Nunawading.

This site is already subject to an approved Development Plan under Schedule 7 to Clause 43.04 (Development Plan Overlay) of the planning scheme (Refer to Figure 17).



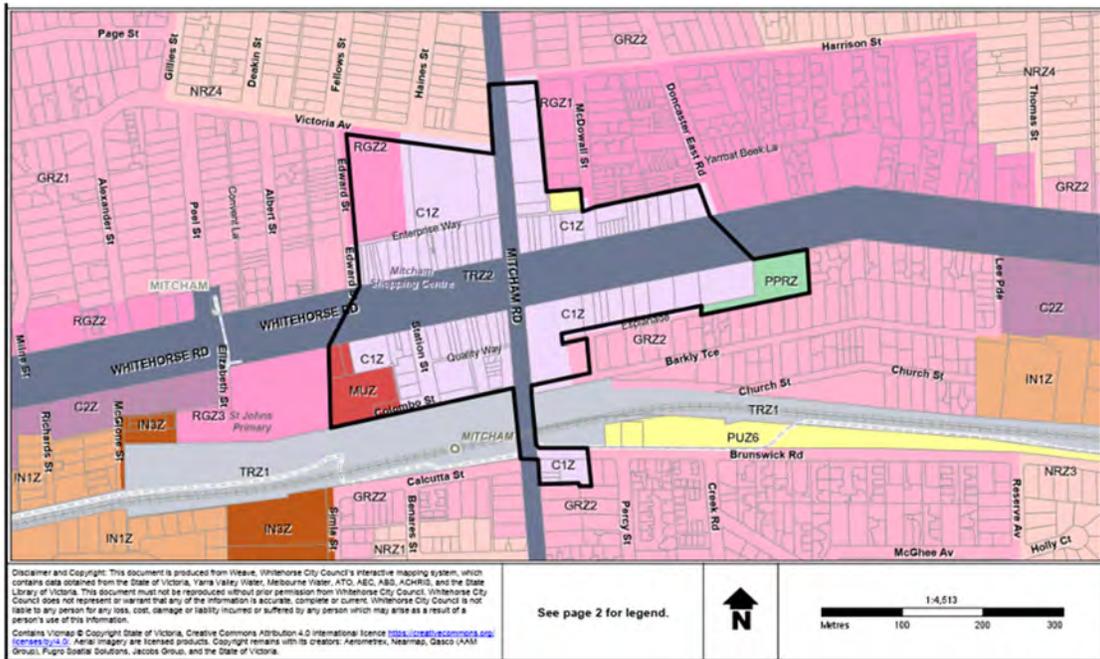
**Figure 17: Concept Plan under Schedule 7 to Clause 43.04 for 56–74 Station Street, Nunawading**

Council considers the inclusion of these sites within the core boundary to be appropriate in order to safeguard solar access to the open space and to support balanced development along the railway corridor, while ensuring integration with the broader activity centre.



**Figure 18: Council-proposed properties for the Nunawading Activity Centre Core**

In Mitcham, Council generally supports the proposed core boundary, which predominantly contains C1Z land, which is positioned to accommodate increased activity and development consistent with the Activity Centres Program hierarchy.



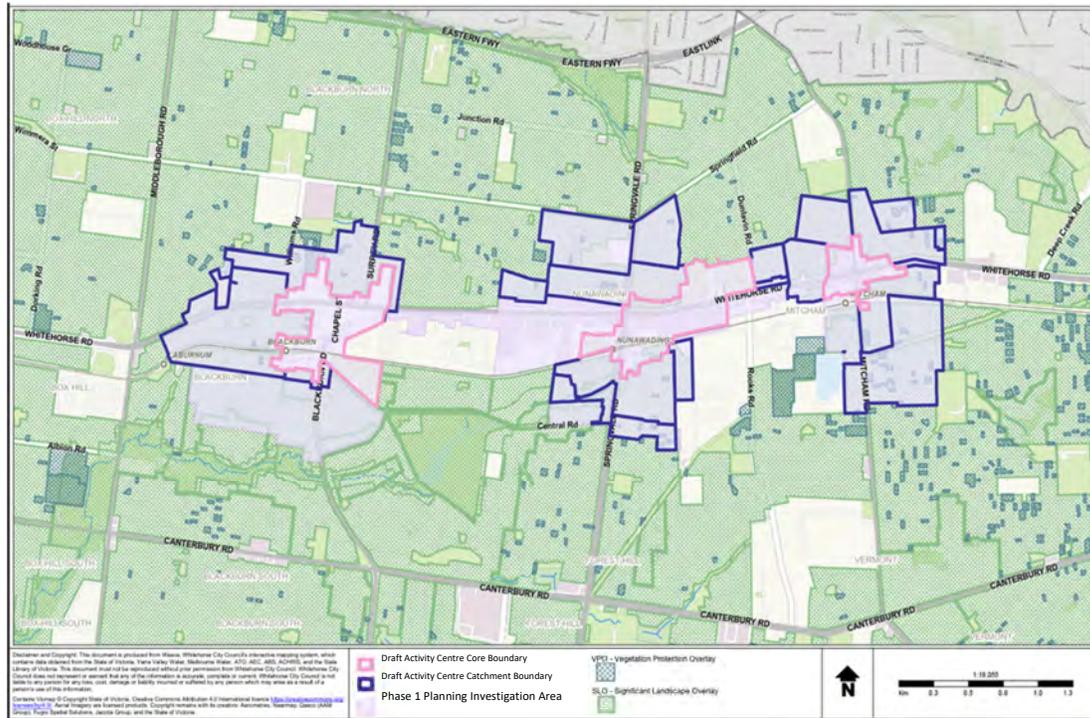
**Map 18: Mitcham Activity Centre – Core Boundary and Current Zoning**

While inclusion of the 4 commercial properties in Mitcham Road/Brunswick Road to the south of the rail line seems unusual, it is important that a modest low scale building height is assigned to provide an appropriate transition into the residential area to the south and east. It is noted that this location sits at the top of a hill on Brunswick Road, with the terrain dropping away to the east. Council is however keen to ensure that inclusion of these 4 properties is not used to justify the extent of the catchment area extending to the south. The catchment area is discussed later in this submission.

Existing RGZ land in the core at 1-9 Edwards Street, containing the Council-owned multi-deck car park next to the supermarket is proposed to be rezoned to C1Z. The C1Z is more liberal in terms of the range of uses and development that is permitted which may be appropriate for this large opportunity site. However, Council is conscious of the careful planning that is needed to ensure that the interface with and amenity of the existing residential areas to the west and north are properly managed.

### 4.2.3 Proposed Activity Centres Catchment Boundaries

The protection of existing permanent Significant Landscape Overlays (SLOs) from the proposed Activity Centres catchment boundaries was a key outcome of the Phase 1 consultation, as reflected in the draft maps.



**Map 19: Exclusion of Permanent SLOs from Activity Centres Planning Investigation Area (PIA)**

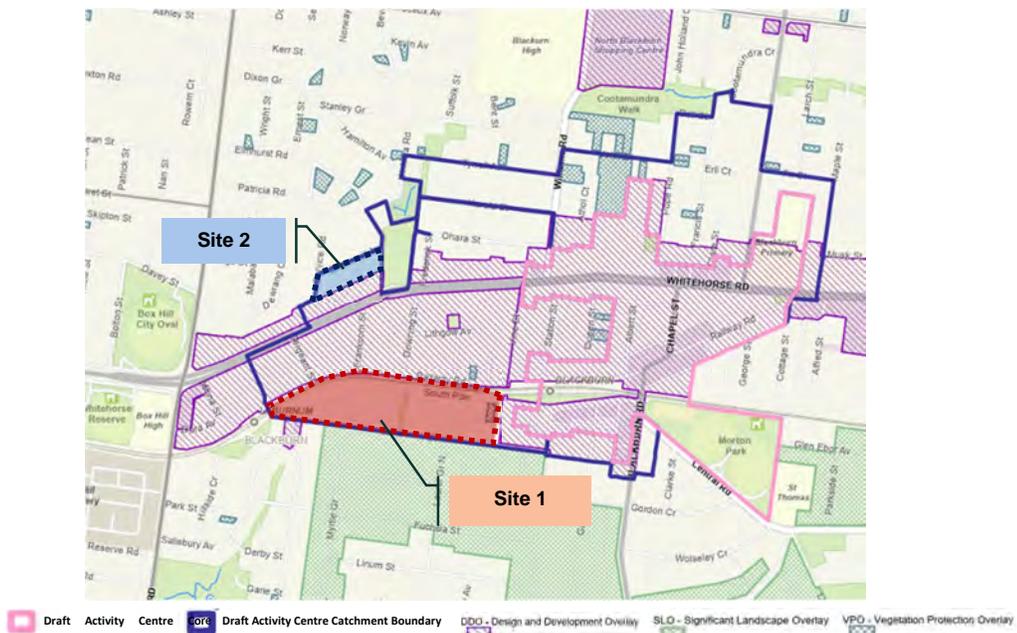
Following strong advocacy from the community, and Council (including Councillors), the Department of Transport and Planning (DTP) excluded permanent SLOs 1, 2 and 4 in Blackburn, including the Bellbird National Trust landscape, and SLO 3 in Mitcham from the proposed activity centre catchment boundaries. This outcome ensures that existing environmental protections remain fully intact and demonstrates strong alignment between State Government policy, community advocacy, and Council priorities. **Council commends the state government on the removal of permanent SLO areas from within the proposed activity centre catchment on the draft plans.**

However, there are concerns regarding the configuration of the proposed inner and outer catchment boundaries. Under the State Government's definition, the purpose of the inner and outer catchments is to provide a graduated transition from higher densities in the core (6–16 storeys), to up to 4 storeys in the inner catchment, and up to 3 storeys in the outer catchment, before transitioning to surrounding low density residential areas. In Council's view, this graduated transition is not being achieved in the way the catchments are proposed to be applied.



**Map 20: Draft Activity Centre Core and Catchments Boundary**

In Blackburn, this intended transition does not consistently occur. There are also only two primary catchment locations: the outer catchment to the north which directly adjoins the core, and a significant inner catchment that extends to the west of the centre. This configuration creates interface challenges, particularly between areas permitting up to 4 storeys and larger sites capable of accommodating up to 6 storeys along Laburnum Street and its interface with SLO2 and NRZ1 areas to the south of Laburnum Street (Refer to site 1 in Figure 19).



**Figure 19: Proposed Changes to the Blackburn Activity Centre Catchments**

**Council is seeking change the area from inner catchment to outer catchment and strengthen protection at these sensitive interfaces along Laburnum Street, supported by comprehensive urban design framework and detailed master planning, to ensure a defensible, context-responsive and appropriately graduated transition in built form.**

Likewise, **the reach of the inner catchment to properties in Broomhill Avenue and north of O'Hara Street is excessive; these areas are a long walking distance from the station and should be in the outer catchment to create a more reasonable transition** (Refer to site 2 in Figure 19).

Council has also received feedback regarding the section of Whitehorse Road between Maple Street and Peacedale Grove in Blackburn, suggesting it be considered as part of the Blackburn Activity Centre Outer Catchment for potential housing growth. It is acknowledged that this area lies beyond 800 metres from Blackburn Station and was therefore not included in the DTP Planning Investigation Area. However, it benefits from strong access to bus routes, indicating potential suitability for further development.

Council notes that this location was excluded from both Phase 1 and Phase 2 notification boundaries, meaning that residents and landowners were not formally informed about the program and therefore cannot be reasonably expected to provide feedback at this stage of the state government's program for the TTZACs. An alternative will be for Council to consider this area in review of its Housing Strategy, enabling its development potential to be evaluated through a transparent and consultative process.

In Nunawading, while the proposed framework generally achieves an appropriate transition between the proposed core, inner and outer catchments and the existing low-density residential areas, **the overall extent of the inner and outer catchments appears excessive, particularly to the north and south.** These extensions do not appear to consistently align with the principle of a 10-minute (approximately 800-metre) walkable catchment from the station as defined under the Activity Centres Program.

Furthermore, sensitive areas such as SLO11 along Newburn Court Reserve, which applies to the waterway corridors and associated landscape values, are currently included within the inner catchment. **Council considers that the inclusion of this SLO11 area, including the small-lot subdivision at Candlebark Estate (located south of the rail line and west of Springvale Road), be excluded from the catchment.** Council further recommends that **Laughlin Avenue be designated as part of the Outer Catchment** to ensure a more appropriate and graduated built form transition, while protecting significant landscape, environmental and residential amenity values.

To maintain overall housing capacity within the Nunawading Catchment, **Council suggests that alternative areas be considered for inclusion within the Outer Catchment, such as land along Vigilant Avenue, potentially extending toward Jubilee Street, as well as the potential residential land north of the Nunawading Activity Centre core, including Knightsbridge and Cherrybrook streets** (Refer to Map 21).

In Mitcham, the configuration of the inner and outer catchments raises several transition and neighbourhood character concerns. **The inner catchment extends too far north and directly interfaces with Neighbourhood Residential Zone (NRZ) land** without the benefit of an intervening outer catchment to provide a graduated transition in built form. Council considers that the northern extent of the catchment should conclude at Burnett Street rather than William Street to ensure a more defensible and context-sensitive boundary.

The Gillies/Deakin/Fellows/Haines Street grid is currently zoned NRZ and exhibits a strong and cohesive neighbourhood character. Fellows Street is also renowned for its festive lights during December with visitors from a far and it is an important community-led activation. This area represents a distinct residential precinct and may be considered for a Neighbourhood Character Overlay (NCO) as part of Council's ongoing Housing Strategy review. Pending further strategic work and any potential application of an NCO, **this precinct should not be included within the activity centre catchment.** Should inclusion remain under consideration, the preparation of a detailed urban design framework would be necessary to manage interface conditions and protect neighbourhood character values.

In addition, **the outer catchment extending toward Simpson Park is considered excessive.** The residential area bounded by Garden Avenue, Creek Road, Simpson Street and Simpson Park, much of which is zoned NRZ, should be excluded from the catchment. Its inclusion does not reflect an appropriate scale transition and risks undermining established residential amenity and character. In addition, to ensure a more appropriate transition in built form relative to the Walker Estate (SLO3) to the west and taking into account the steeper topography as land drops away to the east from Mitcham Road and where tree canopy dominates, **the Percy and Creek Street inner catchment should be designated as outer catchment.**

Furthermore, the Heritage Overlay Precinct on Thomas Street is proposed to be excluded from the Outer Catchment boundary, and a graduated transition from the Inner Catchment to the Outer Catchment is recommended prior to the Heritage Overlay Precinct to ensure a more sensitive interface with heritage areas.

A critical consideration in defining the catchment areas for each of the activity centres is their walkability, which is typically assessed as a ten-minute walking distance to the nearest station.

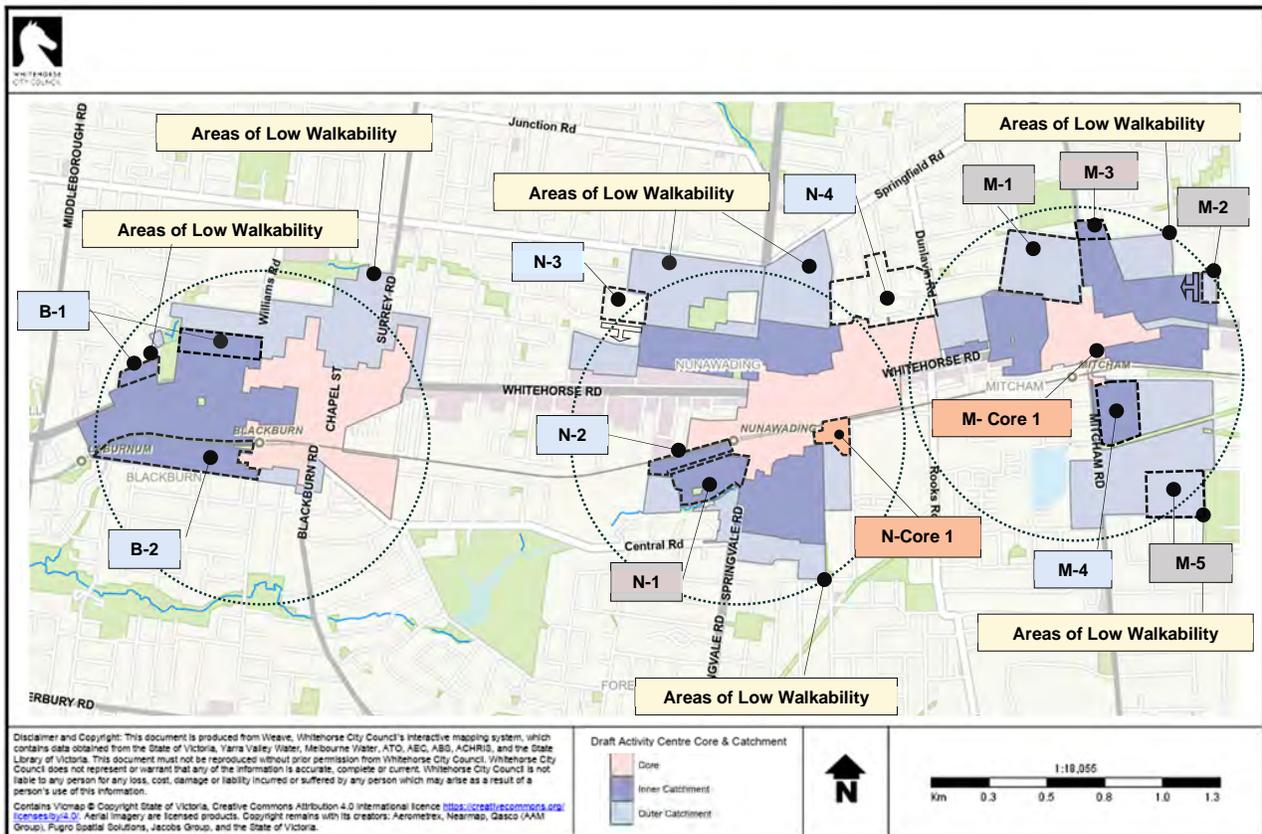
As shown in Figure 20, the total walking distance within the northern catchment boundary in Blackburn is approximately 1.4 km, while in Nunawading the southern and northern catchment boundaries each measure around 1.2 km. Similarly, in Mitcham, the southern and northern sections of the catchment are approximately 1.2 km. These distances suggest that, in practice, these areas may not be easily walkable. Additional factors, such as road gradients, for example, the slope toward Simpson Park in Mitcham, further limit accessibility, underscoring the need for a more detailed, site-specific assessment of walkability. Overall, **the catchments should be recalibrated / reduced so that these growth areas meet the walkability thresholds.**



**Figure 20: Measured Walking Distances within the Blackburn, Nunawading, and Mitcham Activity Centres Catchments**

Council seeks clarification from DTP on the methodology used to determine walkability, particularly with respect to actual access via the current road network and the presence of physical barriers, such as railway lines and limited crossing points in specific locations. It is considered that the walkability of all parts of the catchment needs to be demonstrated. Walkability from the catchment to the edge of the activity centre core is not an appropriate measure for the extent of catchment, and is not supported by Council, as the community needs for access, transport and services are not met at the periphery of the core. Of particular concern are areas where these constraints may significantly reduce accessibility and therefore undermine the rationale for inclusion within the catchment.

In conclusion, the proposed changes to the Core, Inner, and Outer Catchments in the Whitehorse Activity Centres, based on the analysis above, are shown in the Map 21.



Map 21: Whitehorse City Council Feedback on Proposed Core and Catchment Boundaries for Blackburn, Nunawading and Mitcham

<b>Blackburn</b>	<b>Core Boundary</b>	No change
	<b>Catchments Boundaries</b>	<p><b>B-1:</b> The Inner Catchment extent at Broomhill Avenue and north of O'Hara Street is excessive and should be designated as Outer Catchment.</p> <p><b>B-2:</b> Apply Outer Catchment and planning controls to sensitive interfaces with SLO2/NRZ1 along Laburnum Street, Blackburn.</p>
<b>Nunawading</b>	<b>Core Boundary</b>	<b>N-Core1:</b> Extend core to include MUZ & open space (56–74 Station St) to protect solar access and support balanced development.
	<b>Catchments Boundaries</b>	<p><b>N-1:</b> Review and preferably exclude SLO11 along Newburn Court Reserve and Candlebark Estate small-lot subdivision from Inner Catchment.</p> <p><b>N-2:</b> Designate Laughlin Avenue as part of the Outer Catchment to ensure a graduated built form transition and protect landscape, environmental, and residential amenity.</p> <p><b>N-3:</b> Include land along Vigilant Avenue, extending toward Jubilee Street, in the Outer Catchment to maintain housing capacity.</p> <p><b>N-4:</b> Include residential land north of the Nunawading Activity Centre core, including Knightsbridge and Cherrybrook streets</p>
<b>Mitcham</b>	<b>Core Boundary</b>	<b>M-Core1:</b> Adjustment to the core boundary to align with the Mitcham Hotel (556–572 Whitehorse Road, Mitcham) property boundary.
	<b>Catchments Boundaries</b>	<p><b>M-1:</b> Gillies/Deakin/Fellows/Haines Streets NRZ precinct exhibits strong neighbourhood character; exclude from activity centre catchment unless detailed urban design framework is prepared or NCO applied.</p> <p><b>M-2:</b> Exclude Thomas Street Heritage Overlay Precinct from Outer Catchment and apply graduated transition from Inner to Outer Catchment to protect heritage interface.</p> <p><b>M-3:</b> Exclude the land between Burnett Street and William Street, as it is within the Neighbourhood Residential Zone (NRZ).</p> <p><b>M-4:</b> Apply Outer Catchment to the Percy Street and Creek Road area and implement planning controls at interfaces with SLO3 on the west side of Mitcham Road. The sloping topography significantly increases the visual impact of the proposed 4 storey (up to 6 storey on larger sites) buildings.</p> <p><b>M-5:</b> Reduce the Outer Catchment to the south of Mitcham to exclude the NRZ area (Garden Avenue, Creek Road, Simpson Street area) proximate to Simpson Park.</p>

**Table 6: Whitehorse City Council Feedback on Proposed Core and Catchment Boundaries for Blackburn, Nunawading and Mitcham**

In addition to the proposed changes to the Core and Catchment boundaries, Council considers that, based on an our walkability analysis, a number of sites in the northern and western extents of the Blackburn and northern and southern Nunawading and Mitcham activity centres do not fall within a genuine walkable catchment (defined as 800 metres or a 10-minute walk via the existing road and path network). These areas are affected by physical barriers, indirect street layouts and limited crossing points, which materially reduce pedestrian accessibility to the activity centre core and key services. For example, in Mitcham, the steep topography and stepped street network between Mitcham Road and the Simpson Park area, particularly along

Percy Street and the east–west oriented streets, significantly restricts direct pedestrian movement toward the activity centre. Council therefore requests that DTP undertake a detailed, network-based walkability assessment for these locations. Should the assessment confirm that the 800-metre/10-minute walkability threshold cannot be reasonably achieved, these sites should be excluded from the catchment boundary.

#### **4.2.4 Master Plan Requirements**

In accordance with the Draft Built Form Overlay (BFO) Schedule Template, Head Provision (Clause 43.06-3), a Master Plan may be required for certain sites in the TTZAC. DTP has requested Council's advice regarding the application of this requirement within the activity centre.

##### **➤ Sites Requiring Master Planning**

As a general principle, master planning is expected for sites exceeding 5,000sqm, typically identified as Large Opportunity Sites. However, Council is requested to:

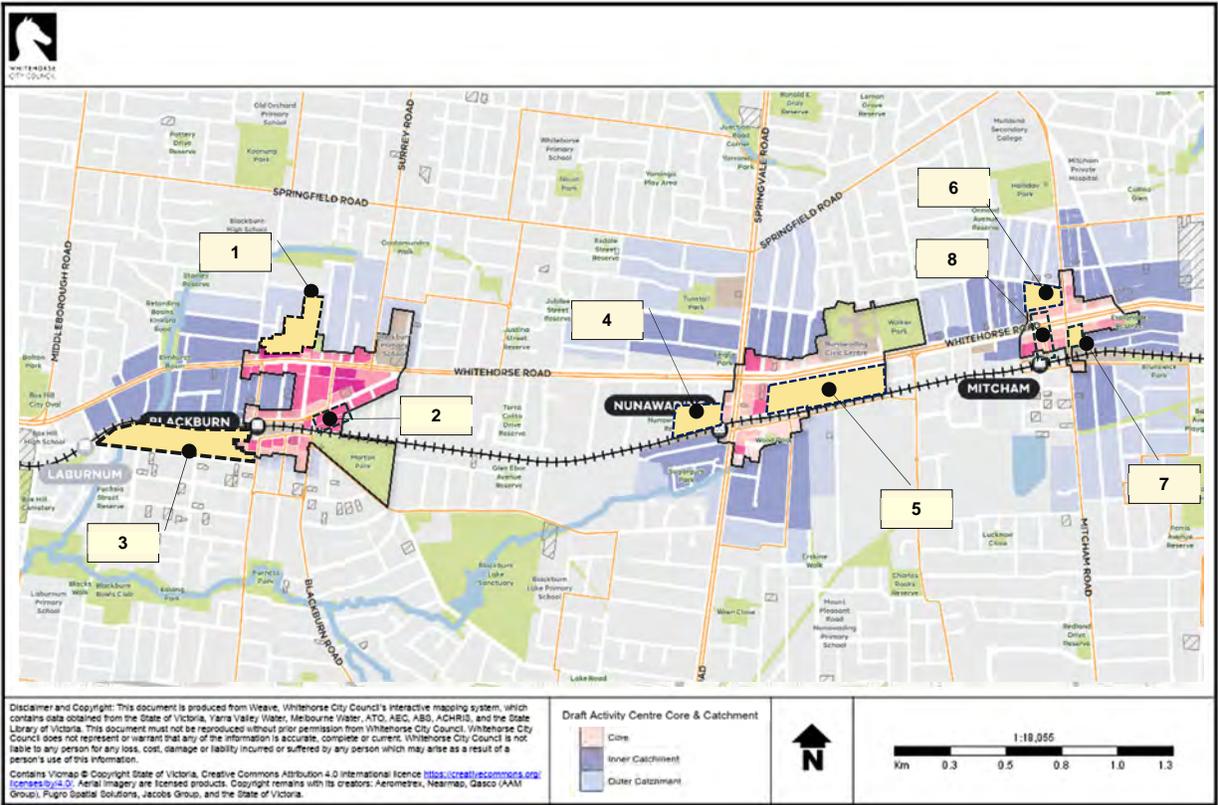
- Advise whether master planning is not required for any site above the 5,000sqm threshold
- Identify any sites below 5,000sqm where a Master Plan requirement may still be appropriate.

Council has identified a number of sites where master planning is considered necessary, having regard to their strategic location, site scale, redevelopment potential, interface conditions, and role within the activity centre structure (Refer Map 22).

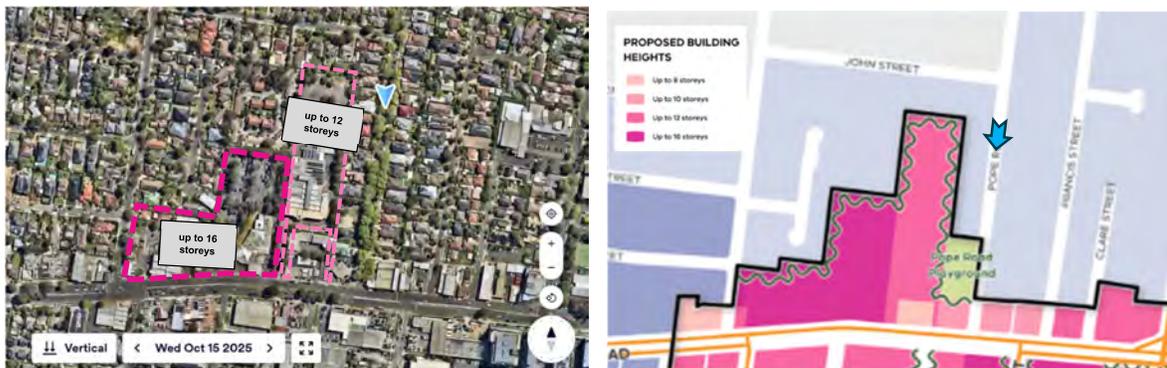
1. 101-127 Whitehorse Road, Blackburn (including the Sikh Temple, the Blackburn Hotel and adjoining commercial land)
2. Solwood Lane Area (located north of the rail line / east of Blackburn Road), Blackburn
3. Residential Precinct between South Parade and Laburnum Street, Blackburn (noting this is in a catchment)
4. 2-24 Silver Grove, Nunawading (Nunawading Reserve)
5. Commercial 2 Zone (C2Z) Precinct, Nunawading (Amart, Harvey Norman, Home HQ and adjoining commercial land)
6. 1-9 Edward Street (Multi-deck Carpark), Shops 1-2/26 Enterprise Way (Supermarket) and 374 Mitcham Road (Open Car Park)
7. 556-572 Whitehorse Road, Mitcham (Mitcham Hotel)
8. Station Street Precinct between Britannia Mall and Mitcham Station (public realm areas and adjoining private land).

Decking of the rail trench for development is also a master planning opportunity that would complement the development area of a number of the above sites as well as being an opportunity for each activity centre in its own right to increase development space and connect areas north and south of the rail line.

Appendix 2 includes Council's recommendations for master planned sites in the proposed BFO schedule.



**Map 22: Whitehorse City Council Feedback on Sites Requiring Master Planning**



**Figure 21: Blackburn Activity Centre – Sensitive Interfaces and Proposed High-Rise Development Controls**

Council acknowledges community concerns regarding the inclusion of Pope Road and Francis Street within the Outer Catchment boundaries, particularly in relation to infrastructure capacity, emergency access, tree canopy, and neighbourhood character. Council recognises the value of these streetscapes to the community and the importance of protecting their environmental and amenity qualities.

A master planning process on large opportunity sites within the Blackburn Activity Centre core, such as the Blackburn Hotel and Sikh Temple sites which interface with existing residential areas (Refer Figure 21), will be important to ensure context-sensitive built form, appropriate height transitions, and mitigation of visual bulk and overshadowing. In their current form, the

Draft Plans can be interpreted as the entire site (except for references to setbacks from boundaries) being available for the maximum building height.

Additionally, Council continues to seek a reassessment of the Housing Growth Index (HGI) for Blackburn, supporting moderate-density development with a maximum 12-storey limit for large opportunity sites, to balance housing growth with the protection of liveability and streetscape character. For example, under HGI:2 sites shown in figure 21 as 16 storeys would reduce to 12 storeys. (e.g. the Blackburn hotel site).

#### 4.2.5. Proposed Changes to Existing Zones in the Activity Centre Core

DTPs proposed rezonings in the activity centre core include:

Nunawading	Mitcham
<b>From RGZ to MUZ</b>	<b>From RGZ to C1Z</b>
40, 42, 44-46, 48, 50, 50A, 52, 54 Station Street, Nunawading	1-9 Edward Street, Mitcham*
1, 1A, 2, 4 Mount Pleasant Road, Nunawading	
349, 353, 355-357, 359, 361, 363, 365, 367, 369, 371, 373, 375, 377 Whitehorse Road, Nunawading	
60 Nicholson Street, Nunawading	

**Table 7: DTP Proposed Rezonings in the Whitehorse Activity Centre Core**

*Source: Department of Transport and Planning (DTP), 2026*

The proposed rezonings are discussed in section 4.2.1, in the context of each activity centre. There are no rezoning proposals in the Blackburn activity centre core.

While generally supportive of these zone changes, Council seeks further justification for the rezoning of the RGZ land in Nunawading. Further, there are additional sites that warrant consideration and that would support the growth outcomes for the centres. These include:

In Nunawading core:

- The Commercial 2 zoned land in the core generally opposite the Whitehorse Civic Centre (potential C1Z)
- Nunawading Reserve in Silver Grove.

In Mitcham core:

- The Mitcham Hotel site has a split zoning. The GRZ2 land could be considered for rezoning to C1Z. (It has previously been noted that the core boundary needs to be adjusted slightly to include a discontinued road reserve).
- Parts of the Vic track land containing commuter car parking can be better utilised to incorporate car parking as well as development to benefit the centre. Strategic parts of the VicTrack land could be considered for rezoning and partnership projects, including affordable housing. Additionally, consideration could be given to decking of

the rail trench to increase development space and connect areas north and south of the rail line.

The appropriate zoning should be determined through a master planning process where master planning is recommended:

Separate to rezonings in the core, it is noted that identification of residential land in the inner and outer catchments will result in rezoning to the recently introduced [Housing Choice and Transport Zone](#) (HCTZ) into the Victoria Planning Provisions.

Community feedback suggested rezoning of other non-residential land outside the activity centre cores in Blackburn and Nunawading. This included areas of IN1Z land and C2Z land. The state government has been clear that industrial land and non-residential land outside the activity centre core is not included in the Program. Industrial areas are important for providing employment and supporting our local economy. The role of this land for future housing can be complex due to matters such as land use history and potential contamination. To date, none of the adjoining commercial and industrial area have been directly notified of the ACP nor involved in any consultation. Further the *Melbourne Commercial and Industrial Land Use Plan* now implemented into metropolitan planning schemes through state policy identifies the industrial area adjoining the MegaMile as regionally significant. Council has also adopted the *Whitehorse Investment and Economic Development Strategy 2024-2028* which highlights the importance of our industrial precincts and area such as the MegaMile. Retention of the current industrial and commercial zones are therefore warranted until any future strategic work on these areas is undertaken.

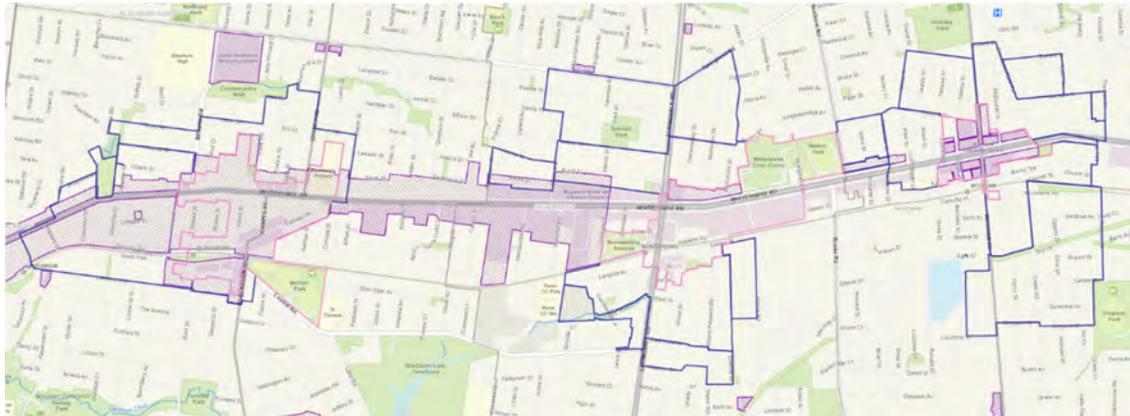
#### **4.2.6 Proposed Changes to Existing Design and Development (DDO) Controls**

The DTP's proposed changes to planning controls in Whitehorse activity centres represent a significant restructuring of the existing built form framework. Within the activity centre cores, DDO8 (Blackburn), DDO11 (Nunawading – partially), and DDO5 (Mitcham) are proposed to be removed and replaced with a new Built Form Overlay (BFO) and associated schedule. While this approach seeks to introduce a more consistent and streamlined built form control across centres, it will replace locally tailored provisions with a new, untested framework. This raises concerns regarding whether the proposed BFO will adequately respond to the specific urban design conditions, transition requirements, and established character of each centre.

Council will liaise further with DTP on the detailed content of the BFO schedule, including whether separate schedules for each activity centre may be appropriate and how key built form issues will be addressed within the BFO framework. Refer to Appendix 2.

More concerning is the treatment of the broader activity centre catchments. In these areas, as noted above, planning controls are proposed to be amended. Residential land in the catchment will be rezoned to the proposed new Housing Choice and Transport Zone. The existing DDO8, which implemented the *Megamile (west) and Blackburn Activity Centres Urban Design Framework* (2010), is proposed to be partially removed where it overlaps with the proposed catchment and not replaced with an equivalent built form control. This represents a reduction in planning guidance, particularly in transitional areas where scale moderation and neighbourhood interface outcomes are critical.

Although other overlays, such as Heritage Overlays, Vegetation Protection Overlays and Significant Landscape Overlays<sup>8</sup> are proposed to be retained, the removal of DDO controls in catchment areas may weaken Council's ability to manage height, form, and amenity impacts. Collectively, the proposed approach risks creating a policy gap in catchment areas while centralising control within the cores, potentially prioritising development yield over context-sensitive built form outcomes.



**Figure 22: Current Design and Development Overlay (DDO) Controls in the Proposed Activity Centre Boundaries, City of Whitehorse**

#### **4.2.7 Interaction with Existing Planning Controls and Overlays**

Council has emphasised the importance of clarifying how new planning provisions, including the Housing Choice and Transport Zone (HCTZ) and Built Form Overlay (BFO), will interact with existing overlays such as Significant Landscape Overlays (SLOs) at the interface with catchment boundaries, Vegetation Protection Overlays (VPOs), Neighbourhood Character Overlays (NCOs), and Heritage Overlays (HOs).

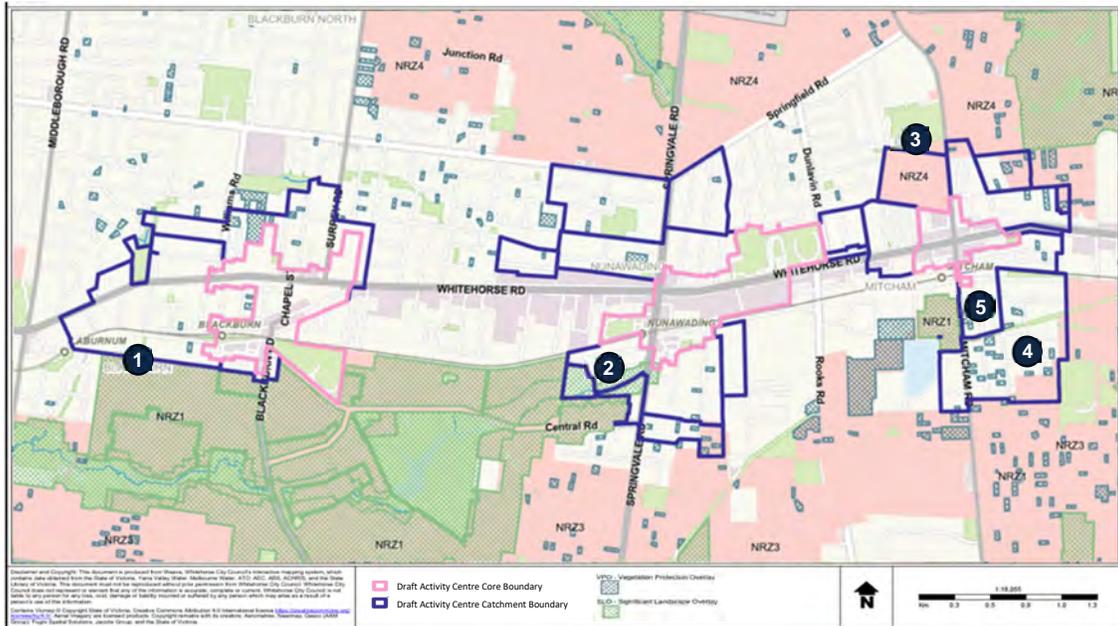
In the Minister's response (15 January 2025) to Whitehorse City Council's Phase 1 submission, it was noted that:

*"I would like to reassure you that SLOs, VPOs and NCOs will not be removed and will continue to protect significant landscape areas. This is the same approach the Program has taken with Heritage Overlays and NCOs through the pilot. Council will continue to be the responsible authority for most planning applications."*

While Council acknowledges and welcomes the Minister's confirmation, it seeks that the Department of Transport and Planning (DTP) provide clear mechanisms and practical guidance to ensure these protections are effectively applied. In particular, Council requests that DTP outline how appropriate transitions will be implemented between high-density activity centre cores and sensitive surrounding areas and interfaces, ensuring that local environmental, heritage, and neighbourhood character objectives are preserved under the new State-led controls.

---

<sup>8</sup> Noting that permanent SLOs have been excluded from the catchments except in the case of recently introduced SLO11 along the Gardiners Creek waterway and impacting the Nunawading activity centre catchment. It is understood that interim SLO9 is not proposed to be removed in the ACP.



**Map 23: Permanent Significant Landscape Overlays (SLOs) and Vegetation Protection Overlays (VPOs) within Activity Centre Boundaries in Whitehorse**

Although permanent SLOs 1, 2, and 4 in Blackburn and SLO 3 in Mitcham have been excluded from the proposed activity centre catchment boundaries (which Council strongly supports), **concerns remain regarding specific sites containing Significant Landscape Overlays (SLOs) and Vegetation Protection Overlays (VPOs) or other sensitivities, as illustrated in Map 24:**

1. Assign the area (proposed for up to 4 storeys, and up to 6 storeys on larger sites) between Laburnum Street and rail line in Blackburn which interfaces with SLO2 as outer catchment.
2. Exclude of SLO11 along Newburn Court Reserve and parts of Market Street and West Street within the Nunawading from the catchment boundary.
3. Exclude the Neighbourhood Residential Zone within the northern outer catchment near Ormond Road (Fellows St, Haines St etc), Mitcham from the catchment boundary.
4. Exclude the Neighbourhood Residential Zone area near Simpson Park in Mitcham from the catchment boundary due to presence of VPOs.
5. Assign Percy Street / Creek Road as outer catchment due to terrain considerations.

**These areas require careful consideration to ensure that existing environmental protections are maintained and that future development is appropriately controlled in line with Council and State policy objectives.**

Further, given the current and potential past industrial uses in parts of the Blackburn activity centre (such as along the south side of Railway Road east section and Solwood Lane area plus 2-4 Central Road), consideration should be given to application of the Environmental Audit Overlay (EAO). This would ensure that any land contamination concerns are properly addressed through the planning process.

#### **4.2.8 Removal of third-party review rights**

Both the HCTZ and the BFO include exemptions from third-party review rights. Some applications are also exempt from notification being given (e.g. to neighbouring and nearby

properties). Council has consistently advocated for the rights of the community to fairly and genuinely input to the planning application process.

The HCTZ includes deemed to comply provisions covering a range of standards. If a planning application meets specified standards, the permit must be granted and the application process is exempt from third party review. Council has already expressed strong concerns about the removal of neighbourhood character considerations, amongst other matters, through the “deemed to comply” provisions being implemented through the planning system more broadly,

All applications in the core of the activity centres where the BFO will apply will be exempt from notice and third party review (unless a schedule to the BFO overlay specifies otherwise). Given the significant increases in intensity of developments in the core, Council advocates for the rights of the community to input to developments be preserved.

Both the deemed to comply provision and loss of rights to review applications is a major change for communities. Council’s submission to the proposed Mid-rise Code<sup>9</sup> discusses these matters in greater detail and **Council remains opposed to the removal of third-party appeal rights and extremely concerned about the deemed to comply approach.**

#### **4.2.9 Integration with Local Strategies and State Planning Reforms**

The new HCTZ and BFO directly interface with Council’s local planning framework. Their implementation must be consistent with Council strategies as well as recent State-led planning scheme amendments that affect activity centres. This integration ensures that development is appropriately guided, context-sensitive, and delivers high-quality outcomes that respect the character, amenity, and functionality of adjoining areas.

➤ **Amendment VC277 – Reducing Car Parking Requirements in Locations Well-Serviced by Public Transport (Effective 18 December 2025)**

**Amendment VC277 to Clause 18.02 (Movement Networks)** represents a significant escalation of the State’s transport-led intensification agenda within activity centres. By embedding stronger expectations for higher-density development around the Principal Public Transport Network and reducing car parking requirements, the amendment assumes that proximity to rail infrastructure alone is sufficient to support substantial growth.

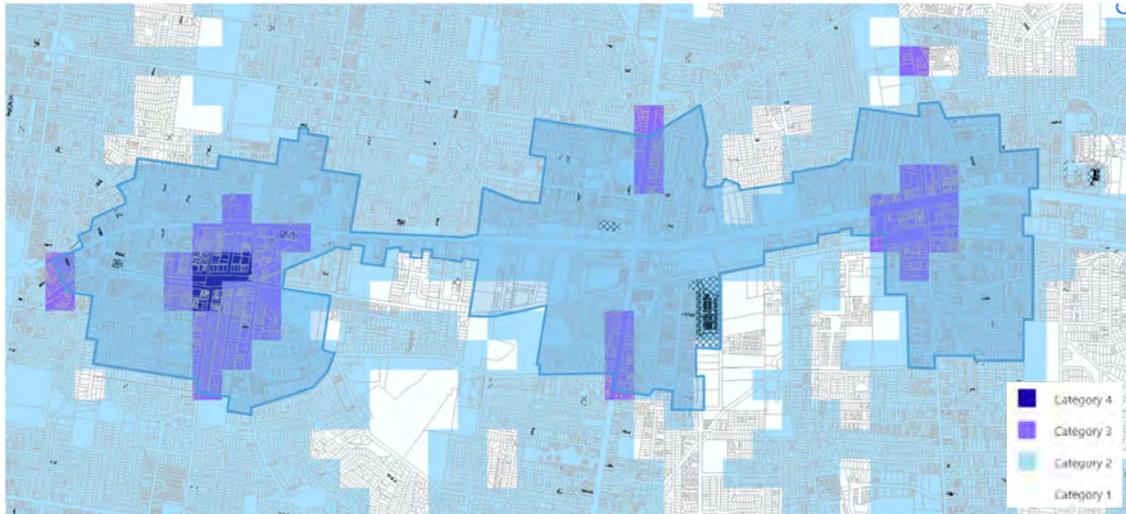
In the context of the Blackburn, Mitcham and Nunawading activity centres, this assumption exposes significant gaps between policy intent and infrastructure reality. While each centre is served by rail, existing peak-period congestion, constrained station access and limited interchange functionality, particularly at Blackburn and Mitcham, already affect network performance. VC277 advances development expectations without securing corresponding commitments to increase service frequency, expand station capacity or upgrade interchange infrastructure.

This disconnect creates a material risk that land use intensification will proceed ahead of transport investment. In effect, the amendment shifts the burden of resolving infrastructure shortfalls onto local planning processes, despite those matters being largely outside Council’s control. The absence of clear sequencing between development uplift and transport upgrades

---

<sup>9</sup> [Whitehorse submission to the Mid-rise Code 22 September 2025](#), item 10.8 report, [item 10.8 report](#) and [submission](#)

undermines the stated objective of reducing car dependency and achieving genuine mode shift.



**Figure 23: Car Parking Requirements Map for Blackburn, Nunawading and Mitcham Activity Centres. City of Whitehorse**

The intensification facilitated by VC277 directly intersects with Clause 52.06 (Car Parking) and Clause 45.09 (Parking Overlay). While these provisions set minimum and maximum parking rates and allow variations, they may not adequately reflect the demand generated by higher-density development within the Blackburn, Mitcham and Nunawading TTZACs. Reduced parking outcomes rely heavily on assumptions about public transport access and shared use, despite local constraints such as limited on-street capacity, commuter parking pressures and existing traffic conditions.

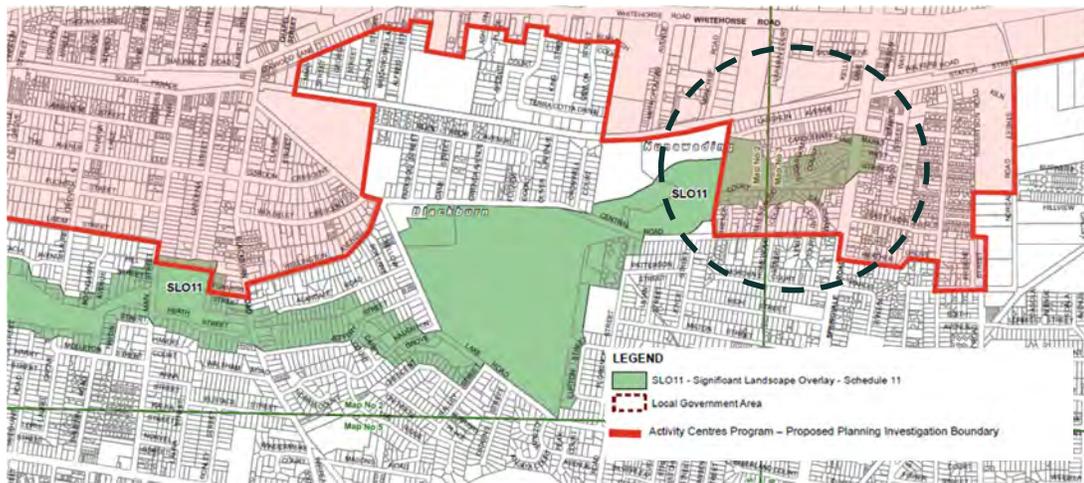
In Blackburn, proposed developments of up to 12 storeys along South Parade (Category 4 under Clause 52.06) may technically meet on-site parking requirements; however, cumulative demand is likely to exceed local street capacity, particularly during peak periods. In areas of Nunawading and Mitcham, where rail congestion and constrained road interfaces already limit movement, reduced parking requirements risk increasing spillover, circulation and pressure on surrounding residential streets. Strengthened corridor protections may also restrict design flexibility on smaller sites without resolving underlying infrastructure limitations.

➤ **Amendment VC278 – Application of Significant Landscape Overlays to Yarra (Birrarung) and Western Waterways (Effective 20 January 2026)**

According to Amendment VC278, Significant Landscape Overlays (SLOs) have been applied to 17 waterways within the Yarra (Birrarung) and Waterways of the West catchments. The SLOs require a planning permit for buildings and works exceeding 6 metres in height and 50 square metres of additional floor area, unless the land is located within a Housing Choice and Transport Zone, Precinct Zone, or is subject to a Built Form Overlay.

Council has concerns regarding the impact on SLO11 within the Nunawading inner catchment boundary, particularly along Newburn Reserve and parts of Market Street and West Street (Refer Figure 24). While the overlay seeks to protect landscape character and environmental

values associated with the adjoining waterway corridor, the application of the Housing Choice and Transport Zone (HCTZ) results in an exemption from the buildings and works permit trigger under Amendment VC278.



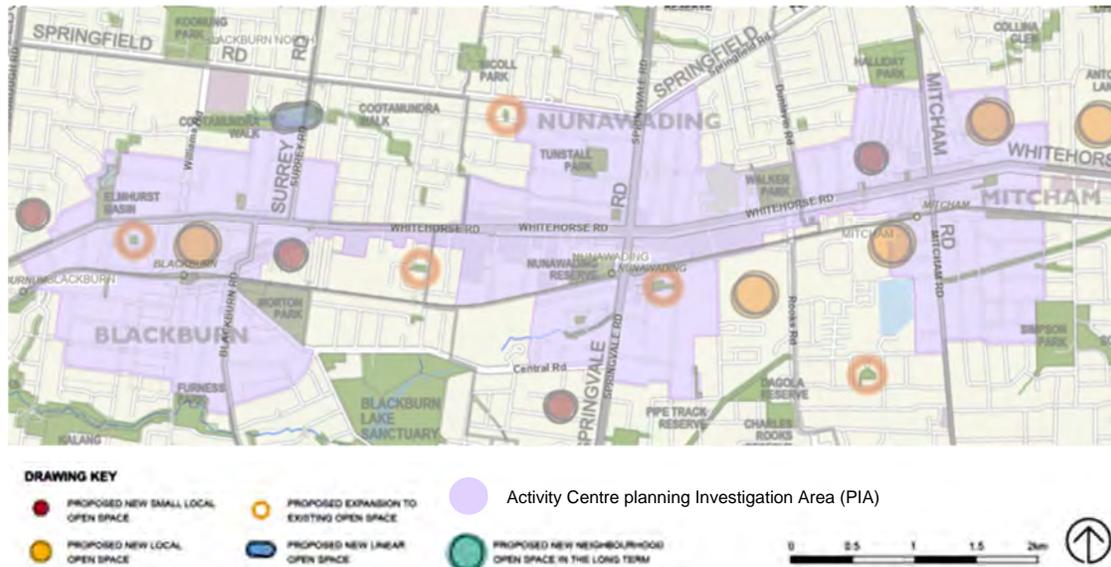
**Figure 24: Significant Landscape Overlay 11 (Amendment VC278) within Whitehorse Activity Centres**

Consequently, despite the presence of SLO11, the overlay does not introduce additional statutory controls on building height or floor area in this location. This substantially limits the practical and regulatory effect of the overlay in influencing built form outcomes within this section of the activity centre. Council considers that this creates a potential policy inconsistency between the intended landscape protection objectives of SLO11 and the development uplift facilitated by the Housing Choice and Transport Zone, particularly in environmentally sensitive interface areas adjacent to open space and waterways.

➤ **Whitehorse Open Space Strategy, 2025**

Whitehorse City Council has formally adopted the Whitehorse Open Space Strategy 2025, establishing a forward-looking framework for the planning, protection, and enhancement of open spaces across the municipality over the next 15 years. This strategy presents a generational opportunity to create a healthier, more connected, and resilient city. As Whitehorse continues to grow and evolve, it ensures that open space remains a central element of the city's liveability.

The new strategy identifies potential opportunities and gaps in open space provision, including the creation of new local open spaces, the expansion of existing spaces, and the development of new neighbourhood parks. Notably, some of these proposed open spaces are located within or adjacent to Whitehorse activity centre boundaries.



**Figure 25: Proposed Additional Open Spaces – Whitehorse Open Space Strategy 2025**

Two key sites have been nominated for future expansion of existing open spaces:

1. **Lithgow Avenue Reserve, Blackburn (11–13 Lithgow Avenue):** This reserve lies within the proposed inner catchment area, where development of up to four stories, and up to six stories on larger sites, is currently proposed. Such developments may result in significant overshadowing, which requires careful consideration in planning and design.
2. **Wood Street Park, Nunawading:** This park is within the Nunawading core boundary, with proposed buildings of up to six stories to the north. According to Council’s overshadowing analysis (see page 32, Overshadowing Impacts on Wood Street Park, Nunawading), **Council seeks high-protection measures and mandatory solar access for Wood Street Park**, with no additional overshadowing permitted between 10:00 am and 3:00 pm at the winter solstice (21 June), to support healthy vegetation and active recreational use.

**Council requests that parks not already heavily overshadowed be prioritised for the highest level of protection, ensuring they receive at least five hours of sunlight at the winter solstice.**

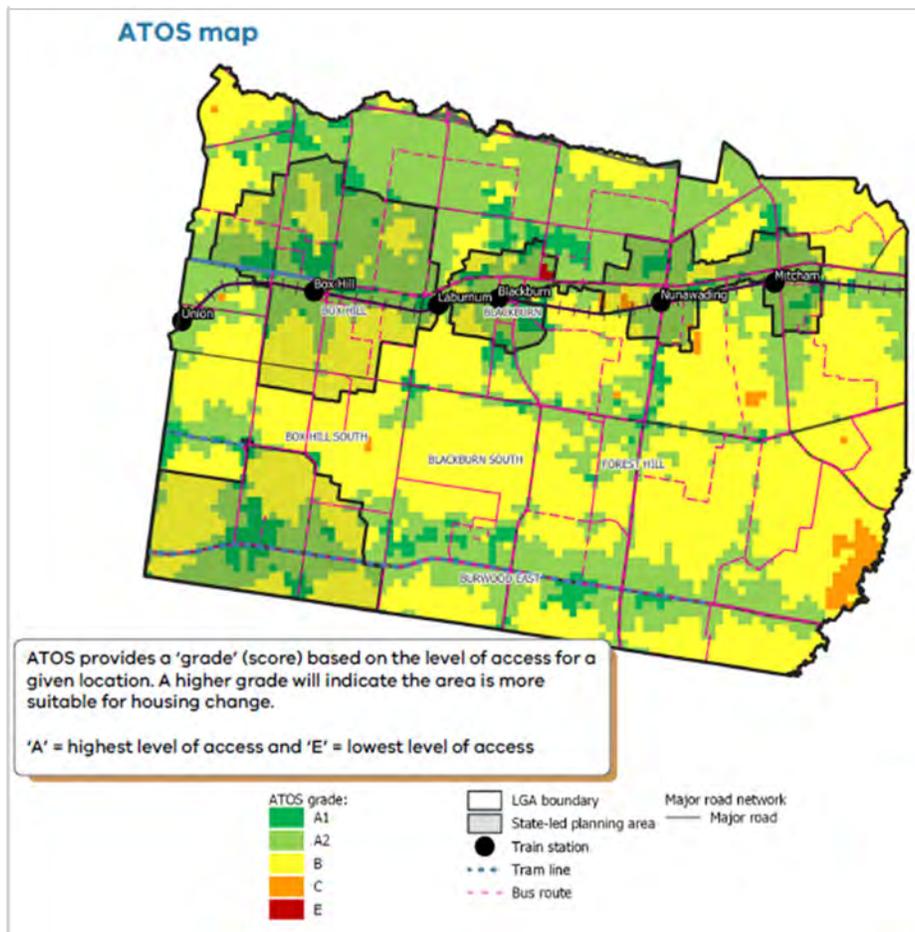
In addition, **Council requests the maintenance of sunny streets to support pedestrian activity. Council seeks that footpaths along key streets receive a minimum of five hours of sunlight at the spring equinox (22 September), while on other streets, new development should minimise additional overshadowing of the opposite footpath between 10:00 am and 2:00 pm.**

### 4.3 Strategic Considerations and Program Gaps

#### 4.3.1 Housing Capacity – Planning in Absence of the HCAP

The state government has recently briefed councils on the Housing Capacity Assessment Platform (HCAP) being used to assess housing capacity against allocated housing targets. At the time of writing this submission, the HCAP tool has not been released to Whitehorse, nor has its housing capacity assessment been provided, due to major initiatives afoot including the Suburban Rail Loop and this ACP work.

An understanding of the housing expectations of state government in relation to the Cluster upfront would, in Council's view, be beneficial. Instead, no target has been provided for the activity centres to assist in understanding the intended outcomes, nor is there the ability to test scenarios such as building heights in the local context using the HCAP.



**Map 24: City of Whitehorse – ATOS Modelling Map**

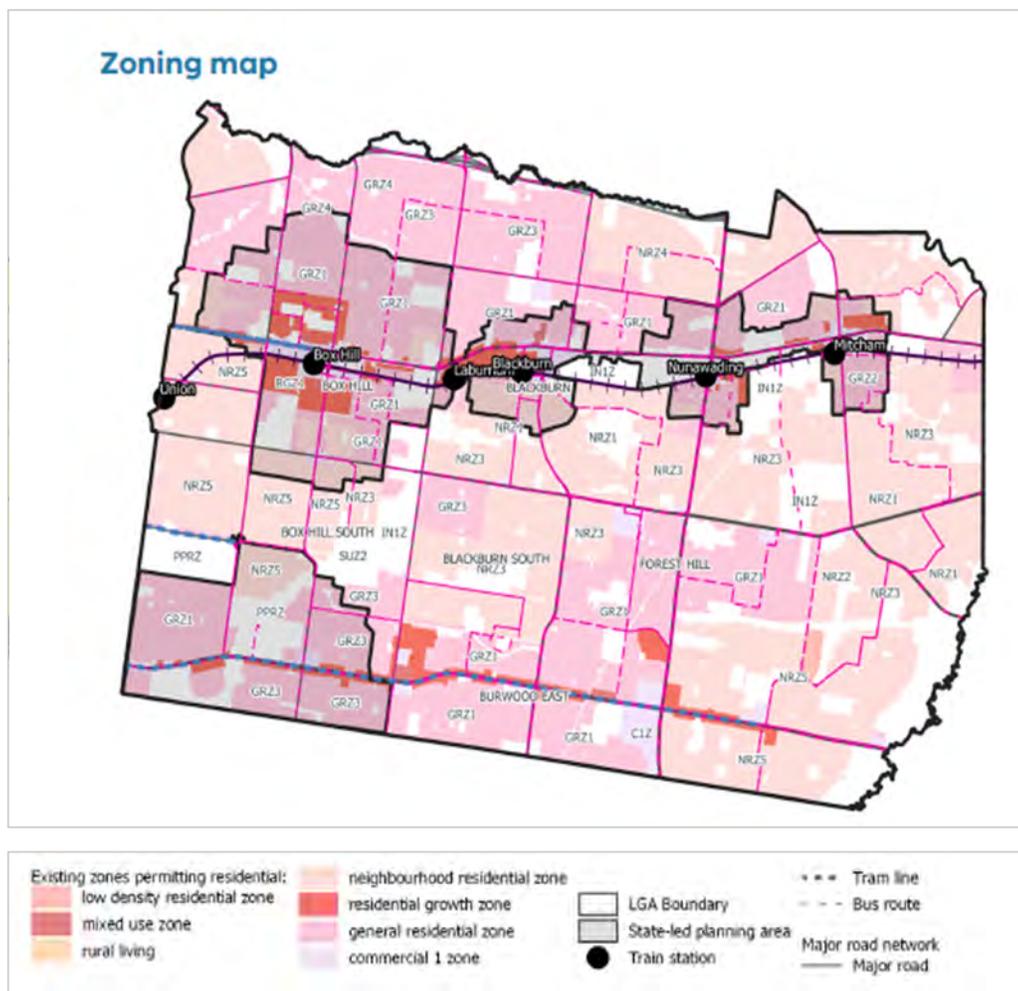
Source: Department of Transport and Planning (DTP), *Housing Targets – Whitehorse Fact Sheet and Technical Sheet*, January 2026.

While Council acknowledges that the HCAP will provide an updated framework for assessing housing capacity, the *Whitehorse Housing Strategy 2014* identified significant capacity to accommodate future housing growth within the municipality. Based on the 2014 work and more recent interventions by state government with the Suburban Rail Loop precinct planning

and the TTZACs, Council believes it has sufficient capacity to meet the state government's housing target for Whitehorse of 76,500 additional dwellings by 2051.

Noting Council's Housing Strategy is only half way through its 20 year lifespan Council is now undertaking a new review of its Housing Strategy to ensure alignment with current policy settings, housing targets, and future growth expectations. In broad terms however, Council's existing Housing Strategy informed (amongst other things) the effective arrangement of the current residential zones with growth focussed on key activity centres where structure planning had occurred, on key redevelopment sites and along transport-rich corridors. Together with the policy settings in the Whitehorse Planning Scheme, the Housing Strategy has been largely effective in directing growth to the intended locations.

**Recommendation:** State government should release the HCAP to Council without delay.



**Map 25: City of Whitehorse – Existing Zoning Map**

Source: Department of Transport and Planning (DTP), Housing Targets – Whitehorse Fact Sheet and Technical Sheet, January 2026.

### 4.3.2 Lack of Plans for Each Train and Tram Zone Activity Centre

The State Government's Activity Centres Program prepared detailed Activity Centre Plans for the 10 pilot centres, providing guidance on land use, built form, infrastructure, and community priorities. Council considers that similar plans should have been prepared and made available for all 50 TTZAC and included in the Phase 2 engagement, ensuring that the community has access to comprehensive, place-based information to understand potential changes in their local areas. These plans would provide a holistic view beyond built form, covering infrastructure, public realm, and economic and social functions of each centre.

It is understood that the Activity Centre Plans will support a standardised Infrastructure Contributions Plans (ICP) proposed for each activity centre. For the 50 TTZACs the ICP is proposed to commence on 1 July 2027 and will secure contributions from development for community and transport infrastructure.

Providing the Activity Centre plans to the community would support transparency and informed participation, enabling residents to better understand local impacts, future infrastructure opportunities, assess proposed planning controls, and engage in meaningful consultation. The Activity Centre Plans are in draft by the state government and will be provided to the councils.

**Recommendation:** Council requests that the State Government provide Activity Centre Plans for the Train and Tram Zone centres, similar to the 10 pilot centres, to inform the community, guide future development, and support integrated planning outcomes across all centres. Council also advocates for community engagement on the Draft Activity Centre Plans.

### 4.3.3 Affordable Housing

The activity centre planning does not address issues such as affordable housing. This was raised during the Council-led community consultation. There is no housing or market assessment with the draft plans nor requirement in the proposed planning controls to deliver affordable housing. In light of recent changes to the Planning and Environment Act 1987, which enact the overarching objective to facilitate the provision of affordable housing in Victoria, this important strategic planning work for activity centres should be delivering affordable housing as an outcome and as an exemplar process.

**Recommendation:** Council requests that DTP implement affordable housing as an outcome of the Activity Centre Program

### 4.3.4 Local Identity, Character, and Economic Function of Activity Centres

Community feedback and Council assessments highlight the need for planning to respect the identity and economic role of each activity centre. The draft plans propose generic precinct typologies and uniform building heights, which risk undermining established streetscape character, local heritage precincts, and the “village” feel of areas such as Blackburn and Mitcham.

**Recommendation:** Council advocates for place-based, context-sensitive outcomes that maintain the centres’ vibrancy and economic function while accommodating appropriate growth.

### 4.3.5 Infrastructure Capacity and Climate-responsive Planning

On 26 November 2025, the Department of Transport and Planning (DTP) facilitated a meeting with Council officers and the SGS Economics & Planning consultant to discuss the Community

Infrastructure Needs Assessment for the Whitehorse activity centres. However, to date, Council has not received any documentation or findings from this work.

Council and the community have consistently raised concerns that increased housing densities must be matched by adequate infrastructure provision, including transport networks, active transport links, open space, schools, community facilities, stormwater management, and flood mitigation. Climate-responsive design is also a priority, encompassing sustainable water-sensitive urban design, urban heat mitigation, and protection and enhancement of the urban tree canopy.

From a planning perspective, it is essential that the Community Infrastructure Needs Assessment is meaningfully integrated into the draft plans for the Whitehorse activity centres. This requires that draft planning controls clearly align with both current and projected community infrastructure needs, with Infrastructure Contributions Plan (ICP) funding priorities addressing existing service gaps as well as facilities needed to support future growth. **It also requires defined timing and governance mechanisms to ensure the Assessment informs decision-making before phase 2 consultation is completed, rather than being applied retrospectively.**

Importantly, the development and implementation of ICPs must provide a transparent and reliable funding pathway that guarantees infrastructure delivery in step with anticipated population growth. Council notes that a standardised Infrastructure Contributions Plan is proposed to apply and seeks transparent assessment of infrastructure capacity and future demand, and alignment with existing Development Contributions Plans to support liveable growth.

Council also expects that Integrated Water Management (IWM) outcomes will be clearly articulated and embedded within precinct planning and infrastructure assessment. It is understood that an IWM plan is being developed for the Cluster. There is concern that this has not been an integral part of the ACP work to date and is only just being looked at now and in a very compressed timeframe. Plans for IWM are critical and are not just useful add-ons to such a significant project.

Of concern, is that Council does not have land for IWM infrastructure and there are limited areas of state government controlled or Crown land in the Blackburn – Mitcham Cluster, aside from VicTrack land currently used largely for car parking but which could accommodate additional development and infrastructure.

Related to this is the Melbourne Water updated flood modelling for Whitehorse which will inform a future planning scheme amendment to update flood-related planning controls. While this information has not yet been finalised for Whitehorse, it is key information when the ACP is planning for increased urbanisation and densities. It is not clear how this information has been considered by the state government.

The Blackburn – Mitcham Cluster is located along major arterial roads, being Whitehorse Road and Springvale Road. These roads and key intersections along them, are hostile environments for pedestrians. Integrated transport and road management proposals to foster active transport and place improvements with a human-centred approach appear to be absent from the TTZACP and should accompany the draft plans. There is a need to **implement**

**speed reductions along these arterial roads and to improve overall connectivity within the centres.**

In addition, pedestrian access should be enhanced within the centres. For example, a **pedestrian crossing should be provided across the railway between Harvey Norman and Home HQ in Nunawading**, providing safe access to the southern boundary of the core area. Further interventions to improve pedestrian and cycling accessibility across the centres should be considered to promote safe, integrated, and human-scaled movement networks.

Council seeks clarification on how the draft Activity Centres Plans have addressed an integrated transport response. In particular, DTP should clarify how the plans incorporate integrated transport planning, including opportunities for active transport such as walking and cycling. Council also requests confirmation that comprehensive traffic modelling will be undertaken to assess potential impacts on traffic flow, network capacity, and congestion within and surrounding the activity centres. Council further highlights that the delivery of core infrastructure to support anticipated growth will require significant funding from the State Government, and planning for these projects should be prioritised accordingly.

**Recommendation:** Council seeks an implementation plan to address the above infrastructure and place-based initiatives.

#### **4.3.6 Economic Function and Feasibility**

While accommodating growth, it is essential to recognise the prevailing economic conditions that influence development outcomes. Key considerations include Victoria's tax framework, financing pressures, rising construction costs, and the implications of the Windfall Gains Tax (WGT). Council seeks to ensure that activity centres remain economically viable, resilient, and capable of supporting sustained investment, employment, and service provision amid these market and policy pressures.

The Blackburn, Nunawading, and Mitcham activity centres are integral to Whitehorse's broader economic network. They function not only as hubs for housing and retail but also as critical employment and service centres, supporting regional commercial activity including the "Megamile" bulky goods corridor. Planning interventions must balance growth with the retention of local identity, commercial viability, and infrastructure capacity, ensuring that new development complements rather than undermines the economic role of these centres

Council seeks to ensure that activity centres remain economically viable, resilient, and capable of supporting ongoing investment, employment, and service provision in the face of market and policy pressures.

#### **4.4 Program Process and Governance**

Phase 2 consultation has highlighted significant limitations in engagement, transparency and collaboration. Draft maps were provided later than expected, often in a fragmented manner affecting the ability of Council to appropriately notify the community.

Phase 2 consultation is being undertaken from Wednesday 11 February to Sunday 22 March. The engagement period allows only 40 days for both the community and Council to review and respond to complex technical material, including draft maps, building heights and planning controls, further restricting meaningful input.

Opportunities for Council and the community to participate are being tightly controlled, with minimal explanation of the rationale underpinning the proposed planning controls, limited of collaboration with Council and an online survey that seems to hold little relevance to the magnitude of the proposed changes to the planning controls.

Given this is an unprecedented planning reform intervention to transform activity centres and increase housing supply to help meet the housing (capacity) targets set by state government for all municipalities, more engagement would have been expected. Further, it is anticipated that the Minister for Planning will approve new planning controls for the TTZAC's in Tranche 2 by the end of June 2026. Input during Phase 2 is therefore critical as it is the last opportunity the community and Council will have to changes proposed by state government in the Blackburn – Mitcham Cluster.

##### **Community Reference Group Status and Representation**

At the time of preparing this report, the Community Reference Group (CRG) has not been convened yet, and no feedback from the CRG has been received. Furthermore, there is a lack of transparency in the selection of CRG members, and the time commitment and duration of meetings potentially excludes families with young children. This raises concerns about whether the group will be genuinely representative of the local community. Without clear representation, the influence of the CRG on planning outcomes will be limited.

##### **State Government Drop-in Sessions**

At the time of writing this submission, no DTP drop-in sessions had taken place. While sessions are currently scheduled for 14 and 17 March (in-person) and 11 March (online), the first session is planned to commence 30 days into the 40-day consultation period, thereby severely limiting opportunities for timely community engagement, preparation of submissions and meaningful participation.

##### **Limitations of Phase 2 Online Survey**

Phase 2 of the online survey largely consists of closed questions with limited relevance to the planning material. Many questions appear designed to steer responses in a particular direction, and the survey lacks place-specific options, preventing participants from commenting on specific locations or issues. This limits substantive community input and reduces the value of the survey data for informing planning decisions.

##### **Governance and Advisory Gaps**

Key issues include:

- the absence of an independent Advisory Committee appointed by the Minister for Planning to hear submissions and review the draft plans
- limited Council involvement in draft maps and typology workshops

- fragmented or incomplete documentation
- unclear CRG processes
- the activity centres program progressing without apparent regard to gaps in information and other strategic considerations such as future infrastructure needs and delivery, integrated transport, stormwater remodelling and IWM.

**Council urges the Minister to refer all submissions, the draft plans and all technical information to an independent Advisory Committee** for review and advice before deciding to amend the planning controls. This will give all parties a fair opportunity to be heard and will ensure that all strategic considerations are considered for this state significant program.

#### **Supplementary Draft Planning Information Not Released for Public Distribution**

Council is concerned that key planning information informing the Draft Plans and significant changes to planning controls has not been made publicly available during the consultation period. This includes the application of the Housing Growth Index, typology assessment of each centre as determinants of the proposed building heights and setbacks, etc. The absence of this material from the public consultation process limits the community's ability to fully understand and respond to the proposed planning framework.

No clear reason has been provided to explain why this supplementary draft planning information is not publicly available. Council requests that this information be publicly released. Providing access to this material would support transparency, enable informed community participation and strengthen the integrity of the consultation process for this significant planning reform.

## 5. CONCLUSION

Council's submission is structured around four principal themes under which key issues are analysed:

- **Planning methodology and approach**

The methodology for the 'housing growth classification' of activity centres and the logic behind applying 'built form typologies' is not clear and information underpinning these tools was in draft/subject to change. This has resulted in what seems to be unreliable outcomes that are subsequently being used to inform future planning controls.

Council is particularly concerned about the definition of the catchment boundaries – their walkability, their configuration and the ability to provide a suitable built form transition and sensitive interface with adjoining neighbourhoods.

- **Proposed planning outcomes**

The draft plans highlight the blanket outcomes that can result from applying generic planning tools. Council seeks a more context-sensitive and nuanced planning approach that aligns with local character in terms of the scale, location and intensity higher-density outcomes.

Future built form controls need to include clear standards to manage overshadowing, wind, human scale design and visual bulk. These controls need to be properly tested using modelling to demonstrate that good solar access to the public realm and open spaces can be achieved and a high level of amenity can be provided to the public and private domain.

Council is concerned about the application of the BFO and HCTZ, the loss of local guidance with proposed removal of existing DDOs and the interaction with existing controls, including heritage and environmental protections such as HOs, SLOs and VPOs which need to be retained and EAOs may need to be applied to some sites. Council stresses the importance of its landscape and ecological assets including retention of tree canopy biodiversity within development.

Loss of third-party review rights with the new planning controls continues to concern Council and the community.

- **Program gaps and considerations**

Planning for the activity centres omits several pieces of important assessment including infrastructure needs and funding to ensure timely delivery of open space, community facilities, schools, and health services and the like. The Infrastructure Contributions Plan was not released in Phase 2 nor were Activity Centre Plans.

Reference to housing affordability is notably absent as is integrated transport planning and a strategy to maintain the centres' vibrancy and economic function. Concerningly, there seems to be limited coordination of IWM and stormwater management projects being undertaken by other parts of state government.

- **Process and governance.**

Council's submission highlights significant limitations in engagement, transparency, and collaboration through both phases of the ACP.

Council strongly advocates for submissions, the draft plans and supporting technical information to be referred to an independent Advisory Committee to inform the Minister for Planning's decision on these important activity centres.

A summary of Council's recommendations in this submission is included as Appendix 1.



**APPENDIX 1 – SUMMARY OF COUNCIL SUBMISSION**

Topics for Comment	Key Issues	Councils Position
<b>Planning methodology and approach</b>		
<p><b>Housing Growth Index (HGI) and the Built Form Typologies</b></p>	<ul style="list-style-type: none"> <li>- There is no clear explanation of how the Department of Transport and Planning (DTP) applies the ATOS-based matrix to assign the Housing Growth Index (HGI), which primarily determines building heights in activity centres.</li> <li>- There is a lack of clear evidence for detailed local variations assessment by DTP.</li> <li>- This quantitative approach does not fully account for environmental and heritage constraints, infrastructure capacity limitations, or place-specific character considerations.</li> <li>- Blackburn is proposed for HGI 3, which appears disproportionate and does not reflect its infrastructure capacity or contextual sensitivities, especially compared to Nunawading and Mitcham (HGI 2).</li> </ul>	<ul style="list-style-type: none"> <li>- Council supports increased density in well-served locations but expresses concern that the proposed height controls lack rigorous assessment and site-specific responsiveness.</li> <li>- Council seeks that Blackburn’s HGI should be adjusted to HGI Level 2 to achieve a more achievable and moderate density outcome, ensuring future building heights are proportionate and responsive to the local context.</li> </ul>
<b>Proposed planning outcomes</b>		
<p><b>Activity Centre Core Built Form and Design Outcomes (Heights, Typologies, and Setbacks)</b></p>	<p> <b>General Issues:</b></p> <ul style="list-style-type: none"> <li>- The proposed distribution, scale, and application of height controls do not adequately respond to site-specific local constraints and opportunities.</li> <li>- The draft maps propose substantial and excessive increases in permissible building heights, which Council believes exceeds what the existing urban structure can reasonably accommodate.</li> <li>- Proposed Planning Controls Map does not fully incorporate local analysis from Foundation Maps,</li> </ul>	<ul style="list-style-type: none"> <li>- The draft plans should demonstrate that they have incorporated the local analysis from the Foundation Maps which show existing conditions and opportunities.</li> <li>- Proposed building heights should take into account recent developments which are unlikely to redevelop in the timeframe of the plan</li> </ul>

	<p>leading to omitted landscaped setbacks and inconsistent setback requirements.</p> <ul style="list-style-type: none"> <li>- Several sites in the activity centre cores have redeveloped in recent years yet the proposed building heights are typically much higher posing a concern about whether the proposed heights reflect practical opportunities for further growth.</li> </ul>	
	<p> <b>Blackburn Activity Centre Core</b></p> <ul style="list-style-type: none"> <li>- Proposed maximum building heights (up to 16 storeys, predominantly 12 storeys) are inconsistent with Blackburn's local "Village" context.</li> <li>- The assigned HGI 3 drives this excessive scale.</li> <li>- Proposed 12-storey developments along South Parade are considered excessive and inconsistent with the established character of the street, the fine-grain lots and the fragmented ownership.</li> <li>-</li> </ul>	<ul style="list-style-type: none"> <li>- Council does not support the proposed scale of development for the Blackburn Activity Centre core. It maintains that reclassifying Blackburn from HGI:3 to HGI:2 is essential, and that the proposed maximum building heights across the entire Blackburn Activity Centre core should be reviewed and reduced accordingly.</li> <li>- Council recommends that building heights along South Parade be limited to 8 storeys, in recognition of the fine-grain lot size and established character of the precinct.</li> <li>- Council seeks extensions to landscaped /building setbacks on several streets (Albert, Chapel, Railway, Whitehorse Roads) and calls for clear, graduated setback frameworks, including to sensitive residential interfaces.</li> </ul>

	<p> <b>Nunawading Activity Centre Core</b></p> <ul style="list-style-type: none"> <li>- The draft plan lacks guidance on height or zoning for Commercial 2 zoned land east of Springvale Road and for Silver Grove / Nunawading Reserve.</li> <li>- Overshadowing Impacts on Public Open spaces like Wood Street Park, Nunawading</li> <li>- Impacts on Nunawading's Heritage Sites and Landmarks. Proposed developments would obstruct key views toward the heritage chimney at Nunawading Brickworks and affect the visual context of the former Shire Office building</li> <li>-</li> </ul>	<ul style="list-style-type: none"> <li>- Council generally supports the proposed typologies within the Nunawading activity centre core.</li> <li>- Council requests that the Department of Transport and Planning (DTP) consider Commercial 2 Zoned (C2Z) sites and Silver Grove as a strategic redevelopment opportunity by designating appropriate typologies to integrate these areas into the centre's future growth framework.</li> <li>- Council recommends a "High Protection" design for Wood Street Park, with mandatory sun access protection (no additional overshadowing 10 am - 3 pm on June 21). It proposes reducing maximum building heights for parcels north of the park and considering wider landscape setbacks.</li> <li>- Council emphasises the need for a more site-responsive approach to height allocation near heritage assets and landmarks.</li> </ul>
	<p> <b>Mitcham Activity Centre Core</b></p> <ul style="list-style-type: none"> <li>- Council's modelling shows that proposed building heights would result in Britannia Mall being largely in shadow during winter solstice.</li> <li>- Impacts of the large opportunity site (current car park and supermarket) on Edward Street as a sensitive interface need to be considered. Equally, the interface to the Neighbourhood Residential Zone on the north side of Victoria Crescent.</li> <li>- Impacts on Mitcham Heritage Sites and Landmarks. Significant visual impact on the heritage place at 528 Whitehorse Road (former Post Office). Proposed controls may not sufficiently address visual dominance and impacts on heritage settings.</li> <li>- Station Street is incorrectly proposed as a Secondary Active Frontage.</li> </ul>	<ul style="list-style-type: none"> <li>- Council requests that planning controls facilitating redevelopment of the large opportunity site encompassing the supermarket area and associated multi-deck and open car parks to ensure solar protection of Britannia Mall measured at the Spring equinox (10am -2pm, 22 September 2026).</li> <li>- Council considers it necessary that proposed setbacks on the large opportunity site on Edward Street be extended and consideration to appropriate setbacks and building presentation to Victoria Crescent as sensitive interfaces.</li> <li>- Council recommends reducing the building height at 602 Whitehorse Road from 10 to 8 storeys along the Esplanade Reserve.</li> <li>- Council calls for more tailored urban design controls where typologies interface with context-</li> </ul>

		<p>sensitive sites (such as heritage sites) and public realm assets.</p> <ul style="list-style-type: none"> <li>- Station Street should be identified as a Primary Active Frontage.</li> </ul>
<b>Proposed Activity Centres Core Boundary</b>	<ul style="list-style-type: none"> <li>- In Nunawading, Council has not received sufficient justification for the proposed rezoning of existing Residential Growth Zone (RGZ) land to Mixed Use Zone (MUZ). Council notes the rezoning from RGZ to Commercial 1 Zone (C1Z) in Mitcham.</li> <li>- The proposed activity centre core boundary also omits key sites, including the new public open space (under development) and the MUZ located in the northern portion of 56–74 Station Street, Nunawading (being part of the former Daniel Robertson Brickworks).</li> </ul>	<ul style="list-style-type: none"> <li>- Council generally supports the proposed core boundaries.</li> <li>- Council requests the inclusion of the new public open space and the MUZ located in the northern portion of 56–74 Station Street, Nunawading, within the core boundary.</li> <li>- Council generally supports the proposed core boundary in Mitcham but highlights the need for careful planning regarding rezoning at 1-9 Edwards Street to C1Z to manage interfaces with residential areas.</li> </ul>
<b>Proposed Activity Centres Catchment Boundaries</b>	<ul style="list-style-type: none"> <li>- The intended graduated transition from core to catchments is not consistently achieved.</li> <li>- In Blackburn, there are interface and walkability challenges and the inner catchment extent (Broomhill Avenue, O’Hara Street) seems excessive.</li> <li>- In Blackburn, the interface between development intensity in the inner catchment on the north side of Laburnum Street and the protected SLO2 to the south is concerning.</li> <li>- In Nunawading, the overall extent of catchments appears excessive and includes sensitive areas like SLO11 and adjoining Laughlin Avenue.</li> </ul>	<ul style="list-style-type: none"> <li>- Council seeks further planning controls to protect sensitive interfaces in Blackburn, such as Laburnum Street and adjoining residential areas to the north of the Blackburn Hotel and Sikh Temple large opportunity sites.</li> <li>- Council recommends designating Broomhill Avenue and north of O’Hara Street in Blackburn as Outer Catchment.</li> <li>- In Nunawading, Council considers that SLO11 and Candlebark Estate should preferably be excluded from the catchment and Laughlin Avenue designated as Outer Catchment.</li> </ul>

	<ul style="list-style-type: none"> <li>- In Mitcham, the inner catchment extends too far north without an outer catchment transition, and sensitive areas like the NRZ Gillies/Deakin/Fellows/Haines Street grid, the area north of Burnett Street (to William Street), the Thomas Street heritage precinct and the area near Simpson Park should not be included.</li> <li>- DTP's walkability methodology is unclear, and Council does not support measuring walkability from the catchment to the edge of the core.</li> <li>- Catchment walking distances are often too long, exceeding 10-minute walkable thresholds in all three centres.</li> </ul>	<ul style="list-style-type: none"> <li>- Council suggests that the Outer Catchment could be expanded to include land along Vigilant Avenue, extending toward Jubilee Street and residential land north of the Civic Centre, including Knightsbridge and Cherrybrook Streets, to maintain overall housing capacity in Nunawading.</li> <li>- In Mitcham, Council believes the northern extent should conclude at Burnett Street, and that the Gillies/Deakin/Fellows/Haines Street NRZ area, the Thomas Street heritage precinct and the area around Garden Avenue, Creek Road and Simpson Street near Simpson Park should be excluded from the outer catchment boundary. Transition the inner catchment immediately adjoining the Thomas Street heritage precinct to outer catchment.</li> <li>- Council recommends applying the Outer Catchment to the Percy Street and Creek Road area and introducing planning controls to respond to the sensitive SLO3 interface west of Mitcham Road and due to steeper topography to the east of Mitcham Road to address visual impacts and retain the tree canopy dominance.</li> <li>- Council asserts that catchments should be recalibrated/reduced to meet walkability thresholds</li> <li>- Council requests a detailed assessment, with sites exceeding the 800-metre/10-minute threshold to be excluded.</li> </ul>
<p><b>Master Plan requirements</b></p>	<ul style="list-style-type: none"> <li>- DTP requested Council's advice on specific sites requiring master planning.</li> </ul>	<ul style="list-style-type: none"> <li>- Council has identified several sites where master planning is considered necessary due to their strategic location, scale, redevelopment potential, and/or sensitive interfaces. These include significant sites in Blackburn (e.g., Blackburn Hotel, Sikh Temple sites, Solwood Lane area, and the South Parade–Laburnum Street precinct), Nunawading (e.g., Silver Grove and the</li> </ul>

		<p>Commercial 2 Zone precinct including Home HQ and surrounding sites), and Mitcham (e.g., Multi-deck Carpark and adjoining sites on Enterprise Way and Mitcham Road, Mitcham Hotel, Station Street Precinct).</p> <ul style="list-style-type: none"> <li>- Council considers that master planning should apply to large opportunity sites exceeding 5,000 sqm, while also recognising that some strategically located smaller sites may also warrant a master planning requirement.</li> </ul>
<p><b>Proposed Changes to Existing Zones</b></p>	<ul style="list-style-type: none"> <li>- The appropriate planning controls should be determined through a master planning process where master planning is recommended.</li> </ul>	<ul style="list-style-type: none"> <li>- Council is generally supportive of the proposed zone changes but seeks further justification for the rezoning of Residential Growth Zone (RGZ) land in Nunawading.</li> <li>- Council also requests that additional sites be considered to support the growth outcomes for the centres, including: <ul style="list-style-type: none"> <li>In the Nunawading Activity Centre Core: <ul style="list-style-type: none"> <li>- The Commercial 2 (C2Z) zoned land generally opposite the Whitehorse Civic Centre, which could be considered for rezoning to Commercial 1 Zone (C1Z).</li> <li>- Nunawading Reserve in Silver Grove.</li> </ul> </li> <li>In the Mitcham Activity Centre Core: <ul style="list-style-type: none"> <li>- The Mitcham Hotel site, which has a split zoning; the GRZ2 portion could be considered for rezoning to C1Z. (Council notes that the core boundary should also be adjusted slightly to include the discontinued road reserve.)</li> <li>- Parts of the VicTrack land containing commuter car parking, which could be better utilised to incorporate both parking and development opportunities. Strategic portions of this land could</li> </ul> </li> </ul> </li> </ul>

		<p>be considered for rezoning and partnership projects, including affordable housing.</p> <ul style="list-style-type: none"> <li>- Council requests that consideration be given to decking the rail trench to increase development space and improve connectivity between areas north and south of the rail line.</li> </ul>
<p><b>Proposed Changes to Existing Design and Development (DDO) Controls</b></p>	<ul style="list-style-type: none"> <li>- In the core, existing DDOs are proposed to be removed and replaced with a new, untested Built Form Overlay (BFO), raising concerns about its ability to respond to specific local conditions.</li> <li>- In catchments, existing DDO controls are proposed to be removed and not replaced, leading to a significant reduction in local planning guidance and potentially creating policy gaps.</li> </ul>	<ul style="list-style-type: none"> <li>- Council expresses concerns that the proposed BFO may not adequately respond to local urban design conditions and character.</li> <li>- Council highlights that the removal of DDO controls in catchment areas will weaken Council's ability to manage height, form, and amenity impacts, potentially prioritising development yield over context-sensitive outcomes.</li> <li>- Council will work with DTP on the BFO schedule details, including possible separate schedules for each centre and key built form issues. Refer Appendix 2.</li> </ul>
<p><b>Interaction with existing planning controls and overlays</b></p>	<ul style="list-style-type: none"> <li>- While the Minister confirmed retention of overlays (SLOs, VPOs, NCOs), Council seeks clear mechanisms and practical guidance on how these protections will be effectively applied and how transitions will be implemented.</li> <li>- Concerns remain about specific sites with SLOs and VPOs, including sensitive interfaces with SLO2 in Blackburn, SLO11 in Nunawading, and SLO3 in Mitcham, and inclusion of NRZ/VPOs in Mitcham catchments</li> </ul>	<ul style="list-style-type: none"> <li>- Council welcomes the Minister's exclusion of permanent SLOs from catchment boundaries, but requests DTP provide clear mechanisms and practical guidance for overlay application and transition implementation. Council seeks additional planning controls for sensitive interfaces like Laburnum Street in Blackburn and the northern and southern outer catchment in Mitcham.</li> <li>- Consider applying the Environmental Audit Overlay (EAO) to parts of the Blackburn Activity Centre with current or past industrial uses, such as along the south side of Railway Road (east) and Solwood Lane area plus 2-4 Central Road.</li> </ul>

<p><b>Removal of third-party review rights</b></p>	<ul style="list-style-type: none"> <li>- Exemptions from third-party review and notification under the HCTZ and BFO limit community input on planning applications.</li> <li>- “Deemed to comply” provisions in the HCTZ automatically grant permits if specified standards are met, removing consideration of neighbourhood character and other local matters. For instance, even if a development meets height, setback, or design standards, it will bypass review of impacts such as overshadowing, overlooking, or visual bulk.</li> </ul>	<ul style="list-style-type: none"> <li>- Council opposes the removal of third-party appeal rights and continues to advocate for genuine community input in planning decisions.</li> </ul>
<p><b>Integration with local strategies and state planning reforms</b></p>	<ul style="list-style-type: none"> <li>- Amendment VC277 (Car Parking): Assumes rail proximity is sufficient for growth, but there are gaps between policy and infrastructure reality (congestion, limited station access), advancing development without transport upgrades and shifting infrastructure burdens to local planning. Reduced parking provision in development will likely impact on local street parking.</li> <li>- Amendment VC278 (SLOs along Waterways): The Housing Choice and Transport Zone (HCTZ) exempts permit triggers for SLO11 that has been applied along Gardiners Creek and included in the Nunawading, catchment, in terms of undermining landscape protection.</li> <li>- Whitehorse Open Space Strategy: Proposed developments risk significant overshadowing of identified open spaces like Lithgow Avenue Reserve (Blackburn) and Wood Street Park (Nunawading) and Esplanade Reserve (Mitcham).</li> </ul>	<ul style="list-style-type: none"> <li>- Council highlights the risk of land use intensification preceding transport investment due to VC277 (Car Parking).</li> <li>- Council expresses concern about policy inconsistency created by VC278 (SLOs along Waterways) regarding SLO11.</li> <li>- Council requests prioritisation of parks for high solar protection and maintenance of “sunny streets”.</li> </ul>

<b>Strategic considerations and program gaps</b>		
<b>Housing Capacity – Planning in absence of the HCAP</b>	<ul style="list-style-type: none"> <li>- The Housing Capacity Assessment Platform (HCAP) and its assessment have not been released to Whitehorse, meaning Council lacks understanding of state government housing expectations and targets for the cluster, hindering local scenario testing.</li> </ul>	<ul style="list-style-type: none"> <li>- Council believes an understanding of housing expectations and access to the HCAP tool upfront is essential and urges State Government to release this without delay, including the housing targets for each activity centre.</li> <li>-</li> </ul>
<b>Lack of Plans for Each Train and Tram Zone Activity Centre</b>	<ul style="list-style-type: none"> <li>- Detailed, place-based Activity Centre Plans, like those for the 10 pilot centres, have not been released for 50 TTZACs, limiting community guidance on land use, built form, infrastructure, and centre functions.</li> </ul>	<ul style="list-style-type: none"> <li>- Council requests that the State Government prepare and provide Activity Centre Plans for the Train and Tram Zone centres, similar to the 10 pilot centres and expresses its disappointment that these have not been included in the Phase 2 engagement.</li> </ul>
<b>Affordable Housing</b>	<ul style="list-style-type: none"> <li>- Despite recent changes to the Planning and Environment Act 1987, which enact the overarching objective to facilitate the provision of affordable housing, the activity centre planning does not address issues.</li> </ul>	<ul style="list-style-type: none"> <li>- Council requests that DTP implement affordable housing as an outcome of the Activity Centre Program</li> </ul>
<b>Local identity, character, and economic function of activity centres</b>	<ul style="list-style-type: none"> <li>- The draft plans propose generic precinct typologies and uniform building heights, which risk undermining established streetscape character, local heritage, and the "village" feel of areas like Blackburn and Mitcham.</li> </ul>	<ul style="list-style-type: none"> <li>- Council advocates for place-based, context-sensitive outcomes that maintain the centres' vibrancy and economic function while accommodating appropriate growth.</li> </ul>

<p><b>Infrastructure capacity and climate-responsive planning</b></p>	<ul style="list-style-type: none"> <li>- Council has not received findings from the Community Infrastructure Needs Assessment. Increased densities require adequate infrastructure provision (transport, open space, schools, stormwater, flood mitigation), which is currently lacking. Climate-responsive design is also a priority.</li> <li>- The Infrastructure Needs Assessment has not been meaningfully integrated into the draft plans.</li> <li>- Integrated Water Management (IWM) has not been integral to the program. Updated flood modelling is not finalised.</li> <li>- Major arterial roads are hostile to pedestrians, and integrated transport planning, particularly active transport proposals are absent.</li> </ul>	<ul style="list-style-type: none"> <li>- Council emphasises that the Community Infrastructure Needs Assessment must be meaningfully integrated into the draft plans.</li> <li>- Council seeks transparent assessment of infrastructure capacity and alignment with existing Development Contributions Plans.</li> <li>- Council expects IWM outcomes to be clearly articulated and embedded.</li> <li>- Council calls for integrated transport and road management proposals and highlights the need for significant State Government funding.</li> <li>- Council also requests that integrated traffic modelling be undertaken to assess impacts on traffic flow and congestion.</li> <li>- Council seeks an implementation plan to address infrastructure and place-based initiatives.</li> <li>- Council requests that a pedestrian/cycling crossing be provided over the railway between Harvey Norman and Home HQ in Nunawading to Station Street.</li> </ul>
<p><b>Economic Function and Feasibility</b></p>	<ul style="list-style-type: none"> <li>- Council is cognisant of the economic conditions and financial structures that influence development outcomes beyond the planning framework.</li> <li>- The Blackburn, Nunawading, and Mitcham activity centres are integral to Whitehorse's broader economic network. Planning interventions need to facilitate new development that complements rather than undermines the economic role of these centres.</li> </ul>	<ul style="list-style-type: none"> <li>- Council seeks consideration of economic feasibility and development constraints that are within the remit of state government in implementing the new planning controls.</li> <li>- Council seeks to ensure that activity centres remain economically viable, resilient, and capable of supporting sustained investment, employment, and service provision amid these market and policy pressures.</li> </ul>

**Program process and governance**

- |  |   |  |
|--|---|--|
|  | <ul style="list-style-type: none"><li>- There are significant limitations in engagement, transparency, and collaboration.</li><li>- Draft maps were late and fragmented.</li><li>- The consultation timeframe is condensed (40 days).</li><li>- The Community Reference Group (CRG) has not been convened and lacks transparency, particularly regarding how its members are selected.</li><li>- State Government drop-in sessions were scheduled very late for Whitehorse Activity Centres.</li><li>- The online survey is very general and has limited relevance.</li><li>- There are governance and advisory gaps, including the absence of an independent Advisory Committee and limited Council involvement.</li></ul> | <ul style="list-style-type: none"><li>- Council urges the Minister to refer all submissions, draft plans, and technical information to an independent Advisory Committee for review and advice before amending planning controls, to ensure all parties are heard and strategic considerations are addressed.</li><li>- Council requests that the key planning information and technical evidence that informed the Draft Plans be publicly released to support transparency and enable informed community and stakeholder engagement.</li></ul> |
|--|---|--|

**APPENDIX 2 – RECOMMENDATIONS FOR THE PROPOSED SCHEDULE TO THE BUILT FORM OVERLAY, CLAUSE 43.06**

**Draft Built Form Overlay Schedule Review**

**Activity Centres Program – Blackburn, Nunawading, Mitcham**

<b>Schedule Clause</b>	<b>Review and response</b>
<p><b>Clause 1.0 – Development objectives</b></p>	<p>It is unclear whether these objectives are generally templated or pre-set for Whitehorse.</p> <p>For example, reviewing the Camberwell Junction Built Form Overlay, they have created their own objectives, noted below. While this appears to be generally consistent with the templated schedule but worded slightly differently:</p> <ul style="list-style-type: none"> <li>• <i>To guide new development at greater scale and density in appropriate locations.</i></li> <li>• <i>To achieve design excellence and contemporary architecture that enhances the character of the centre and makes a positive contribution to the public realm.</i></li> <li>• <i>To enable development that enhances the public realm through high quality design and appropriately responds to built heritage and environmental constraints.</i></li> <li>• <i>To minimise underdevelopment.</i></li> </ul> <p>Reference to amenity in the objectives is essential in Blackburn and Mitcham.</p> <p>For Whitehorse, objectives that relate to and provide some specifics in line with Council’s, submission need to be incorporated:</p> <ul style="list-style-type: none"> <li>• To ensure the form and scale of development appropriately responds and transitions to land in the adjoining residential zone. i.e.: Protecting sensitive interfaces and specific area characteristics from bulk/scale (built form – i.e. South Parade and Pope/John/Francis area in Blackburn or Haines / Fellows Street area in Mitcham)</li> <li>• Protecting pedestrian/public realm and public open spaces (primarily from overshadowing)</li> <li>• Increased tree canopy (landscape character aspiration as opposed to sustainability)</li> <li>• Improving pedestrian movement and walkability through improved amenity and connections (i.e.: east-west – Whitehorse Road is a very hostile environment; is an opportunity for significant improvement closer to the centres)</li> </ul>
<p><b>Clause 2.0 – Development framework</b></p>	<p>Council requests to review the Development Framework map for each activity centre prior to gazettal given the recommendations in the attached plans.</p>

Key concerns as set out in the submission:

Blackburn:

- Overshadowing of Morton Park
- Overshadowing of Pope Road playground
- Overshadowing of Railway Road
- Overshadowing of north-south pedestrian links from carpark into South Parade
- Managing the southern interface from the lower edge of the activity centre
- Directing growth of up to 12 storeys to South Parade (which Council considers excessive), and 6 storeys further south fails to provide an appropriate transition. South Parade (southern side) should be 6 storey and transition down.
- Directing growth of up to 12 storeys to Solwood Lane, without appropriate vehicular access availability, with potential amenity implications to Council's public open space.
- Failing to appropriately transition form from existing buildings and newly established heights such as the Pace and Leader developments.
- 12-16 storeys over the Blackburn Pub and Sikh Temple undermines established urban design principles of maintaining taller form within the core/centre, and transitioning down to the lower-scale residential peripheries
- Providing a suitable condition along Whitehorse Road that supports growth of the centre, permeability and amenity

Nunawading

- Managing the northern interface from the upper edge of the activity centre
- Overshadowing Wood Park
- Overshadowing of Whitehorse Road
- Impact to Council's Civic Centre (amenity and movement)
- Providing a suitable condition along Whitehorse Road and Springvale Road that supports growth of the centre, permeability and amenity
- Providing better structure to the overall centre that encourages opportunities to redevelop and revitalise Nunawading.

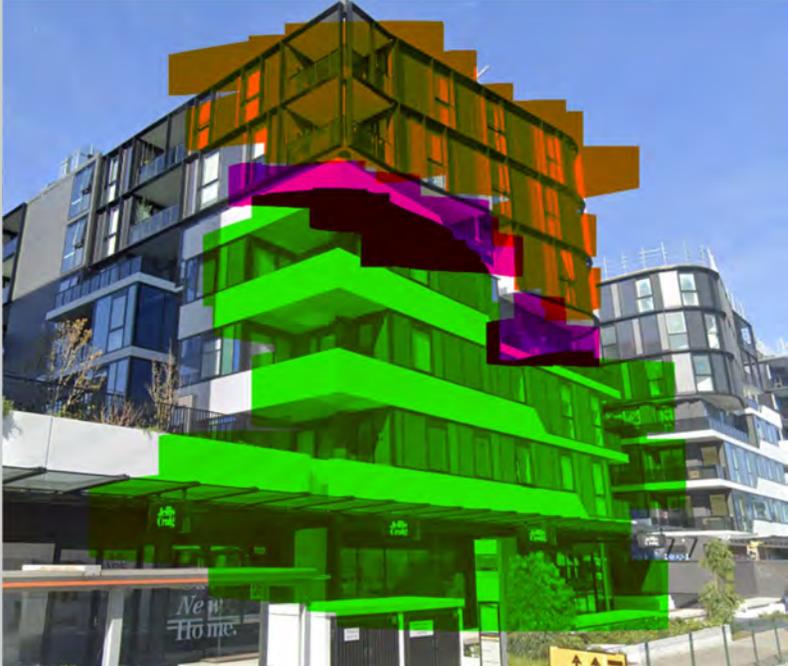
Mitcham

- Overshadowing of Esplanade Reserve
- Overshadowing of Britannia Mall
- Overshadowing of Whitehorse Road, Station Street
- Interface with Haines and Fellows Street area being a highly sensitive and intact residential periphery
- Interface with Edwards Street

	<ul style="list-style-type: none"> <li>• 12 storeys to the supermarket/centre car park undermines established urban design principles of maintaining taller form within the core/centre, and transitioning down to the lower-scale residential peripheries</li> <li>• Providing a suitable condition along Whitehorse Road that supports growth of the centre, permeability and amenity</li> <li>• Providing a better level of amenity along Mitcham Road, particularly toward the rail line</li> </ul>
<p><b>Clause 3.0 – Master plan requirements</b></p>	<p>It is noted that the master plan requirements under the header provision apply in addition to any specified in the schedule.</p> <p><u>Schedule requirements in addition to those in the draft template provided should include:</u></p> <ol style="list-style-type: none"> <li>1. 101-127 Whitehorse Road, Blackburn (including the Sikh Temple, the Blackburn Hotel and adjoining commercial land): <ul style="list-style-type: none"> <li>• The transition of building heights down to the lower scale on adjacent residential-zoned land.</li> <li>• The pedestrian, cycling and vehicle access network through the site</li> <li>• The location of public realm and open spaces</li> <li>• Public realm improvement works</li> <li>• The location of linkages to adjoining land and through the site to facilitate permeability of the activity centre</li> <li>• The location and access arrangements of car and bicycle parking spaces</li> <li>• Landscaping, including canopy trees at the interfaces and other parts of the site.</li> <li>• Trees to be retained and areas of deep soil planting</li> </ul> </li> <li>2. Solwood Lane Area (located north of the rail line / east of Blackburn Road), Blackburn (Noting this is not a single site) <ul style="list-style-type: none"> <li>• Consolidation of land</li> <li>• Public realm improvement works</li> <li>• Landscaping, including canopy trees</li> <li>• The location and access arrangements of car and bicycle parking spaces</li> <li>• The location of linkages through the land and public realm</li> </ul> </li> <li>3. 2-24 Silver Grove, Nunawading (Nunawading Reserve) <ul style="list-style-type: none"> <li>• The pedestrian, cycling and vehicle access network through the site</li> <li>• The location of public realm and open spaces</li> <li>• Public realm improvement works</li> <li>• The location of linkages to facilitate permeability through the activity centre</li> <li>• The location and access arrangements of car and bicycle parking spaces</li> <li>• The location of vehicle access to the site</li> <li>• Landscaping, including canopy trees at the interfaces and other parts of the site.</li> <li>• Trees to be retained</li> <li>• Areas of deep soil planting</li> <li>• The treatment of interfaces with the adjacent industrial areas</li> </ul> </li> </ol>

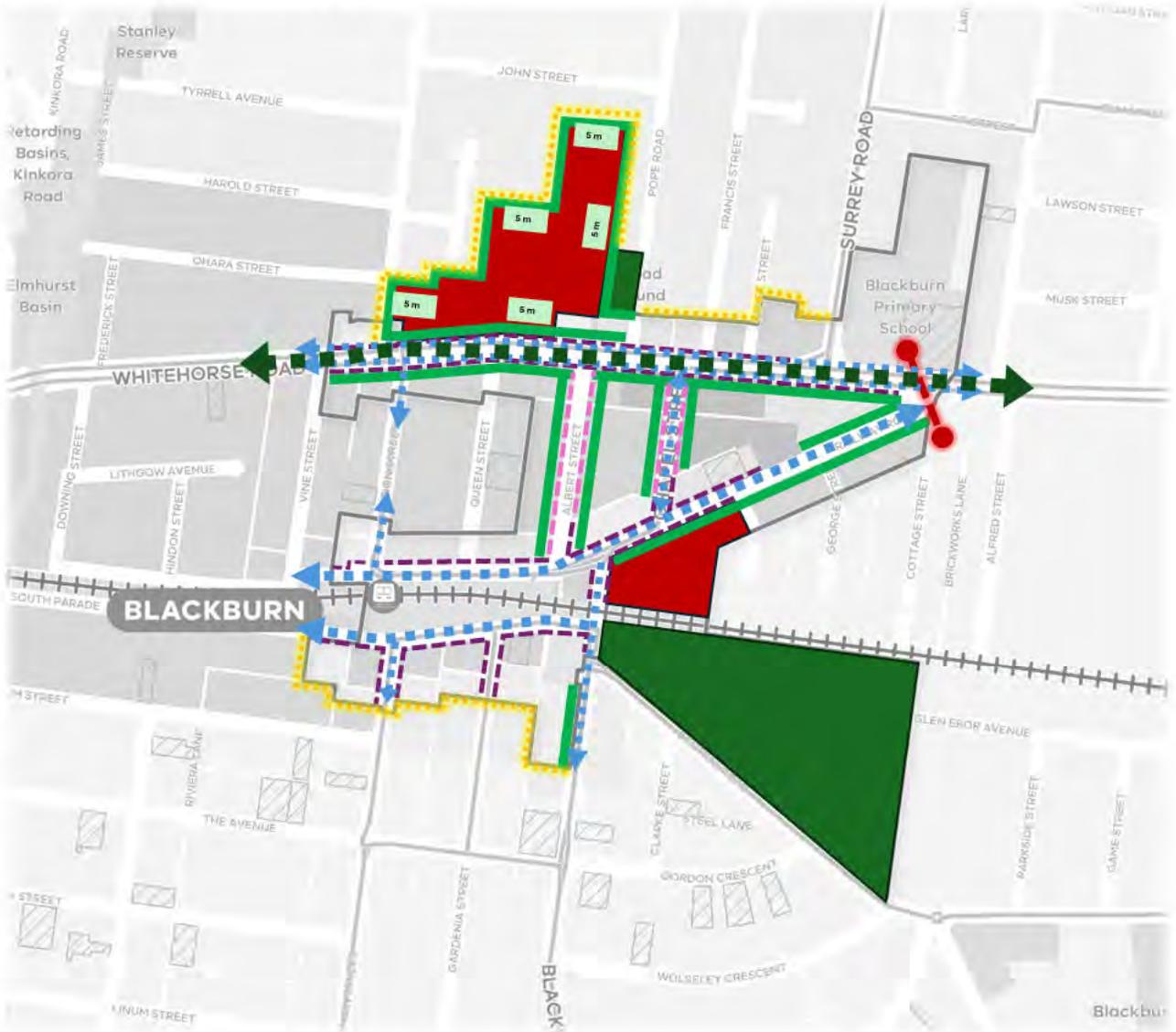
4. Commercial 2 Zone (C2Z) Precinct, Nunawading (Amart, Harvey Norman, Home HQ and adjoining commercial land)
  - The pedestrian, cycling and vehicle access network through the site
  - The location of public realm and open spaces
  - Public realm improvement works
  - The location of linkages to facilitate permeability through the activity centre, including to areas south of the rail line.
  - The location and access arrangements of car and bicycle parking spaces
  - The location of vehicle access to the site
  - Landscaping, including canopy trees at the interfaces and other parts of the site.
  - Trees to be retained
  - Areas of deep soil planting
  - The treatment of interfaces to Whitehorse Road and Walker Avenue
  - Views to the Nunawading Brickworks chimney at 56 – 74 Station Street, Nunawading
  - The interface with the Old Shire Offices at 360 Whitehorse Road, Nunawading
  
5. 1-9 Edward Street (Multi-deck Carpark), Shops 1-2/26 Enterprise Way (Supermarket) and 374 Mitcham Road (Open Car Park)
  - The transition of building heights down to the lower scale on adjacent residential-zoned land.
  - The pedestrian, cycling and vehicle access network through the site
  - The location of public realm and open spaces
  - Public realm improvement works
  - The location of linkages to adjoining land to facilitate permeability through the activity centre
  - The location and access arrangements of car and bicycle parking spaces
  - Landscaping, including canopy trees at the interfaces and other parts of the site.
  - Trees to be retained
  - Areas of deep soil planting
  - The articulation and transition of building heights to Britannia Mall and adjacent finer grain commercial-zoned land.
  - Views of the buildings from Whitehorse Road
  
6. 556-572 Whitehorse Road, Mitcham (Mitcham Hotel)
  - The transition of building heights down to the lower scale on adjacent residential-zoned land.
  - The pedestrian, cycling and vehicle access network through the site
  - The location of public realm and open spaces
  - Public realm improvement works
  - The location and access arrangements of car and bicycle parking spaces
  - Landscaping, including canopy trees at the interfaces and other parts of the site.
  - Trees to be retained
  - Areas of deep soil planting
  - The treatment of interfaces with the public realm at Whitehorse Road and Mitcham Road
  -

	<p>7. Station Street Precinct between Britannia Mall and Mitcham Station (public realm areas and adjoining private land; noting this is not a single site).</p> <ul style="list-style-type: none"> <li>• Public realm improvement works</li> <li>• Traffic, transport and road management improvements</li> <li>• Landscaping, including canopy trees</li> </ul>
<b>Clause 4.0 – Public benefit uplift framework</b>	<p>We note that a PBUF is not proposed through the Activity Centres program and agree that increased heights to sensitive interfaces is not appropriate for these centres.</p> <p>However, there may be a future opportunity to allow taller built form for a public benefit through parts of Whitehorse Road (in Nunawading for example) where the impact may be relatively low. Options include:</p> <ul style="list-style-type: none"> <li>• Affordable and social housing for uplift</li> <li>• Improving street amenity by widening the footpath along Whitehorse Road and Springvale Road for pedestrian activity and movement into the core / railway / bus interchange</li> </ul>
<b>Clause 5.0 – Buildings and works</b>	No comment
<b>Clause 6.0 – Outcomes and standards</b>	No comment
<b>6.2-1 – Building heights</b>	Comments on building heights have been provided through Council's submission
<b>6.2-2 Overshadowing of open space or public realm</b>	Council notes that overshadowing standards are already pre-determined, but has identified area of overshadowing concern on the plans below
<b>6.2-3 Front setbacks, street wall and front wall heights, setbacks above the street wall and front wall, and landscaped setbacks</b>	<p>Front / landscape setbacks are preferred along key pedestrian / future pedestrian links to improve and widen the public domain</p> <ul style="list-style-type: none"> <li>• Generous ground level setbacks along key pedestrian / future pedestrian routes, minimise reliance on street tree planting in key pedestrian routes – but there are opportunities also for a zero street setback, ensuring that the podium design is well managed</li> <li>• Design detail is just as valuable as the physical setback, need to improve visual permeability, activation to the street</li> <li>• Minimise proportion of services, access along the frontage, and ensure that these are treated with as much respect as the broader façade and integrated into the building design</li> <li>• Maintain high quality façade treatments (refer to typical urban design principles, materiality, solidity)</li> </ul> <p>Setback above the podium is critical to defining the mid-level of a building and managing proportion/scale. Setbacks above the street wall shown 5-6m seem reasonable.</p> <p>The preference is for mid-storey levels to align to the podium setback, with a setback between podium and upper storeys (1-2 storey setback – depends on building height).</p>

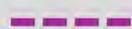
	<p>Refer to Pace design – podium maintains 3-3.5 storeys, with a subtle single level rebate and then glazed tower cap. Successful breakdown of form, single alignment</p> 
<p><b>6.2-4 Side and rear setbacks and building separation within a site</b></p>	<p>It is unclear if Council has any influence over this text aside from impacted park names.</p> <p>Relevant parks / Public Open Spaces are identified in Council's submission</p>
<p><b>6.2-5 to 6.2-9</b></p>	<p>There appears to be no scope to comment on the template</p>
<p><b>6.2-10 Car parking design</b></p>	<p>Vehicle access to car parks must not be provided on [Springvale Road, ].</p> <p>Vehicle access to car parks is discouraged on [Mitcham Road? Railway Road (east section, south side)].</p>
<p><b>6.2-11 Building services</b></p>	<p>Waste and loading access is discouraged on:</p> <ul style="list-style-type: none"> <li>• South Parade, Blackburn</li> <li>• Whitehorse Road, Blackburn, Nunawading</li> <li>• Blackburn Road, Blackburn</li> <li>• Chapel Street, Blackburn?</li> <li>• Mitcham Road, Mitcham?</li> </ul> <p>Other outcomes:</p> <ul style="list-style-type: none"> <li>• Building services / utilities to be integrated into the building design and accessible, and avoid installations in the building setback.</li> </ul>
<p><b>7.0 Subdivision</b></p>	<p>No comment</p>
<p><b>8.0 Application requirements</b></p>	<p>Under Design response, add</p> <ul style="list-style-type: none"> <li>– Respond to sensitive interfaces and residential-zoned land adjacent to the activity centre core</li> </ul> <p>Under SDA, remove:</p> <ul style="list-style-type: none"> <li>- “having regard to the site’s opportunities and constraints”</li> </ul>

<b>9.0 Notice and Review</b>	Council reiterates its concerns about removal of third party notification and review rights as set out in its submission
<b>10.0 Decision guidelines</b> <b>11.0 Mandatory permit conditions</b> <b>12.0 Signs</b> <b>13.0 Transitional provisions</b>	No comments

# Recommendations for the Schedule to Clause 43.06 – Built Form Overlay Blackburn Activity Centre



## LEGEND



Primary Active Frontage



Secondary Active Frontage



Sensitive Interfaces



Landscape setback



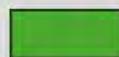
Proposed Pedestrian connection



Master Plan Required



High Sun Access Protection  
Public Open Space



Moderate Sun Access  
Protection - Public Open Space



Boulevards



Key Pedestrian Streets

# Recommendations for the Schedule to Clause 43.06 – Built Form Overlay Nunawading Activity Centre



## LEGEND



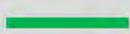
Primary Active Frontage



Secondary Active Frontage



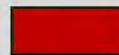
Sensitive Interfaces



Landscape setback



Proposed Pedestrian connection



Master Plan Required



High Sun Access Protection  
Public Open Space



Moderate Sun Access  
Protection - Public Open Space

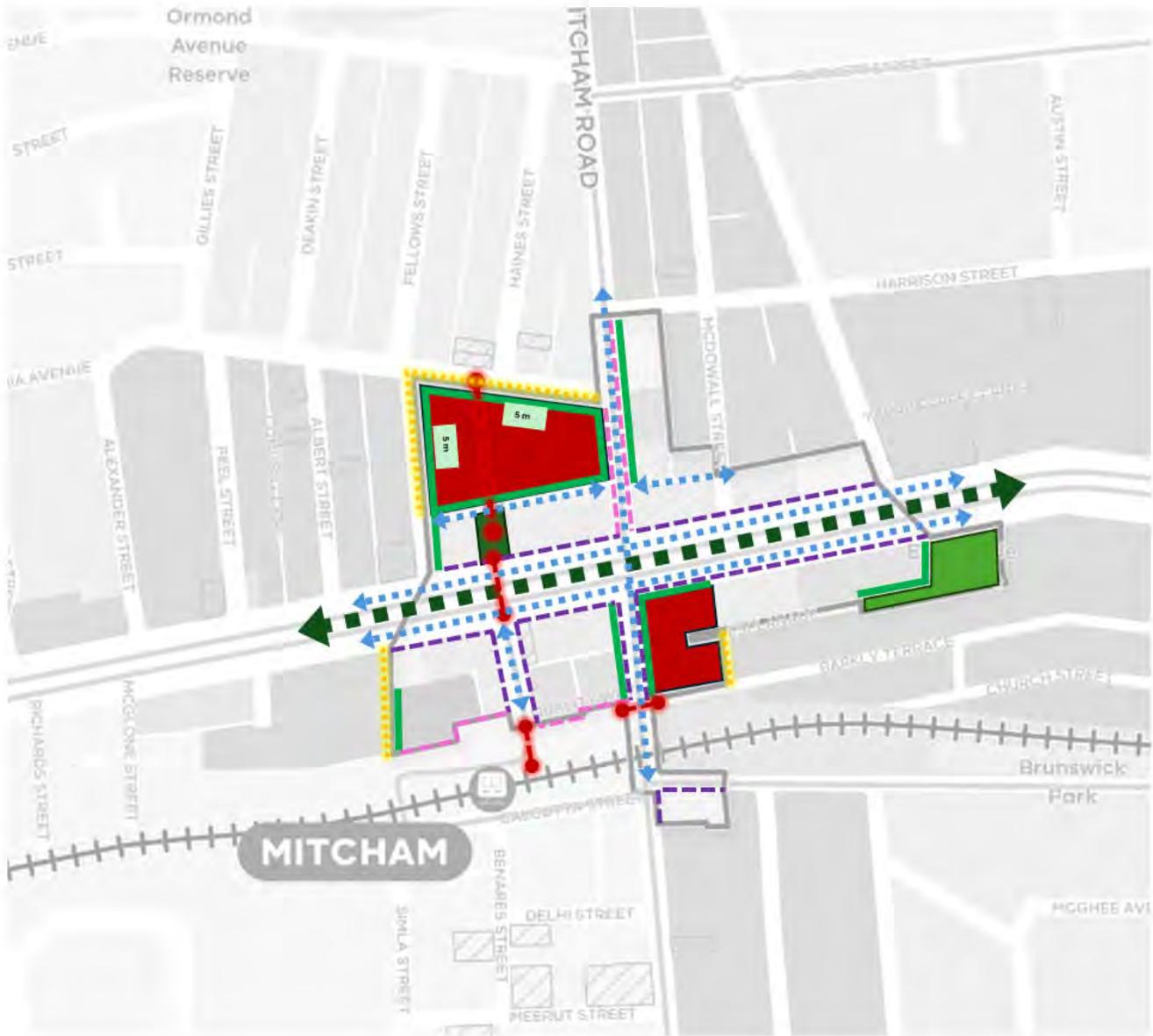


Boulevards



Key Pedestrian Streets

# Recommendations for the Schedule to Clause 43.06 – Built Form Overlay Mitcham Activity Centre



## LEGEND

- |  |                                |  |  |
|--|--------------------------------|--|--|
|  | Primary Active Frontage        |  | Master Plan Required                               |
|  | Secondary Active Frontage      |  | High Sun Access Protection Public Open Space       |
|  | Sensitive Interfaces           |  | Moderate Sun Access Protection - Public Open Space |
|  | Landscape setback              |  | Boulevards   |
|  | Proposed Pedestrian connection |  | Key Pedestrian Streets                             |

**Draft Schedule to Clause 43.06 Built Form Overlay, as provided by the Department of Transport and Planning, Activity Centres Program, is attached**

## SCHEDULE [NUMBER] TO CLAUSE 43.06 BUILT FORM OVERLAY

Shown on the planning scheme map as **BFO[NUMBER]**.

### [NAME] TRAIN AND TRAM ZONE ACTIVITY CENTRE

#### 1.0 Development objectives

To promote development which achieves a high level of amenity and enhances the public realm with high quality design.

To achieve a scale of growth consistent with the development framework and to discourage underdevelopment.

To promote sustainable development that achieves best practice sustainable design, contributes positively to sustainable transport patterns and provides increased green cover and tree canopy coverage to reduce urban heat.

To increase permeability and connectivity for pedestrians and cyclists throughout the activity centre.

[Precinct-specific development objective]

#### 2.0 Development framework

##### Map 1 to Schedule [NUMBER] to Clause 43.06: Development framework

The building typologies and future character for each part of the land is set out in the following table:

**Table 1: Building typology and future character statements**

Building typology as shown on Map 1	Future character
Heritage Main Street Core	<p>This typology will retain its heritage character, with heritage façades retained and new buildings respecting the scale and design of pre-existing heritage buildings. The scale of new street walls will be consistent with adjacent heritage façades.</p> <p>New development will occur above and behind heritage façades, with setbacks ensuring the new development does not dominate the heritage characteristics of the streetscape and the openness of the streetscape.</p> <p>Development will provide active street frontages, with commercial premises at ground level, and vehicle access provided to the rear where possible.</p>
Non-Heritage Main Street Core	<p>This typology will form the main street of the activity centre, with an urban form defined by its active street frontages and consistent streetscape presentation.</p> <p>Being in the heart of the centre, commercial activity will generally be provided at ground level, where a pedestrian environment is prioritised.</p> <p>Taller built form will be setback behind street walls, with streetscapes remaining open and sunny.</p>

Fringe Precinct	<p>This typology will mark a transition between the main street and lower- scale residential areas by providing a reduction in height and increased setbacks to residential interfaces.</p> <p>Commercial uses will be present at ground level, with commercial and residential premises above.</p> <p>Taller built form will be setback behind street walls, with streetscapes remaining open and sunny.</p>
Limited Sensitivities	<p>A mixture of commercial and residential built form is supported in the typology.</p> <p>New development will be expected to provide an active frontage to the public realm.</p> <p>New buildings should be medium/high-rise (up to [NUMBER] metres/[NUMBER] storeys) with podiums and upper-level setbacks that relate to the width of the street to provide a comfortable public realm.</p> <p>Taller form is supported on larger sites, particularly where setback standards are maintained.</p> <p>Development may exceed the building heights standard where the site area, including as a result of lot consolidation, supports compliance with the other standards of this schedule.</p>
Large Opportunity Sites	<p>Sites that can accommodate multiple buildings in a variety of configurations on larger lots (generally over 5,000 sqm).</p> <p>New buildings should be medium/high-rise (up to [NUMBER] metres/[NUMBER] storeys) with podiums and upper-level setbacks that relate to the width of the street to provide a comfortable public realm in terms of wind conditions and access to sunlight.</p> <p>Development of taller built form on these sites is supported and may exceed the building height standard where off-site amenity impacts are managed and public benefits provided.</p>

### 3.0 Master plan requirements

#### Land to which the master plan requirements apply

The master plan requirements in Clause 43.06-3 apply to all land shown on Map 1 as master plan sites.

#### Requirement before a permit is granted

A permit may be granted before a master plan has been prepared to the satisfaction of the responsible authority if the responsible authority is satisfied that both:

- The granting of a permit will not prejudice the preparation of a master plan.
- The proposed use or development will not prejudice the orderly use and development of land in accordance with the objectives of this schedule.

#### Requirements for a master plan

A master plan must describe, as appropriate:

- Trees to be retained.

- Deep soil planting areas.
- Areas of any new planting for trees, green walls and facades, and other vegetation.
- The location and access arrangements of car and bicycle parking spaces.
- Public realm improvement works.

For the site at [ADDRESS], a master plan must describe:

- Vehicle access arrangements that avoid additional access on [ROAD].
- A landmark building at the corner of [ROAD] and [ROAD].
- How view lines of [LANDMARK OR FEATURE] are protected from [LOCATION].
- Publicly accessible open space at [LOCATION].
- A transition down to any adjacent residential-zoned land.

#### **4.0 Public benefit uplift framework**

None specified.

#### **5.0 Buildings and works**

##### **Permit requirement**

A permit is not required for land in the Mixed Use Zone or Residential Growth Zone to:

- Extend one dwelling or construct or extend a small second dwelling.
- 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 out-building 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 of dwellings is not increased.

#### **6.0 Outcomes and standards**

The outcomes and standards in this overlay and this schedule prevail over any inconsistent provision in this planning scheme, including any inconsistent standard set out in Clauses 54 to 58 (except where specified in this schedule). This does not apply to an application that has been made under Clause 53.22, Clause 53.23 or Clause 53.25, which prevail to the extent of any inconsistent provision in the Built Form Overlay.

##### **6.1 Outcomes that do not apply**

The outcome in Clause 43.06-7.3, Floor area ratios, does not apply.

##### **6.2 Standards**

Any standard specified in this schedule is in addition to any standard in clause 43.06-7 for the corresponding outcome, unless specified otherwise below.

If land is in a Heritage Overlay, or is land adjoining a Heritage Overlay, all standards in this overlay and schedule are not deemed to comply standards.

**6.2-1 Building heights**

**Standard BF02**

Standard BF02 does not apply to a heritage place which is included in the Victorian Heritage Register.

For Large Opportunity Sites shown on Map 1, the minimum building height does not apply.

**Map 2 to Schedule [NUMBER] to Clause 43.06: Building heights**

**Table 2: Building height**

Area as shown on Map 2	Minimum building height	Maximum building height	Discretionary or Mandatory	Deemed to comply
Area 1	[NUMBER]m	[NUMBER]m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1.

**6.2-2 Overshadowing of open space or public realm**

The following standards replace Standard BF04 at Clause 43.06-7.4:

Buildings are to maintain existing sun access to the overshadowing areas identified at Table 3 using the specified sun access measurement.

This does not apply to shadow cast by:

- Incidental elements such as canopies, kiosks, artworks, screens or trees.
- Buildings and works constructed within the open space or street.

**Table 3: Overshadowing of open space or public realm**

Overshadowing area	Sun access measurement	Discretionary or Mandatory	Deemed to comply
<b>Existing and proposed streets</b>			
Boulevards as shown on Map 1	No additional overshadowing beyond the centreline of the boulevard between 10am and 2pm on 22 September.	Discretionary	Yes
Key pedestrian streets as shown on Map 1	No additional overshadowing to the opposite footpath measured at least 5m from the property boundary between 10am and 2pm on 22 September.	Discretionary	Yes

All other streets	No additional overshadowing of opposite footpaths beyond the theoretical shadow cast by the maximum building envelope in Standard BF02 and BF05 between 10am and 2pm on 22 September.	Discretionary	No
<b>Existing and proposed public open space</b>			
High protection as shown on Map 1	No additional overshadowing between 10am and 3pm on 21 June.	Mandatory	Yes
Moderate protection as shown on Map 1	No additional overshadowing beyond the theoretical shadow cast by the maximum building podium envelope in Standard BF06 between 10am and 3pm on 21 June.	Mandatory	Yes
All other public parks and public open spaces (including proposed public open space)	No additional overshadowing beyond the theoretical shadow cast by the maximum building envelope in Standard BF02, Standard BF05, and Standard BF06 between 10am and 3pm on 21 June.	Discretionary	No

**6.2-3 Front setbacks, street wall and front wall heights, setbacks above the street wall and front wall, and landscaped setbacks**

**Standard BF05**

**Requirements for land in or adjoining a Heritage Overlay**

The following requirements apply to land in or adjoining a Heritage Overlay, in addition to the remaining requirements applying to all land. Where there is inconsistency between these requirements and the requirements applying to all land, these requirements prevail.

For development in a Heritage Overlay, new development should:

- Provide a front setback equal to or greater than the heritage building on the site.
- Match the street wall or front wall height of heritage buildings on the site or match the street wall or front wall height of a heritage building on an adjoining site where there is no heritage building on the site.
- Provide a minimum 6m setback above the street wall or front wall.

For development adjoining a Heritage Overlay, new development should:

- Provide a front setback equal to or greater than a heritage building on an adjoining site with the same frontage.
- Provide a street wall or front wall height no greater than the street or front wall height of a heritage building on an adjoining site, for a width of 6m from the property boundary of the adjoining property containing the heritage building.

***Requirements applying to all land***

For all land, new development should:

- Avoid a tiered built form and incorporate no more than one setback above the street or front wall.
- Where a ground level (non-landscaped) setback is provided, design the setback as part of the public domain and ensure it is fully accessible to the public.
- For areas shown as requiring a landscaped setback in Table 4, provide landscaping between the front wall and the front property boundary.
- For areas where no setback is shown at Map 3, provide street walls within 0.3m of the street boundary.

**Map 3 to Schedule [NUMBER] to Clause 43.06: Front setbacks and landscaped setbacks**

**Table 4: Front setbacks and landscaped setbacks**

Setback shown on Map 3	Minimum front setback	Landscaped setback	Discretionary or Mandatory	Deemed to comply
Setback 1	[NUMBER]m	No	Discretionary	Yes
Setback 2	[NUMBER]m	Yes	Discretionary	Yes

**Map 4 to Schedule [NUMBER] to Clause 43.06: Street and front wall heights and setbacks above the street or wall**

**Table 5: Street and front wall heights, setbacks above street or front walls.**

Street or front wall shown on Map 4	Maximum street wall or front wall height	Minimum setback above street wall or front wall	Discretionary or Mandatory	Deemed to comply
Street wall 1	11m	Any part of the building above the proposed street wall or front wall: <ul style="list-style-type: none"> <li>▪ 6m.</li> </ul>	Discretionary	Yes
Street wall 2	11m	Any part of the building above the proposed street wall or front wall:	Discretionary	Yes

		<ul style="list-style-type: none"> <li>▪ 5m.</li> </ul>		
Street wall 3	1:1 ratio of road reserve width to street or front wall height or 21m whichever is lesser	<p>Any part of the building above the proposed street wall or front wall if the building is not greater than 27m in height:</p> <ul style="list-style-type: none"> <li>▪ 3m.</li> </ul> <p>Any part of the building above the proposed street wall or front wall if the building is greater than 27m in height:</p> <ul style="list-style-type: none"> <li>• 5m.</li> </ul>	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1.

## 6.2-4 Side and rear setbacks and building separation within a site

### Standard BF06

Development should avoid a tiered built form and incorporate no more than two setbacks to each side and rear boundary above the podium

Development should be set back from side or rear boundaries in accordance with Table 6, except where one or more of the following applies:

- Where a site adjoins a sensitive interface shown on Map 1, buildings should be set back from the specified sensitive interface boundary in accordance with Table 7;
- Where a site adjoins one of the following public open spaces on Map 3, buildings should be set back from the boundary to the open space by a minimum of 3m up to and including a height of 21m with landscaping provided within the setback, and then above 21m buildings should be setback in accordance with Table 6:
  - [NAME OF PARK]
- Where a wall on boundary is proposed, a building should meet the wall on boundary requirements in Table 8 and 9 below. A wall on boundary should not be provided:
  - For rear boundaries, on a site 1,500 square metres or greater in area.
  - Where a site adjoins a sensitive interface shown on Map 1.
  - Where a site adjoins one of the following public open spaces on Map 3:
    - [NAME OF PARK]

**Table 6: Side and rear setbacks and building separation within a site.**

Part of building	Minimum setback to boundary line	Minimum building separation within a site.	Discretionary or Mandatory	Deemed to comply
Up to and including a height of 21m	4.5m	9m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1.
Above a height of 21m up to and including a height of 40m	6m	12m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1.

Above a height of 40m	10m	20m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1.
-----------------------	-----	-----	---------------	--

*Note: Where the neighbouring property is separated from the site by a rear or side laneway, the setback requirements in Table 6 should be measured from the centreline of the laneway.*

**Table 7: Setbacks to sensitive interfaces.**

Part of building	Minimum setback to sensitive interface boundary line shown on Map 1	Discretionary or Mandatory	Deemed to comply
Up to and including a height of 11m	6m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1.
Above 11m and up to and including a height of 21m	12m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1.
Above a height of 21m	15m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1.

*Note: Where the neighbouring property is separated from the site by a laneway, the setback requirements in Table 7 should be measured from the centreline of the laneway.*

**Table 8: Wall on rear boundary**

Site size	Maximum height of wall on rear boundary	Discretionary or Mandatory	Deemed to comply
Less than 1,500sqm	11m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1.

Where a wall constructed on or within 200mm of a rear boundary is proposed, rear setbacks at Table 6 apply above the proposed wall on boundary.

**Table 9: Wall on side boundary**

Site width*	Maximum height of wall on side boundary	Discretionary or Mandatory	Deemed to comply
Less than 22m	21m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1.
Between 22m and 30m	21m on one side boundary 11m on the other side boundary	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1.
Greater than 30m	11m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1.

\*Site width is measured as the site's average width, measured parallel to the frontage.

Where a wall constructed on or within 200mm of a side boundary is proposed, the side setbacks at Table 6 apply above the proposed wall on boundary.

## 6.2-5 Building layout and adaptability

### Standard BF07

Apartment development should have a maximum floor plate size of no more than 900sqm per tower, above the maximum street wall or front wall height.

**Table 10: Floor to floor height**

Floor type	Minimum floor to floor height (metres)	Discretionary or Mandatory	Deemed to comply
Commercial Ground	4.5m	Discretionary	Yes
Commercial Upper	4m	Discretionary	Yes
Residential (all)	3.2m	Discretionary	Yes

## 6.2-6 Active frontages

### Standard BF09

**Table 11: Minimum entry or window percentage**

Frontage type as shown on Map 1	Minimum entry or window percentage	Discretionary or Mandatory	Deemed to comply
Primary active frontage	At least 80 percent along the ground level frontage to a height of 2.5m	Discretionary	No
Secondary active frontage	At least 60 percent along the ground level frontage to a height of 2.5m	Discretionary	No
Tertiary active frontage	At least 40 percent along the ground level frontage to a height of 2.5m	Discretionary	No

*Note: Any vehicle entry does not contribute to the calculation of minimum entry or window percentage specified in Table 11.*

## 6.2-7 Pedestrian connections

### Standard BF10

Map 1 indicates the ‘Specific’ and ‘Indicative’ pedestrian connection alignments required by this standard.

## 6.2-8 Weather protection

### Standard BF11

Development should include continuous weather protection along primary and secondary active frontages shown on Map 1, except where one of the following warrants an alternative approach:

- A heritage place.
- Where a landscaped setback is required under Clause 6.2-3 of this schedule.

## 6.2-9 Landscaping and fencing

### Standard BF12

The following standards do not apply to apartment developments to which Clause 58 applies. Development should provide the minimum deep soil extent at ground level outlined in Table 12 below.

**Table 12: Deep soil requirements**

Site size	Minimum deep soil extent at ground level	Discretionary or Mandatory	Deemed to comply
Less than 1,500sqm	0%	Discretionary	Yes
Between 1,500 – 5,000sqm	10%	Discretionary	Yes
Greater than 5,000sqm	15%	Discretionary	No

Development on sites greater than 1,500sqm should provide either of the following:

- At least two trees with a minimum canopy and height at maturity of 8m, with each tree having a minimum deep soil area of 49sqm (min. plan dimension 4.5m).
- At least one tree with a minimum canopy and height at maturity of 12m, within a minimum deep soil area of 121sqm (min. plan dimension 6.5m).

Development on all sites must ensure deep soil is not located above basements or other infrastructure.

## 6.2-10 Car parking design

### Standard BF13

Vehicle access to car parks must not be provided on [ROAD].

Vehicle access to car parks is discouraged on [ROAD].

Vehicle access should be provided from laneways and secondary frontages. Where vehicle access cannot be provided from laneways and secondary frontages, access points should:

- Prioritise pedestrian flow, safety and amenity.
- Minimise impacts on the provision of public transport, and pedestrian and cyclist safety.
- Avoid street trees.

## 6.2-11 Building services

### Standard BF14

Waste and loading access is discouraged on [ROAD].

## 6.3 Other outcomes and standards

None specified.

## 6.3-1 [OUTCOME NAME]

### Outcome

[Outcome]

### Standard BF[NUMBER]

[Standard]

## 7.0 Subdivision

### Permit requirements

None specified.

### Subdivision requirements

Applications for subdivision should be consistent with the objective to maintain and enhance a subdivision pattern that supports high density development.

## Public open space contribution requirement

Type or location of subdivision	Amount of contribution for public open space
None specified	None specified

### 8.0

#### Application requirements

##### Design response

For an application to construct a building, in addition to the requirements of Clause 43.06-9, the design response must be accompanied by the following information, as appropriate:

- Explain how the proposed design will:
  - Provide high-quality public realm outcomes and ameliorate shadow and wind effects.
  - Respond to any significant heritage elements on adjoining properties.
  - Respond to adjacent buildings including likely adjacent equitable development envelopes.

##### **Sustainable Design Assessment or Sustainability Management Plan**

An application to construct a building must be accompanied by a Sustainable Design Assessment or a Sustainability Management Plan (including assessment using BESS/Green Star, STORM/MUSIC or other methods) and a Green Travel Plan, as relevant to the scale of development outlined at Clause 15.XXXXX.

The assessment should identify environmentally sustainable development measures proposed in response to the following, having regard to the site's opportunities and constraints:

- Energy performance
- Integrated water management
- Indoor environment quality
- Transport
- Waste management
- Urban ecology

##### **Landscaping Plan**

An application to construct a building or construct or carry out works must be accompanied by a Landscaping Plan that addresses:

- Measures to achieve the targeted deep soil areas and canopy trees across the site area.
- Strategies to retain and enhance existing site vegetation where appropriate.
- A maintenance plan for the proposed green cover.
- Any measures to improve the public realm interfaces adjacent the site.

##### **Shadow Diagrams**

An application to construct a building must be accompanied by shadow diagrams showing hourly diagrams between the control period specified at Standard BF04 of this schedule.

## **Wind Impact Report**

An application to construct a building of five or more storeys, excluding a basement, must be accompanied by a wind impact assessment report prepared by a suitably qualified person to consider wind impacts, which must:

- Explain the effect of the proposed development on the wind conditions in publicly accessible areas within a distance equal to half the longest width of the building, measured from all façades, or half the total height of the building, whichever is greater.
- For development with a total building height in excess of 30 metres, model the wind effects of the proposed development and its surrounding buildings (existing and proposed) using wind tunnel testing, unless otherwise agreed by the Responsible Authority.
- Identify the principal role of each portion of the publicly accessible areas for sitting, standing or walking purposes.
- Explain whether the outcome and Standard BF08 at Clause 43.06-7.8 are met.

## **9.0 Notice and review**

None specified.

## **10.0 Decision guidelines**

The following decision guidelines apply to an application for a permit under Clause 43.06, in addition to those specified in Clause 43.06-11 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

### **Variations to discretionary standards**

Where a proposal seeks to vary a discretionary standard in this clause:

#### **Development – building scale**

- Whether the site area, including as a result of land consolidation, enables the management of amenity impacts from building heights exceeding the maximum building height specified in this schedule.
- Whether the building respects the height, scale and proportions of adjacent heritage buildings.
- Whether the building height responds to the site and adjacent existing or proposed development.
- Whether street wall and front wall heights and setbacks above street wall and front walls are appropriate considering:
  - The existing streetscape and site context.
  - The required floor to floor heights for commercial floor types.

#### **Development – Detail design**

- Whether the development provides high quality human scaled environments at ground level that provide visual interest.
- Whether the development provides appropriate landscaping, considering its context and the site's ability to provide meaningful landscaping.

#### **Development – Impacts on adjoining land**

- Whether the development provides equitable access on adjoining sites to privacy, daylight and outlook.
- Whether the development respects the amenity of adjoining residential land.

- Whether any additional overshadowing to the nominated spaces adversely affects the use, quality and amenity of the public space.

#### **Development – Public realm**

- Whether there are reasonable opportunities to contribute to and fulfil the completion of a through-block pedestrian connection on adjacent land over time.
- Whether the proposal maintains safe and pleasant pedestrian microclimatic conditions on the footpath adjacent to the development and in the surrounding public realm areas.
- Whether a front setback is designed as part of the public domain and fully accessible to the public where a ground level (non-landscaped) setback is provided.

### **Decision guidelines applying to all applications**

#### **General**

- Whether the proposal meets the development objectives and requirements of this schedule.
- Whether development achieves housing and employment at the scale sought by the development outcomes of this schedule.
- Whether the development provides for activation via the use of lobbies and other commercial entries, commercial activities, seating embedded in the façade, and other features which facilitate engagement, use and movement at ground level.

#### **Development – Building scale**

- Whether the site area is too small to achieve the preferred scale of development identified in the development framework.

#### **Development – Detail design**

- Whether the development allows for the adaptive re-use of existing heritage buildings.
- The extent of building articulation, visual interest and variety over the length of the street frontage.

#### **Development - Sustainability**

- The proposed sustainability rating of the building and extent the proposed initiatives address climate change impacts and contribute to mitigation through sustainable design and operational practices.
- Whether sustainable water, waste and energy management is proposed.
- The extent to which the proposed landscape and design response contributes to a greener environment and reduces urban heat.

#### **Subdivision**

- Whether a subdivision enables future development opportunities consistent with the scale envisioned in the relevant future character description.

#### **Public benefits**

- Whether the proposal results in, or substantially facilitates, the delivery of appropriately secured public benefits including:
  - Affordable housing.
  - Provision of pedestrian connections or public open space in excess of any minimum requirement in this Scheme.

### **11.0 Mandatory permit conditions**

None specified.

## **12.0 Signs**

None specified.

## **13.0 Transitional provisions**

The requirements of Clause 43.06 and this schedule do not apply to:

- An application made before the approval date of Amendments GC270 to this planning scheme. For the avoidance of doubt, this includes an amended application under section 50, 50A or 57A of the Act if the original application was made before the approval date of Amendments GC270;
- An amended permit application under section 72 of the Act, if the original application in respect of which that permit was first granted (that is, before it was first amended) was either:
  - made before the approval date of Amendments GC270; or
  - an amended application under section 50, 50A or 57A of the Act if the original application was made before the approval date of Amendments GC270.

The following provisions, as in force in relation to relevant land immediately before the approval date of Amendments GC270, continue to apply to applications which this transitional provision applies:

- Schedule [NUMBER] to Clause [NUMBER].