



Whitehorse City Council submission

Ringwood Activity Centre – Draft Activity Centre Plan

September 2024



1. INTRODUCTION

This officer level submission outlines comments relating to the Draft Ringwood Activity Centre Plan. Council considered a report at its meeting on 9 September 2024 and resolved:

That Council:

1. *Notes the Ringwood Activity Centre draft Activity Centre Plan prepared by the Victorian Planning Authority.*
2. *Authorises the Director City Development to approve a submission to the Victorian Planning Authority about the draft Activity Centre Plan.*
3. *Provides a copy of the submission on the Ringwood Activity Centre draft Activity Centre Plan to local members of parliament.*
4. *Writes to the Minister for Planning and Victorian Planning Authority asking that the 'catchment' area in Whitehorse (shown in Figure 1) be removed from the draft Ringwood Activity Centre Plan.*
5. *Should any part of the 'catchment' area remain in Whitehorse, that Council calls upon the Minister for Planning and Victorian Planning Authority to genuinely engage and consult with the Whitehorse residents, including the establishment of a Community Reference Group.*
6. *Notes that the Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation were invited to participate in the Activity Centre program, but due to the timeframes they have not engaged with the Victorian Planning Authority to date.*
7. *Encourages the Victorian Planning Authority to consult further with the Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation*

This submission expresses concerns regarding the inclusion of Whitehorse in the catchment area, engagement with Whitehorse City Council and the Whitehorse community, and procedural issues relating to the overall Activity Centre pilot program.

2. BACKGROUND

The State Government released Victoria's *Housing Statement* in September 2023 which identified 10 initial activity centres as the locations for an Activity Centre pilot program. This list includes the Ringwood Metropolitan Activity Centre (MAC).

The Activity Centre pilot program is intended to review building heights and urban design requirements in each location and change existing rules to encourage additional dwellings to be constructed to support the delivery of an estimated 60,000 new homes.

Council notes that the Activity Centre pilot program and draft Activity Centre plans has come about through the *Housing Statement*, which is not an endorsed strategic plan, nor a legislated position.

3. CATCHMENT AREA

Figure 1 shows the Ringwood MAC and defined catchment area. The Victorian Planning Authority (VPA) advised Council officers that the catchment area generally includes land a further 800m – 1.2km from the activity centre boundary.

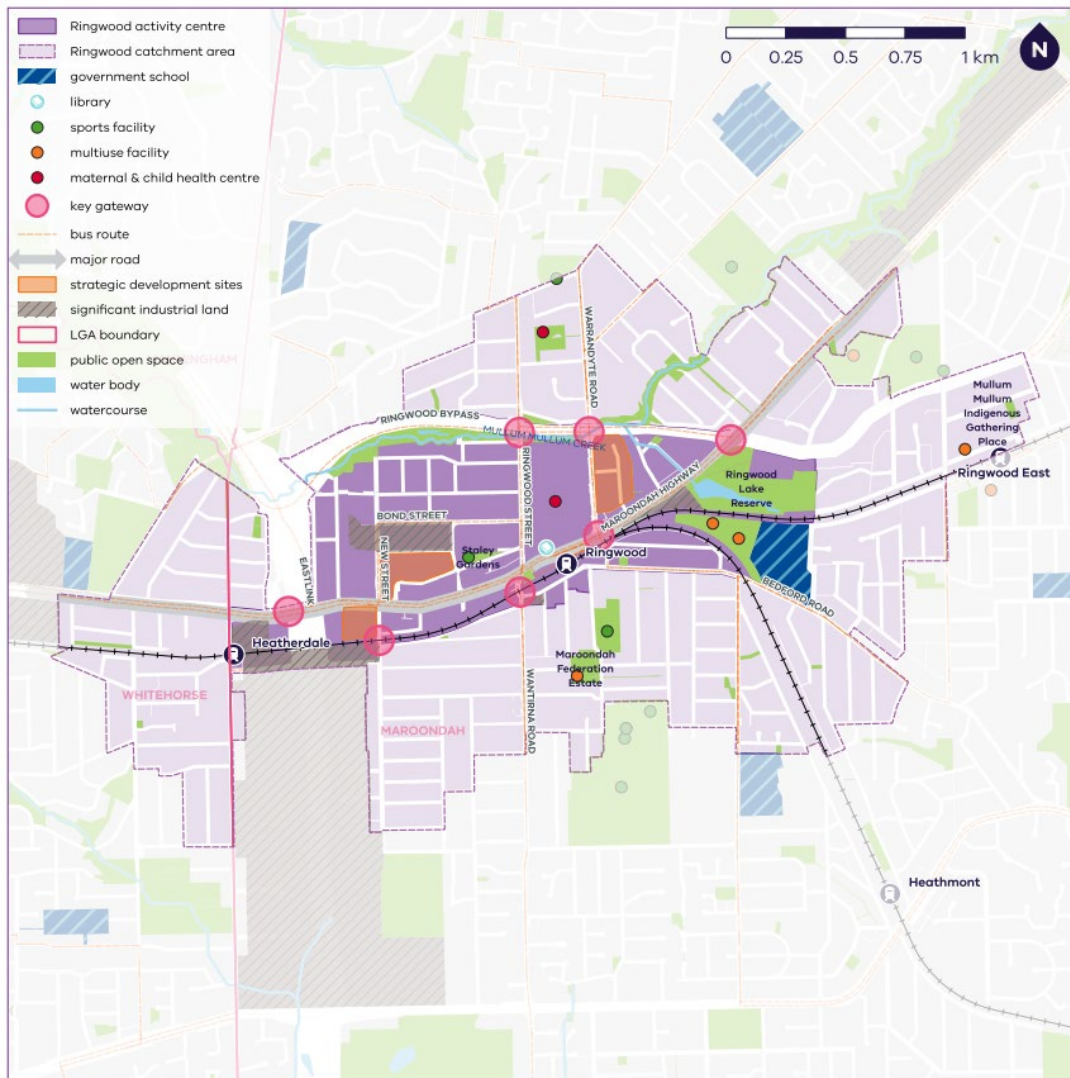


FIGURE 1 - RINGWOOD ACTIVITY CENTRE AND CATCHMENT (SOURCE: DRAFT RINGWOOD ACTIVITY CENTRE PLAN AUGUST 2023 [VPA])

As seen in Figure 1, the draft activity centre plan catchment encompasses part of the City of Whitehorse. To the north of Whitehorse Road the area between Dampier Grove and Deep Creek Road is included. Between Whitehorse Road and the Belgrave/Lilydale railway line the area between Heatherdale Road and Victory Street is included.

South of the railway line the area between Heatherdale Road and Purches Street is included down to Culwell Avenue, as well as properties in Nymph Street and Walwa Street. Properties between Denman Street and Purches Street are included, along

with properties between Brunswick Road and the railway line. The area within Whitehorse includes 924 properties.

There is no recognition in section 2.3 (Catchment area attributes) of the draft Activity Centre Plan that Whitehorse is included in the catchment area and only refers to work undertaken by Maroondah City Council. There appears to be a complete disregard for the fact that there are affected areas that are in a separate municipality.

The draft Activity Centre Plan proposes heights from 3 to 6 storeys within the catchment area. It is unclear how many additional dwellings are envisaged in the Whitehorse catchment area.

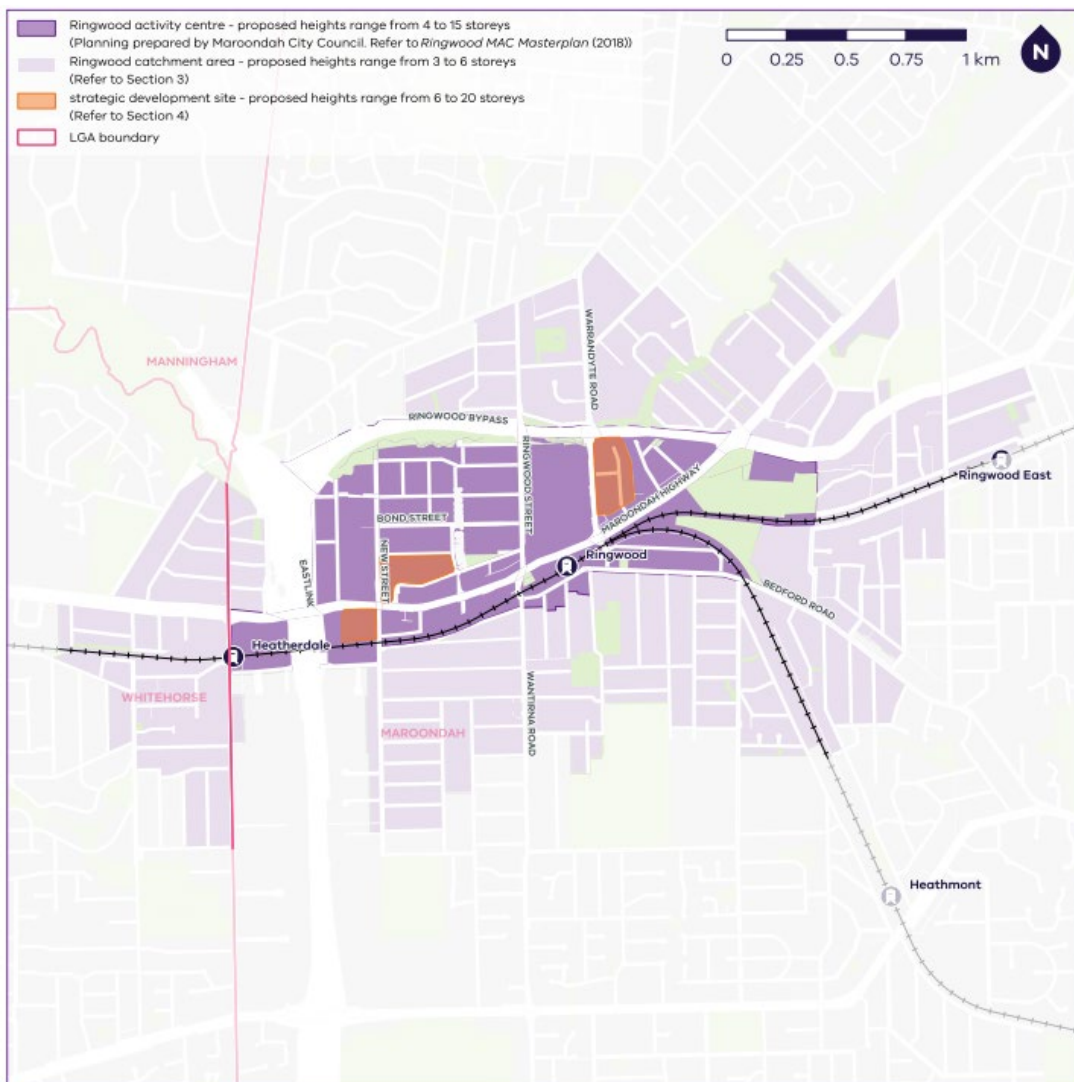


FIGURE 2 - PROPOSED BUILDING HEIGHTS OF ACTIVITY CENTRE AND CATCHMENT (SOURCE: DRAFT RINGWOOD ACTIVITY CENTRE PLAN AUGUST 2024 [VPA])

The draft Activity Centre Plan outlines how the catchment area was defined, including natural and physical barriers and environmental constraints, or limiting planning controls, were considered.

However, there are significant barriers dividing this area from the Ringwood MAC, including both Eastlink and the Mullum Mullum Creek. The existing Ringwood MAC Masterplan (the Masterplan) specifically notes that the Heatherdale Station precinct (where the catchment area is located) “*comprises largely industrial buildings and is separated from the remainder of the Ringwood MAC by Eastlink*” (emphasis added) (page 31 of the Masterplan).

Whilst there is no doubt that people travel by private vehicles, and perhaps public transport, from the catchment area to the Ringwood MAC to access services and shops, the pedestrian access between the two areas is hostile and uninviting. A pedestrian who wished to access the Ringwood MAC from the Whitehorse catchment area would need to walk along Maroondah Highway across Eastlink and several large intersections where there is limited footpath width and protection from vehicles. Alternatively they would need to walk to Molan Street to access the MAC, however this is still requiring them to cross Eastlink, and the end point is within an industrial area. Council has reviewed the walking experience from various properties in the catchment area to the central location of Staley Gardens. Appendix 1 highlights that the routes are all in excess of 20 minutes and often traverse steep terrain.

The method of determining the catchment area in Whitehorse is flawed. The draft Activity Centre Plan states that it is 800 metres from the edge of non-residential areas, however this has been calculated “as the crow flies”, rather than by walking distance or accessibility. The information provided to Council officers at the Directors Update on 24 September 2024 reinforced that the catchment area should be walkable from the core of the activity centre, however this is not the case for the Whitehorse catchment.

Additionally, this area has a number of planning overlays that indicate sensitive environmental constraints, however none of these are considered in the draft Activity Centre Plan. In particular there is Schedule 9 to the Significant Landscape Overlay (SLO) and 130 properties covered by a site specific Vegetation Protection Overlay (VPO). It appears from the draft Activity Centre Plan that the SLO may be removed, which is a significant concern for Council given the importance of vegetation within Whitehorse and the amount of work, and consultation, which has been undertaken by Council and the community to implement the overlays.

Further, there are serious topographical constraints with steep slopes throughout the identified area. The area north of Whitehorse Road descends quite rapidly to the Mullum Mullum Creek with various streets in this area presenting steep inclines. The area south of Whitehorse Road also has steep terrain with some of the steepest land

in the municipality. Finally, numerous lots between Deep Creek Road and slightly over Warnes Road, including to the south of Whitehorse Road, are within a bushfire prone area, and the catchment area abuts an area covered by the Bushfire Management Overlay (BMO) to the north.

It is therefore unclear why this area was included, beyond its location near to the Heatherdale railway station. However, none of the catchment criteria relate to public transport availability. The Engage Victoria website states, in relation to the catchment areas, that *“building more homes here is a commonsense way to create a more lively, inclusive and sustainable local community.”* Council acknowledges that there is a housing crisis in Victoria and Australia, however given the significant physical barriers, unfriendly pedestrian environment, importance of tree canopy and the topographic constraints, it seems unlikely that the proposed changes to the Whitehorse catchment area will create a more lively and sustainable local community, when private vehicles will appear more inviting and convenient to access the Ringwood MAC.

Council therefore questions the VPA’s rationale about why this part of Whitehorse was included in the catchment area.

4. STRATEGIC JUSTIFICATION

The inclusion of this area of Whitehorse in the catchment area appears to be arbitrary. The Activity Centre pilot program intends to build upon the existing Ringwood Masterplan prepared by Maroondah and revised by the VPA, however there is no equivalent work done for this area of Whitehorse and Whitehorse was not involved in the identification of the catchment area.

Whitehorse notes and generally agrees that there has been long standing state policy that housing growth occur within activity centres. There has not, however, been a mandate for the 'catchment' area around activity centres. Planning Practice Note 58 'Structure Planning for Activity Centres', includes 'walkability' as one element for determining the boundary of the area. Another is to include residential areas if there is a 'strong functional inter-relationship within the activity centre...'. Whitehorse is unaware of any strategic work that has occurred to establish these elements when adding this catchment area to the Ringwood MAC.

The *Urban Design Guidelines for Victoria* also references Activity Centre Structures and includes the following relevant objectives:

- Objective 1.1.3: ensure the urban structure supports accessibility from neighbourhoods to activity centres and public transport
- Objective 1.2.1: ensure accessible and functional activity centres
- Objective 2.5.1: ensure the safety and amenity of pedestrians and cyclists along major roads

The VPA's *Precinct Structure Planning Guidelines* notes that walkable neighbourhoods should be safe, accessible, and well connected for pedestrians and cyclists to optimise active transport. It also acknowledges that planning should ensure pedestrian and cycle routes be safe, direct, and pleasant, accessible for people with mobility limitations and parents with prams, consider amenity and contribute to a sense of place.

Council does not believe the inclusion of Whitehorse within the catchment area responds to these documents and asserts that the inclusion within the catchment area is directly at odds with the above guidelines and practice note.

The *Whitehorse Housing Strategy (2014)* is the key document that was used to strategically justify the location of the new residential zones introduced by the State Government. The *Housing Strategy* was a comprehensive and thorough project that included extensive community engagement, robust technical research, and analysis of future population growth.

Council expects to be included in discussions about any changes to planning controls, given it has local knowledge about on-site conditions as well as background data that supports planning controls. A discussion to contemplate a catchment area did not occur.

This area is covered by Schedule 9 to the SLO and there are also various individual trees protected by Schedule 1 or Schedule 3 to the VPO. The area directly north of the catchment area is covered by the BMO.

This area of Whitehorse includes land within Schedule 3 to the Neighbourhood Residential Zone (NRZ3) and land within Schedule 2 to the General Residential Zone (GRZ2). The maximum building height for the NRZ3 is 9 metres (2 storeys) and the maximum building height for the GRZ2 is 11 metres (3 storeys). The Whitehorse City Council Plan explicitly states that Council will “*prepare strategies and guidelines that support high quality urban design outcomes...*” however no additional strategic work has been completed for this area that can justify increasing these building heights or changes to design rules.

The *Whitehorse Neighbourhood Character Study* (2014) identified this area as bush suburban with building heights limited to 2-3 storeys. It is therefore concerning that the draft plan proposes heights up to 6 storeys in this area without any supporting strategic justification. There appears to be no consideration of neighbourhood character and Council believes that the proposed height limits will have a significant impact on the neighbourhood character and amenity of this area.

The consultation material gives no information about what design outcomes are intended. If there is a built form report on which the draft Activity Centre Plan is based, it has not been released for consultation. Council therefore queries the proposed design rules that might inform the future planning controls and what has informed them, as to simply propose building heights seems a very blunt and unsophisticated approach.

Due to the lack of strategic justification for the inclusion of Mitcham in the MAC, particularly lack of walkability, ease of connection, landscape, and topographical constraints; Council seeks the removal of the ‘catchment area’ which falls within the Whitehorse City Council boundary.

5. CAPACITY ANALYSIS

Maroondah City Council has provided information to Whitehorse which notes “the *Draft Ringwood Activity Centre Plan August 2024* (Draft Plan) indicates that a total of 8,200-12,200 dwellings are to be accommodated within the Ringwood MAC and its hinterland by 2051”¹, while capacity analysis of the Ringwood MAC undertaken by Maroondah “indicates a housing capacity of 10,590 to 14,890 dwellings...based on heights outlined in the Ringwood Metropolitan Activity Centre Masterplan 2018”².

The VPA has proposed to update the Masterplan by setting specific built form outcomes for three strategic development sites within the Ringwood MAC. This includes proposed heights of up to 20 storeys on each of the three sites.

Maroondah’s calculations indicate that the changes to the Masterplan by nominating the three strategic development sites will increase the residential capacity of the centre to the order of an additional 18,000 dwellings.

Their analysis concluded that “...the targeted 8,200-12,200 dwellings within the Ringwood MAC and its catchment can be accommodated within the current ACZ1 extent”³ and therefore shows that there is no need to include Whitehorse within the catchment area in order to provide for additional housing supply.

¹ Submission to Draft Ringwood Activity Centre Plan, September 2024 (Maroondah City Council)

² “ “ “

³ “ “ “

6. COMMUNITY AND COUNCIL ENGAGEMENT

There has been no engagement with Council by the VPA beyond an initial information session with officers, and a follow-up meeting with Directors about the Activity Centre pilot program more broadly. Council was not advised that parts of Whitehorse would ultimately be part of a formal catchment area, or that the catchment area could be subject to an increase in building height.

Specifically Council officers were advised that the inclusion of the catchment area was to inform technical studies and investigate how the surrounding areas interact with the MAC. There was not to be any changes to these areas as part of the Activity Centre program. The catchment area was introduced at a later date without a prior briefing of Council and Council did not anticipate the level of change proposed. It should also be noted that 800 metres from the core of the Activity Centre is within the City of Maroondah and not within Whitehorse.

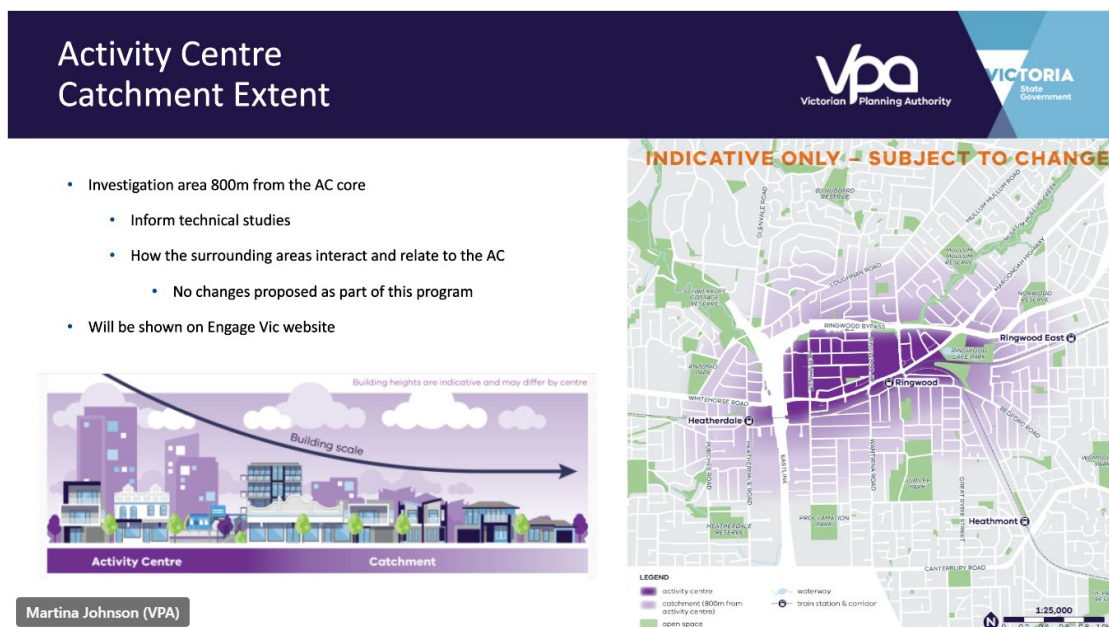


FIGURE 3 - SLIDE FROM MEETING WITH VPA (28 MARCH 2024)

Officers also met with officers from Maroondah City Council prior to the release of the draft Activity Centre Plan, but this was limited to their experience as part of the pilot program and their recently completed Masterplan, with no further information about the inclusion of areas of Whitehorse within the broader catchment. Officers met again with Maroondah subsequent to the release of the draft Activity Centre Plan, however officers from Maroondah were also surprised to learn of the catchment area and the building heights proposed. It is disappointing that officers from both municipalities were not aware of the catchment area and proposed changes to the heights and built form.

Council is aware that a letter was distributed to properties in the catchment area, however the information provided to residents did not include a map outlining the inclusion of the Whitehorse catchment area nor indicate that the draft Activity Centre plan would materially affect them. The letter is misleading, with residents unlikely to appreciate the impact on Whitehorse or their community. The letter does not reference Whitehorse or Mitcham and specifically says the following:

- “We are contacting you as the occupier of a property in the **Ringwood** area”
- “...more Victorians, including your friends and family, can call **Ringwood** home...”
- “The plan provides a picture of what the future of **Ringwood** will look like...”

Council therefore queries why no formal, genuine, engagement was undertaken with Whitehorse City Council, or the residents included in the catchment area beyond the limited letterbox drop. If this area of Whitehorse continues to be included in the catchment of the MAC, Council seeks genuine engagement, including our residents being part of a community reference group.

The Activity Centre Program – Community Consultation Phase 1 Engagement Summary Report discusses engagement with the traditional owners. It notes that the Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation were invited to participate in the Activity Centre program, but due to the timeframes they have not engaged with the VPA to date. Council therefore strongly encourages the VPA to consult further with the Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation as key stakeholders and contributors to the conversation.

The timing of the second round of consultation that commenced in September 2024 is considered to be extremely poor, with the Council election caretaker period starting halfway through the consultation period.

Finally, the proposed ordinance was not provided as part of the consultation period. This does not allow Council to thoroughly consider and assess the proposed planning controls and provide feedback with this submission.

7. PROCEDURAL ISSUES

Whilst the Minister for Planning may refer certain matters or consultation findings to the Activity Centres Standing Advisory Committee (SAC), the Activity Centre pilot program is being fast tracked and Council understands that the decision on the plan and subsequent planning scheme amendment are to be made by the Minister for Planning by December 2024.

Additionally, current information from the VPA indicates there will not be any public hearings by the SAC and that the Minister may use her powers under section 20(4) of the *Planning and Environment Act 1987* to expediate the planning scheme amendment once a decision is made. If hearings are to be “on the papers” instead, this does not allow meaningful involvement by the community or other stakeholders, such as Council, and potentially raises concerns about procedural fairness. “On the papers” hearings are generally done for minor matters and uncomplicated issues however using such a process in this instance would suggest an indifference to community opinion, which is completely at odds with principles of good planning. Council believes that the ability of stakeholders to be involved in such matters is central to transparency and good decision making on issues which affect the local community.

It is unclear whether the proposed building heights for the catchment areas will be included in the upcoming planning scheme amendment. Therefore, there is a risk that changes could be made to the building heights and design rules in the area of Whitehorse included in the catchment area without supporting strategic work, proper consideration, or engagement.

8. CONCLUSION

Encouraging higher density housing within, and adjacent to, an activity centre is generally supported, however as outlined in this submission Council does not support the inclusion of Whitehorse within the catchment area for the Ringwood Activity Centre draft Activity Centre Plan.

Council is the planning authority for this area of Whitehorse and has consistently undertaken strategic planning that involves the community and other stakeholders and provides robust justification for any changes to the planning controls.

Council is deeply concerned given the lack of strategic work undertaken to support increased building heights, the significant physical barriers dividing this area from the Ringwood MAC, the topographical constraints, tree canopy and bushfire risk implications of this area, and the lack of meaningful engagement with Council and the Whitehorse community. The inclusion of the catchment area appears arbitrary and rushed, and there has been no clarity about inclusion of the catchment area, the proposed building heights, or the intended design outcomes, nor consideration of the constraints.

Council therefore requests that the catchment area in Whitehorse be removed from the Ringwood Activity Centre draft Activity Centre Plan. Should any part of the 'catchment' area remain in Whitehorse, Council calls upon the VPA to genuinely engage and consult with Council and Whitehorse residents, including the establishment of a Community Reference Group.

9. CONTACT DETAILS FOR FURTHER INFORMATION

Vanessa McLean

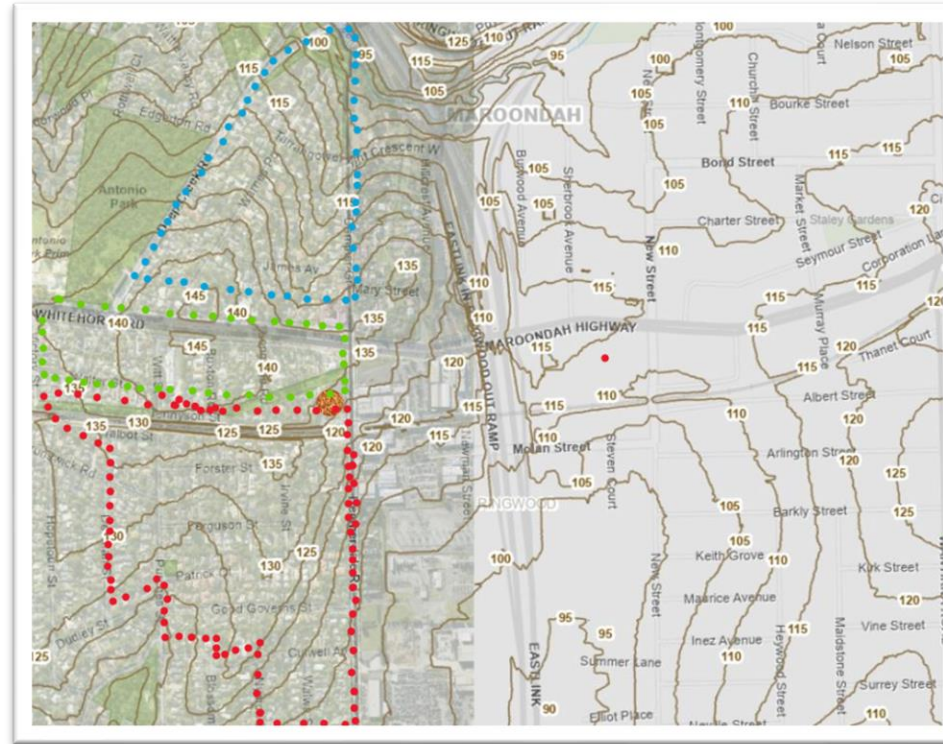
Senior Strategic Planner

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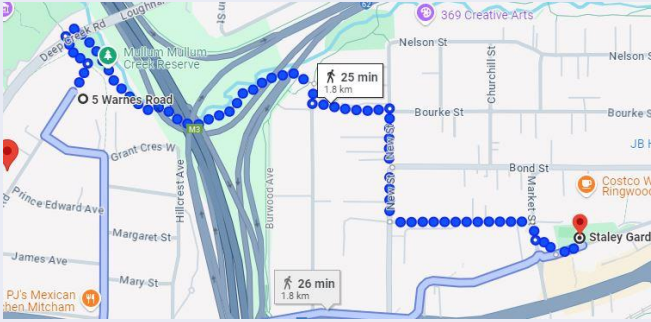
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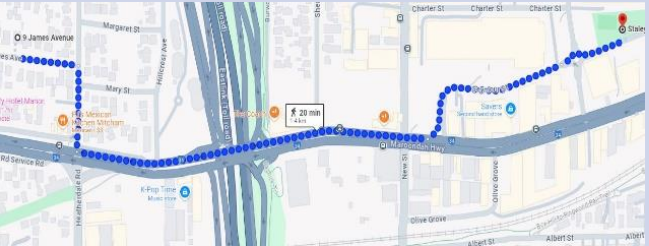

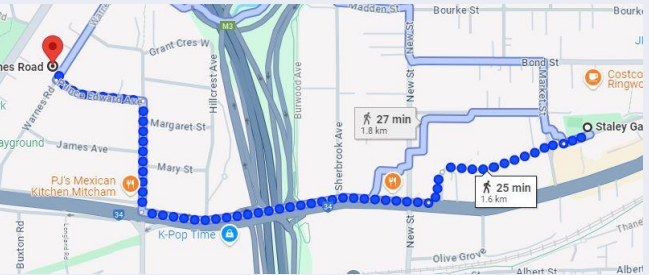
Appendix 1: Ringwood MAC – Walkability Zones



- Catchment north** (steep topography, ranging 15-25m elevation in and around residential streets. Steep decline to eastlink trail)
- Catchment mid** (relatively flat, inclining over 10-15m to the east and highway focussed)
- Catchment south** (steep topography in parts, steady incline up over 20m elevation to MaroonDAH and down into Ringwood)

Ringwood MAC – Walkability Zones

Address	Time to Staley Gardens	Walking experience	Imagery	Map of most efficient walk route
5 Walter Street	25 minutes (1800m)	Walk along Walter Street at a steady incline continuing uphill through Vitt Street and Whitehorse Road – 10 metre elevation. Continue downhill along Maroondah Hwy over 25m drop to destination. Residential streets for approximately one-fifth and Maroondah Hwy for the rest of the journey.		
5 Warnes Road	25 minutes (1800m)	Walk along residential street into the Eastlink walking trail – this is a relatively steep 20m decline to the trail and along the trail before walking through residential streets and through industrial area.		

Address	Time to Staley Gardens	Walking experience	Imagery	Map of most efficient walk route
9 James Ave	20 minutes (1400m)	A short walk along residential streets before reaching Maroondah Highway for the remainder of the journey – with a 20m steady downhill slope.		
5 Warnes Road	25 minutes (1800m)	Walk along residential street into the Eastlink walking trail – this is a relatively steep 20m decline to the trail and along the trail before walking through residential streets and through industrial area.		

Address	Time to Staley Gardens	Walking experience	Imagery	Map of most efficient walk route
49 Deep Creek Road	25 minutes (1800m)	Mainly highway pathway with a relatively steep 25m steady downhill incline.		
11 Deep Creek Road	26 minutes (1800m)	A short, relatively steep downhill walk to the Eastlink walking trail then along the trail before a steady incline uphill to the destination over 10m elevation.		

Address	Time to Staley Gardens	Walking experience	Imagery	Map of most efficient walk route
33 Nymph Street	33 minutes (2200m)	This is a consistent uphill walk to Maroondah Highway over a 20m elevation then downhill 10m to the destination.		
41 Culwell Avenue	26 minutes (1700m)	A steady incline over 15m elevation to Maroondah Highway, then downhill over 10m elevation to the destination.		

Address	Time to Staley Gardens	Walking experience	Imagery	Map of most efficient walk route
43 Dudley Street	30 minutes (2100m)	15m uphill then 15m downhill to Maroondah Highway, then 10m downhill to the destination.	