

# Planning Panels Victoria

## Built form Issues Summaries from Panel Reports

June 2025



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Planning Panels Victoria acknowledges the Wurundjeri Woi Wurrung People as the traditional custodians of the land on which our office is located. We pay our respects to their Elders past and present.

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# 1 Introduction

This report is intended to assist a planning authority preparing an amendment, a party presenting at a Panel Hearing and a Panel Member considering a built form related amendment.

The report:

- identifies built form-related panel reports which have notable and commonly addressed discussion, grouped by topic
- lists built form-related panel reports submitted from 2010 to June 2025 in Chapter 19.

Planning Panels Victoria defines a built form-related planning scheme amendment as one with at least one of the following:

- implements a built form provision
- has a notable proportion of built form-related content.

The report presents specific findings for various issues and does not represent any general view of Planning Panels Victoria. Panel responses relate to specific matters and may vary depending on context, issues raised in submissions, quality of submissions, whether expert evidence was called and other reasons relevant to that matter. A future panel may make different findings depending on the individual circumstances.

If you seek to reference a built form-related panel report in this report, please contact Planning Panels Victoria on [planning.panels@transport.vic.gov.au](mailto:planning.panels@transport.vic.gov.au).

## Acronyms and abbreviations used in this report

ACZ	Activity Centre Zone
DDO	Design and Development Overlay
ESD	Environmentally Sustainable Development
FAR	Floor Area Ratio
PSA	Planning Scheme Amendment
SAC	Standing Advisory Committee

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## 2 Accessibility and universal design

### 2.1 Mansfield PSA C48mans [2022] PPV

Pages 48-49

Submitters were concerned a Design and Development Overlay (DDO) Schedule did not adequately address issues of accessibility. Council was of the view:

- issues of accessibility were generally addressed by building regulations
- the Schedule to the DDO focussed on visual amenity.

The Panel noted:

- the existing Schedule to the DDO includes accessibility requirements including for people with disabilities
- the Mansfield Design Guidelines includes objectives and guidelines relating to pedestrian and cycling access, but do not relate specifically to accessibility or universal design.

The Panel concluded:

- The Amendment included limited provisions relating to access, and no provisions relating to accessibility and universal design.
- Future review of the Mansfield Design Guidelines should include consideration of accessibility and universal design requirements.

### 2.2 Mornington Peninsula PSA C275morn [2021] PPV

Pages 27

Council proposed a post exhibition change to include a new requirement in the Schedule to the DDO to:

Provide for universal design with regards to inclusion and access, within all new commercial developments.

The Panel supported this change.

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## 3 Active frontages

### 3.1 Activity Centres Standing Advisory Committee Referral 2 Report [2024]

Page 18

The Committee's Report on common matters across all Activity Centre Reports discusses the application of active frontage standards including to identified 'primary' and 'secondary' active frontages including provisions for clear glazing proportions. The Committee identified that in terms of the further drafting suggestions by the VPA for:

... considering whether the application provides high quality human scale environment at ground level that provides visual interest, comfortable scale and safe edge to the public realm. While these appear to be generally sound urban design principles, matters of scale and visual interest appear to be somewhat unrelated to active frontages it is unclear how this would assist in achieving the intended purpose.

The following Activity Centres Standing Advisory Committee Reports consider active frontage controls:

- Broadmeadows (Referral 3, page 15) including where they are not necessary, and specific approaches for large opportunity sites
- Chadstone (Referral 5, pages 18-19) which identified the values of active frontages (safety, activity, visual interest and promoting walkability) and the role of analysis to identify streets requiring active frontage provisions, and for controls to allow for site-specific responses in addition to glazing such as lighting and awnings
- Moorabbin (Referral 8, page 18-19) which discusses the appropriate location of secondary active frontages including to support walkability and pedestrian amenity
- Niddrie (Keilor Road) and North Essendon (Referral 9, pages 17-18) which discusses the street characteristics where active frontages are encouraged including areas with contiguous frontage form, streetscape investment, evolving areas and areas where solar protection is being promoted.

### 3.2 Frankston C160fran [2024] PPV

Page 91

The Panel generally supported Council's approach for design and development requirements for active frontages and public realm interfaces for the Frankston MAC including areas of glazing and open sky provisions for pedestrian linkages.

### 3.3 Monash PSA C167mona [2024] PPV

Pages 36-37

The Panel considered proposed design requirements for primary and secondary active frontages in an activity centre. It concluded:

It is not appropriate to designate the entire perimeter of a commercial block as primary active frontage.

Designated primary and secondary active frontages should assist proponents and decision makers decide where an active frontage should be prioritised.

The Panel also discusses the drafting of residential interface setbacks.

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### **3.4 Fishermans Bend Standing Advisory Committee Tranche 5 C195port [2022] PPV**

**Pages 30-31, 39-40**

The Standing Advisory Committee (SAC) supported design changes to assist with ground floor activation including pedestrian street entry design, integrated seating and planters, entry and ground floor commercial use floor levels and to respond to flooding and design treatment unification between podium and upper levels.

### **3.5 VPA Projects Standing Advisory Committee Referral 7 – Preston Market [2022] PPV**

**Pages 103-105**

The SAC identified that good interfaces would be critical to the success of the precinct. Fine grain and active edges would generate more life and vitality, with more pedestrian movement and more passive surveillance. Streets with active edges on both sides and public realm with active edges surrounding were much more likely to be successful than streets or public spaces with limited active edges.

### **3.6 Fishermans Bend Standing Advisory Committee Tranche 4 C177port [2021] PPV**

**Pages 23-26**

The SAC supported an amended ground floor and podium treatment which included an external staircase and green wall to podium level carparking subject to suitable architectural detailing to ensure the building provided for an active frontage and appropriate public realm interface.

### **3.7 Melbourne PSA C196 [2013] PPV**

**Page 40**

The Panel supported a requirement for building facades to articulate vertical elements to minimise the dominance of wide building frontages.

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## 4 Building height and setbacks

### 4.1 Frankston PSA C160fran [2024] PPV

Pages 53-55, 58

The Panel supported Council's approach to applying discretionary height controls. It also discussed how height controls should be expressed, and the approach to defining height. The Panel discusses issues around coastal setting, whether buildings are dominant or merely visible.

The Panel discusses whether 'gateway' sites should be identified and have greater built form flexibility. Such sites should be strategically justified, and discretionary provisions will still provide sufficient opportunity for subtle variations in height.

Pages 57-59

The Panel supported the broader application of discretionary setbacks to the MAC (including side and rear setbacks) but supported the limited use of mandatory setbacks where there was a clear urban design outcome to be achieved and where supported to analysis.

### 4.2 Banyule PSA C172bany [2024] PPV

Pages 46-48, 50-51, 52-53

The Panel discusses:

- the application of preferred height limits to the Heidelberg Activity Centre including whether modest heights proposed were in keeping with a policy context for growth and change
- mandatory street wall provisions in a ACZ including their expression in metres (not storeys)
- mandatory versus discretionary setbacks (supporting the later).

### 4.3 Monash PSA C167mona [2024] PPV

Pages 28-29

In considering the introduction of a DDO for the Mount Waverly Activity Centre and concerns about impacts of height on the 'village feel and character' the Panel identified:

The proposed built form provisions are respectful of these attributes. It is unnecessary to replicate the existing low profile of buildings to continue the 'village feel' and 'village character'. It is important that future development maintains a human scale and sense of openness through a strong and active podium that maintains views to the sky. That is achieved through the street wall height provisions that will work in tandem with preferred maximum building heights.

### 4.4 Kingston PSA C205king [2023] PPV

Pages 48-53

The Panel discussed the basis for supporting mandatory maximum height controls with preferred maximum heights in an established precinct including the existing built form context, the role of sub-precincts, and the preferred built form and land use mix outcomes.



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The Panel concluded that a mix of mandatory and preferred maximum heights was appropriate.

#### **4.5 Whitehorse PSA C220whse [2023] PPV**

Pages 30-31

The Panel agreed with Council and experts that building heights up to six storeys can be contemplated and are appropriate in the in the context of the Residential Growth Zone as a substantial change area. There was no evidence before the Panel that a different maximum height should be adopted.

The Panel concluded the maximum building height of 19 metres and six storeys was justified and appropriate.

Pages 31-36

The Panel recommended the provisions in a DDO Schedule should be discretionary. It noted discretionary side and rear setback provisions would allow development proposals to be assessed in the context of the site and its interfaces, and with consideration of the DDO Schedule objectives and other relevant planning policies and provisions.

The Panel found that while the 9 metre minimum rear setback was greater than the accepted minimum standards for large canopy trees as required in Clause 58, it accepted the metric as a discretionary requirement in the context of the Corridors Study and Council planning policy framework which emphasises provision of open space for landscaping.

The Panel also discussed issues relating to buildings and works requirements in the Schedule to the DDO, including:

- what must be setback
- what must it be setback from.

#### **4.6 Fishermans Bend Standing Advisory Committee Tranche 5 C195port [2022] PPV**

Pages 21-23

The SAC considered an increase to the preferred maximum height acceptable within the context of approved and constructed developments, and the planning framework for the sub-precinct.

#### **4.7 Glen Eira PSA C231glen [2022] PPV**

Pages 20-21 and 23-24

The Panel concluded a mandatory maximum building height was appropriate and had been strategically justified for one precinct in an activity centre but that discretionary maximum building heights should apply elsewhere in the centre. The Panel also supported a preferred maximum wall height for a residential interface.

#### **4.8 Mansfield PSA C48mans [2022] PPV**

Pages 21-23 and 38-40

The Panel noted the Mansfield Design Guidelines included building height objectives for land along all township approaches, however only the preferred character descriptions

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for one approach referred to height, identifying *“the presence of low scale built form... enable intermittent views to the surrounding local hills and area a key feature of this approach”*. The Panel said the objective to manage building height would have been strengthened if there was relevant content in the preferred character descriptions for all township entrances. However, it was clear there was a close alignment between the Mansfield Design Guidelines and proposed DDO controls.

The Panel concluded the proposed building height provisions were strategically justified and consistent with the intent of the Mansfield Design Guidelines.

The Panel concluded the building setbacks were generally appropriate, however it noted there was some inconsistency in setback requirements. It stated it would be preferable and more easily understood if a consistent approach was applied, and suggested future work should involve review of guidelines and requirements to ensure consistent application across the township entrances.

#### **4.9 Maribyrnong PSA C162mari [2022] PPV**

Page 37

The Panel stated while a Neighbourhood Activity Centre’s position in the hierarchy of activity centres was a relevant consideration, it was not itself the determining factor of appropriate building height. Overall height is *“primarily a function of physical context, and protection of amenity and the public realm”*.

#### **4.1 VPA Projects SAC Referral 7 – Preston Market [2022] PPV**

Pages 96-98

The SAC supported a mid-rise approach to building height identifying the Preston market precinct had capacity to accommodate additional height. Discretionary heights (with mandatory street wall heights) were supported to retain design flexibility and dwelling yield opportunities.

#### **4.2 Yarra Activity Centres (SAC) [2022] PPV**

Pages 26-28

The Committee was satisfied the proposed building heights along the Bridge Road and Victoria Street, Richmond Activity Centres struck an appropriate balance between development opportunity, heritage and public and private amenity outcomes. It considered the proposed building heights were based on sound strategic planning, thorough research and appropriate testing and Council had considered a variety of competing issues to achieve a well-balanced outcome. The Panel said:

Specifically, the building heights proposed for both activity centres seek to ensure an appropriate scale of development that:

- is sensitive to intact heritage streetscapes, clusters of heritage buildings and individual heritage buildings
- positively contributes to the amenity of the area and preferred built form outcomes
- achieves an appropriate transition in scale to established residential areas.

...

The Committee supports the heights adopted and the block-by-block approach because it faithfully translates the approach in the Built Form Report. Specifically, it recognises that each individual site is a piece of an overall heritage and activity

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centre streetscape. There would have to be an exceptional circumstance to apply a site-specific height variation which would be anomalous to its surrounding context. The Committee has considered requests to vary building heights on individual sites to determine whether such a circumstance exists and should be supported. The Committee supports the consistent approach to applying:

- mandatory maximum building heights to protect heritage precincts and landmark views, and to limit overshadowing on identified public spaces
- discretionary heights on larger sites where taller building height may be considered if it can meet specific design and amenity objectives.

Pages 28-31

The Committee also considered whether it was justified and appropriate:

- for each DDO Schedule to require a permit application to meet all of the exhibited development requirements to exceed the discretionary maximum building height
- to apply housing affordability as a criterion for varying a discretionary maximum building height.

The Committee found:

- Each DDO Schedule should only include criteria for exceeding the discretionary maximum building height which clearly and directly relates design and amenity objectives sought to be achieved.
- Housing affordability should not be a criterion for varying a discretionary maximum building height because housing affordability warrants a more appropriate and certain implementation framework.

#### 4.3 Yarra Activity Centres (SAC) [2022] PPV

Pages 58-62

The Committee supported the exhibited mandatory and preferred maximum building heights within the Collingwood South Mixed Use Precinct considering they were justified and appropriate based on the role of activity centres, their strategic location, and level of detailed assessment which informed them, and the guidance found in the built form framework.

The Report also includes discussion on street wall height and front setback requirements, upper level setback requirements, overshadowing and solar access requirements (pages 45, 48-50, 64-65)

#### 4.4 Yarra PSA C269yara [2022] PPV

Page 36

In considering the role of policy in setting a framework for height the Panel stated:

It is acceptable to have a relative height framework within planning policies to help direct Council's overarching vision. In some ways, the housing change areas in the Housing Strategy also provide a relative framework. For example, the Housing Strategy does not quantify what 'moderate change' is by defining growth as dwellings per hectare or some other metric.

Relative scales help explain broad principles, which are appropriate in the MPS and PPF. The Panel does not agree with submitters and the experts who considered that the terms low-rise, mid-rise and high-rise should be strictly defined. It agrees with Council that the metrics proposed by ... are inconsistent with the range of heights already approved and gazetted in various DDO schedules throughout the municipality and would place unreasonable constraints on development opportunities in Yarra.

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The Panel appreciates the concerns of submitters who requested more certainty, however it is important to remember that the policies are not height controls. The Panel agrees with Council that the metric of the height and whether it is mandatory or discretionary should be found in the applicable zoning or overlay provisions.

#### **4.5 Fishermans Bend Standing Advisory Committee Tranche 4 C177port [2021] PPV**

Pages 19-21

A merit based approach to the issue of height on the subject land was supported with the reduction in building height to one which transitioned between the taller adjacent 'legacy' buildings and the preferred maximum height. Of relevance was the site's size and three street frontages. The SAC did not support the position that it was a gateway or landmark site. The issue of commercial viability of the project at a reduced height was not considered determinative.

#### **4.6 Mornington Peninsula PSA C275morn [2021] PPV**

Page 27

The Panel recommended amending the Schedule to the DDO to more clearly describe the relevant interfaces the setbacks applied to.

#### **4.7 Portarlington Advisory Committee Report - Greater Geelong ACI P415/2021 [2021] PPV**

Pages vi and 24

The Advisory Committee considered building height could not be separated from an assessment of the overall design of the building and its position in the landscape. A holistic urban design assessment was needed to be undertaken to understand whether the height was acceptable or detracted from its setting.

The Committee found that rather than the height of the building itself being the key problem, it was a combination of the height, together with the width of the building, no breaks in the built form, materiality and minimal landscaping, that resulted in the building being unacceptable. The height and mass of the proposed building would compete with the landmark status of the Grand Hotel.

#### **4.8 Bayside PSA C160bays [2020] PPV**

Pages 36-43

The Panel supported the application of discretionary maximum heights for the Highett Activity Centre through a DDO and a mix of discretionary and a range of maximum heights for the adjacent residential zones through Schedules that balanced the strategic housing role of the precincts, the prevailing built form and transition to adjoining residential areas.

#### **4.9 Maroondah C130maro [2020] PPV**

Pages 34-35

The Panel supported the approach to allow extra height on larger or consolidated lots. It agreed that it assists in lot consolidation and that larger lots can deliver high density development with potentially fewer off-site impacts and improved amenity and for key sites assist with wayfinding. It agreed that it is appropriate for an application that

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exceeds the preferred height to demonstrate how the relevant precinct objectives and development objectives are achieved.

#### **4.10 Warrnambool PSA C103warr [2020] PPV**

Page 40-41

The Panel identified there was a place for providing direction around height within the commercial zoned precincts of the Warrnambool Eastern Activity Centre and to guide built form transition to residential interfaces. While it supported the designation of building heights for most of the centre, the Panel did not support a maximum height provision for the Primary Activity Precinct because it was unnecessary, had not been supported through a comprehensive built form analysis to understand the impact of taller building heights or using existing prevailing built form height, and was inconsistent with Clause 11.03 and *Planning Practice Note 60: Height and setback controls for activity centres*.

#### **4.11 Banyule PSA C120 [2019] PPV**

Pages 27, 33-34, 39-40

The Panel discusses the basis for supporting maximum building heights being applied to three areas as part of implementing the Postcode 3081 Urban Design Framework.

The Panel includes additional discussion about overshadowing and why it is inappropriate to require a contribution towards public footpath provision as part of a DDO.

#### **4.12 Stonnington C223 PSA [2017] PPV**

Pages 19-21 and 23-24

The Panel discusses street wall setbacks in heritage areas and rear setbacks and interfaces with residential areas.

#### **4.13 Maribyrnong PSA C135 [2015] PPV**

Pages 37-40

The Panel generally supported the application of preferred building heights and maximum street wall requirements but was critical of the modelling undertaken to support height for the activity centre.

#### **4.14 Bayside PSA C100, C101, C102 and C103 [2012] PPV**

Pages 26-30

The Panel supported the application of mandatory maximum heights in Major Activity Centre residential precincts and preferred maximum heights in commercial precincts.

#### **4.15 Other relevant reports**

- Yarra Activity Centres SAC Yarra C273yara (SAC) [2025] PPV
- Glen Eira PSA C47glen [2024] PPV
- Glen Eira PSA C243glen [2023] PPV
- Greater Dandenong PSA C224gdan [2022] PPV
- Moyne PSA C69moyn [2022] PPV

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- Greater Dandenong PSA [2020] PPV
  - Melbourne PSA C309 [2019] PPV
  - Bass Coast PSA C151 [2018] PPV
  - Frankston PSA C124 [2018] PPV
  - Bayside PSA C151 [2017] PPV
  - Maroondah PSA C96 and C97 [2017] PPV
  - Banyule PSA C110 [2015] PPV
  - Moreland (Merri-bek) PSA C134 [2015] PPV
  - Stonnington PSA C212 [2015] PPV
  - Whitehorse PSA C110 [2014] PPV
  - Kingston PSA C124 [2013] PPV
  - Whittlesea PSA C130 [2013] PPV

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## 5 Design quality

### 5.1 Melbourne PSA C308 [2019] PPV

Pages 7-11

The Panel believed that high quality design, as opposed to good design, requires contextual, expressive and highly resolved architecture derived through a thoughtful interrogation and balancing of all that is sought by the proposed planning controls. This involves the critical process of the exercise of discretion for both architects during the design process and the assessing planning officers or indeed through review at the Victorian Civil and Administrative Tribunal. No set of design requirements can substitute for intelligent decision making during the creative design process.

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## 6 Environmentally sustainable development

### 6.1 Melbourne C376melb [2024] PPV

The amendment proposed to implement sustainable and green infrastructure policy and sustainable building design standards and requirements.

Pages 38-41

The Panel discusses whether the economic impact of the amendment, in terms of development feasibility and costs compared to benefits, is appropriate and justified including the level of analysis including case studies produced to support the amendment.

Pages 46-50

The Panel discusses the basis of supporting the use of a DDO to implement ESD requirements.

Pages 55–58 and 77-79

The Panel discusses the appropriateness of applying third-party web-based assessment tools that are external to the Planning Scheme.

Pages 64 – 68

The Panel supports discretionary controls rather than mandatory requirements.

### 6.2 VPA Projects SAC Referral 7 – Preston Market [2022] PPV

Pages 164-166

The SAC supported the use of environmentally sustainable development (ESD) guidelines in a Precinct Structure Plan and Activity Centre Zone (ACZ) Schedule but identified they should not be inconsistent with standards and guidance in the Planning Policy Framework.

### 6.3 Yarra PSA C269yara [2022] PPV

Pages 153-155

The Panel supported the introduction of a local level Environmentally Sensitive Development policy.

### 6.4 Fishermans Bend Planning Review Panel [2018] PPV

Pages 136-137 (Report No. 1 – Volume 1)

The Review Panel supported the introduction of ESD requirements but recommended a higher benchmark than proposed in addition to regular monitoring and review.

### 6.5 Moreland PSA C123 [2015] PPV

Pages 88-89

The Panel discusses the basis of supporting discretionary ESD requirements for the Coburg Activity Centre.



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## 7 Heritage

### 7.1 Mornington PSA C286morn [2025] PPV

Pages 21-24, 35-38

The Panel discusses the approach to protecting views to heritage buildings including through the provision of upper level setbacks.

### 7.2 Yarra Activity Centres SAC Yarra C273yara (SAC) [2025] PPV

Pages 40, 51-52

The Committee discusses the application of the heritage Overlay in tandem with a DDO, the attribution of heritage character and the use of heritage built form related built form requirements for parapet height.

### 7.3 Activity Centres Standing Advisory Committee Referral 2 Report [2024]

Page 19

The Committee's Report on common matters across all Activity Centre Reports discussed whether it was appropriate to apply discretionary standards with respect to places of heritage significance to ensure new built form responds to the significance of an identified place and its heritage context.

The Committee identified:

Mandatory and deemed to comply standards should not be applied to heritage places unless the specific circumstances of the heritage place are known, and the standard ensures the significance of the place is appropriately protected. As the standards have been drafted to apply in relative generic circumstances, discretionary standards are appropriate.

and:

...the Committee does not consider it is appropriate to apply deemed to comply provisions to sites adjacent to sites on the Victorian Heritage Register or to sites adjacent to significant or contributory heritage places in a Heritage Overlay. These standards should be discretionary to ensure that development responds appropriately to the heritage significant fabric on the adjoining land.

### 7.4 Frankston PSA C160fran [2024] PPV

Pages 96-97

The Panel supported ACZ provisions responding to heritage values (as a guideline rather than requirement) and discusses drafting to avoid conflict with the purpose of the Heritage Overlay.

### 7.5 Banyule PSA C172bany [2024] PPV

Page 60

The Panel considers whether the ACZ provisions appropriately respond to heritage considerations.

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## **7.6 Yarra PSA C191 [2020] PPV**

**Pages 70 and 72**

The Panel did not support a building separation requirement to protect party walls or heritage design requirements.

## **7.7 Yarra PSA C231 [2019] PPV**

**Pages 31-32**

The Panel did not support generic heritage design guidelines considering they replicated other heritage controls.

## **7.8 Darebin PSA C161 [2018] PPV**

**Pages 37-40, 42, 45 and 47**

The Panel supported applying a DDO and the Heritage Overlay to an activity centre. It discussed what aspects of heritage character could be considered within a DDO and the application of street wall heights and setbacks in the context of a heritage streetscape.

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## 8 Floor area ratio

### 8.1 VPA Projects SAC Referral 6 – Arden Structure Plan [2022] PPV

Pages 108-121

The Panel agreed mandatory floor area ratios (FARs) were warranted because Arden is a major area for urban renewal with a strong design imperative.

### 8.2 Moonee Valley C207moon [2021] PPV

Pages 44-50

The Panel said there was insufficient justification to apply FARs in the Moonee Ponds Activity Centre. Panel found little justification in the 130-page built form framework to explain why it was needed. It identified that other proposed built form provisions such as street wall heights, overall building heights and upper-level setbacks can appropriately guide development in the centre.

### 8.3 Melbourne PSA C309 [2019] PPV

Pages 76-78, 81-82 and 121-125

The Panel concluded that FARs:

- are a legitimate tool to use in response to development pressures eroding distinctiveness
- can assist in delivering the built form and character outcomes including a distinction to the central city and distinct characters in different precincts
- have the potential to deliver multiple benefits in terms of internal amenity, urban design outcomes, and preserving heritage and special character buildings.

It considered that the proposed ratios had not been designed to contain population and that mandatory ratios were justified along with discretionary Floor Area Uplift provisions in particular circumstances.

### 8.4 Fishermans Bend Planning Review Panel [2018] PPV

Pages 65-69, 74-77, 80-88 (Report No. 1 – Volume 1)

Following a detailed discussion about the use of FARs to achieve density, land use and public uplift outcomes the Review Panel did not support their use as proposed. The Review Panel found that a density control could perform the same purpose.

### 8.5 Melbourne PSA C270 [2016] PPV

Pages 52-56 and Pages 64-68

While supporting a FAR subject to changes the Panel observed:

The full potential of FAR may not always be achievable because of site constraints, layout and other planning controls. It cannot be expected that all sites will have the same development potential.

The Panel did not support the application of a Floor Area Uplift requirement as proposed.

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## 9 Floor to ceiling heights

### 9.1 Frankston PSA C160fran [2024] PPV

Pages 92-93

The Panel concluded the 'Sustainable and adaptive use' requirements of the ACZ1 including for floor-to-floor height and basement parking were appropriate for the Frankston MAC. The Panel supported Council's approach to applying discretionary height controls. It also discussed how height controls should be expressed, and the approach to defining height.

### 9.2 Melbourne PSA C309 [2019] PPV

Page 148

The Panel concluded that built form outcomes and requirements relating to floor to ceiling heights on lower levels should relate to all land uses, not just non-residential uses.

### 9.3 Stonnington PSA C172 [2015] PPV

Page 41

In considering an Amendment to introduce building adaptability requirements and guidelines in the ACZ Zone the Panel identified:

The critical issue is whether lower levels floors with ceiling heights constructed at a residential scale of 2.4 to 2.7 metres are likely or able to be converted to non-residential (including commercial) uses. Non-residential uses such as offices and community uses require high enough ceilings to install a suspended ceiling fit-out that conceal services (mechanical and electrical) according to specific occupier space and room layouts. Lower ceilings in these uses are possible but below standard and unlikely to accommodate anything but residential uses. In other words higher ceilings are easily able to accommodate commercial and residential uses at the outset but lower ceilings will only ever suit residential uses. Designing higher ceilings at the design phase would allow for potential vertical zoning without lowering the quality of the building design. The Panel concludes that the building adaptability requirements and guidelines in ACZ1 are justified and appropriate for the Chapel Street Activity Centre.

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## 10 Mandatory provisions

### 10.1 Mornington PSA C286morn [2025] PPV

Page 18

The Panel supported the application of a mix of mandatory and discretionary building height and setback requirements for the Sorrento Activity Centre which were supported by 3D modelling. The Panel commended for Council for its Built Form Review approach commenting:

The Review relied on evidence-based data, predominantly three-dimensional modelling, to better understand the potential impact of new built form on existing heritage buildings and key vantage points.

### 10.2 Yarra Activity Centres SAC Yarra C273yara (SAC) [2025] PPV

Page 37-40, 56-57

The Committee discusses the strategic basis for applying mandatory provisions including to manage the interface between commercial and residential areas and to heritage buildings and public open space. It discusses the use of modelling and shadow diagrams to understand the impact of different heights and setbacks.

### 10.3 Whitehorse PSA C220whse [2023] PPV

Pages 21-28

The Panel did not accept the benefits of mandatory provisions outweighed lost opportunities for development, or that performance based controls would be deficient. The Panel stated:

Fundamentally the Corridors Study does not identify what needs to be protected by mandatory controls that cannot be achieved through discretionary controls. There are no special or exceptional circumstances identified in the Corridors Study or in other policy or guidance that the Amendment area warrants mandatory controls.

Performance based provisions are preferred to achieve an appropriate balance between planning policies objectives. In the absence of exceptional circumstances, it would not be appropriate to unreasonably restrict development potential by applying mandatory controls in an area that is extremely well located and well serviced, and identified as suitable for substantial housing growth.

### 10.4 Mansfield PSA C48mans [2022] PPV

Pages 21-23

The Panel said Planning Practice Note 59 sets the bar high for demonstrating whether mandatory planning controls are justified. It stated:

Mandatory provisions must only be used where it has been clearly demonstrated that discretionary provisions are insufficient to achieve the desired outcome. This is consistent with guidance in the Practitioner's Guide, which suggests the DDO is intended to include performance based rather than prescriptive controls.

This is important as the VPPs are designed primarily to be performance based to allow some flexibility in how a required outcome is achieved. Mandatory planning controls do not provide this flexibility, and consequently are only appropriate to introduce when extensive and rigorous analysis has been undertaken to justify the controls.

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The Panel concluded that mandatory planning controls had not been strategically justified and should not be included in the DDO Schedule.

### **10.5 Maribyrnong PSA C162mari [2022] PPV**

Pages 30-31

The Panel noted planning guidance states mandatory provisions should only be applied in exceptional circumstances and only where absolutely necessary to achieve the built form objectives or outcomes identified from comprehensive built form analysis.

The Panel disagreed that because individual lots were unlikely to achieve heights over four to five storeys, then all lots should have a mandatory cap. This approach disregards both the ability of land to be consolidated and anomalous sites that can facilitate an innovative design.

### **10.6 Stonnington PSA C272ston [2022] PPV**

Page 41

The Panel was not persuaded that mandatory heights were justified outside heritage areas. It stated:

It is not appropriate in a large Neighbourhood Activity Centre – an area in which substantial change is encouraged – to seek to curtail the possibility of taller forms or lesser upper level setbacks in order to preserve the existing low scale of ‘unprotected’ fabric without strong justification, demonstrated through comprehensive built form analysis.

Neither the Structure Plan nor the modelling constitute a sufficiently robust and comprehensive built form analysis to justify mandatory controls east of the Woolworths site. The Panel considers that the controls should allow the consideration of proposals that exceed the mandatory height and setback requirements. Any such proposal will be assessed on its merits, against the policy, the outcomes sought by the Structure Plan and the design objectives in the DDO21.

On balance (and with some reservations) the Panel supports mandatory controls in the heritage areas in Area 6, where the character is stronger and more consistent, and could be said to be ‘exceptional’. Mandatory controls in this part of the precinct were not heavily contested. That said, the Panel would have preferred to have seen a more comprehensive built form analysis that demonstrated that development exceeding the mandatory parameters would be unacceptable.

### **10.7 VPA Projects SAC Referral 7 – Preston Market [2022] PPV**

Pages 97-98

The Advisory Committee was not satisfied the Preston Market precinct warranted mandatory height provisions. The Committee stated:

...the Committee is of a view that discretionary building height controls will result in a more varied, and site responsive built form outcome. The possibility of additional height does exist, if the developer can show that that it does not have detrimental impact on the surrounding precinct, including access to sunlight, and will address the ground plane in an appropriate way.

The Committee considers that some taller building height across the precinct will not directly correlate to a diminished sense of place or liveability, and rather that welcoming streets, activated ground floors, and quality open space will have a much greater impact on the quality of the place, than the heights of the buildings above it. These outcomes can be achieved through appropriate activation and street wall/podium level treatments.

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The Committee does not consider that buildings heights taller than those proposed in the PSP are excessive and out of scale with the surrounding area, providing they can prove that they do not lead to significant overshadowing or wind tunnel impacts. The use of mandatory shadowing requirements of open space areas including parts of the Preston Oval will by default limit height at the precinct's southern edge.

The Advisory Committee did however support mandatory street wall heights of 3-4 storeys in some locations, which it considered necessary to provide an appropriate interface with the market.

## **10.8 Yarra Activity Centres (SAC) [2022] PPV**

**Pages 17-23**

The Committee considered the combination of discretionary and mandatory built form provisions to manage the future growth of the Major Activity Centre's was appropriate. The Committee said:

The mandatory building heights, street wall heights and setbacks and upper-level setback provisions will enable an appropriate level of growth and change. Both the BRAC and the VSAC have experienced, and will continue to experience, substantial change and the provisions recognise and facilitate a high level of change in many parts of each centre. The Committee considers that the combination of discretionary and mandatory built form provisions will not compromise the potential for this significant growth, and this was confirmed by a detailed capacity analysis.

The mandatory provisions have been applied in circumstances which are necessary to protect and manage:

- the existing heritage qualities of the centres generally
- the heritage qualities of stand alone heritage buildings
- the protection of views to landmarks, namely the Pelaco sign, Richmond Town Hall, St Ignatius Church and Skipping Girl sign
- the protection of solar access to designated streets and areas.

The Committee is satisfied that the mandatory provisions are not aimed at restricting development. Rather, they are aimed at facilitating good design and heritage outcomes.

## **10.9 Mornington Peninsula PSA C275morn [2021] PPV**

**Pages 18-21**

A key question for the Panel was whether mandatory controls were required to manage the risk and cumulative impacts of unintended or unplanned change to the civic core of Rye. The Panel stated mandatory controls had not been justified because:

- there was no evidence attesting to risks of cumulative impacts of unplanned change
- the lack of specific built form guidance does not in itself warrant the introduction of mandatory controls
- mandatory controls are not the only option to ensure inappropriate development is avoided
- Council did not demonstrate new development would result in a loss of views to the significant vegetated backdrop.

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## **10.10 VPA Projects SAC Referral 2 – PMP Printing Precinct Comprehensive Development Plan [2021] PPV**

Pages 33-34

The Committee supported a mix of mandatory and discretionary heights for a brownfields site. It supported the mandatory heights for the residential interface sub-precincts for reasons including:

- the established low scale built form on adjoining residential properties and streets to the east and west in particular
- the precinct is not part of the Clayton Activity Centre
- they respond to the CDP vision and objectives and urban design analysis
- street setbacks are required to accommodate canopy tree vegetation
- preferred or discretionary controls are applied over a significant extent of the site and within areas more likely to accommodate substantial built form.

## **10.11 Yarra PSA C191 [2020] PPV**

Pages 57-58

The Panel concluded that the mandatory provisions for specified building heights, street wall heights and setbacks, upper level setbacks and overshadowing were justified based on exceptional character and a comprehensive built form analysis.

## **10.12 Bayside PSA C126 [2019] PPV**

Page 40

The Panel provided extensive discussion on the application of mandatory provisions including references to previous panel reports, whether they were strategically justified and the need to balance certainty and potential for reasonable growth. The Panel identified two scenarios that strategically justified mandatory provisions:

- direct coastal sensitivity
- the heritage significance of adjacent properties.

## **10.13 Yarra PSA C231 [2019] PPV**

Pages 29-30

The Panel concluded the comprehensive strategic work has been undertaken supported the use of a combination of mandatory and preferred height and setback controls and would ensure an appropriate development balance can be achieved that balances housing opportunities, economic vitality and renewal of the activity centre.

## **10.14 Mornington Peninsula PSA C190 and C206 [2017] PPV**

Pages 18-23

The Panel supported a maximum building height for a significant portion of two existing low scale activity centres reflecting existing residential height controls but did not support mandatory setbacks or heights.



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### 10.15 Melbourne PSA C270 [2016] PPV

Pages 80-82

The Panel concluded that the application of some mandatory controls as proposed is warranted.

### 10.16 Knox PSA C141 [2016] PPV

Pages 14-20

The Panel in considering mandatory building heights for a Neighbourhood Activity Centre said well justified mandatory maximum building height provisions were appropriate in the context of protecting ridgeline views. It supported an increase in the maximum building height to be applied to the balance of the centre to support the expansion of a theatre of cultural importance.

### 10.17 Bayside PSA C113, C114 and C115 [2015] 2015

Pages 14-16 and 28-30

The Panel provided commentary and conclusions on the application of mandatory provisions. It concluded there was insufficient strategic basis established for proposed mandatory maximum heights in the Commercial zones within three activity centres.

### 10.18 Melbourne PSA C190 [2015] PPV

Pages 34-35

The Panel concluded that mandatory controls had not been justified for active street frontage, open space overshadowing and impervious areas.

### 10.19 Maribyrnong PSA C125 [2014] PPV

Pages 29-31, 33-34, 38-39, 45-46, and 49

The Panel concluded that the strategic basis for the preferred heights and built form in the activity centre precincts were appropriate and had evolved through considerable strategic work with government, community and industry consultation. It said there was a need to contain heights in the core to reflect the finer grain character of the precinct and manage the interface to the station precinct and Maribyrnong River, respond to heritage streetscapes and residential interfaces and retain flexibility for new development.

### 10.20 Other relevant reports

- Frankston PSA C160 [2024] PPV
- Banyule PSA C172bany [2024] PPV
- Melbourne PSA C376melb [2024] PPV
- Moreland PSA C123 [2028] PPV
- Banyule PSA C110 [2017] PPV
- Bayside PSA C152 [2017] PPV
- Maroondah PSA C96 and C97 [2017] PPV
- Moreland (Merri-bek) PSA C134 [2015] PPV

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- Boroondara PSA C138 and C139 [2014] PPV
  - Port Phillip PSA C103 [2014] PPV
  - Melbourne C196 PSA [2013] PPV

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## 11 Pedestrian connections

### 11.1 Monash PSA C167mona [2024] PPV

Page 36

The Panel concluded that a central pedestrian spine that was a key element of an activity centre structure plan should be recognised in the proposed DDO as part of the principal pedestrian network.

### 11.2 Government Land Standing Advisory Committee – Tranche 39 Report (Noble Park)

Pages 32-34

The Committee noted while the Indicative Concept Plan in the Development Plan Overlay Schedule identifies roads, it did not refer to the surrounding pedestrian links and potential connections. The Committee concluded the Indicative Concept Plan *“should be updated to show indicative pedestrian links to and from the site, and to include a note that the internal road network should accommodate pedestrian and cycling networks”*.

### 11.3 Melbourne PSA C196 [2010] PPV

Pages 35-36

The Panel did not support the mandatory requirement for laneways, however it supported laneways being encouraged as a performance measure when applications are seeking variations on height and setback requirements.

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## 12 Signs

### 12.1 Mansfield PSA C48mans [2022] PPV

Pages 43-46

The Panel considered submissions that additional sign requirements should be included in a DDO Schedule.

There was considerable confusion about the exhibited versions of the planning provisions. Further, it had not been demonstrated that the proposed sign requirements aligned with the new urban design and strategic work in the Mansfield Design Guidelines.

The Panel concluded it was not appropriate to include signage requirements in the DDO Schedules without adequate notice and public exhibition as required by the *Planning and Environment Act 1987*.

### 12.2 Mornington Peninsula PSA C224morn [2021] PPV

Page 24

In considering whether a DDO should include requirements for signage rather than rely on signage provisions within Clause 52.05 the Panel concluded:

... in the absence of further strategic work to underpin any variation to Clause 52.05 the Panel accepts Council's position on this matter and concludes that no specific guidance on the size and number of signs is required.

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## 13 Requirement drafting

### 13.1 Mornington Peninsula PSA C286morn [2025] PPV

Pages 21-28, 42-44

The Panel discusses DDO drafting including structure of provisions, objectives, drafting of guidelines, the appropriate use of definitions and references to Clause 55 standards.

### 13.2 Yarra Activity Centres SAC Yarra C273yara (SAC) [2025] PPV

Pages 44-45 and 93-94

The Committee discusses the drafting of among other matters:

- DDO design objectives
- the use and content of maps and figures among.

### 13.3 Monash PSA C167mona [2024] PPV

Pages 7, 52-57

In response to submissions which demonstrated some provisions in a proposed DDO Schedule lacked precision to properly guide development the Panel identified requirements must be carefully drafted to operate effectively drafting guidance. This avoided unnecessary disputes about the meaning of terms and the practicality of requirements.

The Panel Report includes discussion on the appropriate approach to drafting design objectives and of buildings and works requirements relating to height and floor to floor dimensions and using appropriate drafting guidance.

### 13.4 VPA Projects SAC Referral 2 – PMP Printing Precinct Comprehensive Development Plan [2021] PPV

Page 22-23

The Committee made a number of recommendations about the drafting of requirements and guidelines in a Comprehensive Development Plan and referred to the approach of the Hobsons Bay C88 Panel considering the application of the Comprehensive Development Zone which stated:

Simply put, requirements are to be read as mandatory provisions and guidelines are discretionary. “Must” is to be used in drafting ‘requirements’ and “should” is to be used in drafting ‘guidelines’. With these parameters in place, greater certainty will be provided. The Panel believes that the VPA and Council should adopt this practice in the future drafting of comprehensive development plans.

### 13.5 Melbourne Planning Scheme Amendment C384melb [2022] PPV

Pages 53-55

The concluded that the Schedule to the SBO and LSIO should not include requirements for urban design. The flood overlays are land management overlays and are intended to identify flood affected land, not the urban design response.

The Panel concluded:

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- urban design requirements should not be contained within the land management overlays (specifically the LSIO or SBO)
  - it is appropriate to consider urban design outcomes when assessing planning permit applications triggered by the LSIO or SBO and the Planning Scheme contains sufficient guidance on urban design matters in flood affected areas.

### 13.6 Yarra PSA C191 [2020] PPV

#### Chapter 6

The Panel provides extensive commentary on the structure and drafting of DDOs applying to four precincts including on height, upper level setbacks, building separation, heritage design considerations and overshadowing.

### 13.7 Melbourne PSA C308 [2019] PPV

#### Pages 18-21

The Panel observed that a proposed DDO used similar language to the *Urban Design Guidelines for Victoria*. If a DDO presents guidelines in the same way that *Urban Design Guidelines for Victoria* did there would be no coherent reason to shift the guidance out of policy and into a DDO. Expressing the material in the DDO as proposed guidelines would not be an advance on expressing them in a policy.

If the shift is justified it needed to be more than just moving text from one part of the scheme to another. The shift also needs to encompass changing the role of the text from 'policy' to something else. This entailed expressing the requirements using 'should' where they were discretionary and 'must' where they were mandatory.

The Panel noted that the *Synthesis Report* that underpinned the Amendment stated:

The effectiveness of current urban design provisions within the Melbourne Planning Scheme has been weakened by a lack of clear, direct requirements, and the use of vague language which makes interpretation difficult.

### 13.8 Fishermans Bend Planning Review Panel [2018] PPV

#### Pages 172-186 (Report No. 1 – Volume 1)

The Review Panel provides an extensive discussion on the drafting of DDO provisions including the relationship to the header clause provisions, definitions, drafting clear objectives and requirements, distinguishing between objectives and discretionary (should) and mandatory (must) requirements, using the active voice, consistent and simple terminology and the use of diagrams.

### 13.9 Stonnington C223 PSA [2017] PPV

#### Pages 59-62

The Panel provides a useful discussion on drafting principles for requirements including for the expression of building heights.

### 13.10 Whitehorse C175 PSA [2017] PPV

#### Chapter 6

The Panel provides an extensive discussion on the drafting of DDO requirements.

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### 13.11 Melbourne PSA C190 [2015] PPV

Pages 36 and 38-43

The Panel recommended any proposed setbacks should be expressed in a clearly defined way that does not require on-site measurement to know what controls apply. concluded that mandatory controls had not been justified for active street frontage, open space overshadowing and impervious areas. The Panel also discusses the expression of height in storeys and other changes to refine built form objectives and reference street wall and interface requirements by reference to a plan.

### 13.12 Other relevant reports

- Cardinia PSA C228 [2020] PPV
- Moyne PSA C60 [2016] PPV
- Boroondara PSA C108 [2014] PPV

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## 14 Solar access and overshadowing

### 14.1 Activity Centres Standing Advisory Committee Referral 2 Report [2024]

Page 17

The Committee's Report on common matters across all Activity Centre Reports discusses the appropriate level of discretion to be applied to sun access to streets, parks and open spaces. It notes that winter controls should be 21 June to align with the VPP and the protected footpath zone measured from the back of kerb to protect solar access to footpaths and any planted areas.

The following Activity Centres Standing Advisory Committee Reports consider solar access controls:

- Broadmeadows (Referral 3, page 14) which supported the proposed application of solar access controls as a tool to support mid-rise outcomes and the proposition that access to sunlight in key public streets and open spaces is vital to the health and ecology of these landscapes, and thermal comfort and opportunities for lingering in the colder months.
- Chadstone (Referral 5, pages 16-17) which discussed the appropriateness of wide and heavily trafficked roads or unable to support canopy trees as 'high pedestrian activity' streets
- Moorabbin (Referral 8, pages 17-18) which discusses affording moderate protection to 'green streets'
- Niddrie (Keilor Road) and North Essendon (Referral 9, pages 16-17) supported the winter solstice metric being applied to identified parks which were large, attractive and well maintained spaces and highly accessible to shoppers and residents. The value of protecting solar access in large central medians which also acted as transport interchanges was also discussed.

### 14.2 Frankston PSA C160fran [2024] PPV

Pages 61-63

The Panel did not support mandatory solar access controls for the Frankston MAC but supported a balanced application of spring equinox and winter solstice controls.

### 14.3 Monash PSA C167mona [2024] PPV

Pages 32-33

The Panel considered whether proposed solar protection for public areas within the Mount Waverly Activity Centre were appropriate, stating it:

... accepts the origins of the solar access provisions can be found in the Background Report and Structure Plan. However, neither document provides a detailed shadow study examining shadows cast on footpaths and public spaces at spring equinox by:

- existing buildings
- buildings developed in accordance with preferred heights and setbacks
- existing vegetation.

This is important and necessary since many of the proposed public spaces and streetscape improvement areas are in locations where solar access is already



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compromised because of the existing width of the space, or because they are located on the south side of existing buildings.

Without this detailed information, the Panel does not consider there is sufficient justification to introduce the requirement proposed by Council. Instead, a decision guideline is warranted ...

#### **14.4 Whitehorse PSA C220whse [2023] PPV**

Pages 38-39

The Panel considered whether the Amendment adequately addressed amenity and health issues including overshadowing and access to sunlight and daylight.

It stated:

- The impacts of overshadowing and access to sunlight and daylight will vary greatly depending on the site and its context.
- It is appropriate to assess the impact of overshadowing on public open space with regard to the Spring equinox.
- Discretionary side and rear setback provisions will allow development proposals to be assessed in the context of the site and its interfaces, including consideration relevant to a site and its context on the south or north side of the corridor.

The Panel recommended changes to the DDO decision guidelines to:

- assess whether a development proposal greater than the preferred maximum height minimised amenity impacts, including overshadowing
- remove unnecessary and unclear provisions relating to assessment of maximum solar access and access to sunlight and daylight, on the basis these are adequately addressed through the zone and other Planning Scheme provisions.

#### **14.5 VPA Projects SAC Referral 7 – Preston Market [2022] PPV**

Pages 107-109

A range of solar access requirements and guidelines were supported for a proposed central public open space and internal east-west streets within the Preston Market precinct, and for the playing surface of an adjoining oval.

#### **14.6 Draft Greater Geelong PSA C431ggee Advisory Committee [2021] PPV**

Pages 156 to 157

The Committee supported winter solstice based controls to protect public open space, noting winter sun access plays an important role in providing high amenity in parks year round, and in ensuring park health. The Committee said it made sense to protect sunlight access to potential future open space.

#### **14.7 Melbourne PSA C278melb [2021] PPV**

Chapters 4.2 and 4.5

The Amendment proposed to change sunlight to parks provisions (outside the Central City) from equinox based controls to mandatory, solstice based controls. It also proposed to shift from a 'hierarchical' approach, whereby some parks are offered higher protection than others, to a 'flat' approach where all parks are treated equally regardless of their size and function. The Panel supported the proposal, commenting:

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While the municipality's parks will maintain their different roles, sunlight to a small local park is just as important as to a larger, state significant park. For many, the most important parks are those closest to where they live or work.

...

The Panel supports the shift to winter based controls. Winter sun access plays an important role in providing high amenity in Melbourne's parks year round, and in ensuring park health. The move to winter sunlight protection is supported by high level policy, as well as community sentiment.

#### **14.8 Maroondah C130maro [2020] PPV**

Pages 40-41

The Panel concluded that there was inadequate strategic justification to apply the winter solstice overshadowing control to all existing and future open spaces within the activity centre. In the absence of this strategic work, the equinox is the appropriate control for both footpaths and areas of public open space.

#### **14.9 Yarra PSA C191 [2020] PPV**

Pages 77-79

The Panel concluded:

- the amenity of identified footpaths should be protected through overshadowing requirements
- mandatory overshadowing requirements were supported in one location but discretionary provisions elsewhere
- the metric for defining the area for solar access should relate to the area between the property boundary and the existing kerb
- the use of the equinox between 10.00am and 2.00pm as the measure for solar access is appropriate.

#### **14.10 Other relevant reports**

- Moreland (Merri-bek) PSA C134 [2015] PPV
- Melbourne PSA C196 [2013] PPV

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## 15 Strategic justification

### 15.1 Whitehorse PSA C220whse [2023] PPV

Pages 19-20

The Panel accepted it was consistent with planning policy to provide design and development guidelines for areas within residential growth corridors. It said:

The Amendment is supported by the planning policy framework, specifically relating to housing, built form, urban design and integrated land use and transport planning.

The Panel stated while there were notable inconsistencies between Council's Corridors Study and the Amendment, subject to its conclusions it provided an acceptable strategic base for the Amendment.

### 15.2 Mansfield PSA C48mans [2022] PPV

Pages 18-19

The Amendment sought to implement the recommendations of the *Township Approaches Planning Controls and Guidelines Study, Mansfield*, June 2018 (Mansfield Design Guidelines) and provide clear built form direction for the township approaches, specifically to encourage development which complements and enhances the role and function of designated gateways, protect scenic landscape values and views, complement and improves infrastructure and landscaping in the public and private realm.

The Panel considered the Amendment responded to many issues identified in the Municipal Planning Statement, aligned with planning policy for Mansfield and was strategically justified.

### 15.3 Portarlington Advisory Committee Report - Greater Geelong AC P415/2021 [2021] PPV

Pages 22-23

Objectors were concerned the proposal for a mixed use development was not consistent with planning policy, strategic objectives of Clause 21.14 (The Bellarine Peninsula) or the Portarlington Structure Plan.

The Committee commented:

- There was no statutory basis to delay assessment of the proposal until the Bellarine Peninsula Statement of Planning Policy was completed, and it was not appropriate to provide weight to the draft Statement.
- The site is subject to layers of detailed planning policy, which combined inform the development opportunity of the site and require a design response which reflects local context, protects views, and enhances the established coastal character.

The Committee concluded:

- The proposal was generally supported by planning policy relating to settlement and activity centres with the provision of retailing and additional density and diversity of housing on commercially zoned land within the Portarlington town centre and within the Increased Housing Diversity Area.

- 
- To be acceptable a proposal must provide a satisfactory urban design response on the subject site including a positive contribution to the coastal character of the area, be reflective of local context and protect significant views.
  - The proposed urban design response was unacceptable as it was not consistent with policies relating to urban design, the nomination within a Distinctive Area and Landscape, the Design and Development Overlay Schedule 21, Clause 21.14 and the Portarlington Structure Plan.

#### **15.4 Other relevant reports**

Most of the reports referred to in Chapters 4-10 and 1410 include discussion on the strategic justification for height provisions and the application of mandatory requirements.

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## 16 Street wall and upper level setback

### 16.1 Fishermans Bend Standing Advisory Committee Tranche 5 C195port [2022] PPV

Pages 24-26

The Committee supported a reduction of the upper level setbacks for a proposed podium and tower typology building given the sites three street frontages, view lines to the site and that the building slimline tower design would still be achieve the DDO objectives for solar access, public realm and bulk.

### 16.2 VPA Projects SAC Referral 7 – Preston Market [2022] PPV

Pages 100-101

The Committee recommended a ‘shandy’ approach to apply mandatory parameters for street walls and discretionary upper-level setbacks and heights. Upper-level setback discretionary controls would allow for more site-specific analysis and testing during the detailed design stage to better determine and understand issues such as bulk and scale. This would ensure better built outcomes than broad brush mandatory planning controls.

### 16.3 Draft Greater Geelong PSA C431ggee Advisory Committee [2021] PPV

Pages 118-126

The Committee was not satisfied a clear rationale for the preferred street wall heights, or a methodology for setting the preferred street wall heights, could be found in the Central Geelong Framework Plan or Urban Design Framework. However, it considered *“it is logical for fine grain street to have heights that reflect the existing and preferred character while protecting the public realm and providing an appropriate hum scale and streetscape experience”*. It also agreed it would be a rationale urban design outcome for more robust streetscapes to be punctuated with taller street wall heights.

The Committee supported preferred side and rear setbacks for all precincts and considered this to be *“a responsible planning and urban design approach”* promoting the protection of equitable development, view sharing, amenity and public realm, and the achievement of preferred character outcomes.

### 16.4 Fishermans Bend Standing Advisory Committee C177port [2021] PPV

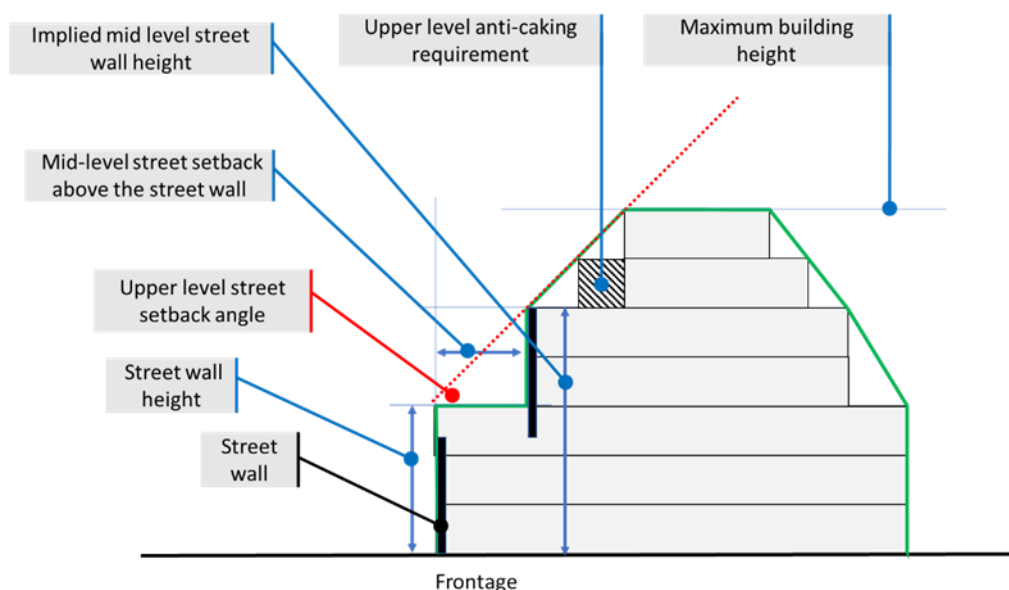
Pages 22-23

The Committee supported reduction of an above street wall setback for a proposed podium and tower typology building on a site that had three street frontages. It did not support reducing the width of a proposed laneway in order to achieve compliance, considering this a poor design outcome.

## 16.5 Yarra PSA C220 [2019] PPV

Page 4

The Panel identified the key elements of a proposed DDO in a diagram:



Pages 62-66

The Panel considered that in urban design terms, a mid-level setback of 6 metres would retain the 'human scale' of the Johnston Street Activity Centre, secure the distinction between the street wall and upper levels and will reduce the potential for overshadowing and adverse wind conditions. The Panel agreed that in this context a 3 metre setback was unlikely to create a distinct enough street wall.

## 16.6 Other relevant reports

- Banyule PSA C172bany [2024] PPV
- Yarra PSA C191 [2020] PPV
- Bass Coast PSA C151 [2018] PPV
- Moreland (Merri-bek) PSA C134 [2015] PPV

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## 17 Vegetation and landscaping

### 17.1 Activity Centres Standing Advisory Committee Referral 2 Report [2024]

Page 21

The Committee's Report on common matters across all Activity Centre Reports discusses whether the application of decision guidelines for landscaping setbacks to provide deep soil area to accommodate canopy trees are required.

The following Activity Centres Standing Advisory Committee Reports consider landscape setback requirements:

- Broadmeadows (Referral 3, page 13-14) which supported the proposed landscape setback requirements to support urban greening, soften the edges of future development and to provide for transition to existing neighbourhoods
- Chadstone (Referral 5, pages 14-15) which recommended extending the landscape setbacks to achieve the anticipated boulevard vision for Dandenong Road. It did not support imposing side and rear landscape setbacks which could impact development feasibility
- Moorabbin (Referral 8, page 16-17)
- Niddrie (Keilor Road) and North Essendon (Referral 9, pages 14-15) which supported local variations to proposed landscape setbacks. It did not support the application of landscape setbacks where it was not already a characteristic of the area. The Committee recommended extending a landscape setback to three sites to ensure a more consistent landscape character outcome.

### 17.2 Frankston PSA C160fran [2024] PPV

Pages 99-100

The Panel supported (with drafting changes) landscaping setbacks and deep soil provision in designated locations within the Frankston MAC and cautioned over inflating environmental contributions such as biodiversity in a highly urbanised setting.

### 17.3 Monash PSA C167mona [2024] PPV

Page 45

The Panel considered the issue of whether trees in an activity centre should be protected. It concluded:

- The proposed requirement to retain existing trees or plant new trees is impractical in areas designated for intensification.
- The requirement should be redrafted as a decision guideline.

### 17.4 Whitehorse PSA C220whse [2023] PPV

Pages 40-41

In considering an amendment to implement a Residential Built Form Study the Panel said:

The Corridors Study and DDO11 identifies a design objective to maintain the visual prominence of landscaping and ensure space for medium and large trees on site. DDO11 provides for this through setbacks with adequate space for landscaping

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canopy tree planting. This is strongly supported by local policy and is an appropriate focus of the Amendment.

The Panel is satisfied the discretionary setback requirements will allow for substantial landscaping, including tree planting.

The Panel agrees ... the landscaping requirements in DDO11 are not required, as provisions are already made by both Clause 55.03-8 and Clause 58.03-5.

The Panel concludes the 'Building and works' requirement relating to landscaping should be removed, as shown in the Panel preferred version of DDO11.

## **17.5 Portarlington Advisory Committee Report - Greater Geelong ACI P415/2021 [2021] PPV**

### **Pages 30-31**

The Committee considered whether the proposed landscaping for a development site was acceptable.

While the proposed landscaping could provide for some softening of the building, particularly at the upper levels, it did not appear to be integrated with the building design or responsive to the character of Portarlington. The Panel concluded a more comprehensive and considered landscape response was required to provide a more considered respond to the town's character.



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## 18 Views

### 18.1 Mornington Peninsula PSA C286morn [2025] PPV

Pages 21-24, 30, 35-36

The Panel considered the appropriate approach to the consideration of views to and from adjacent coastal foreshore areas to the Sorrento Activity Centre and supported further drafting to clarify or identify key views.

### 18.2 Mornington Peninsula PSA C224morn [2021] PPV

Pages 14-15

The Panel considered whether there was strategic justification for protection of key views in Dromana to Arthurs Seat from key public view points including the adjacent foreshore.

The Panel said:

While the range of planning guidelines, policy and controls directly relevant to Arthurs Seat and surrounding landscape features support Council's position that the site is environmentally sensitive and of landscape importance, they do not directly encourage or support the justification for protection of views to Arthurs Seat from Dromana.

...

It is clear however that local policy in the Planning Scheme and the LPS includes objectives to protect the role and character of Mornington Peninsula's settlements, towns and villages.

The Township Report has demonstrated that the character of Dromana is defined by its coastal township setting with Arthurs Seat as a prominent backdrop which is valued by the community. It is clear that Arthurs Seat is considered valuable beyond its recognised and protected site specific landscape and natural environment values.

The Panel concluded:

...the township of Dromana is defined by its geographic location, and that the scenic landscape backdrop of Arthurs Seat is a defining characteristic. In the context of protecting the character of Dromana and ensuring that its landscape setting is evident, the Panel considers that the protection of views to Arthurs Seat from key public view points is justified.

## 19 Planning Panels Victoria Built Form Reports 2010 – June 2025

Planning Panels Victoria reports listed below had built form as the primary focus or as a significant consideration.

Amendment	Summary	Report date
<b>Advisory Committees</b>		
Activity Centres Standing Advisory Committee	Advice on referred matters including built form undertaken as part of the Activity Centres Program including new planning controls for 10 activity centres. <ul style="list-style-type: none"> <li>- Referral 2: Common matters across all Activity Centre Reports</li> <li>- Referrals 3, 5, 8 and 9 relate to five of the 10 identified centres where aspects of proposed built form controls (other than walkable catchments) were discussed</li> </ul>	12 November 2024
Fishermans Bend Planning Review Panel Report No.1 (Volumes 1-2) and Reports 2-5	Consideration of the Implementation of the Fishermans Bend Framework (2017)	19 July 2018
Fishermans Bend Standing Advisory Committee – Tranche 4	Consideration of draft Port Phillip Planning Scheme Amendment C177port to apply the Specific Controls Overlay (Clause 45.12) and Incorporated document to 272-280 Normanby Road, South Melbourne	7 January 2021
Fishermans Bend Standing Advisory Committee – Tranche 5	Consideration of draft Port Phillip Planning Scheme Amendment C195port to apply the Specific Controls Overlay (Clause 45.12) and Incorporated document to 240-246 Normanby Road, South Melbourne	19 December 2021
Government Land Standing Advisory Committee - Tranche 39	Consideration of draft Amendment C240gdan to the Greater Dandenong Planning Scheme (Planning Scheme) to: <ul style="list-style-type: none"> <li>- rezone the site from Public Use Zone to the General Residential Zone</li> <li>- introduce and apply to the site a Development Plan Overlay</li> <li>- amend the Schedule to Clause 72.01 to list the Minister for Planning as the responsible authority for the site</li> </ul>	11 August 2023
Greater Geelong C431 Advisory Committee	Implement the Central Geelong Framework Plan by updating local policy, applying a new ACZ Schedule, rezoning land within the Framework Plan boundary to ACZ, applying a DDO Schedule to Deakin University sites within Central Geelong that are in the Public Use Zone	23 December 2021

Amendment	Summary	Report date
Shepparton North Activity Centre Advisory Committee	Consideration of Greater Shepparton Planning Scheme Amendment C193 Part 2 and Planning Permit Application PPA2016-269 for the use of land in Shepparton North for a place of assembly, buildings and works, signs, a packaged liquor licence and access. <i>Report discusses DDO provisions in relation to site layout, setbacks, articulation and landscaping</i>	17 August 2020
VPA Projects Standing Advisory Committee – Referral 2 (PMP Printing Precinct Comprehensive Development Plan)	Consideration of draft Monash Planning Scheme Amendment C156mona to implement the PMP Printing Precinct Comprehensive Development Plan by rezoning the site to Comprehensive Development Zone, applying overlays and including a Comprehensive Development Plan and Development Contributions Plan as Incorporated Documents	14 April 2021
VPA Projects Standing Advisory Committee – Referral 6 (draft C407melb)	Introduce new planning controls for the Arden Precinct to implement the <i>Arden Structure Plan</i>	2 May 2022
VPA Projects Standing Advisory Committee - Referral 7 (Preston Market)	Consideration of draft Darebin Scheme Amendment C182dare to implement the Preston Market Precinct Structure Plan by applying the ACZ, Development Contributions Plan Overlay, Parking Overlay and Heritage Overlay and other changes	16 December 2022
Yarra Activity Centres Standing Advisory Committee Report 2	Consideration of draft Amendment Yarra C293yara relating to the implementation of permanent built form provisions to the Collingwood South Mixed Use Precinct	19 May 2022
Yarra Activity Centres Standing Advisory Committee Report 3	Consideration of draft Amendment Yarra C291yara relating to the implementation of permanent built form controls along the Bridge Road and Victoria Street, Richmond Activity Centres	27 June 2022
Yarra Activity Centres Standing Advisory Committee Report 4	Consideration of draft Amendment Yarra C273yara relating to the implementation of permanent built form controls to Heidelberg Road, Alphington	2 January 2025
<b>Banyule</b>		
Banyule C172bany	Implement the Heidelberg Structure Plan	16 September 2024
Banyule C110	Rezone 25 and 27 Howard Street, Greensborough to Activity Centre 1 to implement revised heights, setbacks and landscaping controls for Precincts 2, 5 and 6 of the Greensborough Principal Activity Centre <i>Supported preferred maximum building heights and discussed whether pedestrian links should be identified</i>	17 October 2015
Banyule C120	Implement the built and landscape form outcomes of the Postcode 3081 Urban Design Framework	17 October 2015

Amendment	Summary	Report date
Banyule C93	Implement the Ivanhoe Structure Plan to guide the future development of the Ivanhoe Major Activity Area <i>Discusses storeys vs metres and where height is measured from</i>	2 July 2014
Banyule C60	Amend clauses 21.04, 37.01, 43.02, 51.03 and 81.01 and rezone land within the within the Heidelberg Specialised and Major Activity Centre to implement the Heidelberg Precinct Structure Plan <i>Includes discussion about building envelopes and height</i>	14 April 2010
<b>Bass Coast</b>		
Bass Coast C151basc	Apply the DDO and Development Plan Overlay and rezone land within the Cowes Activity Centre area to implement the recommendations of the Cowes Activity Centre Plan	20 December 2018
<b>Bayside</b>		
Bayside C160bays	Implement the Highett Structure Plan, September 2018	20 April 2020
Bayside C126	Bayside Small Activity Centres Strategy (2014)	7 February 2019
Bayside C152	Implement the Martin Street Structure Plan <i>The Panel did not support mandatory height provisions and discussed side and rear setbacks</i>	9 August 2018
Bayside C151	Implement the Hampton East (Moorabbin) Structure Plan <i>Supported discretionary heights</i>	3 July 2017
Bayside C113, C114 and C115	Implement the Sandringham Village Final Structure Plan, November 2006, Bay Street Centre Final Structure Plan, Church Street Centre Final Structure Plan, November 2006 and Bayside Housing Strategy (2012)	15 January 2015
Bayside C100, C101, C102 and C103	Implement the structure plans for the Sandringham Village Major Activity Centre, Bay Street Major Activity Centre, Church Street Major Activity Centre and Hampton Street Major Activity Centre	31 July 2012
<b>Boroondara</b>		
Boroondara C138 and C139	Implement the Glenferrie: Heart of Hawthorn Structure Plan 2010 and Implementation Plan and introduce a new Glenferrie Major Activity Centre and Kew Junction Activity Centre local policy	15 May 2014
Boroondara C108	Implement the Balwyn Structure Plan (2009) and the Boroondara Activity Centres Strategy (2011) to apply planning controls to the Balwyn Neighbourhood Activity Centre, 30 Neighbourhood Activity Centres and 3 Enterprise Corridors <i>Includes extensive discussion about drafting of built form controls</i>	27 February 2014

Amendment	Summary	Report date
<b>Cardinia</b>		
Cardinia C228	Implement the Pakenham Structure Plan (2019) and the Pakenham Major Activity Centre Urban Design Framework (2019) <i>Discusses drafting and use of 'should' and 'must' and height provisions within an activity centre structure plan</i>	23 June 2020
Cardinia C198	Implement the Beaconsfield Structure Plan <i>Discusses height provisions within a structure plan</i>	5 March 2015
<b>Darebin</b>		
Darebin C161	Implement the Fairfield Village Built Form Guidelines, 2017 and the Fairfield Village Heritage Assessment, 2017	3 December 2018
<b>Frankston</b>		
Frankston C161fran	Implement the Frankston metropolitan Activity centre Structure plan including through the Activity Centre Zone	30 August 2024
Frankston C124	Implement the recommendations of the Frankston Metropolitan Activity Centre Structure Plan <i>The Panel had not been presented with any evidence that mandatory controls are necessary to achieve the desired outcomes, or that unacceptable built form outcomes are likely</i>	16 May 2018
Frankston C123	Rezone the Frankston City Centre in accordance with the Frankston Metropolitan Activity Centre Structure Plan, 2015 <i>Panel discusses preferred height limits</i>	7 December 2016
<b>Glen Eira</b>		
Glen Eira C247glen	Implement the Bentleigh East Neighbourhood Activity Centre Built Form Framework and apply a Design and Development Overlay <i>The Panel discusses the appropriateness of discretionary height in an activity centre and setback provisions to provide for solar access to streets</i>	8 March 2024
Glen Eira C243glen	Apply a DDO to implement the Caulfield Park Neighbourhood Activity Centre Built Form Framework (March 2022) <i>The Panel discusses mandatory and discretionary provisions and building height and setback requirements</i>	12 January 2023
Glen Eira C231glen	Implement the built form objectives and requirements of the <i>Caulfield South Neighbourhood Activity Centre Built Form Framework (September 2021)</i> to provide built form controls for land within the Caulfield South Activity Centre	20 December 2022

Amendment	Summary	Report date
<b>Greater Dandenong</b>		
Greater Dandenong C224gdan	Implement the recommendations of the Noble Park Major Activity Centre Structure Plan (2021) <i>Report discusses building height, solar access and wind</i>	29 November 2022
Greater Dandenong C203gdan	Implement the recommendations of the Springvale Activity Centre Structure Plan (2017) and the Springvale Building Heights and Setbacks Study <i>Report discusses building height, street wall height, upper level setbacks</i>	10 June 2020
<b>Greater Geelong</b>		
Greater Geelong C436ggee	Combined Amendment and permit for 7 storey residential development in Rippleside <i>Considers the issues of height including impacts on overshadowing and view sharing</i>	10 April 2024
Greater Geelong C346	Implement the Ocean Grove Structure Plan (December 2015) and the Ocean Grove Urban Design Framework (2014) <i>Discusses view sharing</i>	6 July 2016
<b>Kingston</b>		
Kingston C205king	Implement the Endeavour Cove Comprehensive Development Plan (March 2022)	8 May 2023
Kingston C124	Rezone land in the Mentone Activity Centre to ACZ to allow for the growth of the Mentone Major Activity Centre <i>Panel supports mandatory height</i>	19 September 2013
<b>Knox</b>		
Knox C141	Implement the Upper Gully Strategic Plan, December 2015 (Strategic Plan) and apply a DDO	21 December 2016
<b>Macedon Ranges</b>		
Macedon Ranges C153macr and Permit PLN/2022/359	Apply a DDO, vary a restrictive covenant and rezone 0.35 ha in Gisborne to allow for the development of a Local Activity Centre <i>Panel supported an 11 metre building height reflecting existing low scale</i>	8 December 2023
<b>Mansfield</b>		
Mansfield C48mans	Implement 'Mansfield Township Approaches Planning Controls and Guidelines Study, 2018'	21 April 2022
<b>Maribyrnong</b>		
Maribyrnong C162mari	Rezone various sites to implement the land use and built form directions of the West Footscray Neighbourhood Plan 2018	2 May 2022

Amendment	Summary	Report date
Maribyrnong C124	Apply the DDO and Environmental Audit Overlay and rezone land in the Braybrook Neighbourhood Activity Centre to allow for residential development <i>Panel discusses setback and basement parking requirements</i>	7 December 2018
Maribyrnong C135	Implement the Highpoint Planning and Urban Design Framework (2014) by rezoning land in the Highpoint Activity Centre	5 June 2015
Maribyrnong C125	Implement land use and built form directions from the Footscray Structure Plan	10 February 2014
<b>Maroondah</b>		
Maroondah C130maro	Implement objectives and strategies of the Ringwood Metropolitan Activity Centre Masterplan through the application of local policy, zones and overlays	5 October 2020
Maroondah C96 and C97	C96 - Implement the Ringwood East Activity Centre Structure Plan by applying a DDO and rezoning several sites C97 - Implement the Heathmont Activity Centre Structure by rezoning land and applying the Development Plan Overlay, DDO and Development Plan Overlay and other overlay changes <i>Panel discusses the application of mandatory provisions and preferred rather than maximum heights</i>	6 June 2017
<b>Melbourne</b>		
Melbourne C376melb	Implement sustainable and green infrastructure policy and sustainable building design standards and requirements	18 October 2024
Melbourne C384	Implement updated flood modelling and applying the Land Subject to Inundation Overlay and Special Building Overlay	20 December 2022
Melbourne C278	Amends the Sunlight to Public Spaces Policy and inserts a DDO	1 June 2021
Melbourne C309	Implement the built form and land use directions of the West Melbourne Structure Plan 2018	11 October 2019
Melbourne C308	Implements Promoting High Quality Urban Design Outcomes in the Central City and Southbank, January 2018 through a DDO and Development Plan Overlay and other changes	16 May 2019
Melbourne C270	Introduce new built form provisions for the Central City area	26 October 2016
Melbourne C190	Redevelopment of land in accordance with Stage 1 of the Arden - Macaulay Structure Plan 2012	23 October 2015
Melbourne C196	Redevelopment of the City North Precinct in accordance with the City North Structure Plan 2012 (adopted February 2012)	18 October 2013



Amendment	Summary	Report date
<b>Monash</b>		
Monash C167mona	Implement the Mount Waverley Activity Centre Structure Plan 2021 by updating policy, introducing a new local planning policy, rezoning land and applying a DDO over the commercial areas of the centre	25 January 2024
Monash C120	Implement the Glen Waverley Structure Plan <i>General discussion on heights and setbacks for particular precincts</i>	21 March 2016
<b>Moonee Valley</b>		
Moonee Valley C207moon	Implement the land use and development directions of the MPAC to 2040: Moonee Ponds Activity Centre Local Plan (2019) and associated background documents	5 January 2021
<b>Moreland/Merri-bek</b>		
Moreland C134	Implement the recommendations of the Brunswick Structure Plan (August 2010) and its Addendum (June 2012) <i>Panel discusses issues around mid-rise buildings and the basis for height controls and upper level setbacks and solar access provisions</i>	18 May 2015
Moreland C123	Implement the directions from the Central Coburg 2020 Structure Plan (2006), the Colours of Coburg Place Framework and Strategies (2010) and the Community Framework of The Coburg Initiative	13 October 2014
<b>Mornington Peninsula</b>		
Mornington Peninsula C286morn	Implements the Ocean Beach Road Built Form Review recommendations	17 June 2025
Mornington Peninsula C275morn	Implement the Rye Urban Design Guidelines by applying the DDO and Development Plan Overlay and rezoning land in accordance with Rye Township Plan	20 September 2021
Mornington Peninsula C224	Implement the Dromana Township Project Report (Hansen Partnership 2021) by applying a DDO to the commercial area of the Dromana Township	20 April 2021
Mornington Peninsula C190 and C206	C190 - Apply the DDO and rezone the Hastings Activity Centre to implement the Hastings Town Centre Structure Plan, November 2014. C206 - Apply a DDO and rezone the Rosebud Activity Centre and surrounding land to implement the recommendations of the Rosebud Activity Centre Structure Plan, September 2016	23 August 2017



Amendment	Summary	Report date
<b>Moyne</b>		
Moyne C69moyn	Implement the recommendations of the <i>Port Fairy Coastal and Structure Plan, 2018</i> <i>Panel discusses use of 'must' and 'should'. Mandatory controls were not supported</i>	9 December 2022
Moyne C60	Implement the findings of the Port Fairy West Structure Plan September 2014 <i>Panel discusses maximum height levels in the context of predicted flood levels</i>	4 May 2016
<b>Port Phillip</b>		
Port Phillip C103	Implement the Bay Street Activity Centre Structure Plan 2013 <i>Discusses the basis for applying mandatory and discretionary requirements</i>	10 June 2014
<b>Stonnington</b>		
Stonnington C272ston	Implement the Hawksburn Village Structure Plan	30 July 2020
Stonnington C223	Apply the DDO, Development Plan Overlay and rezone land within the Glenferrie Road and High Street Activity Centre to implement the Glenferrie Road and High Street Structure Plan 2015	15 December 2017
Stonnington C212	Insert Malvern Road - Burke Road Neighbourhood Activity Centre Policy to implement the Malvern Road - Burke Road Neighbourhood Activity Centre Urban Design Framework (2014) <i>Discusses discretionary and mandatory heights</i>	25 August 2015
Stonnington C172	Implement the directions from the <i>Chapel reVision Structure Plan 2013-2031 and associated background document</i>	18 June 2015
<b>Warrnambool</b>		
Warrnambool C103warr	Apply the Development Plan Overlay and DDO to implement the Eastern Activity Precinct Structure Plan, 2016	14 January 2020
<b>Whitehorse</b>		
Whitehorse C220whse	Implement the <i>Whitehorse Residential Corridors Built Form Study 2019</i>	21 June 2023
Whitehorse C175	Apply a DDO and rezone land in the Box Hill Metropolitan Activity Centre to give effect to the Box Hill Transit City Structure Plan (2007) and the Box Hill Metropolitan Activity Centre Built Form Guidelines (2016)	6 October 2017

Amendment	Summary	Report date
Whitehorse C110	Implement the recommendations of the Tally Ho Major Activity Centre Urban Design Framework 2007 <i>Report discusses building heights and setbacks and precinct interfaces</i>	8 September 2014
<b>Whittlesea</b>		
Whittlesea C130	Rezone land within the Epping Central Activity Centre to implement the Epping Central Structure Plan <i>Panel report includes discussion and conclusions in relation to tall building separation and preferred heights and setbacks within the ACZ</i>	13 August 2013
<b>Yarra</b>		
Yarra C269yara	Implement the Yarra Planning Scheme Review (2014) and introduces a Municipal Planning Strategy and local policies within the Planning Policy Framework	4 January 2022
Yarra C191	Apply the DDO, Environmental Audit Overlay, amend the Heritage and rezone land to Commercial 2 for land along Swan Street, Richmond to implement the Swan Street Activity Centre Built Form Framework (September 2017), Swan Street Structure Plan (January 2014) and the Swan Street Built Form Study Heritage Assessments & Analysis (October 2017)	15 October 2020
Yarra C231	Implement the recommendations of the <i>Queens Parade Clifton Hill Built form review</i> and the <i>Queens Parade Built Form Heritage Analysis and Recommendations</i>	31 October 2019
Yarra C220	Rezones land and implements built form and heritage controls for Precincts 1 and 2 of the Johnston Street Local Area Plan	22 January 2019