



YARRA
RIVERKEEPER

PROTECTING THE YARRA CORRIDOR THROUGH BETTER PLANNING: Punt Road Bridge to the Urban Growth Boundary

ETHOS
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***PROTECTING THE YARRA CORRIDOR THROUGH BETTER PLANNING:
PUNT ROAD BRIDGE TO THE URBAN GROWTH BOUNDARY***

FUNDED BY



ACKNOWLEDGEMENT

We acknowledge that the Yarra River - Birrarung - flows through the traditional lands of the Wurundjeri people. We offer our respect to the Elders past, present and future of these traditional lands, and through them to all Aboriginal and Torres Strait Islander People.

DISCLAIMER

This document is intended to provide an overview of the planning and development framework that applies to the Yarra River Corridor. The information contained in the report is of a general nature, and should not be used for the purposes of decision-making.

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Contents

1 BACKGROUND & CONTEXT	3	3 ENGAGING WITH THE PLANNING SYSTEM	45
1.1 This Project	4	3.1 Policy Contribution	46
1.2 The Study Area	5	3.2 Planning Permit Applications	47
1.3 Yarra River Protection Initiatives	6	3.3 Planning Strategy	50
1.4 New Planning Controls for the Yarra River	8	3.4 Key Issues of Interest to the Yarra Riverkeeper	52
1.5 Riverkeeper Association Values & Objectives	10	3.5 Responding to Planning Issues	64
2 THE PLANNING & DEVELOPMENT FRAMEWORK	13	3.6 Future Opportunities	65
2.1 Legislative Framework	14	4 REFERENCES	67
2.2 Planning Schemes	18	4.1 Key References and Resources	68
2.3 State and Local Planning Policy Frameworks	19	5 GLOSSARY	71
2.4 Land Use - Planning Zones	20	5.1 Key Terms	72
2.5 Development Overlays	28		
2.6 New Overlays for Yarra River Protection	35	APPENDICES	
2.7 Other Policies & Strategies	42	A Reference - The Planning Zones	
		B Reference - Yarra River Protection Decision Guidelines	
		C Example Site Investigations	

List of Figures

Figure 1.	Lower and Middle Yarra Study Area	5
Figure 2.	New Planning Controls for the Yarra River	9
Figure 3.	Extent of 1km and 500m Yarra River Lands as Declared by the Yarra River Protection Act - Lower Yarra Reach	16
Figure 4.	Extent of 1km and 500m Yarra River Lands as Declared by the Yarra River Protection Act - Middle Yarra Reach	17
Figure 5.	Structure of Planning Schemes	18
Figure 6 to Figure 10.	Planning Zones	23
Figure 11 to Figure 15.	Planning Overlays	30
Figure 16 to Figure 20.	DDO and SLO Extents	37

List of Tables

Table 1.	Overview of Existing Zones	76
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Executive Summary

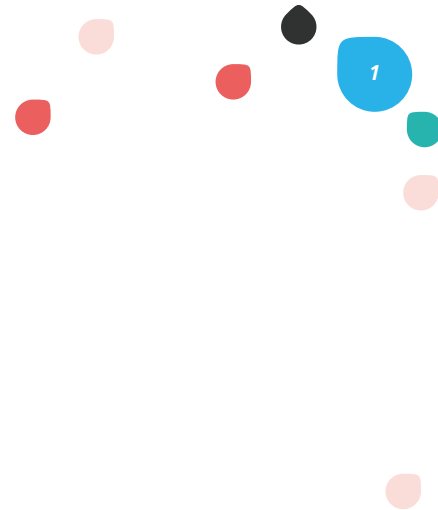
This report enables the Yarra Riverkeeper Association (YRKA) to be more effective in its participation in the planning system to protect the Yarra River and its ecological, cultural and social values. The report also assists in informing the community about relevant planning issues along the Yarra and improves the reader's ability to effectively respond to planning applications along the Yarra, and to engage with local planning schemes. Last but not least, the report informs YRKA's partners in state and local government and in statutory agencies about the key planning issues that YRKA sees as challenging the river, both currently and in the future, and what measures can and should be taken to protect and improve the Yarra.

This report guides and assists YRKA's engagement with planning policy and the planning system as it relates to the Yarra River Corridor. The document contains detailed background information relating policy changes introduced by the state government under Planning Scheme Amendment GC48 in February 2017. Maps within the document illustrate the extent of current planning controls that apply to the Yarra River corridor and its environs. The document explains the function and effect of the controls introduced in 2017 to Yarra, Stonnington, Boroondara, Banyule, Manningham and Nillumbik local government areas.

The report includes recommendations on how YRKA can strengthen its role at the planning strategy level, including promoting YRKA as a thoughtful and informed stakeholder at all tiers of government.

The report will assist YRKA in its role as the key community stakeholder for the Yarra River to be more effective in relation to planning policy and strategy at state and local government levels. YRKA advocates for the Yarra Riverkeeper to be consulted about any planning consideration that relates to or has a direct interface with the Yarra River corridor.









Background & Context

1

1.1 This Project

Background

This purpose of this project is to assist the Yarra Riverkeeper Association (YRKA) in understanding how the newly introduced Yarra River corridor planning controls operate; and how they may be utilised to support the Association's vision, aims and objectives.

This will enable the Association to be well placed to speak for better design and development outcomes for planning permit applications on private land.

It will also identify gaps in the current planning framework and help to focus the Association's advocacy to government and agencies for improved design and development outcomes on both public and private land

The study area (shown in **Figure 1** on the following page) comprises land within and adjacent to the Yarra River corridor from the Punt Road Bridge in Richmond to the Urban Growth Boundary in Warrandyte.

Project Aims

The aims of this project are to:

- + Provide a baseline assessment of the current planning controls affecting land along the river corridor which clearly outlines the land use and development parameters of each planning zone and overlay.
- + Prepare test case scenarios for several sites with significant development potential, which represent a range of different development scenarios.
- + Identify gaps within the planning control framework that may impact on the achievement of the Association's vision, aims and objectives.
- + Provide a guide to responding to planning permit applications, including ways to access specialist expertise and suggested planning permit conditions.
- + Identify priorities for future policy work to improve the planning control framework.
- + Identify opportunities which lie outside of the planning system for the Association to achieve its visions for promoting improved design within the riverside environment, access to the river and expression of social and cultural values.

This Document

This document is intended to be used by the YRKA as an advocacy tool for:

- + Planning and other policy development at the State and local government level
- + Preparing submissions to planning permit applications, VCAT cases and Planning Scheme Amendments.

The YRKA is a key stakeholder in planning for the River.

Whenever possible, this document should be used to support the YRKA's advocacy efforts to be part of pre-policy discussions, moving away from reaction to early involvement in policy creation and agenda-setting.

1.2 The Study Area

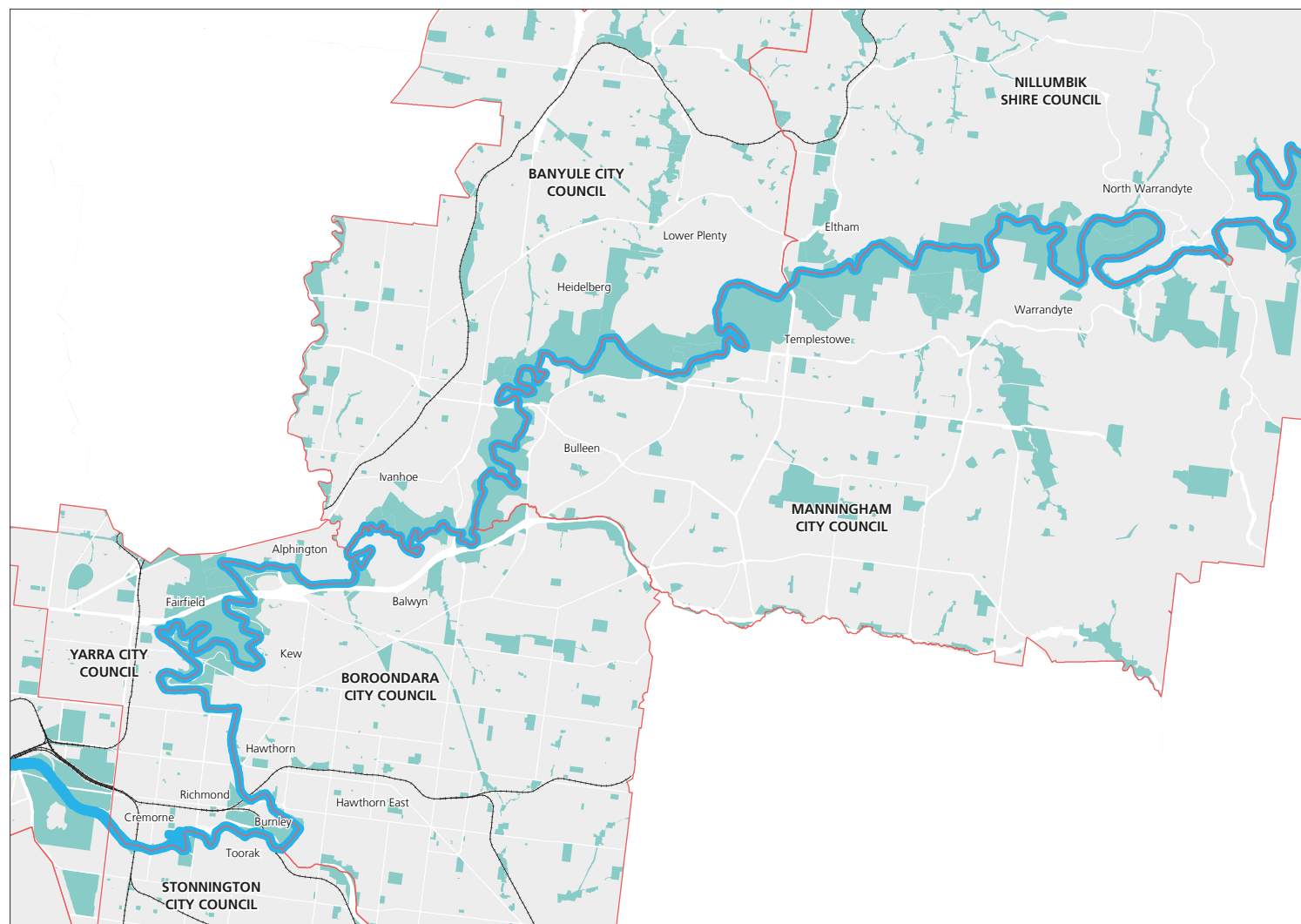
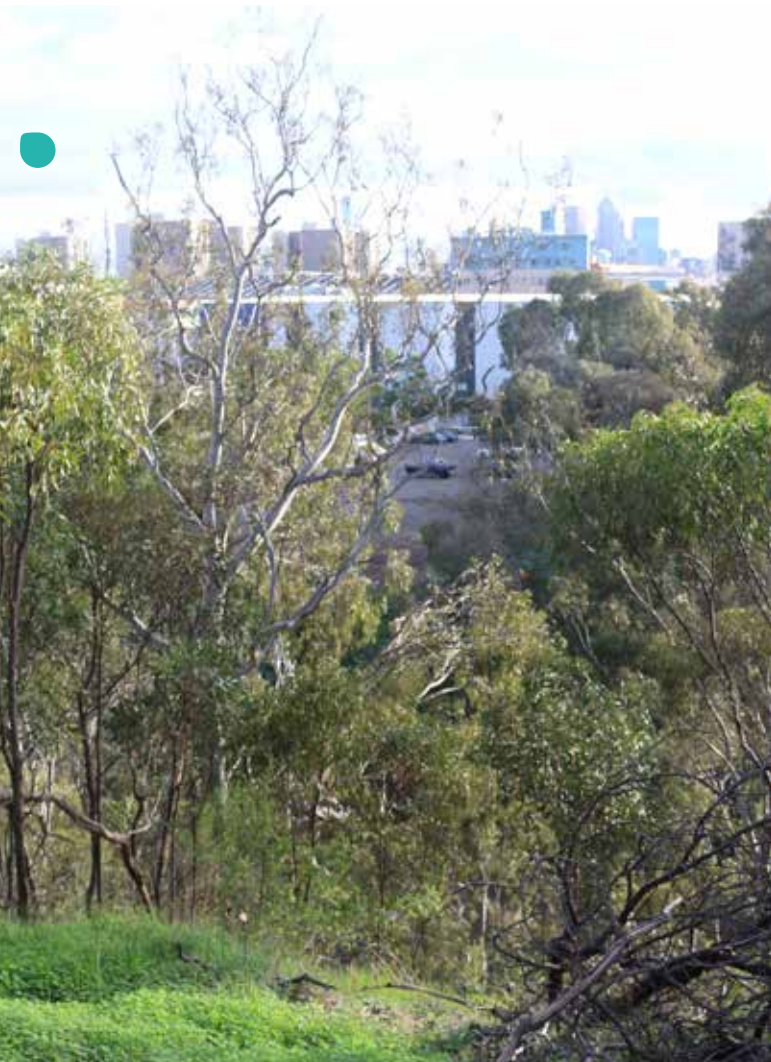


Figure 1. Lower and Middle Yarra Study Area

- Local Government Area (LGA) boundary
- ~ Yarra River
- Main Road
- Parkland or open space



1.3 Yarra River Protection Initiatives



Overview

In February 2017, the Minister for Planning approved Amendment GC48 which implements interim planning scheme overlay controls to protect the Yarra River from inappropriate development. The amendment applies to land within approximately 500m of the Yarra River between Punt Road, Richmond and the outer eastern extent of the township of Warrandyte.

The new controls are part of a suite of measures introduced by the State Government to manage all aspects of the river's health, environment, amenity and function. These initiatives are detailed in the Yarra River Action Plan.

The initiatives include the drafting of a new Yarra River (Birrarrung) Protection Bill and strengthening relevant State policies.

The long term management of the river and adjoining land will be set out in the Yarra Strategic Plan to be prepared by Melbourne Water, providing an ongoing framework for the whole of the river corridor.

Yarra Strategic Plan

The Yarra Strategic Plan will address four key elements that encompass a wide range of issues:

- + Environmental health of the waterway, and riparian lands (including the biodiversity corridor)
- + Community use, access and amenity of the river and its parklands
- + The landscape setting and interface of the river corridor with adjacent land uses
- + Cultural and heritage values in the riverscape.

The Yarra Strategic Plan will include consideration of land use and development, landscape design and built form management. It will extend the landscape assessment approach applied to the Lower-Middle Yarra corridors to other parts of the river corridor. It will also implement a coordinated approach to public land management and provide a framework for protection of cultural heritage values.

A number of key-site projects are also listed in the Action Plan, including a structure plan for Abbotsford (which incorporates the Carlton and United Breweries site), a cultural precinct plan for the Banyule Flats-Bulleen Park area, rehabilitation of the Bolin Bolin Billabong in Bulleen, and completion of the missing trail in Abbotsford.



1.4 New Planning Controls for the Yarra River

Planning Scheme Amendment GC48

Amendment GC48 introduces new (or updates existing) planning controls:

- + Design and Development Overlays (DDOs) - 'Yarra River (Birrarung) Protection'
- + A Significant Landscape Overlay (SLO) - 'Yarra River (Birrarung) Corridor'.

The controls are applied within the Lower Yarra River corridor (within the Stonnington, Yarra and Boroondara municipalities) and the Middle Yarra River corridor (within Banyule, Nillumbik and Manningham), shown on the map opposite. They will apply on an interim basis for four years.

These overlay controls have now implemented the overarching State Policy objective to protect and manage the Yarra River, set out at Clause 12.05 of all Victorian Planning Schemes.

The new controls will work in tandem to address all aspects of new development relating to the siting and design of buildings and the management of the river's natural landscape elements.

The DDO controls will manage built form outcomes on privately owned land immediately adjacent to, or within close proximity to, the Yarra River. They set mandatory maximum building heights and mandatory minimum building setbacks from the river's edge.

The new SLO has been applied to all land irrespective of tenure, within approximately 100-400m from the centreline of Yarra River. The SLO will manage vegetation removal and river bank topography.

Amendment GC48 implements the findings and recommendations of the Lower Yarra River Corridor Study (Planisphere, 2016) and the Middle Yarra River Corridor Study (Planisphere, 2016), which are now Reference Documents in the DDO and SLO.

PLANNING ADVISORY NOTE 65

The State Government prepared a Planning Advisory Note (PAN65) *Yarra River Protection Planning Controls*. PAN65 that provides an overview of the new planning controls implemented through Amendment GC48.

PAN65 details the processes, methodology and approaches used to prepare the controls, while also providing guidance and information to applicants and responsible authorities about preparing and assessing planning permit applications under the new planning controls.

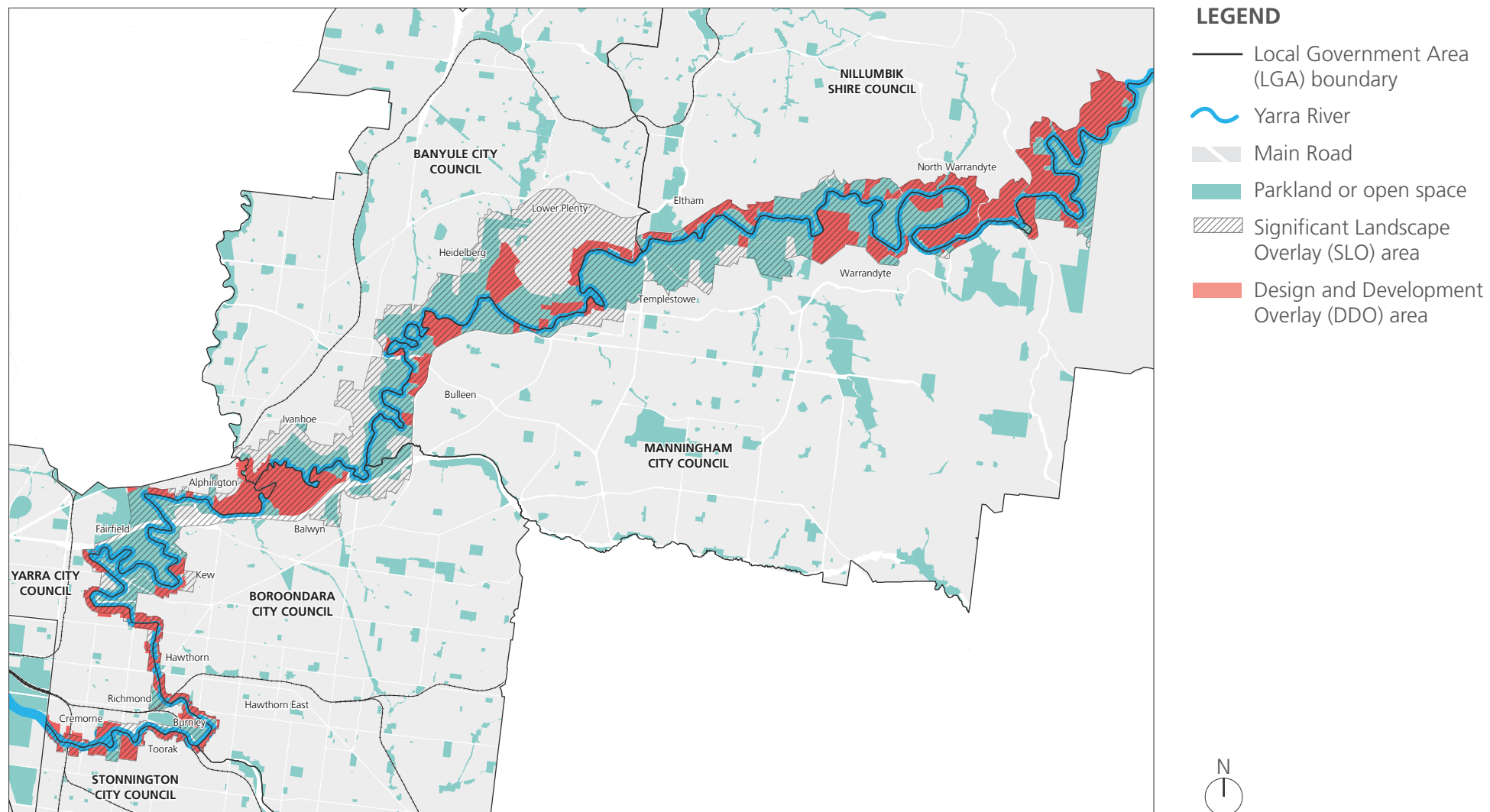
Specifically, the Note provides information on:

- + The State Planning Policy Framework objectives for managing development in the Yarra River corridor
- + The objectives and permit requirements of the

new DDOs and SLO

- + The rationale for applying mandatory maximum height and minimum setback requirements, and how these are to be measured
- + How the banks and waterway of the Yarra River are defined
- + Managing overshadowing impacts
- + Permit requirements for fencing and earthworks.

Figure 2. New Planning Controls for the Yarra River



1.5 Yarra Riverkeeper Association Values & Objectives

This planning study examines the current planning policy and control framework against the visions and objectives of the Yarra Riverkeeper Association (YRKA).

The Association's visions and objectives relate to a wide range of waterway management, advocacy and education initiatives.

The visions and objectives which relate specifically to issues of land use and development which can be managed under the Planning and Environment Act (1987) are summarised below, and are the focus of this planning study.

While some of the principles outlined in the Yarra Riverkeeper Association's vision, aims and objectives do overlap with the planning system, other policies are beyond the scope of planning tools or levers to control.

OUR VISION

A Yarra River, with tributaries, that is healthy, ecologically sustainable and valued by the community.

OUR AIMS

To protect and restore the Yarra River and its tributaries, from source to mouth, for current and future generations.

OUR OBJECTIVES

- + To be an effective, independent public advocate for the Yarra River and its tributaries
- + To provide a unified voice, representative of the community, in relation to whole-of-river issues
- + To identify, create and implement initiatives that will protect and restore the Yarra River and its tributaries
- + To build and foster relationships with all stakeholders
- + To ensure integrated management founded upon stewardship
- + To build and make publicly accessible knowledge relating to the Yarra catchment
- + To celebrate the ecological and social value of the Yarra River and its tributaries
- + To establish a realistic funding base that can support projected activities.

OUR POSITION ON FIVE RIVER ISSUES

Riverside Development And Planning

Our vision:

- + The Yarra River and its environs are a continuous corridor of public green space and unbroken wildlife habitat along the entire length of the river.

We believe that:

- + All planning decisions in the corridor should be overseen by a single authority which has a whole-of-river perspective (beyond local council boundaries), consistent with the fact that the river's values and ecology relate to and are dependent on its entirety.
- + The Yarra River and its environs are critical "natural infrastructure" for the city to function and be liveable; no less vital than public transport, hospitals and schools.
- + To stop further encroachment (immediate action), planning controls need to be introduced
 - To ban the erection of additional buildings and structures on riverside land,
 - To ensure that any new/replacement building/structure is no taller, bigger or closer to the river than what exists on the site, and
 - To ensure other riverside works are compatible with the sought-after green riverscape.

- To restore the corridor (long term action), measures need to be introduced
- To reclaim public ownership of land abutting the river, and
- To replace, when possible, riverbank buildings with indigenous vegetation.

River Flows And Water Supply

Our vision:

- + River flows in the Yarra are as close to natural as possible – with the flow rate at least two-thirds of the natural rate and the flow pattern supporting a rich and healthy river ecology.

(NB “two-thirds of natural” is recognised by river scientists as a rule of thumb for a healthy river.)

We believe that:

- + To restore near-natural flow rates, the amount of water extracted needs to be reduced by measures to lower total water consumption and policies and major investment in alternative sources, such as recycled “waste” water and stormwater;
- + To ensure a healthy flow pattern, the environmental flows program needs a greater water allocation and more security (e.g. government guarantee) during times of water scarcity.

Water Quality and Pollution

Our vision:

- + The Yarra’s water can support all its naturally occurring aquatic life forms and is free of all pollutants that may be harmful to them or humans.

(NB This vision aligns with the objectives of the State Environment Protection Policy (Waters of Victoria) which is the relevant legislative framework under Victoria’s environmental laws. It is also consistent with the vision of the international Waterkeeper movement, of which we are a member, of fishable, swimmable and drinkable waterways worldwide.)

We believe that:

- + Whilst many measures are being implemented to reduce pollution, both at its source and in its transport to the river, the pollution is still unacceptable.
- + To stop pollution, all stormwater run-off and all used water (“waste water”) has all toxins and excess nutrients removed and is reused or infiltrated into the ground, such that none flows directly into the Yarra River.

Flora and Fauna

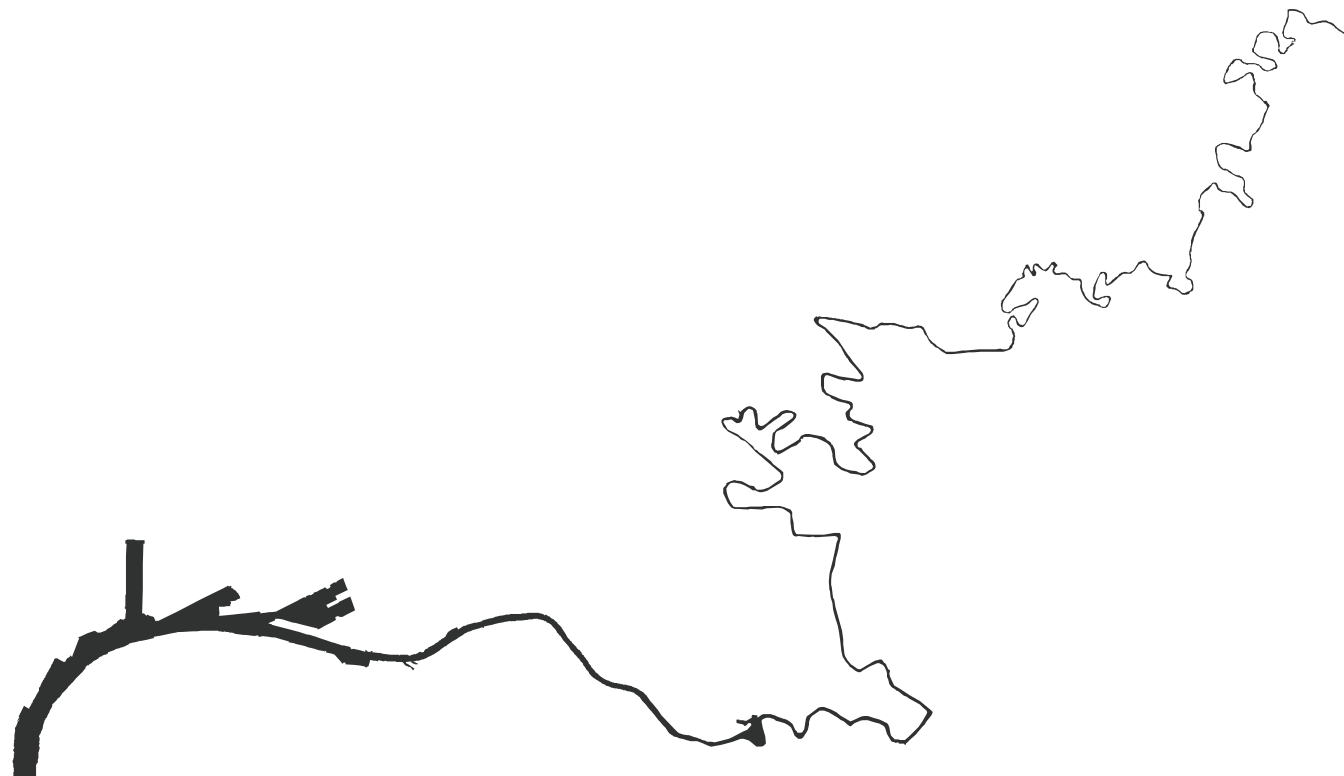
Our vision:

- + All the flora and fauna of the Yarra catchment are indigenous species except for endangered but non-indigenous native species, such as Macquarie Perch, for which the Yarra provides crucial habitat, on land set aside for agriculture and recreation, and where exotic species (pet and stock animals, food and garden plants) are securely contained.

Other Social Values

Our vision:

- + All Melburnians appreciate, understand, enjoy and celebrate the many wonders of the Yarra, see its existence and its health as vital to their lives, and actively care for it.





The Planning & Development Framework

2

2.1 Legislative Framework

Overview of Key Acts relevant to the Yarra River and its Corridor

PLANNING & ENVIRONMENT ACT

The *Planning and Environment Act* (1987) (VIC) establishes a framework for planning the use, development and protection of land in Victoria in the present and long-term interests of all Victorians.

The Act sets out a number of Objectives for Planning in Victoria, the most relevant of which are:

- + To provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity;
- + To secure a pleasant, efficient and safe living, working and recreational environment for all Victorians and visitors to Victoria;
- + To conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value.

Land use and development controls contained in each Planning Scheme support the objectives from the Act.

YARRA RIVER PROTECTION ACT

The Yarra River Protection (Willip-gin Birrarung Murrn) Act (2017) (VIC) recognises the intrinsic connection of the traditional owners to the Yarra River and its Country. It recognises them as the custodians of the land and waterway which they call Birrarung.

Part 2 of the Act sets out Yarra "Protection Principles," including principles about the environment. Among these, Section 9(4) states:

There should be a net gain for the environment in the area of Yarra River land arising from any individual action or policy that has an environmental impact on Yarra River land.

In addition to environmental principles, the Act sets out social, recreational, cultural and management principles for the Yarra River land. These principles include protecting and enhancing:

- + Recreational amenity in the Yarra River lands
- + Community access to the Yarra River lands
- + The natural processes, while also enabling use of the land for recreational and community purposes.

Management principles include that there should be coordination between all levels of government and government agencies when designing policies and programs in relation to the Yarra River land.

WATER ACT & MELBOURNE WATER BY-LAWS

The *Water Act* 1989 (Vic) provides the legal framework for managing water resources in Victoria.

The main purposes of the Act are to:

- + Promote the equitable and efficient use of our water resources
- + Make sure our water resources are conserved and properly managed for the benefit of all Victorians
- + Increase community involvement in conserving and managing our water resources.

Melbourne Water has created by-laws under the Act that are relevant to the management and protection of the Yarra River corridor. They are:

- + By-law No. 1: Water Supply Protection (2008)
- + By-law No. 2: Waterways, Land and Works Protection and Management (2009).

SUBDIVISION ACT

The Subdivision Act (1988) (VIC) sets out the procedure for the subdivision and consolidation of land, including buildings and airspace, and for the creation, variation or removal of easements or restrictions that apply to land.

This Act also regulates the management of and dealings with common property and the constitution and operation of bodies corporate.

The Act empowers a responsible authority to

require a portion of land to be set aside as public open space when subdivision occurs. Alternatively, a payment may be made in lieu of public open space.

The Act specifies how public open space contributions are to be calculated and what Council must do with open space, or with contributions collected for the creation of new public open spaces, or improvement of existing public open spaces.

HERITAGE RIVERS ACT

The Yarra River, between Warburton and Warrandyte is listed as a Victorian Heritage River, under the *Heritage Rivers Act 1992* (VIC).

This Act identifies 18 Heritage River Areas in Victoria, in which some activities may be prohibited, including constructing barriers that affect the area's recreational, natural, scenic or cultural heritage values.

The Heritage Rivers Act can restrict diversion of water, some clearing practices, the establishment of timber plantations and domestic animal grazing.

HERITAGE ACT

The *Heritage Act 2017* (VIC) is administered by Heritage Victoria, and is the State government's key non-Indigenous cultural heritage legislation.

The Act identifies and protects heritage places and objects that are of significance to Victoria, including:

- + Historic archaeological sites and artefacts
- + Historic buildings, structures and precincts
- + Gardens, trees and cemeteries
- + Cultural landscapes
- + Shipwrecks and relics
- + Significant objects.

Following a detailed review of the *Heritage Act 1995* (VIC) (including public consultation) in 2015, a Heritage Bill was introduced and passed in the Legislative Assembly in 2016. The updated/revised Heritage Act commenced on 1 November 2017.



Figure 3. Extent of 1km and 500m Yarra River Lands - Lower Yarra Reach*

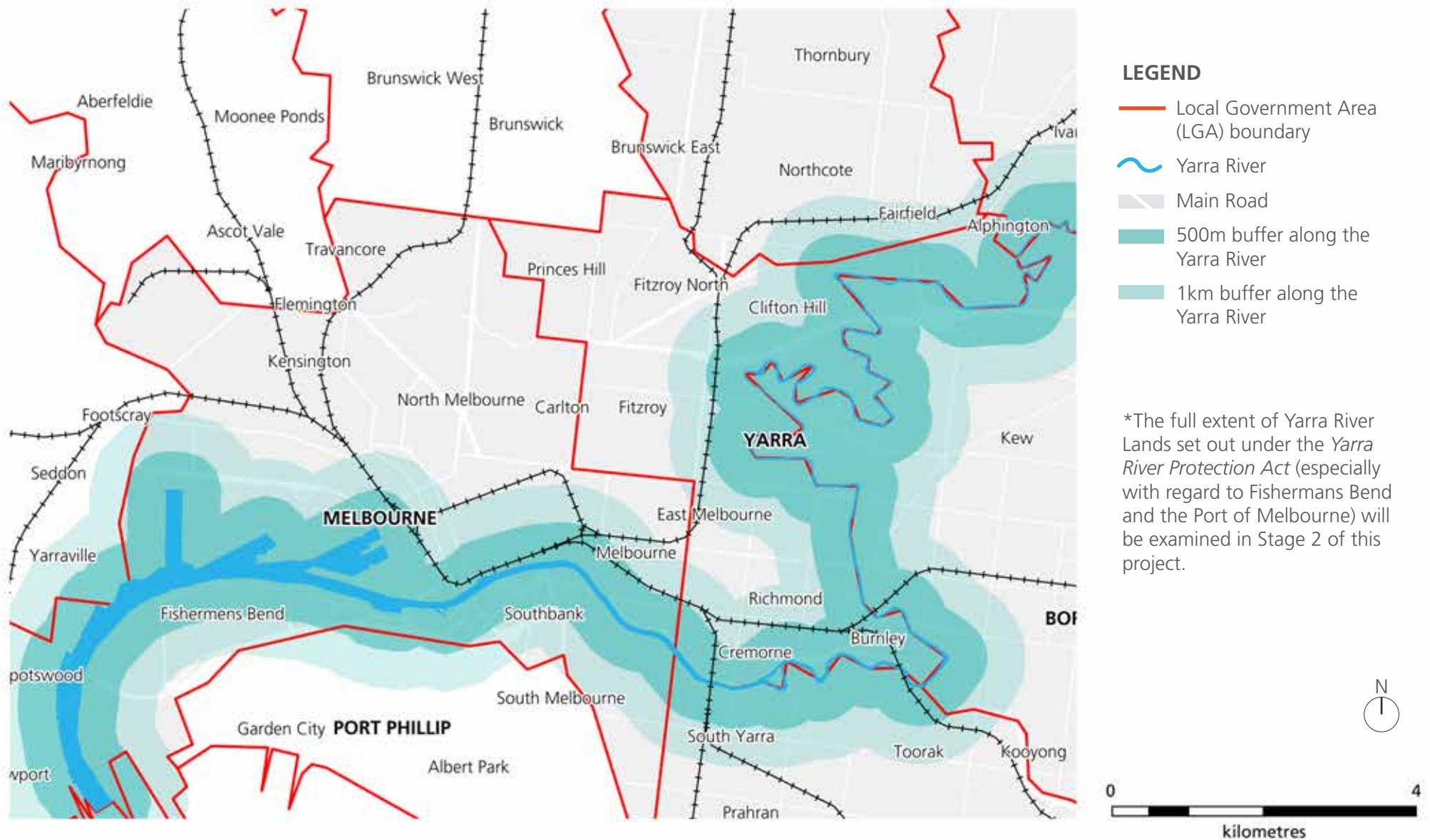
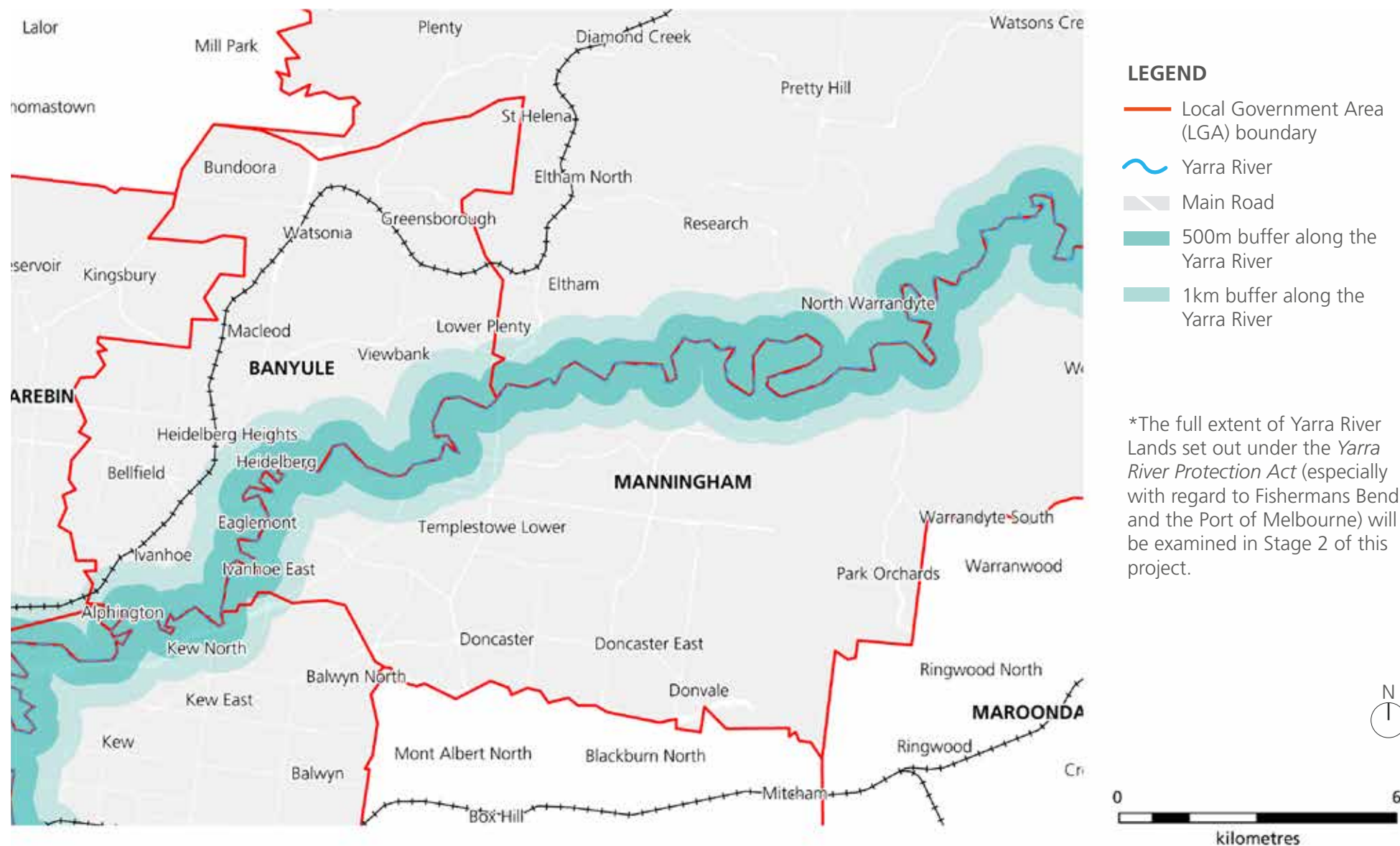


Figure 4. Extent of 1km and 500m Yarra River Lands - Middle Yarra Reach*



2.2 Planning Schemes

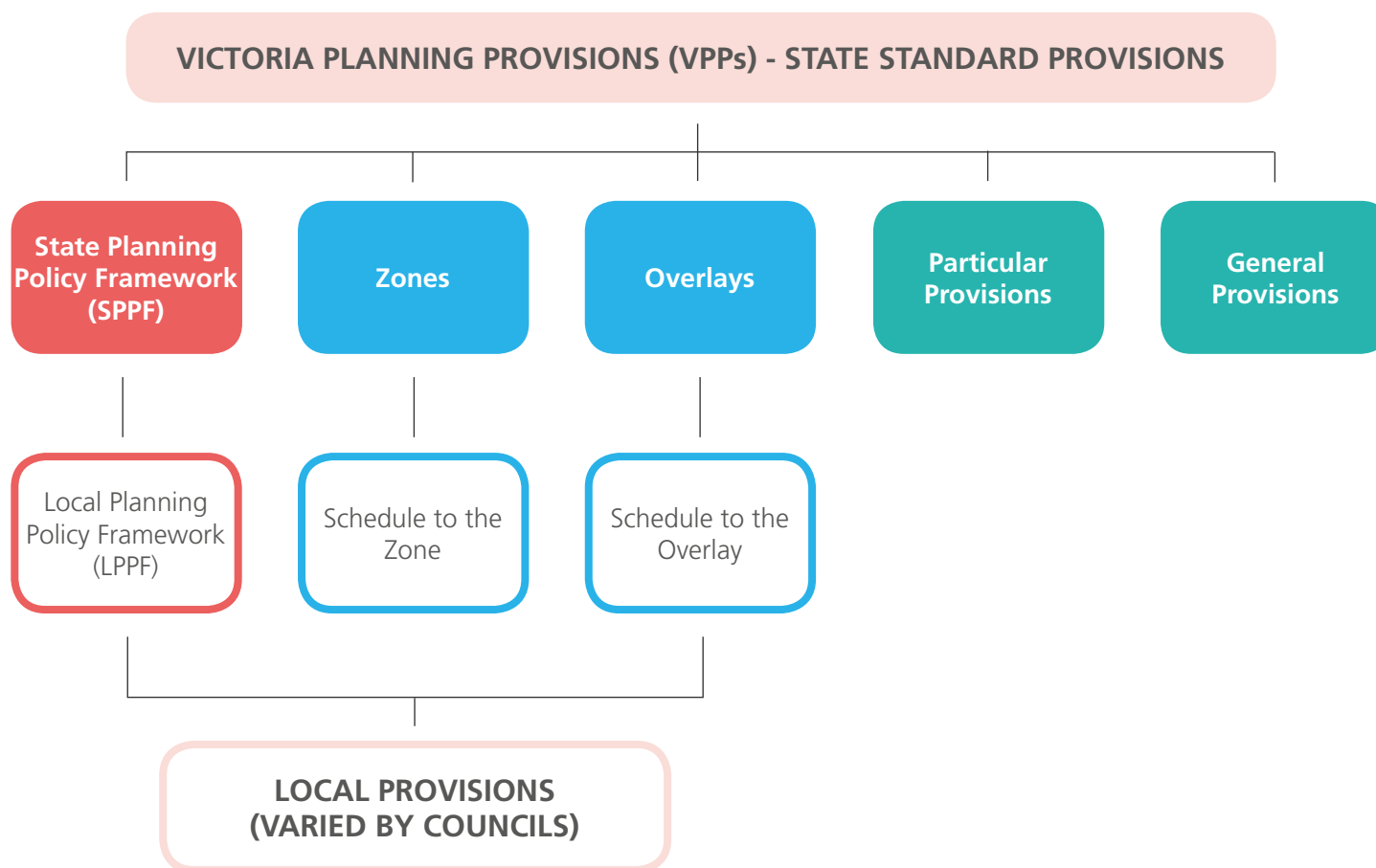
The Structure of Planning Schemes

Every Council in Victoria is required to prepare, maintain and update a planning scheme for its local government area (LGA). The scheme applies zones, overlays and other specific provisions that trigger the need for planning permission for different land use and development activities.

Within each planning scheme, there is a suite of State standard provisions maintained by the State government, and a series of local policies and schedules prepared by each Council based on their context and specific conditions.

The diagram to the right (**Figure 5**) details how the Victoria Planning Provisions (VPPs) or State standards relate to local provisions. The local planning policy framework (LPPF) constitutes local application of State-wide policies. They outline a profile of local conditions, and how a council will make decisions on specific issues based on the context.

Figure 5. Structure of Planning Schemes



2.3 State and Local Planning Policy Frameworks

State Planning Policy Framework

AMENDMENT VC121

On 21 December 2015, the Minister for Planning strengthened the State Planning Policy Framework by introducing a new 'Yarra River protection' policy at Clause 12.05-2 of the State Planning Policy Framework (SPPF), through Amendment VC121.

This Amendment gave statutory effect to the 'statement of significance' for the Yarra River corridor, which had been developed in the preparation of the Middle Yarra River Corridor Study.

The policy objective, reflecting the significance of the Yarra River to the people of Melbourne and Victoria, is to:

Maintain and enhance the natural landscape character of the Yarra River corridor in which the topography, waterway, banks and tree canopy are dominant features providing a highly valued, secluded, natural environment for the enjoyment of the public.

This objective is supported by strategies to:

- + Strengthen the river's natural environment, heritage and overall health
- + Maintain a sense of place and landscape identity
- + Retain and enhance people's enjoyment of the river and its environment

- + Ensure that development is designed and sited to maintain and enhance the river's secluded and natural environment.

Importantly, the policy provides that buildings should be of a height lower than the tree canopy and set back a minimum distance of 30 metres from the river's edge.

The policy also identifies the need to "avoid overshadowing of the river its banks and adjacent public open space to ensure that the amenity of the public realm is maintained year round."

These policy elements have shaped the detailed siting and design controls set out in each of the new DDO controls.

As the highest-level policy in all Planning Schemes, these objectives and strategies should:

- + Underpin any planning decision-making at a strategic or statutory level
- + Inform preparation of planning permit applications
- + Guide authorities' engagement with any environmental, land use or development management policies.

Local Planning Policy Framework

Municipal Strategic Statements of all of Lower-Middle Yarra municipalities identify the Yarra River as a key feature and an important environmental, cultural and recreational asset with high landscape significance.

For each municipality, it has been recommended that existing references within the MSS regarding the Yarra River be strengthened, using the context provided in the *Middle or Lower Yarra Corridor Study Recommendations Reports*, (2016). Detailed information about recommended changes is contained within a Municipal Toolkit, relevant to each Council.

An updated MSS could include:

- + The vision for the river set out in the Report; and
- + Key identified values for the river corridor within a Council's area.

The reports also recommend that the relevant *Middle or Lower Yarra Corridor Study Recommendations Reports*, (2016), be included as a reference document in each relevant Council's MSS or LPPF.

2.4 Land Use - Planning Zones

Introduction

Planning zones are the primary tool for controlling land use (e.g. residential, commercial, industrial, public park and recreation, mixed use), development, and subdivision.

A broad range of zones apply along the Yarra River corridor from its mouth to its source. Within the Lower Yarra and Middle Yarra portion of the corridor, there are residential and mixed use areas, parklands, commercial and industrial areas, and public use zones. In some cases, a main road also forms part of the river corridor; either at a crossing point where key views are afforded, or bordering parkland and following the course of the river itself.

This section provides a summary of the key purpose of each zone within the Yarra River corridor.

Key zones:

- + Residential Growth Zone (RGZ)
- + General Residential Zone (GRZ)
- + Neighbourhood Residential Zone (NRZ)
- + Low Density Residential Zone (LDRZ)
- + Rural Living Zone (RLZ)
- + Mixed Use Zone (MUZ)
- + Commercial Zones (C1Z and C2Z)
- + Industrial Zones (IN1Z and IN3Z)
- + Urban Floodway Zone (UFZ)
- + Public Park and Recreation Zone (PPRZ)
- + Public Conservation and Resource Zone (PCRZ)

- + Rural Conservation Zone (RCZ)
- + Public Use Zone (PUZ)
- + Special Use Zone (SUZ)
- + Road Zone, Category 1 (RDZ1)
- + Road Zone, Category 2 (RDZ2).

Generally, each zoning provision contains the following:

- + Purpose (fundamental focus of the zone in terms of land use and nature of development)
- + Policy objectives
- + Table of uses (permit not required, permit required, or prohibited)
- + Subdivision permit triggers
- + Buildings and works (development) permit triggers
- + Application or assessment requirements
- + Public notification requirements
- + Decision guidelines (what should the responsible authority - e.g. Council - consider when assessing a proposal within the zone?).

A detailed summary of permit triggers and decision guidelines which may be of interest to the Yarra Riverkeeper has been included at **Appendix A** of this document.



Zones Summary

RESIDENTIAL ZONES

Residential Growth Zone (RGZ)

Provides for housing at increased densities in buildings up to and including 4 storeys.

Enables new housing growth and diversity.

General Residential Zone (GRZ)

Respects and preserves urban character while enabling modest housing growth and housing diversity in well-serviced areas with good access to public transport.

Allows some educational, recreational, religious, community and a limited range of other non-residential uses in appropriate locations.

Neighbourhood Residential Zone (NRZ)

Restricts housing growth in areas identified for urban preservation.

Ensures development respects identified neighbourhood character, heritage, environmental or landscape characteristics.

Low Density Residential Zone (LDRZ)

Enables low density housing.

In some cases, requires lots to have on-site wastewater treatment.

INDUSTRIAL ZONES

Industrial 1 Zone (IN1Z)

Provides for manufacturing industry, storage and distribution of goods and associated uses while not affecting the safety and amenity of local communities.

Residential uses are prohibited.

Industrial 3 Zone (IN3Z)

Provides for industries and associated uses in areas where special consideration of the impacts of industrial uses is required or to avoid inter-industry conflict.

Provides a buffer between industrial areas with higher emissions and local communities, considering amenity impacts on nearby sensitive uses.

In the IN3Z, residential uses are prohibited.

COMMERCIAL ZONES

Mixed Use Zone (MUZ)

Provides for a range of residential, commercial, industrial and other uses that complement the 'mixed-use' function of a specific locality.

Enables residential development at higher densities than some of the residential zones.

Commercial 1 Zone (C1Z)

Creates vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.

Provides for residential uses at densities that complement the role and scale of the commercial centre.

Commercial 2 Zone (C2Z)

Provides for offices, some manufacturing and industries, bulky goods retail, other retail, business and commercial services.

Residential uses are prohibited.

To view an interactive map of zones and overlays in Victoria visit:
<http://mapshare.maps.vic.gov.au/vicplan/>

RURAL ZONES

Rural Living Zone (RLZ)

Provides for residential land uses in a rural environment.

Protects rural and natural environment, resources and biodiversity.

Allows some agricultural uses that won't negatively impact the amenity of surrounding (e.g. residential) uses.

Rural Conservation Zone (RCZ)

Protects and enhance the natural environment and natural processes for their archaeological and scientific interest, landscape, faunal habitat and cultural values.

Encourages development and use of land which is consistent with sustainable land management and land capability practices, and which takes into account the conservation values and environmental sensitivity of the locality

PUBLIC LAND ZONES

Public Use Zone (PUZ)

Recognises public land use for public utility, community services and facilities.

Provides for associated uses that are consistent with the intent of the public land reservation or purpose.

Purposes may be: health, education, transport, service and utility, cemetery/crematorium, local government or other public use.

Public Park and Recreation Zone (PPRZ)

Recognises areas for public recreation and open space.

Protects and conserves areas of significance.

Public Conservation and Resource Zone (PCRZ)

Protects and conserves the natural environment and natural processes for their historic, scientific, landscape, habitat or cultural values.

Provides facilities which assist in public education and interpretation of the natural environment with minimal degradation of the natural environment or natural processes.

SPECIAL PURPOSE ZONES

Urban Floodway Zone (UFZ)

Identifies waterways, major flood paths, drainage depressions and high hazard areas within urban areas which have the greatest risk and frequency of being affected by flooding.

Protects water quality and waterways as natural resources.

Special Use Zone (SUZ)

Recognises or provides for the use and development of land for specific purposes as identified in a schedule in this zone.

Road Zone (RDZ1 or RDZ2)

Identifies significant (e.g. main/arterial) existing roads and land which has been acquired for a significant proposed road.

Figure 6. Planning Zones - Cremorne to Hawthorn

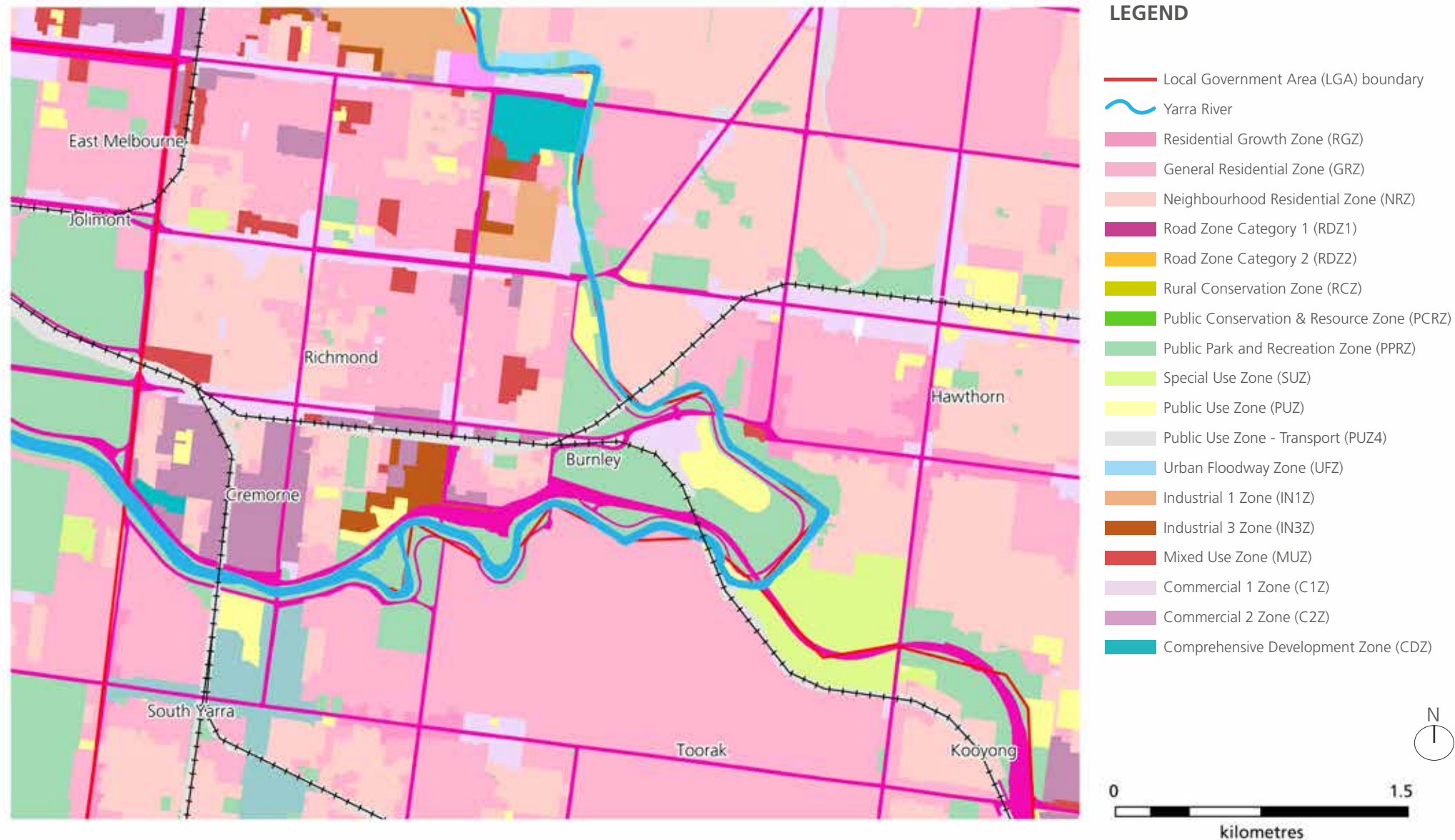


Figure 7. Planning Zones - Collingwood to Alphington

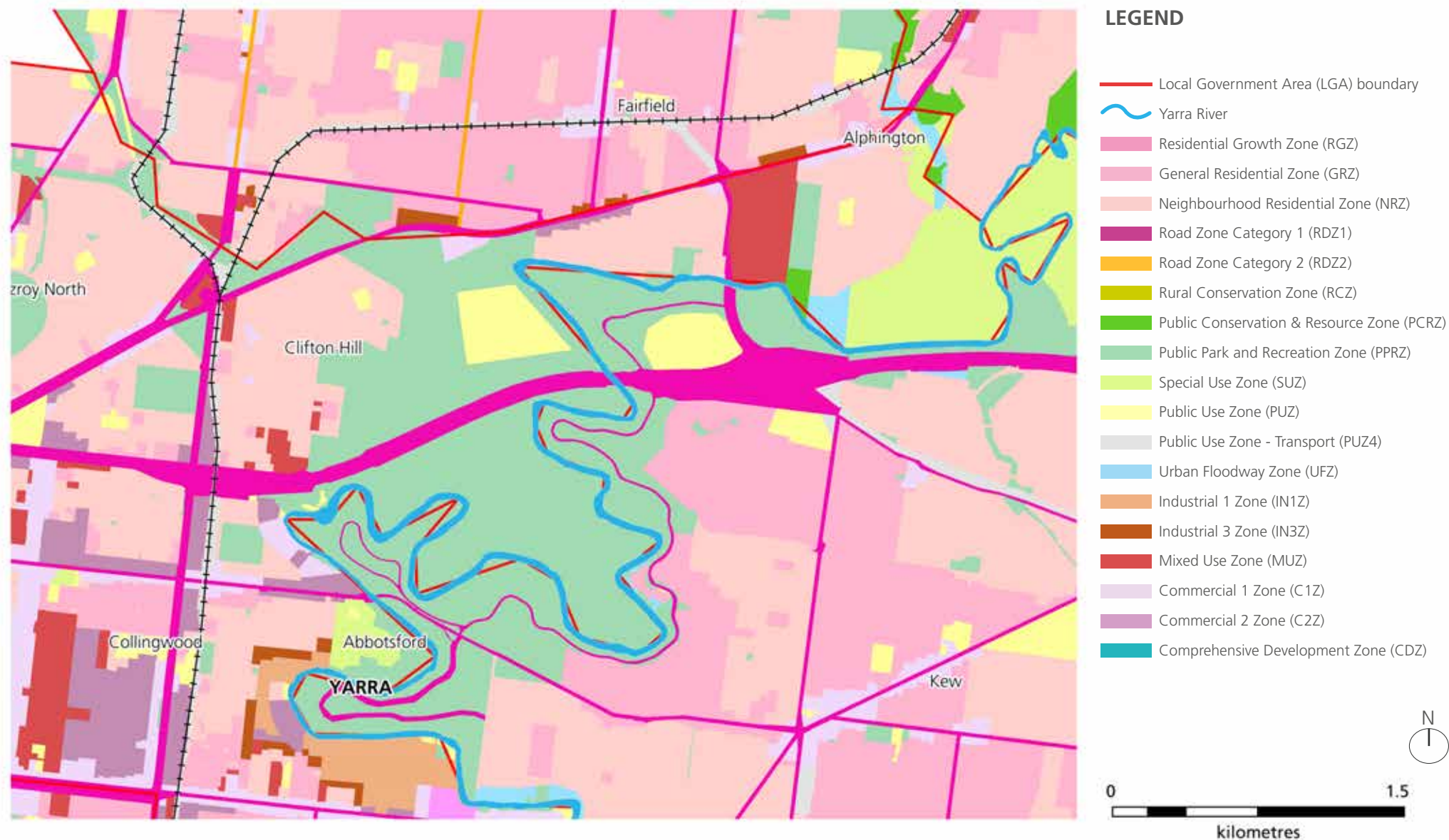


Figure 8. Planning Zones - Kew North to Bulleen

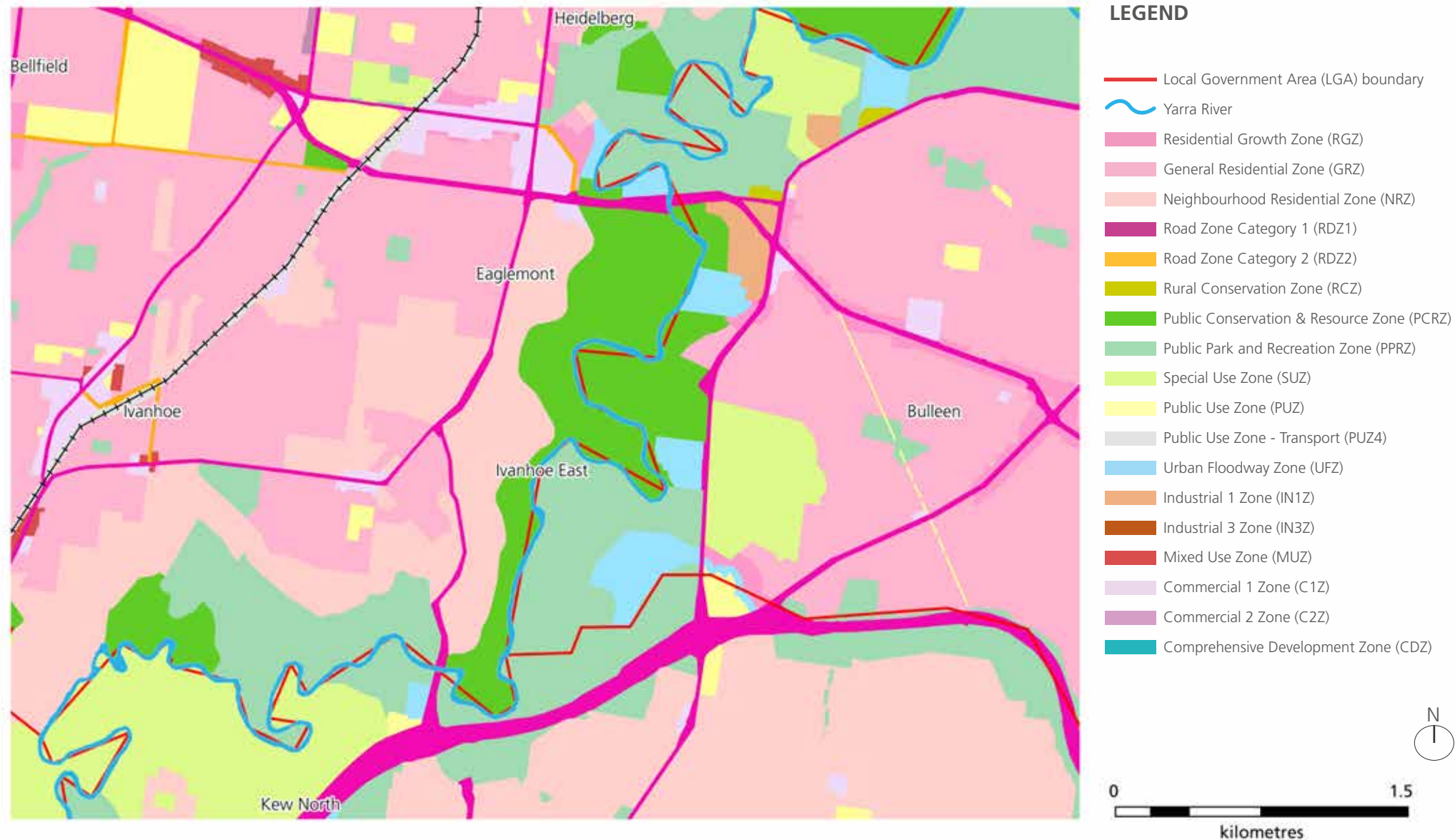


Figure 9. Planning Zones - Rosanna East to Templestowe Lower

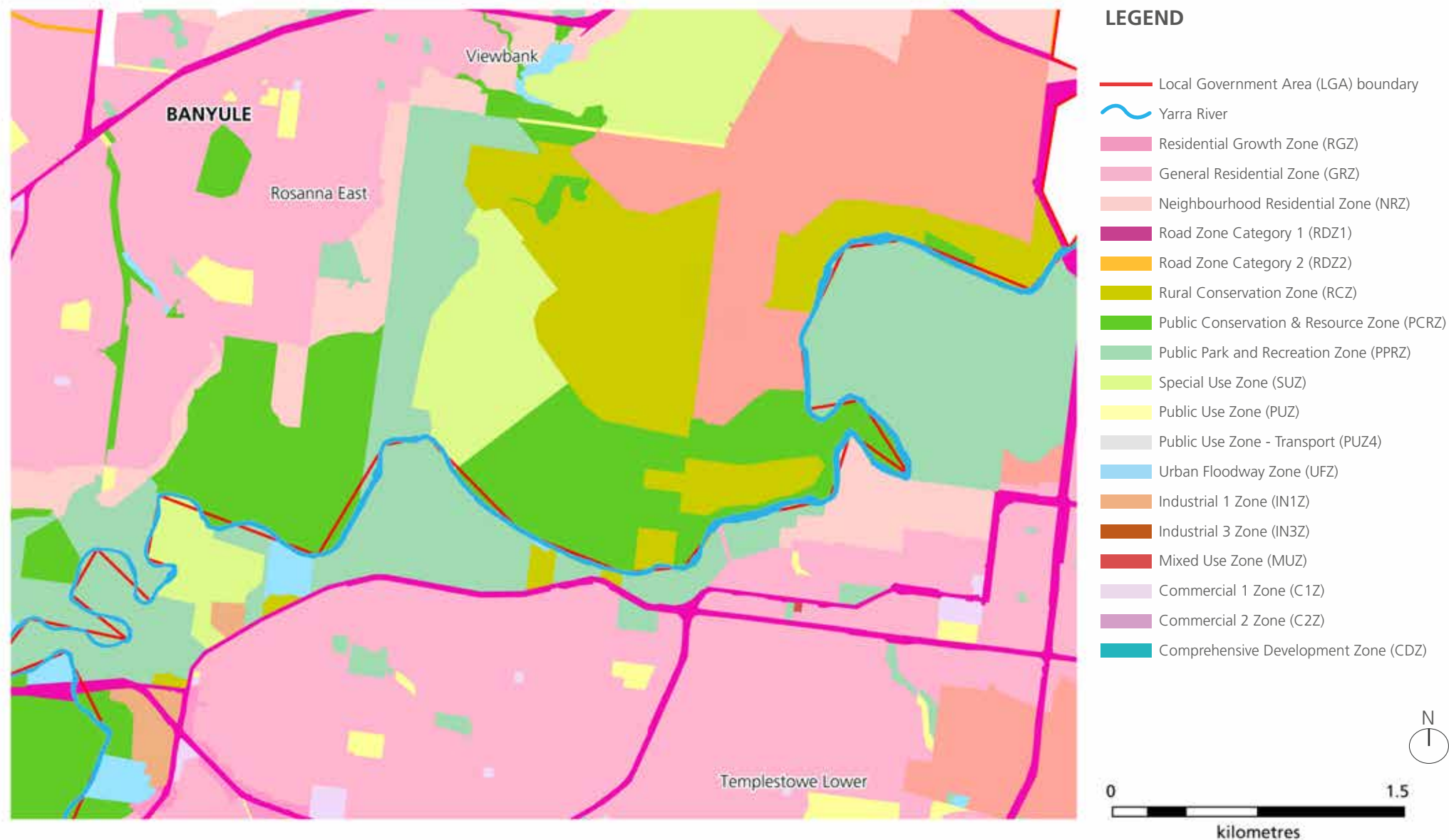
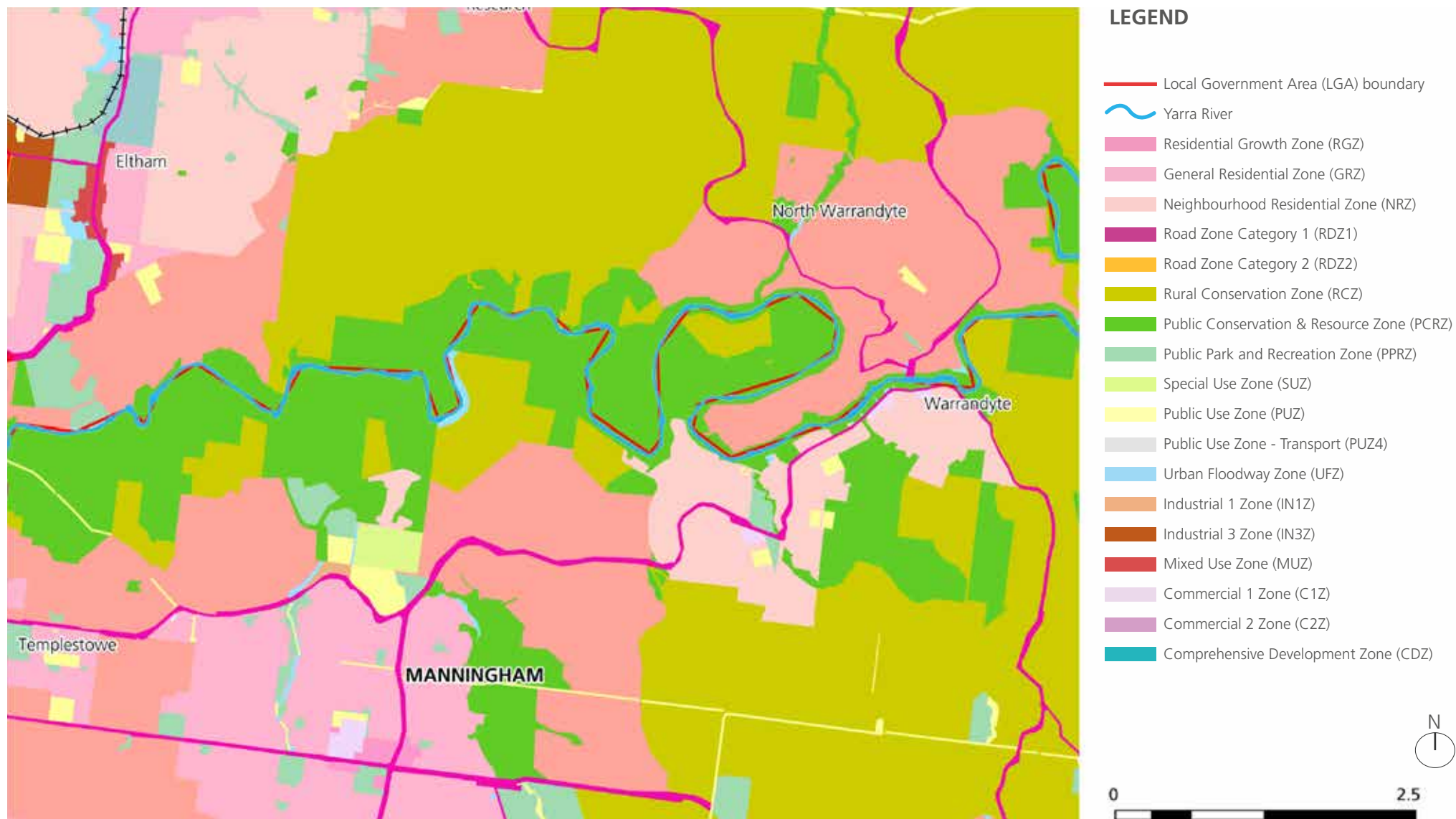


Figure 10. Planning Zones - Templestowe to Warrandyte



2.5 Development Overlays

Introduction

Planning overlays apply in addition to zones in order to address specific development, land management or environmental issues. They may support particular design or environmental management objectives, address environmental risks, protect heritage or landscape values, identify land for public acquisition or protect land uses such as airfields and wastewater treatment plants. If multiple issues apply to a single location more than one overlay may be applied.

Key overlays:

- + Design and Development Overlay (DDO)
- + Significant Landscape Overlay (SLO)
- + Environmental Significance Overlay (ESO)
- + Vegetation Protection Overlay (VPO)
- + Heritage Overlay (HO)
- + Land Subject to Inundation Overlay (LSIO)
- + Public Acquisition Overlay (PAO)
- + Incorporated Plan Overlay (IPO) & Development Plan Overlay (DPO).

The Design and Development Overlay (DDO) and the Significant Landscape Overlay (SLO) are directly relevant to the Yarra River corridor. These two controls have been applied under the new Yarra River protection policies, and are discussed in detail in the next section (4.5: New Overlays for Yarra River Protection).

Generally, each overlay provision contains the

following:

- + Purpose
- + Policy objectives - in some cases presented as a statement of significance or outline of design outcomes or landscape character to be achieved
- + Subdivision permit trigger (not included in every overlay)
- + Buildings and works (development) permit triggers
- + Vegetation removal permit triggers (not included in every overlay)
- + Application or assessment requirements
- + Public notification exemptions and requirements
- + Decision guidelines (what should the responsible authority - e.g. Council - consider when assessing a proposal within the overlay?).

Overlays Summary

ENVIRONMENT AND LANDSCAPE OVERLAYS

Environmental Significance Overlay (ESO)

The ESO aims to identify areas where development of land may be affected by environmental constraints and where identified environmental values need to be protected. The ESO is commonly applied along the Yarra River to areas of particular environmental significance.

Vegetation Protection Overlay (VPO)

The purpose of the VPO is to protect areas of significant vegetation. A key aim is to ensure that development avoids or minimises the loss of vegetation.

A schedule to the overlay (locally applied) must contain a statement of significance that explains the reasons why vegetation is to be protected, and objectives linked to achieving vegetation protection.

Under the VPO, a permit is required to remove, destroy or lop any vegetation, subject to a number of exemptions.

The type of vegetation protected in the controlled area must also be specified in the overlay schedule.

The VPO decision guidelines provide tests to consider the significance of vegetation to be protected, as well as the effect of the proposed use, buildings and works or subdivision on the nature and type of vegetation to be protected.

To view an interactive map of zones and overlays in Victoria visit:
<http://mapshare.maps.vic.gov.au/vicplan/>

HERITAGE AND BUILT FORM OVERLAYS

Heritage Overlay (HO)

The HO is used to identify, conserve and enhance places of natural or cultural significance.

It seeks to ensure that development does not adversely affect those elements which contribute to the significance of heritage places.

Planning permission is required for subdivision, buildings and works, demolition, construction of a fence and other minor alterations and additions. A tree or garden may be identified as having heritage significance and covered by the HO, in which case planning permission would be required to remove the tree or alter a garden's design.

The HO decision guidelines relate to the impact proposed changes may have on the significance of a heritage place.

LAND MANAGEMENT OVERLAYS

Land Subject to Inundation Overlay (LSIO)

The LSIO is used to identify land in a flood storage or flood fringe area that is likely to be affected by the 1 in 100 year rainfall event. Its purpose is to:

- Ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.

Planning permission is required for subdivision, to construct a building or carry out works, including for a fence, roadworks, bicycle trails and paths, public toilets, and some other minor structures, depending on the floor level proposed.

Any planning permit application in the LSIO requires a referral to the catchment/floodplain management authority, such as Melbourne Water.

Decision guidelines relate to the relevant need to ensure safe overland passage of floodwater, and to protect property and human safety in flood-affected areas.

Public Acquisition Overlay (PAO)

The PAO is applied to land identified for acquisition by a Minister, council, or other public authority (e.g. VicRoads).

The PAO seeks to ensure that land use and development does not prejudice the purpose for which the land is to be acquired. Planning permission is also required for demolition, changes in land use, buildings and works, certain types of vegetation removal and subdivision.

An application must be referred to the acquiring authority, and decision guidelines relate to preservation of the land for its intended future purpose.

INCORPORATED PLAN OVERLAY (IPO) & DEVELOPMENT PLAN OVERLAY (DPO)

The IPO and DPO are applied to sites where the future land use and development must be shown on a plan before a permit can be granted. They set out specific design and development requirements which must be adhered to. Under an IPO, a proposal must be exactly in accordance with the Incorporated Plan. Under a DPO, a proposal must be generally in accordance with the Development Plan, which will be determined at Council's discretion. Both overlay controls remove third party appeal rights once in operation. However, they are both introduced through a Planning Scheme Amendment, and this process allows for input from the community and stakeholders.

Despite the above, the Yarra Riverkeeper Association has found that the community can be less likely to involve itself with planning at the amendment stage, due to its theoretical nature, longer-term implementation pathway and that issues at the time of amendment may not be the same as at the time construction commences. The Association's experience is that the community is more likely to engage with the planning system when development commences, and outcomes can be seen. It is the Association's view that third party appeal rights should be maintained, particularly on large-scale strategic development sites. This will also ensure new residents, who were not living in the area at the amendment stage, are given opportunities to participate.

Figure 11. Key Planning Overlays - Cremorne to Hawthorn

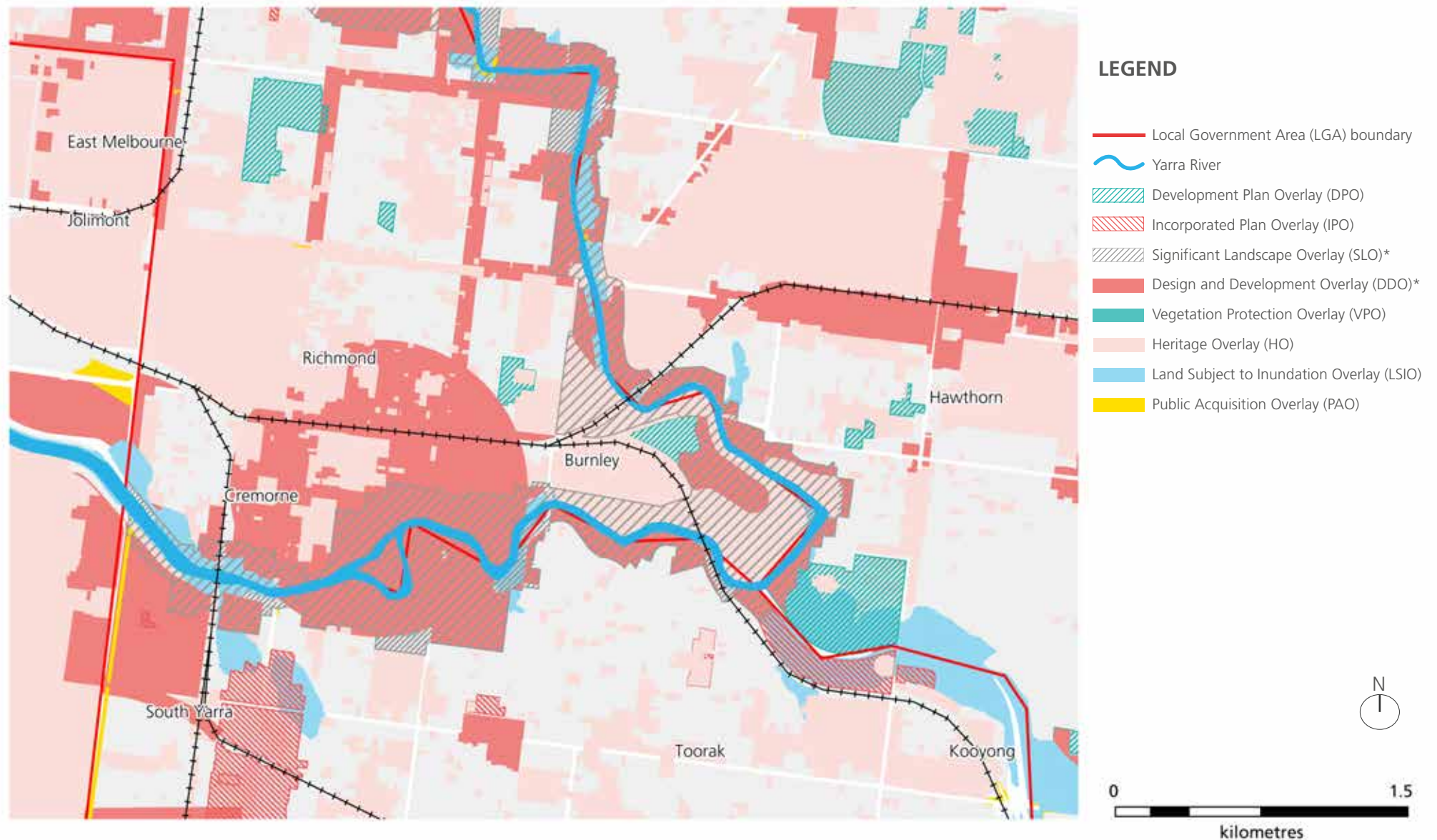


Figure 12. Key Planning Overlays - Collingwood to Alphington

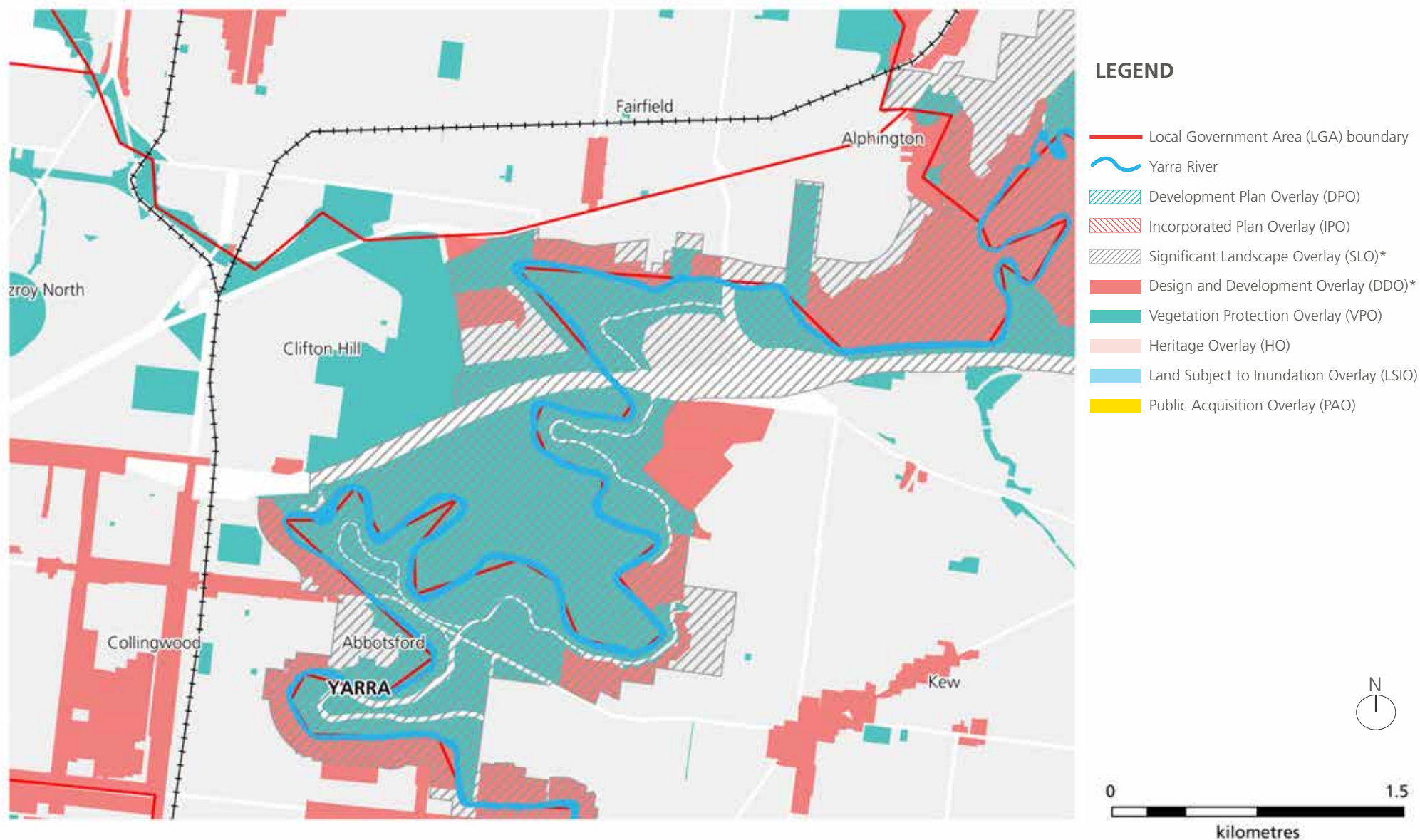


Figure 13. Key Planning Overlays - Kew North to Bulleen



Figure 14. Key Planning Overlays - Rosanna East to Templestowe Lower

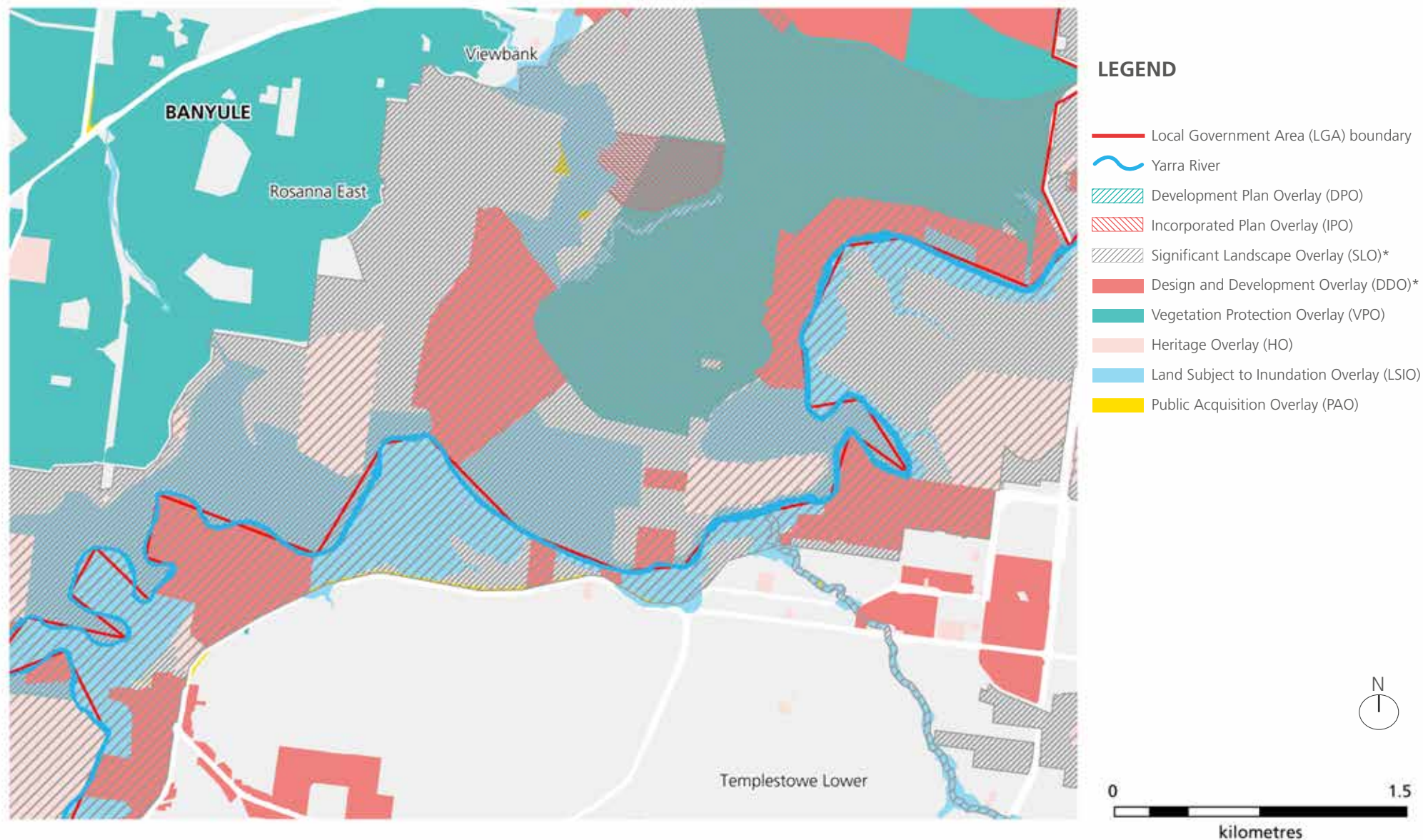
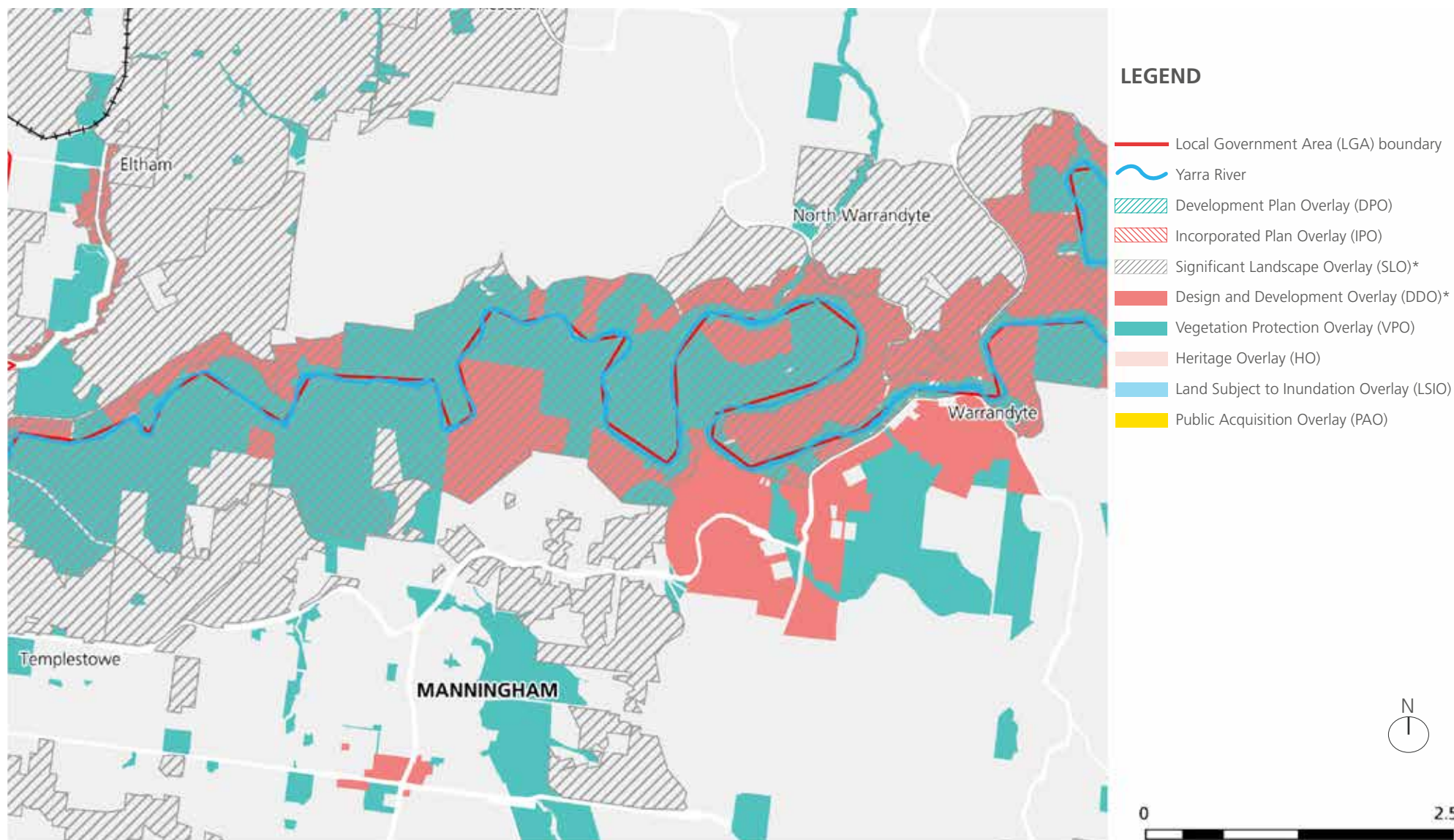


Figure 15. Key Planning Overlays - Templestowe to Warrandyte



2.6 New Overlays for Yarra River Protection

Design and Development Overlay

The DDO is applied to all privately owned land immediately adjacent to, or within close proximity of, the Yarra River. The extent of the new DDO is shown on the maps on the following pages.

It manages built form outcomes by setting mandatory maximum building heights and mandatory minimum building setbacks from the river's edge. It also includes detailed design requirements.

Amendment GC48 replaces existing DDO controls in the Yarra, Boroondara and Stonnington Planning Schemes, and introduces a new DDO control to Nillumbik, Manningham and Banyule.

Under the new DDOs, Melbourne Water is nominated as a Recommending Referral Authority for development within 100m of the waterway.

OPERATION

The new DDO schedules trigger a planning permit requirement for:

- + Subdivision
- + All buildings within prescribed setbacks (including a fence)
- + Other works, including earthworks to excavate or fill, construction of a swimming pool or tennis court.

A mixture of mandatory and discretionary controls are contained within the schedules, which are tailored relevant to the context of each local

government area.

Mandatory controls applied by the schedules cannot be varied by a planning permit approval. The mandatory controls relate to:

- + Building height
- + Setbacks (from the Yarra River)
- + Overshadowing of the river banks and waters, measured on 22 June between 11am and 2pm.

The discretionary provisions of the schedules can be varied by a planning permit, based on the contextual assessment.

These include:

- + Fencing design within the prescribed setbacks
- + Allowance for replacement buildings within prescribed setbacks, provided the overall building height is limited as set out in the DDO for the relevant area
- + Limitation on site coverage, including areas covered by a swimming pool or tennis court
- + Avoidance of reflective colours and finishes in building materials to ensure development blends in with the natural landscape.

For applications within 100m of the banks of the Yarra River, applications must be referred to Melbourne Water for comment. As a recommending referral authority, Melbourne Water's advice must be considered when deciding an application.

Any referral response will be used to assist in the assessment of:

- + Vegetation removal
- + Impacts on environmental/waterway values
- + Bank stability/erosion
- + Impacts of runoff on the riverine environment
- + Impacts of excavation and other earthworks.

The design considerations and decision guidelines within the new DDO are organised into three categories:

- + Landscape protection
- + Siting and design
- + Site coverage and permeability.

The responsible authority will consider how a proposal responds to those design elements as part of its assessment.

Any objection made to Council about an application should draw on the design objectives and decision guidelines as the basis for the submission.



Significant Landscape Overlay

OVERVIEW

The new SLO schedules have been applied to all land irrespective of tenure within approximately 100-400m of the centreline of Yarra River.

The extent of the new SLO is also shown on the maps on the previous and following pages.

The SLO controls the removal of vegetation and the construction of buildings and works that might affect the riverbank. It replaces existing Environmental Significance Overlays (ESOs) and SLOs in various planning schemes.

There is no referral requirement to Melbourne Water under the SLO. Any referral under another provision (e.g. LSIO or UGZ) would still apply wherever relevant.

OPERATION

The new SLO schedules trigger a planning permit requirement for:

- + Buildings and works
- + Removal, destruction or lopping vegetation
- + Construction of a fence within 30m of the Yarra River
- + Earthworks (i.e. cut and fill).

The schedules also manage the siting and design of buildings. They provide exemptions for buildings and works that are less than 6m above natural ground level, and sets out detailed objectives and decision guidelines related to the design and siting of new built form.

Applications assessed against the schedules will need to demonstrate how the proposed changes avoid negative impacts on identified landscape significance.

The SLO provisions require consideration of public open space and access to the Yarra River, including the location of boating infrastructure.

They also require the responsible authority to consider:

- + Whether development results in the loss of, or creates inappropriate access to the Yarra River and its parklands.
- + Whether opportunities exist to co-locate new buildings with existing buildings on public land, particularly at the banks of the Yarra River.

Any objection to an application should draw on the landscape character, design and siting objectives and decision guidelines as the basis for the submission.

Figure 16. Design and Development Overlay, Significant Landscape Overlay - Templestowe to Warrandyte

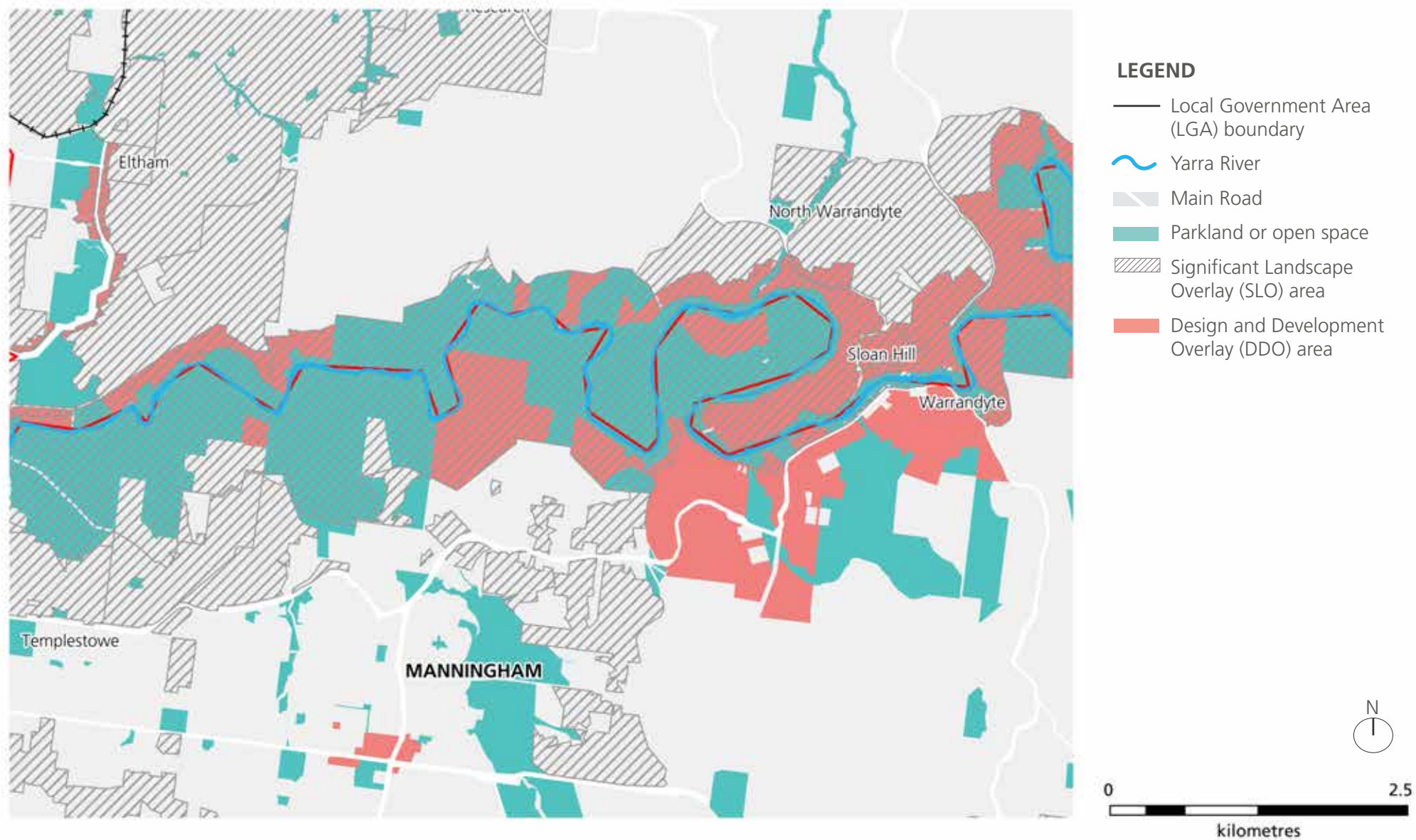


Figure 17. Design and Development Overlay, Significant Landscape Overlay - Cremorne to Hawthorn



Figure 18. Design and Development Overlay, Significant Landscape Overlay - Collingwood to Alphington



Figure 19. Design and Development Overlay, Significant Landscape Overlay - Kew North to Bulleen



Figure 20. Design and Development Overlay, Significant Landscape Overlay - Rosanna East to Templestowe Lower



2.7 Other Policies & Strategies



Yarra River Action Plan

The *Yarra River Action Plan* (2017) is a State government document that was released in February 2017. The plan is the government's response to recommendations made by the Yarra River Protection Ministerial Advisory Committee (Yarra MAC), presented to the government in late 2016.

The Action Plan is guided by five objectives:

- + A healthy river
- + The Great Yarra Parklands
- + A culturally diverse riverscape
- + Securing the Yarra footprint
- + Modern governance.

Linked to the five objectives are 30 implementation actions, including a new Yarra Protection Bill. The actions include preparation of a *Yarra Strategic Plan*, which will give effect to the community vision for the Yarra and its landscape, providing an overarching spatial and management context for localised planning along the river.

Yarra Strategic Plan

The *Yarra Strategic Plan* is currently being prepared by the State government, within the Department of Environment, Land, Water and Planning (DELWP) and with Melbourne Water as the lead agency.

A key outcome of the *Yarra Strategic Plan* will be an updated and consistent governance framework for the river. Currently, a patchwork of planning controls apply along the river corridor, and this has resulted in varied development outcomes, some of which have impacted negatively upon the amenity, environment or landscapes of the river.

Plan Melbourne 2017-2050

Plan Melbourne is a long-term plan to accommodate Melbourne's future growth in population and employment.

Policy 4.1.4 of the Plan is to 'protect and enhance the metropolitan water's edge parklands.'

The Plan notes that 'the Yarra River and its parklands shaped the development of Melbourne and are essential to the identity, liveability and prosperity of the city. The magnificent natural riverscape and network of parklands are a legacy of protection and planning decisions of the past'.

Policy 4.5.2 is to 'protect and enhance valued attributes of distinctive areas and landscapes'. It notes the recreational and tourism benefit of the river, its important open space function and its environmental values.

Policy 6.5.2 is to 'protect and enhance the health of urban waterways'. It notes the need to manage stormwater runoff and the impact of climate change.

Middle & Lower Yarra Studies

The *Lower Yarra River Corridor Study* (Planisphere, 2016) and the *Middle Yarra River Corridor Study* (Planisphere, 2016) were commissioned by the State Government and prepared collaboratively with a Project Reference Group comprising representatives of Melbourne Water and the six local Councils in the study area.

APPROACH & METHODOLOGY

A typological approach was taken in these studies to provide an overview understanding of the river's landscape, which is complex and varied throughout the study area.

Nine different 'river interface character types' were identified, based upon elements such as built form, land use, topography, vegetation and access.

Objectives were proposed for the future management of development within each typology, setting out the way in which future built form should relate to the underlying landscape values of each part of the river.

The extent of ground that planning controls need to cover has been an important consideration for Yarra River protection.

Geographically speaking, the Yarra River and its valley form an expansive landscape. The distance that planning controls should be applied from the river's edge was determined through cross-sectional analysis of the river's topography, vegetation and development patterns.

Three 'areas of management' were identified:

- + The 'landscape setting corridor', which forms the wider landscape of the river valley, and has formed the basis of the new SLO schedules.
- + The 'river experience corridor', which is the principal 'zone of visual influence', and includes land immediately adjoining the river and the places where it can be experienced, such as the parklands and recreation trails along its banks. This has formed the basis of the new DDO.
- + The 'waterway corridor', which comprises the river itself and its immediate banks and is managed by Melbourne Water.

DOCUMENT SUITE

Each Study comprises an overarching Recommendations Report and a Municipal Toolkit. The latter presents the analysis and recommendations for each local Government area.

The Recommendations Report for each study area includes:

- + A history of planning for the Yarra River
- + Identified values of the Yarra River
- + Descriptions of river interface character types, which have been used to analyse the different landscapes of the river corridor and the level of visible development within each
- + Descriptions of key viewpoints throughout the river corridor

- + Analysis of the planning framework and identification of gaps in planning controls
- + The approach to managing development within the river's landscape, including establishing mandatory building heights and setbacks.
- + Management recommendations for each section of the river to protect the corridor from inappropriate development.

The Municipal Toolkit for each Local Government area includes:

- + An overview of the river's landscape values, character and key views in the municipality
- + Analysis of the municipality's planning framework and identification of gaps in planning controls
- + Local area recommendations regarding building height, setback, overshadowing and other detailed design issues.





Engaging with the Planning System

3

3.1 Policy Contribution

Overview

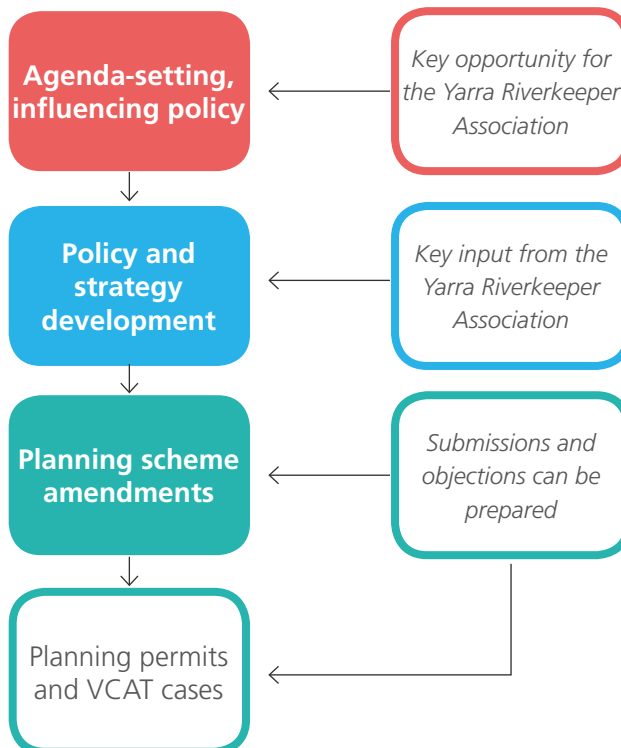
Based on the Yarra Riverkeeper Association (YRKA)'s framework and objectives, this project has identified that there are several times when the Association may want to be involved with the planning system and processes; illustrated in the diagram at right.

The key opportunities are:

- + Ongoing advocacy via agenda-setting at a broad scale, for example engaging with governments at election time
- + Participating in policy and strategy development at the State and local government level, for example seeking membership of key stakeholder working groups that are consulted by Council on a regular basis
- + Writing submissions to Planning Scheme Amendments at the early stages, presenting to Planning Panels or lobbying the State government at later stages
- + Writing submissions to individual planning permit applications and submitting appeals to VCAT.

It is in the YRKA's best interest to contribute to agenda-setting and influence policy, to ensure planning outcomes at later stages occur in line with its core principles and expectations for land use and development within the Yarra River lands.

KEY OPPORTUNITIES FOR ENGAGEMENT



This section provides an overview of how to engage with Strategic and Statutory Planning Processes. It then examines a series of key issues that the YRKA may wish to engage with as part of its advocacy program.

The issues have been selected for analysis as they have potential to impact upon the Association's vision, aims and objectives as they relate to the future land use, development and amenity of the Yarra River lands.

For each issue, an explanation of key considerations for the YRKA is followed by some guidelines when seeking to engage with the process or redevelopment, based on:

- + Key issues
- + Outcomes sought
- + Mechanisms to achieve this
- + Key players.

Issues and opportunities for potential outcomes that may be of benefit to the land owner, the community and the river have been discussed.

These key issues could be used to support future advocacy activities when the YRKA seeks involvement in a planning matter.

3.2 Planning Permit Applications

Overview

There are two formal ways the Yarra Riverkeeper Association (YRKA) can engage with planning within the Yarra River corridor:

1. As a submitter to a planning permit application
2. As a submitter to a planning strategy or amendment being prepared by a Council or the State government.

In the case of the former, the YRKA would be responding to a planning permit application lodged by another party.

The latter would relate to high-level strategic planning projects such as preparation of Structure Plans, Master Plans, Development Plans or other rezoning work Council may be undertaking that include part of the Yarra River Corridor. An example would be an industrial lands strategy that may include portions of land zoned for industry that abuts or is in close proximity to the Yarra River.

This chapter outlines how the YRKA can best engage with the planning system, and how submissions can best be made citing the appropriate information and advocating for the organisation as a key stakeholder in matters relating to land use and development within the Yarra River corridor.

Objecting to a Planning Permit Application

A planning objection is a submission that opposes a planning permit application. Any person can submit an objection within a certain time frame.

Submissions in support of an application are also accepted. These must be submitted in writing and will be considered alongside any objections as part of the review and approval processes.

WHEN CAN YOU OBJECT?

An objections should identify and address all relevant planning considerations. Caution needs to be exercised as an objection that focusses excessively on irrelevant matters may take emphasis away from important planning considerations.

Importantly, a responsible authority (such as a Council) is obliged to take into account all objections before making a decision.

In an urban or residential context the following are important considerations:

- + Detriment to the amenity of the area, including the features, benefits or advantages of the local environment which people currently enjoy.
- + Effect on views, noise, traffic, general atmosphere of area, and
- + Impact on the preferred or existing character of the neighbourhood.

PLANNING PERMIT TRIGGERS

When making an objection to a planning permit

application it is crucial that the objection responds to the planning issues which have triggered the need for a planning permit. These are the issues which the responsible authority will give the most weight when considering an application. A trigger is a clause within the scheme which requires a permit for a particular use or form of development.

There is a variety of planning triggers in the planning scheme and a proposal may have multiple permit triggers.

DECISIONS ON PERMIT APPLICATIONS

What must the responsible authority take into account:

- + The relevant planning scheme
- + All objections and submissions it has received, if notice of the application was required
- + Any decision and comments of referral authorities
- + Any significant effects the RA considers the use or development may have an effect on the environment or which the responsible authority considers the environment may have on the use or development.

WHAT ELSE CAN BE CONSIDERED?

What must the responsible authority take into account:

- + Any significant social and economic effects of the use or development
- + Strategic plans, policy statements, codes or guidelines that have been adopted by a Minister, government department, public authority of local council.
- + Any amendment to the planning scheme, which has been adopted by a planning authority
- + Any agreements between the Responsible Authority and the land owner which effect land under S173 of the Planning and Environment Act; and
- + Any other relevant matter

DECISIONS

The responsible authority (e.g. Council) may decide to:

- + Grant a permit;
- + Grant a permit subject to conditions; or
- + Refuse to grant a permit on any grounds it thinks fit.

APPEALS

An objector is entitled to appeal to VCAT in respect of a decision of a responsible authority to grant a planning permit.

MINISTERIAL 'CALL-IN'

Before a responsible authority has made a decision about a planning permit, the minister for planning may 'call in' the application if it appears to the minister that:

The Planning Applications raises a major issue of policy and determination of the application may have a substantial effect on achievement or development of planning outcomes

The decision on the application has been unreasonably delayed or to the disadvantage of the permit applicant; or

The use or development to which the application relates is required to be considered by the minister under another law.

SUBMISSIONS TO THE MINISTER OF PLANNING

Where an application is to be decided by the minister, s/he generally must appoint an independent planning panel and refer any submissions or objections to the Panel.

The Panel must give anyone who made a submission or raised an objection or any other person affected by the permit application, a reasonable opportunity to be heard, and must consider their objections or submission.

KEY CONSIDERATIONS

Ex-Industrial Areas

- + The waterway, river banks, riverside parkland and recreational trails are not overshadowed.
- + Retention of the natural topography of the riverbanks
- + Elements of identified industrial heritage are retained
- + New buildings do not overwhelm the width of the Yarra River
- + Further encroachment of the built form into the Yarra River corridor is avoided
- + Strong landscaped edge to river and adjoining open space is to screen views to buildings is maintained and strengthened
- + Tree canopy is retained and enhanced as the dominant visual elements along the skyline

Residential Areas

- + Low density character is maintained.
- + Visibility of buildings from the river, adjoining parkland and the opposite bank is minimised or avoided where possible.
- + Strong landscaped edge to river and open spaces to screen views to buildings.
- + Further encroachment of built form into the river corridor is avoided.
- + Tree canopy is retained and enhanced as dominant visual element.

Rural Areas

- + Rural, bush character is maintained.
- + Visibility of buildings from the river, adjoining parkland and the opposite bank is avoided where possible.
- + Strong landscaped edge to the river and conservation areas to screen views to buildings is maintained.
- + Further encroachment of built form into the river corridor is avoided.
- + Tree canopy is retained and enhanced as the dominant visual element in the landscape.

3.3 Planning Strategy

Overview

Engagement with the preparation of planning strategies gives the Yarra Riverkeeper Association (YRKA) the opportunity to contribute to the preparation of guidelines and plans which regulate and direct development and activity within the Yarra River corridor.

As the key community group speaking on behalf of the whole river and its corridor, the YRKA is well-placed to assert its role as a key stakeholder in planning discussions that relate to the river at the State and local government level.

This section outlines how the YRKA can best engage with the planning system. It also suggests ways that submissions can best be framed, citing the appropriate information and advocating for the organisation as a key stakeholder in matters relating to land use and development within the Yarra River corridor.

What is a Planning Strategy?

Examples of planning strategies that may be relevant to the YRKA include, but are not limited to:

- + Housing Strategies
- + Neighbourhood Character Strategies
- + Development Plans and Site Master Plans
- + Structure Plans
- + Transport, walking and cycling strategies
- + Rural Land Use Strategies
- + Open Space and Biodiversity Strategies.

Planning strategies set out a framework that can be used to guide land use, development, environmental considerations and future planning. These strategies play an important role in managing change and identifying particular areas where change may be encouraged or moderated. For example, highlighting residential areas that can accommodate greater housing growth to address population change (a housing strategy), or areas that are culturally and environmentally significant and require protection (e.g. the Yarra River Corridor Studies).

Strategies may specify types of land use or development that are encouraged, set out a level of appropriate development density, or provide guidelines for the design and appearance of buildings. These types of planning strategy provide the basis of detailed information required to undertake a policy change at the State or local government level.

As an example, a housing strategy generally will identify locations for more intensive apartment development and areas for more modest incremental housing change. A neighbourhood character study will identify residential areas with unique character values and determine ways to maintain and extend that character.

CHANGING POLICY

In the planning system, most strategies culminate in changes to the Planning Scheme. A strategy's recommendations may set out the requirements that future planning applications for development must adhere to for approval, in other words, the rules that development will be assessed against.

A housing strategy may provide the rationale for implementing new zones and planning controls into a Planning Scheme about what type of residential uses and development are appropriate in a given location. The strategy may also recommend additional objectives and strategies relating to housing, such as encouraging housing diversity, affordable housing or environmentally sensitive design (for example).

Most planning strategies, particularly those prepared by local government, State government or a statutory authority, provide an opportunity for the community and relevant stakeholders to participate in community engagement or consultation.

Planning strategies are generally implemented into their relevant Planning Schemes through a 'planning scheme amendment' process. This process often includes assessment by an independent Planning Panel, established through the State government.

As part of the scheme amendment process, public exhibition occurs (like a planning application being publicly advertised). At this stage, submissions to the strategy can be made in a similar way that planning permit application objections can be made. If deemed appropriate, a Planning Panel hearing will be called to consider policy changes recommended by the strategy and amendment process, and hear from submitters about changes or concerns made in their statements.

The Yarra Riverkeeper as a 'Key Stakeholder'

As highlighted above, the YRKA should play a role in the preparation of planning strategies as a 'key stakeholder'.

A group like the YRKA can be involved in the preparation of planning strategy in a number of ways:

- + Making a written submission to current proposals
- + Completing online surveys or feedback forms relating to current strategic work
- + Attending project-based workshops
- + Advocating to State and local government for the YRKA to sit as a member of a Project Reference Group (PRG) or Stakeholder Reference Group (SRG)

- + Encouraging YRKA members and supporters to make submissions
- + Engaging with planning departments at the State and local government level, as well as other authorities (e.g. Melbourne Water) to request notification of 'projects of interest' to the YRKA

The YRKA should prepare a key statement, based on the Association's objectives, that can be used as a lobby document in approaching State government, local councils and other government authorities.

Such a document could communicate the role of the YRKA and its responsibilities. The aim of such engagement with different tiers of government would be to hear about the preparation of planning strategy and contribute to the discussion at an early stage.

The YRKA could make recommendations that certain considerations are included in any project that may engage or have an interface with, the Yarra River corridor.

KEY ISSUES

- + The YRKA is not always included in key stakeholder processes for planning strategies that affect/involve the Yarra River, its corridor and parklands.
- + Without the YRKA's voice, strategic planning processes for the Yarra River may not reflect the principles it stands for, including integrated management of the Yarra River and all its tributaries.

OUTCOMES SOUGHT

The Yarra Riverkeeper Association should:

- + Speak for enhancing and protecting the Yarra River corridor 'for all Victorians' through the extension of controls.
- + Speak for equity of access to the Yarra River corridor and public spaces within the corridor.
- + Speak for new and improved open spaces.
- + Speak for improved integrated water management activities.
- + Speak for the funding and deliver of walking and cycling trails.
- + Speak for the inclusion/exclusion of sites in a study.

MECHANISMS TO ACHIEVE THIS

- + Talk to and build relationships with all tiers of government.
- + Talk to key strategic interests where the YRKA should be involved in government decision-making.
- + Talk to all tiers of government to identify key opportunities for the YRKA to be involved in strategic planning activities, or to sit on reference or stakeholder groups, as relevant.

KEY PLAYERS

- + Relevant Council: Planning and Environment, Assets and Engineers and Community Programs.
- + DELWP and Melbourne Water: State government planning policy changes.
- + Parks Victoria: Landowner in many public areas along the Yarra River corridor.

3.4 Key Issues of Interest to the Yarra Riverkeeper

Overview

The current Design and Development Overlay (DDO) and Significant Landscape Overlay (SLO) for Yarra River Protection are interim controls, and will cease to have effect after 31 January 2021.

A priority for the Yarra Riverkeeper Association (YRKA) is to ensure these controls to be made permanent, including any strengthening of policy that could accompany this.

Overshadowing

Preparation of the new DDO for the Yarra River corridor included analysis of the potential built form overshadowing impacts on the banks and waters of the Yarra River. A three dimensional model was constructed to replicate the mandatory built form requirements within DDO1 for the following ex-industrial and motorway precinct areas:

- + Trenerry Crescent, Collingwood
- + Victoria Crescent, Abbotsford
- + CUB Brewery Precinct, Abbotsford
- + Victoria Street, Abbotsford
- + River Street, Burnley
- + Motorway Precinct, Cremorne and Burnley.

Overshadowing was assessed using hourly increments between 11.00am and 2.00pm on 22 June (winter solstice). Where overshadowing was identified options have been analysed to determine an appropriate pathway forward to inform reformed controls.

NEW PLANNING CONTROLS

Following the completion of the overshadowing analysis the revised DDO control contain a mandatory requirement to the following effect:

New buildings must not cast any additional shadow over the banks and waterways of the Yarra River as measured between 11am and 2pm on 22 June (winter solstice).

Using the 3D overshadowing analysis the most restrictive control possible has been implemented. This follows the introduction of a new State policy requirement to prevent overshadowing.

For clarity the 'Setback Reference Line' has been used to define the location of the 'banks and waterways of the Yarra River'.

KEY ISSUES

- + The new DDO implements rigorous controls to prevent overshadowing of the Yarra River and applies to properties in the immediate vicinity of the Yarra River.
- + Since introduction of the new DDO policy, few applications have been assessed to test how the policies are operating, and whether stronger controls are required.
- + At present, the DDO applies to properties that have an immediate interface with the Yarra River corridor (e.g. almost directly abutting the River).

OUTCOMES SOUGHT

The Yarra Riverkeeper Association should:

- + Advocate that any new development includes a site-specific design response and does not overshadow Yarra River or public open space.
- + Speak for setbacks that ensure new buildings will not create new overshadowing of the River waters.
- + Speak for the DDO policy to be permanently adopted, with mandatory controls for height limits preventing further overshadowing.
- + Speak for new development that avoids floodprone areas and floodplains.

MECHANISMS TO ACHIEVE THIS

- + Talk to DELWP, Melbourne Water and Council about new planning controls to prevent overshadowing.
- + Talk to Council about new planning controls to prevent overshadowing and limit site coverage in new development.

KEY PLAYERS

- + Relevant Council: Planning and Environment, Assets and Engineers and Community Programs
- + DELWP and Melbourne Water: State government planning policy changes
- + Parks Victoria: Landowner in many public areas along the Yarra River corridor

Skyline Controls

A skyline control seeks to manage development to prevent buildings protruding above tree canopy. A range of approaches have been employed to protect the skyline of the Yarra River corridor, as outlined below.

STONNINGTON SKYLINE CONTROLS

The new DDO implements a mandatory Skyline control for the Yarra River in Stonnington. In Stonnington, residential areas that fall within the Yarra River 'experience corridor' are highly sought after. This has resulted in pressure for higher intensity developments, including along the ridge-line of the Yarra River valley.

To minimise visual impact of development within the corridor and when the ridgeline is viewed from the River, the new Yarra River Protection controls establish a maximum height of 12m in the 'Riverfront Apartment Precinct', and a maximum height of 9m within the 'Ridgeline Precincts'.

SKYLINE CONTROLS IN BOROONDARA, NILLUMBIK, MANNINGHAM & BANYULE

The new DDO does not directly manage height within the residential areas of Boroondara, Banyule, and Manningham where land is set back from the river's edge. Protection of the Yarra River corridor's skyline in these areas is largely enforced under existing zoning. The Neighbourhood Residential and General Residential Zones are applied in this location to most residential, land which allow for low-rise residential-style development at a scale that usually sits below established canopy cover.

CITY OF YARRA SKYLINE CONTROLS

Development in the City of Yarra, particularly apartment development in the Current and Ex-Industrial Character Type in Abbotsford and Richmond, has the potential to be visually intrusive when viewed from the Yarra River corridor. Development is often seen 'breaking through' the tree canopy and interrupting views of an otherwise vegetated landscape. Taller developments are visually prominent when viewed from the opposite side of the bank, the Main Yarra Trail and other identified viewing points.

The new DDO establishes mandatory upper level setbacks, mandatory height limits and design guidelines for new development in these areas. These controls seek to reduce the visual prominence of taller apartment development, however they do not fully restrict development to beneath the canopy cover of the Yarra River landscape corridor.

KEY ISSUES

- + Pressure for higher intensity developments along the ridge-line of the Yarra River Valley due to the desirable location and scenic outlooks.
- + There is no consistent approach to Skyline Controls across the municipalities.

OUTCOMES SOUGHT

The Yarra Riverkeeper Association should:

- + Speak for a consistent approach to Skyline Controls as part of the Yarra River Strategic Plan project, with local Councils and DELWP.

- + Advocate that any new developments are not visually intrusive when viewed from the Yarra River corridor and do not break through the tree canopy and interrupt the vegetated landscape.
- + Advocate that taller developments be visually recessive when viewed from the opposite side of the bank, the Main Yarra Trail and other identified viewing points.
- + Speak for landscaped setbacks at ground level, generous upper level setbacks, subdued colours and green walls to be the preferred design approach.

MECHANISMS TO ACHIEVE THIS

- + Talk to Councils in regard to Skyline Controls that affect the Yarra River.
- + Talk to remaining informed and making submissions to planning permit applications and Planning Scheme Amendments as they arise.

KEY PLAYERS

- + Relevant Council: Planning and Environment, Assets and Engineers and Community Programs.
- + DELWP and Melbourne Water: State government planning policy changes.
- + Parks Victoria: Landowner in many public areas along the Yarra River corridor.

New Residential Zones

The Victorian Government adopted reforms to the suite of residential zones in late March 2017 (Amendment VC110). In May 2018, the reforms were updated again (VC143) to provide greater detail around the “garden area” reform. This section summarises the key changes.

NEIGHBOURHOOD RESIDENTIAL ZONE (NRZ)

A limit of two dwellings on a lot in the NRZ has been removed. There is now no longer any limit on the number of dwellings on a lot in the NRZ.

MANDATORY MINIMUM ‘GARDEN AREA’

The biggest change affecting the GRZ and NRZ is the introduction of a mandatory ‘garden area’ requirement based on a percentage of specified lot sizes.

“Garden area” requirement applies to land in the Neighbourhood Residential Zone (NRZ) and General Residential Zone (GRZ) and must be met when:

- + Constructing or extending a dwelling or residential building; or
- + Subdividing land to create a vacant residential lot less than 400sqm.

When subdividing land to create a vacant lot that can developed for a dwelling in the NRZ or GRZ, 25% of the land must be set aside as a garden area. This applies to each vacant lot created that is less than 400sqm.

When constructing or extending a dwelling in the NRZ or GRZ, the area of the existing lot determines the minimum percentage that must be set aside as garden area, as follows:

LOT SIZE	MIN. PERCENTAGE OF A LOT SET ASIDE AS GARDEN AREA
400 - 500 sqm	25%
501 - 650 sqm	30%
Above 650 sqm	35%

The definition for ‘garden area’ is:

Any area on a lot with a minimum dimension of 1 metre that does not include:

- *A dwelling or residential building, except for: an eave, fascia or gutter that does not exceed a total width of 600mm*
- *A pergola*
- *Unroofed terraces, patios, decks, steps or landings less than 800mm in height;*
- *A basement that does not project above ground level*
- *Any outbuilding that does not exceed a gross floor area of 10 sqm in area; and*
- *Domestic services normal to a dwelling or residential building; a driveway; or an area set aside for car parking.*

If a Council has private open space requirements in a local residential zone schedule, the most

restrictive (i.e. the highest requirement) will apply.

All other residential and subdivision policies at Clause 54, 55 and 56 of planning schemes relating to site coverage, permeability and private open space will also still apply.

OTHER CHANGES TO THE RGZ, GRZ & NRZ

There a number of detailed changes to the residential zones. A summary table showing changes to the RGZ, GRZ and NRZ has been included over the page.

KEY ISSUES.

- + The NRZ is the most restrictive residential zone, introducing a mandatory double-storey height limit in terms of built form, and it applies a garden area requirement.
- + The garden area requirement on GRZ and NRZ may help accomplish the YRKA's aim to establish more vegetation within the Yarra River lands.

OUTCOMES SOUGHT

The Yarra Riverkeeper Association should:

- + Speak for excellent vegetation outcomes on private land, where it abuts the Yarra River or falls within the Yarra River lands, and work with Councils to achieve this.
- + Speak for local regulation that requires high quality landscaping as part of all new development where the RGZ abuts the river corridor, and work with Councils to achieve this.

MECHANISMS TO ACHIEVE THIS

- + Talk to and build relationships with the relevant Council.
- + Talk to the relevant Council to identify key opportunities for the YRKA to be involved in strategic planning activities, or to sit on reference or stakeholder groups, as relevant.
- + Talk to the relevant Council regarding the residential zones, encouraging them to require particular landscaping outcomes in new residential development.

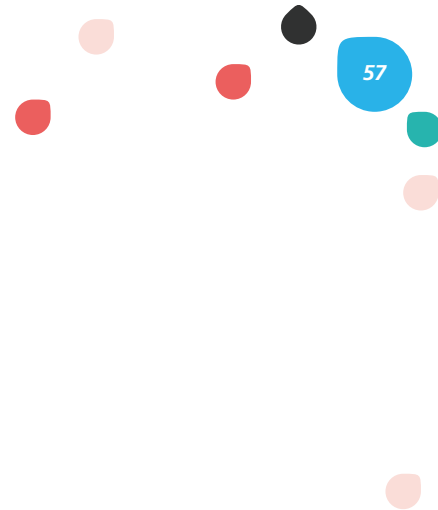
KEY PLAYERS

- + Relevant Council: Planning and Environment, Assets and Engineers and Community Programs.

Summary of Zone Changes

The table below outlines the key changes to the Residential Growth Zone (RGZ), General Residential Zone (GRZ) and Neighbourhood Residential Zone (NRZ):

PROVISION	RESIDENTIAL GROWTH ZONE (RGZ)	GENERAL RESIDENTIAL ZONE (GRZ)	NEIGHBOURHOOD RESIDENTIAL ZONE (NRZ)
PURPOSE	Include reference to 'town centres' where housing diversity should be offered 'Residential development achieves design objectives specified in a schedule to the zone'	Delete 'implement neighbourhood character policy' Change 'provide a diversity of housing types and housing growth' to 'encourage a diversity...'	Delete reference to 'limit opportunities for increased residential development' Delete 'implement neighbourhood character policy'
DESIGN & NEIGHBOURHOOD CHARACTER OBJECTIVES	Must contain design objectives to be achieved for the area.	May contain neighbourhood character objectives to be achieved for the area	Must contain the neighbourhood, heritage, environment or landscape character objectives to be achieved for the area
SUBDIVISION	N/A	A new vacant lot less than 400sqm must contain a minimum garden area of at least 25% of the lot (unless an approved precinct structure plan or equivalent strategic plan applies)	
MINIMUM GARDEN AREA	Minimum garden area does not apply	Introduce mandatory garden area requirement as above. Provisions apply regardless of whether a planning permit is triggered under the zone (i.e. to a building permit)	
MAXIMUM BUILDING HEIGHT	Introduce 'building height if land is subject to inundation' section to allow building height to be measured from finished floor level (FFL)	Mandatory height of 11m Must contain no more than 3 storeys at any point (excluding basement) Provisions apply regardless of whether a permit is triggered under the zone (i.e. to a building permit) Introduce 'building height if land is subject to inundation' section to allow building height to be measured from finished floor level (FFL)	Mandatory height of 9m Must contain no more than 2 storeys at any point (excluding basement). Provisions apply regardless of whether a permit is triggered under the zone (i.e. to a building permit) Introduce 'building height if land is subject to inundation' section to allow building height to be measured from finished floor level (FFL)
NUMBER OF DWELLINGS ON A LOT	N/A	N/A	No maximum number of dwellings specified.
TRANSITIONAL PROVISIONS	No transitional provisions. All current applications must comply	Minimum garden requirement, maximum building height and number of storeys do not apply to proposals from before the approval date of VC110, if: + Dwellings/residential buildings are already being constructed + Permit application already lodged for the construction/extension of a dwelling/residential building + A planning permit was not required but a building permit was already issued, a building surveyor already appointed to issue a building permit, or a building surveyor is satisfied and certifies in writing that the construction/extension of a dwelling /residential building has been substantially completed	



Golf Courses and Sports Fields

Increasing pressure is being placed on golf courses across metropolitan Melbourne to be redeveloped from recreation facilities to residential developments. There are a number of examples of golf courses within established urban areas of metropolitan Melbourne (particularly in the eastern and south-eastern suburbs of Melbourne). Existing golf courses within the Urban Growth Boundary are being redeveloped as housing with clubs using funds raised from the sale and development of land to purchase new property outside the Urban Growth Boundary in the Metropolitan Green Wedge.

A number of factors are driving this change including:

- + Social and demographic change resulting in a decline in golf participation
- + Financial hardship impacting on golf course viability
- + Increasing land values within the Urban Growth Boundary
- + Opportunities for golf course development within the Green Wedge and Rural Locations

There are five (privately owned) key golf courses within the Urban Growth Boundary located along the Yarra River corridor:

- + Latrobe Golf Club
- + Green Acres Golf Club
- + Yarra Valley Country Club
- + Bulleen Golf Driving Range
- + Rosanna Golf Club

These golf courses are generally located on the low-lying river flats of the Yarra and represent significant tracts of extensive open space. While the LSIO affects these sites and restricts development across most of them, some development opportunities may exist on elevated land further away from the river beyond the LSIO extent. Redevelopment of these sites may also necessitate earthworks to raise the height of some land within the LSIO to enable greater development yield.

A test case study of the Yarra Valley Country Club has been provided in Appendix C (Example Site Investigations).

KEY ISSUES

- + Increasing pressure to redevelop golf courses along the Yarra River to more intensive residential uses.
- + Developers may seek to undertake earthworks (e.g. changing the ground levels, excavating or adding fill to the site) in order to reduce their flooding risk.
- + The LSIO is a constraint on development but does not prevent development altogether, the LSIO may encourage more intensive earthworks to change the established topography of the site.

OUTCOMES SOUGHT

The Yarra Riverkeeper Association should:

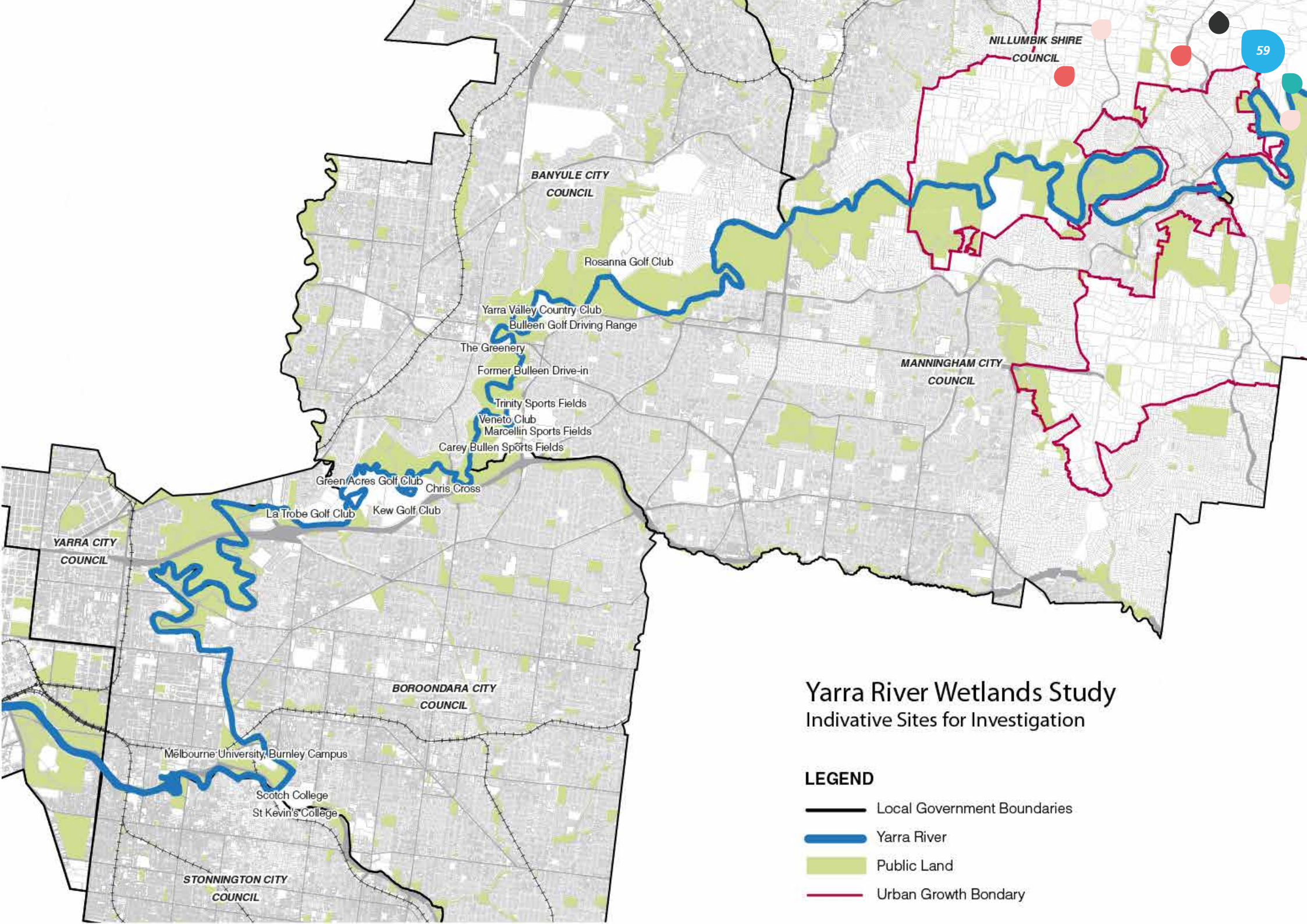
- + Advocate that new development avoids floodprone areas.
- + Speak for the inclusion of stormwater management techniques, including water sensitive urban design (WSUD) measures in all new developments.
- + Speak for avoidance of major earthworks within the Yarra River lands other than to support waterway management and ecological objectives.
- + Speak for setbacks that are of a sufficient distance in new development to provide for safe access along the river bank and landscaping above the floodplain.

MECHANISMS TO ACHIEVE THIS

- + Speak for stronger controls that prevent new development in floodprone areas of the Yarra River lands.
- + Talk to DELWP and the relevant Councils to review how stormwater management is controlled within the Yarra River floodplain.

KEY PLAYERS

- + DELWP, Melbourne Water and the relevant Council.



Redevelopment of Industrial Areas

Within the inner-urban parts of the Yarra River corridor, the areas surrounding the Yarra have traditionally been home to intensive industrial and commercial land uses. A number of industrial uses still operate within these areas, including the Carlton and United Breweries Site in Abbotsford. The industrial legacy can be seen in the diverse mix of industrial buildings with important aesthetic and heritage qualities.

In recent times redevelopment of formerly industrial buildings and sites in the surrounding area has taken place, consisting of the conversion of industrial buildings and the demolition and construction of new apartment developments.

A number of factors are driving this change including:

- + Increasing land values and demand for living within inner-urban areas
- + De-industrialisation and decline of manufacturing operation in Victoria
- + Existing industrial buildings and road networks becoming unsuitable for modern industrial purposes
- + Establishment of fit-for-purpose industrial and commercial land in middle and outer suburb locations

It is expected that demand to convert land from commercial and industrial uses to more intensive residential and mixed use purposes will continue into the future.

This will impact on the following locations:

- + Trenerry Crescent, Abbotsford
- + Swan Street, Cremorne
- + Victoria Street, Abbotsford

Test case analyses of the Trenerry Crescent and the CUB sites in Abbotsford have been provided in Appendix C (Example Site Investigations).

KEY ISSUES

- + Ongoing pressure to convert land from commercial and industrial uses to residential.
- + High land values, the intensive nature of industrial development and potential contamination, create pressure for dense residential typologies with high site coverage.

OUTCOMES SOUGHT

- + Speak for the provision of high quality and extensive landscape and public open space outcomes (including space for large canopy trees) in new development on larger sites.
- + Speak for the avoidance of new development in floodprone areas.
- + Speak for the preservation of industrial heritage through the retention and reuse of significant and contributory places.
- + Speak for the contribution of additional land along Yarra River frontages for public access or additional public open spaces in to the River corridor by new developments.

- + Speak for the inclusion of stormwater management techniques, including water sensitive urban design (WSUD) measures in all new developments.
- + Speak for the avoidance of major earthworks within the Yarra River lands other than to support waterway management and ecological objectives.
- + Speak for setbacks being of a sufficient distance in new development to provide for safe access along the river bank and landscaping above the floodplain.

MECHANISMS TO ACHIEVE THIS

- + Speak for the redevelopment of larger sites only when using a Master Plan that sets out design parameters to achieve the desired outcomes above.
- + Speak for stronger controls in these areas that ensure new development in industrial areas to implement strong landscape outcomes
- + Talk to DELWP and the relevant Councils to review how larger scale redevelopments can contribute to the open space network and provide public access to the River corridor.

KEY PLAYERS

- + Relevant Council: Planning and Environment, Assets and Engineers and Community Programs.
- + For overarching policy and public land acquisition: DELWP, Melbourne Water or Parks Victoria.

Planning Scheme Amendments C218 and C219

Two planning scheme amendments on Trenerry Crescent have recently been gazetted by the Department:

- + Rezoning of land at 18-62 Trenerry Crescent to Commercial 1 Zone, application of the Incorporated Plan Overlay and an Environmental Audit Overlay, and introduction of a new Incorporated Document to the Schedule titled *18-62 Trenerry Crescent, Abbotsford, February 2016* (C218), and
- + Rezoning of the Australian Education Union site, at 112-124 and 126-142 Trenerry Crescent to Mixed Use Zone and application of the Development Plan Overlay and an Environmental Audit Overlay (C219).

An independent Planning Panel considered submissions in relation to Amendments C218 and C219 in December 2017. The Amendments, considered together, were adopted by the planning authority in February 2018 and gazetted in July 2018. Further details of the Yarra Riverkeeper Association's submission to the amendment proposals are found in Sections 1.1 and 1.2 of the Appendix Document.

The proposal for land at 18-62 Trenerry Crescent is to rezone land from Commercial 2 Zone (C2Z) to Commercial 1 Zone (C1Z). The amendment places an Incorporated Plan Overlay (IPO) and Environmental Audit Overlay (EAO) on the land. Yarra City Council supported the amendment,

stating that it:

- + Enables the land for use and development for mixed use purposes, including residential use
- + Results in consistent zoning along the eastern side of Trenerry Crescent
- + Enables the site to be redeveloped in a manner that responds to shifts in the underlying economic base of the City away from manufacturing activities and the need to facilitate growth in the service sector

The amendment explanatory report notes that the IPO will be required to ensure an appropriate development outcome in terms of the design and built form of any future building/s developed on the land.

This proposal for the Australian Education Union site is to rezone land from Commercial 2 Zone (C2Z) to Mixed Use Zone (MUZ). The amendment will place a Development Plan Overlay (DPO) and Environmental Audit Overlay (EAO) on the land. Yarra City Council supported the amendment, stating that it:

- + Supports the achievement of the planning authority's preferred vision for the site, as articulated in the adopted Johnston Street Local Area Plan 2015.

- + Allows the land to be used in a manner that is consistent with surrounding land uses.
- + Facilitates urban renewal of underutilised commercial land, that is located proximate to the CBD, local activity centres and public transport, and which is anticipated to be equally suited to both commercial and residential uses.
- + Supports not only the renewal of the existing commercial uses within the site, but also for the provision of additional housing options within the City of Yarra.

The amendment explanatory report notes that a DPO will be required, to ensure:

- + The development will provide a high quality architectural design, built form and landscaping response reflective of the site's prominent location adjoining the Yarra River and the Eastern Freeway.
- + The development will provide variation in built form and building separation to manage views to and from the Yarra River and reflect the built form character of Trenerry Crescent with taller built form towards the north-west corner of the site.
- + The development will include separation between buildings at the ground and/or upper levels to avoid continuous façades and break up the building mass, maintain the built form rhythm of the streetscape, and provide suitable amenity within the development, both internally

- and externally.
- + The development will sensitively adapt and reuse the former Austral Silk and Cotton Mills warehouse and factory complex and maintain its heritage value, robust industrial character and relationship to the Yarra River.
 - + The development will facilitate a safe and attractive landscaped pedestrian and cycling link connecting Trenerry Crescent to the existing Capital City Trail at the eastern edge of the site.
 - + The development will improve the safety of pedestrian and cyclist movements at the north western corner of the site.

The proposed framework plan for the two sites show bicycle routes, a sensitive river interface, heritage and Trenerry Crescent interfaces and landscaped setback area (to the river) that will be required of any future development (see Figure 21 & 22).

A key focus of the Planning Panel's discussion focussed on the maximum building heights to be contained within an Incorporated Plan Overlay (IPO) that will also be applied to the land. The current DDO1 sets mandatory maximum height controls as follows:

- + Development located between 0-5m from the minimum mandatory setback line (MMSL): 11m
- + Between 5-20m from the MMSL: 18m
- + Beyond 20m from the MMSL: 25m.

The Panel concluded that the proposed IPO should contain discretionary maximum building heights that reflect the DDO1. Its reason for doing so was:

- + The interim DDO1 might expire, or
- + When the DDO1 is reviewed prior to being made permanent, its mandatory height controls may be amended, or changed from mandatory to discretionary.

It is noted that, the DPO (applied at 112-124 and 126-142 Trenerry Crescent) contains a Clause that exempts any development "in accordance with a development plan" from public comment - therefore, submissions to future developments could not be made by the Yarra Riverkeeper Association (or others) once the plan is approved.

The proposed Incorporated Plan for 18-62 Trenerry Crescent does not include this exemption.

KEY ISSUES.

- + Rezoning from C2Z to MUZ will facilitate residential development uses
- + A discretionary height of 25m was recommended by the Panel for inclusion in the Incorporated Plan, however mandatory height controls contained in the existing DDO1 will still apply to the site (noting the DDO1 will expire on 31 January 2021)
- + Once the DPO is approved, new development proposals will not be available for public comment or objection.

OUTCOMES SOUGHT

- + Speak for continuation of the mandatory height set out in the DDO1 to apply to future development of the site on a permanent basis
- + Speak for development that will maximise opportunities for open space protection and enhancement, including trails.
- + Speak for the relevant authorities to approve the final proposal only after input from the Yarra Riverkeeper Association has been sought.

MECHANISMS TO ACHIEVE THIS

- + Talk to DELWP for further input from the YRKA prior to the development being approved.

KEY PLAYERS

- + DELWP and the Minister for Planning
- + Yarra City Council.

Figure 21. Incorporated Plan for 18-62 Trenerry Crescent, Abbotsford

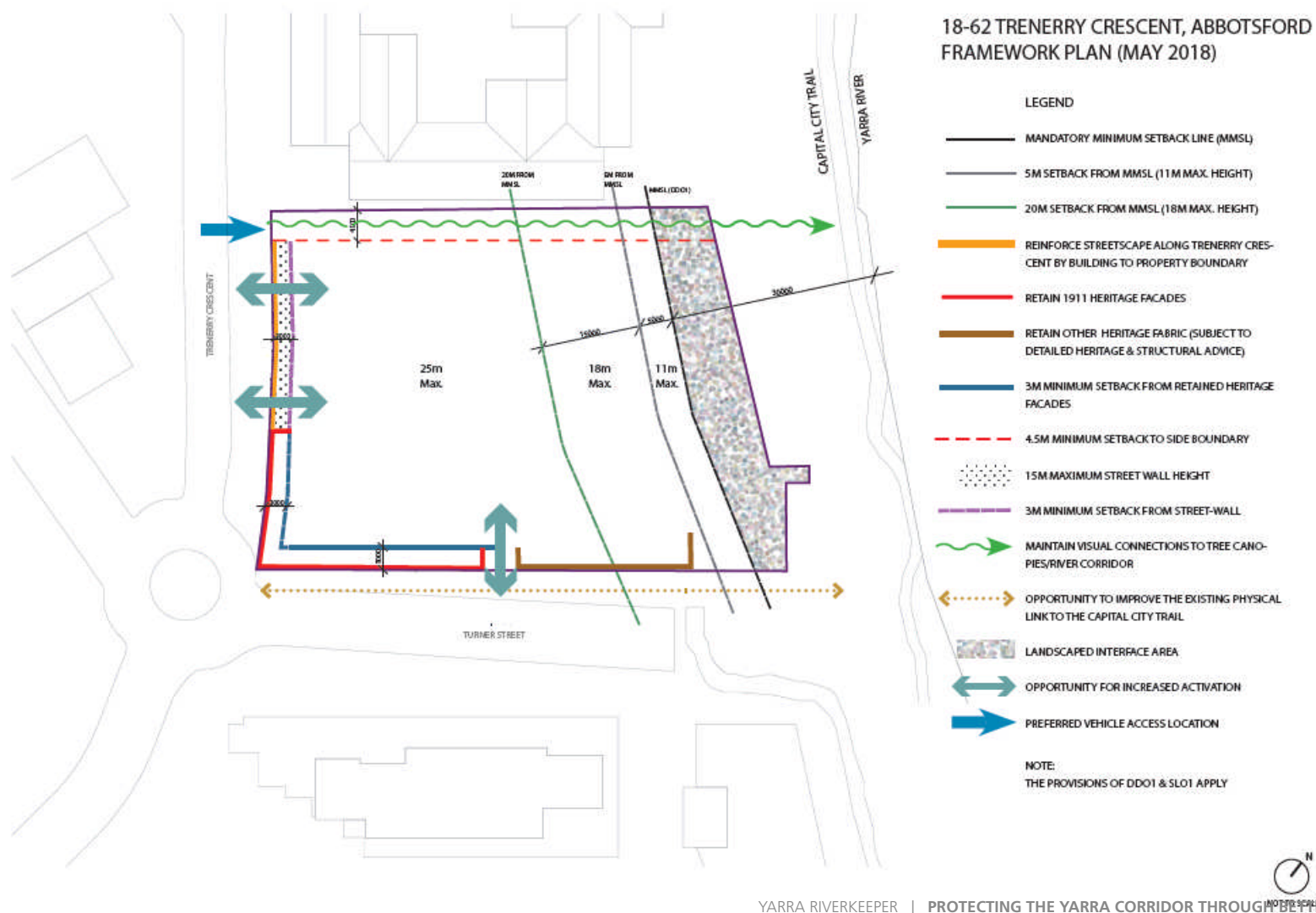
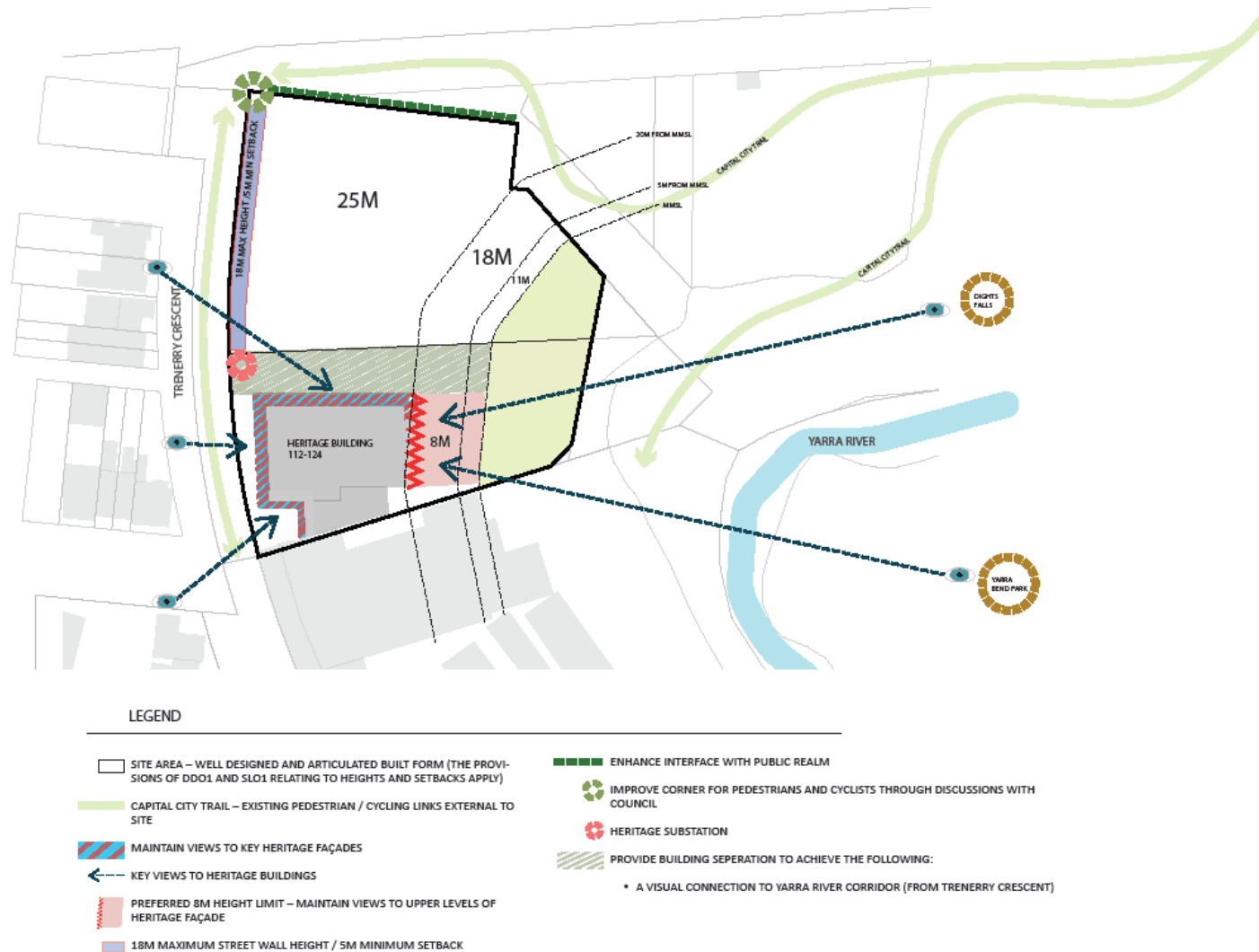


Figure 22. Indicative Framework Plan for 112-124 & 126-142 Trenerry Crescent, Abbotsford



Public Access, Public Land and PAO

A variety of public access arrangements exist along the Yarra River Corridor. Generally, public access is provided on at least one bank of the river.

The unavailability of public access in some locations can be attributed to the following factors:

- + Existing publicly owned land adjacent to the river corridor is too narrow or steep to provide safe and convenient public access.
- + The river frontage possesses high environmental, biodiversity or landscape values, which the construction of a trail or path could undermine
- + Privately owned land for residential, industrial, commercial purposes
- + Privately owned land for private recreation purposes (i.e golf course or sports field)

A desirable long-term outcome would be to achieve public access to both banks along the entire Yarra River corridor.

Increased public access can be achieved in the following ways:

- + Establishing new non-continuous areas of public open space,
- + Establishing linear access parallel to the Yarra River Corridor for the continuation of the Main Yarra Trail

Applying the Public Acquisition Overlay (PAO) to the frontage of the Yarra River on privately held land (where appropriate):

- + Negotiation with landowners to secure access through leases, licence or acquisition

- + Engaging with Parks Victoria, DELWP and Councils in relation to funding, management, maintenance and acquisition of land
- + Engaging with landowners at the Master Planning and permit application stage of development to provide public access
- + Funding of open space acquisition through development contributions or open space land contribution under Clause 52.01 of the Planning Scheme.
- + In some locations it is unlikely public access will ever be achieved due to private land being held in multiple ownership and lack of appetite to publicly acquire land to implement public access. However, development should never prejudice establishing continuous public access into the future.

KEY ISSUES

- + Existing gaps in public access adjoining the Yarra River in a number of areas across the corridor, including trails that run out and areas that are completely inaccessible.
- + Multiple public (e.g. Council, Melbourne Water, Parks Victoria, Crown land) and private landowners, along the Yarra River corridor mean asset and environmental management can be very poor in some locations.

OUTCOMES SOUGHT

The Yarra Riverkeeper Association should:

- + Speak for further investigation to consider

options for public ownership/control of missing links in open space and trails, ensuring path access and landscape improvements can be consistently protected and enhanced, seeking partnerships with the relevant authorities.

- + Speak for open space creation and public access links to be part of future open space planning by local and State agencies, with strategic justification and funding part of all future open space planning strategies.

MECHANISMS TO ACHIEVE THIS

- + Conduct research about the multiple landowners and talk to for improved agency-to-agency and private landowner engagement with exemplary land management practices.
- + Speak for streamlined management of land within the Yarra River corridor.
- + Speak for raising awareness about opportunities to create better public access and improvement to open space through the Yarra Riverkeeper Association's education work, particularly with other agency partners of the River and in the media.

KEY PLAYERS

- + Public and private landowners, committees of management and the relevant local Council.
- + Melbourne Water, Parks Victoria and DELWP.

Infrastructure Projects

A range of infrastructure projects at the federal, State and local government level have the potential to impact the Yarra River lands. These projects are often identified in high-level strategic planning documents such as Plan Melbourne (2017) and the Infrastructure Victoria 30-Year Infrastructure Strategy (2016).

Recent examples of interest to the Association include proposals for:

- + North-East Link (Short- to medium-term, within 15 years)
- + Eastern Freeway - CityLink - Western Ring Road (Longer-term priority, further investigation required)
- + Melbourne Metro – future stages (Longer-term priority, further investigation required)
- + Increased capacity on metro rail lines
- + Changes to the Monash Freeway as a result of freight transport initiatives (e.g. capacity of the freight network).

The Yarra Riverkeeper Association should continue to stay informed regarding large scale infrastructure projects that may affect existing Yarra River crossings, the level of infrastructure in the Yarra River lands, and the design and implementation of such projects.

KEY ISSUES.

- + The environmental, landscape and amenity values of the Yarra River corridor may be substantially impacted by new or expanded infrastructure projects within the River's vicinity.

OUTCOMES SOUGHT

The Yarra Riverkeeper Association should:

- + Speak for detailed, best practice design solutions that privilege the Yarra River corridor experience for users of public spaces and trails.
- + Speak for infrastructure projects that provide extensive planting and revegetation of areas impacted during construction.
- + Speak for all projects having exemplary stormwater management systems and water quality monitoring.
- + Speak for major infrastructure projects that include the acquisition and improvement of public land, including revegetation and rehabilitation.

MECHANISMS TO ACHIEVE THIS

- + Speak for ongoing engagement with current projects at the strategic level through State government and agency partnerships.
- + Speak for the YRKA's continued involvement in working groups for any projects that occur within the Yarra River lands.
- + Speak for strengthened partnerships with local government and participation in advocacy activities from local to other levels of government regarding the detailed design of major infrastructure projects.

KEY PLAYERS

- + DELWP, and the Department of Economic Development, Jobs, Transport and Resources (DEDJTR).
- + Infrastructure Victoria (current plan includes allocation of \$6.5m towards protecting the water quality of the Yarra River, particularly protection from water pollution).
- + Parks Victoria and Melbourne Water.
- + Local Councils.

3.5 Responding to Planning Issues

Overview

As explored in Chapter 3, there are various opportunities for the Yarra Riverkeeper Association (YRKA) to engage with the planning scheme and planning issues.

This chapter provides guidance to assist the Yarra Riverkeeper Association in responding to planning permit applications, as follows:

- + Key questions to ask when assessing a proposal
- + Decision guidelines to determine how to evaluate trade-offs
- + How the YRKA can marshal the specialist expertise required to respond to specific issues raised in different types of development scenarios.

Decision Guidelines

It is recommended that the YRKA use Decision Guidelines set out in the relevant DDO and SLO schedules as well as the policy objectives and strategies contained at Clause 12.05 (Yarra River Protection) of all Planning Schemes as the basis for any submission on a planning matter.

For reference, the full set of decision guidelines from the Yarra River DDO and SLO policies has been included at Appendix B to this report.

The decision guidelines and policy objectives should be used in conjunction with the Association's own vision and principles/ objectives to advocate for the following:

- + The role of the YRKA as a key stakeholder in decision affecting the Yarra River corridor.
- + Excellent built form outcomes within the Yarra River corridor
- + Protected (and where possible enhanced) vegetation condition and quality within the Yarra River corridor
- + Well-managed development and land use that is in keeping with the policy objectives for Yarra River protection
- + Visual landscape significance as a primary consideration for activities within the Yarra River corridor
- + Promoting improved landscape design within the riverside environment on public or private land
- + Equitable access to the Yarra River and its public spaces for all Victorians

- + Acknowledgement and inclusion of social and cultural values, including Aboriginal and post-contact heritage values, and the river's natural systems. A planning permit comprises written conditions, plans and elevations that show a site boundary and the extent of all works to occur. Permit conditions set out the obligations of the permit holder or land owner regarding implementation of the land use/buildings or works approved.

Permit Conditions

While most permit conditions are imposed by various Council departments (e.g. traffic engineering, drainage), some will be required by other government authorities such as VicRoads or Melbourne Water.

Permit conditions are enforceable and must be written in a manner that can be implemented and maintained (where relevant) as part of the approved activities.

3.6 Future Opportunities

KEY ISSUES.

- + Building awareness within the YRKA about the planning scheme, the planning system, and how best to engage to further the Yarra Riverkeeper Association's objectives to speak for the Yarra River and its tributaries as a unified public voice.

OUTCOMES SOUGHT

The Yarra Riverkeeper Association should:

- + Speak for ongoing submissions on planning permit matters and input into permit conditions it considers appropriate to the maintenance of a permit.
- + Speak for (subject to Council consideration and review), the inclusion of planning permit conditions that:
 - Require vegetation selection to be endemic indigenous and drought-tolerant (where appropriate).
 - Seek value uplift opportunities in exchange for actions within a development that enhance the Yarra River corridor from a 'net community benefit' perspective.

MECHANISMS TO ACHIEVE THIS

- + Talk to local Councils to develop a series of standard permit conditions designed to achieve the key planning outcomes/goals as set out in this document.

KEY PLAYERS

- + Local Councils.

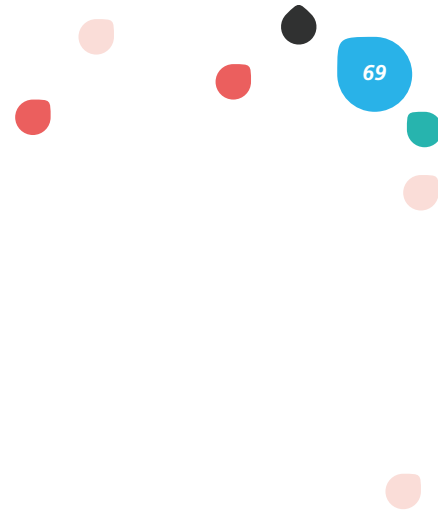
The Yarra Riverkeeper Association (YRKA) is a key stakeholder regarding matters within the Yarra River lands, and particularly within the immediate Yarra River corridor.

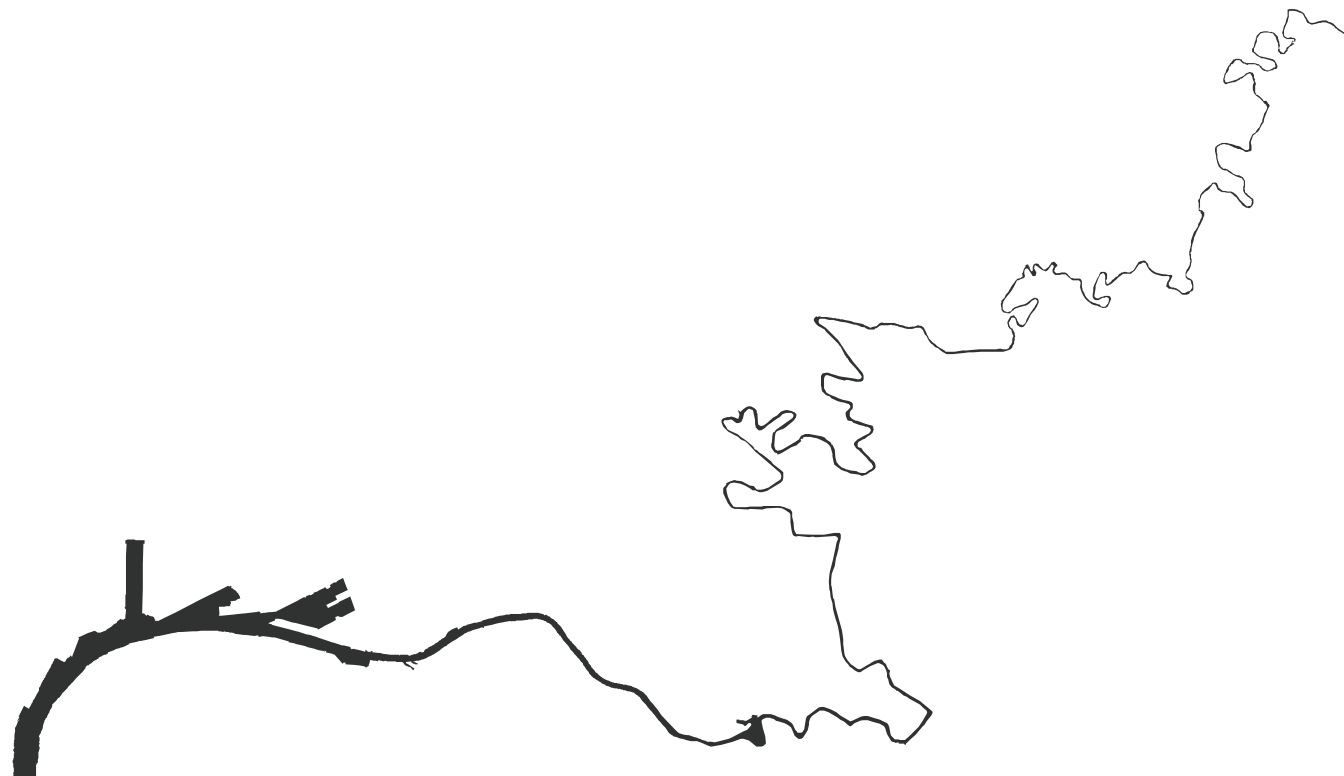
This document is intended as a capacity building tool for the YRKA. It can also provide a platform for effective policy involvement through outlining the key issues and outcomes of interest to the YRKA relating to land use and built form within the Yarra River lands.

Based on the findings of this report and with a focus on the planning system, the following policy initiatives have been identified:

- + Opportunities to acquire/ protect riverside land as part of major redevelopment and rezoning proposals, to ensure public access to the Yarra River is protected, improved and added to wherever possible
- + Speak for best practice design, including stormwater management techniques, and exemplary built form outcomes, in all new development
- + Speak for the master planning of major urban renewal sites within close proximity of the Yarra River to ensure that the river environment is appropriately addressed early in the design process.

- + New development should incorporate public access, connecting trails and adding to the public open space network wherever possible
- + Contribute to preparation of the Yarra River Strategic Plan and ensure that the YRKA is able to participate in a coordinated framework for public access
- + Continue to strengthen the YRKA's policy initiative activities at the State and local government level for:
 - The YRKA to be included in all discussions regarding the preparation of strategic documents and policy concerning the Yarra River lands
 - The YRKA to have an ongoing role on internal working groups as a key stakeholder for the Yarra River
 - The YRKA to be kept up to date with strategic redevelopment sites and local policies affecting the Yarra River corridor at the local government level.







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4

4.1 Key References and Resources

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Heritage Rivers Act 1992 (Vic.), Available from URL: < http://www.austlii.edu.au/au/legis/vic/consol_act/hra1992171/ >

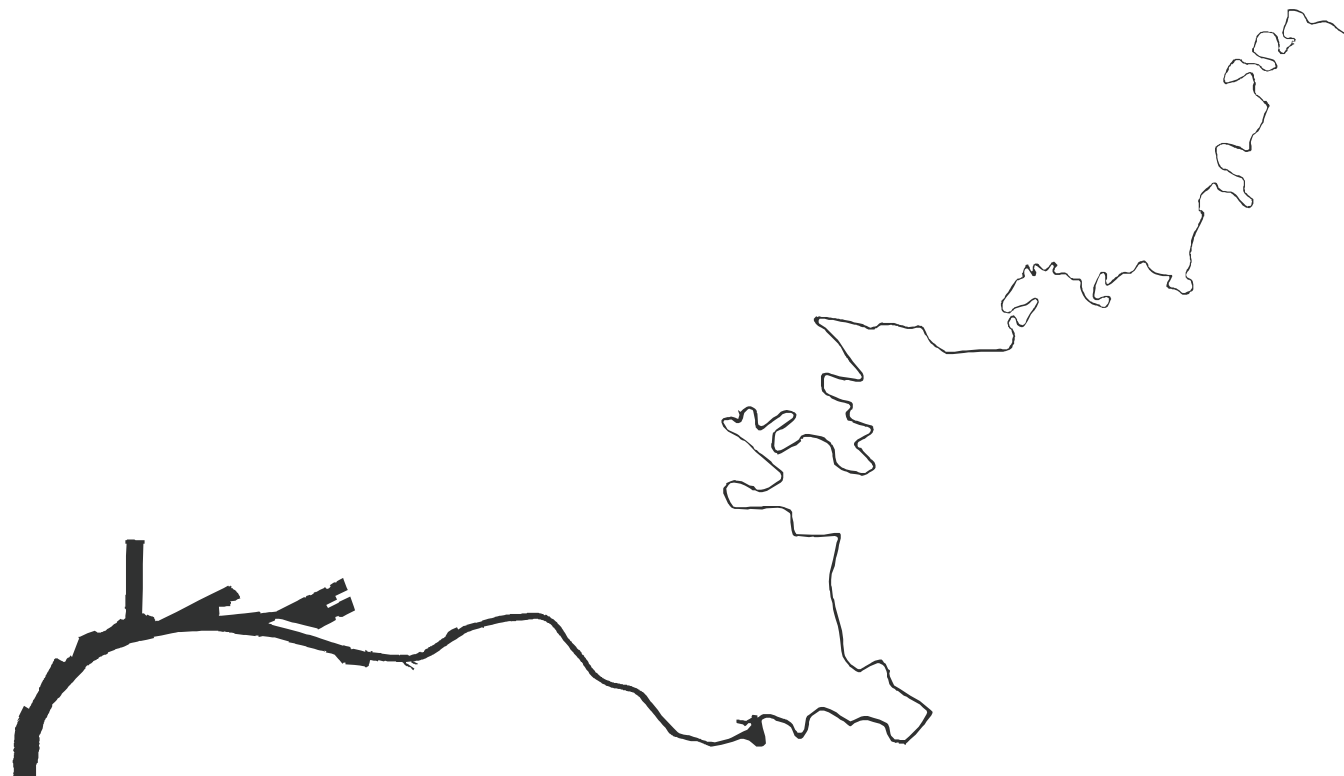
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Glossary

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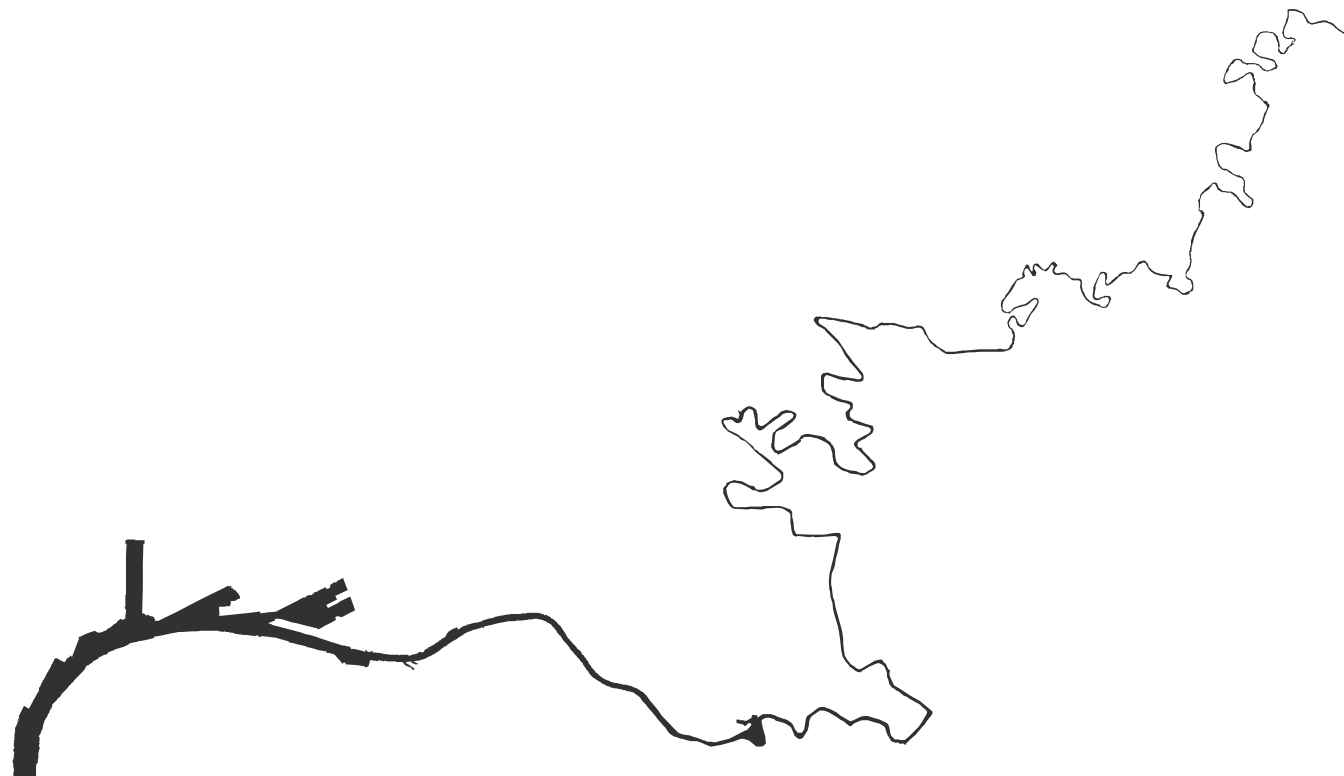
5.1 Key Terms

TERM	DEFINITION
AMENITY	A desirable or useful feature or facility of a building or place, or the pleasantness or attractiveness of a place.
BUILDING HEIGHT	The vertical distance from natural ground level to the roof or parapet at any point.
CENTRELINE	A line along the centre of a linear geographic feature (e.g. street or river).
CHARACTER TYPE/AREA	An area defined by common landscape, built form and topographical characteristics.
DESIGN AND DEVELOPMENT OVERLAY (DDO)	A planning control that identifies areas which are affected by specific requirements relating to the design and built form of new development. Schedules can contain a statement of the design objectives to be achieved for the area affected by the overlay.
DESIGN AND SITING	The physical design of built form as influenced by building height, wall height, articulation, massing, window and wall proportions and other elements that make up a building. Siting relates to the location of a building within a lot, and may include how it is located in relation to a specific feature (including slope).
DISCRETIONARY CONTROL	A requirement in the planning scheme that should be met, but can be varied based on guidelines contained within a planning scheme.
EARTHWORKS	Land forming, laser grading, levee banks, raised access roads and tracks, building pads, storage embankments, channel banks and drain banks and associated structures.
LANDSCAPE CHARACTER	The interplay of geology, topography, vegetation, water bodies and other natural features combined with the effects of land use, built development and cultural influences which makes one landscape different from another.
LANDSCAPE SIGNIFICANCE	The designation of a particular landscape as special or important, arising from its aesthetic values (both visual and non-visual) and taking into account cultural, historic, environmental, scientific, social or other values.

TERM	DEFINITION
LIVEABILITY	An assessment of what a place is like to live in, using particular criteria – e.g. safe, attractive, socially cohesive and inclusive, and environmentally sustainable; with affordable and diverse housing linked to employment, education, public open space, local shops, health and community services, and leisure and cultural opportunities; via convenient public transport, walking and cycling infrastructure.
LOCAL PLANNING POLICY (LPP)	Tools used to implement the objectives and strategies of the MSS. A Local Planning Policy (LPP) is a policy statement of intent or expectation. It states what the responsible authority will do in specified circumstances or the responsible authority's expectation of what should happen. The LPP gives the responsible authority an opportunity to state its view of a planning issue and its intentions for an area and provides guidance to decision making on a day to day basis. It can help the community to understand how the responsible authority will consider a proposal.
MANDATORY CONTROL	A requirement in the planning scheme that must be met, and cannot be varied.
MINIMUM MANDATORY SETBACK LINE	Either, a: <ul style="list-style-type: none"> + Consistent parallel distance, measured horizontally from the identified setback reference line; and/or + A specific contour level measured to Australia Height Datum standards.
MUNICIPAL STRATEGIC STATEMENT (MSS)	Sets out the vision, objectives and strategies for managing land use change and development within a municipality. It provides the basis for the application of local policies, zones, overlays and other provisions in the Planning Scheme.
NATIVE VEGETATION (WHEN USED IN THE PLANNING SCHEME)	Plants that are indigenous to Victoria, including trees, shrubs, herbs and grasses.

TERM	DEFINITION
<i>NEIGHBOURHOOD CHARACTER</i>	The combination of public and private realms - every property, public place or piece of infrastructure makes a contribution, whether great or small. The cumulative impact of all these contributions establishes neighbourhood character. Key features may be the prevalence of trees, a specific built form era, street width, building scale and setbacks.
<i>PLANNING SCHEME</i>	Planning schemes set out policies for use, development and protection of land. Each local government area in Victoria is covered by a planning scheme.
<i>PREFERRED CHARACTER</i>	If a change in the character of an area is sought, a 'preferred future character statement' is set out in policy using a Local Planning Policy Framework (LPPF) policy to describe the preferred character in concert with zoning provision appropriate for future use and development. The statement is aspirational and outlines how design and planting techniques should be used to achieve a desired outcome.
<i>REFERRAL AUTHORITY</i>	Referral authorities are usually government or private corporations or organisations such as the local catchment management authority, the Country Fire Association, VicRoads or Telstra. Referral authorities are listed in different provisions of a Planning Scheme based on the relevant zone and the authority's area of expertise or control. The authority may be recommending or determining; if determining their advice is binding on the decision-maker. If recommending, the advice should be considered by the decision-maker (e.g. Council).
<i>RESPONSIBLE AUTHORITY</i>	The Planning and Environment Act (1987) identifies the Minister for Planning, local Councils, or any person whom the planning scheme specifies as a responsible authority for that purpose as a responsible authority, in charge of making decisions under a planning scheme (section 13(c)).
<i>SETBACK</i>	The minimum distance from any allotment boundary to a building.
<i>SETBACK REFERENCE LINE</i>	The closest cadastral or property boundary to the river's edge.

TERM	DEFINITION
<i>SIGNIFICANT LANDSCAPE OVERLAY (SLO)</i>	Seeks to identify, conserve and enhance the character or significance of landscapes. Schedules are used to identify specific areas or types of significance. Policies are framed in terms of "landscape character to be achieved"
<i>SITE COVERAGE</i>	The proportion of a site covered by buildings.
<i>STATE PLANNING POLICY FRAMEWORK (SPPF)</i>	Sets the strategic direction for issues of State importance. The policies contained in the SPPF are included in every Planning Scheme across Victoria.
<i>WORKS</i>	Includes any change to the natural or existing condition or topography of land including the removal, destruction or lopping of trees and the removal of vegetation or topsoil.



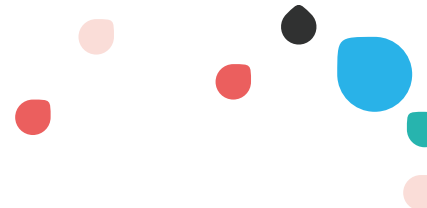


Appendix A: Reference - the Planning Zones

Reference of Planning Zones for the Yarra River Corridor

Table 1. Overview of Existing Zones

ZONE	KEY PURPOSE	PERMIT TRIGGERS	DECISION GUIDELINES
<i>RESIDENTIAL GROWTH ZONE (RGZ)</i>	<p>Provide housing at increased densities in buildings up to and including 4 storeys.</p> <p>Enables new housing growth and diversity.</p>	<p>A permit is required for:</p> <ul style="list-style-type: none"> + Non-residential land uses + Subdivision + Construction and extension of 1 dwelling on a lot less than 300sqm + Construction and extension of 2+ dwellings on a lot, dwellings on common property or residential buildings + Construction of a fence greater than 1.8m <p>Building height limited to 13.5m or 14.5m on a slope. A local council can vary this with strategic justification.</p>	<p>Decision guidelines relate to development of dwellings and residential buildings, as well as non-residential land uses and development.</p> <p>Proposal should demonstrate how it responds to the purpose of the zone.</p> <p>For construction of 1 dwelling, the RGZ asks whether this is an underdevelopment of the lot.</p> <p>For non-residential land uses/development, highlights the need to consider residential amenity, whether the use serves community needs, the design of the building, car parking provision and landscaping.</p> <p>Development must meet the requirements of Clause 54 (one dwelling) or Clause 55 (2+ dwellings) - the residential design standards or 'ResCode'.</p>
<i>GENERAL RESIDENTIAL ZONE (GRZ)</i>	<p>Respect and preserve urban character while enabling modest housing growth and housing diversity in well-served areas with good access to public transport.</p> <p>Allow some educational, recreational, religious, community and a limited range of other non-residential uses in appropriate locations.</p>	<p>As above.</p> <p>Building height limited to 11m; must contain no more than three storeys. A local council can vary this with strategic justification.</p> <p>A new vacant lot less than 400sqm must contain a minimum garden area of at least 25% of the lot (unless an approved structure plan or equivalent plan applies).</p> <p>New development on lots of 400sqm+ must provide the percentage garden area set out in the zone (may be 25-35% depending on lot area).</p>	<p>As above.</p> <p>The GRZ also includes decision guidelines relating to how a proposal responds to the prevailing neighbourhood character in an area.</p> <p>Clause 54 and 55 apply to residential development as outlined above.</p>

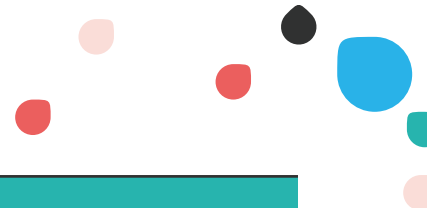


ZONE	KEY PURPOSE	PERMIT TRIGGERS	DECISION GUIDELINES
<i>NEIGHBOURHOOD RESIDENTIAL ZONE (NRZ)</i>	<p>Restricts housing growth in areas identified for urban preservation.</p> <p>Ensure development respects identified neighbourhood character, heritage, environmental or landscape characteristics.</p>	<p>As above.</p> <p>Mandatory building height of 9m; must contain no more than 2 storeys. This can be varied with Ministerial approval.</p> <p>A new vacant lot less than 400sqm must contain a minimum garden area of at least 25% of the lot (unless an approved structure plan or equivalent plan applies).</p> <p>New development on lots of 400sqm+ must provide the percentage garden area set out in the zone (may be 25-35% depending on lot area).</p>	<p>As above.</p> <p>Key focus for the NRZ is on neighbourhood character and limited change.</p> <p>Clause 54 and 55 apply to residential development as outlined above.</p>
<i>LOW DENSITY RESIDENTIAL ZONE (LDRZ)</i>	<p>Enables low density housing.</p> <p>In some cases lots require on-site wastewater treatment.</p>	<p>As above.</p> <p>Minimum lot size of 2,000sqm where a lot can connect to reticulated sewerage.</p> <p>Minimum lot size of 4,000sqm where a lot requires on-site wastewater treatment.</p>	<p>Clause 54 and 55 apply to residential development as outlined above.</p>
<i>RURAL LIVING ZONE (RLZ)</i>	<p>Residential land uses in a rural environment.</p> <p>Protect rural and natural environment, resources and biodiversity.</p> <p>Allows some agricultural uses that won't negatively impact the amenity of surrounding (e.g. residential) uses.</p>	<p>A permit is required for:</p> <ul style="list-style-type: none"> + Land uses that are not strictly related to a dwelling or low-impact agriculture + Subdivision + Buildings and works for a use that requires planning permission + Earthworks (if specified by Council) + Buildings within close proximity to boundaries. 	<p>Capacity of the site for agricultural use.</p> <p>The potential for a proposed land use to expand and impact on adjoining uses.</p> <p>Environmental issues, including:</p> <ul style="list-style-type: none"> + The impact on flora, fauna and landscape features of the locality + Location of on-site effluent disposal to minimise impact on waterways and native vegetation <p>Design and siting issues, including impact of height, bulk, colours and materials on the natural environment, vistas and water features.</p>

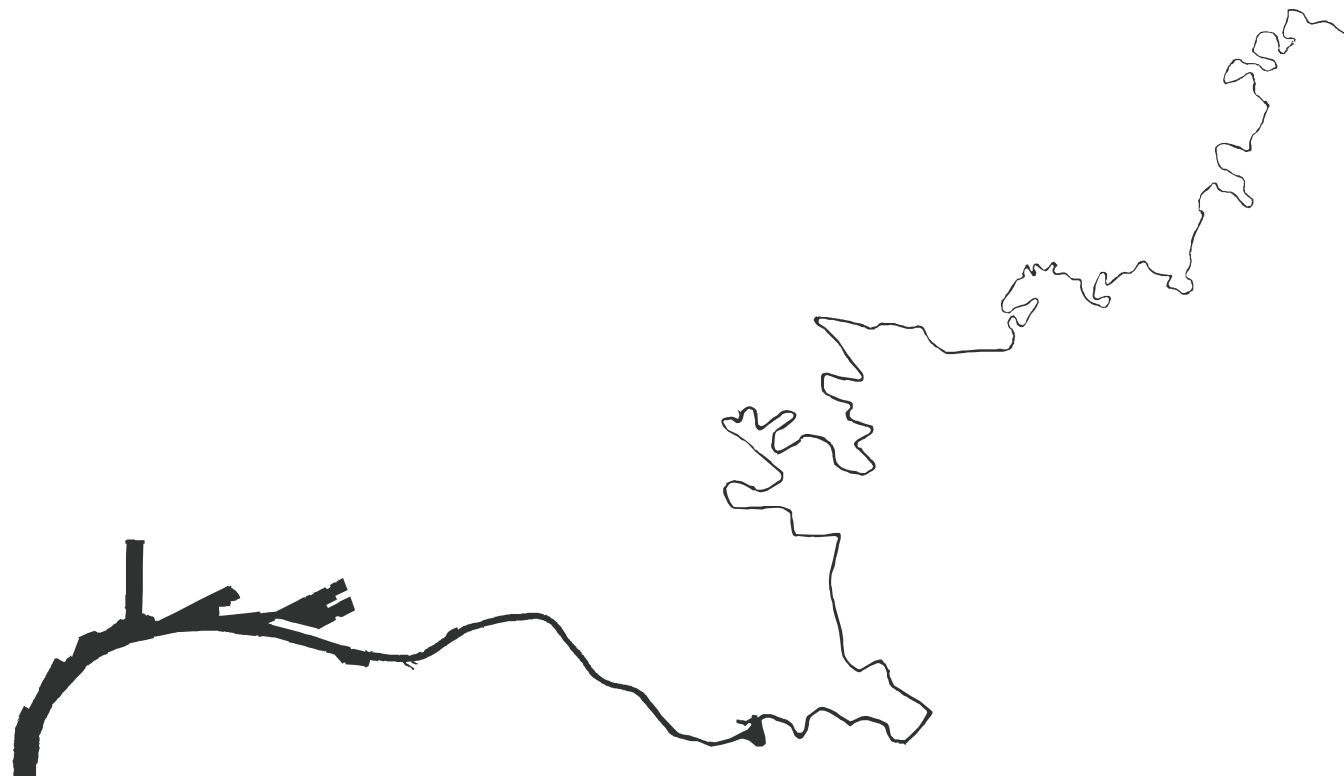
ZONE	KEY PURPOSE	PERMIT TRIGGERS	DECISION GUIDELINES
<i>MIXED USE ZONE (MUZ)</i>	<p>Range of residential, commercial, industrial and other uses that complement the 'mixed-use' function of a specific locality.</p> <p>Enables residential development at higher densities than some of the residential zones.</p>	<p>A permit is required for:</p> <ul style="list-style-type: none"> + Land uses that may have adverse amenity impacts on the neighbourhood (i.e. some industrial uses) + Subdivision + Buildings and works, including to construct one dwelling on a small lot (300sqm), and to construct 2+ dwellings + Fences with a height above 1.8m + Where a permit is required for the land use, a permit for buildings and works is also triggered. <p>Maximum building height can be specified by Council in a schedule to the zone.</p>	<p>Clause 54 and 55 apply to residential development as outlined above.</p> <p>For industry/warehouse: Likely effects on the neighbourhood, including noise, traffic, air-borne emissions, emissions to land/water, light spill, glare, solar access and hours of operation.</p> <p>For non-residential uses: Hours of operation and any likely off-site amenity impacts.</p>
<i>COMMERCIAL 1 ZONE (C1Z)</i>	<p>Create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.</p> <p>Provide for residential uses at densities that complement the role and scale of the commercial centre.</p>	<p>A permit is required for:</p> <ul style="list-style-type: none"> + Land uses not directly linked to the purpose of the zone - some agriculture and industry (others prohibited), leisure and recreation facilities, place of assembly, warehouse + Subdivision + Buildings and works (with some exceptions for minor buildings and works). 	<p>An application for residential development must include a neighbourhood and site description and design response.</p> <p>Decision guidelines included for new land uses, subdivision, buildings and works. All proposals on the interface (boundary) of an adjoining zone must consider the impact/relationship with that zone, particularly if it is residential.</p> <p>Development proposals: Car parking, streetscape impacts, building design, active frontages and pedestrian-friendly design, storage and management of rubbish, design for solar access.</p>
<i>COMMERCIAL 2 ZONE (C2Z)</i>	<p>Provides for offices, some manufacturing and industries, bulky goods retail, other retail, business and commercial services.</p>	<p>A permit is required for:</p> <ul style="list-style-type: none"> + Certain land uses (e.g. education centre, recreation and leisure, motel, hotel, some types of retail premises, large supermarkets where the floor area is greater than 1800sqm) + Subdivision + Buildings and works (with some exceptions for minor buildings and works). 	<p>Includes the need to consider whether a proposed land use might negatively impact adjoining, more sensitive uses.</p> <p>For a new land use: Traffic and amenity impacts.</p> <p>For subdivision: The likely effect on streetscape character and landscape treatments.</p> <p>For buildings and work: Car parking provision, streetscape interface and design, access from the front street, activation of pedestrian areas, landscaping, solar access, any cultural or natural values on the site or nearby land.</p>

ZONE	KEY PURPOSE	PERMIT TRIGGERS	DECISION GUIDELINES
<i>INDUSTRIAL 1 ZONE (IN1Z)</i>	Provide for manufacturing industry, storage and distribution of goods and associated uses while not affecting the safety and amenity of local communities.	<p>A permit is required for:</p> <ul style="list-style-type: none"> + Certain land uses (e.g. education, office, place of assembly, retail premises, convenience shop) + Subdivision + Buildings and works (with some exceptions for minor buildings and works). 	<p>List of built form and amenity/interface impacts to consider:</p> <ul style="list-style-type: none"> + Natural or cultural values on or near the land + Streetscape character, built form, landscape treatment + Interface with non-industrial uses + Parking and site access, loading and service access + Outdoor storage, lighting and stormwater discharge.
<i>INDUSTRIAL 3 ZONE (IN3Z)</i>	<p>Provide for industries and associated uses in areas where special consideration of the impacts of industrial uses is required or to avoid inter-industry conflict.</p> <p>Provide a buffer between industrial areas with higher emissions and local communities, considering amenity impacts on nearby sensitive uses.</p>	<p>A permit is required for:</p> <ul style="list-style-type: none"> + Industrial and warehouse land uses, and selected other non-industrial uses + Subdivision + Buildings and works 	<p>For land use applications, the amenity of the neighbourhood must be considered.</p> <p>Proposed uses must demonstrate how amenity will be protected from the transport of materials/goods/commodities, appearance of stored goods/materials, and emissions (noise, light, vibration, odour, fumes, smoke, etc.).</p> <p>Decision guidelines also contain the list of considerations outlined for the IN1Z related to design and development, and amenity impacts.</p>
<i>URBAN FLOODWAY ZONE (UFZ)</i>	<p>Identify waterways, major flood paths, drainage depressions and high hazard areas within urban areas which have the greatest risk and frequency of being affected by flooding.</p> <p>Protect water quality and waterways as natural resources.</p>	<p>A permit is required for:</p> <ul style="list-style-type: none"> + Buildings and works, including for a fence, roadworks, public toilets, bicycle pathways/trails and other minor buildings and works that are often exempt + Subdivision. <p>Applications must be accompanied by a flood risk report.</p> <p>Applications must be referred to the relevant floodplain management authority (e.g. Melbourne Water).</p>	<p>Ensure development maintains the free passage and temporary storage of flood water, minimises flood damage and is compatible with flood hazard, local drainage conditions and the minimisation of soil erosion, sedimentation and silting.</p> <p>Decision must have regard to the floodplain development plan or flood risk report, and any comments of the relevant floodplain management authority.</p>

ZONE	KEY PURPOSE	PERMIT TRIGGERS	DECISION GUIDELINES
<i>PUBLIC PARK AND RECREATION ZONE (PPRZ)</i>	<p>Recognise areas for public recreation and open space.</p> <p>Protect and conserve areas of significance.</p>	<p>A permit is required for:</p> <ul style="list-style-type: none"> + Land use: Heliport, office, retail premises and store if not in association with a public land use + Buildings and works: Exemption from permit requirements if development of park furniture, paths, playground or sporting equipment, planting or landscaping, or works carried out by a public land manager + Subdivision. <p>For a proposal is not made by the public land manager, their approval and support must be given.</p>	<p>Comments of any public land manager must be considered.</p> <p>Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines that might apply to the land.</p>
<i>PUBLIC CONSERVATION AND RESOURCE ZONE (PCRZ)</i>	<p>Protect and conserve the natural environment and natural processes for their historic, scientific, landscape, habitat or cultural values.</p> <p>Provide facilities which assist in public education and interpretation of the natural environment with minimal degradation of the natural environment or natural processes.</p>	<p>A permit is required for:</p> <ul style="list-style-type: none"> + Land use: Energy services facility, renewable energy facility, wind energy facility. + Buildings and works: Exemption from permit trigger if works carried out by public land manager. + Subdivision. <p>Application for emergency services facility must be referred to appropriate body as specified in the scheme.</p>	<p>Comments of any public land manager or other relevant land manager having responsibility for the care or management of the land or adjacent land.</p> <p>Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.</p>
<i>RURAL CONSERVATION ZONE (RCZ)</i>	<p>Protect and enhance the natural environment and natural processes for their archaeological and scientific interest, landscape, faunal habitat and cultural values.</p> <p>Encourage development and use of land which is consistent with sustainable land management and land capability practices, and which takes into account the conservation values and environmental sensitivity of the locality</p>	<p>A permit is required for:</p> <ul style="list-style-type: none"> + Most land uses, including certain agricultural uses, dwelling, primary produce sales, education, restaurant. + Buildings and works + Subdivision. 	<p>Any regional catchment strategy applying to the land.</p> <p>Capability of the land to accommodate the proposed use/ development.</p> <p>How the use or development conserves the values identified for the land in a local schedule.</p> <p>Whether use or development protects and enhances the environmental, agricultural and landscape qualities of the site and its surrounds.</p>



ZONE	KEY PURPOSE	PERMIT TRIGGERS	DECISION GUIDELINES
<i>PUBLIC USE ZONE (PUZ)</i>	<p>Recognise public land use for public utility and community services and facilities.</p> <p>Provide for associated uses that are consistent with the intent of the public land reservation or purpose.</p> <p>Purposes may be: health, education, transport, service and utility, cemetery/crematorium, local government or other public use.</p>	<p>A permit is required for:</p> <ul style="list-style-type: none"> + Any use - but it must be a designated public use as outlined in the Clause (list at left) + Buildings and works + Subdivision. 	<p>Comments of any Minister or public land manager having responsibility for the care or management of the land or adjacent land.</p> <p>Whether the development is appropriately located and designed, including in line with any relevant guidelines.</p>
<i>SPECIAL USE ZONE (SUZ)</i>	<p>Recognise or provide for the use and development of land for specific purposes as identified in a schedule in this zone.</p>	<p>A permit is required for:</p> <ul style="list-style-type: none"> + Some land uses, depending on the primary function of the SUZ as identified by a Council. + Subdivision + Buildings and works 	<p>Decision guidelines are set out based on the primary designated function of the special use, and what impacts new use or development may have on the purpose of the primary use, and on adjoining sensitive uses (as relevant).</p>
<i>ROAD ZONE (RDZ1 OR RDZ2)</i>	<p>Identify significant (e.g. main/arterial) existing roads and land which has been acquired for a significant proposed road.</p>	<p>A permit is required for:</p> <ul style="list-style-type: none"> + Land use: Utility installation or any other use (other than minor utility installation, railway or tramway) + Subdivision + Buildings and works if associated with a permit-required use. 	<p>Views of the relevant road authority (e.g. VicRoads)</p> <p>Effect of the proposal on the operation of the road and on public safety.</p>





Appendix B: Reference - the Yarra River Protection Overlay Decision Guidelines



Yarra River Protection Overlay Decision Guidelines

Introduction

The decision guidelines for the Yarra River planning controls (Design and Development Overlay, DDO, and Significant Landscape Overlay, SLO) reflect the policy objectives in each Clause.

The decision guidelines are set out as key considerations the responsible authority (e.g. Council) must consider prior to deciding a planning permit application.

The decision guidelines for the SLO and DDO are included here to provide assistance to the Yarra Riverkeeper Association in preparing a submission to a planning permit application. They can also be used as tools for discussions with a responsible authority around key application considerations.

Each set of decision guidelines in the scheme is prefaced with the following text:

Before deciding on an application the responsible authority must consider, as appropriate...

DDO: 'Yarra (Birrarung) River Corridor Protection' Decision Guidelines

Landscape Protection

- + The visibility of any proposed buildings and works when viewed from the Yarra River and adjacent public open space, bicycle and shared paths and bridge crossings.
- + Whether sufficient space is provided between buildings to maintain views of the Yarra River and allow for the planting and growth of vegetation, including large canopy trees.
- + Whether the siting of buildings and works avoids the removal of existing riparian vegetation.
- + Whether any earthworks will affect public views of the river corridor.
- + The need for additional landscaping or new vegetation screening to filter views of proposed buildings and works.

Siting and design

- + Whether any additional overshadowing of public open space can be avoided by redesigning or relocating a proposed building or parts of it.
- + Whether siting of proposed buildings impacts the river's natural flood and watercourse characteristics.
- + Whether any proposed garages and outbuildings ancillary to a dwelling are integrated into the overall design to minimise the appearance of built form impacting public views of the river corridor.
- + Whether the location, bulk, outline and

appearance of any proposed building or works are in keeping with or enhance the natural landscape character and appearance of the Yarra River.

- + The appropriateness of proposed materials and finishes for any proposed buildings and works in reducing contrast.

Site Coverage and Permeability

- + The need to minimise impervious surfaces to allow for filtration of water and retention and establishment of indigenous vegetation and canopy trees.
- + The need to limit areas, (including tennis courts and swimming pools) and other impervious surfaces within the minimum setback distance specified in a table to this schedule to allow for replanting and vegetation growth.
- + Whether adequate spacing is provided between buildings to maintain and create views to the Yarra River and its corridor.

SLO: 'Yarra (Birrarung) River Corridor Environs' Decision Guidelines

Landscape, Environmental and Cultural Values

- + The reasons for removing vegetation and whether there are other alternative options which do not require its removal.
- + The effect of the removal of vegetation on the natural landscape character, habitat protection, wildlife movement and long term viability of remnant and revegetated areas.
- + Whether sufficient vegetation and canopy trees of appropriate species are to be planted to replace the removal of the existing vegetation and mature canopy trees.
- + Whether the location and extent of the buildings or works encroaches into the critical root zone of mature canopy trees.
- + The ability for proposed vegetation species to be matched to the local plant communities.
- + Whether mature, dead and dying native vegetation should be maintained as habitat for native fauna or removed to avoid a risk or safety hazard.

Protection of Waterway and the Riparian Zone

- + Whether any proposed earthworks and changes in the topography of the river corridor will detrimentally impact its local natural landscape character and environmental values.

- + Whether the proposed fencing allows for the free movement of wildlife minimises visual intrusion and limits impact on the natural flood and watercourse characteristics.
- + Whether buildings and works are sufficiently set back from the banks of the Yarra River to ensure that:
 - The river's natural flood and water course characteristics are not impacted.
 - The topography of the river and its banks are maintained as the dominant feature in the public views of the river corridor.
 - The existing riparian vegetation is protected and enhanced.
 - That views of development from the Yarra River and adjacent public open space, bicycle and shared paths and bridge crossings are minimised.
- + The need for litter or gross pollutant traps at entry points to drains that serve large developments known to generate litter and sediment.

Public Open Space and Access

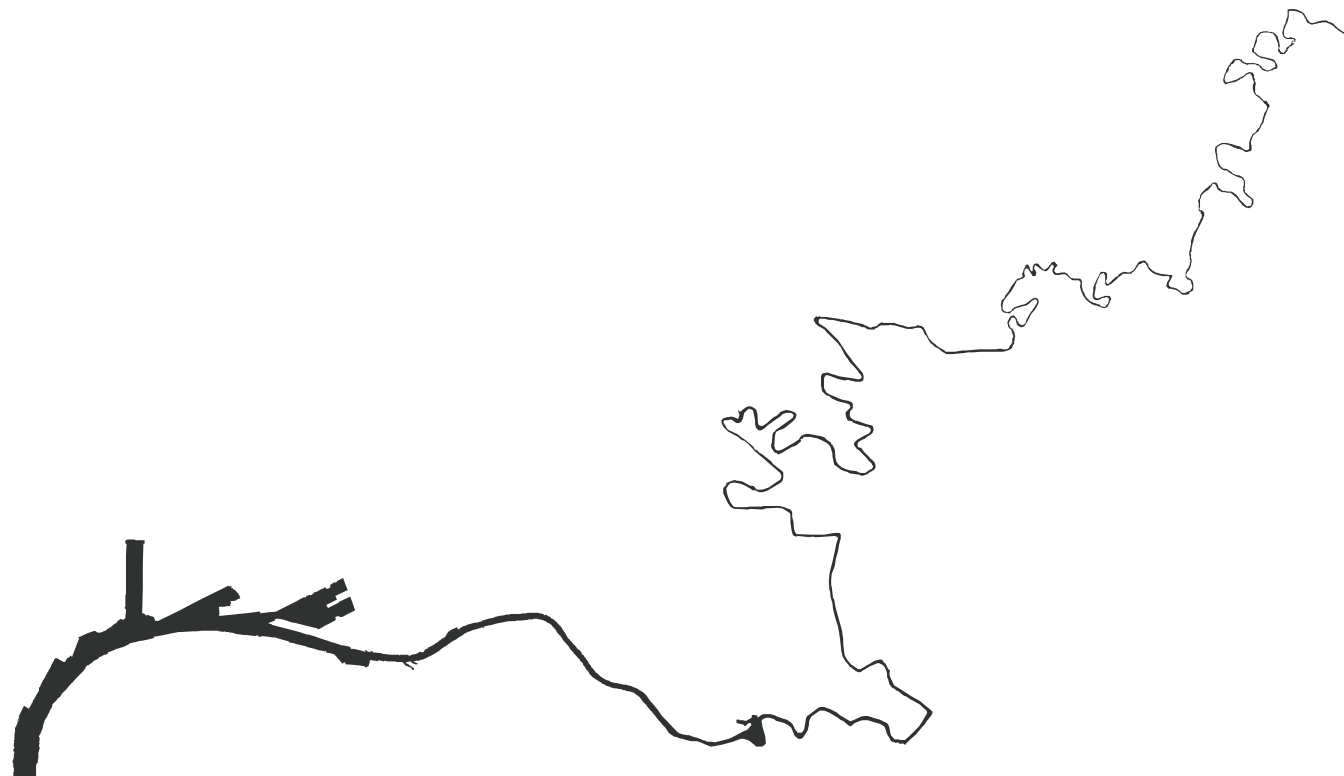
- + Whether the location of boating infrastructure is consistent with the Guidelines for Approval of Jetties 2011 Melbourne Water, any requirements, plans or guidelines prepared by Parks Victoria or other public land manager.
- + Whether private development results in the loss

of, or creates inappropriate access to the Yarra River and its parklands.

- + Whether opportunities exist to co-locate new buildings with existing buildings on public land, particularly at the banks of the Yarra River.

Siting and Design of Built Form

- + Whether buildings will protrude above the predominant tree canopy within a given area.
- + The impact of any overshadowing by development:
 - on the banks and waterway of the Yarra River between 11:00am and 2:00pm on 22 June; and
 - across any public open space between 11:00am and 2:00pm on 22 September.
- + Whether the scale, form, siting and design of new buildings, including materials, colours and finishes, are sensitively integrated with the natural landscape setting of the river corridor.
- + Whether the spacing between buildings allows for the planting of appropriate vegetation and canopy trees to filter views of the development.
- + Whether the existing and proposed vegetation fronting the Yarra River will filter the majority of views of the proposed development.





Appendix C: Example Site Investigations



Overview

This section presents a series of use and development scenarios for key sites to illustrate the operation of the new Yarra River Protection planning controls.

The sites have been selected for analysis as they have significant scope for change of use or development that has potential to impact upon the Association's vision, aims and objectives.

For each site, a summary of existing conditions is followed by key considerations for the Yarra Riverkeeper Association when seeking to engage with the process or redevelopment:

- + Key issues
- + Outcomes sought
- + Mechanisms to achieve this
- + Key players.

Issues and opportunities for potential outcomes that may be of benefit to the land owner, the community and the river have been discussed. These examples and illustrations could be used to support future advocacy activities when the YRKA seeks involvement in a planning matter.



Key Site Scenarios

Carlton and United Breweries Site, Abbotsford



THE SITE

The Carlton and United Brewery (CUB) site in Abbotsford has an approximate area of 10ha and is located within the *Current and Ex-industrial Character Type* identified in the *Lower Yarra River Corridor Study*.

The land is floodprone (covered by the Land Subject to Inundation Overlay, LSIO) and a Public Acquisition Overlay (PAO) applies to the site along the Yarra River frontage, with a width of 10-30m. The PAO area is designated for continuation of the trail adjacent to the river.

SURROUNDING LAND USES & OPEN SPACES

Historically, the surrounding area was home to a large concentration of intensive industrial and commercial land uses, with some lower scale residential dwellings located to the south of the site.

More recently, redevelopment of former industrial buildings and sites in the surrounding area has taken place. New development consists of both converted industrial buildings and construction of new apartment developments; representing a significant change in land use pattern.

The CUB site represents 10ha of prime inner-city river frontage that is located about 4km east of the city centre. This is a strategically significant redevelopment site in City of Yarra, both due to its cultural heritage and its location abutting the River.

EXISTING BUILDINGS & STRUCTURES

The site is developed with a wide variety of building, from low-rise warehouse, to higher rise structures, through to a visually prominent tower located toward the centre of the site towards the crest.

Some former industrial buildings have been converted or extended for residential or office use. A number of buildings and structures in close proximity to the site are subject to a Heritage Overlay (HO).

DRAINAGE/ STORMWATER CHANNELS IN AREA (BASED ON AVAILABLE DATA)

As highlighted above, the CUB site is partially covered by the LSIO, along the river interface. The LSIO restricts development due to flooding constraints, usually by setting a minimum floor level for new buildings to enable "safe passage of floodwater" across the land.

A more detailed description of the LSIO is included in Section 2.3.

PLANNING CONTROLS

The *Yarra River Corridor Study* sets a minimum mandatory setback of 30m from the closest property boundary to the river for the CUB site.

The *Study* also sets the following built form envelope for future development:

- + A mandatory maximum height of 11m within 10m of the Minimum Mandatory Setback Line (MMSL);
- + A mandatory maximum height 18m within 10-25m of the MMSL; and
- + A discretionary height of 18m for development beyond 25m of the MMSL.

The *City of Yarra Municipal Toolkit* recommends that any process to change land use from industrial to residential should consider a substantially increased setback (indicatively, a minimum of 60m) in order to provide an opportunity for expanded river-front access and high quality open space.

KEY ISSUES

- + Public access to the river is limited as the river banks in this location are fenced off.
- + There is notable absence of vegetation along the river frontage of the CUB site.
- + Existing development is built to the crest line of the river corridor.
- + Intensity of development (including new buildings) on private land close to the river results in the river, its banks and vegetation, being visually dominated by built form.
- + Buildings are finished with reflective materials and large surface areas with light and bright hues and highly saturated primary colours.
- + Increased run-off from built up areas, including areas upstream, polluting the waterway.
- + Increased flooding and associated risk to public safety and damage to property and infrastructure due to climate change and increased built up areas.
- + Reduced parkland and garden management
- + Formal gardens along the river bank are contrary to the preferred informal and naturalistic landscape.
- + Pressure to redevelop former industrial sites could result in tall buildings that are visible from the opposite bank or the river and may contribute to a 'canyon' or 'wall' effect.

OUTCOMES SOUGHT

- + Speak for new development that prioritises public access to the Yarra River lands, contributes to continuous public access to the banks of the River, connects trails and adds new areas of public open space.
- + Speak for canopy trees and other revegetation to be planted in the mandatory setback area to screen development and contribute to the river bank as a habitat and important natural asset.
- + Speak for exemplary stormwater management and excellent building construction measures are used, including siting buildings outside flood prone areas.
- + Speak for new development that protects sites of cultural heritage significance.
- + Speak for new development that respects the Yarra River lands as a flood-prone area and exemplary stormwater management techniques are achieved.
- + Speak for development of the site to be managed by a comprehensive Master Plan, which prioritises positive, integrated outcomes for the site in relation to the Yarra River lands.
- + Speak for new development that improves outcomes for the community by exploring (as part of the Master Plan) slightly higher built form in some appropriate parts of the site (i.e. 'Development uplift' potential) that also gets the best outcome for the Yarra River lands.

MECHANISMS TO ACHIEVE THIS

- + Talk to participation in working groups at the State government level regarding future policy-making with the Yarra River.
- + Talk to engagement with Melbourne Water and input to the Yarra River Strategy preparation.
- + Talk to Yarra City Council as discussion regarding development within the Yarra River lands, as opportunities arise.
- + Talk to engagement with Yarra City Council on strategic planning projects as a key stakeholder to guide outcomes on key sites like the CUB site to ensure the Yarra Riverkeeper outcomes are included in policy-making discussions.
- + Talk to engagement with the CUB regarding future development of the site.

KEY PLAYERS

- + State government: Department of Environment, Land, Water and Planning.
- + Melbourne Water (A likely referral authority for any future planning permit application).
- + Yarra City Council: Planning and Environment, Assets and Engineers and Community Programs.
- + Have continued discussions with Linked Solutions and the owner of the CUB site.
- + The Association may seek further advice regarding future design considerations to advocate for in new development and Master Planning.

Yarra Valley Country Club – Bulleen



THE SITE

The Yarra Valley Country Club in Bulleen has an approximate area of 32.5ha and is located within the *Parklands & Recreation and Rural Environment* character type.

The land is floodprone (covered by the Land Subject to Inundation Overlay, LSIO). In this location, the LSIO covers land up to the 18m AHD contour line. A Public Acquisition Overlay (PAO) applies to the site's frontage, with the intention for the linear park and trail adjacent to the river to be extended.

SURROUNDING LAND USES & OPEN SPACES

The site sits within the floodplains of the Yarra River flats. At this point, the river winds through low-lying land generally utilised as parkland and recreation reserves.

In this location, the Yarra Valley Country Club site sits within a broader parklands setting, from both sides of the river. Birrarung Park is to the east, the Heide Museum of Modern Art is to the south-west, and Warringal Parklands and Banyule Flats Reserve are found on the northern bank of the river.

EXISTING BUILDINGS & STRUCTURES

The site sits on extensively cleared grassed areas. It is developed as a 9-hole golf course, with buildings located towards the Templestowe Road frontage outside the LSIO extent. A transmission line easement runs through the centre of the site. On the southern part of the site is a parcel of industrial land, with a frontage to Templestowe Road.

Public access to the banks of the river and the corridor is possible at Banksia Park and Birrarung Park. The Main Yarra Trail is located on the opposite bank of the river.

PLANNING CONTROLS

The *Yarra River Corridor Study* sets a minimum setback distance from the river's edge of the 18m AHD contour line. This reflects existing planning controls, the established development patterns and the site topography. The *Yarra River Corridor Study* sets a mandatory maximum height of 8m (9m on a sloping site) for these sites.

CURRENT PROPOSAL

Developer Linked Solutions and the owner of the Yarra Valley Country Club in Bulleen have proposed a redevelopment of the existing golf course and associated buildings into a 165-217 unit townhouse development. The proposed townhouses would be setback approximately 100m from the Yarra River, broadly in line with the Transmission Line Easement which runs centrally through the site.

A planning permit application was lodged with Manningham City Council in 2015, for:

Use of the land for Dwellings in associations with a Leisure and Recreation Facility, buildings and works for the construction of 202 two or three storey townhouse style and the construction of a two-storey clubhouse, use of land for the sale and consumption of Liquor, vegetation removal and modified access to Templestowe Road.

Under the developer's preferred option a land swap arrangement would exchange 1.58ha of Parks Victoria land fronting Templestowe Road with approximately 1.16ha of freehold land within the existing PAO buffer. A further 0.67ha would be gifted for use as a Heide Museum car park, Sculpture Garden and Templestowe Road widening.

A 30m river buffer (3.59ha), and parkland (4.36ha) are also proposed under the current scheme.

The application is still live and with Council, who has requested further information.

KEY ISSUES

- + Public Access to the river in this area is restricted; limited to patrons of the Yarra Valley Golf Club.
- + The proposed development would not comply with the minimum setback distance established in the Yarra River Corridor Study, which is set at the LSIO boundary.
- + A preliminary review suggests that the developer would seek to raise the site level within the LSIO above the 18m AHD contour.
- + Potential visibility of development from identified viewing points in the Yarra River Corridor.

OUTCOMES SOUGHT

- + Speak for redevelopment of the site such that development does not occur within floodprone areas and complies with the minimum mandatory setback line.
- + Speak for the avoidance of significant earthworks (i.e. changing the ground levels) that will affect the river floodplain.
- + Speak for new development that prioritises public access to the Yarra River lands, contributes to continuous public access to the banks of the River, connects trails and adds new areas of public open space.
- + Speak for natural building materials and finishes, to be used alongside muted colours and tonings in all new developments.

- + Speak for water sensitive urban design (WSUD) treatments and a water sensitive approach to design and plantings on the site are an integral part of the design.
- + Speak for recognition, interpretation (where appropriate) and protection of Aboriginal Cultural Heritage on the site.
- + Speak for new development that is not visible from identified key viewing points on the southern and northern banks of the Yarra River.
- + Speak for exemplary stormwater management and excellent building construction measures to be used in the new development.
- + Speak for creation of new parklands in the spirit of the Yarra River Urban Parklands within the Yarra River lands occurs and new public access is created.

MECHANISMS TO ACHIEVE THIS

- + Talk to DELWP and Melbourne Water regarding the redevelopment of significant sites on the Yarra River lands, including advocating for the Association to be part of any key stakeholder reference groups about policy creation.
- + Talk to Manningham City Council as discussion regarding development within the Yarra River lands arise.

- + Talk to engagement with Manningham City Council to understand the current status of the application, and make a submission to the proposal based on content from the "Outcomes Sought".
- + Talk to engagement with the Yarra Valley Country Club regarding future development of the site.

KEY PLAYERS

- + Melbourne Water (A likely referral authority for any future planning permit application).
- + Parks Victoria, where any new parklands are to be created.
- + Manningham City Council: Planning and Environment, Assets and Engineers and Community Programs.
- + Continue discussions with Linked Solutions and the owner of the Yarra Valley Country Club to understand the nature and progress of development on the site.

Coppin Grove, Hawthorn – Residential



THE SITE

Coppin Grove is a predominantly residential area adjoining the Yarra River in Hawthorn. This area of the Yarra River is located within the Leafy Suburban character type.

The Land Subject to Inundation Overlay applies along the property's boundary with its frontage to the river. The overlay applies more extensively to the east of the site.

SURROUNDING LAND USES & OPEN SPACES

Sites within this area are generally 2,000-4,000sqm, and existing controls allow for low-scale residential development.

EXISTING BUILDINGS & STRUCTURES

The residential buildings in this area are setback between 30 and 70m from the minimum mandatory setback line and are generally sited beneath the well-established tree canopy that exists in this area.

Buildings in this area generally comprise of low scale residential development of 2 storeys. Some roof structures and upper levels of development are visible from the river and occasionally interrupt the tree canopy.

Buildings are generally sited beyond the extent of the LSIO, contributing to a consistent setback pattern. The extensive setbacks generally allow for dense vegetation along the river banks, providing a vegetated screen to development.

In some places the canopy tree cover is less consistent and vegetation has been removed contributing to a more visible built form.

PUBLIC ACCESS TO THE SITE & RIVER

The Hawthorn Rowing Club site and surrounding areas are zoned Public Parks and Recreation providing public access to the river. The Main Yarra Trail is located on the opposite bank of the river.

IDENTIFIED PLACES OF HERITAGE/ ENVIRONMENTAL SIGNIFICANCE

Land on Coppin Grove within approximately 200m of the Yarra River centreline (i.e. on both sides of the road) is within, or affected by, one or more areas of cultural heritage as described in the Aboriginal Heritage Regulations 2007.

Land on the western side of Coppin Grove is covered by the Heritage Overlay (HO).

PLANNING CONTROLS

The Yarra River Corridor Study sets a minimum setback distance from the river's edge which reflects former planning controls, the established development patterns and the site topography. The setback requirement is 30m from the closest property boundary to the Yarra river, or the 10 metres AHD contour line.

The Yarra River Corridor Study sets a maximum height limit of 8m (9m sloping site) of the NRZ to be applied within the updated DDO31.

KEY ISSUES

- + Artificial landscape elements on some properties such as walls, fences, and paving disrupt the natural appearance of the landscape.
- + Public access to the river is highly restricted due to the privately-owned freehold properties that extend to the water line and no public acquisition control applies to the river frontage.
- + Potential pressure for more intensive multi-unit development and on properties directly adjoining the Yarra River.
- + Increasing pressure for 'knock-down and rebuild' of established residential buildings, although the Heritage Overlay may assist in limiting new, more intensive redevelopments.

OUTCOMES SOUGHT

- + Speak for new development that prioritises public access to the Yarra River lands, contributes to continuous public access to the banks of the River, connects trails and adds new areas of public open space.
- + Speak for natural building materials and finishes, to be used alongside muted colours and tonings in new development.
- + Speak for water sensitive urban design (WSUD) treatments and a water sensitive approach to design and plantings on the site as an integral part of design.

- + Speak for the recognition, interpretation (where appropriate) and protection of Aboriginal Cultural Heritage on the site.
- + Speak for new development that maintains the low-density character of this location.
- + Speak for exemplary stormwater management and excellent building construction measures to be integral parts of the redevelopment.
- + Speak for new development that has a strong landscaped edge to river, vegetated rear setbacks and avoidance of vegetation removal (other than very minimal).
- + Speak for site redevelopment that retains and extends the tree canopy cover to ensure that trees remain the dominant visual element of the river corridor in this location.

MECHANISMS TO ACHIEVE THIS

- + Talk to the YRKA's involvement with Boroondara City Council on any working group that relates to new development occurring in the municipality, on an ongoing basis.
- + Talk to Boroondara City Council as discussion regarding development within the Yarra River lands, as opportunities arise.
- + Remain informed about any land sales occur in this location.

KEY PLAYERS

- + Melbourne Water (A likely referral authority for any future planning permit application).
- + City of Boroondara: Planning and Environment, Assets and Engineers and Community Programs.
- + Have ongoing discussions with the landowners in this area, as opportunities arise.

Trenerry Crescent, Abbotsford – Residential



THE SITE

Trenerry Crescent is primarily a residential area adjoining the Yarra River in Abbotsford. This area of the Yarra River is located within the *Current and Ex-industrial* character type.

The Land Subject to Inundation Overlay applies in places ranging from 30-100m from the river's edge.

Public access to the river in this area is facilitated by the Main Yarra Trail which runs along the eastern bank of the river. Dights Falls Reserve is nearby, and Yarra Bend Park is located on the opposite bank..

SURROUNDING LAND USES & OPEN SPACES

Dights Falls is located to the north-east of this area and Yarra Bend Park is located on the opposite side of the river.

Historically, the surrounding area was home to a large concentration of intensive industrial and commercial land uses, with some lower scale residential dwellings located to the south of the precinct.

More recently, redevelopment of formerly industrial buildings and sites in the surrounding area has occurred. The conversion of industrial buildings, and removal of old buildings to enable construction of new apartment developments is increasingly common.

Some sites within this precinct have areas ranging from 3,000-5,000sqm.

Any proposal on land covered by the *Yarra River Protection* building height controls would be subject to the maximum height requirements of 18-25m in this location (depending on the proposed setback distance from the river).

EXISTING BUILDINGS & STRUCTURES

Buildings are a mix of styles and scales. A three storey industrial building converted for office use is located at 122 Trenerry Crescent and is setback approximately 75m from the banks of the river.

At 142 Trenerry Crescent a more contemporary three storey building is located approximately 75m from the banks of the river. Both buildings are set within surface level car parks with limited site landscaping.

Large, concrete retaining walls feature strongly to the south-east of the site forming a hard barrier between existing development and the river waters.

IDENTIFIED PLACES OF HERITAGE/ ENVIRONMENTAL SIGNIFICANCE

Land on Trenerry Crescent within approximately 200m of the Yarra River centreline is within, or affected by, one or more areas of cultural heritage as described in the *Aboriginal Heritage Regulations* 2007.

DRAINAGE/ STORMWATER CHANNELS IN AREA (BASED ON AVAILABLE DATA)

Parts of this area in proximity to the river are covered by the LSI0, as highlighted above. Any new development would require referral to the floodplain management authority (e.g. Melbourne Water).

PLANNING CONTROLS:

An Environmental Audit Overlay (EAO) applies to some parcels, signifying that further investigation is required when new development occurs as land may have been contaminated by previous industrial activities.

The Yarra River Corridor Study sets a minimum mandatory setback line (MMSL) at 30m from the closest property boundary to river.

The Yarra River Corridor Study sets a sets:

- + A mandatory maximum height of 11m within 5m of the MMSL.
- + A mandatory maximum height of 18m for development 5 to 20m from the MMSL.
- + A mandatory maximum height of 25m for development more than 20m of the MMSL.

KEY ISSUES.

- + The river side of the street is zoned for commercial use, meaning there is potential for large-scale development to occur.
- + Existing buildings are built up to the crestline of the river.
- + Large, concrete retaining walls feature strongly to the south-east of the site forming a hard barrier between existing development and the river waters.
- + Vegetation on the banks of the river provides some screening of development from the banks immediately adjacent, but views from a distance reveal development clear above the canopy on this side of the river.

OUTCOMES SOUGHT

- + Speak for preferred design approaches that include landscaped setbacks at ground level, generous upper level setbacks, subdued colours and green walls.
- + Speak for water sensitive urban design (WSUD_ treatments and a water sensitive approach to design and plantings on the site.
- + Speak for the preservation of industrial heritage through the retention and reuse of significant and contributory places.
- + Speak for new development that is set back a sufficient distance to provide for safe access along the river bank and landscaping above the floodplain.

- + Speak for a requirement that canopy planting must be provided in the mandatory setback area to screen development and contribute to revegetation of the river corridor.

MECHANISMS TO ACHIEVE THIS

- + Talk to the requirement of a comprehensive Master Plan to achieve positive integrated outcomes for the area, with the Yarra River lands as the focus of the Plan.
- + Talk to the YRKA's ongoing involvement with Yarra City Council on any working group that relates to new development occurring in the municipality on an ongoing basis.
- + Talk to the Yarra City Council regarding development within the Yarra River lands, as opportunities arise.
- + Remain informed about any land sales occur in this location.

KEY PLAYERS

- + Yarra City Council: Planning and Environment, Assets and Engineers and Community Programs.
- + Melbourne Water (A likely referral authority for any future planning permit application).

Alexander Road, Warrandyte



THE SITE

Alexander Road is primarily a rural-residential area adjoining the Yarra River in Warrandyte. This area of the Yarra River is located within the *Rural Environment* character type.

The Land Subject to Inundation Overlay (LSIO) applies to the river frontage and extends into the site along the lower lying areas.

The Public Acquisition Overlay (PAO2) applies along the river frontage to a distance of approximately 70m from the setback reference line (as well as a large area of the southern part of the site), which is allocated for potential future open space.

SURROUNDING LAND USES & OPEN SPACES

The Rural Conservation Zone (RCZ1) applies to the site allowing for low intensity residential and agricultural development with a minimum lot size of 40ha. Lower scale residential dwellings are located to the east of the area, subject to the Low Density Residential Zone.

Laughing Waters Park, Tikalara Park and Longridge Park are located adjacent to this area. A PAO applies to the south west which is allocated for potential future open space.

EXISTING BUILDINGS & STRUCTURES

The site to the west of Alexander Road comprises a single property with a dwelling and outbuildings, which are located on an elevated part of the site and set back up to 200m from the river's edge. As a result of the established substantial setback from the river and heavy vegetation, the area has a strongly isolated character.

IDENTIFIED PLACES OF HERITAGE/ ENVIRONMENTAL SIGNIFICANCE

This area is within, or affected by, one or more areas of cultural heritage as described in the *Aboriginal Heritage Regulations 2007*.

Some parcels within the local area are also identified under the Heritage Overlay (HO1 and HO2) as archaeological sites:

- + HO1: Alexander Road, Warrandyte
- + HO2: "Nilja" Alexander Road, Warrandyte (Tree controls apply).

This area is also covered by bushfire planning controls (BMO - Bushfire Management Overlay) due to the extent of vegetation, and as a site of biological significance (ESO2 and ESO3 - Environmental Significance Overlay).

The ESO controls identify this area as being environmentally significant for habitat values, and 'biosites' which denotes significant indigenous vegetation.

DRAINAGE/ STORMWATER CHANNELS IN AREA (BASED ON AVAILABLE DATA)

Parts of this area in proximity to the river are covered by the LSIO, as highlighted above. Any new development would require referral to the floodplain management authority (e.g. Melbourne Water).

PLANNING CONTROLS

The Yarra River Corridor Study sets a 100m setback from closest property boundary to river:

The Yarra River Corridor Study sets a mandatory maximum height of 8m (9m on a sloping site) in the Rural Conservation Zone.

KEY ISSUES.

- + Sites in the precinct range from 10-30ha and the existing planning controls allow for low-scale residential development - protecting the rural character from more intensive development might become a key future challenge.
- + Pressure for subdivision of existing land parcels and more intensive use of land.
- + If small lot subdivisions occur, potential loss of the sense of spaciousness across the site, rural character and site vegetation.
- + Potential loss of natural drainage channels.

OUTCOMES SOUGHT

- + Speak for new development that maintains the rural, bush character of the area.
- + Speak for new development that prioritises public access to the Yarra River lands, contributes to continuous public access to the banks of the River, connects trails and adds new areas of public open space.
- + Speak for the inclusion of water sensitive urban design (WSUD) treatments and a water sensitive approach to design and plantings on the site are an integral part of the design.
- + Speak for the retention and enhancement of canopy cover, ensuring trees and surrounding vegetation continues to be the dominant visual element.

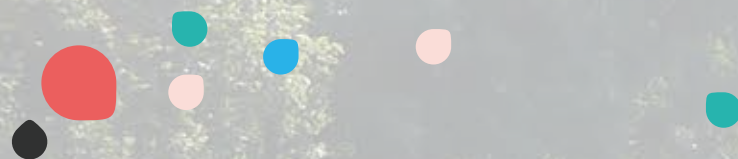
- + Speak for the use of exemplary stormwater management and excellent building construction measures.

MECHANISMS TO ACHIEVE THIS

- + Talk to the YRKA's ongoing involvement with Manningham City Council on any working group that relates to new development occurring in the municipality.
- + Talk to Manningham City Council regarding development within the Yarra River lands, as opportunities arise.
- + Remain informed about any land sales occur in this location.

KEY PLAYERS

- + Manningham City Council: Planning, Assets and Engineers and Community Services
- + Melbourne Water (A likely referral authority for any future planning permit application).



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