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Jones & Whitehead Land Design Partnership

REVIEW OF POLICIES AND CONTROLS FOR THE YARRA RIVER CORRIDOR: PUNT ROAD TO BURKE ROAD

Consultant Report

TO THE DEPARTMENT OF SUSTAINABILITY AND ENVIRONMENT JUNE 2005

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Definitions

'Open Space Corridor' = the areas shown on Map 1.

'Trail', 'path' and 'pathway' = routes for pedestrians and cyclists.

'Bicycle path' = a path specifically for bicyclists.

'Footway' = a path for pedestrians only.

'Shared footway' = a path shared by pedestrians and cyclists.

'Freeway' includes tollways (i.e. the Monash Freeway / City Link and the Eastern Freeway).

'Right bank' and 'left bank' assume a viewpoint looking downstream. Abbotsford and Richmond are on the right bank, while Kew, Hawthorn and Toorak are on the left bank.

Executive Summary

Chapter 1 – Introduction

The purpose of this Study, commissioned by the Department of Sustainability and Environment, is to review the current regulatory and policy context for development in the Yarra corridor and to recommend ways of strengthening planning controls to ensure the ongoing protection and enhancement of the valued qualities of the river corridor.

The Yarra River corridor between Burke Road and Punt Road is a highly significant metropolitan landscape resource. The Study Area for this project includes the Open Space Corridor which surrounds the river, and its urban and suburban interface areas, divided into three broad character types based on existing type of built form, vegetation coverage and separation from the river: Leafy Suburban; Urban Industrial / Ex-industrial; and Urban Residential. The river frontages are within the municipalities of Banyule and Yarra on the right bank, and Boroondara and Stonnington on the left bank.

The Study approach included field survey, desktop research and stakeholder consultation. The Study was overseen by a Reference Group comprising officers from each of the four affected Councils, the Department of Sustainability and Environment, Melbourne Water and Parks Victoria. In addition, three sessions with senior officers and elected members from each local Council were held at key stages of the project.

Chapter 2 – Values of the Yarra River Corridor

The existing values of the Study Area are described in Chapter 2, including flora, fauna & natural heritage; urban & landscape character, built form & cultural heritage; open space, recreation & access; and drainage, flooding & waterway management. Responding to these values, four *key issues* were identified to guide the Study, namely:

- protecting and enhancing flora, fauna habitat and natural heritage (including indigenous vegetation communities, natural features, significant flora and fauna habitat);
- controlling impacts of development on urban and landscape character, built form and cultural heritage;
- supporting public access, recreation opportunities and the management and enhancement of open space; and
- managing the stability of the waterway, protecting drainage functioning and minimising the risks of damage due to flooding (this is not central to the brief but an important factor in determining the siting and design of development).

These key issues form the basis for development of objectives and strategic directions in the following sections.

Chapter 3 – Existing Policies and Controls

Previous strategic planning, and existing planning scheme policies and controls are reviewed in Chapter 3. Much of the previous strategic planning proved to still be relevant to the community's current values and expectations for the Yarra River. In addition, current management plans in the Open Space Corridor continue to provide sound direction for public land management. Recent regional strategic planning work including *Melbourne 2030*, Parks Victoria's *Linking People & Spaces*, provides a renewed policy focus for managing development in the Study Area.

Many of the present planning controls for the Study Area date back to the River Concept Plans prepared in the 1980s. The original vision expressed in the Concept Plans is now inconsistently represented in different local Planning Schemes.

Chapter 4 – Planning Objectives for the River Corridor

The Study Team was able to draw on a number of objectives and strategies articulated in current or previous planning studies and the input of stakeholders through stakeholder workshops in developing a consistent set of objectives for the Study Area. These objectives are outlined in Chapter 4 and form the basis for recommended objectives and planning controls in Chapter 5.

For each objective, a set of *strategies* and *guidelines* have been developed which provide more detailed direction for Councils and land managers to plan and control development in the Study Area. These are contained in Attachment 1: Strategies and Guidelines for Managing Development in the Study Area.

In the light of these policy objectives and guidelines, the issue is not so much the lack of planning controls in the most sensitive areas closest to the river, but rather the way in which the planning provisions are currently structured and the associated lack of clarity in terms of guidance about what forms of development are acceptable. The existing planning scheme provisions do contain relevant objectives derived from previous concept plans and other strategic work which indicate the significance of the valley, the need to protect the valley environment and prevent inappropriate development. However, due to the lack of more specific performance indicators and decision guidance contained in overlay schedules, the outcomes in terms of planning decisions on development proposals could be uncertain given the need for decision making bodies to weigh up generalised Yarra River objectives with other *Melbourne 2030* objectives - for example, relating to consolidation of urban form.

This chapter uses a simple formula to prioritise the need for strengthened overlay controls in different parts of the valley.

Chapter 5 – Strategic Directions

Four strategic directions are proposed in this Study:

- strengthened planning controls;
- undertaking further detailed design and development planning of key sub-areas adjoining the Yarra River;
- ongoing management and enhancement of open space; and
- securing open space and access opportunities.

Together these four directions provided the basis for further action by State and Local Government agencies within the Study Area.

Analysis and recommendations for ways in which planning controls might be strengthened are contained in Attachments 2 and 3, and Maps 6a and 6b. These recommendations represent a starting point for consultation prior to amendment processes; they may require further fine-tuning before being suitable for inclusion in planning provisions.

Several locations adjoining the Yarra River suited to detailed design and development planning are listed in section 5.2 and shown on the same maps. Analysis and recommendations for planning, management and enhancement of open space and securing open space and access opportunities are contained in Attachments 4 and 5, and Map 7. The key findings and recommendations are summarised as follows.

Strengthened Planning Controls

In response to the outcomes of the review of existing policies and controls, substantial emphasis has been placed on strengthening local planning schemes through the use of overlays. In most situations, the Environmental Significance Overlay is recommended as the tool which can most easily consolidate the issues relevant to a riverside environment – built form, landscape, vegetation and environment protection.

Section 5.2 reviews planning issues in each character interface and the Open Space Corridor and makes recommendations as to how permit triggers, objectives, guidelines and

strategies, and additional performance standards might be revised to improve the control of development across the Study Area. This analysis is summarised as follows.

Leafy Suburban – This character type occurs in all four municipalities and on both banks of the river and includes the suburbs of **Toorak, Hawthorn, Kew, Ivanhoe, Alphington** and **Fairfield**. High development pressure exists where large private lots extend to the river. Due to a lack of clarity about preferred outcomes, and reliance on reference documents or Local Policies to guide decision making, existing planning controls were found to be insufficient to protect the vegetated character of large lots in the suburbs of Fairfield and Alphington, and there is potential for similar pressures to occur in parts of Banyule and Boroondara. Recommendations include:

- rationalising existing overlays in Park Crescent, Fairfield and Rex Avenue, Alphington in the City of Yarra and include improved performance standards for building site coverage, jetties and river set-backs (proceed with planning scheme amendment);
- rationalising existing overlays, mainly where private land directly fronts the river, in the City of Boroondara to apply ESO as the preferred means to manage built form, environmental and landscape values and include improve planning objectives and performance standards (following further consultation); and
- improving planning objectives and performance standards for existing overlays in Toorak (City of Stonnington) and Ivanhoe (City of Banyule) where private land fronts the river (following further consultation).

Urban Industrial / Ex-industrial – This character type occurs in the City of Yarra between the Eastern Freeway and Punt Road and includes the suburbs of **Abbotsford, Richmond** and **Cremorne**. Urgent development pressures have been recognised throughout this interface by the City of Yarra's Built Form Review (2002). Guidelines for controlling built form were developed for inclusion in DDO1 through Amendment C66 to the City of Yarra Planning Scheme. Recommendations include:

- implementing Amendment C66 (immediate);
- improving planning objectives and performance standards for waterway and open space management under ESO1 (following further consultation).

Urban Residential – This character type occurs in one small area in the suburb of **South Yarra** in the City of Stonnington. It is significantly separated from the river and Open Space Corridor by Alexandra Avenue and no detailed analysis or recommendations are made.

Open Space Corridor – The Open Space Corridor occurs in all four municipalities, and includes significant vegetation and recreation resources. On public parkland, improvements are achieved primarily through public works and appropriate management by the relevant land managers rather than through planning schemes. The broad objectives proposed in this study may also be used to guide master and management planning by the park managers. In relation to planning provisions, there is a need to rationalise planning controls to ensure overlays do not duplicate the roles of public land managers.

Additional recommendations are made to:

- update Local Planning and Policy Frameworks using the planning objectives outlined for the Study Area, and making reference to new / updated planning controls;
- improve planning controls for flood-prone land, including replacing part of the Land Subject to Inundation Overlay (LSIO) with a Floodway Overlay (FO) in locations subject to one metre or greater flood depth in a 1 in 100 year flood event as recommended by Melbourne Water; and
- undertake further strategic work relating to landscape values and visibility, advertising signage, and other values on which existing overlay controls rely.

Detailed Design and Development Planning of Key Sub-Areas Adjoining the Yarra River

Several locations adjoining the river are recommended for more detailed design and development planning, should substantial redevelopment be proposed. These include **AMCOR Australian Paper** in Alphington; **Carlton and United Breweries** in Abbotsford;

Victoria Street East (between Barkers Road Bridge, and Metropolitan Fire Brigade building); and **Victoria Crescent, Abbotsford** (between Gipps Street and Church Street).

Ongoing Management and Enhancement of Open Space

The Open Space Corridor should continue to be managed under comprehensive strategic masterplans or management plans, such as those in place for McConchie Reserve; Burnley Harbour / Herring Island; Burnley Parklands; and Yarra Bend Park. Several locations lend themselves to more detailed strategic planning, guided by the objectives and strategies proposed by this Study, including: **Gardiners Creek/SE Freeway**; **Pridmore Park** in Hawthorn; **Middle Yarra golf courses and billabongs** (Chandler Bridge to Burke Road); **Flockhart Street Reserve**; and **Alexandra Avenue** riverside park. A brief review of these areas is contained in Attachment 4: Masterplanning in the Open Space Corridor. Each masterplanning location is shown on Map 7.

Securing Open Space and Access Opportunities

Eleven public acquisition overlays have previously been applied to secure public open space, often to complete recreation trail links (Map 7). Each PAO is reviewed in detail in the Attachment 5: Recommendations on Existing Public Acquisition Overlays. In the most part, the purpose for acquisition continues to be relevant and the PAO is supported. In some cases the purpose of the PAO is redundant or unclear and the PAO is recommended to be removed. Five locations within the Study Area have been identified on Map 7 as areas for potential additional public access. Each of these represents different patterns of land ownership and existing, or potential future, access. Further comment is sought on the desirability of increased public access to the river.

1. Introduction

The purpose of this Study, commissioned by the Department of Sustainability and Environment, is to review the current regulatory and policy context for development in the Yarra corridor and to strengthen planning controls to ensure the ongoing protection and enhancement of the valued qualities of the river corridor.

The Yarra River corridor between Burke Road and Punt Road is a highly significant metropolitan landscape resource. The Melbourne Metropolitan Strategy *Melbourne 2030* recognises the corridor as part of the intrinsic landscape framework for metropolitan Melbourne, valued for its substantial areas of open space, native vegetation communities, flora and fauna, sites of European and Indigenous heritage significance and value for tourism, commercial, residential and industrial uses.

The surrounding suburbs contain a significant proportion of Melbourne's population, and the valley itself is accessed by a large number of residents and visitors alike, who express a strong sense of ownership of the river and surrounding open spaces.

In recent years, there has been growing community concern about the impacts of particular developments on the river corridor environment and landscape character and on the quality of recreational experience in the river corridor. Pressures for development are particularly intense between Punt Road and Burke Road, where private land is in close proximity to the river, larger lots are being subjected to greater intensity of development and former industrial sites are undergoing redevelopment for commercial and residential uses. Current community concerns relate particularly to:

- visual impacts of new development – including building heights, bulk and setbacks, and overshadowing;
- availability of open space, recreation trails and links (including potential loss of open space through adverse possession or potential restrictions on public access to areas in private ownership due to public liability concerns);
- the deterioration of quality of experience and loss of sense of seclusion along sections of the corridor; and
- loss of vegetation and native habitat.

Similar development pressures exist along some other waterways in the metropolitan area.

1.1 Strategic Context

Many previous studies on this section of the Yarra River have identified values and suggested approaches for managing, protecting and enhancing these values through strategic planning, and planning scheme policies and controls. However, some of the present planning controls for the Yarra River corridor date back to the 1980s following the adoption of Concept Plans for the lower and middle Yarra River and the introduction of a number of overlays which sought to manage the development of land adjacent to the river. The original vision expressed in the concept plans is no longer clearly articulated and as a result, is now inconsistently represented in different local schemes.

This project intends to deliver on the *Melbourne 2030* priority initiative (5.7.4), as part of the five year Implementation Program, to “Strengthen current policies and review the adequacy of planning controls relating to the Yarra and Maribyrnong Rivers to ensure the long-term protection of open space, conservation values - with the first priority being the Yarra River corridor between Punt Road and Burke Road.”

Other State Government strategies (completed or nearing completion) which will provide a context for this project include *Linking People and Spaces*, the Port Phillip and Westernport Regional Catchment Strategy, the Port Phillip and Westernport Region River Health Strategy and Native Vegetation Plan.

At the local level, in light of increasing development pressures and community interest, the City of Yarra has recently undertaken a review of built form to determine desirable outcomes within its boundary. As part of this study, specific policies were developed for the Yarra River corridor and a planning scheme amendment (C66) was exhibited in 2003. The amendment includes Yarra River corridor policy objectives to be included in the LPPF and a schedule to the Design and Development Overlay which specifies maximum building heights and minimum setbacks as well as other built form outcomes for some precincts along the Yarra. A panel hearing on this amendment occurred in August 2004.

1.2 Study Area

The Study Area is the Yarra River corridor between Punt Road and Burke Road and includes both private and public land. It crosses four municipalities: the cities of Banyule, Boroondara, Yarra and Stonnington, and contains substantial areas of land managed by Parks Victoria as public open space (at Yarra Bend Park).

Open Space Corridor

At the core of the Study Area is the Yarra River, surrounded by an 'Open Space Corridor' (Map 1) that varies in width from substantial bushland parks and recreation grounds (e.g. Yarra Bend Park), to narrow strips of linear access at the river edge. It includes some restricted access areas, such as golf courses and some public institutions.

Interface Areas

The Study Area also includes those areas of private land (or public land not used for public open space) that interface with the Open Space Corridor and have significant direct impacts on the values of the river corridor, including land that is:

- immediately adjacent to the Yarra River edge;
- within the 1 in 100 year flood level;
- immediately adjacent to the Open Space Corridor or parkland; or
- not adjacent to the river edge or Open Space Corridor but visible from trails, roads, parkland and other key viewing locations within the Study Area.

These interface areas have been described as three broad character types (Map 1), responding to variations in the existing and desired future landscape and urban character of these interface areas. The three character types are:

- *Leafy Suburban* – Predominantly suburban residential development with large setbacks and gardens that are frequently heavily vegetated with exotic and / or native trees. It occurs in all four municipalities and on both banks of the river and includes the suburbs of Toorak, Hawthorn, Kew, Ivanhoe, Alphington and Fairfield.
- *Urban Industrial / Ex-industrial* – Intensively developed urban area with buildings originally designed for industrial and associated uses, although currently undergoing redevelopment for residential or commercial use. This character type occurs along the right bank of the river in the City of Yarra, between the Eastern Freeway and Punt Road.
- *Urban Residential* – Large houses and multiple-unit developments on moderate to large blocks with scattered vegetation. Development is set on sloping topography and is highly visible, but significantly separated from the river and Open Space Corridor by Alexandra Avenue. This character type occurs in one small area, in the suburb of South Yarra in the City of Stonnington.

Note that these character types reflect a 'high level' classification from a [regional](#) (metropolitan) perspective, consistent with Technical Report 12 (Sense of Place: Urban Design Principles for the Metropolitan Strategy, released in association with *Melbourne 2030*) and as such are necessarily generalised. These landscape character types have been described to ensure consistency of design principles across areas with common desired future landscape and urban character. Within each character type, variations in local

conditions may warrant slightly different approaches to planning scheme provisions for some areas.

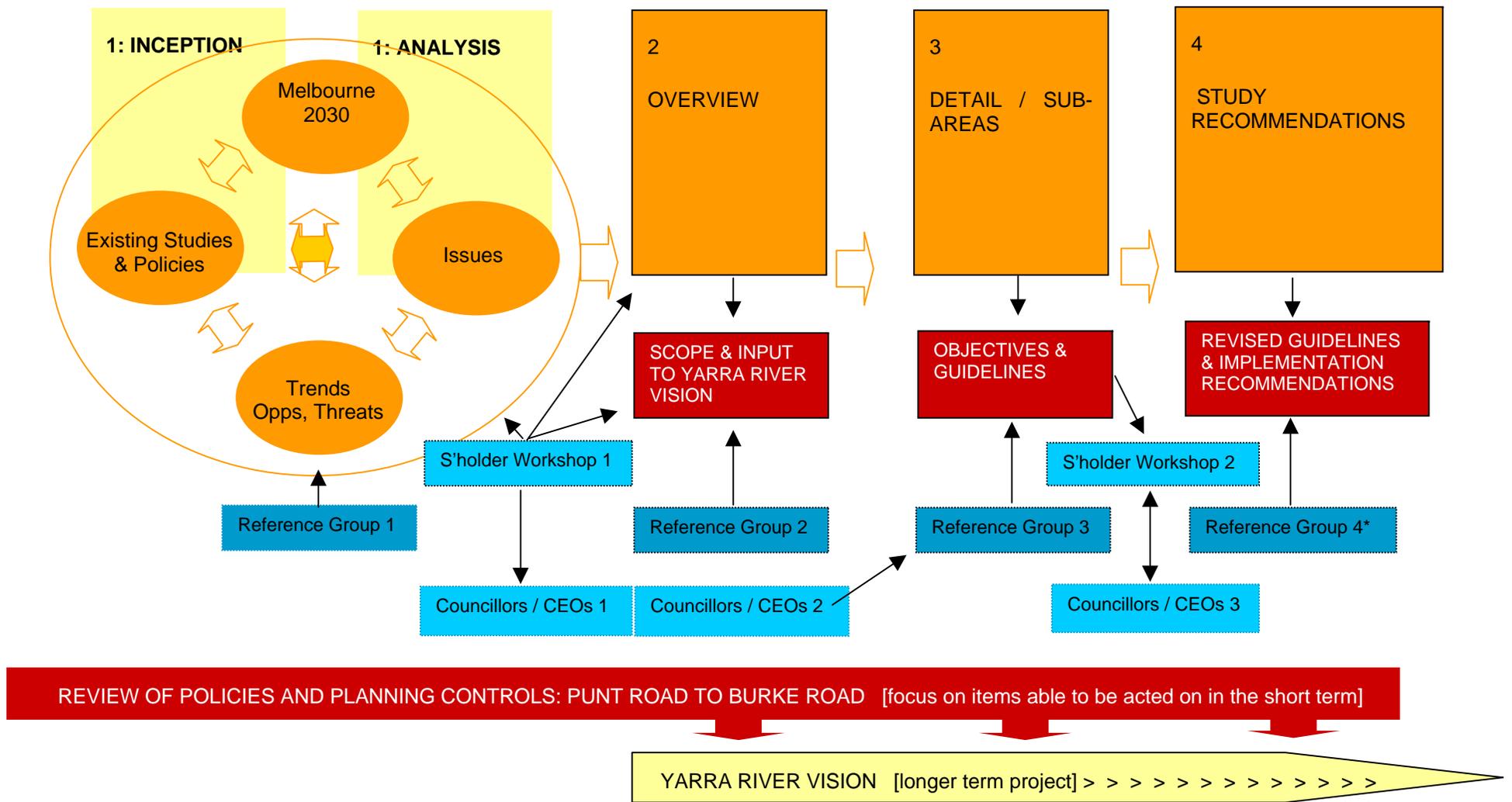
1.3 Approach

The production of this study included a four-stage process shown on the attached diagram (Figure 1). The key steps included field survey, desktop research and consultation with community (through two stakeholder workshops, and an open advertisement for submissions), Council officers from each of the four Councils (through the Reference Group) and elected members of each Council.

Map 1 – Study Area

Map 1 – Study Area, Open Space Corridor and Interface Areas

Figure 1 – Study Method Diagram



*A fifth Reference Group meeting was held in December to consider the Draft Reports and key recommendations.

2. Values of the Yarra River Corridor

The values of the Yarra River corridor Study Area are described in this section under the following categories:

- 2.1 Flora, Fauna & Natural Heritage
- 2.2 Urban & Landscape Character, Built Form & Cultural Heritage
- 2.3 Open Space, Recreation & Access
- 2.4 Drainage, Flooding & Waterway Management

The last category is not central to the Brief, but may be a critical factor in determining the siting and form of development.

2.1 Flora, Fauna & Natural Heritage

The Study Area contains some of the most valuable flora, fauna, geological and geomorphological assets in Metropolitan Melbourne. Indigenous vegetation and remnant riparian vegetation provide habitat for native fauna, harbour significant flora species and contribute to the protection of water quality and flow regimes. Additionally, a number of natural geological and geomorphological features occur in places where urbanisation has not intruded to the river banks.

Indigenous vegetation communities of State and regional significance occur on public and private land upstream of Walmer Street. Broad-acre native bushland, mostly within Yarra Bend Park, includes shrubby forest of river red gum, swamp gum and yellow gum while river and billabong riparian areas include native reeds and sedges. A checklist compiled in 1973 by the late Dr J H Willis identified 205 indigenous vascular plant species in Yarra Bend Park alone.

A number of species of native mammals, birds, frogs and reptiles thrive throughout the Open Space Corridor, mostly associated with the areas of native vegetation. At least five species of bats, the short-beaked echidna, common brushtail possum and common ringtail possum are all known to occur along the river length between Burke Road and Punt Road. The river itself is home to significant fauna species including the threatened Australian grayling and Australian mudfish, while vegetation communities along the river provide habitat for birds such as Yellow-Tailed Black Cockatoos, Brown Goshawk, Peregrin Falcon and Little Lorikeet which are not usually associated with adjacent urban and suburban areas.

Riparian plant communities are adapted to respond to natural disruptions from flooding and erosion, and are equally capable of re-colonising areas disturbed after construction. Even in the most urbanised areas, an ecosystem based on indigenous plants can be as viable as one based on plants from other places. Nonetheless, ongoing constructive effort is required to balance destructive impacts from the surrounding city, including invasions of weeds, litter, and wear from recreational activities.

The Melbourne Water Waterway Satisfaction Monitor Study 2002, identified the vegetated appearance as a key strength of the Lower Yarra River at present, and one highly valued by people who live near or access the waterway corridor.

In some pockets, exotic vegetation is of heritage significance (for example Burnley Gardens) and contributes to riverside and/or neighbourhood character.

Some flora and fauna significance data obtained in this Study is shown on Map 2.

Map 2 – Known Flora, Fauna and Aboriginal Significance

2.2 Urban & Landscape Character, Built Form & Cultural Heritage

Urban and Landscape Character

Urban and landscape character and built form varies across the Study Area. As described above, character varies both within the Open Space Corridor, and in the urban and suburban interface areas.

The general value ascribed to the Yarra's 'natural' landscape character, despite the obvious presence of buildings, rebuilt river banks, power lines, and so on, relies heavily on indigenous vegetation. According to the City of Yarra Built Form Review:

Most people ... experience the river corridor not from the river and its banks, but from vantage points outside the corridor, or as they drive across the river on a bridge. What they see (or expect to see) is a line of trees, a heavily vegetated river corridor. They will rarely see the water itself, except perhaps as a glimpse amongst the trees. The expression of the river corridor as a corridor of vegetation, particularly of canopy trees, is most important.

The viewpoints from which the character of the river and its Open Space Corridor are experienced include:

- from the river itself;
- from the network of trails within the corridor (e.g. the Main Yarra Trail);
- from key public use areas (e.g. Collingwood Children's Farm, Studley Park Boathouse, Fairfield Boathouse)
- from broader open space areas within the river valley (e.g. sports fields and parkland);
- from river crossings (road, rail and pedestrian bridges);
- from outside the corridor (e.g. distant elevated views from surrounding suburbs, rail and road corridors).

While parts of the Study Area are dominated by natural landscapes, a river valley's character is also shaped by, and reveals the character of, the land it passes through. So inevitably a river passing through an urban area will be shaped by, and reveal aspects of, the urban character. The character of development and its relationship to the river often differs from one side to the other largely because of the topography and history of development. It is generally desirable for this urban character to be seen in broad landscape-scaled patterns rather than for individual buildings, signs or other structures to dominate. These patterns are described by the three character types ascribed to the interface areas, namely:

- *Leafy Suburban;*
- *Urban Industrial / Ex-industrial;* and
- *Urban Residential.*

These character types are described in the Introduction above.

Cultural Heritage

Cultural heritage elements including features of European and Indigenous heritage significance occur throughout the Study Area corridor.

Indigenous cultural heritage values are particularly associated with the waterway itself, and areas of native vegetation and natural landscapes, which were often sites used for food, materials and shelter by local Aboriginal communities. While the available data on Indigenous historic heritage values is varied, scatters of stone artefacts, tools, and river red gum scars provide clues of an association with the river over a long period of time. A particularly high value is ascribed by Indigenous communities to the area where Merri Creek joins the Yarra River. Some regions of known Aboriginal significance are shown on Map 2.

Features and places of European heritage value are also known to occur throughout the Study Area, including structures such as bridges, boat houses, former industrial sites, locations of social significance, and areas associated with the visual arts.

Figure 2 – Existing interface character: example cross section (Leafy Suburban)

Figure 3 – Existing interface character: example cross section (Urban Industrial Ex-industrial)

Figure 4 – Existing interface character: example cross section (Urban Residential)

2.3 Open Space, Recreation & Access

There is a substantial area of public parkland at Yarra Bend, and smaller public or semi-public reserves such as Burnley Gardens, Chelsworth, Como and Pridmore Parks. A network of trails provides access to and along the corridor, associated with native bushland, built-up areas and the river itself.

Open spaces associated with the Yarra River represent the largest and most important resource of parks and green spaces in inner Melbourne. The extent of the remnant bushland and 'leafy' environment that provides habitat for wildlife and a secluded, peaceful haven for visitors makes it unique in inner Melbourne. The Open Space Corridor is easily accessible to a large proportion of Melbourne's population, particularly in the inner and eastern suburbs. Densely developed areas like Richmond and Collingwood depend on this corridor for a large part of their open space provision.

The location of the Study Area means that its open spaces are a valuable recreation resource for a large proportion of Melbourne's population. It is particularly valuable in the more built-up sections of the Study Area, where the density of development is such that available open space is scarce.

The types and availability of recreational facilities vary across the Study Area, with the lower reaches between Dights Falls and Punt Road primarily being utilised as a linear park, and for water-based recreation, including by a number of rowing clubs, commercial boating companies and residences with facilities located at the water's edge (navigation is blocked at Dights Falls). In the middle sections water-based recreation is mostly constrained to non-motorised craft, concentrated at two commercial boat-hire operations, while substantial areas of bushland are available for informal active and passive recreation, and a number of sports fields and playgrounds have been developed. The Middle Yarra floodplain is dominated by golf courses, although areas such as Willsmere-Chandler Park provide valued bushland settings where one can enjoy a sense of isolation and seclusion.

A central objective of previous strategic planning of the river corridor has been to 'develop a continuous linear trail network for non-motorised movement within the area, which will link with areas of open space upstream and downstream and facilitate cross-valley movement' (1985 Lower Yarra River Development Plan, p. 9 and repeated in later plans). While this has been largely successful with the development of the Main Yarra Trail and associated links, private land extends to the river bank (or effectively so) in many areas and significant gaps remain in the trail network. Furthermore, the valued seclusion of sections of the corridor, and environmental constraints may warrant no further development of formal trails in some areas.

2.4 Drainage, Flooding & Waterway Management

Key risks to the Lower Yarra River identified by the Draft Port Phillip and Westernport Regional River Health Strategy which are relevant to this study include:

- changes to hydrology of the waterway;
- reduced water quality as a result of stormwater; and
- prevalence of exotic weeds and pests.

The last two of these key risks are affected by development throughout the catchment as well as within our Study Area. While some concerns regarding these risks were raised in this study, it was determined that water quality and weeds are issues that are more appropriately addressed at a whole of catchment level and as such are not addressed in detail in this report.

Changes to the hydrology of the waterway and the impact of flooding on the river valley itself is a significant factor constraining development and uses of the Study Area. Controlling use and development adjacent to the river (and within the Yarra catchment more broadly)

through planning controls makes a significant contribution to the achievement of waterway management goals. Throughout the Study Area drainage, flooding and waterway management are the primary responsibility of Melbourne Water. Melbourne Water is a referral authority for all developments occurring in the Urban Floodway Zone, or on land covered by the Land Subject to Inundation Overlay.

Melbourne Water's Guidelines for Development in Flood-prone Areas (October 2003) detail issues relating to development on floodplains. In principle, development within the floodway is generally undesirable, although some developments (such as boat sheds) need to be as close to the river as possible regardless of the risk of flooding. Some open space uses, such as golf courses within floodplains, are (relatively) unaffected by flooding. However, many private properties, including buildings, extend into the flood zone and some are entirely within the flood zone, e.g. along the east side of Flockhart Street in Abbotsford.

There is increasing evidence to suggest current flooding risks could change in the future, due to the combined effects of climate change and increasing impervious surfaces associated with urban development within the Yarra River catchment area. It is therefore important that the technical basis underpinning planning controls relating to flood risk is reviewed regularly and updated as necessary according to the latest information.

2.5 Implications for this Study

Values associated with the river lead to a need to coordinate development throughout the Open Space Corridor and the interface areas, especially with respect to four *key issues*:

- protecting and enhancing flora, fauna habitat and natural heritage (including indigenous vegetation communities, natural features, significant flora and fauna habitat);
- controlling impacts of development on urban and landscape character, built form and cultural heritage;
- supporting public access, recreation opportunities and the management and enhancement of open space; and
- managing the stability of the waterway, protecting drainage functioning and minimising the risks of damage due to flooding.

These issues form the basis for development of objectives and strategic directions in the following Chapters.

Map 3 – Open Space, Recreation and Access: Existing Conditions

3. Existing Policies and Planning Controls

3.1 Existing Policies

The main policy driver for this Study is the Melbourne Metropolitan Strategy *Melbourne 2030*. Policy 5.7 from 'Direction 5: A Great Place to Be' aims to ensure that major open space corridors such as the Yarra River are protected and enhanced. The Yarra River is also noted as requiring specific attention in regard to infrastructure, landscaping and trail connections. In particular this project intends to deliver on the Melbourne 2030 priority initiative 5.7.4 as part of the five year implementation program to:

Strengthen current policies and review the adequacy of planning controls relating to the Yarra and Maribyrnong Rivers to ensure long-term protection of open space, conservation values – with the first priority being the Yarra River corridor between Punt Road and Burke Road.

Other previous policy work is reviewed as it applies to each of the four Key Issues outlined above.

Vegetation, Habitat and Natural Heritage

Many past management plans contain objectives for preferred vegetation type along the river. The 1985 **Lower Yarra River Development Plan** recommends that 'native species, preferably indigenous to the Valley, should generally be planted' upstream of Gardiners Creek with maintenance of the 'existing native-exotic mix' downstream (page 33). However, the vegetation downstream from Gardiners Creek is generally impoverished and weed-infested, although it includes significant indigenous vegetation at Herring Island. Maintenance of the existing mix is a dubious ambition. The same document refers approvingly to 'attractive vegetation such as willows, poplars and palms' in the Abbotsford area, although these are all invasive exotic species, mostly self-sown; and it proposes use of 'some kind of creeping vegetation' to cover a large concrete retaining wall near Turner Street although no indigenous species would achieve this concept (p. 16). It recommends that the existing exotic/native mix be retained at F A Andrews Reserve in Abbotsford despite the relatively recent history of the exotic plantings and despite the stated significance of Yarra Bend Park as the site of one of the last vestiges of native bushland to be found near the centre of Melbourne (pp 15 and 17).

Subsequent plans maintain a similar position:

- The 1986 **Lower Yarra River Concept Plan** repeats recommendations of the Development Plan in abbreviated form.
- The 2001 **Lower Yarra River Future Directions Plan** recommends 'maintenance of the variety and mix of vegetation, including the use of indigenous and non-indigenous species where appropriate'.

The MMBW 1988 **Lower Yarra River Landscape Guidelines** (Punt Road to Dights Falls) introduces the objective 'to provide a continuous indigenous wildlife corridor to link with the bushland areas upstream of Dights Falls', while also recommending preservation of nominated exotic species at six sites due to their historical significance. It recommends planting indigenous species only, even in areas of exotic vegetation, and removal of any regenerating non-indigenous species. It does not recommend replanting exotic species. The guidelines in this document are focused, clear, and not at risk of variable interpretations.

The City of Yarra's 1998/2004 **Yarra River Urban Design Guidelines** expands upon the primary objective from the 1988 Landscape Guidelines 'to maintain and reinforce the Yarra River Corridor as a primary habitat link in inner Melbourne for indigenous flora, fauna and aquatic life' but also include a contradictory objective 'to retain landscaped pockets of the Yarra River Corridor that support healthy non-indigenous, non-environmental weed species where they positively contribute to the character of the River Corridor.' The latter allows for

great variance in its interpretation, both in the question of what 'positively contributes to the character of the River Corridor', in allowing for replanting existing exotics as well as entirely new exotic plantings, and in leaving the number, locations and sizes of 'landscaped pockets' open-ended.

Upstream of Dights Falls, the 1990 **Middle Yarra Concept Plan** 'recognises the need for conservation of significant vegetation and wildlife habitats' including wetlands and billabongs, riparian vegetation, open woodlands and native grasslands. It strongly emphasises the need to protect, manage and restore this vegetation. It includes a list of indigenous species appropriate to the area. It refers to exotic species only as weeds (apart from grasses on golf courses and sports fields), implicitly discouraging the planting of exotics. However, it does not include an explicit policy supporting use of indigenous species only.

The 1990 **Middle Yarra River Planning Controls** follows a similar line, encouraging use of indigenous species (with a list appended) but without explicitly recommending indigenous plantings only.

Parks Victoria's metropolitan strategy plan, **Linking People & Spaces** 2002 recommends a range of objectives relevant to the vegetation and natural heritage of key waterways, including the Yarra and Maribyrnong Rivers, and the Moonee Ponds and Merri Creeks. These include:

- continue to protect and enhance riparian vegetation and habitat corridor links along the key waterways, including the Yarra;
- ensure complementary management of adjacent open space and parklands;
- protect significant flora and fauna species occurring in the open space network;
- increase the cover of depleted riparian forest by revegetating the Yarra River and other waterways; and
- implement a coordinated Yarra River Biolink program in order to connect, revegetate gaps and improve habitat condition in the strategic wildlife corridors of the Yarra River and its key tributaries.

The **Melbourne Water Waterway Satisfaction Monitor** 2002 found that 82% of people identified "protect environment" as the most important issue in management of the Lower Yarra waterway. This contrasts with 'below average satisfaction' with the current state of the river environment.

Urban & Landscape Character, Built Form & Cultural Heritage

The **Lower Yarra River Concept Plan** 1984 is one of the earliest documents to address character and built form around the river. This document sets out key aims including:

- Development will complement and enhance the River environment
- Institute a landscaping program to enhance visual quality of environs

The **Middle Yarra Concept Plan** 1985 extends the same aims upstream and sets out particular objectives and strategies for landscape and character including:

- provide a co-ordinated approach to the enhancement, protection and management of the Middle Yarra River;
- reinforce Eastern Freeway as scenic entry to the city;
- recognise Yarra Boulevard as scenic roadway;
- encourage use of indigenous plants in golf courses;
- screen / plant boundaries of residential / industrial using indigenous plants;
- maintain views and vistas from Eastern Freeway / screen Freeway from Yarra Bend Park;
- Skyline Area Control: restrict the scale of structures to protect character of Yarra River Valley; and
- consider the effect on the natural beauty and future use and enjoyment by the community.

The **Middle Yarra Planning Controls** 1990 sets out to apply planning controls consistent with the Middle Yarra Concept Plan.

The **Lower Yarra Urban Design Guidelines** (Punt Road to Dights Falls) 1992 was commissioned by the Department of Planning & Housing and Melbourne Water for the former Cities of Collingwood, Richmond, Hawthorn, Kew and Prahran. It is referenced in the current Boroondara Planning Scheme (being superseded in the City of Yarra by Yarra River Corridor Urban Design Guidelines 1998, and in the City of Stonnington by the Stonnington Urban Design Strategy). The Guidelines:

- present comprehensive, uniform and clear development and urban design guidelines for development along the Yarra River including areas covered by the Concept Plan and adjacent private land;
- describe future directions for eleven separate character precincts;
- outline design guidelines for natural river character, views, private landscape, building heights, residential/commercial/industrial development, advertising, signage and overshadowing etc. and for development in each precinct; and
- identify visually sensitive areas of 'major significance' in each character precinct.

The Guidelines state objectives for building heights, residential development (single allotment or units), residential development (medium density) and commercial development.

As this document has been superseded in the Cities of Stonnington and Yarra, the implications for the current study are only relevant to the extent it is relied upon by the Boroondara Planning Scheme, that is, in the application of SLO2. In the case of Marathon Foods vs Boroondara City Council, the objectives of the schedule alone were sufficient to prevent an undesirable landscape intrusion.

The **Yarra River Corridor Urban Design Guidelines** 1998 is a Reference document in the Yarra Planning Scheme, and include prescribed heights and setbacks for development in the corridor. However these are not explained or justified in the guidelines.

The setback provisions in the Guidelines vary according to the use of the land between the subject site and the river. Generally there are two points from which the setbacks might be measured: the river edge, or the Main Yarra Trail (shared path). There is also an 'exception' clause allowing the setbacks to be waived where '...the depth of the site or the existing configuration of the site does not allow...' for the specified setbacks. In the City of Yarra's subsequent Built Form Review, these guidelines were found to be difficult to apply, and inconsistent in result. This issue was addressed through the development of new built form guidelines for inclusion in the City of Yarra Planning Scheme by the Built Form Review.

A review of the **City of Yarra Built Form Review** 2002 is relevant to the current regulatory and policy context to the extent that it is proposed to be adopted into the Planning Scheme as Policy and revision to DDO1 by **Amendment C66**. The Planning Panel considering Amendment C66 supported the Built Form Review and considered that it 'provides an appropriate strategic basis to guide the overall design and scale of built form throughout the municipality, particularly along the Yarra River corridor' (p5). The proposed planning scheme amendments were also supported by the Panel, with some qualifications, including:

- 'the Panel supports Council's approach of establishing the broad Built Form Review design principles and then refining these as and when needed on a precinct by precinct basis, as it has done with the Victoria Street area' (p30);
- 'the Panel considers that any subsequent Urban Design Frameworks should accept and detail, rather than challenge, the principles established in the Built Form Review' (p34); and
- 'the Panel notes that in the Freeway edge section of the river corridor the recommended height is accompanied by a requirement that also requires some variation in heights along the river frontage. The Panel considers that a similar approach could be pursued along other sections of the river to encourage variety in built form' (p31).

The Built Form Review and Amendment C66 were also considered as part of the current Review. The Built Form Review is considered to remain an appropriate strategic basis for

managing the built form and character issues at the City of Yarra interface with the Yarra River. As it relates to the Yarra River, the Built Form Review sets up a number of principles and objectives related to siting, scale and impact of buildings and their relationship to landform, the natural vegetated character of the waterway and immediate surrounds, public access, overshadowing of public use areas (particularly the Main Yarra Trail), runoff and erosion and fauna habitat.

Many of these objectives, particularly where they relate to natural values, have been substantially updated or superseded in developing objectives for the entire River corridor in this study, as more appropriate strategic documents are available for these values. However, a number of the objectives and principles related to the interplay of landscape character and built form are considered appropriate to other interfaces with the Yarra River, and have been adapted for broader application throughout the Study Area. Examples include:

- relate the siting, scale, bulk and massing of new development adjacent to the width and scale of the waterway and the river banks;
- protect and enhance the landscape qualities of the Yarra River as a vegetation-dominated corridor;
- tailor the siting, scale, bulk and massing to the distinctive landscape character of each section of the Yarra River corridor;
- consider the impact of building massing and siting on long-range views of the river corridor, including from the opposite bank;
- minimise overshadowing of the river and Main Yarra Trail at all times of the year.

Recreation, Open Space and Access

A central objective of previous plans for the river (1985 **Lower Yarra River Development Plan** and later plans) has been to 'develop a continuous linear trail network for non-motorised movement within the area, which will link with areas of open space upstream and downstream and facilitate cross-valley movement'. This Plan also set out goals for greater public access and recreational use, reduced conflicts, and promotion of water-based recreation activities.

The Middle Yarra Concept Plan 1990 extends these goals upstream and adds:

- improve pedestrian access to the area;
- increase public access by purchasing or gaining use of frontage land;
- redevelop Yarra Boulevard;
- establish Main Yarra Trail;
- improve pedestrian and cyclist facilities, bridges;
- establish marked bike route in adjacent streets;
- provide for boating, competition rowing, canoeing, ferries and canoe/kayak use; and
- provide / improve park network.

In consequence, much of the recent effort along the river has focused on public acquisition of land, negotiating rights of access across private land, and developing walking and cycle paths. There is now a continuous (more or less) shared trail along the river (more or less) throughout the area. The Melbourne Water Waterway Satisfaction Monitor 2002 identified recreation and access related functions as the key strengths of the Lower Yarra River. The ability to walk along the waterway, and existence of the river as an "urban haven" were both rated as both above average importance, and above average satisfaction by survey respondents. Nonetheless, access remains limited in various places by private property, steep terrain, restrictive uses (e.g. golf courses), sensitive vegetation, freeways and other barriers and resident desire to retain a 'sense of solitude' (e.g. Kew Billabong).

Parks Victoria's strategic planning framework **Linking People and Spaces** 2002 lists a number of relevant strategies to the Study Area, including:

- complete critical trail gaps;

- continue making improvements to sustainable recreation opportunities provided along the Yarra River; and
- enhance visitor facilities at Yarra Bend Park as a major inner Melbourne regional park.

Lower Yarra River Landscape Guidelines 1988 includes a goal to improve and enhance access to the River, and the recreational resources along the banks, (linear path, boat launching ramps, jetties, picnic areas). The **Lower Yarra River Urban Design Guidelines** 1992 makes recommendations about access along the River edge, and consolidation of any public open space contributions on the river side of any new development and outlines recreation, open space and tourism opportunities in the Corridor.

Lower Yarra River Future Directions Plan & Recreation Guidelines 2001 deals primarily with river based activities and advocates mainly transit-only movement of recreational boats downstream of Swan Street and promotion of rowing and sporting activities, casual berthing upstream of Swan Street and development of appropriate signage, landings, roads and paths.

Yarra Built Form Review 2002 and **Yarra River Corridor Urban Design Guidelines** 1998 (the latter has been substantially revised and superseded by Amendment C66) deal primarily with built form but include aims to provide continuous public access along the river bank, minimise overshadowing of the river and Main Yarra Trail at all times of the year and improve recreational opportunities within the River Corridor.

Drainage, Flooding and Waterway Management

Melbourne Water's **Guidelines for Development in Flood-Prone Areas** (October 2003) is the primary source document for drainage and flooding in the Study Area. For developments on land zoned as Urban Floodway Zone or with a Land Subject to Inundation Overlay (see below), Melbourne Water is a referral authority, and the **Guidelines for Development in Flood Prone Areas** apply. These guidelines relate to flood flow (works or buildings must not affect floodwater flow capacity); flood storage (works or buildings must not reduce floodwater storage); freeboard (0.6m minimum for main buildings, 0.3m minimum for garages / outbuilding); site safety (developments should not occur where the depth and flow of floodwater on a property will be hazardous); and access safety (the depth and flow of floodwater affecting access to a property must not be hazardous).

Only a few previous policy documents reviewed by this Study specifically addressed objectives for drainage, flooding and waterway management, although a number more indirectly mention water quality and environmental management.

Lower Yarra River Development Plan 1985 includes objectives to protect and conserve air, water, soil flora and fauna and that development will not prejudice drainage and floodplain management, and recognise drainage function and associated maintenance activities.

The **Lower Yarra River Planning Controls** 1986 translate these objectives into a Floodway Management Area Control, which aims to control development on the floodplain to minimise flood damage; allow flow of floodwater; and maintain flood storage capacity. For buildings and works in the Floodway Management Areas the planning authority must consider need to prevent or reduce the concentration or diversion of floodwater or stormwater. These controls were duplicated upstream by the **Middle Yarra Planning Controls** 1990 and formed the main basis for the application of drainage and flooding related overlays (see below).

The **Lower Yarra River Landscape Guidelines** 1988 does not deal with flooding and drainage in detail, but seeks to ensure that drainage objectives of the watercourse are not compromised.

The Department of Sustainability and Environment has also issued a Practice Note dealing with planning controls for flood prone areas.

3.2 Existing Planning Controls

Zones

Four main zones apply across the Study Area: the Public Park and Recreation Zone, the Residential 1 Zone, the Road Zone, and the Public Use Zone. The application and purpose of these zones is described as follows:

Public Park and Recreation Zone (PPRZ)

Large tracts of land bordering the Yarra River are zoned PPRZ. The purpose of this zone is to recognise areas for public recreation and open space, protect and conserve areas of significance where appropriate and to provide for commercial uses where appropriate.

Residential 1 Zone (R1Z)

Large tracts of land in the vicinity of the Yarra River, and in some areas land directly bordering the river are zoned R1Z. The purpose of this zone is to provide for residential development at a range of densities with a variety of dwellings.

Road Zone (Category 1) (RDZ1)

Major roads in the areas are covered by the RD1Z. In particular the Eastern and Monash Freeways occupy large areas of land near the river. The purpose of this zone is to identify significant roads.

Public Use Zone (PUZ)

This zoning applies to some public institutions within the Open Space Corridor. The purpose of this zone is to recognise land use for public utilities and community services and facilities, and to provide for associated uses that are consistent with the intent of the public land reservation or purpose.

Urban Floodway Zone (UFZ)

Some small sections of the Study Area are zoned as Urban Floodway. The purpose of the Urban Floodway Zone is:

- to identify waterways, major floodpaths, drainage depressions and high hazard areas which have the greatest risk and frequency of being affected by flooding.
- to ensure that any development maintains the free passage and temporary storage of floodwater, minimises flood damage and is compatible with flood hazard, local drainage conditions and the minimisation of soil erosion, sedimentation and silting.
- to reflect any declarations under Division 4 of Part 10 of the Water Act, 1989 and to protect water quality and waterways in accordance with the provisions of relevant State Environment Protection Policies, and particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).

The UFZ is a particularly restrictive zoning, and can only apply where existing uses are not contrary to that zoning.

Map 4 – Existing Planning Scheme Zones

Other Zones

Several other zones also apply to the Study Area. These are listed by municipality as follows:

- | | |
|----------------------------|---|
| <i>City of Yarra</i> | <ul style="list-style-type: none"> ▪ Comprehensive Development Zone (Victoria Gardens) ▪ Industrial Zone 1 (parts of Abbotsford, including CUB) ▪ Industrial Zone 3 (Amcor, Alphington and Burnley Depot) ▪ Special Use Zone (St Helier's Convent, Abbotsford and Latrobe Golf Course, Alphington) ▪ Business 3 Zone (parts of Abbotsford) ▪ Business 5 Zone (Trenerry Crescent and Victoria Street East, Abbotsford; and River Street and Church Street, Richmond) ▪ Public Conservation and Resource Zone (Alphington Park). |
| <i>City of Boroondara</i> | <ul style="list-style-type: none"> ▪ Urban Floodway Zone (several small parcels adjacent to the River in Kew and Hawthorn) ▪ Special Use Zone (Scotch College) ▪ Mixed Use Zone (former Wallen Road Tram Depot, Hawthorn). |
| <i>City of Stonnington</i> | <ul style="list-style-type: none"> ▪ Business 2 Zone (Chapel Street) ▪ Special Use Zone (St Kevin's College) |
| <i>City of Banyule</i> | <ul style="list-style-type: none"> ▪ Public Conservation and Resource Zone (Chelsworth Park, Ivanhoe). |

Existing zones are shown on Map 4.

Overlays

Along with zones, the most important tools in the Study Area for control of development are the planning scheme overlays; the most relevant to this study are:

- Design & Development Overlay (DDO)
- Environmental Significance Overlay (ESO)
- Significant Landscape Overlay (SLO)
- Vegetation Protection Overlay (VPO)
- Land Subject to Inundation Overlay (LSIO)
- Floodway Overlay (FO)

Most parts of the Study Area have at least one overlay in place. Presently there are a large number of different types of overlays, including VPO, SLO and ESO in Banyule, DDO and ESO in Yarra, SLO and ESO in Boroondara, and SLO and DDO in Stonnington. The use and application of these overlays is reviewed in detail below.

In addition, the Public Acquisition Overlay (PAO) is relevant to this study and occurs in specific locations across the Study Area.

Each of the relevant existing overlays is reviewed in Table 3.1 – Existing Planning Provisions, which follows. Their coverage is shown Maps 5a-5c.

Local Planning & Policy Framework

The existing content of Municipal Strategic Statements and Local Policies for each municipality as they relate to the Study Area are outlined in Table 3.1 – Existing Planning Provisions.

Table 3.1 Existing Planning Provisions

Banyule				LANDSCAPE CHARACTER	PUBLIC AMENITY	VIEWS AND VISTAS / SKYLINE	WATER QUALITY	INDIGENOUS HERITAGE	HABITAT / OTHER NAT. HERITAGE	EUROPEAN HERITAGE	FLOODING / DRAINAGE	TRAILS / LINKAGES / ACCESS	OPEN SPACE / RECREATION			
Control / Policy	Geographic Coverage	Permit Trigger	Strategic Basis / Refs	Scope of Existing Objectives										Decision Guidance	Comments	
MSS	21.04-5 Natural Environment Objectives-Strategies-Implementation	N/A	<ul style="list-style-type: none"> Middle Yarra River Concept Plan – Dights Falls to Burke Road (1990). Wildlife Corridor Program (2000) 	√			√	√			√	√			<ul style="list-style-type: none"> Apply Middle Yarra Environs Local Policy Apply relevant SLO/VPO/ESO. 	<ul style="list-style-type: none"> General environment section of MSS.
22.01 Middle Yarra Environs Policy	Middle Yarra and Parklands.	N/A	<ul style="list-style-type: none"> Middle Yarra River Concept Plan – Dights Falls to Burke Road (1990); Yarra Valley Park Management Plan. 				√	(general)	√	(general)		√	√	(general)	<ul style="list-style-type: none"> Refer to Concept Plans / any Parks Vic Plans Environmental/recreation/heritage values and flood management objectives 	<ul style="list-style-type: none"> Is Policy just a ref to Concept Plans? Only very general decision guidance given. No objectives for landscape char. Are there conflicts where some public works are excluded?
ESO1	Slopes and environs close to River edge.	<ul style="list-style-type: none"> Incl.fences; remove, destroy or lop veg. Excl. dwelling <4.5m (wall) or <6m (total). Some public works veg <5m (height), <0.5m (Ø 1m), overhanging <2m, weeds or street trees. 	<ul style="list-style-type: none"> Middle Yarra River Concept Plan – Dights Falls to Burke Road (1990); Sites Env Significance in Banyule, 1995 and others. Wildlife Corridor Program, BCC 1998 	√			√	√	√	√					<ul style="list-style-type: none"> Consider Concept Plan Decision guidelines considerably extended from Concept Plan to incl natural ecosystems, pollution, Aboriginal issues, pervious surfaces etc. 	<ul style="list-style-type: none"> Used in place of SLO in some areas (e.g. near Riverside Road)
SLO2	Certain skyline areas in the R1Z. Generally 1-2 streets back. Some slopes near Darebin Ck excluded (e.g. Riverside Rd).	<ul style="list-style-type: none"> Excl. dwellings / outbuildings <4.5m (wall) or <6m (total). Works associated with dwellings. Drainage works by drainage authority. 	<ul style="list-style-type: none"> River Concept Plans: Middle Yarra – Dights Falls to Burke Road (1990); Middle Yarra – Burke Road to Watson Creek (1991); and others. 	√		√									<ul style="list-style-type: none"> Bulk, size, appearance, outline not impact on skyline / character as per Concept Plan Considerably extended from Concept Plan to incl veg screening, design to slope, colours & materials, retaining walls, pervious surfaces etc 	<ul style="list-style-type: none"> Essentially implements Concept Plan Skyline Control Areas, but decision guidance extended. What is theoretical/strategic basis for these extended guidelines? Lacks coverage near Riverside Road.
VPO3	Generally 1-2 streets back from the River, extending to cover large areas of suburban land away from the River.	<ul style="list-style-type: none"> Remove, destroy or lop vege Excl. vege <5m (height) <0.5m (Ø 1m), overhanging <2m, weed or street tree 	<ul style="list-style-type: none"> Wildlife Corridor Program BCC 1998 	√		√		√							<ul style="list-style-type: none"> Visual amenity, undesirable change to character, all alternative designs considered, conserve native vegetation and implement "Wildlife Corridor program", BCC 1998. 	
PAO2	Land to be acquired by Melbourne Parks & Waterways for open space	<ul style="list-style-type: none"> Section 1 or 2 use, buildings and works, subdivision, remove, lop or destroy vege excl. elec works, crop, risk of injury Exempt public authority or council 	<ul style="list-style-type: none"> None 											√	<ul style="list-style-type: none"> land not to be spoiled or wasted to adversely affect purpose for being acquired 	
PAO3	Land to be acquired by Council for Open Space	<ul style="list-style-type: none"> Section 1 or 2 use, buildings and works, subdivision, remove, lop or destroy vege excl. elec works, crop, risk of injury Exempt public authority or council 	<ul style="list-style-type: none"> None 											√	<ul style="list-style-type: none"> N/A 	<ul style="list-style-type: none"> None.
LSIO	Broad area at Chelsworth Park Ivanhoe Public Golf Course. Some private lots along The Boulevard.	<ul style="list-style-type: none"> Excl: buildings, works, fence or roadworks in accord with a management plan to satisfaction of Responsible Auth. / floodplain man auth. 	<ul style="list-style-type: none"> None 								√				<ul style="list-style-type: none"> None additional to overlay. 	<ul style="list-style-type: none"> Proposed to be replaced by FO for areas >1m flood depth – 100 Year ARI.

Yarra				LANDSCAPE CHARACTER	PUBLIC AMENITY	VIEWS AND VISTAS / SKYLINE	SIGNIFICANT FLORA / FAUNA	HABITAT / OTHER NAT. HERITAGE	EUROPEAN HERITAGE	INDIGENOUS HERITAGE	WATER QUALITY	FLOODING / DRAINAGE	TRAILS / LINKAGES / ACCESS	OPEN SPACE / RECREATION		
Control / Policy	Geographic Coverage	Permit Trigger	Strategic Basis / Refs	Scope of Existing Objectives										Decision Guidance	Comments	
MSS	21.03-4 Protect Environmental Assets – Balancing Demands of Yarra River Corridor.	• N/A		√			√	√	√	√				√√ (incl. tourism)		
22.08 Protection of Biodiversity	Areas covered by the ESO1, ESO2 and ESO3	• N/A	<ul style="list-style-type: none"> • Stage 2 of the Natural Heritage Study for the City of Yarra, 2001 • Gardening with Native Plants in Yarra. 				√	√							<ul style="list-style-type: none"> • Ensure remnant indigenous vegetation is not disturbed; minimise disturbance to non-remnant indigenous vegetation; require a landscape plan. • Use indigenous species, do not use weeds (listed). 	
22.03 Yarra River Corridor Urban Design Guidelines	Areas covered by DDO1	• N/A	• Yarra River Corridor Urban Design Guidelines (City of Yarra).		√	√		√						√	<ul style="list-style-type: none"> • To ensure decisions have regard to Yarra River Corridor Urban Design Guidelines. 	
DDO1	Large areas of PPRZ and PUZ adj to River in north of City; narrow area to first street back in other zones south of Johnson St.	<ul style="list-style-type: none"> • All Buildings and works. • No requirements for subdivision. 	<ul style="list-style-type: none"> • Urban Design Guidelines for the Yarra River Corridor (1998). • Guidelines for Heritage Places (1998); Advertising Code (1996). 	√√	√	√√			√	√				√	<ul style="list-style-type: none"> • Location, bulk, appearance of buildings; promote environmental values/ character, landscaping, vegetation; physical and visual impacts. • 1998 Urban Design Guidelines. 	<ul style="list-style-type: none"> • Good strategic basis in updated 1998 Urban Design Guidelines. • To be amended by C66. • Amenity of open space other than trail not considered.
ESO1	Immediate streamside environs	<ul style="list-style-type: none"> • Incl. Fence, road, signs, veg (incl dead/dying) • Excl. Buildings <6m in R1Z, PPRZ, PUZ; repairs/maint/ some public works. 	<ul style="list-style-type: none"> • River Concept Plans: Lower Yarra – Punt Road to Dights Falls (1986) Middle Yarra – Dights Falls to Burke Road (1990). 	√			√	√√ (incl geol)		√	√	√	√√	facilities	<ul style="list-style-type: none"> • Extends Concept Plans with numerous, more detailed decision guidelines including ecology, Aboriginal values, visual intrusion, vegetation etc. 	<ul style="list-style-type: none"> • Has more permit <u>inclusions</u> than other controls. • Coverage? • Strategic basis outdated?
LSIO	Narrow riverside environs, broader at Burnley Gardens and Latrobe GC. Incl private lots in Park Cres Fairfield, Abbotsford, and parts of Richmond.	<ul style="list-style-type: none"> • None additional to overlay. 	• None									√			<ul style="list-style-type: none"> • None additional to overlay. • Implements the Floodplain Control Areas of Concept Plan. 	<ul style="list-style-type: none"> • Proposed to be replaced by FO for areas >1m flood depth – 100 Year ARI.
PAO	Land required by Melbourne Parks and Waterways for continuous riverside park between Victoria and Gipps Streets, Abbotsford	<ul style="list-style-type: none"> • Section 1 or 2 use, buildings and works, subdivision, remove, lop or destroy vege excl. elec works, crop, risk of injury • Exempt public authority or council 											√	√	• N/A	• Valuable piece of open space for recreation linkage
Amendment C66	<ul style="list-style-type: none"> • Introduce new built-form policy • Amend and extend the application of DDO1. 		<ul style="list-style-type: none"> • City of Yarra Built Form Review, 2003. • Amends Urban Design Guidelines for the Yarra River Corridor (1998). 	√	√	√		?							<ul style="list-style-type: none"> • Precinct based approach which includes visions and design responses for 13 Yarra River precincts. • Applies precinct basis to DDO and Policy. 	<ul style="list-style-type: none"> • Would give strong strategic guidance to devt. including precinct based approach.

Boroondara				LANDSCAPE CHARACTER	PUBLIC AMENITY	VIEWS AND VISTAS / SKYLINE	SIGNIFICANT FLORA / FAUNA	HABITAT / OTHER NAT. HERITAGE	EP/EN HERITAGE	INDIGENOUS HERITAGE	WATER QUALITY	FLOODING / DRAINAGE	TRAILS / LINKAGES / ACCESS	OPEN SPACE / RECREATION		
Control / Policy	Geographic Coverage	Permit Trigger	Strategic Basis / Refs	Scope of Existing Objectives										Decision Guidance	Comments	
MSS	21.05 – Urban Character	• N/A	<ul style="list-style-type: none"> River Concept Plans: Lower Yarra – Punt Road to Dights Falls (1986); Middle Yarra – Dights Falls to Burke Road (1990). Res Urban Character Study (1996). Lower Yarra River Urban Design Guidelines (1992); and others. 	√√		√		√	√	√					<ul style="list-style-type: none"> Basis for application of SLO1 between River and Yarra Blvd to protect parkland character, and SLO2 to Yarra River Valley banks and skylines. 	
	21.06 – Environment	• N/A	<ul style="list-style-type: none"> River Concept Plans: Middle Yarra – Dights Falls to Burke Road (1990). Sites of Flora & Fauna Significance (Beardsell, 1997); Management of Flora and Fauna in Yarra Catchment (DNRE, 1994); and others. 	?			√	√			√	√			<ul style="list-style-type: none"> Basis for application of ESO to River environs to control all buildings and works within Valley environs. 	
22.13 – Yarra Valley Environs Policy	The Open Space Corridor, including some private (residential) areas, e.g. River Retreat.	• N/A.	<ul style="list-style-type: none"> River Concept Plans: Lower Yarra – Punt Road to Dights Falls (1986); Middle Yarra – Dights Falls to Burke Road (1990). Middle Yarra – Burke Road to Watsons Creek, 1993. Sites of Flora & Fauna Significance (Beardsell, 1997); Yarra Bend Park Strategy Plan; CoB OS Strategy. 					√	√	√			√	√	<ul style="list-style-type: none"> Policy that access and open space areas are retained and extended, to encourage proposals which improve recreational use (while not compromising env. values). Consistency with River Concept Plans and OS Strategy. Compatibility with function and character. Need to protect high env value. Ensure access to and along River. Effect on natural beauty. Erosion, deposition, pollution etc. 	<ul style="list-style-type: none"> Applies mostly to open space areas. Does not address amenity of public use areas, only access and availability of open space. Provides little guidance as to where access and / or open space should be improved, or what constitutes compatibility with function and character of the area.
SLO1	Yarra Bend Park and Yarra Boulevard. All PPRZ except River Retreat.	<ul style="list-style-type: none"> Incl. Signage, fences, street furniture. Excl. some public park works; drainage and some utility works; post and wire fences; dead/dying trees. 	<ul style="list-style-type: none"> Middle Yarra River Concept Plan – Dights Falls to Burke Road (1990). River Retreat Area Veg Study (1998). 	√√		√√		√							<ul style="list-style-type: none"> Must consider Concept Plans. Bulk, size, appearance, outline not impact on skyline / character as per Concept Plan. Extended to consider vegetation, views and more detailed effects of built form on character, effects on Yarra Blvd etc. 	<ul style="list-style-type: none"> Relies on Concept Plan. Does not reference Urban Design Guidelines, 1993.
SLO2	Mostly residential areas one street back, includes most hill faces overlooking River.	<ul style="list-style-type: none"> Excl. buildings <6m in R1Z, PUZ, PPRZ; repairs and maint; some public works; post and wire fencing; tree <6m; dead, dying trees, etc 	<ul style="list-style-type: none"> River Concept Plans: Lower Yarra – Punt Road to Dights Falls (1986) Middle Yarra – Dights Falls to Burke Road (1990). Lower Yarra River Urban Design Guidelines (1992); and others. 	√√	√	√√									<ul style="list-style-type: none"> As per Concept Plan for location, bulk, outline, appearance etc. from River, Yarra Blvd, parklands, trails and scenic viewpoints Extends to include need for veg retention, building and works considerations, natural features etc. 	<ul style="list-style-type: none"> Implements Skyline Area and Streamside Environment Area controls of Concept Plan as SLO.
DDO1	Some areas around Willsmere, visible from Yarra Bend Park.	• All buildings and works.	• None listed.	√√		√		√	√						<ul style="list-style-type: none"> Detailed performance standards for buildings and works. RA must consider whether predominantly detached housing, impact on character, setbacks from boundaries, building heights and whether they dominate the landscape and land available for landscaping. 	<ul style="list-style-type: none"> Provides useful guidance for managing development in views from the Yarra River Open Space Corridor.
ESO1	Streamside environment areas as outlined in concept plan. Largely public open space but includes private land at River Retreat and Young St Kew and St James Park Hawthorn.	<ul style="list-style-type: none"> Incl dead/dying trees. Excl b&w on slope <1:5 (to max 50% impervious surfaces), some public works and utilities (tphone / powerlines, trees<0.35 dia, pruning/ maint/ safety etc. weeds. 	<ul style="list-style-type: none"> River Concept Plans: Lower Yarra – Punt Road to Dights Falls (1986) Middle Yarra – Dights Falls to Burke Road (1990). Sites of Flora & Fauna Significance (Beardsell, 1997); CoB OS Strategy, etc. 				√	√	√?	√?	√				<ul style="list-style-type: none"> Concept Plans, incorporated plan Preservation of natural env., vegetation, fauna habitat, pests, minimise fire hazard Cultural value Buffer strip, pervious land, minimised cut and fill, planting strip Views of Parks Victoria. 	<ul style="list-style-type: none"> Applies to similar area as SLO1, including large areas of parkland. Fairly current reference documents.

Boroondara (cont.)

Boroondara (cont.)																
Control / Policy	Geographic Coverage	Permit Trigger	Strategic Basis / Refs	Scope of Existing Objectives										Decision Guidance	Comments	
				LANDSCAPE CHARACTER	PUBLIC AMENITY	VIEWS AND VISTAS / SKYLINE	SIGNIFICANT FLORA / FAUNA	HABITAT / OTHER NAT. HERITAGE	EPEAN HERITAGE	INDIGENOUS HERITAGE	WATER QUALITY	FLOODING / DRAINAGE	TRAILS / LINKAGES / ACCESS	OPEN SPACE / RECREATION		
PAO2	Three titles north of Hawthorn Bridge; four titles near end of Walmer Street, Kew; and Kew Golf Club.	<ul style="list-style-type: none"> Section 1 or 2 use, buildings and works, subdivision, remove, lop or destroy vege excl. elec works, crop, risk of injury Exempt public authority or council 	<ul style="list-style-type: none"> N/A 										√	√	<ul style="list-style-type: none"> N/A 	<ul style="list-style-type: none"> Covers some key locations.
LSIO	Narrow riverside environs, except for broad area around Kew Golf Club. Incl dwellings in Kew / Hawthorn.	<ul style="list-style-type: none"> None additional to overlay. 	<ul style="list-style-type: none"> None 									√			<ul style="list-style-type: none"> None additional to overlay. 	<ul style="list-style-type: none"> Proposed to be replaced by FO for areas >1m flood depth – 100 Year ARI.

Stonnington

Stonnington																
Control / Policy	Geographic Coverage	Permit Trigger	Strategic Basis / Refs	Scope of Existing Objectives										Decision Guidance	Comments	
				LANDSCAPE CHARACTER	PUBLIC AMENITY	VIEWS AND VISTAS / SKYLINE	SIGNIFICANT FLORA / FAUNA	HABITAT / OTHER NAT. HERITAGE	EPEAN HERITAGE	INDIGENOUS HERITAGE	WATER QUALITY	FLOODING / DRAINAGE	TRAILS / LINKAGES / ACCESS	OPEN SPACE / RECREATION		
MSS	21.05 – Urban Environment and Character	<ul style="list-style-type: none"> N/A 	<ul style="list-style-type: none"> Stonnington Urban Design Strategy Toorak Residential Character Strategy 	√	√	√									<ul style="list-style-type: none"> Apply DDO3 to protect skyline areas along River from visual intrusion. Apply SLO1 to streamside environments. 	
	21.04 – Natural Environment and Open Space	<ul style="list-style-type: none"> N/A 	<ul style="list-style-type: none"> Stonnington Open Space Strategy (2000) 			√		√			√	√			<ul style="list-style-type: none"> Apply SLO1 to streamside environments. Apply LSIO to flood prone areas. 	
SLO1	From River edge to first street back for a short distance between Gardiners Creek and MacRoberston Bridge	<ul style="list-style-type: none"> Excl. Buildings <6m in R1Z; repairs & maint; some public works. 	<ul style="list-style-type: none"> Lower Yarra River Concept Plan – Punt Road to Dights Falls (1986) 	√		√		√			√	√		√	<ul style="list-style-type: none"> Location, bulk, outline etc of buildings as per Concept Plan. Also, ecosystems, erosion, pollution, weeds, views of drainage authority etc. 	<ul style="list-style-type: none"> Lacks detailed decision guidance. Strategic basis outdated? Coverage: small area, why not b/w MacRobertson & Punt Road?
DDO3	Yarra River Skyline Areas as identified in Concept Plan.	<ul style="list-style-type: none"> Incl. Signs, fences, roads et Excl. Buildings <6m in R1Z, PUZ, PPRZ; repairs & maint. No requirements for subdivision. 	<ul style="list-style-type: none"> Lower Yarra River Concept Plan – Punt Road to Dights Falls (1986) 	√	√	√									<ul style="list-style-type: none"> Location, bulk outline and appearance effect on objectives. 	<ul style="list-style-type: none"> Lacks detailed decision guidance. Strategic basis dated? (1986) No ref to 1992 UD guidelines. Using DDO for skyline areas can not control impacts on veg.
LSIO	One in 100 year flood level.	<ul style="list-style-type: none"> None additional to overlay. 	<ul style="list-style-type: none"> None 									√			<ul style="list-style-type: none"> None additional to overlay. Implements the Floodplain Control Areas of Concept Plan. 	<ul style="list-style-type: none"> Proposed to be replaced by FO for areas >1m flood depth – 100 Year ARI.

Map 5a – Existing Planning Overlays: DDO and VPO

Map 5b – Existing Planning Overlays: SLO and PAO

Map 5c – Existing Planning Overlays: ESO LSIO

4. Planning Objectives for the Study Area

4.1 Consistent Planning Objectives

It is important to have agreed objectives for the protection and planning of the Study Area that are consistent along the corridor. Numerous planning studies and policies have been prepared for the corridor over the years, and these have, in combination, addressed most of the issues that should be covered – the difficulty is that overlaps, inconsistencies and gaps have arisen.

The Study Team has devised a model set of Planning Objectives for the Study Area (refer to Table 4.1 below). These have been organised to cover the four Key Issues identified above:

- flora, fauna & natural heritage;
- urban and landscape character, built form & cultural heritage;
- open space, recreation & access; and
- drainage, flooding & waterway management.

The Planning Objectives listed in Table 4.1 are intended to apply throughout both the Open Space Corridor and the interface areas. These objectives form the strategic basis for the recommendations for planning controls and policies that follow (Section 5). They could also be used to guide public land management. The objectives and have been derived from:

- a review of previous objectives, strategies, guidelines and controls developed for the Study Area in previous policy documents;
- input of stakeholders through written submissions and Community Workshops; and
- field work undertaken in the course of this Study.

For each objective, a set of *strategies* and *guidelines* have been developed which provide more detailed direction for Councils and land managers to plan and control development in the Study Area. These are contained in [Attachment 1: Strategies and Guidelines for Managing Development in the Study Area](#). The strategies and guidelines have been set out to relate to the specific issues arising in the Open Space Corridor and each of the three Character Interfaces. Many of these would be expected to be included in planning schemes, either as part of a Local Planning Policy Framework (LPPF) or in an overlay schedule. Some may form part of Council or Government agency action programs outside planning schemes.

4.2 Setting Priorities

Just as planning controls vary across and within municipalities, so does the pressure for development. In response to this variation, the Study Team devised a formula to assess the need for new or improved overlay controls.

$$\text{Value} + \text{Development Pressure} + \text{Lack of Control} = \text{Need for new / strengthened control}$$

In applying this formula, the Study Team has:

- examined a number of studies and policy documents which detail the known values of the Study Area;
- involved stakeholders in identifying additional community values and setting desired future directions for the Study Area;
- reviewed development trends and pressures, including input from all local councils in the Study Area and a brief analysis of recent planning appeals hearings (VCAT); and
- undertaken a detailed review of current policies and planning controls as they apply to the Study Area.

A clear finding of this analysis is that the areas closest to the river are both those of highest value to the community (for environmental, character and recreation values), and also the areas with greatest pressure for development.

The issue is not so much the lack of existing controls in the form of overlays in the areas closest to the river, but rather the way in which the planning provisions are currently structured and the associated lack of clarity in terms of guidance about what forms of development are acceptable. The existing planning scheme provisions do contain relevant objectives derived from previous concept plans and other strategic work which indicate the significance of the valley, the need to protect the valley environment and prevent inappropriate development. However, due to the lack of more specific performance indicators and decision guidance contained in Overlay schedules, the outcomes in terms of planning decisions on development proposals could be uncertain given the need for decision making bodies to weigh up generalised Yarra River objectives with other *Melbourne 2030* objectives - for example, relating to consolidation of urban form. This is illustrated by some recent planning decisions relating to residential and commercial developments in sensitive areas alongside the Yarra and other waterways.

Based on these findings two *orders of priority* have been identified for different locations in the Study Area. The locations of **first order priority** are those areas which are closest to the river and have development potential. These include situations where private lots (or public land not used for public open space) adjoin the river, or are separated from the river by a narrow strip of riverside open space, or a riverside boulevard. Each location of first order priority is analysed in detail using the above formula in Attachment 2: Analysis of Planning Issues by Location.

Locations of **second order priority** are those parts of the Study Area which are more remote from the Yarra River and where substantial road and / or open space buffers lessen the likely magnitude of impact on the values of the Study Area. As these second order locations represent areas of less urgent need, detailed parameters for planning controls have not been developed for these areas as part of this study.

Table 4.1 – Proposed Planning Objectives for the Yarra River Corridor**A) Flora, Fauna and Natural Heritage**

Recommended Objective	Example Source Documents	Comments
1. <i>Develop and maintain an indigenous riparian vegetation corridor across public and private land upstream of Punt Road.</i>	<ul style="list-style-type: none"> ▪ Parks Victoria – Linking Spaces and People ▪ Middle Yarra River Concept Plan, 1990 ▪ Port Phillip Western Port CALP Board - Yarra River Catchment Action Plan ▪ City of Yarra Built Form Review, 2002 ▪ Lower Yarra River Landscape Guidelines (Punt Road to Dights Falls) 1998 	Adapted and expanded to apply to the entire length of the river in the Study Area. The 1985 Lower Yarra River Development Plan recommends that indigenous species be planted upstream of Gardiners Creek while the City of Yarra Built Form Review has objectives for a “naturalistic” landscape upstream of Church Street. The Church Street boundary remains appropriate for the right bank, however Punt Road was chosen as a boundary for this objective to ensure consistency across the Study Area and encourage strategic improvements to vegetation in the City of Stonnington between the Yarra River and Alexandra Avenue in a manner consistent with neighbourhood character and environmental objectives.
2. <i>Protect and manage non-riparian indigenous vegetation communities throughout, and seek to expand indigenous vegetation coverage, except where established exotic vegetation has heritage or landscape significance, contributes to neighbourhood character objectives or supports established recreational uses.</i>	<ul style="list-style-type: none"> ▪ Yarra Bend Park Strategy Plan, 2002 ▪ Middle Yarra River Concept Plan, 1990 	<p>Updated to exclude locations of exotic vegetation with heritage and landscape/neighbourhood character significance (e.g. Burnley Gardens), and sports fields.</p> <p>Exceptions for neighbourhood character significance are limited to the private domain, where an existing neighbourhood character study has identified features of significance. No exception for neighbourhood character significance is available to exotic vegetation within the riparian zone.</p>
3. <i>Protect natural landforms, natural stream geomorphology and geological formations.</i>	<ul style="list-style-type: none"> ▪ Lower Yarra River Concept Plan, 1990 ▪ Lower Yarra Urban Design Guidelines (Punt Road to Dights Falls) 1992 ▪ Yarra Bend Park Strategy Plan 	Adapted from strategies for natural landforms contained in objectives for landscape character and environmental features.
4. <i>Protect, maintain, regenerate, restore, enhance or preserve (whichever is appropriate) features or locations of environmental significance (including significant biodiversity and geodiversity).</i>	<ul style="list-style-type: none"> ▪ City of Yarra Built Form Review, 2002 ▪ Middle Yarra River Concept Plan 1990 ▪ Lower Yarra River Concept Plan, 1985 ▪ Lower Yarra Urban Design Guidelines (Punt Road to Dights Falls) 1992 ▪ Yarra Bend Park Strategy Plan 	This objective builds on the objective for environmental significance and the value of river landforms as remnants of natural landscapes within an urban area.

B) Urban & Landscape Character, Built Form & Cultural Heritage

Recommended Objective	Example Source Documents	Comments
5. <i>Protect and enhance the landscape qualities of the Yarra River Open Space Corridor as a vegetation-dominated corridor, particularly in views from key viewing locations within and outside the Open Space Corridor.</i>	<ul style="list-style-type: none"> ▪ City of Yarra Built Form Review, 2002 ▪ Middle Yarra River Concept Plan 1990 ▪ Lower Yarra River Concept Plan, 1985 ▪ City of Yarra : Yarra River Corridor Urban Design Guidelines 1998 ▪ Lower Yarra Urban Design Guidelines (Punt Road to Dights Falls) 1992 	Derived from City of Yarra Built Form Review objective for a vegetation-dominated corridor. Adapted to explicitly refer to key viewing locations, including outside the Study Area. This objective was considered to be applicable to the entire Study Area. Builds on key viewing locations identified in Lower Yarra Urban Design Guidelines 1992 and Middle Yarra River Concept Plan but allows for more general case-by-case identification of key viewing locations.
6. <i>Manage the siting and design of built form in accordance with the distinctive landscape character of the Yarra River Open Space Corridor, and the urban and suburban qualities of its private land interfaces.</i>	<ul style="list-style-type: none"> ▪ City of Yarra Built Form Review, 2002 ▪ City of Yarra : Yarra River Corridor Urban Design Guidelines 1998 ▪ Lower Yarra Urban Design Guidelines (Punt Road to Dights Falls) 1992 	Adapted to apply more generally to managing the siting and design of development and to apply to the private land interfaces to the river and Open Space Corridor. Intended to allow for the application of neighbourhood character objectives / preferred character statements for different parts of the Study Area, whilst uniting strategies where common characteristics are found across municipal boundaries.
7. <i>Conserve sites of cultural heritage significance (e.g. historic buildings, Indigenous cultural values).</i>	<ul style="list-style-type: none"> ▪ City of Yarra Built Form Review, 2002 ▪ Lower Yarra River Urban Design Guidelines, 1998 ▪ Middle Yarra River Concept Plan 1990 	Several existing strategies fail to specifically include objectives for both Indigenous and European cultural heritage. This objective unites these and a range of cultural values. Previous objective for ‘scientific, historic and prehistoric significance’ updated to apply umbrella term ‘cultural heritage’.

C) Open Space, Recreation and Access

Recommended Objective	Example Source Documents	Comments
8. Maintain a linear parkland along the Yarra River, connecting with existing and proposed parkland areas upstream and downstream to provide greater public access to the river and adjoining land.	<ul style="list-style-type: none"> ▪ Lower Yarra River Concept Plan, 1990; ▪ Middle Yarra River Concept Plan, 1990 	An update of previous objectives which sought to 'create' linear parkland and achieve greater public access to the river and river corridor. Revised to apply to the entire study area and reference to amenity have been removed and added to objective below.
9. Maintain and improve a network of recreational trails in close proximity to the River, which link with the existing and future metropolitan trail network.	<ul style="list-style-type: none"> ▪ Lower Yarra River Concept Plan, 1990; ▪ Middle Yarra River Concept Plan, 1990 	Combines objectives for linear recreation trails from the Concept plans. This objective makes specific the aim to create continuous linear trails that relate to the river, and recognises that this trail network should only be restricted where it will be detrimental to features of environmental or cultural significance.
10. Protect and enhance the amenity of publicly used areas to create an attractive environment that is conducive to a range of recreational activities.	<ul style="list-style-type: none"> ▪ City of Yarra Built Form Review, 2002; ▪ Parks Victoria – Yarra Bend Park Strategy Plan 	Updated from previous objectives to refer to the amenity of public spaces as an important feature of the enjoyment of the Study Area.
11. Provide a mix of quality recreational opportunities, (including water-based activities), particularly those suited to the Yarra River corridor's qualities of a river environment in an urban and bushland setting.	New objective.	An objective to encourage quality and variety in recreation opportunities, and to ensure that the unique recreation values of the Yarra River and Open Space Corridor are recognised in planning for appropriate types of recreation developments.
12. Maintain and enhance public access to and throughout the Yarra River Open Space Corridor including access to the Yarra River itself and shared use of water access locations.	<ul style="list-style-type: none"> ▪ Lower Yarra River Concept Plan, 1990; ▪ Middle Yarra River Concept Plan, 1990 ▪ Parks Victoria – Linking Spaces and People 	Derived from various policies for 'equity of access', and strategies to link the open space areas to surrounding suburbs.

D) Drainage, Flooding and Waterway Management

Recommended Objective	Example Source Documents	Comments
13. Manage and control development in accordance with Melbourne Water guidelines for flood management, recognising the function of the Yarra River as part of a natural and urban drainage system, and the necessity of associated maintenance activities and constraints on development.	<ul style="list-style-type: none"> ▪ Lower Yarra River Concept Plan, 1986; ▪ Middle Yarra River Concept Plan, 1990 ▪ Guidelines for Flood Prone Areas (MW, 1998) 	Updated from previous objectives to recognise the natural and urban drainage function of the river and to include specific reference to Melbourne Water.
14. Ensure development does not compromise bank stability or result in increased erosion.	<ul style="list-style-type: none"> ▪ Lower Yarra River Concept Plan, 1986; ▪ Middle Yarra River Concept Plan, 1990. 	Reiteration of policies for management of the waterway stability.
15. Minimise conflict between waterway management and vegetation, landscape character and access objectives.	New objective.	This objective is important given the high value placed on the protection and management of natural and landscape values in the river corridor.
16. Ensure development results in no net increase in the rate or quantity of stormwater or sediment or other pollutants entering watercourses or wetlands.	New objective	To ensure that developments address stormwater quality and quantity.

5. Strategic Directions

This section outlines the four strategic directions to meet the stated Planning Objectives for the Study Area. These are:

- strengthened planning controls (Section 5.1);
- undertaking detailed design and development planning of key sub-areas adjoining the Yarra River (Section 5.2);
- ongoing management and enhancement of open space (Section 5.3); and
- securing open space and access opportunities (Section 5.4).

Together these four directions provided the basis for strengthened policies and planning controls for the Yarra River.

5.1 Strengthened Planning Controls

Recommendations for strengthening the Local Planning and Policy Framework and the use of overlays are contained in this section. Only very minor recommendations relating to zoning have been made as the delineation of zones relies on a thorough analysis of economic, environmental, social and infrastructure variables which was not part of the brief for this study.

Recommendations for changes to Council Planning Schemes, which might involve Municipal Strategic Statements and Local Policies as well as overlays, are contained in [Attachment 3: Planning Controls and Policies by Municipality: Recommended Changes](#). These have been framed within the context of the Planning Objectives for the Study Area contained in Section 4.1, to ensure consistency in strategic planning work across the Study Area. The strategic basis for potential changes to planning provisions is provided in this Report and detailed in the objectives, strategies and guidelines in Table 4.1 and Attachment 1. In addition, the 'implementation timing' has been suggested for each recommendation. This corresponds with the desires of some of the participating Councils to undertake further consultation and / or investigation, prior to proceeding with planning scheme amendments.

Existing overlay provisions already carry permit triggers which may be consistent with these recommendations (for example, many existing overlays require a permit for tree removal). Hence potential changes to planning provisions need to be considered by referring to existing provisions (summarised in Table 3.1).

It is important to note that the recommendations relating to potential components of planning provisions, such as permit triggers and performance standards, represent a starting point for consultation prior to any amendment process and will require fine-tuning in some cases. For example, the question of whether built form parameters should be mandatory or subject to discretion will need to be addressed.

Planning scheme amendments provide opportunities for further public input as part of the normal statutory process.

Overlays

The most important planning tools to control and manage development in the Study Area are the planning scheme overlays. The most relevant of these to this study are:

- Design & Development Overlay (DDO);
- Environmental Significance Overlay (ESO);
- Significant Landscape Overlay (SLO);
- Vegetation Protection Overlay (VPO);
- Land Subject to Inundation Overlay (LSIO); and

- Floodway Overlay (FO)

Each overlay is tailored to achieve a specific planning objective. For example, the DDO is applied where there is a need to manage the siting and design of built form, while the ESO is applied to protect special environmental assets. In addition each overlay varies in the kinds of developments that it can be used to require a permit for, and therefore the nature of development that can be controlled under the overlay. The DDO, for example, can be used to require a permit for buildings and works or subdivision, but not the removal, lopping or destruction of vegetation. On the other hand, the Environmental Significance Overlay and the Significant Landscape Overlay can be used to control buildings and works *as well as* the removal, lopping or destruction of vegetation, although these cannot require a permit for subdivision. The Vegetation Protection Overlay is specifically used to control the removal or destruction of vegetation and therefore only requires a permit for these purposes.

Advice from the Department of Sustainability and Environment is that overlays should be carefully selected, and that the desired planning outcome should drive the selection of overlays.

Presently, overlays have been applied inconsistently across the Study Area and there is a lack of clarity and agreement about desired outcomes. There are different overlays used in different municipalities for the same purpose, while some municipalities use more than one overlay to achieve a single planning objective. In some areas, there is undue reliance on reference documents or Local Policies to guide decision making.

In reviewing and recommending changes to the application of overlays across the Study Area, the Study Team employed the following principles:

- 1) overlays should be appropriate to the desired outcomes and kinds of values that need protecting;
- 2) it is preferable to use fewer overlays and avoid unnecessary overlaps;
- 3) the content of overlays should provide a clear direction for development (by including carefully crafted objectives, strategies and guidelines);
- 4) overlays should be applied consistently across Planning Schemes, but in a way that responds to the different issues that arise along the Open Space Corridor and in each of the three interface character types. Local variations in planning provisions may also be warranted within one broad character type.

In order to determine where there is a need for strengthened overlays across the Study Area, the Study Team applied the formula outlined in Section 4.2 above. The first step was to examine the characteristics, values and development issues occurring in the three interface character types and the Open Space Corridor. The second step was to undertake a more detailed planning investigation for each location which is rated as *first order priority* (see [Attachment 2: Analysis of Planning Issues by Location](#)).

This following analysis outlines planning issues in each character interface and the Open Space Corridor and makes recommendations as to how the key components of overlay schedules (permit triggers; objectives, guidelines and strategies; and additional performance standards) might be revised to improve the control of development across the Study Area.

Leafy Suburban Interface

The Leafy Suburban Interface is an area of predominantly suburban residential development with large setbacks and gardens that are heavily vegetated in most locations. It occurs in all four municipalities, and includes the suburbs of Toorak, Hawthorn, Kew, Ivanhoe, Alphington and Fairfield. In this character type, first order planning priorities apply to the following locations (refer to Map 6):

- lots that extend to the river edge (Park Crescent and Rex Avenue Alphington; Ivanhoe between Chelsworth Park and Darebin Creek; part of River Retreat, Kew; Garden Terrace to Barkers Road Kew; St James Park, Hawthorn; Hawthorn South between Scotsburn Street and Gardiners Creek; and Toorak);

- lots that abut riverside open space (parts of Alphington; part of River Retreat Kew; Hawthorn between Barkers Road and Hawthorn Bridge; and Hawthorn South between Wallan Road and Scotsburn Street)
- lots that front Yarra Boulevard, but are still in close proximity to the river (Kew between Willis Street and Corpus Christi Hospice).

Second order planning priorities apply to the following situations:

- lots that are separated from the river by roads and / or extensive parkland (remainder of Ivanhoe and Alphington; Kew East; and Kew near Walmer and Nolan Streets); and
- lots on which development is not immediately adjacent to the river or Open Space Corridor, but is (or could be) visible from the Study Area (locations to be determined).

Desired outcomes in the Leafy Suburban Interface include:

- protecting trees and other vegetation and protecting or establishing riparian vegetation;
- providing sufficient space for planting and growth of vegetation, including large trees;
- minimising visual intrusion within public open space areas, by ensuring buildings and other structures remain subordinate to vegetation;
- use of colours, materials and design that complement the vegetated environment;
- maintaining sense of seclusion that the river corridor provides;
- ensuring development is compatible with floodplain management objectives;
- minimising the impacts of stormwater runoff on water quality; and
- controlling the spread of environmental weeds into the Open Space Corridor.

There is a lack of consistency in the way overlays have been applied in Leafy Suburban Interface areas, with a mix of VPO, SLO and ESO in Banyule, DDO and ESO in Yarra, SLO and ESO in Boroondara, and SLO in Stonnington.

Advice from DSE suggests that the most appropriate overlays for these purposes are the SLO or the ESO, as they provide the means to control built form as well as protect vegetation and other environmental values. The choice between SLO and ESO depends mainly on whether the desired outcome is primarily to protect the appearance of the landscape or the environmental integrity of the area. Throughout much of the Leafy Suburban Interface, both landscape and environment could be argued to have equal value. The ESO has been recommended in most cases, since 'environment' is a more holistic concept that could include 'landscape', and using the same overlay would aid consistency across the corridor. The SLO is perhaps appropriate for private land which is not immediately adjacent to the river, but serves as a landscaped backdrop to a park, recreation trail or other key viewing location, such as areas that are set well back from the river or clearly separated from the river environs by a road. A VPO combined with a DDO would be a possible alternative way of protecting vegetation and controlling built form, but these are limited to the extent that they can protect environmental values and it is less than desirable to have two overlays where one would suffice.

Permit Triggers

Private lots to the river edge – The urgent development pressures and control issues where private lots extend to the river edge (including the desire to control impacts of ground disturbance, buildings and structures on water quality, riparian vegetation, character and amenity of the river corridor, natural landforms etc.) warrants the need for a planning permit for *all buildings and works* in these areas. Suggested vegetation permit triggers are tailored to correspond with the need to protect all indigenous vegetation (e.g. in riparian areas of lots in Park Crescent, Alphington) or only indigenous trees (e.g. other parts of Alphington), or exotic trees (e.g. Toorak). Permit triggers for trees are discussed below.

Building height – Buildings on some lots which do not extend to the river edge need only be triggered when heights will be such that they begin to visually dominate or overshadow the river corridor. This would only apply to situations where topography and vegetation conditions are such that smaller buildings would not affect character. The existing trigger of 6 metres (being a modest one storey building) was included in the former River Concept Plans to apply to previous Skyline Control areas and is still applied in many existing planning

provisions. This height is considered appropriate in cases where development is visible from, but substantially set back, from the river edge and separated by roads and / or other development.

Tree size – In cases where established trees contribute to the environmental and / or landscape character of a section of the River corridor, a permit should be required to remove, destroy or lop trees above a certain size. A standard size of 35cm diameter at 1m above ground level is frequently used to identify large exotic and native trees with environmental and character significance. This is considered to be an appropriate measure to identify significant trees in the Study Area although further investigation could be undertaken. In some cases, a permit trigger for works within 5m of trees of this size has also been included as an added protection where native vegetation is of high conservation significance. This 5m rule relates to the optimal root zone for established native trees, within which ground disturbance has the potential to damage or kill a tree.

Flood zone – throughout the Study Area, development adjacent to the river or on the river bank needs to be carefully controlled in order to meet objectives for riparian vegetation and habitat corridors, natural landscape features, riverine character, stream hydrology, and current and potential future access to and along the river. The 1 in 100 year flood level is a definable boundary (corresponding with the LSIO boundary in the planning scheme), the extent of which sufficiently covers the primary areas of concern in the river corridor interface areas where private land extends to or near the river edge.

Site coverage – Permit triggers for building site coverage and impervious surfaces would be necessary to achieve site coverage outcomes discussed in the section on performance standards below, where the development is not already triggered (i.e. locations where lots do not extend to the river edge, and building height is less than or equal to 6 metres).

Objectives, Guidelines and Strategies

Attachment 1 contains the strategies and guidelines that are relevant for inclusion in overlay schedules which relate to the Leafy Suburban character type. These are structured to apply generally across the Leafy Suburban interface, although some potential variations to their application to specific locations are described in Attachment 2.

It is envisaged that these objectives and strategies would form part of revised overlay schedules and potentially Local Planning Policy Frameworks as well.

Additional Performance Standards

In some cases, additional performance standards are recommended for high priority areas adjacent to the river. It is envisaged that these would form part of revised overlay schedules and relate to specific locations which require further guidance. Performance standards cover the following elements.

Building Heights – A desire to protect riverside character and prevent the encroachment of built form into the river corridor suggests the application of a maximum building height of 9 metres above natural ground level at any point, to areas where private land extends to the river edge. This height reflects the Residential 3 Zone, and would be accompanied with appropriate setbacks. Further control / design constraints may be needed to meet the objectives and strategies of the recommended controls on a site by site basis.

Setbacks – Buildings should be set back from the river to respond to topography, existing vegetation coverage and the desire for no further encroachment of development into existing unbuilt areas adjacent to the river. This can be defined by mapping a desired setback, or by prescribing a distance from the road within which the building envelope must fit.

Site coverage – Containing site coverage is important to ensure sufficient permeable land to sustain the required density of trees and understorey in areas where the retention or planting of native vegetation is important, or where a balance between built form or roof tops and vegetation cover is sought from a riverside character perspective. The default building site coverage provision in ResCode is 60% and the permeability provision is 20%. It has been assumed that the drafting of ResCode has made a 20% allowance for the provision of paved

areas such as driveways and outdoor areas. However, throughout the Leafy Suburban Character Interface, current riverside character relies upon garden or bushland areas covering much more than 40% of lots. For this reason, standards for building site coverage *and* impervious surfaces have been applied to ensure sufficient space for establishment or protection of vegetation from a riverside character perspective. To calculate building site coverage, the study team examined built area and lot area (using digital aerial photography and cadastre) in heavily vegetated lots and compared the existing relative building / vegetation coverage of lots to the 'on the ground' experience of the site character and its interface with the river. The most detailed calculations at this stage have been undertaken for Park Crescent, Fairfield and The Esplanade, Alphington (City of Yarra), although these standards have been extrapolated across the corridor, based on variations in existing vegetation coverage and lot sizes.

In parts of the Leafy Suburban Character Interface, areas within and outside the 1 in 100 year flood level are treated separately (see Park Crescent example), to discourage excessive site coverage and encourage the retention of vegetation in those parts of large lots that are outside the flood level though still close to the river, and to recognise the differing needs of riparian / flood prone areas.

Site coverage calculations for the purpose of maintaining areas of native vegetation should include: all buildings; all areas under a roof, canopy, awning, eaves or shade cloth; all paved areas; swimming pools; and any other impermeable surfaces. Areas less than 4m wide between structures of any kind (including retaining walls and fences as well as buildings etc. listed above) should be considered as if covered by buildings. Indigenous vegetation including canopy trees and understorey cannot be maintained in close proximity to buildings. Calculations must allow for future construction of fences along shared property lines, whether one exists at present or not, unless such a fence is prohibited by overlay controls or covenants on the relevant property titles (or other similar permanent controls).

Urban Industrial / Ex-Industrial Interface

The Urban Industrial / Ex-Industrial Interface is an area that has been intensively developed with industrial and associated uses, much of which has been undergoing redevelopment to other uses. It covers the right bank of the river in the City of Yarra, between the Eastern Freeway and Punt Road. The CityLink freeway occupies much of the river frontage downstream to the Heyington rail bridge, and the Burnley parklands run from the MacRobertson bridge to Bridge Road. Upstream from here the Open Space Corridor is relatively narrow on the right bank but often well-planted, and usually opposite parkland or generously treed suburban gardens on the left bank. In these areas, first order planning priority applies to the following situations:

- lots that extend to the river edge;
- lots that abut riverside open space; and
- lots that are separated from the river (but still in close proximity) by road (CityLink).

Due to proximity of this interface to the River, no second order planning priorities occur.

Desired outcomes in the Urban Industrial / Ex-Industrial Interface include:

- protecting and enhancing amenity and character of walking and cycling trails, and views from the Yarra River, river crossing points and parkland / residences on the opposite bank;
- relating built form to the river landscape and topography;
- protecting and establishing an indigenous riparian vegetation strip upstream of Church Street;
- providing a high quality and permeable river frontage downstream of Church Street;
- maintaining built form and building heights consistent with the overall scale of development in the City of Yarra;
- ensuring development is compatible with floodplain management objectives; and
- minimising the impacts of stormwater runoff on water quality.

In this character type, many of the desired outcomes relate to the siting and design of built form for which the Design and Development Overlay (DDO) is the most appropriate tool. Nonetheless, other environmental objectives for managing water quality and protecting the vegetated riverside environs (which occur across and adjacent to parts of this character type) require the application of an Environmental Significance Overlay (ESO).

A DDO and an ESO already apply to this area in the City of Yarra Planning Scheme. The DDO is currently subject to an amendment to the City of Yarra Planning Scheme (Amendment C66) to strengthen the way development is sited and controlled near the river. In addition, the ESO could continue to be used to protect the natural values of the waterway, although this would apply mostly to the narrow strip of the Open Space Corridor which supports some vegetation and natural values between this Interface and the river itself (see Open Space Corridor, below).

Permit Triggers

Permit Triggers for the Urban Industrial / Ex-industrial interface need to ensure that the impacts of large scale built form can be managed in a positive way, with preferred environmental and landscape character values being protected. The permit triggers as detailed for DDO1 in Amendment C66 are considered appropriate. However, additional triggers may be warranted for protection of environmental values under ESO1.

Objectives, Strategies and Guidelines

Amendment C66 provides a detailed analysis and specific performance standards for built form aimed at managing the way that built form impacts on the river corridor, and relating built form to the landscape character and topographic conditions in different sections of the Urban Industrial / Ex-industrial interface. These guidelines are comprehensive and have a sound strategic basis and are considered to be an appropriate means to manage built form in Urban Industrial / Ex-industrial interface.

Improved objectives, strategies and guidelines for environment protection (as outlined for the Urban Industrial / Ex-industrial character type in [Attachment 1](#)), should be included in ESO1.

Additional Performance Standards

C66 includes suggested maximum heights and minimum setbacks as well as qualitative performance standards. Some additional performance standards for this interface character type, which might potentially be included in a revised ESO or DDO schedule covering jetties, boat ramps and mooring facilities are outlined in [Attachment 2](#) and [Attachment 3](#).

Urban Residential Interface

The Urban Residential Interface contains large houses and multiple-unit developments on moderate to large blocks with scattered vegetation. This character type occurs in one small area, set on sloping topography in the suburb of South Yarra in the City of Stonnington. Development is highly visible but significantly separated from the river and Open Space Corridor by Alexandra Avenue.

Compared with the Leafy Suburban and Urban Industrial / Ex-Industrial Interfaces, changes in built form are considered to have a lesser impact on the river environs. This is because all lots in this interface are separated from the Yarra River by open space and Alexandra Avenue. Hence the entire area is considered second order priority.

Desired outcomes for the Urban Residential Interface include:

- protecting and managing neighbourhood character and heritage values;
- relating the management and protection of neighbourhood character and heritage values to views from the Yarra River and Open Space Corridor;
- maintaining and enhancing amenity of the riverside open space.

Issues primarily relate to the need to manage neighbourhood character, protect heritage, (indirectly protecting the amenity of the river corridor) and relate guidelines for such controls

to the river and Open Space Corridor as a secondary issue. A DDO is relevant to control values in this Interface, although other controls may apply to the Open Space Corridor between Alexandra Avenue and the river (see Planning Controls in the Open Space Corridor, below).

Open Space Corridor

The Open Space Corridor consists of parkland dominated by trees and indigenous vegetation communities. It provides extensive sporting and recreation facilities and open spaces that are designed and landscaped and contribute to a treed leafy character.

Desired outcomes for the Open Space Corridor include:

- maintaining and improving the indigenous vegetation character;
- protecting important natural and cultural heritage features;
- improving recreation opportunities and strengthening equity of access;
- minimising the impact of recreational and other uses on environmental values and water quality;
- maintaining natural flood storage capacity; and
- minimising intrusion of non-open space uses of the corridor on the corridor's character and values.

As the Open Space Corridor is public land, desired outcomes are achieved primarily through works carried out by the relevant public authorities rather than through changes to planning scheme provisions. The broad objectives proposed may be used to help guide park master and management planning carried out by public land managers.

Currently planning overlays apply to part of the Open Space Corridor, including DDO and ESO in the City of Yarra (including Yarra Bend Park), ESO and SLO in the City of Boroondara, ESO in the City of Banyule, and DDO in the City of Stonnington. There are also extensive areas covered by LSIO; these are discussed in further detail below.

Advice from the Department of Sustainability and Environment, as outlined in the VPP Practice Note: *Applying the Public Land Zones*, is that overlay controls should not duplicate the statutory responsibilities of the public land manager. For example a VPO or ESO over Yarra Bend Park duplicates the responsibilities of Parks Victoria under the legislation such as the Crown Land (Reserves) Act 1978 or Water Industry Act 1994, (or Heidelberg and Kew Lands Act for Yarra Bend Park). However an overlay requiring a permit for vegetation removal would be appropriate over road or railway land where the core business of the land manager is not vegetation protection.

For a park such as Yarra Bend Park, Crown Land managed by Parks Victoria, overlays such as ESO, DDO, VPO or SLO should not be necessary. The same applies to council-managed open space. Floodway or Land Subject to Inundation Overlays are appropriate on land managed by Parks Victoria or Councils however, as flood protection is not their core business.

In areas where private land directly abuts an open space corridor, there can be 'grey areas' regarding ownership, and ownership is also likely to be subject to change over time. In such areas therefore, overlays designed primarily to manage development on private land may, for convenience, extend over the entire open space corridor, with appropriate exemptions included for the public land manager.

Councils and other public land managers also have the choice of incorporating master plans into their planning schemes, following a public process. This can be useful if some uses would require a permit under the relevant public land zone provisions, thus avoiding the need for further planning permits being required for individual uses.

Flood Protection – all Interface Character Types and the Open Space Corridor

The entire 1 in 100 year flood plain for the Yarra River is covered by a Land Subject to Inundation Overlay (LSIO), except those areas zoned as Urban Floodway Zone (UFZ). The

purpose of the LSIO is to identify land in a flood storage or flood fringe area affected by the 1 in 100-year flood or any other area determined by the floodplain management authority.

Melbourne Water has signalled its desire that the Land Subject to Inundation Overlay (LSIO) be replaced with a Floodway Overlay (FO) in locations subject to one metre or greater flood depth in a 1 in 100 year flood event. The purpose of the Floodway Overlay is to high hazard areas that have the greatest risk and frequency of flooding. It is proposed that the Floodway Overlay would cover the active portion of the floodplain and the Land Subject to Inundation Overlay would apply to the remainder, i.e. areas less than a metre deep in a 1 in 100 year flood event.

This would be achieved by way of a normal planning scheme amendment process. At the same time, a review of zoning should be undertaken. Where land is zoned UFZ, the LSIO or FO should not apply.

Map 6a – Issues Analysis by Location

Map 6b – Recommended Planning Scheme Changes by Location

Local Planning and Policy Framework

In order to ensure that overlays are effectively and appropriately applied, and stand up to challenge, it is essential that they are supported by appropriate policies and strategic justification, particularly through the Local Planning and Policy Framework. Councils in the Study Area have different approaches to their Municipal Strategic Statements and Local Policies as they relate to the Yarra River. These have been reviewed in Table 3.1 above.

The key sources for improvements to the Local Planning Policy Framework are the Planning Objectives outlined in section 4, and the strategies contained [Attachment 1: Strategies and Guidelines for Managing Development the Study Area](#). In particular, the MSS should contain strategies for ongoing improvement of the Yarra River and its surrounds, and make reference to the improved overlay regime in each municipality as a means for achieving these outcomes.

Advice from the Department of Sustainability and Environment is that Local Policies should be applied where an issue affects the whole municipality, and / or where overlay schedules cannot be used for the particular purpose. As such, no new local policies have been recommended by this Study, however, it is appropriate for each existing local policy that relates to the Study Area to be reviewed following, and in conjunction with, the drafting of overlay schedules.

Further Strategic Work

Some further strategic work which addresses the way that development impacts on the Yarra River and Open Space Corridor is warranted, particularly in relation to those parts of the Study Area rated as *second order priorities*, and which have not been addressed specifically through planning controls in this Study. Ideally, further strategic work would involve councils and relevant State Government agencies working together to ensure continuation of a strategic approach to the Yarra corridor.

Landscape Values and Visibility

Areas which are remote from the Yarra River Open Space Corridor but visible from trails, public use areas and the river itself contribute to the landscape character, experience and sense of seclusion that the Study Area provides. A detailed analysis of these locations was beyond the scope of this Study.

However, it was apparent that the strategic basis for landscape impacts is weak in all four Planning Schemes, and that there appears to be a lack of consistency in the extent of coverage of 'skyline controls' (in the most part, these relate to the former Skyline Control Areas in the original Concept Plans).

Further strategic landscape assessment work, including visibility analysis using GIS software, would provide a sound basis for the development of planning controls in areas that do not immediately abut the river or Open Space Corridor, by:

- identifying particular sensitive and significant hill slopes and skylines as viewed from the river corridor;
- defining key viewing areas, and the numbers of likely viewers (and potentially, the expectation of viewers in terms of landscape character, e.g. secluded bush, leafy suburban character etc); and
- providing a justifiable basis for the geographical coverage of planning controls in locations not immediately adjacent to the river, but which affect the values of the Study Area (e.g. visible skylines and hill faces); and
- providing input to structure planning of Activity Centres near to the Open Space Corridor, to ensure views from the river and key public use areas are considered.

Advertising Signage

A number of existing studies address the need to control the intrusion of advertising signage across the Study Area. While this study has provided objectives for protection of landscape character and the sense of naturalness and seclusion experienced in parts of the Yarra River corridor, the Study Team has stopped short of developing specific guidelines for the size, design and siting of advertising signage. Further strategic work which examines where and how advertising signage should appropriately be located, and which is informed by existing background studies such as the Yarra River Corridor Urban Design Guidelines, would provide a useful basis for the development of such controls.

In conjunction with this strategic work would be a review of overlays to consider if and how advertising signage can be explicitly included.

Other Values

In light of the age of many documents relating to values of the Study Area, further strategic work in the areas of neighbourhood character (particularly relating character to the views from the river and Study Area), flora and fauna and indigenous heritage may also be warranted.

5.2 Detailed Design and Development Planning

Several locations within the interface areas lend themselves to more detailed design and development planning, guided by the Planning Objectives proposed by this Study, and the values identified by previous studies. Such locations include large, privately owned sites which offer substantial redevelopment opportunities should they become available.

The objectives contained in Table 4.1 above provide the framework for ensuring consistency in strategic planning work across the Study Area. These have been drafted to be applicable to future detailed strategic planning studies, including development plans, master plans or urban design frameworks of major areas that interface with the Open Space Corridor.

Amongst these interface areas, sites for potential future comprehensive planning strategies should major redevelopment be anticipated include:

- AMCOR Australian Paper sites in Alphington;
- Carlton and United Breweries site in Abbotsford;
- Victoria Street East (between Victoria Street – Barkers Road Bridge, and the Metropolitan Fire Brigade building) – draft UDF currently underway; and
- Victoria Crescent, Abbotsford (between Gipps Street and Church Street).

These locations are identified on Map 6b.

The Abbotsford Convent/Collingwood Children's Farm precinct has recently been the subject of detailed planning, with an outcome that includes protection of the convent building.

5.3 Ongoing Management of the Open Space Corridor

The objectives contained in Table 4.1 above provide the framework for ensuring consistency in strategic planning work across public land strategies and management plans and within planning schemes.

The management of the Open Space Corridor should occur on a consistent basis regardless of tenure. While a mix of uses and ownership is apparent across the Corridor, the consistent application of the objectives should occur across the Corridor to maintain and improve the indigenous vegetation character and protect the important natural and cultural heritage features, recreation opportunities and access.

A number of strategies for the ongoing improvement of the Open Space Corridor are listed in Attachment 1: Strategies and Guidelines for Managing Development in the Study Area. However as much of the area is public land, or used for public purposes the appropriate management approach is comprehensive masterplanning / management plans which both manage and control developments and uses to be consistent with the established values and objectives, and seek to achieve strategic improvements. As such, Attachment 1 should be viewed as an input to these plans which aims to ensure consistency with management of interface areas, rather than a replacement of existing masterplans.

Further Strategic Work

Master planning

Within the Open Space Corridor, masterplans / management plans are currently in place for

- McConchie Reserve;
- Burnley Harbour / Herring Island;
- Yarra Bend Park.

Several locations lend themselves to more detailed strategic planning, guided by the objectives and strategies proposed by this Study, and the values identified by previous studies. Key sites for future comprehensive master planning include:

- Creswick/Pridmore Park area in Hawthorn;
- Dights Falls Park, Abbootsford;
- Burnley Parklands Precinct;
- City Link Undercroft;
- St. Heliers Convent/Arts Precinct
- Middle Yarra golf courses and billabongs upstream of Chandler Bridge;
- Flockhart Street Reserve and adjacent trails (in conjunction with potential future access to the CUB site); and
- Alexandra Avenue riverside park.

For each of these and some additional areas, a brief review of existing issues and recommendations for masterplanning is contained in Attachment 4: Masterplanning in the Open Space Corridor. Each masterplanning location is shown on Map 7 below.

Regional trail network and public access

The scope of this study did not allow for a thorough review of regional public access priorities in this part of the Yarra corridor, including the location of additional pedestrian and bicycle trails and bridges. Such a review would need to consider access to, and recreational use of the river itself, and implications for boat launching and mooring facilities, public trails, bridges and other infrastructure.

Two relevant projects underway that will address these issues for part of the study area are:

- Parks Victoria's Two Rivers Project, which aims to develop a shared vision for access to and on the Yarra and Maribyrnong Rivers. The project includes development of a Water and Land Access Master Plan which will provide a blueprint for the development of new infrastructure for recreation and commercial boating, events and entertainment and linkages on and adjacent to the rivers. The project area is restricted to the navigable sections of the Yarra and Maribyrnong Rivers (i.e. downstream of Dights Falls on the Yarra).
- The Inner Melbourne Action Plan (IMAP), a joint project of the Cities of Melbourne, Stonnington, Yarra and Port Phillip, DSE and Docklands, partially funded by a *Melbourne 2030* targeted grant. A draft report has recently been released for consultation; it includes several proposed actions relating to completion of the regional open space network. As the Yarra River, up to its confluence with Darebin Creek, forms the boundary of this Plan, only the right bank of the Yarra is included.

It will be important for any future review of regional public access opportunities between Punt Road and Burke Road to be closely linked with these two initiatives. In particular, implementation of proposed IMAP open space initiatives should involve liaison with the City of Boroondara and consideration of both banks of the Yarra River.

Regional information base

Due to the many State and Local Government agencies with responsibilities along the Yarra corridor, it is often difficult for stakeholders (both Government and non-Government alike) to find relevant information, for example, a list of indigenous vegetation relevant to the River corridor. A regional project involving the sourcing of this type of information and making it easily accessible in a central location, such as on a Yarra River website, could address this problem.

5.4 Securing Access Through Acquisition and Other Means

Existing Public Acquisition Overlays

The Public Acquisition Overlay (PAO) is a tool contained in planning schemes used to identify land required for a public purpose. A PAO signals the *intention* of a public authority (usually either a Council or a State authority such as Parks Victoria) to acquire land, and the purpose for which it is to be acquired. However, a PAO does not specify the means or timing of acquisition, and public authorities may choose to acquire the land by developer contribution or negotiation (most common); by purchase when the land comes up for sale; or through compulsory acquisition (although this is rare). Acquisition usually occurs at a time that suits the landowner.

Eleven public acquisition overlays have been applied to secure public open space, often to complete recreation trail links (Map 7). These have been reviewed in detail in the [Attachment 5: Recommendations on Existing Public Acquisition Overlays](#), and recommendations have been made for the retention or removal of the PAO, subject to their value for recreation / open space purposes. Further investigation of options for securing access where appropriate, either through lease, licence or acquisition, are also advocated. Following acquisition, parcels of land should be rezoned as PPRZ or PCRZ as appropriate. Refer to the discussion under 'Open Space Corridor' in Section 5.1 on the applicability of overlays on public land.

Additional Public Access Priorities

Five locations within the Study Area have been identified on Map 7 as priorities for investigation of additional public access along the river. Each of these represent different patterns of land ownership and current access. Some currently allow access but are in private ownership and have associated uncertain liability and management issues, while

others are locations suited to further investigation of their value as medium to long-term linkages within the corridor, subject to environmental constraints, and more detailed masterplanning of regional access opportunities. The five areas are:

- *Darebin Creek to Chelsworth Park (City of Banyule/City of Boroondara)* – Potential link between future Darebin Creek Trail extension and Chelsworth Park. Would provide public access to presently inaccessible stretch. Investigate potential recreation links and environmental constraints as part of masterplanning of the Middle Yarra Floodplain.
- *Fairfield Park to Rudder Grange (City of Yarra)* – Would become a useful and highly used recreational link providing equity of access and linking from Fairfield Park, although environmental sensitivities may render increased access undesirable. Public ownership may be an effective means to achieve desired outcomes for landscape and environment protection in this important riparian strip. Investigate relative financial, environmental, open space and land management benefits and constraints of public ownership of riparian zone.
- *Rudder Grange to Coate Park (City of Yarra)* – One private landowner, currently used as a valuable local riverside link on annual licence. Very little public riverside access in this area. Continue with licence arrangement in short term and investigate options for longer term access through lease, licence or acquisition.
- *Coate Park to Alphington Park (City of Yarra)* – Valuable recreational link at riverside with existing informal access in part. Existing uncertain liability issues over informal access and limited management of riparian areas. Consider options to formalise access in short term (e.g. lease or licence). Investigate formal access through part of AMCOR property through lease, licence or acquisition or pursue developer contribution in longer term, should the site come up for redevelopment.
- *Christine Crescent, Richmond (City of Yarra)* – Private land currently managed for open space under Victoria Gardens CDZ. There is a need to review property ownership and resolve management arrangements for this section of the Main Yarra Trail. Further investigation required.

Further comment is sought on the desirability of acquiring or negotiating additional public access in these river frontage areas.

Map 7 – Open Space, Recreation and Access Recommendations

5.5 Proposed Action Plan

Each of the above strategic directions is recommended for implementation as outlined in the following action plan (Table 5.1). The exact meaning of 'implementation timing' descriptors are given in the footnotes.

Table 5.1 Proposed Action Plan

Strategic Direction	Recommendation	Implementation Timing*
Strengthened planning controls – First Order Priority	Update DDO1 and LPPF in City of Yarra in accordance with Amendment C66.	Immediate.
	Rationalise existing overlays (DDO1 and ESO1) and include improved performance standards for vegetation clearing, building site coverage, jetties and river setbacks for Park Crescent, Fairfield and Rex Avenue, Alphington in the City of Yarra.	Proceed with planning scheme amendment.
	Include additional objectives and performance standards for other City of Yarra frontages (ESO1).	Following further consultation.
	Rationalise existing SLO2 and ESO1 in City of Boroondara to apply ESO as the preferred means to manage built form, environmental and landscape values and include improve planning objectives and performance standards.	Following further consultation.
	Improve planning objectives and performance standards for SLO1, replacing with ESO, in Toorak in the City of Stonnington.	Following further consultation.
	Improve planning objectives and performance standards for ESO1 in Ivanhoe in the City of Banyule.	Following further consultation.
	Update relevant planning scheme MSSs to contain strategies for ongoing improvement of the Yarra River and its surrounds, and make reference to the improved overlay regime in each municipality as a means for achieving these outcomes. Review relevance and need for Local Policies.	As appropriate / following further consultation.
	Replace LSIO with FO in locations where flood level would be greater than 1 metre depth in a 1 in 100 year flood event. Ensure LSIO and FO do not apply to land zoned UFZ.	Proceed with planning scheme amendment,
	Review application of overlays to Yarra Bend Park and other areas of public parkland.	As appropriate.
Strengthened planning controls – Second Order Priority	Investigate improvements to planning controls which are not rated as first order priority in Ivanhoe (City of Banyule), Kew (City of Boroondara) and South Yarra (City of Stonnington).	Further investigation required.
	Further strategic work to address landscape / visibility analysis, advertising signage and other values.	Further investigation required.
Ongoing management and enhancement of open space	Develop comprehensive management / master plans for: Gardiners Creek/SE Freeway; Pridmore Park in Hawthorn; Middle Yarra Golf courses and billabongs (Chandler Bridge to Burke Road); Flockhart Street Reserve; and Alexandra Avenue riverside park.	Ongoing.
Securing open space and access opportunities	Remove redundant PAOs at Kew East and Molesworth Street / River Retreat, Kew.	As appropriate.

Strategic Direction	Recommendation	Implementation Timing*
	Investigate opportunities to secure access through lease, licence or acquisition at: <ul style="list-style-type: none"> • Gipps St to Walmer St and Darebin Creek edge from the join of the creek to the river to Old Heidelberg Rd (City of Yarra); • Molesworth St, Kew; Walmer St. to Hodgson St.; Harrison Cr.; and Creswick St. (City of Boroondara); and • Darebin Creek edge near Heidelberg Rd opposite Sparks Reserve near Sylvan St and Riverside Road (City of Banyule). 	As appropriate.
	Investigate the possibility of additional public access at: <ul style="list-style-type: none"> • Darebin Creek to Chelsworth Park (City of Banyule/City of Boroondara); • Fairfield Park to Rudder Grange (City of Yarra); • Rudder Grange to Coate Park (City of Yarra); • Coate Park to Alphington Park (City of Yarra); • Christine Crescent, Richmond (City of Yarra). 	Further investigation required.

- 'Proceed with planning scheme amendment' means that appropriate amendments should be drafted as soon as practicable. Submissions received on this Report will be considered in the drafting process. The amendment process would include provision for formal submissions from the public.
- 'Following further consultation' means that submissions received on this report be thoroughly considered prior to any amendment being drafted. It may also be appropriate for these amendments to proceed after changes to ESO1/DDO1 etc in the City of Yarra, so that the content of submissions received during the statutory process, and subsequent Panel report, can be used to inform further work.
- 'Further investigation required' means that, apart from any submissions received on this report, further strategic planning work is required prior to any statutory changes being canvassed.
- 'Ongoing' means undertaking these tasks according to resources and other competing priorities.
- 'As appropriate' means as opportunities arise or following other actions on which the recommendation relies.

Documents Reviewed in this Study

Title	Coverage	Author	Date
Lower Yarra River Development Plan 1985	Regional	Melbourne and Metropolitan Board of Works (MMBW)	1985
Melbourne 2030	Regional	Department of Infrastructure	2002
Melbourne's Creeks and Rivers 2004	Regional	Melbourne Water	2004
The Middle Yarra Concept Plan	Regional	Department of Planning & Urban Growth, Department of Conservation & Environment	August 1990
Middle Yarra River Planning Controls	Regional	Department of Planning & Urban Growth, Department of Conservation and Environment	August 1990
Draft Port Phillip and Westernport Regional River Health Strategy	Regional	Melbourne Water	September 2004
Lower Yarra River Waterway Management Activity Plan	Regional	Melbourne Water	2002
Yarra 2006 Action Plan	Regional	Parks Victoria	January 2002
Yarra Bend Park Strategy Plan	Regional	Parks Victoria	April 1999
Lower Yarra River Future Directions Plan & Recreation Guidelines	Regional	Parks Victoria	April 2001
Linking People and Spaces	Regional	Parks Victoria	2002
Banyule Environment Strategy	City of Banyule	Banyule City Council	2003
Banyule Neighbourhood Character Strategy	City of Banyule	Banyule City Council	1999 / 2002
Banyule's Wildlife Corridor Program	City of Banyule	Banyule City Council	March 2000
Significant Trees and Vegetation Study	City of Banyule	Banyule City Council	March 2000
Vegetation Communities of the City of Banyule	City of Banyule	Banyule City Council	June 2000
Biodiversity Corridors Plan	City of Boroondara	City of Boroondara	March 2004
Biodiversity Strategy	City of Boroondara	City of Boroondara	May 2003
Flora and Fauna Values and Management Issues	Willsmere Billabong, North Kew	City of Boroondara	City of Boroondara
Open Space Policy	City of Boroondara	City of Boroondara	August 1996
Willsmere – Chandler Park Management Plan	Willsmere – Chandler Park	City of Boroondara	July 2001
Stonnington Open Space Strategy	City of Stonnington	City of Stonnington	March 2000
Stormwater Environmental Management Plan	City of Stonnington	City of Stonnington	August 2002
Yarra Built Form Review	City of Yarra	City of Yarra	July 2003
Yarra River Corridor Urban Design Guidelines	City of Yarra	City of Yarra	April 2004 (Amended April 2004)
Yarra Planning Scheme Amendment C66	City of Yarra	City of Yarra	April 2004

Attachment 1 – Strategies and Guidelines for Managing Development in the Study Area

Attachment 2 – Issues Analysis by Location and Recommended Planning Scheme Changes

Attachment 3 – Planning Controls and Policies by Municipality : Recommended Changes

Attachment 4 – Masterplanning in the Open Space Corridor

Attachment 5 – Recommendations on Existing Public Acquisition Overlays