



Our Yarra: Healthy, Protected and Loved

21 July 2020

**Submission by the Yarra Riverkeeper Association:
Planning Scheme Amendment C132 to the Manningham Planning Scheme to
enable the land at 27- 59 Templestowe Road, Bulleen, to be developed.**

Who are we?

The Yarra Riverkeeper Association is the community voice for the river. The Yarra Riverkeeper speaks for the river as the river cannot speak for itself. We are a key and informed stakeholder on the Yarra River. Our policy achievements include the initial advocacy for the Yarra River Protection (Willip-gin Birrarung murrong) Act (Yarra/Birrarung Act) as well as for the Yarra Planning Controls. We have built an informed and evidence-based community understanding of the river as a single and integrated ecosystem from source to the bay.

Links

<https://northeastlink.vic.gov.au/news/proposed-templestowe-road-soccer-facilities>
[https://s3.ap-southeast-2.amazonaws.com/hdp.au.prod.app.vic-engage.files/3415/9427/0319/Templestowe Road Soccer Facilities - Master Plan - _For Exhibition.pdf](https://s3.ap-southeast-2.amazonaws.com/hdp.au.prod.app.vic-engage.files/3415/9427/0319/Templestowe_Road_Soccer_Facilities_-_Master_Plan_-_For_Exhibition.pdf)
<https://engage.vic.gov.au/north-east-link/templestowe-road-soccer-facilities>
<https://engage.vic.gov.au/yarra-river-bulleen-precinct-advisory-committee/draft-framework-plan>

Context

The site is located between the Yarra River and Bulleen Road. It has parkland on one side, and it has parkland on the other side. Immediately to the south is the Yarra Valley Country Club, a site that has preserved relatively undisturbed green open space of trees. This site is subject to development plans.

It is an opportunity to contribute to the greater parklands along the river as the developers have flagged a willingness to gift the land to the state in return for the high ground on the Parks Victoria site. They would also like to build into the flood plain, which is opposed by government agencies, including Melbourne Water.

To the east is parkland managed by Parks Victoria, which has high biodiversity values and it famous for a whole range of play and passive recreation uses. Beyond the parkland is yet further parkland, interrupted by the HM Clause site, which is leased from Parks Victoria. The HM Clause will, in time, return to public use.

Further along Bulleen Road to the south-west is Heide Gallery, a significant expression of European/Settler culture with extensive grounds green grounds of mostly

indigenous planting that are used to exhibit sculpture. There are proposals to make the precinct a cultural precinct and to enhance indigenous values and create opportunities for reconciliation through art installations.

The precinct is vibrant with potential to reconnect green parklands along the river and enhance the river as a biodiversity corridor.

Summary

The Driving Range and adjacent Parks Victoria land are collectively a major site on the Yarra River, and in the Bulleen Precinct. What is finally decided here will set the tone for developments within the precinct and in the Middle Yarra. There are several adjacent or nearby sites that will come up for development in the next years. Its development will preclude other land uses and developments elsewhere in the precinct.

It, therefore, deserves special consideration.

However, the approval of the project is premature as the Bulleen Precinct Framework plan has not been finalised. The proposed bringing-forward of a decision on the development of this site contradicts good planning practice. This site and its master plan must be considered as part of the Bulleen Precinct Framework Plan, through the properly appointed panel who are responsible for the recommendations on this framework plan.

The Yarra Strategic Plan also remains in draft. The current draft is undergoing substantial revision, and the Yarra Strategic Plan Panel has yet to report.

This plan is not integrated with the broader plans for the precinct and the river corridor. The Yarra/Birrarung Act requires that the river be protected 'as one living and integrated natural entity' and that 'environmental significance of the biodiversity corridor along the Yarra River' is recognised, and that planning for the Yarra River is harmonised and co-ordinated.

The principle of a net environmental gain contained in the Act must be explicitly incorporated in the Master Plan, yet it has not. The part of the site managed by Parks Victoria is Yarra River Land. The principle of net gain must, therefore, be applied, and in terms of the intent of the Yarra River Protection Act, it must be applied to the whole site. Yet net gain has not been addressed and is not mentioned in the entire master plan document. It would be a breach of the Act not to address an environmental net gain, and it is a clear early opportunity to deliver the environmental net gain and explore what this might be when applied in the context of the Yarra corridor.

The environmental net gain concept needs to respect the Indigenous Australian concept of 'Caring for Country'. A reasonable reading of the Act with its cultural principles that require partnership with traditional owners and the protection of Aboriginal cultural values requires that this concept be considered and that the Master Plan is informed by traditional owners and approved by traditional owners to fulfil the cultural principles in the Act.

Submission content

Master Plan

The master plan is a short document, and many key issues are not adequately addressed. There is insufficient detail in the document to assess some aspects of the proposed developments. Elements within the plan are mentioned but not then further explained or linked into the concept planning. The plan states that consultation, ‘involved stakeholder representatives from Manningham City Council and Football Victoria, sports clubs including Templestowe United Football Club, Bulleen Lions Soccer Club (Veneto Club)’. There is, however, no inclusion of environment groups or advocates for art. These groups of which we are one have been entirely left out. There is no exploration of the values of passive recreation nor the more extended age range of passive recreation compared to sport, or of the greater numbers that enjoy passive recreation. The public consultation was inadequate as it began with a pre-determined outcome for the site, rather than looking at what the most appropriate and highest valued use of the site would be.

Wetlands

Of particular concern is the lack of information and explanation about the landform and how the contours will be reshaped to create soccer pitches and how the contours will be reworked to create the wetland. To what extent is the built form to be pushed onto the flood plain and how deep will the compensating wetland need to be to keep the flood capacity of the plain at the same volume? The concept of allowing a deep dam to be created to compensate the flood plain elsewhere for loss of volume sets an inappropriate precedent for development along the river. It is not appropriate for both ecological, planning and cultural reasons to further alter the shape of the flood plain. There is also no explanation as to the stormwater function of the wetlands and whether adequate to address the additional impermeable surfaces that will be created at the site – carpark surfacing, artificial turf and roofing. Ephemeral wetlands delivered higher ecological values than deep permanent wetlands. There are the wetlands most typical of the Yarra corridor. Due to the lack of information in the Master Plan, it is unclear what sort of wetlands are intended to be created.

Wurundjeri-Woi wurrung

While the plan acknowledges in ‘3.1 Place Values’ the importance of cultural landscape and connection to Country, yet the Master Plan does not follow up on this acknowledgement in any practical way. The Wurundjeri-Woi wurrung Tribe Land Council should now be employed as consultants on the plan, and the Council must be treated as partners in the development of the site. Premier Andrews’ in his speech of 2015 ‘Closing the Gap’ stated... ‘At the moment, our definition of leadership is giving Aboriginal Victorians a seat at our table. But real leadership is about making it their table, too. Our effort must have heart and it must have ears.’

Yarra Strategic Plan

The Yarra Strategic plan is an outcome of the Yarra/Birrarung Act 2017. The Act is an initiative of the Andrews’ Government, and the Act encompasses a bold and innovative vision that deserves to deliver in full on its intent. The bill was introduced into parliament by the Minister of Planning, Minister Wynne, and was an initiative that originated with his

department. The strategic plan is intended to create a whole-of-river view of co-ordinated action for the river 'as one living and integrated natural entity'. The clear intent of this plan is not to respond on a site by site basis to satisfy short-term needs of particular interest groups. The Master Plan selectively uses elements of the draft plan while not acknowledging its overall intent of harmonising planning along the river. The plan is only in draft at the moment and under-going considerable revision (as a draft should). It is premature to make decisions about any sizeable site along the river before the Yarra Strategic Plan has been finalised.

Habitat

While the Master Plan references habitat, it does not provide an analysis of the current values and the intended outcomes, especially in the context of the Yarra as a migratory corridor and a sink of biodiversity. Does the Master Plan maximise the biodiversity outcomes for the site? The current situation means the riparian corridor at this point is one of the few places in the Middle Yarra where wildlife is left undisturbed from by the presences of people (and dogs), and light and noise. The Yarra Strategic Plan is to acknowledge that there is a conflict between the presence of people and biodiversity, and a whole-of-river view needs to be taken of where recreational disturbance is appropriate.

The Yarra River Community Vision – Suburban Reach

The Master Plan does not properly acknowledge, nor is it consistent, with the Yarra River Community vision, which was produced through extensive and informed community consultation. Please see appendix for complete text.

Greater Birrarung Parklands

The development of the site as soccer fields may preclude opportunities that are to be part of the Greater Yarra (Birrarung) Urban Parklands. A premature decision at this site will preclude co-ordinated opportunities for these parklands.

Bulleen Precinct Framework Plan

A Bulleen precinct structure plan was one of the Action Points in the Yarra River Action Plan, and one of the points accepted by the government. (The Yarra River Action Plan was launched by Premier Andrews, Minister Wynne, and Minister d'Ambrosia.) The call for the precinct structure plan is Action Point 21, and it states: "Develop a precinct structure plan to provide direction to the future land-use changes for the Yarra corridor between Bulleen Park and Banyule Flats. This precinct has the opportunity to become an internationally significant cultural precinct, centred on the relationship between the arts, nature and Traditional Owner heritage. The precinct has a number of public acquisition overlays and land use opportunities that should be reviewed as a whole to provide certainty to landowners and developers." None of these points are addressed or captured in the outcomes of the Master Plan. Culture has had to take a back seat to sport. The government instituted a process to implement Action Point 21. Still, this process was slow to come to fruition, and the associated planning panel process was delayed until after the North-East Link planning panel delivered its finding. The re-starting of the panel process has not followed promptly. The Soccer Master Plan is occurring outside this process. The Bulleen precinct had considerable input from the department and from the Interim Yarra River Advisory Committee (the forerunner of the Birrarung Council). It was supported by an expert report from the consultants TCL, and

further extensive work by the department. This work has been parked while a plan for part of the site has been inserted that does not consider the precinct as a whole and is a response to short-term needs generated by the construction of North-east Link, and that means the opportunity for the whole precinct is compromised.

Recommendations

- That the soccer ground proposal be referred to the Bulleen Precinct Plan.
- The approval of this plan be delayed until the Bulleen Precinct Panel's recommendations are submitted and accepted by government.
- The approval of this plan be delayed until the draft Yarra Strategic Plan is finalised.
- The Wurundjeri-Woi wurrung Tribe Land Council be employed as consultants, including to assess the environmental net gain in the context of Caring for Country.
- The Master Plan explains what is intended by the creation of a wetland. What is its intended function?
- The Master Plan be modified to explain the depth and nature of the wetland and whether an opportunity to create a high-value ephemeral wetland is being missed.
- The Master Plan be modified to show what changes in land levels needed to create flat playing fields and a wetland. The modification is to be assessed as to whether it sets an inappropriate precedent for sites on the Middle Yarra.
- Habitat with species list be explicitly considered in the planting.
- All planting is indigenous to the region and considered for the creation and enhancement of habitat.

Recommendations

Closing comment

The development of the site needs to respect sound planning principles and form part of the Bulleen Precinct Planning Framework. It needs to articulate a net gain for the site both in terms of the environment and in terms of Caring for Country.

Andrew Kelly
Yarra Riverkeeper

on behalf of the Yarra Riverkeeper Association

Suburban Reach 50 Year Vision

Our Yarra River, Birrarung, provides a continuous network of protected parklands, providing inclusive access to all. A covenant of custodianship is adopted by private landowners along the reach, embedding a culture of respect and responsibility for river values. The river corridor provides a healthy natural environment, enabling swimming, relaxation and other recreational activities. Importantly, it also supports a flourishing natural ecosystem, including networks of billabongs and wetlands, for indigenous plants and animals to thrive. This is a valued place of connection to Wurundjeri culture and community, with a network of hubs of learning, play and celebration. It benefits from a united and integrated approach to governance and land management, guided by the wisdom and practices of Traditional Owners, keeping culture not just in the past but alive into the future.

Unique character:

- The river runs through a landscape which comprises bushland, farms, urban environments and more formal open spaces.
- The river's character is varied and includes steep gorges, expansive floodplains and networks of billabongs.
- A near-continuous network of accessible parklands, public and private golf courses and conservation areas support the natural character of the river corridor, while protecting local populations from flood.
- The river is a vital refuge from the city with recreation trails providing links to inner-city Melbourne.
- Bolin Bolin Billabong and the confluence of the Merri Creek and Yarra River are amongst numerous sites of cultural significance for the Wurundjeri people.

Priorities and values:

- Expand the river's local parklands and trails to improve continuous access, increase biodiversity and enhance river health.
- Celebrate our spiritual connection to the river and its surrounds.
- Establish new habitat for endangered birds, fish and wildlife.
- Employ collaborative planning processes for development to ensure changes are for the benefit of the river and the advantage of all in the community, not just the few.
- Collaborate to provide innovative immersive experiences with nature by expanding natural river tracks and creating environmental playgrounds along the corridor.
- Explore opportunities for community education and connection to Wurundjeri knowledge and cultural practice and significant sites.