

Appendix A:
Existing Planning Scheme
Provisions

Municipal Strategic Statement

Manningham City Council's MSS makes numerous references to the Yarra River Corridor and the Green Wedge as key focus areas within the municipality. They are highly valued as places of open space and recreation, for their cultural and heritage significance, as tourism attractors, and for their environment, landscapes and visual interest.

Clause 21.02 'Municipal profile' refers to the Yarra River catchment as a major resource within the region. Clause 21.02-12 'The natural environment and biodiversity' makes particular reference to the environmental and landscape significance of the Yarra River corridor and its desirability as a location for semi-rural living.

Clause 21.03 'Yarra River environs' documents the Council's commitment to protecting and managing the Yarra River and its environs. It recognises the need for future management of waterways within Manningham by strengthening biodiversity and ecological features.

Clause 21.05 'Residential' recognises the need to site and design development near to, or visible from, the river corridor in a sensitive manner. Clause 21.06 'Low density' recognises the importance of maintaining low density areas around the river corridor to protecting its landscape and environment.

Clause 21.07 'Green wedge and Yarra River corridor' provides key strategic directions to protect the river's landscape and environment. It identifies one of the key challenges for future management is in balancing the competing interests between the use of land for rural living, agricultural pursuits and biodiversity protection.

Clause 21.07 also lists a number of influences relating to the future use and development along the river corridor including housing, subdivision, built form and landscape character, environmental issues and economic development. Objectives and strategies for the Yarra River Corridor in relation to these issues include:

- Ensure housing development along the Yarra River corridor responds appropriately to the existing social, cultural and environmental conditions
- Ensure siting and design of housing and development responds to site constraints including slope, waterways and wildfire risk and minimises impacts on environmental features
- Discourage fragmentation of land along the river corridor
- Protect and enhance native vegetation, wetland, stream and waterway environments to conserve soils, retain wildlife habitat and create natural corridors for wildlife movement.

In addition to these strategies, Clause 21.07 also includes an extensive list of reference documents which are incorporated into the Scheme and provide further strategic directions for the management of the river environment:

- *Development Guide for Areas of Environmental and Landscape Significance* (2011)
- *Green Wedge Action Plan 2020* (2011)
- *Wildlife Movement and Habitat Needs in Manningham* (2009)
- *Manningham Green Wedge Strategy* (2004)
- *Manningham (Biosites) Sites of Biological Significance Review* (2004)
- *The Middle Yarra Concept Plan - Burke Road to Watsons Creek* (1993).

Clause 21.12 'Infrastructure' includes objectives and strategies to maintain flood flow of the Yarra and its tributaries and manage the urban stormwater system.

Clause 21.13 'Open space and tourism' refers to the linked open spaces and shared trails along the river and their recreational and tourism value.

Local Planning Policy

The local planning policies set out a number of objectives for the protection and management of native vegetation and cultural heritage that relate to the Yarra River corridor.

The local planning policies reinforce the strategies and objectives of the MSS which aim to protect, conserve and enhance the biodiversity values of the municipality, including native and indigenous species of flora and fauna and the habitats in which they are located.

The Clause 22.03 Cultural Heritage Policy includes policy objectives to manage and protect places of aesthetic, historical, scientific, architectural and social significance. The policy assists in the administration of the Heritage Overlay, which applies to numerous sites along the river corridor.

Clause 22.07 Outdoor advertising signs policy includes direction for the design and siting of signage near to the river environment.

Clause 22.15 Dwellings in the General Residential Zone, Schedule 1, implements neighbourhood character objectives which include the protection and enhancement of the tree canopy.

Zones

Zones that apply to the study area within Manningham City Council 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 Bulleen Park, Banksia Park, Birrarung Park, Westerfolds Park and the golf courses. Together with land included in the PCRZ, 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.

Public Conservation and Resource Zone (PCRZ)

The PCRZ applies to large areas of parkland along the river within Templestowe and Warrandyte, including Yarra Valley Parklands, Tikalara Park, and the Warrandyte State Park. The PCRZ is interspersed with land included in the RCZ which complements the rural and bushy character of these open spaces. There are no specific siting or design requirements in this zone.

Rural Conservation Zone (RCZ)

The RCZ applies to parts of Templestowe and large areas of Warrandyte. A number of schedules apply to land zoned RCZ throughout the municipality.

RCZ1 applies to parts of Templestowe and Warrandyte near to the river. It aims to conserve land to ensure that the use and development is compatible with adjoining land zoned PPRZ and PCRZ. In particular, land management policies are targeted at preserving native flora and fauna within open space that adjoins the Yarra River. It sets a minimum subdivision area of 40ha.

RCZ3 applies to parts of Templestowe and Warrandyte further afield from the river, as well as areas in Warrandyte near the river. RCZ3 also aims at protecting existing landscape character and quality by enhancing sustainable management policies. It sets a minimum subdivision area of 8ha.

Broad decision guidelines require consideration of environmental and landscape values and the impact of new development upon vistas.

Special Use Zone (SUZ)

The SUZ is applied to the site of the Yarra Valley Country Club in Bulleen. Specifically the schedule to the zone sets aside this land for private education centres, golf courses and sports grounds, in keeping with the amenity and character of the surrounding neighbourhood.

Neighbourhood Residential Zone (NRZ)

The NRZ is applied to residential areas in Templestowe and Warrandyte adjoining the river (Schedule 1 Residential areas with predominant landscape features or lower housing densities).

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.

General Residential Zone (GRZ)

Other residential land in the study area, within Bulleen and Templestowe, is mostly zoned GRZ, with three schedules applied.

GRZ1 (Residential areas removed from activity centres and main roads) requires a permit for a single dwelling on a lot greater than 500m², implements minimum private open space requirements and sets a mandatory height limit of 9m (10m on a sloping site). As noted, Local Policy at Clause 22.15 implements landscaping requirements for medium density development.

GRZ2 (Residential areas surrounding activity centres and along main roads, subprecincts A & B) and GRZ3 (Post 1975 residential areas) both require a permit for a single dwelling on a lot greater than 500m² and apply the discretionary height limits of ResCode. Clause 21.05 of the MSS (Residential) states that GRZ2 areas are suited for a greater level of growth and change, while the GRZ3 areas will support an incremental level of change.

Residential Growth Zone (RGZ)

RGZ2 (Residential areas along main roads, precinct 2) is applied to land west of Bulleen Road and along Manningham Road. The discretionary height limit of 13.5m applies. Clause 21.05 of the MSS (Residential) envisages a substantial level of change in this zone with these areas being a focus for higher density developments.

Low Density Residential Zone (LDRZ)

The LDRZ is applied to land in Templestowe and Warrandyte, which interfaces with the riverside parkland and conservation areas. The schedule to the zone sets the minimum lot size at 0.4ha. Decision guidelines for subdivision make reference to landscape values, but there are no specific requirements for building heights, setbacks or site coverage.

Urban Floodway Zone (UFZ)

Three discreet areas of UFZ are situated along the western boundary of the municipality in Bulleen, within the parkland areas along the river. They include the Carey Grammar sports ground, Bulleen Golf Driving Range and the Veneto Club. There is also one small area of UFZ in Warrandyte within riverside parkland west of Longridge Farm.

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)

A small industrial precinct and a large individual site located near the river in Bulleen 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.

Commercial 1 Zone (C1Z)

The retail and commercial part of Warrandyte Township is included in the C1Z. The reformed C1Z allows a wide range of commercial and mixed use development, and many land uses do not require a planning permit.

Overlays

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

ESO1: Yarra River Environs

The Environmental Significance Overlay Schedule 1 relates to the Yarra River Environs and applies to all areas specifically along the Yarra River. It includes land within the PCRZ and RCZ, and an area of Residential 1 land adjoining the river in Templestowe.

Permits are required for specified buildings, works and vegetation removal. There are a number of important environmental objectives which:

- Protect areas along the Yarra River from any development that may damage the environmental features of the river
- Conserve water quality and capacity
- Protect vistas, sense of remoteness, indigenous vegetation and wildlife habitats throughout the corridor
- Protect the sensitive ecosystem and enhance the ecological features of the river corridor.

Decision guidelines relate to the height and character of new development and using vegetation to screen views of development from the river. Additionally, reference is made to the *Middle Yarra Concept Plan - Burke Road to Watsons Creek* (1993) with the strategic aim of encouraging development that is consistent with the recommendations highlighted in this report.

ESO2: Sites of Biological Significance

The Environmental Significance Overlay Schedule 2 identifies sites that have been assessed as the most intact and significant areas of indigenous vegetation within Manningham, in line with the Manningham City Council Sites of (Biological) Significance Review (2004).

This ESO is focused primarily around protecting vegetation and preventing the removal of native vegetation, however broadly it also recognises the Yarra River as a key habitat corridor for native and indigenous flora with the need to protect natural resources, waterways, ecological processes and ecosystem services. Permits are required for specified buildings, works and vegetation removal.

Decision guidelines relate to the character of new development and protection of vegetation.

ESO3: Buffer Conservation Area Supporting Sites of Biological Significance

In accordance with the Manningham City Council Sites of (Biological) Significance Review (2004), the Environmental Significance Overlay Schedule 3 recognises the buffer habitat and buffer conservation areas which support sites of biological significance.

In particular, its purpose is to ensure development occurs outside appropriate buffer distances from key natural and ecological features including waterways. Permits are required for specified buildings and works, including buildings over 8m, and for removal of native vegetation.

ESO4: Sites of Biological Significance and Buffer Conservation Areas In Low Density Residential Areas

Similarly to ESO3, the Environmental Significance Overlay Schedule 4 relates to preserving the buffer areas of sites with ecological value and significance in low density residential areas. It emphasises the need for appropriate management of environmental and landscape values of areas in which the built form should seek to be subordinate to the landscape.

It further recognises the need to maintain the 'treed' characteristic of residential areas, whilst also softening the edge of developments by providing shrub cover and canopy trees along the boundaries. Permits are required for specified buildings, works and vegetation removal.

ESO5: Environmentally Significant Urban Areas

The Environmental Significance Overlay 5 is applied to residential areas in Warrandyte. It aims to protect and conserve core and buffer conservation areas that are located within residential zones. It also aims to ensure that development responds to the area's environmental and landscape characteristics, including topography and waterways. Specifically, it includes an objective to minimise the visual impacts of development on the Yarra River, its banks and nearby parkland. Permits are required for specified buildings, works and vegetation removal.

SLO1: Significant Low Density Residential Landscape Areas

The Significant Landscape Overlay Schedule 1 protects selected low density areas identified as having particular visual, landscape and environmental values. The SLO1 encourages development that is in keeping with the vegetated character of the area, in addition to being sympathetic with the existing built form.

Development must respond to the area's landscape and environmental characteristics, which include topography, vegetation and waterways, however, it does not make specific mention of the Yarra River. Permits are required for specified buildings, works and vegetation removal.

SLO3: The Domain Significant Landscape Area

The Significant Landscape Overlay Schedule 3 applies to a small residential area within a unique natural setting, which it seeks to protect and maintain. Permits are required for specified buildings, works and vegetation removal, including a building over 8m.

SLO5: Watercourse Areas

The Significant Landscape Overlay Schedule 5 applies to the river and creek areas of Manningham. It seeks to protect the visual, landscape, environmental and heritage values and in particular recognises the unique landscape qualities these areas bring to the municipality. It identifies watercourse areas as significant due to their topography, site layout, vegetation cover and botanical significance in addition to the natural character and panoramic views, which provide a break between the natural and built environments.

The objective of the SLO5 is to ensure that the visual impacts of development are minimised by only allowing that development which is in keeping with the character of the surrounding area. Permits are required for specified buildings, works and vegetation removal.

SLO6: Low Density Residential Significant Pine and Cypress Tree Theme Areas

The Significant Landscape Overlay Schedule 6 applies to selected residential areas, small parts of which are located within the broader study area in Templestowe. It seeks to protect historic stands of Monterey pine and cypress trees which were planted as windbreaks around original farm properties. These trees have a strong cultural connection to the area, and form a distinctive part of its landscape character.

The objectives of SLO6 include ensuring development responds to the area's built form, landscape and environmental characteristics, including vegetation, topography, waterways and cultural heritage elements. Permits are required for specified buildings, works and vegetation removal.

DDO3: Warrandyte Environmental Residential Area

The objective of DDO3 is to maintain and enhance the unique bushland and low-density character of the residential areas of Warrandyte, which lie near or immediately adjacent to the river.

Objectives focus on maintaining the vegetated dominated features, vistas and bushland character. Permit requirements apply to buildings, works, fences and subdivision. There are particular guidelines in relation to responding to topography.

DDO3 specifies a minimum lot size of 750m² and allows only one dwelling per site. A permit is not required to construct a building under 8m, with a site coverage of less than 25% and a site permeability of 50%, among other conditions. For proposals that do require a permit, there are no minimum standards in relation to building height, site coverage, permeability or setbacks. There are no design objectives or requirements specific to the Yarra River.

DDO3 adjoins the Heritage Overlay precinct of the Warrandyte Township's commercial areas.

DDO4: Templestowe Environmental Residential Area

DDO4 applies to a neighbourhood in Templestowe which adjoins the river. It aims to maintain the bushland qualities of the area by ensuring that development is subordinate to existing environmental features. Permit requirements apply to buildings, works, fences and subdivision. A minimum lot size of 650m² and an allowance of only one dwelling per lot apply.

A permit is not required to construct a building under 8m, with a site coverage of less than 35% and a site permeability of 50%, among other conditions. For proposals that do require a permit, there are no minimum standards in relation to building height, site coverage, permeability or setbacks. There are no design objectives or requirements specific to the Yarra River.

DDO8-1: Residential Areas Surrounding Activity Centres And Along Main Roads

DDO8 aims to increase residential densities and provide a range of housing types around activity centres and along main roads. It encourages a high standard of design outcomes which respond sensitively to their context, while providing an increase in development opportunity.

DDO8-1 applies to land zoned Residential Growth Zone Schedule 2 (RGZ2) on the west side of Bulleen Road immediately adjacent to land zoned Urban Floodway Zone.

DDO8-1 specifies a range of discretionary heights: for lot sizes greater than 1,800m² a maximum of 11m applies; for lots less than 1,800m² a maximum of 9m applies (10m on a sloping site).