



Landscape visual exposure

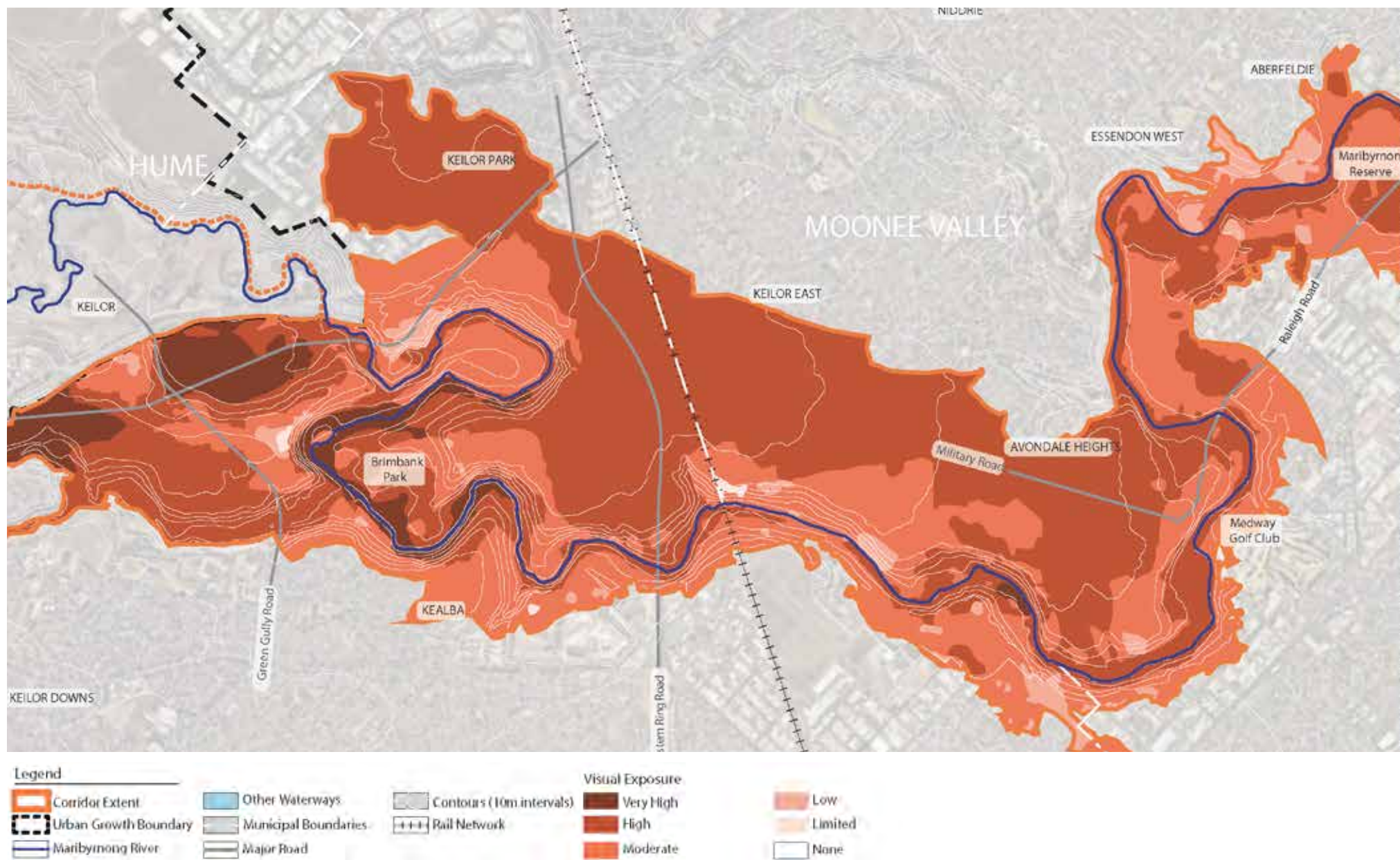
As a second level of more detailed analysis, we assessed the landscape visual sensitivity analysis against existing planning controls and strategies. In effect, the main output of the landscape character assessment is a landscape visual sensitivity map which ascribes a 'visual sensitivity' value, ranging from 'very low' to 'very high'. This ranking is based on a viewshed analysis conducted with a 3D digital terrain model which functions to generate a 'heatmap'.

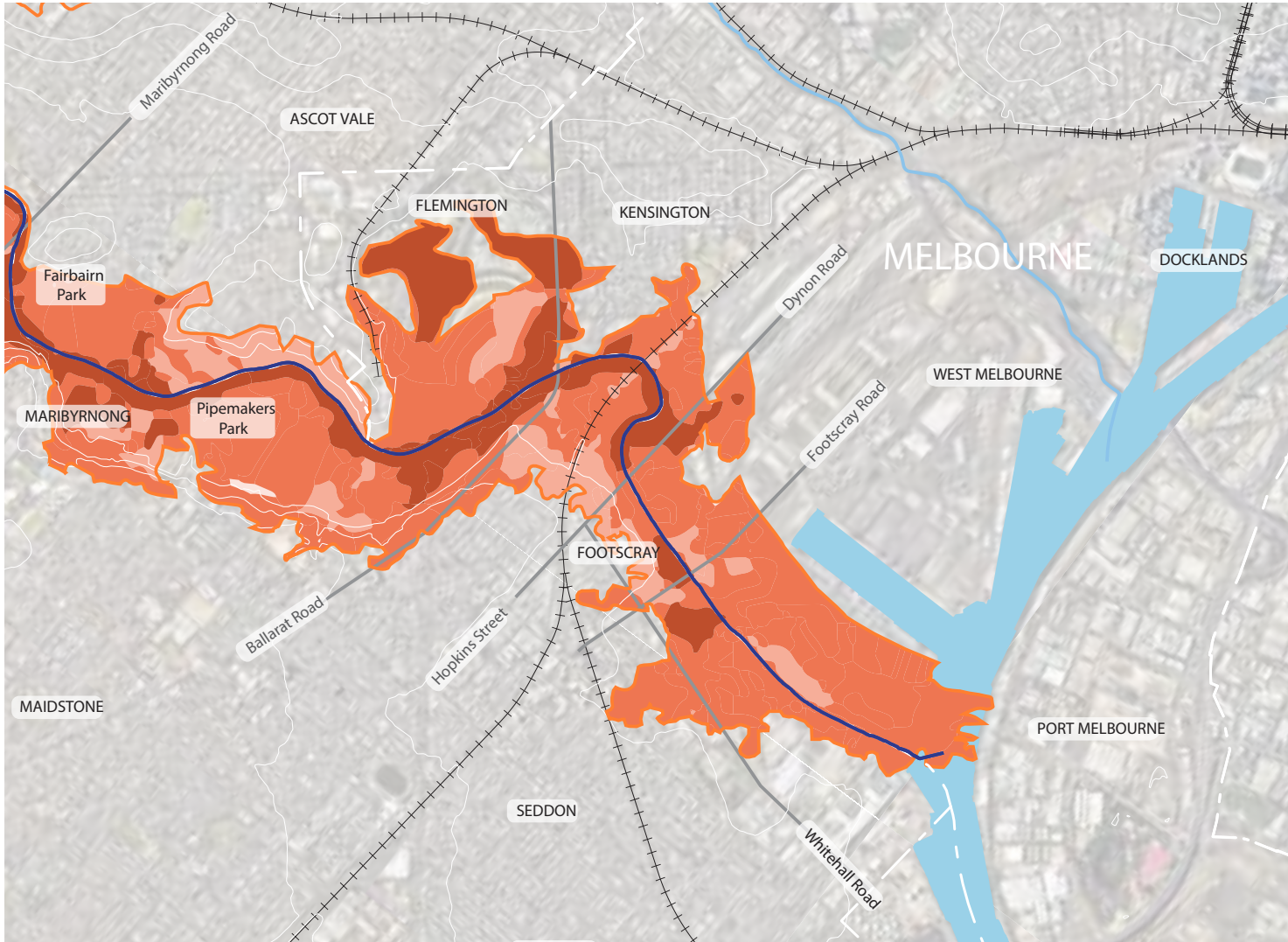
In summary, those locations which have relative visibility for multiple vantage points are mapped with a higher ranking, as they are assumed to be at greater risk of visual impacts from development or land use change. Such areas were digitally mapped as being of 'high' to 'very high' in visual sensitivity.

However, the designation of visually sensitive areas by the 3D digital terrain model is only the starting point. Accordingly, the role of the planning analysis is to cross compare these identified visually sensitive areas of interest against existing zoning and overlay controls, and land use and development elements

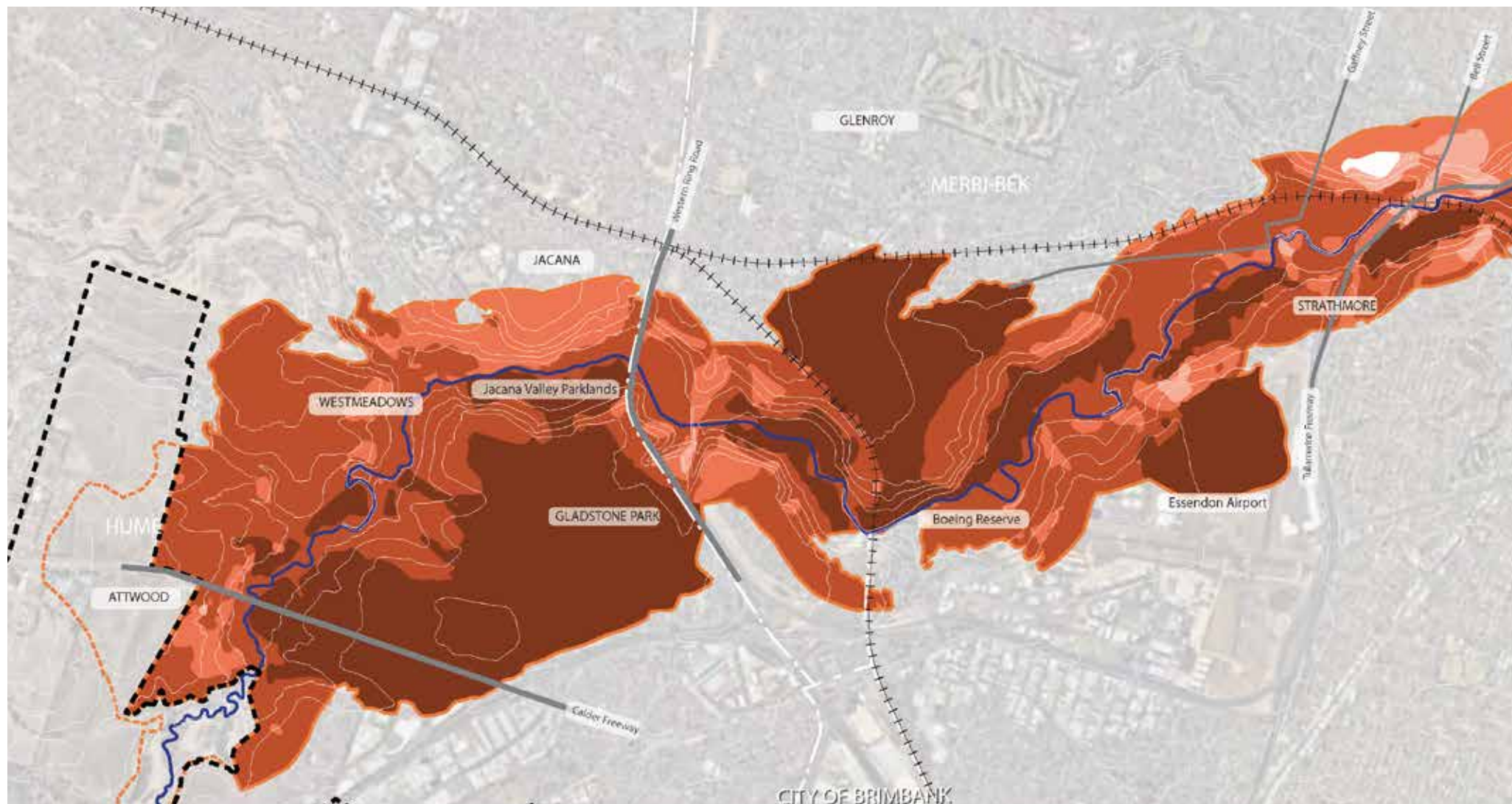


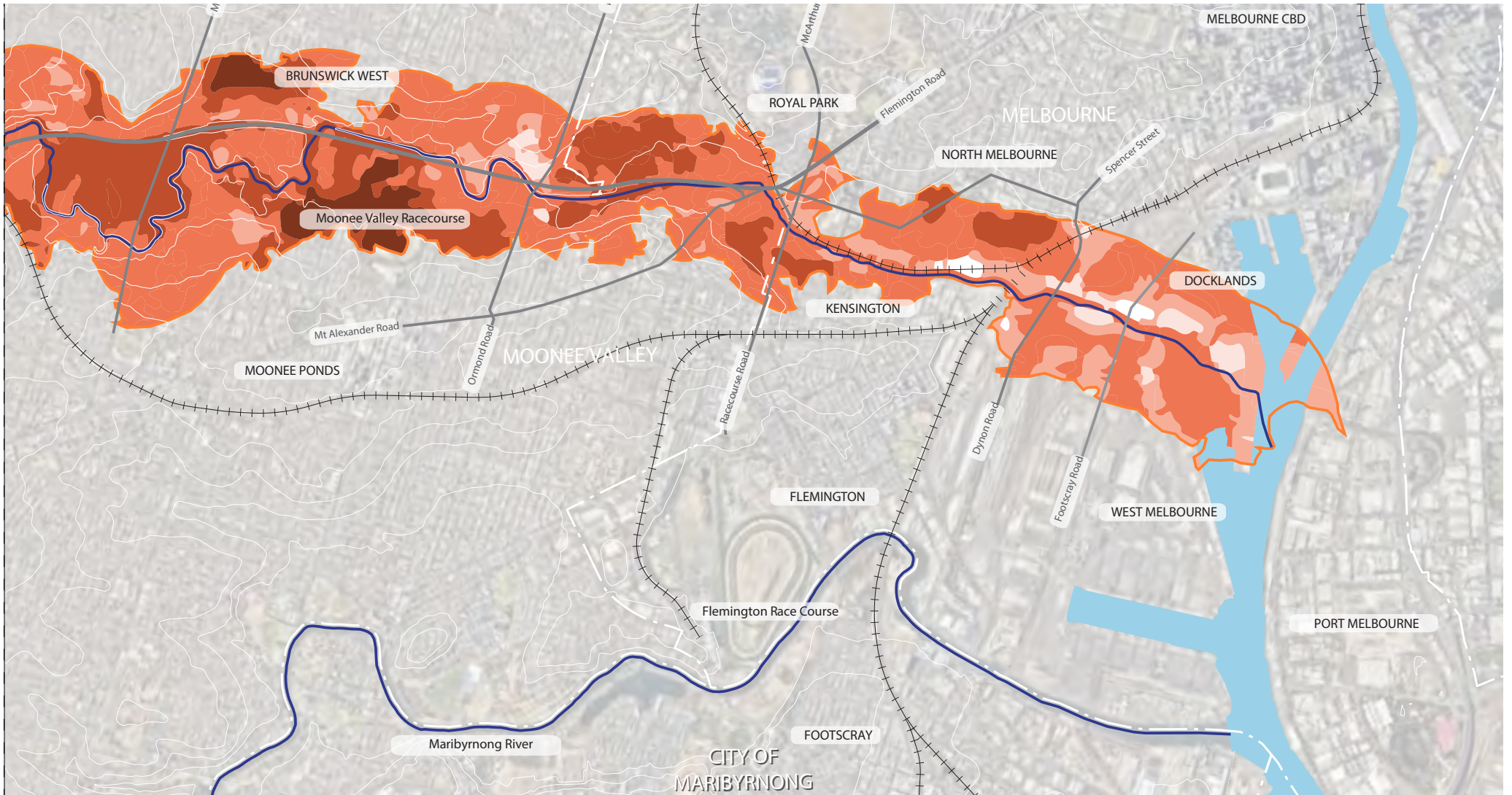
MAP 13: MARIBYRNONG RIVER VISUAL EXPOSURE

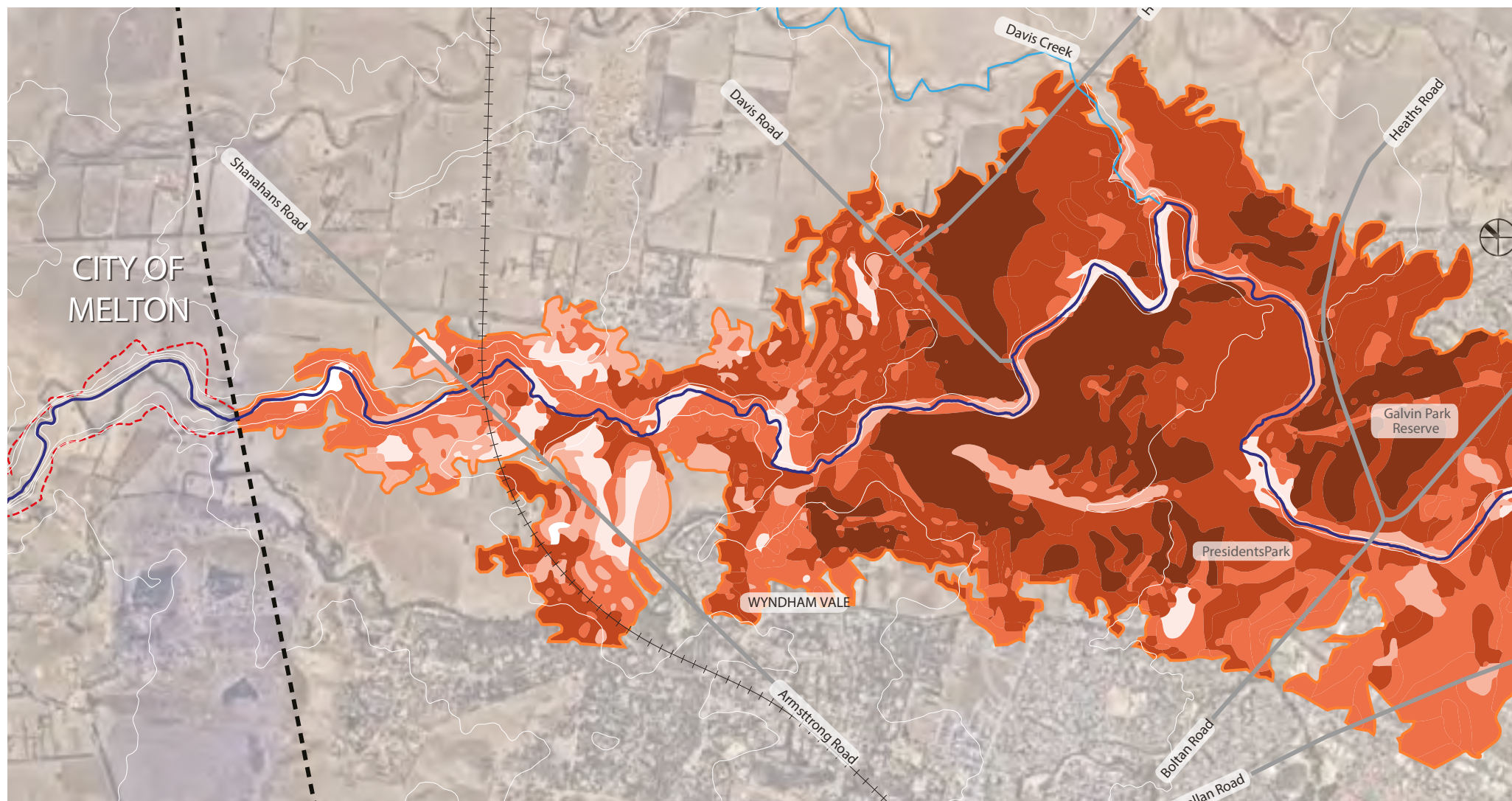




MAP 14: MOONEE PONDS CREEK VISUAL EXPOSURE

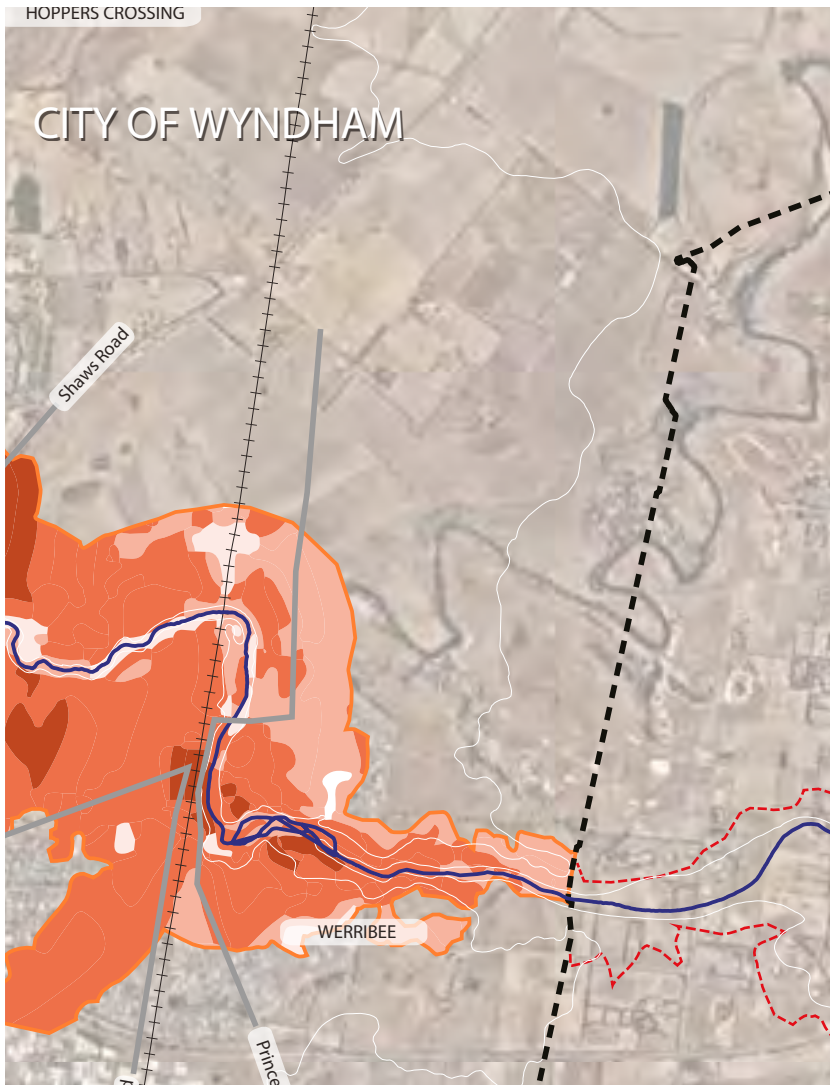






Legend

- | | | | | |
|-----------------------|----------------------|--------------------------|-----------|---------|
| Corridor Extent | Other Waterways | Contours (10m intervals) | Very High | Low |
| Urban Growth Boundary | Municipal Boundaries | Rail Network | High | Limited |
| Werribee River | Major Road | | Moderate | None |





Visual sensitivity

The visual sensitivity of a landscape can be described as the 'ability to accommodate change'. Landscapes with a higher visual sensitivity generally have a lower threshold beyond which changes in the landscape start to detrimentally impact on the value/significance of that landscape.

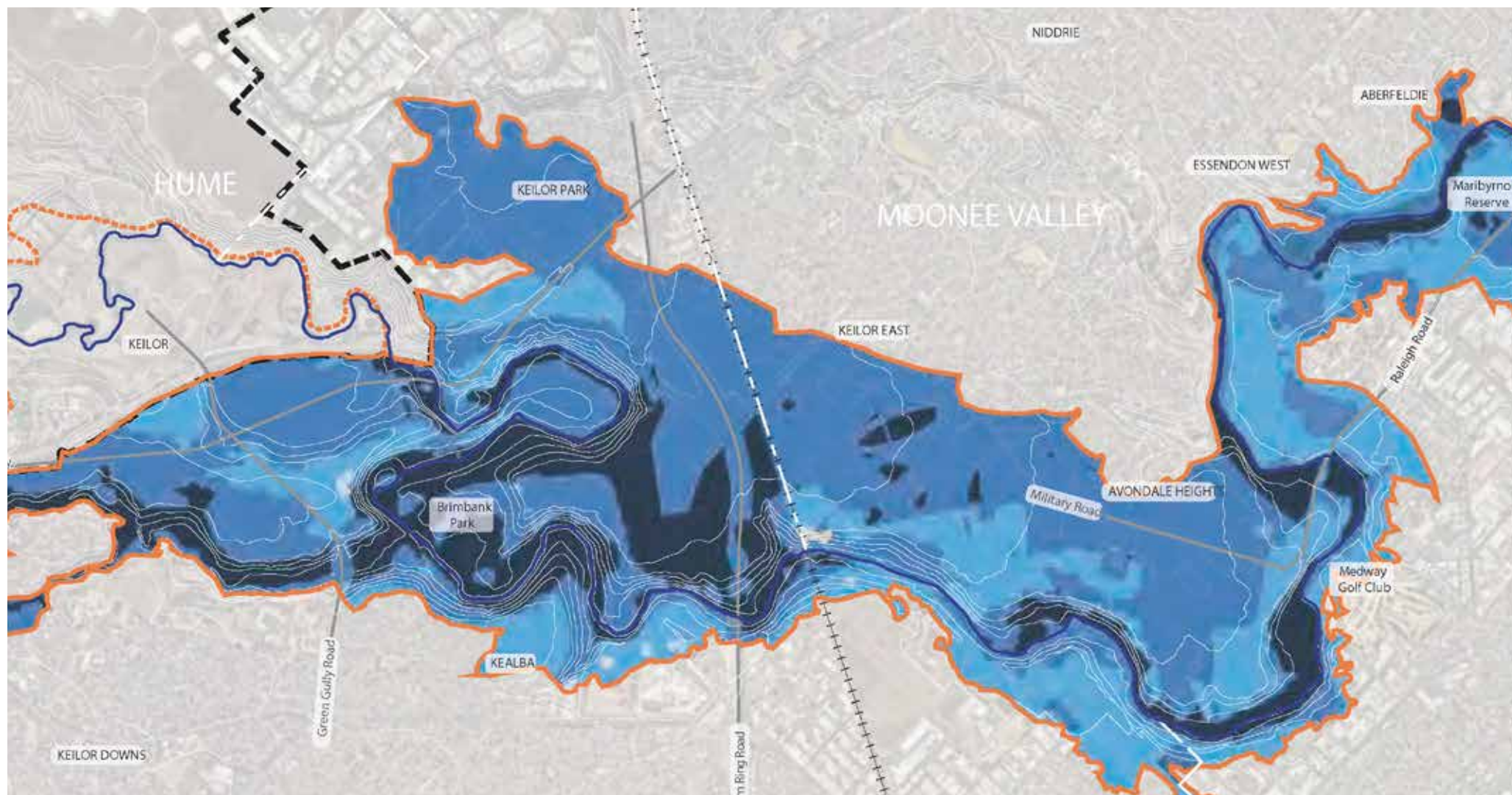
An initial approach to the cross-comparison of the landscape character analysis against the planning analysis was to undertake a desktop review of identified visually sensitive areas against current aerial photography. Some areas were able to be excluded where they were located a substantial distance from the riparian corridor interface and where significant visual barriers were located in-between, including major roads, railway lines, buildings and vegetation.

By reviewing areas of higher landscape value and visual exposure, relative levels of visual sensitivity could be better understood. Areas with high landscape value and very high visual exposure are understood as areas with visually sensitive landscapes. Inversely, areas identified as having a lower landscape value and visual exposure were assessed to be of lower visual sensitivity.

Visual Exposure	Landscape Value		
	High	Moderate	Low
Very High	VERY HIGH	VERY HIGH	HIGH
High	VERY HIGH	HIGH	MODERATE
Moderate	HIGH	MODERATE	MODERATE
Low	MODERATE	MODERATE	LOW
Limited	MODERATE	LOW	LOW
None	MODERATE	LOW	VERY LOW

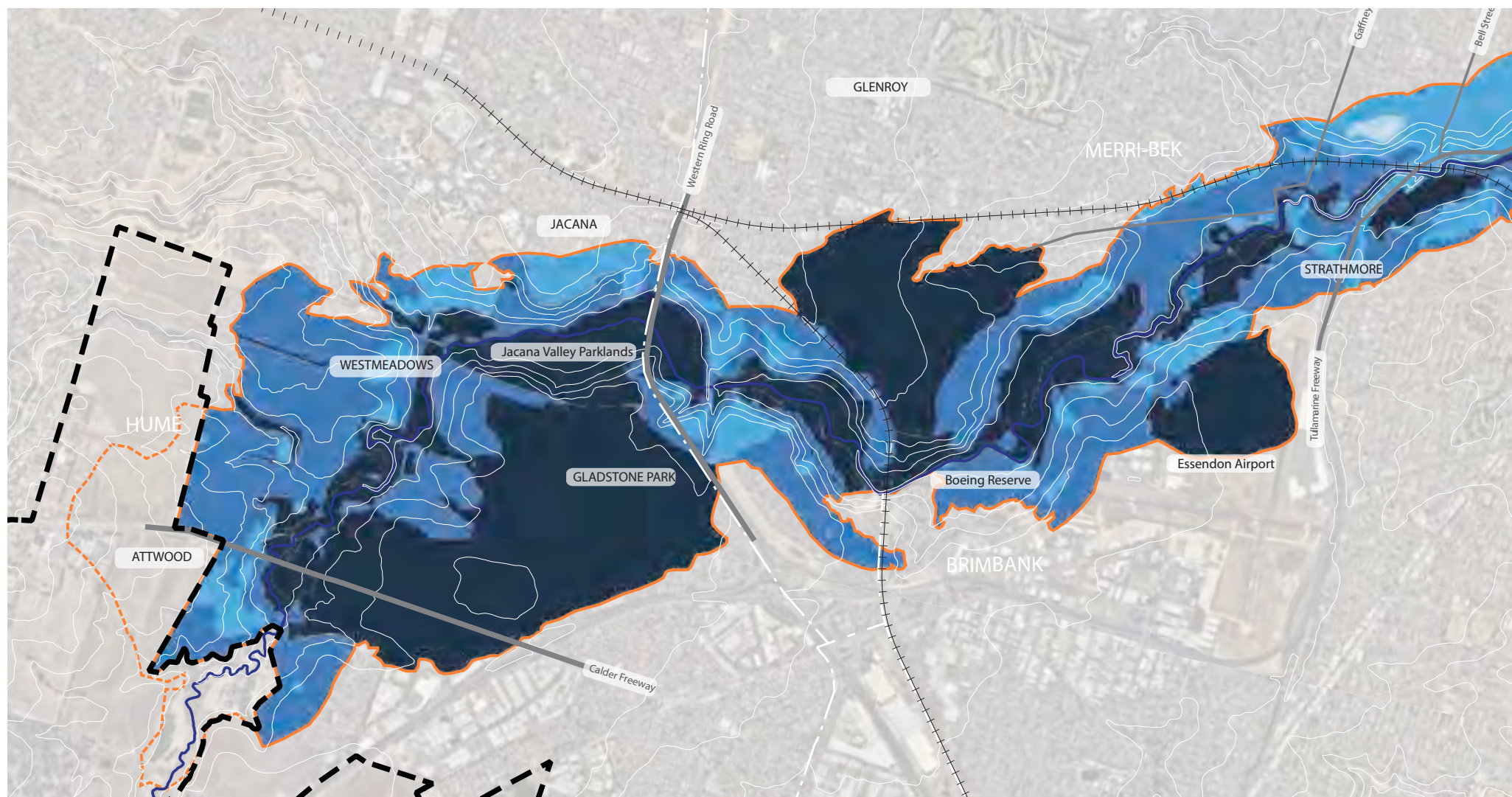
TABLE 2: CRITERIA FOR IDENTIFYING LANDSCAPE SENSITIVITY

MAP 16: MARIBYRNONG RIVER LANDSCAPE VISUAL SENSITIVITY





MAP 17: MOONEE PONDS CREEK LANDSCAPE VISUAL SENSITIVITY

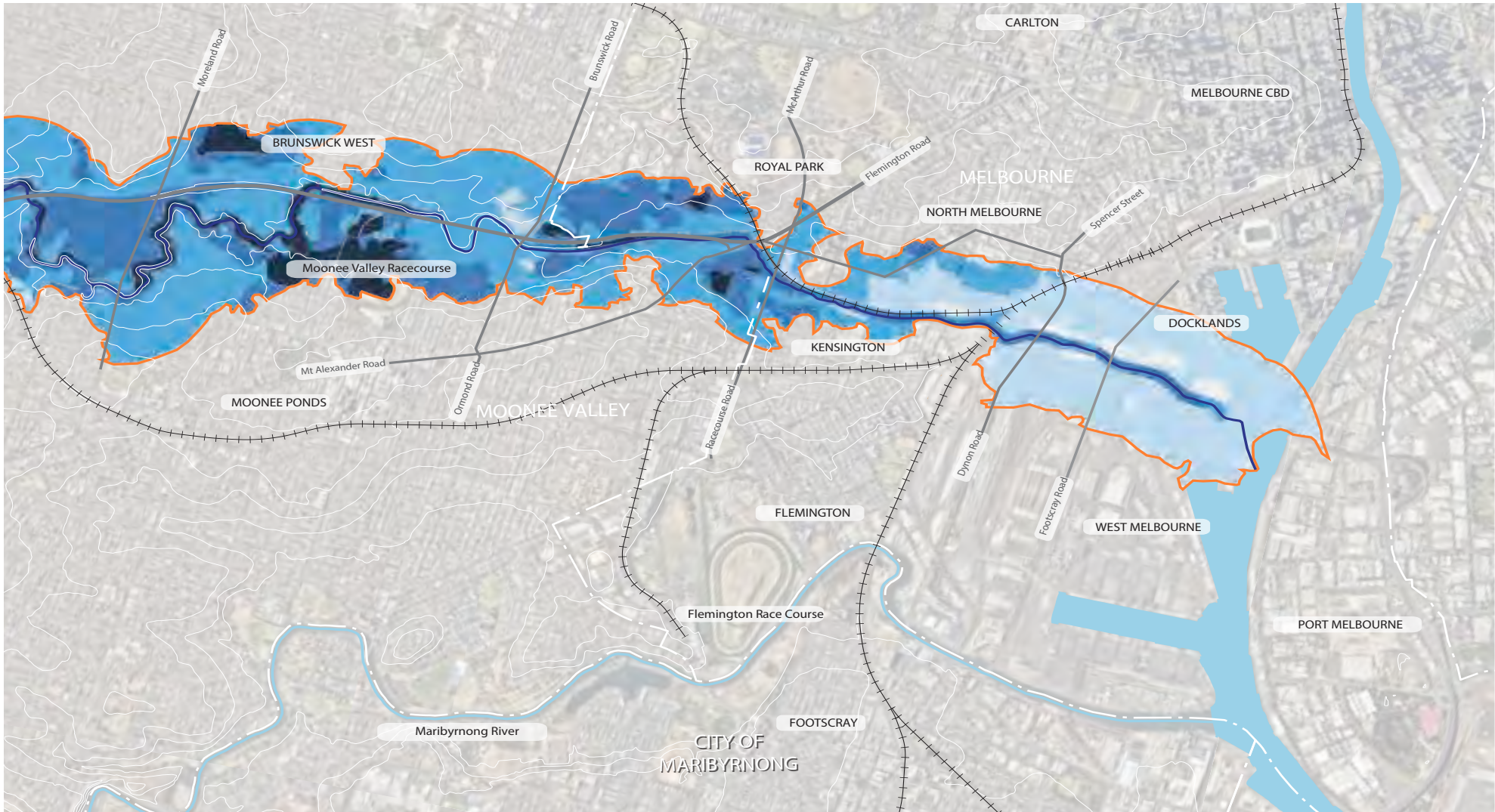


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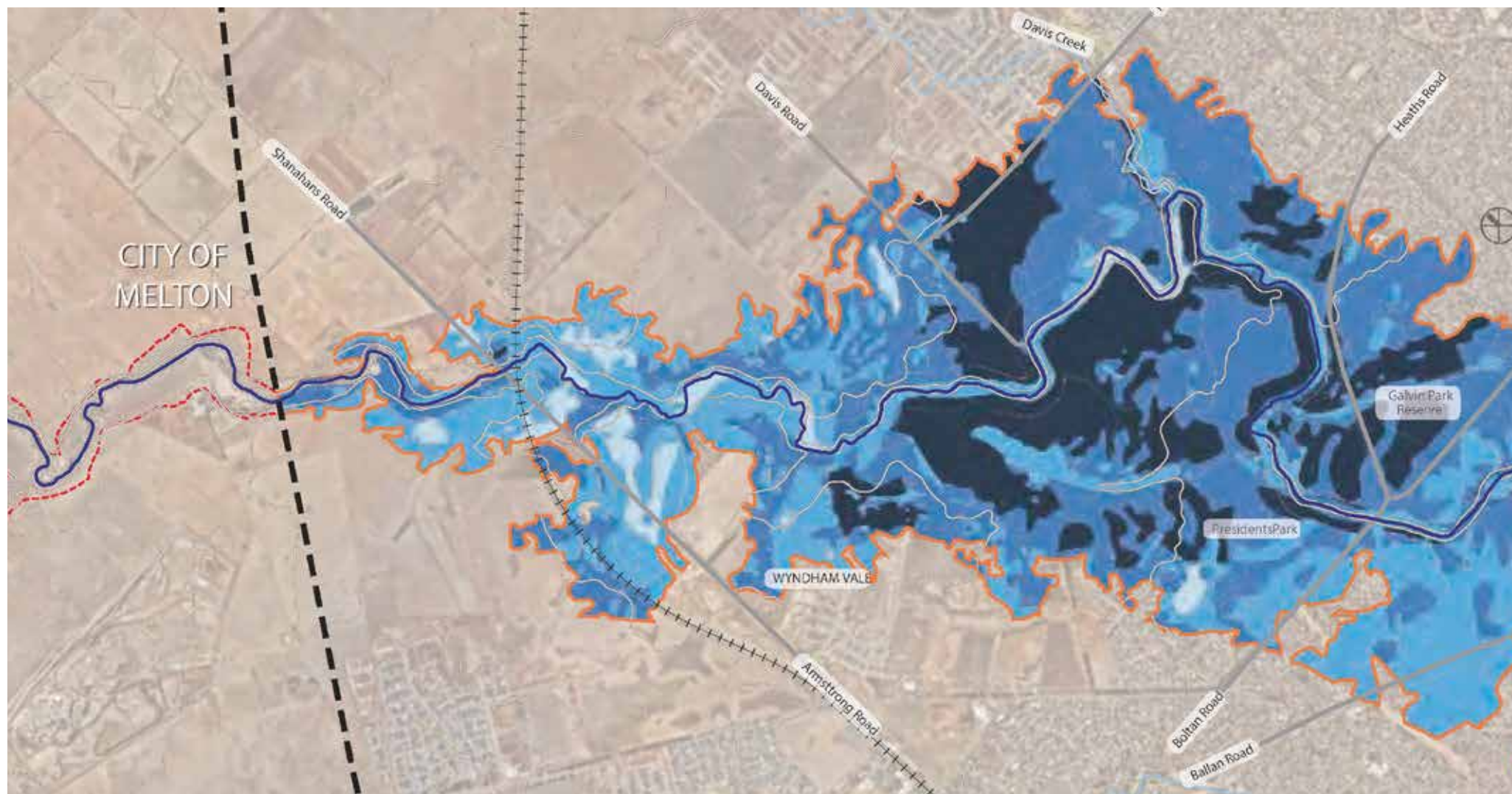
- Corridor Extent
- Urban Growth Boundary
- Moonee Ponds Creek
- Other Waterways
- Municipal Boundaries
- Major Road
- Contours (10m intervals)
- Rail Network

Visual Sensitivity

- Very High
- High
- Moderate
- Low
- Very Low



MAP 18: WERRIBEE RIVER LANDSCAPE VISUAL SENSITIVITY







4// GAP ANALYSIS

4// GAP ANALYSIS

This section provides analysis of existing planning protections across the Maribyrnong River, Moonee Ponds Creek and the Werribee River. In light of the assessment of landscape value and sensitivity (see previous chapter), there are clear opportunities to develop stronger planning scheme protections for these waterway corridors.

Planning scheme overlays

The *Practitioner's Guide to Victorian Planning Schemes* clarifies the role and purpose of overlays, noting:

- An overlay is a complementary planning control to the zone. Unlike zones, that deal primarily with the broader aspects of the use and development of land, an overlay generally seeks to control a specific aspect of the development of land.
- Overlays control a broad range of development matters such as the protection of vegetation or heritage values, the design of built form or mitigating flood risk. The application of an overlay may reflect a policy objective in the scheme or a condition of the land.
- While a parcel of land will always be included in a zone, it will only be affected by an overlay where a specific development outcome is sought for that land. Land can be subject to more than one overlay if multiple issues apply to the land.
- Each overlay contains purposes that specify the planning outcome sought by the overlay. These purposes are achieved through the application of the controls in the overlay.

- An overlay may also contain application requirements, notice and review exemptions and decision guidelines.
- An overlay may include a schedule that enables more specific objectives or purposes to be applied to specified land. The schedule may also specify development that requires planning permission, is exempt from the permit requirements or is prohibited.
- An overlay may require permission for or prohibit development that is allowed by the zone. Neither control takes precedence over the other and both must be satisfied before a development can be carried out.

Environmental Significance and Significant Landscape overlays

Guidance on the most appropriate planning tool(s) that would provide stronger protections for these waterway corridors can be found in Planning Practice Note 7: Vegetation protection in urban areas (PPN7). While primarily related to vegetation protection, PPN7 provides some commentary on the potential application of both the Environmental Significance Overlay (ESO) and the Significant Landscape Overlay (SLO).

With reference to the ESO, PPN7 notes:

- Where there are environmental constraints on development or other important ecological values are identified, such as in coastal or riparian habitat, the use of an ESO may be appropriate.
- This overlay is applied if vegetation protection is part of a wider objective to protect the environmental significance of the area.
- The ESO has broader applicability than the VPO. The ESO may contain requirements for the construction of buildings and the carrying out of works as well as fence construction. It can also include requirements for subdivision and the removal, destruction or lopping of vegetation.
- A schedule to the ESO is used to specify the name of the environmental significance area and provides a statement of the environmental significance and objectives to be achieved. For vegetation, the schedule can specifically state if a permit is not required for the removal, destruction or lopping of vegetation. If exemptions are not specified, all vegetation within the overlay area is protected except vegetation exempted in Clause 42.01-2.

PPN7 also notes that the ESO has been applied in a variety of riparian contexts. With reference to the SLO, PPN7 states:

- The SLO also has broader applicability than the VPO. Its function is to identify and conserve the character of a significant landscape. The SLO is appropriate when vegetation is primarily of aesthetic or visual importance in the broader landscape and should be used where vegetation is identified as an important contributor to the character of an area.
- The SLO also includes permit requirements for building and works which can be applied where appropriate to assist in vegetation protection.
- In the SLO, the schedule to the overlay must specify a permit requirement for the removal, destruction or lopping of vegetation.

PPN7 notes that the SLO has also been applied in a variety of riparian contexts. In this context, it is instructive to consider the head provisions for each of these overlays. As per the head provision for the ESO, its nominated purposes and objectives are as follows:

PURPOSE

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To identify areas where the development of land may be affected by environmental constraints.
- To ensure that development is compatible with identified environmental values.

OBJECTIVES

A schedule to this overlay must contain:

- A statement of environmental significance.
- The environmental objectives to be achieved.

The head provision for the SLO nominates the following purposes and objectives:

PURPOSE

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To identify significant landscapes.
- To conserve and enhance the character of significant landscapes.

OBJECTIVES

- A schedule to this overlay must contain:
- A statement of the nature and key elements of the landscape.
- The landscape character objectives to be achieved.

A clear difference in the purpose of these overlays is that the ESO seeks to address environmental values, while the SLO seeks to address landscape values. It is acknowledged that in the past there has been a degree of fluidity of the application and use of the SLO and ESO in protecting riparian corridors, and both mechanisms may be required depending on the values being protected. Regardless of which planning tool is used, any new overlay needs to have an appropriate evidence base to underpin it and the values it is seeking to protect.

Design and Development overlays

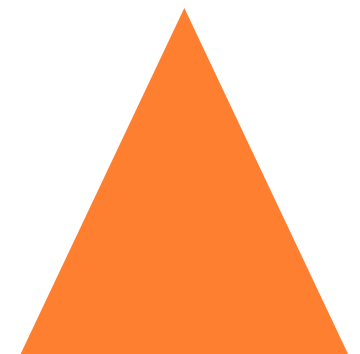
The Design and Development Overlay (DDO) is used to manage built form elements, and in some cases is used alongside other overlays (including the ESO and SLO) to address built form impacts on valued landscape views. As a built form control, the DDO can require that future buildings are appropriate in form, scale and siting. The head provision for the DDO nominates the following purposes and objectives:

PURPOSE

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To identify areas which are affected by specific requirements relating to the design and built form of new development.

OBJECTIVES

- A schedule to this overlay must contain a statement of the design objectives to be achieved for the area affected by the schedule.



Threats to landscape character

A range of potential threats to the landscape character of the study areas have been identified. These include:

- removal of significant indigenous vegetation
- loss of mature vegetation and canopy trees
- lack of vegetation or landscaping
- built form that penetrates the predominant tree canopy height
- excessive disturbance to existing topography caused by cut and fill
- large areas of hard paved surfaces, including driveways and car parking areas
- proliferation of weeds.

A number of other threats are relevant to the study area but are more appropriately addressed at a whole of catchment level or through another policy mechanism, and as such are not addressed in detail in this report. These threats include issues relating to water quality, flooding, bushfires, vegetation protection and management, litter, and control of environmental weeds and pests.





Recognising Traditional Owner values

Many of Victoria's significant landscapes have been shaped by Traditional Owner occupation and land management for generations. Country connects Traditional Owners to the place where their ancestors stood and lived and cared for Country. Cultural significance is to understand the landscape and the environment and to appreciate that every element of the environment is interconnected. In many places, waterway landscapes still embody the sense of Country that generations of Traditional Owners presided over.

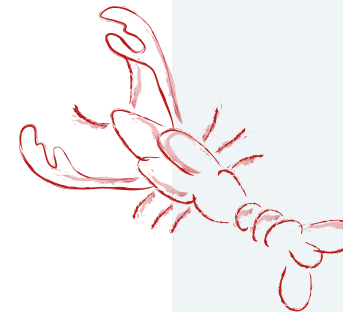
The Waterways of the West Action Plan recognises these waterways as 'living and integrated natural entities' and the Traditional Owners as the 'voice of these living entities'. The action plan seeks to embed Traditional Owners' values in planning and decision-making for waterways. As important components of Country, the waterway landscapes, and the biodiversity they support, should be managed and protected. By extension, the planning mechanism(s) used to protect the waterways should also consider the values of Traditional Owners and regard the rivers as living entities.

In response to Ministerial Advisory Committee recommendations on the the need for stronger and consistent planning controls and policies for the Waterways of the West, the action plan includes the following actions:

- **3.1** Protect waterways statewide through a strengthened planning policy framework, processes and supporting guidance
- **3.2** Protect and elevate the significance of the Maribyrnong (Mirrangbamurn) River, Moonee Ponds (Moonee Moonee) Creek and the Werribee River (Wirribi Yaluk) urban corridors through stronger landscape and environment planning controls and new regional policies.

These concepts have informed the assessments and analysis undertaken, and have been fundamental in the preparation of new overlays and policy to protect these waterways.

The Bunurong, Wadawurrung and Wurundjeri Woi wurrung Traditional Owners have managed the Waterways of the West and the landscapes through which they flow for over a thousand generations. Through their association and relationship with Country, they continue to maintain unique cultural and spiritual connections to the waterways and their lands.



Gap analysis and SLO development: Maribyrnong River

In the upper reaches, Deep Creek and Jacksons Creek converge to form the Maribyrnong River in Keilor North. In its middle reaches, the river flows through the north-western suburbs, before emptying into the Yarra River (Birrarung) in Docklands in its lower reaches.

The river's dominant landscape character types are Waterway Corridor and Waterway Parkland, with adjoining Suburban Development throughout the majority of its middle reaches. The landscape changes to a distinctly industrial character in its lower reaches between Footscray and West Melbourne and into Docklands and port areas.

The planning scheme zoning along the river is predominantly residential, with commercial and industrial zoning prevalent in the lower reaches. The Public Park and Recreation Zone (PPRZ) is typically applied to the reserves, parklands and other open spaces alongside the corridor.

From a landscape analysis perspective, the viewshed corridor is generally characterised by moderate to high visual sensitivity, although areas of very high sensitivity are also present.

In terms of the existing built form controls that apply along areas of high visual exposure within the river corridor, a Design and Development Overlay (DDO1 Skyline Area) applies to the river corridor in the Brimbank, Maribyrnong and Moonee Valley planning schemes. This overlay functions to protect sites along the river from visual intrusion caused by the inappropriate siting or appearance of buildings and works.

While DDO1 does not contain specific built form requirements, it seeks to encourage development consistent with any concept plan approved for the area, notably including the Maribyrnong River Interface Urban Design Guidelines (2001) and the Maribyrnong River Valley Design Guidelines (2010).

To protect environmental values, the Brimbank Planning Scheme includes ESO5 (Maribyrnong River Valley and Environs) which extends along the entire length of the Maribyrnong River corridor within the Brimbank municipality. ESO5 seeks to protect the ecological, landscape and recreational values of the river, and also outlines some built form requirements in relation to the river interface with surrounding private land.

In the Moonee Valley Planning Scheme, ESO3 (Upper Maribyrnong River; Maribyrnong River Escarpment; Steel Creek Escarpment) applies at various points along the corridor, aiming to protect the ecological values of the river and recognise the river as an important habitat and vegetation corridor. ESO3 does not address landscape or recreational values, and does not provide specific built form requirements in relation to the river interface with surrounding private land.

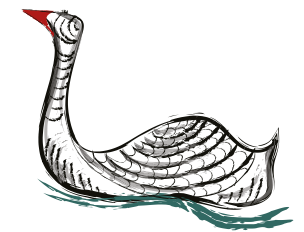
As identified in the preceding section of this report, the application of ESOs along the river varies considerably across the municipalities. It is noted that the areas of high visual sensitivity around the Footscray, Yarraville, Kensington and West Melbourne industrial areas are not protected by ESOs in the Maribyrnong or Melbourne planning schemes.

Discussion

LANDSCAPE VALUES

To address identified gaps, a tailored landscape planning control (SLO) could be applied to the entirety of the river corridor to address visual sensitivity, without duplicating the intent of existing ESO. While the waterway corridor sits predominantly within an urban and suburban context, and some individual sites throughout the corridor may not warrant individual SLO protection, when considered at a broader and more holistic scale as an integrated landscape asset, it is clear the Maribyrnong River corridor is of landscape significance to Melbourne.

In a relevant precedent, a corridor-based SLO applies to the wider landscape setting of the Yarra River (Birrarung) corridor. The SLO applies across six planning schemes, from Richmond and South Yarra upstream to the Urban Growth Boundary in Warrandyte. This overlay provides consistency and certainty for landowners on both sides of the river corridor and across the often arbitrary boundaries of municipalities (from an integrated landscape perspective). This Yarra River (Birrarung) SLO approach provides a template for other waterways, including the Waterways of the West.



ENVIRONMENTAL VALUES

The application of planning protections to address environmental values should be further explored to ensure these values are appropriately protected across the Maribyrnong corridor. Potential ESO controls can be supported by further technical biodiversity and flora and fauna analysis to underpin new or amended ESO controls.

BUILT FORM – DESIGN AND DEVELOPMENT

While some DDO controls are in place on the Maribyrnong, supported by the *Maribyrnong River Valley Design Guidelines* (2010), there is likely a need for additional built form analysis to inform and underpin the potential application of DDO controls in locations along the river corridors. The application of a DDO will also be considered in the next phase of work where built form controls are required in more visually sensitive areas.

The Waterways of the West Action Plan commits to protecting the Maribyrnong River, Moonee Ponds Creek and the Werribee River from inappropriate development with stronger built-form planning controls (Action 3.3).

Further, it also commits to a review of planning controls for the regional reaches of the Waterways of the West, and to the preparation of stronger planning controls for other significant waterways in the region (Action 3.4).

These actions will be delivered in the medium-term.





Gap analysis and SLO development: Moonee Ponds Creek

Moonee Ponds Creek runs from Greenvale and Oaklands Junction in the City of Hume, through the northern suburbs and following the City Link Freeway in its middle reaches and flowing into the Yarra River (Birrarung) in Docklands in its lower reaches.

The landscape character of the creek is typically Waterway Corridor and Waterway Parkland, with adjoining Suburban Development throughout the majority of its middle reaches. The landscape changes to a distinctly industrial character in its lower reaches between Kensington, North Melbourne and Docklands. Zoning along the creek is typically residential, with commercial, mixed use and industrial zoning prevalent at the lower reaches. The PPRZ is typically applied to the reserves, parklands and other open spaces alongside the corridor. From a landscape analysis point of view, the viewshed corridor is generally characterised by moderate to very high visual sensitivity.

There are limited built form controls in place along the Moonee Ponds Creek, and specifically controls that manage development impacts in areas of high visual exposure and at the waterway interface. An exception is DDO3 (Mt Alexander Road Corridor) in the Moonee Valley Planning Scheme, which stipulates that new development should build on key viewsheds along Ormond Road to Moonee Ponds Creek. DDO63 (Macaulay Urban Renewal Area, Kensington and North Melbourne) within the Melbourne Planning Scheme also includes some built form guidelines in relation to the creek interface.

The ESO is another key planning control that is applied to protect the river corridor from surrounding built form. Within the Hume Planning Scheme, ESO2 (Merri Creek and Moonee Ponds Creek and Environs) is applied to the creek corridor and recognises the ecological, landscape, heritage and recreational value of the creek.

Within the Merri-bek Planning Scheme, ESO2 (Moonee Ponds Creek and Environs) recognises the ecological, landscape and recreational value of the creek. Neither of these ESO controls outline built form guidelines in relation to the creek interface. Therefore, they provide little direction in terms of managing built form and ensuring that it responds appropriately to the creek interface and retain the natural and visual character of the waterway.

As identified in the proceeding section of this report, the application of ESOs along the creek corridor varies considerably across the municipalities. It is noted that the areas of high visual sensitivity around Kensington / North Melbourne / West Melbourne are not protected by any ESO within either the Melbourne or Moonee Valley Planning Schemes.

Discussion

LANDSCAPE VALUES

In light of the above, SLO controls could be applied to the entirety of the creek corridor to provide consistency and address visual sensitivity, while not duplicating the intent of existing ESO controls. An SLO would also be able to protect areas where there are no existing controls.

As the waterway corridor is a predominantly within an urban and suburban context, and some individual sites throughout the corridor may not warrant individual SLO protection, when considered at a broader and more holistic scale as an integrated landscape asset, it is clear the Moonee Ponds Creek corridor is of landscape significance to Melbourne.

In a relevant precedent, a corridor-based SLO applies to the wider landscape setting of the Yarra River (Birrarung) corridor.

The SLO applies across six planning schemes, from Richmond and South Yarra upstream to the Urban Growth Boundary in Warrandyte. This overlay provides consistency and certainty for landowners on both sides of the river corridor and across the often arbitrary boundaries of municipalities (from an integrated landscape perspective). This Yarra River (Birrarung) SLO approach provides a template for other waterways, including the Waterways of the West.

ENVIRONMENTAL VALUES

The application of ESO controls could be further explored as the next phase of work with a technical biodiversity, flora and/or fauna analysis undertaken to underpin and justify the application of new controls – or to amend existing ESO controls.

BUILT FORM

It is important that future work to consider other relevant overlays which could protect the creek environs and the impacts of new built form. DDO controls are usually best placed to manage these matters, and application of additional DDO controls may be beneficial for areas where development on private residential allotments fronting the river is likely to be issue. Built form controls would also be able to guide development outcomes where there are sensitive interfaces between industrial and commercial uses and the river corridor. This work can be considered in the next phase of planning controls.



Gap analysis and SLO development: Werribee River

The study area focuses on the urban reach length of the Werribee River running from the UGB at Mount Cottrell and through Werribee towards UGB at Werribee South. Outside the study area, the river flows through the Werribee South Green Wedge and onto Port Phillip.

The landscape character of the river is typically Waterway Corridor and Waterway Parkland with adjoining Suburban Development throughout the majority of the study area. Areas of commercial and industrial uses are also found in Werribee. The landscape changes to a distinctly rural character towards the upper end of the study area in Mount Cottrell, with Future Urban character type evident. The zoning along the river typically follows suit, with residential zones prevalent along its length for the most part, and with commercial and industrial zoning prevalent in and around the Werribee Major Activity Centre.

The UGZ and FZ are prevalent in the more rural reaches of the river, while the waterway itself is in the Rural Conservation Zone (RCZ) in this area. Within the urban reaches, the PPRZ applies to the reserves, parklands and other open spaces alongside the corridor. From a landscape analysis point of view, the viewshed corridor is generally characterised by moderate to high visual sensitivity, although areas of very high sensitivity are also present.

In terms of the existing controls to manage landscape and built form impacts in the high visual exposure areas of the river corridor, it is noted that there are currently no SLO (or DDO) controls specifically applied to the land adjoining the river corridor to address the river interface. It is also noted that a number of highly exposed areas fall within existing and future precinct structure planning (PSP) areas.

In such areas, delivering positive built form outcomes for the riparian interface will be an integral part of the future structure planning process and should be reflecting in strategic objectives for future plans.

Discussion

LANDSCAPE VALUES

There is an opportunity to better protect landscape values of the Werribee River, particularly noting that while the much of urban reach sits in a semi-rural context at present, land between Werribee and the UGB is identified for further urban growth and development. SLO controls could be applied to the corridor to provide consistency and address visual sensitivity, while not duplicating the intent of existing ESO controls. An SLO would also be able to protect areas where there are no existing controls.

There is an opportunity for a corridor based control to be introduced, as per the program of SLO controls that apply to the wider landscape setting of the Yarra River (Birrarung) corridor. The SLO applies across six planning schemes, from Richmond and South Yarra upstream to the Urban Growth Boundary in Warrandyte. This overlay provides consistency and certainty for landowners on both sides of the river corridor and across the often arbitrary boundaries of municipalities (from an integrated landscape perspective). This Yarra River (Birrarung) SLO approach provides a template for other waterways, including the Waterways of the West.

ENVIRONMENTAL VALUES

ESO1 (Waterway Corridors) in the Wyndham Planning Scheme applies to much of the urban reaches of the river, while the ESO2 (Rural Conservation Area) also applies to parts of the river and the Davis Creek

tributary. These ESO controls protect the ecological and landscape value of these waterways and seek to ensure that an appropriate interface is provided between waterways and surrounding built form.

It is noted that neither ESO provides specific built form requirements in relation to the interface between the river and surrounding built form – and that application of these controls varies across the municipality.

The application of planning protections to address environmental values should be further explored to ensure these values are appropriately protected across the river corridor. Potential ESO controls can be supported by further technical biodiversity and flora and fauna analysis to underpin new or amended ESO controls.

BUILT FORM

It is important that future work to consider other relevant overlays which could protect the creek environs and the impacts of new built form. DDO controls are usually best placed to manage these matters, and application of additional DDO controls may be beneficial for areas where development on private residential allotments fronting the river is likely to be issue.





Need for strengthened planning framework

There is a clear opportunity to implement a stronger and more consistent set of planning policy and controls to ensure waterway corridor landscapes within the urban reaches of the Maribyrnong River, Moonee Ponds Creek and Werribee River are appropriately protected.

This report has identified a range of gaps and limitations with existing planning scheme provisions, including planning policy and overlays. The existing framework does acknowledge the broader integrated landscape values associated with these waterway corridor landscapes, nor is there aligned and consistent strategic policy in place to guide decision making.

In order to address gaps and limitations in a holistic way, consideration needs to be given to the appropriate planning scheme tool (or suites of tools) to address them.

Existing landscape and environmental controls in the study area are applied generally to quite specific landscapes and sites. Consolidating any of the existing controls into a river specific control for the larger riparian corridor would not be an effective or appropriate response. As indicated in the analysis provided in this report, there is no holistic control that applies to entire waterway corridors to protect waterway, riparian edge and broader environmental landscape values.

A key recommendation of the Ministerial Advisory Committee is the preparation of a control that applies to the full extent of land within the defined corridor boundary, as per the SLO provisions on the lower and middle Yarra River (Birrarung) corridor. This approach functions to illustrate the theoretical extent of visual exposure along the waterway corridors to allow a study area boundary to be defined.

Across the three waterways analysed in this study, there is a further opportunity to consider a slightly more tailored approach that could recognise the different reaches and contexts of the waterways (e.g. industrial settings versus growth area settings).

Proposed use of the SLO tool

It is clear that a 'base' overlay is required to recognise and protect the entirety of the river corridor. The SLO is considered to be the appropriate tool to implement the findings and recommendations of this report, with other overlays able to be considered to manage specific issues along the river. The SLO is considered to be the appropriate tool to implement the findings and recommendations of this report.

The following extract from the Lower Yarra River and Middle Yarra River corridor studies is instructive:

The SLO is the preferred planning scheme tool to be applied to protect the broad landscape values of the Yarra River corridor. The SLO is preferred over the ESO as it primarily designed to manage holistic landscape values and significance by protecting vegetation and guiding built form outcomes within significant landscapes – a core element of this study. The SLO allows for a statement of landscape significance to be included which sets out the values of the landscape.

This is supported by clear objectives and decision guidelines, which are discretionary, to guide appropriate development outcomes across a broad area that includes both private and public land. The proposed SLO control should be consistent across all...municipal planning schemes and provide local tailoring where appropriate within the 'Statement of nature and key elements of landscape' and the 'Landscape character objectives to be achieved'.

An approach to drafting and implementing new SLO controls, commensurate with those that apply to the Yarra River, will improve on current planning controls for the waterways which, while effective in managing some site-specific matters, are in places ad-hoc, inconsistent or non-existent, relying on broad discretionary requirements leading to development outcomes which can undermine the landscape and environmental values of the waterways.





5// RECOMMENDATIONS

5// RECOMMENDATIONS

A stronger planning framework should be implemented, comprising relevant and aligned state policy, regional policy and overlay content, in order to recognise and protect the urban waterway corridors of the Maribyrnong River, Moonee Ponds Creek and the Werribee River.

A planning policy *and* planning control response should be developed that makes aligned changes at relevant parts of the planning provisions hierarchy. As the preceding analysis has identified, there are gaps in state and regional/local waterway policy direction, and a holistic approach to the planning system from state policy, through to localised controls, should be considered best practice for waterways planning. This section outlines the recommended amendments to the Victoria Planning Provisions (VPP), as outlined below.



FIGURE 18: SCHEME HIERARCHY

Changes to planning policy

State planning policy

To create a consistent approach to waterway planning, state planning policy should be updated to provide further guidance to what and how all waterways should be protected. Once State policy is strengthened it 'sets the scene' on what is expected for waterway planning how our waterways are valuable environmental assets. Clearer and strengthened policy will also create greater consistency across Victoria.

RECOMMENDATION

Implement a strengthened strategic planning for waterways through state policy by updating Clause 12.03-1S (River and riparian corridors, waterways, lakes and wetlands) to provide further guidance and protection for waterway planning for all Victorian waterways.

Regional planning policy

It is important to have a consistent regional level policy across the Waterways of the West within all relevant planning schemes to highlight them as key natural features with strong environmental and recreational value. The regional policy will apply to all waterways within this region, not just the larger and more prominent ones.

A new regional policy should be introduced into the planning scheme which specifically acknowledges the natural environmental and recreational value of the WoW and highlights them as important natural features within the western region of Melbourne.

The new regional policy should reference the *Maribyrnong River Valley Design Guidelines* (2010) so it is consistent across planning schemes and municipalities.

RECOMMENDATION

A regional policy specific to the Waterways of the West region to be introduced at Clause 12.03-1R.

Changes to landscape controls

New SLO controls will provide a consistent approach to managing landscape and riparian environs through these river corridors and will be supported by the updated Clause 12.03-1S and the new regional policy at Clause 12.03-1R. The controls will work to identify the extents of the waterway corridors to protect their significant landscapes.

In terms of implementation, SLO controls could be put in place on an interim basis, similar to the Yarra River (Birrarrung) SLO controls, which would provide a period for state and local government to monitor the operation of the controls to determine whether further refinements and improvements are required. In the longer term, other waterways within the region should be reviewed to see if additional controls are required.

RECOMMENDATION

Implement localised and whole-of-corridor planning controls in the form of SLO controls (at Clause 42.03) to protect the Maribyrnong River, Moonee Ponds Creek and Werribee River.

Form and content of SLO controls

This section outlines the recommended principles, focus and content for new SLO controls.

GUIDING PRINCIPLES

It is recommended that the new SLO controls be largely general in nature, reflecting their application as a regional-level, consistent waterway-focused control. Where there is an identified need, other overlays, including ESO and DDO controls, could be developed to build upon this basis.

CONTENT

Overall, the following principles should guide the development and drafting of the SLO controls:

- Schedules are to outline a statement of the nature and key elements of the regional riparian corridor landscape, as part of the overarching, integrated landscape character objectives to be achieved.
- SLO controls will function to trigger a permit to construct a building or carry out works on land covered by the SLO.
- The SLO will primarily function to discourage the following within the landscapes of the riparian corridor:
 - large, potentially inappropriate buildings intruding into largely open landscapes
 - major earthworks and substantial cut and fill
 - removal, destruction or lopping of vegetation (vegetation removal exemptions in the SLO header will remain).
 - development of solid fencing.
- Application requirements should be included relating to the provision of adequate information to allow the proposed buildings and works to be appropriately assessed.
- Schedules will include mapping to formally introduce the riparian corridor.

Application and extent

FRAMING THE CORRIDOR LANDSCAPE

While it might seem logical to apply new SLO controls to the full extent of land within the study area boundary – that is, the broader corridor areas analysed for visual exposure, viewshed and topography – the areas mapped in Chapter X of this report represent a theoretical extent of visual exposure. It is considered that a more nuanced approach is required to define the exact extents of new SLO controls. In existing urban contexts, the SLO should logically follow the river corridor more tightly (rather than the full extent of the assessed river corridor), so as to

- focus on managing the impacts of development close to the riparian corridor
- ensure that the control best delivers its intended objectives
- does not impose permit triggers in areas where they will be of limited relevance and effectiveness.

This more ‘targeted’ application of the SLO should be guided by the following principles:

- limit the extent of the application of the SLO to identified urban land
- limit the extent of the application of the SLO to 30 metres of either side of the top of the riverbank of the waterway (consistent with existing Clause 14.2-1 of the VPP)

- beyond 30 metres, use logical boundaries (e.g. roads, parcels, parks, reserves etc.) to better target the control and the delivery of its objectives
- in areas where an existing SLO or ESO already applies, determine whether the new SLO overlay is logically aligned with existing overlay boundaries.

In terms of using the top of bank as the measuring point, this generally refers to the break in slope from the riverbank to surrounding land. In some cases, decision maker discretion may be required to determine the most appropriate measurement reference points, for example:

- where private land directly abuts a buffer along a waterway, top of bank is often the cadastre line/ property boundary
- if the break in slope is not obvious or for other reasons and a surveyor is able to use an alternative and appropriate reference points to determine the distance from the bank of the waterway, or
- a particular contour level measured to the Australian Height Datum standard is used.

URBAN APPLICATION BY REACH

New SLO controls should be drafted for discrete reaches of the waterways, so that the controls best respond to dominant built form characteristics and existing landscape character types. Given a focus on urban land, the reaches should be defined within Melbourne's Urban Growth Boundary (UGB), given the potential development pressure in these areas is most immediate.

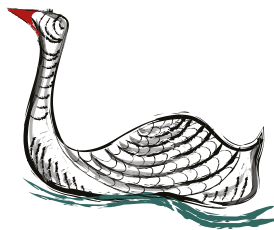
Recommended SLO controls: Maribyrnong River (Mirrangbamurn)

No SLO controls currently apply to the Maribyrnong River. An SLO should be applied to the entire river corridor in its urban reaches to protect the visual sensitivity of the waterway viewshed. The SLO should apply within Melbourne's UGB and achieve consistency across municipal boundaries.

Reaches

The SLO should be broken into three reach-based schedules to reflect the dominant built form characteristics, as follows:

- **Reach 1: Yarra River (Birrarung) to Newells Paddock, Footscray:** Urban industrial, older industrial areas, with some evidence of brownfield development and small pockets of open space
- **Reach 2: Newells Paddock, Footscray to Afton Street Conservation Reserve, Essendon West:** Open space suburban, residential areas skirting parkland areas and parkland on the open flood plains
- **Reach 3: Afton Street Conservation Reserve, Essendon West to urban growth boundary, Keilor Park:** Steep suburban and brownfield, the river corridor is wide and the valley steep, some examples of brownfield/residential development



Content

The following elements are recommended in accordance with the Ministerial Direction on the form and content of planning schemes.

STATEMENT OF NATURE AND KEY ELEMENTS OF LANDSCAPE

SLO schedules are to contain a statement of nature and key elements of landscape to establish the basis for the protection. This statement should:

- make reference to the significance of waterway to Traditional Owners, and where established, reference Aboriginal names of waterways
- position the reach as part of a connected system of rivers, wetlands and creeks
- describe important landscape, environmental, riparian and other (e.g. geological) values, places and features within the reach
- make reference to recreational, social and cultural values, places, features and connections within the reach
- outline ecological and biodiversity features, including endemic native species within the reach

LANDSCAPE CHARACTER OBJECTIVES

Landscape character objectives should be drafted in order to conserve and enhance the preferred landscape character within the reach.

Objectives should address:

- the role of each reach as part of an integrated and continuous landscape corridor
- ecological (flora and fauna) characteristics and opportunities to enhance a preferred landscape character
- built form characteristics and opportunities to enhance a preferred landscape character.

PERMIT AND APPLICATION REQUIREMENTS

Appropriate permit requirements should be drafted to discourage

Built form elements intruding into largely open landscapes

- major earthworks and substantial cut and fill
- the removal, destruction or lopping of vegetation (noting the vegetation removal exemptions in the SLO head provision)
- the development of solid fencing.

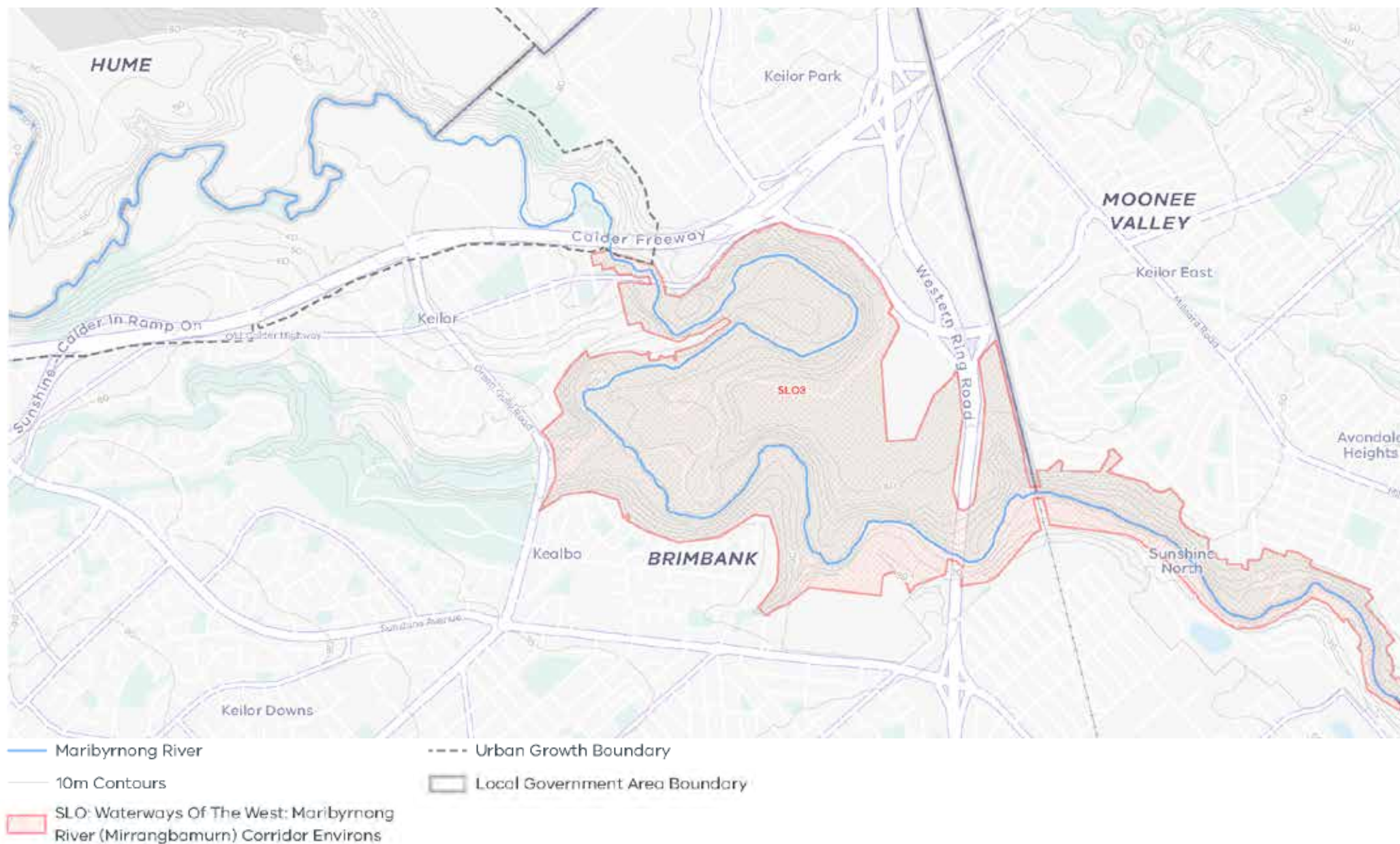
An application requirement should be included to ensure provision of adequate information to allow the proposed buildings and works to be appropriately assessed.

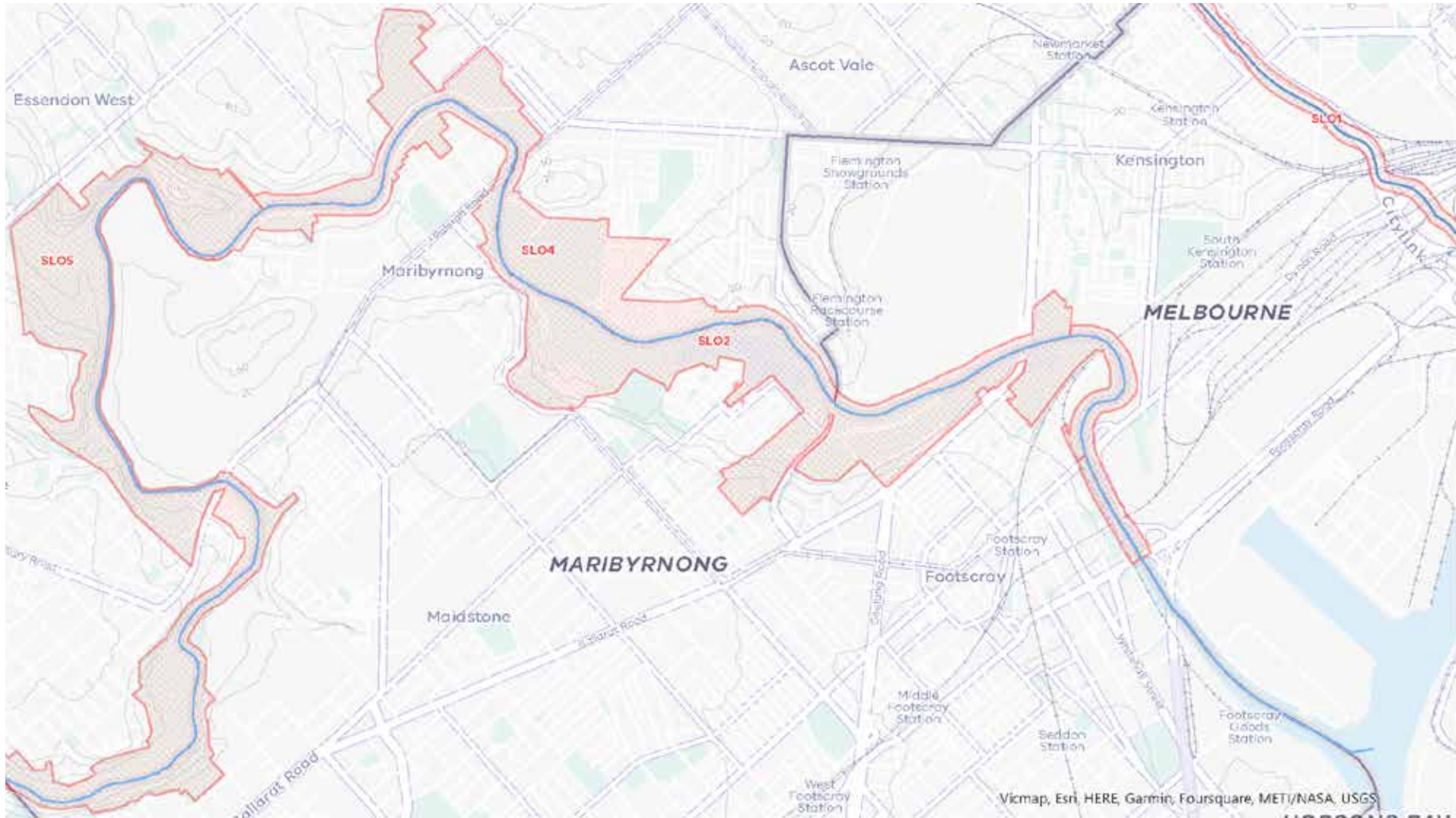
Implementation

- Prepare an amendment to the Brimbank, Maribyrnong, Melbourne and Moonee Valley planning schemes in accordance with recommended reaches
- In the Melbourne and Maribyrnong planning schemes, the SLO controls should be applied to the entire river corridor to protect the high visual sensitivity of the riparian viewshed where the land is zoned for industrial and commercial uses around Kensington and West Melbourne (Melbourne), and Footscray and Yarraville (Maribyrnong)

Other recommended controls

- The application of new ESO controls should be considered as a future action, supported by a technical biodiversity, flora and/or fauna evidence base. Should future work be undertaken on ESOs, consideration should be given to linking with (or building on) the existing ESO3 in the Moonee Valley Planning Scheme.
- The application of new DDO controls should be considered as a future action. Any DDO considered needs to be supported by appropriate built form testing.





Recommended SLO controls: Moonee Ponds Creek (Moonee Moonee)

No SLO controls currently apply to the Moonee Ponds Creek. An SLO should be applied to the entire river corridor in its urban reaches to protect the visual sensitivity of the waterway viewshed. The SLO should apply within Melbourne's UGB and achieve consistency across municipal boundaries. and across municipal boundaries.

Reaches

The SLO should be broken into three reach-based schedules to reflect dominant built form and landscape characteristics, as follows:

- **Reach 1: Docklands to Mount Alexander Road, Flemington:** Urban Industrial, industrial and commercial uses are the most prominent with example of bridge infrastructure, with some vegetated pockets along the corridor
- **Reach 2: Mount Alexander Road, Flemington to Strathmore:** Urban Residential, residential with small pockets of linear parkland and water corridor within a concrete channel
- **Reach 3: Strathmore to urban growth boundary, Attwood:** Established Residential, predominantly narrow waterway corridor, located within linear public reserves which meanders through a number of the northern suburbs



Content

The following elements are recommended in accordance with the Ministerial Direction on the form and content of planning schemes.

STATEMENT OF NATURE AND KEY ELEMENTS OF LANDSCAPE

SLO schedules are to contain a statement of nature and key elements of landscape to establish the basis for the protection. This statement should:

- Make reference to the significance of waterway to Traditional Owners, and where established, reference Aboriginal names of waterways
- Position the reach as part of a connected system of rivers, wetlands and creeks
- Describe important landscape, environmental, riparian and other (e.g. geological) values, places and features within the reach
- Make reference to recreational, social and cultural values, places, features and connections within the reach
- Outline ecological and biodiversity features, including endemic native species within the reach

LANDSCAPE CHARACTER OBJECTIVES

Landscape character objectives should be drafted in order to conserve and enhance the preferred landscape character within the reach. Objectives should address:

- the role of each reach as part of an integrated and continuous landscape corridor
- ecological (flora and fauna) characteristics and opportunities to enhance a preferred landscape character
- built form characteristics and opportunities to enhance a preferred landscape character.

PERMIT AND APPLICATION REQUIREMENTS

Appropriate permit requirements should be drafted to discourage:

- Built form elements intruding into largely open landscapes
- major earthworks and substantial cut and fill
- the removal, destruction or lopping of vegetation (noting the vegetation removal exemptions in the SLO head provision)
- the development of solid fencing.
- An application requirement should be included to ensure provision of adequate information to allow the proposed buildings and works to be appropriately assessed.

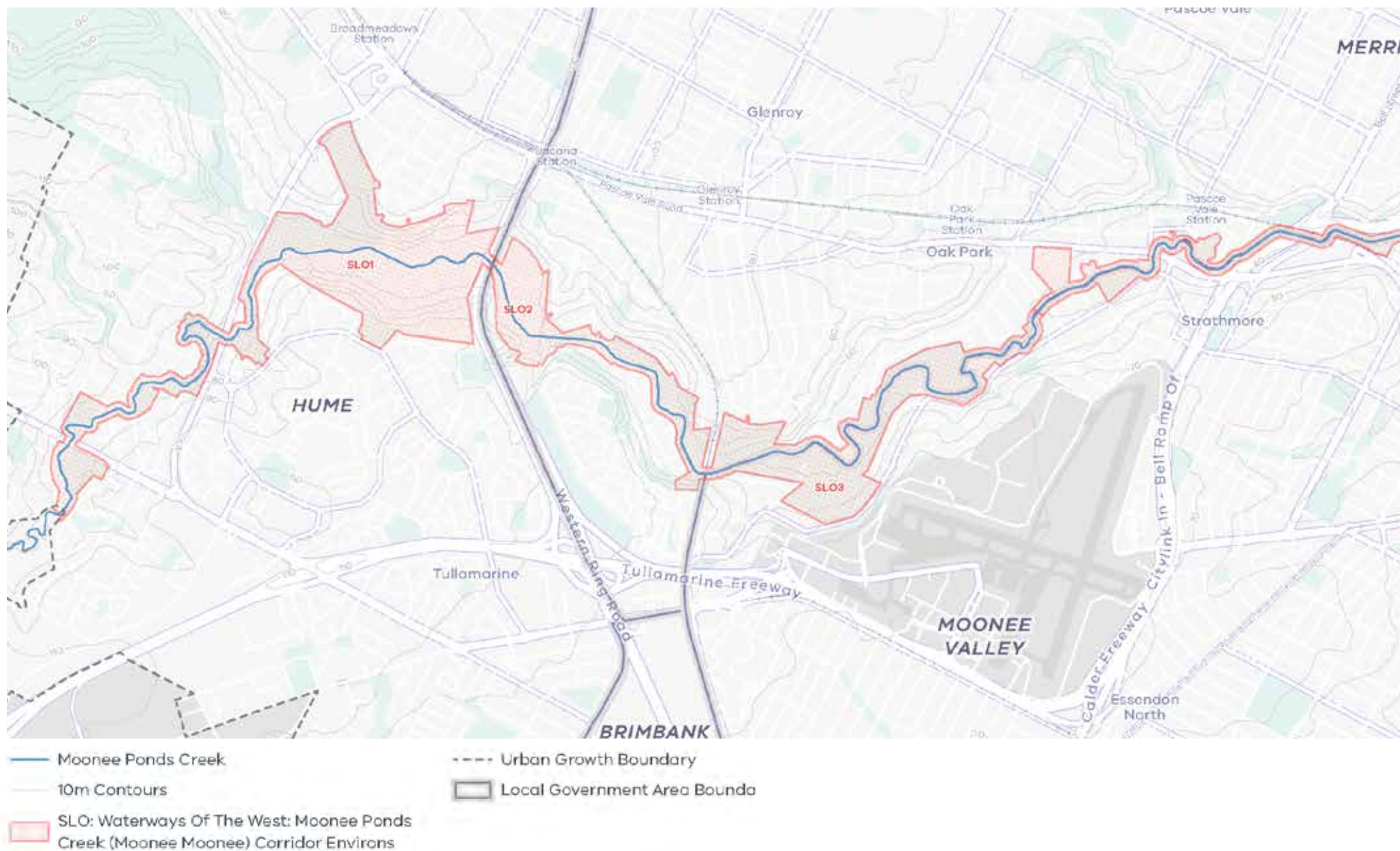
Implementation

- Prepare an amendment to the Hume, Melbourne, Merri-bek and Moonee Valley planning schemes
- In the Melbourne Planning Scheme, an SLO should be applied to the entire creek corridor, especially to protect the high visual sensitivity of the riparian viewshed where the land is zoned for industrial and commercial uses around Macaulay, North Melbourne and Kensington.

Other recommended controls

- The application of new ESO controls should be considered as a future action and needs to be supported by technical biodiversity, flora and/or fauna evidence base. Consideration should be given to linking with (or building on) ESO2 in the Hume and Merri-bek planning schemes.
- The application of new DDO controls should be considered as a future action and needs to be supported by appropriate built form testing.







Recommended SLO controls: Werribee River (Wirribi Yaluk)

No SLO controls currently apply to the Moonee Ponds Creek. An SLO should be applied to the entire river corridor in its urban reaches to protect the visual sensitivity of the waterway viewshed. The SLO should apply within Melbourne's UGB and achieve consistency across municipal boundaries.

Reaches

The SLO should be broken into two reaches to reflect the dominant built form characteristics, as follows:

- **Reach 1: Princess Freeway, Werribee to Presidents Park, Wyndham Vale:** Established Residential, residential with large pockets of open space and recreational areas along the linear reserve
- **Reach 2: Presidents Park to UGB, Wyndham Vale:** Future Urban, peri-urban area transitioning into new residential



Content

The following elements are recommended in accordance with the Ministerial Direction on the form and content of planning schemes.

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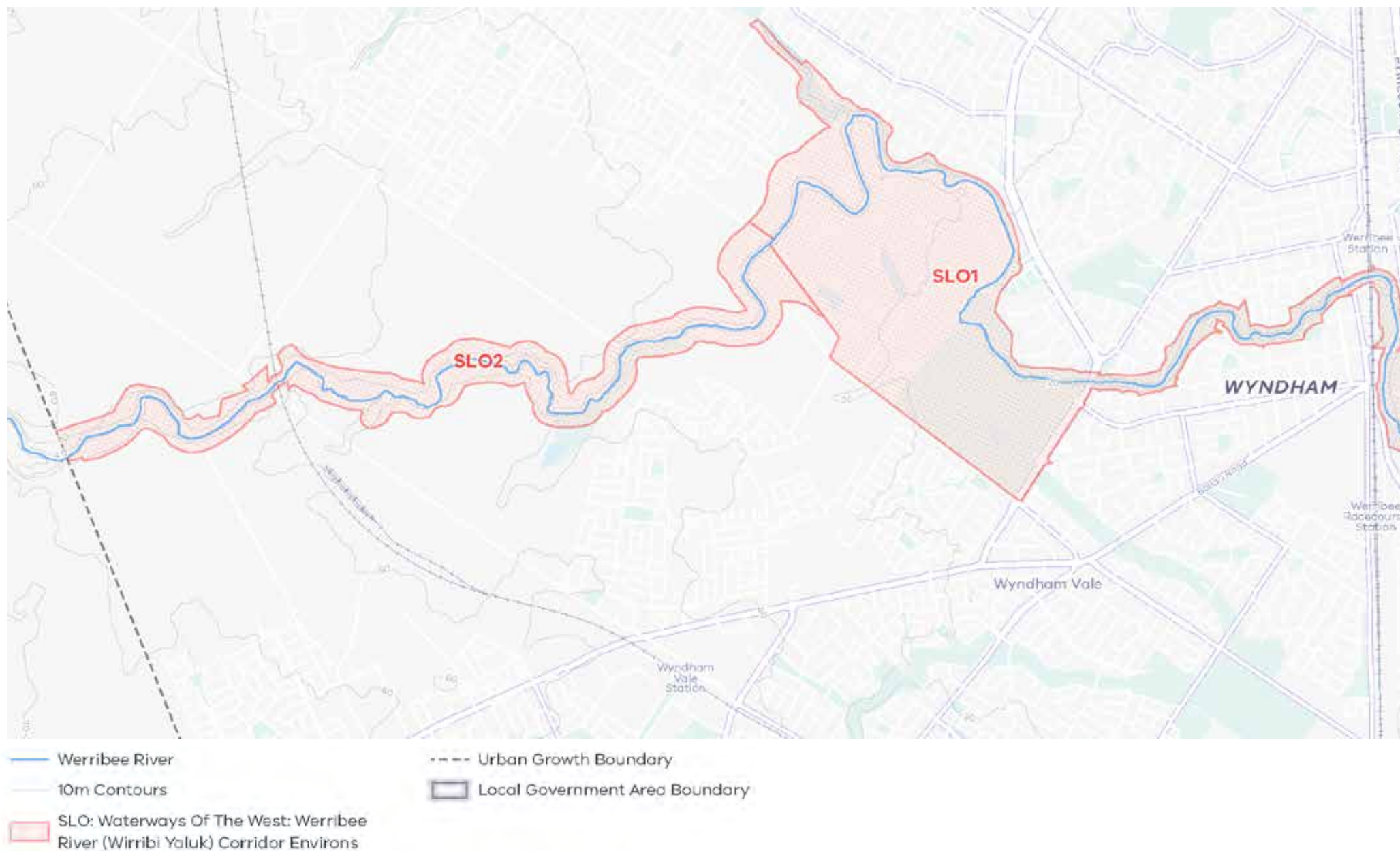
An application requirement should be included to ensure provision of adequate information to allow the proposed buildings and works to be appropriately assessed.

Implementation

- Prepare an amendment to the Wyndham Planning Scheme

Other recommended controls

- The application of new ESO controls should be considered as a future action, supported by a technical biodiversity, flora and/or fauna evidence base. Consideration should be given to linking with (or building on) ESO1 in the Wyndham Planning Scheme.
- The application of new DDO controls should be considered as a future action and needs to be supported by appropriate built form testing.











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