

Appendix A:
Existing Planning Scheme Provisions

Municipal Strategic Statement

The Municipal Strategic Statement (MSS) identifies the Yarra River's importance for recreation, nature conservation, its ecological values and landscape qualities. The Yarra River's open space is regionally significant and recreational opportunities along the river corridor are provided at:

- Main Yarra Trail
- Fairfield Park Boathouse
- Yarra Bend Park
- Dights Falls
- Abbotsford Convent
- Collingwood Childrens Farm

Clause 21.03 includes two relevant maps: strategic framework plan and a residential development opportunities map.

The strategic framework plan identifies open space, the core industrial area and Victoria Street Major Activity Centre (MAC) which abut the Yarra River. Bridge Road MAC and an existing and potential commercial and industrial area are also in close proximity to the river.

The residential development opportunities map identifies the following sites:

- Amcor and its neighbouring site
- Victoria Street East Precinct
- Victoria Gardens area
- Other sites on Victoria Street
- Area in River Street
- Richmond Maltings site

The Yarra River Corridor is to be reinforced as the key ecological and open space element of the urban framework and key vistas across the corridor maintained. The MSS recognises that there are distinct sections of the river some of which have a strong built form presence, such as where the Monash Freeway dominates, but stipulates that natural features should predominate. The river corridor's topography can be visually undermined by larger scale development sited too close to its banks.

Local Policy

There is no local policy specifically for the Yarra River corridor.

Clause 22.03 Landmarks & Tall aims to maintain the prominence of Yarra's valued landmarks and landmark signs. This includes the Skipping Girl sign, Victoria Street, Abbotsford and the Nylex sign, Harcourt Parade, Cremorne. Development should protect the views of these signs.

Clause 22.08 Protection of Biodiversity applies to ESO1, ESO2 and ESO3 areas, provides policy regarding the protection of biodiversity. The policy focuses on identified species of remnant vegetation. The policy includes objectives:

- To protect and enhance Yarra's natural biodiversity.
- To protect the long term survival and viability of remnant vegetation.
- To ensure the survival of indigenous species.
- To minimise the impacts of introduced flora and fauna on indigenous vegetation.
- To manage sites to allow for the natural regeneration of indigenous vegetation.

The policy includes a list of preferred indigenous plants.

Clause 22.11 Victoria Street East Precinct Policy affects a number of key development sites in Yarra and includes policy regarding the interface with the Yarra River.

Clause 22.12 Public Open Space Contribution policy applies to residential and mixed use proposals to provide public open space for new residential development. It identifies when and where land contributions for public open space are preferred over cash contributions. This includes a number of areas that abut the Yarra River.

Zones

Zones that apply to the study area within the City of Yarra are described below. A zoning map is provided in **Appendix B: Planning Scheme Maps**.

Public Park and Recreation Zone (PPRZ)

The PPRZ applies to large areas of open space along the river corridor, including Yarra Bend Park, linear reserves along the river, small open spaces and golf courses. Land included in the PPRZ provides an extensive buffer of highly vegetated parkland along the river (at varying widths). There are no specific siting or design requirements in this zone.

Neighbourhood Residential Zone (NRZ)

The NRZ is applied to residential areas in Fairfield, Richmond and Cremorne adjoining the river.

A maximum of two dwellings per lot may be constructed and a mandatory height limit of 8m (9m on a sloping site) applies. The schedule to the NRZ implements a permit requirement for dwellings on a lot less than 500m².

Urban Floodway Zone (UFZ)

A large parcel of land in Fairfield is included within the UFZ. Use and development of land is limited in this zone and comprehensive review of how it might be affected by flooding is required.

Industrial 1 Zone (IN1Z)

Parts of Abbotsford and Richmond are included in the Industrial 1 Zone.

The IN1Z provides for a range of industrial and commercial uses, which have been recently expanded with the zone reform program to include unlimited office floorspace, small supermarkets and associated retail shops.

Industrial 3 Zone (IN3Z)

The IN3Z applies to large sites and precincts in Cremorne. The IN3Z provides for industries and associated uses in specific areas where special consideration of the nature and impacts of industrial uses is required or to avoid inter industry conflict and to allow limited retailing in appropriate locations.

Commercial 1 Zone (C1Z)

The C1Z is applied to commercial areas of Richmond and Abbotsford. The C1Z allows a wide range of commercial and mixed use development, including residential apartments, and many land uses do not require a planning permit.

Commercial 2 Zone (C2Z)

The C2Z is applied to commercial and light industrial areas of Richmond, Abbotsford and Cremorne. This zone provides for offices, manufacturing, bulky goods retailing and other complementary uses.

Public Use Zone (PUZ3)

Special policy and controls are applied to Public Use Zone Schedule 3 (PUZ3) land which is part of the Crown Allotment 133G, Parish of Jika Jika, situated in Yarra Bend Road (referred to in this study as 'Forensicare'). This includes an incorporated plan titled *Victorian Institute of Forensic Psychiatry Concept Plan (1997)* which encourages the reuse of buildings and some built form of 2 storeys. The schedule requires no permit for use or development generally in accordance with the concept plan. Before any use commences or building or works are constructed, an overall development plan generally in accordance with the concept plan must be approved by the authority. This includes a building development plan, landscape management plan, drainage management plan and elevations showing the location, type, design, height, colour and materials of all buildings and works, including proposed lighting.

Special Use Zone (SUZ)

Schedule 1 to the Special Use Zone (SUZ1) applies to Latrobe Golf Course and aims to provide for a private golf course and ancillary purposes.

SUZ4 applies to Abbotsford Convent and aims to provide for the development and management of the site primarily for arts, culture, education, tourism and parkland uses and implement the Abbotsford Convent Masterplan (2004). A planning permit is required to construct a building situated outside the defined building envelope plan contained in the Master Plan.

Comprehensive Development Zone (CDZ)

The Comprehensive Development Zone (CDZ) applies to Victoria Gardens and its Schedule (CDZ1) gives effect to Victoria Gardens - Building Envelope and Precinct Plan and Precinct 3 Plan - Warehouse Area, an Incorporated document.

The plan includes a Yarra environs precinct (a width of approximately 5 metres along the river frontage) that must only be developed for pedestrian and bicycle linkages, boat landings, boardwalks, terraces, decks, seating and ancillary works and public recreational facilities.

CDZ3 applies to the Richmond Maltings site which is separated from the river by the Monash Freeway. It gives effect to the *Planning and Design Principles for the Richmond Malting Site, Cremorne - November 2007*, an incorporated document which includes building envelopes and height limits as well as policy to: 'strengthen the built form edge to the Monash Freeway and the Yarra River while allowing for access to sky and long distance views'.

These sites are currently not included in DDO1 Yarra River Corridor Protection.

Priority Development Zone (PDZ1)

The Priority Development Zone - Schedule 1 (PDZ1) applies to the Victoria Street East Precinct at Yarra Gardens / Shamrock Street North. It gives effect to the Yarra Gardens Precinct Plan – December 2009, an Incorporated Plan. The overlay specifies a number of requirements including a legal agreement and plans to be submitted with the application e.g. acoustic plan, transport plan. The precinct plan includes detailed policy about the river, setback and height controls and requirements for public access along the river frontage.

These sites are currently not included in DDO1 Yarra River Corridor Protection.

Overlays

Overlays that apply to the study area within the City of Yarra are described below. A set of overlay maps are provided in **Appendix B: Planning Scheme Maps**.

DDO1: Yarra River Corridor Protection

Design and Development Overlay (DDO1) 'Yarra River Corridor Protection' is an interim control introduced through Amendment C195 and due to expire 31/12/17. This Amendment implemented the recommendations of the 2015 Strategy, and updated the former DDO1 which had applied to the length of the river.

The current DDO1 is applied to all land, both private and public, along the river. It also includes the tributaries of the Merri & Darebin Creeks.

DDO1 includes a Statement of significance for the river and detailed design objectives relating to the appearance of built form within the river's sensitive landscape. It focuses upon retaining the natural elements of the river's environment, such as riparian vegetation and riverbank topography, as the dominant visual elements in the landscape.

DDO1 sets a range of mandatory and discretionary setbacks and height controls for sites and precincts adjoining, or in close proximity to, the river. Decision guidelines relate to the level of visibility of a development within the landscape, the retention of riparian vegetation and natural river bank topography, and the provision of new vegetation to screen development.

ESO1: Yarra River Environs

The Environmental Significance Overlay Schedule 1 relates to the Yarra River Environs and applies to all land adjoining the river, both public and private.

The current Schedule 1 (ESO1) 'Yarra River Environs' was also introduced through Amendment C195 as an interim control. ESO1 does not include the Merri and Darebin Creek tributaries.

Permits are required for specified buildings, works and vegetation removal. Environmental objectives include:

- Protect indigenous vegetation and wildlife habitats throughout the corridor.
- Conserve water quality and capacity.
- Protect the sensitive ecosystem and enhance the ecological features of the river corridor.

Decision guidelines relate to retaining the landscape character of the river, and its natural elements of bank topography, riparian vegetation and habitat. Additionally, reference is made to the

Middle Yarra Concept Plan - Dights Falls to Burke Road (1990), the *Middle Yarra Concept Plan - Dights Falls to Burke Road* (1986) and the 2015 Strategy.

Development Plan Overlay (DPO3)

The DPO3 applies to the Botanica Business Park in Swan Street, Burnley. It requires a development plan to be prepared before a permit is granted to subdivide the land. The development plan must include three-dimensional views from the Yarra River of the proposed development. In accessing the development plan, the responsible authority is expected to consider the views from the Yarra River.

This site is currently not included in DDO1 Yarra River Corridor Protection.

Development Plan Overlay (DPO11)

The DPO11 applies to the Amcor site. It includes requirements the preparation of a development plan which relate to the built form interface.

The overlay requires a Section 173 agreement that ensures the following will be provided:

- First 30 metres of land from the river (measured from the edge of the river bank) for maintaining ongoing public access and landscape values and protecting riparian vegetation along the river.
- A pedestrian and bicycle path along the Yarra River frontage, connecting to existing accessways.

The overlay includes building heights which are preferred (closer to Heidelberg Road) and maximum (closest to the river). The maximum building height fronting the river is 2 storeys, setback from the crest line. Up to 14 storeys is preferred at the corner of the site where Heidelberg Road and Chandler Highway intersect.

This site is currently not included in DDO1 Yarra River Corridor Protection.

Heritage Overlay (HO)

The HO applies to numerous sites along the river corridor including:

HO9 Abbotsford Convent

HO12 Former Pheonix Biscuit Co. complex

HO48 Dights Mill site

HO70 Amcor site

HO229 Hawthorn Bridge

HO239 Church Street Bridge

HO262 MacRobertson Bridge

HO281 Hoddle Bridge

HO287 Wallen Road bridge

HO292 Victoria Bridge, Kew

HO297 Hawthorn Railway bridge

HO298 Corroboree Tree at Burnley Gardens

HO299 The Boulevard Parklands

HO303 Fairfield Hospital

HO306 Burnley Gardens

HO307 Yarra River Protectorate Station site

HO353 Skipping Girl Vinegar Sign

Land Subject to Inundation Overlay (LSIO) & Special Building Overlay (SBO)

The LSIO applies along length of the Yarra River corridor, to land located within the 1 to 100 year flood storage or flood fringe areas. The purpose of this overlay 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.

The SBO applies to a small section of residential land between Alphington Street and Coate Park, Alphington. This overlay aims to ensure the free passage of water in urban areas liable to inundation from overland flows.

Public Acquisition Overlay (PAO2)

PAO2 has been applied for the creation of a continuous linear park / trail system adjacent waterways. It covers land directly abutting the Yarra River between Gipps and Walmer Streets. This addresses a strategic gap in the Main Yarra Trail on the City of Yarra side of the river. It also applies to land along Darebin Creek from the Yarra River.

