

Date

5 March 2026

To

Adam Henson

Address

Director, Planning Facilitation
Department of Transport and Planning
PO Box 2392
MELBOURNE 3001

Sent

Via planning permit application portal

ADVERTISED PLAN

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Dear Adam

DEVELOPMENT FACILITATION PROGRAM PPA-1431 724-728 Whitehorse Road Mitcham

Contour continue to act on behalf of Arcare Pty Ltd, the permit applicant of the above-mentioned application. We refer to your letter dated 26 February 2026, confirming eligibility of the proposal to be considered under the provisions of Clause 53.23 of the Whitehorse Planning Scheme and hereby formally lodge the application.

We here by apply to the Minister for Planning as the responsible authority under those provisions for planning permit for the Buildings and Works associated with a Section 1 use (Residential Aged Care Facility) on land within the General Residential Zone and affected by the Significant Landscape Overlay Schedule 9 and the Vegetation Protection Overlay Schedule 3 and for the display of internally illuminated business identification and wayfinding signage, the removal of native vegetation and canopy trees under the relevant provisions of the Whitehorse Planning Scheme.

A summary of the permit triggers that are applicable to the project are as follows:

- **Clause 32.08-9**, a permit is required to construct a building or construct or carry out works for a residential aged care facility.
- **Clause 42.02-2**, a permit is required to remove, destroy or lop any vegetation specified in a schedule to the overly.
- **Clause 42.03-2**, A permit is required to:
 - Construct a building or construct of carry out works.
 - To construct a fence if specified in the relevant schedule.
 - To remove, destroy or lop any vegetation in a schedule to this overlay, unless exempt.
- **Clause 52.05-2**, a permit is required to construct or put up for display a sign.
- **Clause 52.17**, A permit is required to remove, destroy or lop native vegetation.
- **Clause 52.37**, A permit is required to remove, destroy or lop a canopy tree.

In response to the specific items mentioned in the correspondence received, we note the following:



Alternative affordable housing contribution – A draft agreement in accordance with Section 173 of the *Planning and Environment Act 1987* has been provided to the Department of Transport and Planning (the **Department**) for initial review and confirmation of agreement to certain edits and inclusions into the final draft has already been provided via email from the permit applicant, Arcare Pty Ltd. The final draft of this Section 173 agreement, incorporating these final edits, is currently being prepared by Russell Kennedy Lawyers and will be provided to the Department as soon as possible.

Relocation of crossovers to Witt Street – It is noted that the Department is supportive of the proposed access to Witt Street, but requires that further consultation occur with the City of Whitehorse during the formal application process to ensure that the location and design of crossovers to local street and approval for new crossovers in the Council road reserve is obtained. The project Civil Engineer, Lanigan Civil will engage with the relevant department at Council to establish that suitable crossover location and design is prepared and approved by Council during the application process and provide information regarding this to the Department as soon as possible.

Further information – The further information items listed within your letter being items a through p are here included with the application. To clarify the following documentation accompanies the application:

Request (a-p)	Document provided	Prepare by	Date / revision
a	Application fee	Knowles Group (Arcare Pty Ltd)	N/A
b	MPL certificate	ATO	25-11-2025
c	Title particulars	Landata	19-02-2025
d	Quantity Surveyors Report	WT Partnership	06-06-2025
e	Site Survey	Speedy Development Consultants	30-09-2024
f	Architectural Plans	Via Architects	March 2026
g	Signage Plans	Braggs	25-06-2025
h	Site and Context Description	Contour & Via Architects	March 2026
i	A Design Response	Via Architects (as part of drawings package)	March 2026
j	Town Planning Report	Contour	March 2026
k	Arborist Report	Sustainable Tree Management	23-02-2026 (V5)
l	Native Vegetation Removal Report	Sustainable Tree Management	23-02-2026
m	Landscape Plan	John Patrick Landscape Architects	03-03-2026 (Rev C)
n	Canopy Trees Information Deep Soil Planting Information	John Patrick Landscape Architects	03-03-2025 (Rev C)
o	Transport Impact Assessment	onemilegrid	24-02-2026
p	Stormwater Management Plan	Lanigan Civil	22-05-2025 (Issue A)
q	Sustainability Management Plan	Lincoln Pearce	17-10-2025
r	Waste Management Plan	onemilegrid	27-05-2025
s	Other documentation: <ul style="list-style-type: none"> Affordable Housing Report Draft S173 Agreement Environmental Audit Report 	<ul style="list-style-type: none"> Arcare Pty Ltd Russel Kennedy Lawyers Environmental Earth Sciences 	<ul style="list-style-type: none"> 16-07-2025 18-12-2025 03-03-2025



We note that requested item 'S' under the heading 'Further Information' of the Department's correspondence it refers to any other documentation required by the Whitehorse Planning Scheme. Clause 53.23 requires that a report (affordable housing report) that outlines how a proposed development contributes to the provision of affordable housing is intended to be provided should a permit be granted. A framework for the report is set out in the Clause.

We include with the application the 'overview of the affordable housing provision' document that was prepared by Arcare Pty Ltd during the pre-application process which we submit responds to this application requirement. We also provide the draft Section 173 agreement already prepared by Russel Kennedy Lawyers and provided to the Department during the pre-application process, noting that an updated version of this draft agreement will be provided to the Department shortly, that incorporates agreed revisions as recently discussed with the Development Facilitation team. While this agreement is not an application requirement, but rather a permit requirement, we are happy to continue to work with the Department and its chosen legal representatives, Harwood Andrews, to resolve the detail of this an agreement during the application process or after, or should a permit be granted.

We also include a copy of the Environmental Audit Report prepared by Environmental Earth Scienced in response to the Environmental Audit Overlay applicable to the land.

We trust that this provides a suitably comprehensive application package and will give the Department all information necessary to progress the application, but should you have any questions at all or required any further clarification, please do not hesitate to contact me either by email at ccawkwell@contour.net.au or by calling me on 0404 003 828.

We look forward to hearing from you and the assigned assessment team member in due course.

Yours sincerely,
Contour Consultants Australia Pty Ltd

A handwritten signature in blue ink, appearing to read 'Chris Cawkwell'.

Chris Cawkwell
Senior Associate