

Lower Yarra River Corridor Study



STONNINGTON MUNICIPAL TOOLKIT
NOVEMBER 2016

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Acknowledgements

Traditional Owners

The Victorian Government proudly acknowledges Victoria’s Aboriginal community and their rich culture and pays respect to their Elders past and present.

This study acknowledges that the Birrarung (Yarra River) flows through the traditional land of the Wurundjeri people with the waterway, its natural landscape and key features having social, cultural and spiritual significance.

Project Participants

The Department of Environment, Land, Water and Planning would like to thank all who have provided their input throughout this, and past local and regional studies. This appreciation is extended to the many heritage, cultural, community, planning, environmental, landcare groups and friends of the Yarra River who have contributed their information, knowledge, views and time over the life of this, and past studies.

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1. New Directions for the Yarra River

The Victorian Government has established a program of activity aimed at protecting the long term interests of the Yarra River. Commencement of the program was announced in August 2015 by the Minister for Planning.

The program is focused on establishing a dedicated Yarra River Trust and managing development impacts in the short term through implementing stronger planning policy and planning controls for areas along the Yarra River under immediate pressure from development.

Establishing the Yarra River Trust

The Victorian Government is committed to protecting Melbourne's iconic Yarra River from inappropriate development and promoting its amenity and significance by establishing a dedicated Trust.

In December 2015 the Minister for Planning and the then Minister for Environment, Climate Change and Water appointed the Yarra River Protection Ministerial Advisory Committee (Yarra MAC) to provide independent advice to Government on the key issues and opportunities for the river as well as improvements to the governance arrangements.

The Yarra MAC released a Discussion Paper in June 2016 to promote debate about how the Yarra River should be managed and protected in the future. It outlined a number of key issues facing the future of the Yarra River and options for a new management model to protect its values.

The Yarra MAC will deliver its final Recommendations Report to both Ministers in the last quarter of 2016. For further information please visit: www.delwp.vic.gov.au/yarra-river-protection.

Implementing Stronger Policy and Planning Controls

The Victorian Government recognises the need to respond to development pressures in the short to medium term until a Trust is formed. To support effective decision making while new governance and policy arrangements are being finalised. The Minister for Planning has approved a program that focuses on strengthening existing planning policy and controls for the Yarra River.

A range of studies (including this study) implement their recommendations via a suite of consistent planning controls within the Yarra River corridor. The focus of the program is the area between Richmond and Warrandyte, which is the stretch of river under the greatest pressure from urban development. This portion of the river passes through or adjoins the municipalities of Yarra, Stonnington, Boroondara, Banyule, Manningham and Nillumbik.

Strengthening State Planning Policy

On 12 August 2015, the Minister for Planning hosted a roundtable forum with council mayors and the heads of Melbourne Water, Parks Victoria and the Port Phillip Catchment Management Authority, to outline the actions the Victorian Government proposes to strengthen existing planning policy and controls for the Yarra River.

Councils and authorities were invited to collaborate with the Department of Environment, Land, Water and Planning in developing more effective and consistent planning controls for the Yarra River between Richmond and Warrandyte.

On 17 September 2015, the Department of Environment, Land, Water and Planning hosted a workshop involving senior planning practitioners from all relevant councils, Melbourne Water, Parks Victoria and the Port Phillip Catchment Management Authority to discuss the components of a strengthened State planning policy, and to discuss the potential form and content of model planning controls. The feedback received through this workshop was used to inform the development of a strengthened State planning policy and input into the preparation of model planning controls.

On 21 December 2015, Amendment VC121 was gazetted giving effect to a strengthened 'River Corridor' policy and a new 'Yarra River Protection' policy within Clause 12 of the State Planning Policy Framework. The new 'Yarra River Protection' policy provides a strengthened basis and rationale for the protection of the whole of the Yarra River corridor under the planning system.

Preparing Consistent Planning Controls: Richmond to Warrandyte

The Department of Environment, Land, Water and Planning has worked in partnership with councils and Melbourne Water to finalise a number of strategic projects between Richmond and Warrandyte. The following actions will form the basis of a planning scheme amendment to implement strengthened planning controls.

- Finalise the Middle Yarra River Study recommendations and complete associated municipal toolkits for Banyule, Manningham and Nillumbik councils;
- Review planning controls implemented in the City of Boroondara under VC96 and strengthen those controls with appropriate setback distances;
- Review the strategic findings of the City of Yarra's *Yarra River Strategy*; and
- Review planning controls for areas adjacent to the Yarra River within the City of Stonnington.

2. Project Background

This Toolkit

This *Municipal Toolkit* sets out proposed planning provisions to implement the findings and outcomes of the *Lower Yarra River Corridor Study Recommendations Report*, October 2016 (the *Recommendations Report*).

These proposed provisions are based on a detailed assessment of the landscape values and character of the river corridor, the identification of potential development pressures for the Yarra River, and analysis of the effectiveness of the current suite of statutory provisions in managing threats to identified values.

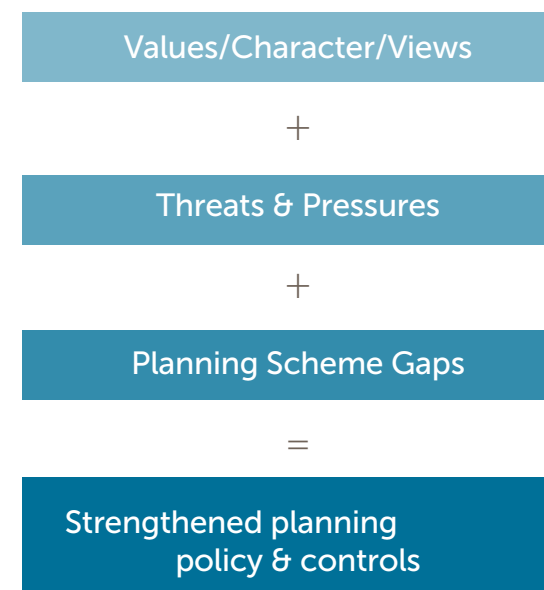
The recommendations in this report aim to strengthen the current provisions of the *Stonnington Planning Scheme*, in order to ensure that the sensitive environment of the Yarra River corridor is protected and managed, now and into the future.



Implementation Approach

As set out in Chapter 1 of the *Recommendations Report*, the approach can be summarised as:

- Understanding the values, character and views of the river
- Identifying the threats and pressures to these
- Examining the current approach to managing development and protecting vegetation in the study area through the planning scheme, in order to determine the gaps in statutory controls
- Recommending ways in which these controls could be strengthened to protect the identified values, character and views.



Recommended Areas of Management

Chapters 5 & 6 of the *Recommendations Report* identify the areas recommended for management through the *Stonnington Planning Scheme*.

These recommendations focus on managing development on private land, where development has the greatest potential exists to impact upon the river's immediate and broader landscape setting. The area of focus is defined in Chapter 5 as:

- The Waterway Corridor - the river's immediate environment
- The River Experience Corridor – the experience of the river from its banks and trails
- The Landscape Setting - the wider landscape setting.

The areas recommended for management within the Stonnington City Council are shown on the map on page 5, River Interface Character Types.

Recommended Changes

This study has identified the need to apply stronger siting and design controls through the *Stonnington Planning Scheme* for prominent areas within close proximity to the Yarra River, where future development has the potential to negatively impact on its value and significance.

This study recommends the following for the *Stonnington Planning Scheme*:

- Council to consider updating the Municipal Strategic Statement (MSS) to include content and outcomes outlined in this study as part of a future review of the Local Planning Policy Framework.
- Update existing Design and Development Overlay Schedule 3 'Yarra River Skyline Area' (DDO3) and extend to the eastern municipal boundary, establishing area specific height, setback and other siting and design requirements. Remove DDO3 from public land and revise the boundary to reflect the findings of this study.
- Replace the existing Significant Landscape Overlay Schedule 2 'Yarra River and Valley Streamside Environment Area' (SLO2) with a revised SLO and extend to the western municipal boundary, establishing consistent landscape, vegetation and other management requirements.
- Adopt a master plan approach to managing major development sites and development on public land, using the Incorporated Plan Overlay (IPO) or the Development Plan Overlay (DPO), as a potential planning tool to guide the use and development of land.

3. The Lower Yarra River Corridor in Stonnington

River Corridor Values

The Yarra River is a major natural landscape feature of significance to metropolitan Melbourne. These values are documented in detail in Chapter 2 of the Recommendations Report.

Within the local context of the City of Stonnington, the community has identified that the river is specifically valued for:

- Its rich natural environment which includes some of the most valuable flora, fauna, geological and geomorphological assets in metropolitan Melbourne.
- The role it plays as a key biodiversity corridor through the municipality.
- The topographical formation of its landscape as it winds through the municipality.
- Its vegetation cover underpinning the landscape character of surrounding residential areas.
- The variety of landscapes as it transitions from the suburban setting of Toorak to the more urban setting South Yarra.
- The network of parklands and conservation areas, including the extensive Como Park and formal recreation spaces, which are linked by the Main Yarra Trail and Capital City Trail.
- Its recreational value for the local community in providing the experience of a natural setting within the city.
- Its pivotal role in the pre- and post-contact history of the municipality; as a place of Aboriginal cultural heritage significance and as a key factor in shaping the settlement of the region.

The Yarra River Character within Stonnington - River Interface Character

The character of the entire Lower Yarra River corridor is documented in detail in the Chapter 3 of the *Recommendations Report*. Across the study area, six different river character types have been identified, three of which apply to the City of Stonnington:

Leafy Suburban River Interface Character Type

The low density residential areas of Toorak east of Grange Road have a distinctly leafy, well vegetated suburban character. The area features a strong landscape setting of tall native and exotic canopy tree cover. Within Toorak, properties have a direct interface with the river corridor.

For lots adjoining the river, the siting and design of new buildings, retention of the tree canopy and protection of the riverbank environment is of particular importance. On other sites located further away from the river, retention of the tree canopy will reduce the visibility of buildings from the river corridor and surrounding parkland areas.

The established neighbourhoods of the Leafy Suburban character type feature single dwellings, one or two storey in scale, on large lots. In some instances they are set spaciouly set apart, while elsewhere there is minimal space between buildings.

There are examples of more recent development that steps down the hillside to the river and built form or hard landscaping has been constructed close to the river's edge. These sites also have a high site coverage and minimal tree canopy cover or vegetation, This results in highly prominent built form that dominates the landscape.

Urban Residential River Interface Character Type

The residential areas of Toorak and South Yarra between Grange Road and Punt Road have a mix of land uses and buildings typologies set within a leafy and well vegetated context.

These areas have a distinctively urban character, with large houses and multiple-unit developments on moderate to large blocks with scattered vegetation. Mature trees and understorey planting which allows a visible tree canopy in most areas.

Topography in this area rises up from the Yarra River, to elevated, undulating ground beyond. Development is set on the sloping topography and is highly visible from the river, but physically separated from the river by Alexandra Avenue.

Additionally, development is separated from the Yarra River corridor by a chain of formal parklands, recreation grounds, sports ovals and picnic areas along the river. Herring Island sits centrally within the river and has a bushy, naturalistic character. The Main Yarra and Capital City Trails provide access along the southern and northern sides of the river.

Riverside Open Space Character Type

The many formalised open spaces and recreation reserves that lie on the flat land of the river's floodplain, and follow the river corridor within its broader setting, are included within the Parklands and Recreation Character Type. They provide an invaluable buffer of landscape and vegetation to the residential areas of the Urban Residential river interface character type that lie beyond the riverside open spaces.

These spaces include the Como Park, Yarra River Reserve and the Linear Reserve along the Yarra River. The Main Yarra Trail and Capital City Trail provides access to these linked open spaces. These areas are well-vegetated with mature trees, with either a formally planted or naturalistic character.

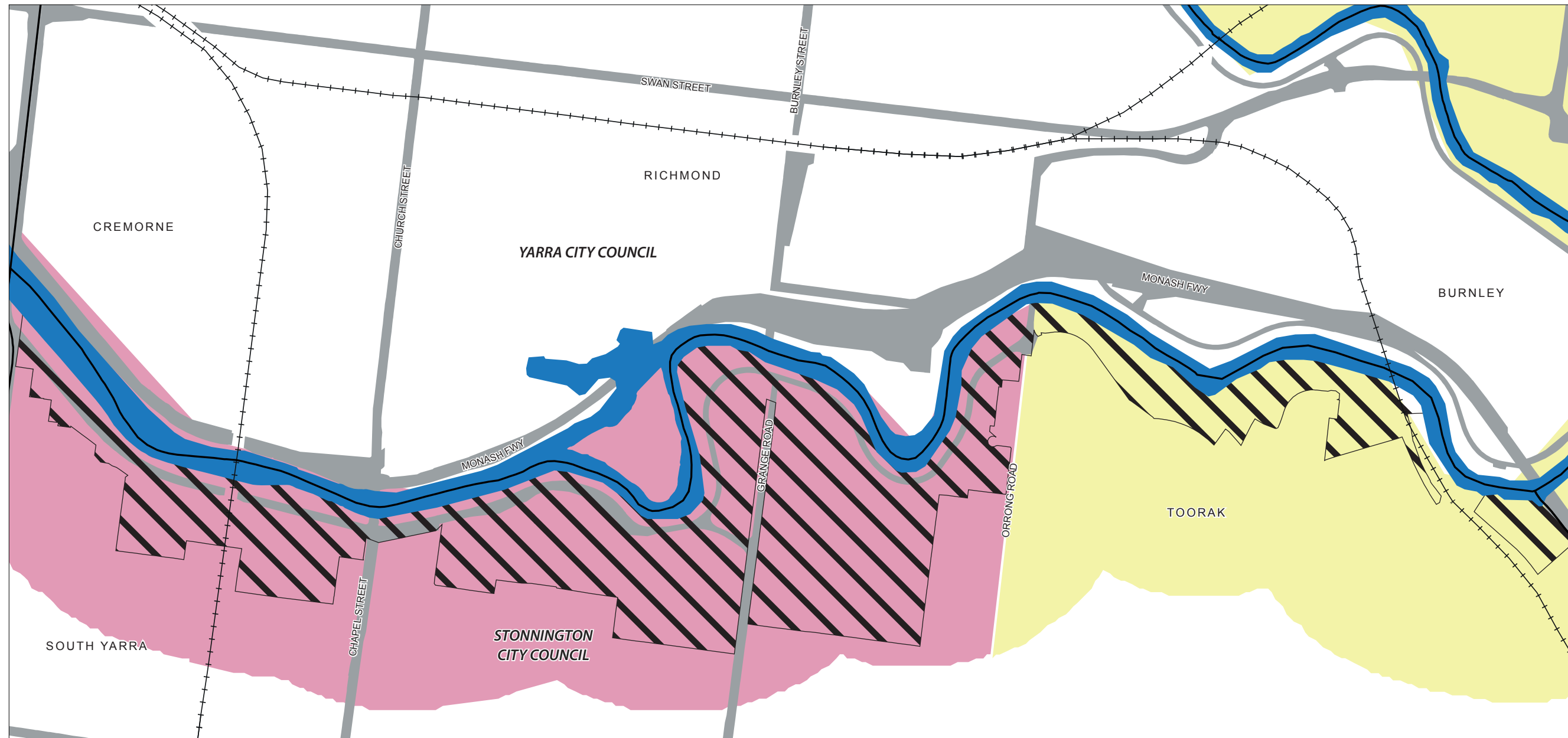
While not subject to pressure for new development, the siting design of parkland and recreational infrastructure, particularly at the river's edge is an important consideration in these areas. This includes fencing, sports facilities and playgrounds, as well as jetties, boat ramps or sheds, and mooring facilities. As highly valued spaces along the river corridor, it is essential that this infrastructure is provided in a sensitive manner.

Key Views




There are numerous viewing opportunities within, to or from the river corridor within the Stonnington City Council, and these are documented in Chapter 3 of the *Recommendations Report*.

In summary, the key views within (or to) the Stonnington City Council include:

- Dynamic views of the river that can be obtained from moving along the Main Yarra Trail, other local trails, CityLink motorway or access by boat.
- Bridge crossings of major roads that provide views of the river for people travelling in cars, pedestrians or cyclists, including bridges at MacRobertson Bridge, Chapel Street and Hoddle Bridge.
- The pedestrian bridge crossings at Cremorne Rail and Pedestrian Bridge, Gardiners Creek Bridge.
- The many viewing points from within the riverside parkland.
- Views to the broader river corridor from elevated points in Stonnington and South Yarra.



LEGEND

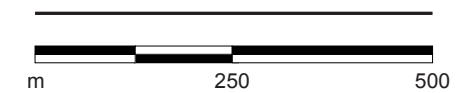
-  Local Government Boundaries
-  Yarra River
-  Recommended River Management Area

Character Types

-  Leafy Suburban
-  Urban Residential

LOWER YARRA RIVER CORRIDOR STUDY

RIVER INTERFACE CHARACTER TYPES



4. Existing Planning Scheme Provisions

State Planning Policy Framework

On 21 December 2015, Amendment VC121 was gazetted giving effect to a strengthened River Corridors policy and a new 'Yarra River Protection' sub-policy within the State Planning Policy Framework.

The new 'Yarra River Protection' policy provides a strengthened basis and rationale for the protection of the whole of the Yarra River corridor to inform decision making. The new policy clearly states the river's significance and importance through a 'statement of significance' objective and the body of the policy structured around four key strategic policy principles and strategies to achieve the objective.

The new 'River corridors' policy has been relocated from its previous location at Clause 11 (Settlements) to Clause 12 (Environment and landscape values) supporting a refocusing of the State's planning policy away from development within an urban setting, to one focused on protecting and enhancing its environmental and landscape setting. The new Yarra River protection policy is found at Clause 12.05 of the SPPF. The following is an extract:

Yarra River Protection

Objective

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

Strategies

Strengthen the river's natural environment, heritage and overall health by:

- Protecting the river's riparian vegetation, natural riverbank topography and flood management capacity.
- Ensuring development does not increase the rate or quantity of stormwater, sediment or other pollutants entering the river.
- Protecting and enhancing both terrestrial and aquatic habitats and their linkages along the river corridor.

Maintain a sense of place and landscape identity by:

- Retaining a dominant and consistent tree canopy along the river corridor and within its broader landscape setting.
- Ensuring that the appearance of development is subordinate to the local landscape setting, with any views of development being filtered through vegetation.

Retain and enhance people's enjoyment of the river and its environment by:

- Planning for the river and its environs as a recreation and tourism resource.
- Ensuring linkages and public access to the river and its parklands are maintained, enhanced and new links created where appropriate.
- Avoiding overshadowing of the river, its banks and adjacent public open space to ensure that the amenity of the public realm is maintained year round.

Ensure that development is designed and sited to maintain and enhance the river's secluded and natural environment by:

- Minimising the visual intrusion of development when viewed from major roads, bridge crossings, public open space, recreation trails and the river itself.
- Ensuring that the siting and design of buildings avoid contrast with the local natural landscape and environmental character.
- Ensuring building height is below the natural tree canopy and all development is set back a minimum of 30 metres, or greater, from the banks of the river.

Local Planning Policies & Controls

The local policies and controls of the *Stonnington Planning Scheme* relating to the Yarra River are detailed in **Appendix A**, including zoning and overlay maps. The provisions that are of most relevance to the siting and design of new development within the study area are listed under the following headings. Noteworthy development controls are summarised within brackets.

Municipal Strategic Statement (MSS)

- Clause 21.03-2 Strategic Vision
- Clause 21.06-1 Overall Urban Structure
- Clause 21.07-3 Open Space and Environment

Local Planning Policies

- Clause 22.23 Neighbourhood Character
- Clause 22.04 Heritage Policy

Zones

- General Residential Zone (GRZ), Schedules 3, 4, 8 and 11 (12m mandatory height limit), Schedule 5 (mandatory 9m height limit). An additional 1 metre in height is allowed for a sloping site.
- Special use Zone (SUZ), there are no specific siting or design requirements in this zone.

Overlays

- Significant Landscape Overlay
 - SLO1: Yarra River and Valley Streamside Environment Area
- Design and Development Overlays
 - DDO1: Royal Botanic Gardens, City of Melbourne
 - DDO3: Yarra River Skyline Area
 - DDO6: City Link Exhaust Stack Environs
 - DDO7: Prahran/South Yarra and Windsor Activity Centre
 - DDO8: Forrest Hill Precinct
- Land Subject To Inundation Overlay
- Special Building Overlay
- Public Acquisition Overlay
- Heritage Overlay

Reference Documents

- *Review of Policies and Controls for the Yarra River Corridor, Punt Road to Burke Road, Consultant Report, June 2005*

Amendments in Progress

There are no amendments currently in progress which affect the recommendations of this study.

Building Height Controls

Punt Road to Grange Road

The *DDO3 Review* (2012) and subsequent updates, including a detailed visual assessment through 3D modelling, have analysed preferred building heights in this part of the study area. The Panel appointed to hear submissions to Amendment C155 was generally supportive of the strategic basis of the proposed heights, with a few minor adjustments.

Residentially Zoned Land

The introduction of the new format residential zones through Amendment C187 in 2015 has seen the application of mandatory maximum height limits for residentially zoned land in the study area, ranging from 9 metres to 12 metres. These new height limits reflect the recommendations of the DDO3 Review, with several modifications to note:

- Residential zone heights reflect the extended boundary of DDO3, as recommended by the DDO3 Review report and supported by the C155 Panel.
- Minor boundary re-alignment between DDO3-1 and DDO3-4, relating to the site at 61 Kensington Road, South Yarra, reflecting the recommendations of the C155 Panel.
- Mandatory controls applied to all height areas, recommended by the DDO3 Review, but not supported by C155 Panel which recommended discretionary heights for the two areas between River Street and Como Park (DDO3-1 and DDO3-4).

There is a sound strategic basis to support the continuation of the height controls introduced through Amendment C187 in the future revision of DDO3.

Mixed Use Zoned Land

The mixed use zoned site at the southwest corner of Chapel Street and Alexandra Avenue is included within the Forrest Hill Precinct, with built form controls applying to this site through DDO8. This control applies a discretionary height limit of 38 metres to the site, with detailed design objectives and requirements relating to the sensitivity of its location near the river and Melbourne High School.

The DDO3 Review deferred to the adopted strategic direction of the Forrest Hill Structure Plan and requirements of DDO8, which was supported by the C155 Panel. As this site has now been redeveloped with a high scale building it has not been included in the Lower Yarra study area.

Melbourne High School & Public Open Spaces

The DDO3 Review proposed a 6m discretionary height limit for the Melbourne High School site and all public spaces within the study area. The C155 Panel supported the strategic basis for this recommendation and it is proposed that this be included in the future revision of DDO3.

Grange Road to Municipal Boundary

Amendment C187 applied a mandatory 12 metre height limit to sites within the eastern part of the study area, through the schedules of the General Residential Zone, GRZ8 and GRZ11.

This height limit applies to the Garden River and Garden Estate Neighbourhood Character precincts, which are characterised by large dwellings or apartment buildings (up to 2-3 storeys, some with high pitched roofs), often set in spacious grounds and with a high level of established vegetation.

This 12 metre height limit relates to how buildings are viewed from the street. For sites adjoining the river, the view of the building from the opposite bank or from the river itself must be taken into consideration. Due to the steep topography of the riverbank, when the building footprint steps down the sloping land to the water, the apparent building height as viewed from the opposite bank is larger than the height taken at the street frontage.

It is therefore recommended that a maximum height limit of 9 metres apply to this area, taken from natural ground level at any point across the site. A 9 metre height limit:

- Reflects the average height of existing buildings from the street frontage
- Would limit the appearance of building scale/mass as seen from the opposite bank
- Allows for a 3 storey building form with flat roof or a 2 storey building form with pitched roof.

This rationale is illustrated in the cross-section opposite.

The recommended building height of 9 metres would assist in achieving the desired outcomes for this area, in conjunction other design requirements:

- Mandatory building setback, recommended to be implemented through a revised DDO
- Side setback requirements, applied through the GRZ schedules and can be reinforced through the DDO
- Site coverage requirements, which are also applied through the GRZ schedules
- Requirement for appropriate landscaping with the river setback, which can be assessed through the SLO.

Gaps in Planning Scheme Controls

The current suite of policies and controls in the *Stonnington Planning Scheme* relating to the Yarra River has been reviewed in detail. This analysis has shown where gaps exist in the statutory framework for the protection and management of the river corridor, and where additional controls are required to achieve the recommended outcomes of the study.

Planning Policy Framework

- Council’s Local Planning Policy Framework includes numerous references to the significance of the Yarra River within the City of Stonnington, mostly within the Municipal Strategic Statement (MSS).
- The MSS recognises the importance of the Yarra River as an environmental resource which makes a significant contribution to the identity of the City. It recognises the Yarra River frontage, escarpment and skyline as one of the City’s key landmarks, and that it is to be protected from intrusive development.
- The MSS aims to protect and reinforce the character of the Yarra River by managing the height and design of future development and to protect significant trees, the landscape and environmental values of the Yarra River edge and escarpment.
- There is no local policy specifically designed to address development along the Yarra River corridor. While several local policies refer to the significance of the river, these policy statements are general in nature and do not provide direction about the siting and design of development within the river’s setting.

Zones

- The various general zone controls applying to private land trigger permits for different types of land use or development.
- While the zones include general requirements to respect the character or environment of the area, none of these requirements relate specifically to the protection and management of the Yarra River corridor.
- The General Residential Zone applies mandatory height limits of 9m or 12m (with a 1m allowance for sloping sites).
- There are no specified height limits in the Public Use Zone or Special Use Zone.
- The zoning of public land generally provides adequate guidance for development along the river corridor, as it limits development opportunities and defers to other statutory requirements for public land management.

Overlays

A number of overlay controls apply within the study area and trigger permits for various types of development, each with a specific intent and decision guidelines.

Design and Development Overlay (DDO3)

- DDO3 ‘Yarra River Skyline Area’ applies to all land adjoining the Yarra River between Punt and Grange Roads. The schedule includes a permit requirement for buildings over 6 metres in height, but does not apply maximum height limits. Land adjoining the river between Grange Road and the municipal boundary is not included in the control.
- SLO2 ‘Yarra River and Valley Streamside Environment Area’ applies along the Yarra River frontage and adjoining properties, between Grange Road and Gardiners Creek. It includes the area of landscape significance ‘which extends from the river to the higher ridgelines’. A permit is required for most buildings and works and to remove, destroy or lop a tree or vegetation. Decision guidelines aim to limit building height to 9m, as a discretionary consideration.
- Therefore, there is no consistent overlay control applied to land adjoining or in close proximity to the river frontage which sets mandatory provisions for building heights or setbacks, or to protect vegetation.

Other Overlays

- The Land Subject to Inundation Overlay requires permits for buildings and works on public and private land near the river, and limits development potential on these sites. Applications must be considered by Melbourne Water. The overlay does not relate to the management of river corridor landscape values.
- The Heritage Overlay manages the development of significant heritage places within the river corridor, but does not require consideration of landscape values, unless identified in a statement of significance.

5. Planning Scheme Implementation Options & Recommendations

Overview

This chapter provides an overview of the proposed form, content and spatial application of statutory planning controls for the *Stonnington Planning Scheme*.

The proposed controls deliver a strengthened framework to achieve the agreed vision for the river and the protection of its values and character identified within the *Lower Yarra River Corridor Study Recommendations Report*, 2016 (the Report).

The focus of the new controls is to protect and enhance the natural landscape character of the Yarra River corridor where the river, its topography, adjacent public open space and a continuous corridor of vegetation and canopy trees remain the dominant features in public views from the Yarra River and its surrounds.

Recommended Changes

This study recommends the following changes to the *Stonnington Planning Scheme*:

- Council to consider updating the Municipal Strategic Statement (MSS) to include content and outcomes outlined in this study as part of a future review of the Local Planning Policy Framework.
- Update existing Design and Development Overlay Schedule 3 'Yarra River Skyline Area' (DDO3) and extend to the eastern municipal boundary, establishing area specific height, setback and other siting and design requirements. Remove DDO3 from public land and revise the boundary to reflect the findings of this study.
- Replace the existing Significant Landscape Overlay Schedule 2 'Yarra River and Valley Streamside Environment Area' (SLO2) with a revised SLO and extend to the western municipal boundary, establishing consistent landscape, vegetation and other management requirements.
- Adopt a master plan approach to managing major development sites and development on public land, using the Incorporated Plan Overlay (IPO) or the Development Plan Overlay (DPO), as a potential planning tool to guide the use and development of land.

The above recommendations are intended to improve the consistency of planning controls along the Yarra River between Richmond and Warrandyte. They reflect provisions and recommendations made for other municipalities along this stretch of the river.

Local Planning Policy Framework

It is recommended that Council strengthen existing references within the MSS regarding the Yarra River, utilising the content of the *Lower Yarra River Corridor Study Recommendations Report*, 2016.

An updated MSS could include the vision for the river set out in the Report, and the key values for the river corridor within Stonnington that have been identified. The *Lower Yarra River Corridor Study Recommendations Report*, 2016, should also be included as a reference document.

Managing Built Form Outcomes – Applying the DDO

A revised DDO3 schedule titled 'Yarra River (Birrarung) Protection' has been drafted for inclusion in the *Stonnington Planning Scheme* based on the findings of the *Recommendations Report*.

An analysis of the extended DDO area, which includes a detailed rationale for the control boundary, building heights and setbacks is provided at **Appendix C**.

DDO Boundary

The proposed revised DDO is based upon the recommendations of the *Stonnington DDO3 Review* (2013) for the area between Punt and Grange Roads, and the findings of this study for the area between Grange Road and the municipal boundary. It captures an area which best reflects the extent of land within the 'Waterway Corridor' and the 'River Experience Corridor' of the Yarra River, identified in Chapter 5 of the Report. This general area is defined as:

- the Yarra River itself, its banks and its immediate environment; and
- the fore and middle ground landscape that is viewed or experienced from the river, the Main Yarra Trail and the adjoining parklands.

It is proposed that the existing DDO3 be revised so that it is applied only to identified areas of private land shown on the map on page 5 within this setting. The revised DDO should be read in conjunction with the proposed SLO to ensure a holistic landscape management approach occurs.

Appendix C provides more detail regarding the proposed extent of the control boundary for the extended area of DDO3.

The DDO has not been applied to areas of public land as this study has not undertaken a detailed analysis of current and/or potential development opportunities to justify additional planning controls, particularly as other legislative controls also apply to public land.

Design Objectives & Decision Guidelines

The proposed design objectives and decision guidelines have been adapted from those outlined in Chapter 5 of the Report. The design objectives are structured under the following headings:

- Landscape protection
- Height, setback and overshadowing
- Materials and design
- Site coverage and permeability.

Permit Requirements

A permit is required for subdivision and all buildings and works within the proposed DDO. This includes the construction of a swimming pool or tennis court associated with a dwelling.

Overshadowing

It is proposed that a mandatory control be applied requiring that new buildings not cast any additional shadow over the banks and waters of the Yarra River, measured during the winter solstice.

In addition, overshadowing of public open space during spring/autumn equinox period is to be discouraged. Given the close proximity of private land to public open space it is recommended that this requirement be discretionary with any overshadowing assessed on merit, on a case by case basis.

Building Heights

A maximum mandatory building height is proposed for each identified area (see **Appendix C**). Within Stonnington, the proposed heights are set at 6m (7m on sloping land) for the Melbourne High School site), and 9m (10m on a sloping site) or 12m for residential areas. This is consistent with the established pattern of residential development within the Urban Residential and Leafy Suburban character types, within the Stonnington context, and reflects the underlying strategic directions of the General Residential Zone within the corridor.

Setbacks from the Yarra River

Area-specific mandatory setbacks have been recommended where private land adjoins the river directly, (see **Appendix C**), assessed against the methodology outlined in Chapter 5 of the Report.

A setback map is included as attachments to the DDO schedule to provide direction on the location of the 'Setback Reference Line' that is to be used for determining horizontal setback measurements.

In all instances the 'setback reference line' relates to a cadastral/property boundary for ease of identification. Information showing the setback line on the DDO schedule map is for illustrative purposes.

Within Stonnington only one area has a frontage to the river and a 30m setback from the Yarra River is proposed. The setback is detailed in Table 1 of the proposed DDO.

Existing development within a setback

Where existing buildings are located within a mandatory setback distance it is proposed that the following mandatory conditions apply in relation to any application to partially or completely replace the building:

- the proposed height is consistent with the height specified for the area;
- the proposed replacement does not reduce the existing setback of the previous building; and
- the footprint of the building is limited to the current gross floor area.

The proposed control provides discretion to the Responsible Authority should a re-orientation of the building footprint occur, to encourage an increased setback to be achieved and a better outcome from a visual impact perspective.

Fences

A permit is required to construct a fence within identified setback areas. An exemption is provided for simple rural post and wire, and timber rail type fencing.

Where a permit is required, key considerations should include that the height of the fence, the visual permeability and use of materials do not contrast with the local environment. These requirements aim to ensure any proposed fencing does not have a negative visual impact on the overall local landscape character.

Site Coverage

It is proposed that a site area provision be included to limit built form and hard stand areas within a lot in a residential area as a discretionary requirement. This is to ensure that:

- the bulk and massing of built form or a hard stand area does not dominate the visual appearance of the site context
- stormwater run off is reduced; and
- retention and expansion of vegetated areas is encouraged.

Building Materials

Materials selection is a key component and objective of the DDO. A discretionary requirement is included to ensure building materials utilise non-reflective colours and finishes to avoid visual intrusion with the context of the surrounding landscape. This requirement is discretionary given the variety of building products which are available, and the variable landscape characteristics of a given locality.

Subdivision

Appropriate consideration will need to be given to the potential impact future development associated with a subdivision may create from the perspective of the Yarra River environs.

While this study has not recommended minimum subdivision lot sizes, this option could be investigated further by Council within the context of broader strategic land use planning objectives for areas adjacent to the Yarra River.

Application Requirements

It is proposed that applications be accompanied by key information which will assist the Responsible Authority in making an informed assessment of a proposal.

Information that should be provided for an application will be based on the type of buildings and works proposed, at the discretion of the Responsible Authority. This may include:

- A written assessment demonstrating how the proposal meets the objectives and requirements of the DDO.
- A survey plan, prepared and certified by a suitably qualified surveyor, accurately showing proposed buildings and works in relation to proposed mandatory height and setbacks, measured to Australian Height Datum and from natural ground level.
- A visual impact assessment which may comprise cross-sectional diagrams, photo montages or a view shed analysis from agreed publicly accessible viewing points.
- The need for shadow diagrams and a schedule of materials and finishes.

Referral of Applications

It is recommended that referral of applications within 50 to 100 metres of the banks of the Yarra River be referred to Melbourne Water on a recommending referral basis.

Referral should be focused on Melbourne Water’s review of the potential impact that a development may have on the health and function of the riverine environment, in addition to any potential flood constraints that may be present where a corresponding referral under a flood overlay exists.

For example, this could include:

- Assessment of the removal of riparian, or other vegetation, and its impacts on bank stability or erosion.
- Impacts of direct or indirect run off on riverine environment, excavation or other earthworks which may impact.

An amendment to clause 66.04 of the planning scheme will be required to give effect to this.

Reference Document

The *Lower Yarra River Corridor Study Recommendations Report*, 2016, Department of Environment, Land, Water and Planning, should be identified as a reference document.

Managing Landscape, Vegetation & Environmental Values - Applying the SLO

The *Lower Yarra River Corridor Study Recommendations Report*, 2016, identifies the need for a consistent approach to the management of vegetation and environmental values which contribute to the overall landscape significance of the entire corridor.

It is proposed to revise and extend the existing SLO1 ‘Yarra River and Valley Streamside Environment Area’ to capture the area recommended for management, including land east of the current control boundary to Punt Road. The spatial application of the SLO should be extended to cover all land toward the Yarra River.

A new SLO schedule titled ‘Yarra River (Birraring) Corridor’ has been drafted for inclusion in the *Stonnington Planning Scheme*, based on the findings of the Report.

The proposed SLO should be read in conjunction with the proposed DDO to ensure a holistic landscape management approach occurs where overlap exists.

SLO Boundary

The proposed SLO captures an area which includes the ‘Waterway Corridor’ and the ‘River Experience Corridor’, as described in Chapter 5 of the *Recommendations Report*. In some locations, the SLO will also include land within the ‘Landscape Setting Corridor’, comprising the wider river valley, due to the topographic influences affecting the viewshed from the river, its adjoining open spaces or the Main Yarra Trail.

The SLO applies to all areas of public and private land as shown on the map on page 5, mapped to the centreline of the Yarra River. As noted, the proposed SLO includes the existing spatial extent of SLO1, expanded to reflect the findings of this study.

Statement of Nature and Key Elements of Landscape

The proposed SLO schedule includes a statement which outlines the significance of the Yarra River at the State, regional and local level, structured in the following way to include:

- A statement outlining the importance of the Yarra River at a ‘whole of river’ perspective;
- The landscape, environmental, cultural and social value of the Yarra River; and
- An overview of the landscape values relevant to the SLO area within the City of Stonnington.

Landscape Character Objectives & Decision Guidelines

The objectives of the draft SLO are adapted from those outlined within Chapter 5 of the *Recommendations Report*. The objectives are structured under four key themes with the following general objectives:

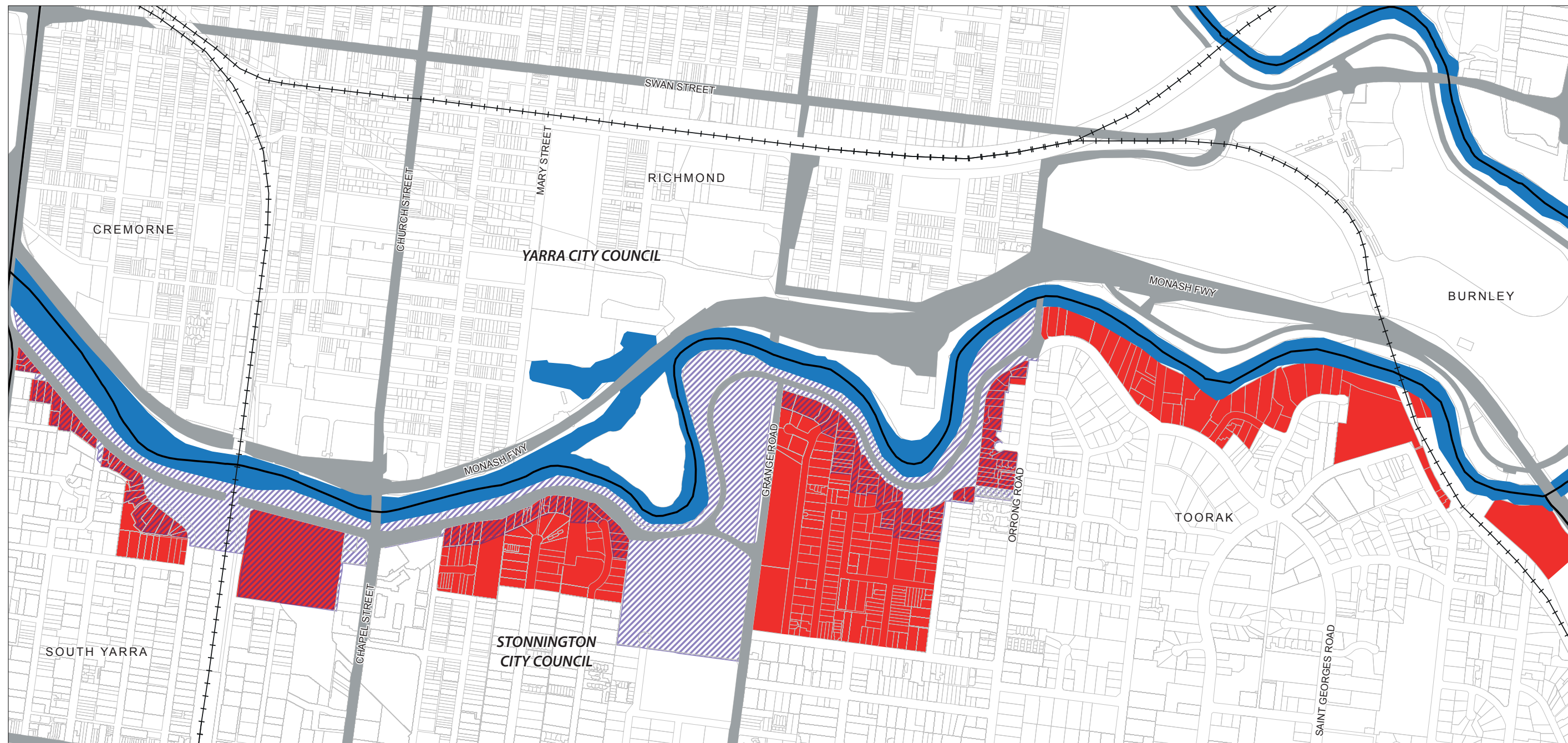
- Landscape and environmental values
- Protection of waterway and the riparian zone
- Public open space and access
- Siting and design of built form.

Permit Requirements

It is proposed that a permit be required in the following instances:

- Remove, destroy or lop vegetation with an exemption for removal of exotic species of limited height and width.
- Construct a dwelling greater than 6 metres in height above natural ground level and within 30 metres of the Yarra River.
- Construct a fence within 30 metres of the banks of the Yarra River with an exemption for post and wire or post and rail construction.
- Undertake buildings and works associated with a bicycle or shared pathway with appropriate exemptions for municipal or public authorities.

As the application of the SLO will affect both private and public land, it is proposed that an exemption be included for municipal and or public authorities who may be conducting waterway, stream or other types of works which are aimed at ensuring the ongoing health of the waterway environment.



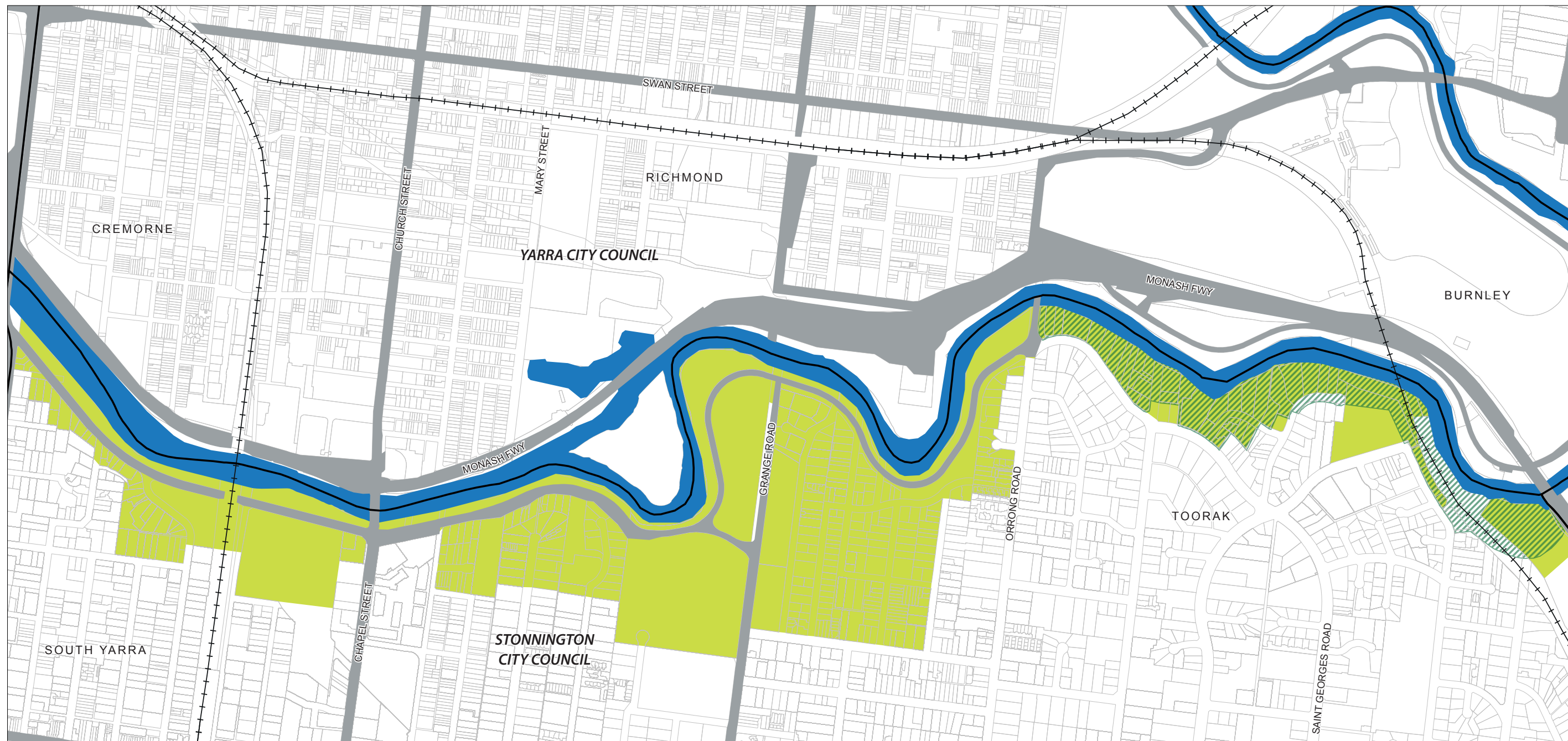
LEGEND

- Local Government Boundaries
- Yarra River
- Existing Design and Development Overlay (DDO3): Yarra River Skyline Area
- Proposed Design and Development Overlay




LOWER YARRA RIVER CORRIDOR STUDY

PROPOSED DESIGN AND DEVELOPMENT OVERLAY





LEGEND

-  Local Government Boundaries
-  Yarra River
-  Existing Significant Landscape Overlay (SLO1): Yarra River and Valley Streamside Environment Area

LOWER YARRA RIVER CORRIDOR STUDY

PROPOSED SIGNIFICANT LANDSCAPE OVERLAY

