

**YARRA RANGES PLANNING SCHEME  
AMENDMENT C223YRAN  
EXPLANATORY REPORT**

**Overview**

This amendment proposes to correct minor inaccuracies and anomalies for sites across the municipality that will be either be rezoned, partly rezoned, or have redundant overlays and provisions updated or deleted as detailed below and in the Mapping Reference Table (Attachment 1) to this Explanatory Report.

**Where you may inspect this amendment**

The amendment can be inspected free of charge at the Yarra Ranges Council web site at [www.yarraranges.vic.gov.au](http://www.yarraranges.vic.gov.au) by searching "Amendment C223"; or

The amendment is available for public inspection, free of charge, during office hours at the following Yarra Ranges Community Link Centres:

- Lilydale – 15 Anderson Street, Lilydale
- Monbulk – 21 Main Road, Monbulk
- Healesville – 110 River Street, Healesville
- Upwey – 40 Main Street, Upwey
- Yarra Junction – 2442-2444 Warburton Hwy, Yarra Junction

The amendment can also be inspected free of charge at the Department of Transport and Planning website at [www.planning.vic.gov.au/public-inspection](http://www.planning.vic.gov.au/public-inspection)

**Submissions**

Any person who may be affected by the amendment may make a submission to the planning authority. Submissions about the amendment must be received by TBC 2024.

A submission must be sent to Design and Place, Yarra Ranges Council, PO Box 105 Lilydale VIC 3140, or at [mail@yarraranges.vic.gov.au](mailto:mail@yarraranges.vic.gov.au)

**Panel hearing dates**

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- Directions hearing: TBC 2024
- Panel hearing: TBC 2024

**Details of the amendment**

**Who is the planning authority?**

This amendment has been prepared by the Yarra Ranges Council, which is the planning authority for this amendment.

### **Land affected by the amendment**

The amendment applies directly to various properties and sites across the municipality that will be either rezoned, partly rezoned, or have overlays amended or deleted, ordinance amended or have redundant provisions removed as further detailed in the tables below and in the mapping reference table (Attachment 1) to this Explanatory Report.

### **What the amendment does**

The amendment proposes to:

#### Zones

- Correct zoning inaccuracies and anomalies by rezoning or partially rezoning 61 properties as detailed in Tables 1 and 2, where the existing zoning does not reflect the existing or intended use of the land, or to correct mapping boundary errors to align zoning with property boundaries.

#### Overlays

- Amend Schedule 2 to Clause 37.01 Special Use Zone Schedule 2 (SUZ2) to include accurate property addresses and land references for the sites within the schedule as detailed in Table 4 below.
- Remove redundant references to Environmentally Sustainable Design in Clause 43.02 Design and Development Overlays Schedules 4,9,11,12,13,14,15,16, 17 that are now addressed in the Environmentally Sustainable Development local policy at Clause 15.01-2L that was included in the planning scheme as part of Amendment C148.
- Amend the schedule to Clause 44.01 Erosion Management Overlay to amend a grammatical error that occurred during the approval of Amendment C217. The correction will improve the operation of the Schedule provisions.
- Removes or updates the Specific Controls Overlay from several sites as detailed in Table 3 below, as these have either expired, or the property has been developed in accordance with the site-specific requirements contained in the Incorporated Document "*Document Incorporated under the Schedule to Clause 52.03 (Specific Sites and Exclusions) of the Yarra Ranges Planning Scheme, March 2017*".
- Amends the Schedule to Clause 45.12 Specific Controls Overlay (SCO).
- Remove Site Specific Controls Overlay (SCO) 2, 3, 8, 9, 10 and 11 from the planning scheme maps as detailed in Table 3 below.

#### Incorporated Documents

- Removes the Incorporated Document '*Document Incorporated under the Schedule to Clause 52.03 (Specific Sites and Exclusions) of the Yarra Ranges Planning Scheme, March 2017*' as majority of the sites contained with this document have been developed in accordance with the site-specific requirements as detailed in table 3 below.
- Include the following Incorporated Documents into the scheme to maintain the site-specific exemptions that apply to the properties:

- 121 Old Emerald Road, Monbulk (SCO5) - '121 Old Emerald Road, Monbulk, Incorporated Document, May 2024'.
  - 100 Mt Dandenong Road, Tremont (SCO7) - '100 Mt Dandenong Tourist Road, Tremont, Incorporated Document, May 2024'
  - 72A Milners Road, Yarra Junction (SCO18) – '72A Milners Road, Yarra Junction; Pt Lot 25 PS 5142 Little Yarra Road, Yarra Junction; Pt Lot 26 PS 5142 Little Yarra Road, Yarra Junction; Pt CA W and Pt CA 53Z1 Milners Road, Yarra Junction, Incorporated Document, May 2024'
- Amends the Incorporated document “*Development and Use of Land for a Food and Drink Premise and a Caretaker's House, May 2024* (SCO6) that applies to 261 Mount Dandenong Tourist Road, Ferny Creek to amend the hours of operation.
  - Amends the schedule to Clause 72.04 Incorporated documents.

Specifically, the amendment proposes to:

1. Partially rezone the following properties to be consistent with existing use and to correct mapping errors to align with property boundaries.

**Table 1**

Land/ Area Affected	Mapping Reference	Changes to Planning Scheme	Explanation
26A Monbulk Road, Belgrave	znMap76	Partially rezone the Transport Zone 1 (TRZ1) portion of the site to Low Density Residential Zone (LDRZ).	Part of this property is zoned incorrectly. Rezoning is required to align the zone to the property boundary.  The land is owned privately and not used for transport purposes. Rezoning will reflect the correct use.
1C Old Monbulk Road, Belgrave	znMap76	Partially rezone Low Density Residential Zone (LDRZ) portion to Transport Zone 1 (TRZ1).	Part of this property is zoned incorrectly. Rezoning is required to align the zone to the property boundary.  The land is part of the Puffing Billy Preservation Society and used for transport purposes. Rezoning will reflect the correct use of the site.
6, 10 and 20 Wilson Street, Healesville	znMap12	Partially rezone the General Residential Zone – Schedule 1 (GRZ1) portion to Urban Floodway Zone (UFZ).	Part of these properties are zoned incorrectly due to the drifting of the adjoining waterway over time.  Melbourne Water has been consulted and agrees to these changes.  Rezoning is required to align the zone to the property boundary.

Land/ Area Affected	Mapping Reference	Changes to Planning Scheme	Explanation
271-273 Maroondah Highway, Healesville	znMap12	Partially rezone the General Residential Zone Schedule 1 (GRZ1) portion to Urban Floodway Zone (UFZ).	<p>Part of these properties are zoned incorrectly due to due to the drifting of the adjoining waterway over time.</p> <p>Melbourne Water has been consulted and agrees to these changes.</p> <p>Rezoning is required to align the zone to the property boundary.</p>
435-437 Maroondah Highway, Lilydale	znMap40	Rezone the Residential Growth Zone Schedule 1 to (RGZ1) portion to Commercial 2 Zone (C2Z).	<p>All land is to be included within the Commercial 2 Zone (C2Z). The C2Z is consistent with the surrounding zoning and the Lilydale Structure Plan 2022.</p> <p>Rezoning will reflect current use of the site and rectify the split zoning that is deemed unnecessary.</p>
441A Maroondah Highway, Lilydale	znMap40	Rezone the Residential Growth Zone Schedule 1 to (RGZ1) portion to Commercial 2 Zone (C2Z).	<p>All land is to be included within the Commercial 2 Zone (C2Z). The C2Z is consistent with the surrounding zoning.</p> <p>The owner requested rezoning for portion of the land that is currently zoned RGZ1 to reflect a planning permit granted for a boundary re-alignment.</p>
513 Woods Point Road, East Warburton	znMap35	Partially rezone the Public Conservation and Resource Zone (PCRZ) portion to Green Wedge A Zone 1 (GWAZ1).	<p>Part of this property is zoned incorrectly. Rezoning is required to align the zone to the property boundary.</p> <p>The property is in private ownership and rezoning is required to reflect the current use.</p>
515 Woods Point Road, East Warburton	znMap35	Partially rezone the Public Conservation and Resource Zone (PCRZ) portion to Green Wedge A Zone 1 (GWAZ1).	<p>Part of this property is zoned incorrectly. Rezoning is required to align the zone to the property boundary.</p> <p>The property is in private ownership and rezoning is required to reflect the current use.</p>

2. Rezone the following properties to be consistent with existing use and future land use.

**Table 2**

Land/ Area Affected	Planning Scheme Map No.	Changes to Planning Scheme	Explanation
<p>Coldstream 'pocket park' residential lots:</p> <p>8-10, 12, 14, 16, 18 Wheeler Street, Coldstream</p> <p>43, 45, 47, 49, 51, 53, 57, 59 Welton Drive, Coldstream</p> <p>4,6,8,12,14,16 Melrose Avenue, Coldstream</p> <p>7,9,11 Cheviot Avenue, Coldstream</p> <p>5-5A, 5, 7, 9, 11,13, 15 Witham Drive, Coldstream</p> <p>6,8,10a,10,12,14,16,18,20,22 Witham Drive, Coldstream</p> <p>7,9,11,15,17,19,21,23,25 Garlepp Street, Coldstream</p>	znMap27	Rezone properties covered by Design and Development Overlay – Schedule 19 (DDO19) from Neighbourhood Residential Zone – Schedule 3 (NRZ3) to Neighbourhood Residential Zone – Schedule 2 (NRZ2).	<p>Through approval of Amendment C177 NRZ3 (Least change areas foothills and rural townships) was incorrectly applied to the sites.</p> <p>The sites should have been zoned NRZ2 (Rural and foothills incremental change areas).</p>
1 St Benedicts Drive, Gladysdale	znMap71	Rezone from Public Conservation and Resource Zone (PCRZ) to Rural Conservation Zone – Schedule 3 (RCZ3).	<p>The Yarra State Forest is to the east of the property and zoned PCRZ, owned by Department of Sustainability &amp; Environment.</p> <p>This property is in private ownership and used for residential purposes.</p> <p>Rezoning will reflect the current use of this land.</p>
150 Cambridge Road, Kilsyth	znMap52	Rezone the site from Neighbourhood Residential Zone – Schedule 1 (NRZ1) to Public Park and Recreation Zone (PPRZ).	<p>Council acquired the land for open space purposes in 2022.</p> <p>Rezoning is required to reflect the future use of the site for open space.</p>

## Overlay Maps

3. Delete or update the Specific Controls Overlay from several sites, remove the associated Incorporated Document and include new Incorporated Documents and update to the Schedule to Clause 45.12 Specific Controls Overlay (SCO)

The amendment proposes to delete the incorporated document *'Document Incorporated under the Schedule to Clause 52.03 (Specific Sites and Exclusions) of the Yarra Ranges Planning Scheme, March 2017'* that applies to a number of sites in the municipality.

A majority of the sites included in this Incorporated Document have now been developed in accordance with the site-specific requirements listed in the document or the requirements have expired several years ago. These provisions generally allowed sites to be developed for a specific purpose by exempting them from the need to comply with other provisions in the planning scheme.

The sites affected and their exemptions are detailed in Table 3. The associated Specific Controls Overlay (SCO) mapping will also be removed from these sites and the schedule to the SCO amended.

Through review of the document, it has been identified that three sites will need to retain their site-specific exemption and two have their expiry dates extended. A new Incorporated Document specific to each site is proposed to be included in the planning scheme. The associated SCO mapping for these sites will be retained (SCO 5 and 7) and a new SCO18 will be applied to 72A Milners Road, Yarra Junction that did not have the SCO applied originally.

The amendment also proposes to amend the Incorporated document *"Development and Use of Land for a Food and Drink Premise and a Caretaker's House, May 2024"* that applies to SCO6, 261 Mount Dandenong Tourist Road, Ferny Creek to amend the hours of operation within the incorporated document that applies to the site to better align with the existing business on the site – the Proserpina Bakehouse.

The schedule to the SCO at Clause 45.12 of the planning scheme is proposed to be updated to reflect the above changes.

The schedule to Clause 72.04 Incorporated documents is proposed to be updated to reflect the deletion or insertion of incorporated documents as set out in Table 3.

**Table 3**

Subject Site	SCO No	Site-Specific Provision	Comment	Recommendation
31 Douglas Avenue, Warburton	None	Each lot must be at least 50 hectares and a maximum of 70 hectares and an average of 60 hectares.	The site-specific provision cannot be met, the size of the overall parcel is 5.97 ha. While there are no subdivision requirements in the Public Conservation and Resource Zone that applies to the land the specific provision is not able to be achieved in this case due to the lot size and should be deleted.	Delete The provision is to be deleted as part of the deletion of <i>'Document Incorporated under the Schedule to Clause 52.03 (Specific Sites and Exclusions) of the Yarra Ranges Planning Scheme, March 2017.'</i>

Subject Site	SCO No	Site-Specific Provision	Comment	Recommendation
12 Ornata Road, Mount Dandenong	SCO2	An application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of section 82(1) of the Planning & Environment Act 1987.	<p>The provision enabled the construction of a telephone tower that has since been constructed on the site.</p> <p>The provision has been acted on and is no longer required.</p>	<p>Delete</p> <p>The provision is to be deleted as part of the as part of the deletion of <u>'Document Incorporated under the Schedule to Clause 52.03 (Specific Sites and Exclusions) of the Yarra Ranges Planning Scheme, March 2017.'</u></p> <p>Remove Specific Controls Overlay 2 (SCO2) from the site.</p>
25 Madeley Drive, Wesburn	SCO3	<p>Any application for subdivision, each lot must be at least 18 hectares and a maximum of 44 hectares and an average of 25 hectares.</p> <p>The minimum size of each lot must be at least 18 hectares for subdivision, this condition cannot be met. Collectively the three lots under this address comprise of 19.447 ha.</p>	<p>The site-specific provision cannot be met as collectively the three lots former part of the land only comprise 19.447 ha in total.</p> <p>The site specific provision is not able to be achieved in this case due to the lot size and should be deleted.</p>	<p>Delete</p> <p>The provision is to be deleted as part of the as part of the deletion of <u>'Document Incorporated under the Schedule to Clause 52.03 (Specific Sites and Exclusions) of the Yarra Ranges Planning Scheme, March 2017.'</u></p> <p>Remove Specific Controls Overlay 3 (SCO3) from the site.</p>
115 and 121 Old Emerald Road, Monbulk	SCO5	Despite the provisions of Clause 53, Clause 42.03-2 of the Significant Landscape Overlay and Clause 3.0 of Schedule 1 to the Significant Landscape Overlay, a planning permit is not required to use and develop the land for a minor sports and recreational facility and associated vegetation removal (including any exotic vegetation along the adjacent road reserves), provided the development is generally in accordance with the Master Plan prepared by CPG Australia consisting of the Site Master Plan, Staging Plan and Cross	<p>The SCO5 is proposed to be retained on the site as it is yet to be developed in accordance with all of the site-specific requirements, in particular Stage 2 of the Development of Monbulk Regional Soccer facility.</p> <p>The site-specific provision that expired in 2020 is to have a new 10 year expiry applied to 2034.</p>	<p>Retain</p> <p>Include the site specific provision in a new Incorporated Document <u>'115 and 121 Old Emerald Road, Monbulk Incorporated Document, May 2024'</u></p> <p>Retain Specific Controls Overlay 5 (SCO5) applying to the site.</p>

Subject Site	SCO No	Site-Specific Provision	Comment	Recommendation
		Sections dated July 2012. Expiry 31/12/2020		
261 Mount Dandenong Tourist Road, Ferny Creek	SCO6	The purpose of the site-specific site control is to facilitate the use and development of the land for the purpose of a restaurant and a caretaker's house without the need for a planning permit in accordance with the provisions of the document – ' <u>261 Mount Dandenong Tourist Road, Ferny Creek Development and use of land for a Restaurant and Caretaker's House November 2013</u> '	<p>The current occupier of the site has requested a change to the Incorporated Document to include revised operating hours and other minor edits to be consistent with the current use of the site as a bakery.</p> <p>The provision is to be retained and amended to include amended operating hours.</p>	<p>Amend</p> <p>Amend the provisions in the existing Incorporated Document '<u>261 Mount Dandenong Tourist Road, Ferny Creek Development and use of land for a Food and Drink Premise and Caretaker's House, May 2024</u>'</p> <p>Retain Specific Controls Overlay 6 (SCO6) applying to the site.</p>
100 Mt Dandenong Tourist Road, Tremont	SCO7	A permit may be granted to develop and use the site for a service station, shop and dwelling (caretakers house), generally in accordance with the plan titled "Site Layout Plan – For: Eagles Superannuation (Vic) Pty Ltd – At: Service station, shop and dwelling 100 Mt Dandenong Tourist Road, Tremont 3785", dated 10 March 2015.	<p>Amendment C157 to the Planning Scheme enabled the land to be developed for the purpose of a service station, shop, and dwelling as the land use is prohibited on the Green Wedge A Zone 1 part of the site.</p> <p>The land ceased to be used as a service station when operator's lease expired in 2011. The site has since re-established its use for the purpose approved.</p> <p>The site specific provision should be retained to enable the continued use of the site.</p>	<p>Retain</p> <p>Include the site specific provision in a new Incorporated Document '<u>100 Mt Dandenong Tourist Road, Tremont Incorporated Document, May 2024</u>'</p> <p>Retain Specific Controls Overlay 7 (SCO7) applying to the property.</p>
25 Maroondah Parade, Healesville	SCO8	A permit may be granted to use and develop the land for a Cancer Care Retreat comprising of an accommodation facility with an ancillary caretaker's residence (existing dwelling), hobby farming, car parking and landscaping. The use and	<p>Planning permit YR-2015/1160 for the centre was issued on 20 April 2016.</p> <p>An extension of time to the original permit was issued for the completion of the</p>	<p>Delete</p> <p>The provision is to be deleted as part of the deletion of '<u>Document Incorporated under the Schedule to Clause 52.03</u>'</p>



Subject Site	SCO No	Site-Specific Provision	Comment	Recommendation
		<p>development of the land must be generally in accordance with the following plans prepared by Millar &amp; Merrigan:</p> <ul style="list-style-type: none"> <li>• Site Plan Proposed Development (Ref. 17417P1-V1)</li> <li>• Landscape Concept Plan (Ref. 17417L01-V1)</li> <li>• 3D Representation (Ref.17417P3-V1 pages 1-3).</li> </ul>	<p>development works, with a new expiry date of 20 April 2022.</p> <p>The certificate of title comprises a section 173 agreement which gives effect to the planning permit which authorises the use and development of the subject land for a Cancer Care Retreat.</p> <p>The provision has been acted on and is no longer required.</p>	<p><u>(Specific Sites and Exclusions) of the Yarra Ranges Planning Scheme, March 2017.</u></p> <p>Remove Specific Controls Overlay 8 (SCO8) from the site.</p>
<p>2876 Warburton Highway, Wesburn</p>	<p>SCO9</p>	<p>A planning permit may be issued to allow the existing building to be used for a take-away food shop.</p>	<p>Planning Permit YR-2015/89 for a take-away food premise was issued in July 2015 and the site is currently operating as a food and drink premise.</p> <p>The land was previously in the Rural Living Zone 1 when the site-specific provision was approved as part of Amendment C138 as a restaurant use was prohibited.</p> <p>Since that time the land has been rezoned to part Township Zone 1 and part Low Density Residential Zone 2 where a retail premises which includes food and drink is a permit required use and not prohibited.</p>	<p>Delete</p> <p>The provision is to be deleted as part of the deletion of <u>'Document Incorporated under the Schedule to Clause 52.03 (Specific Sites and Exclusions) of the Yarra Ranges Planning Scheme, March 2017.'</u></p> <p>Remove Specific Controls Overlay 9 (SCO9) from the site.</p>
<p>30-32 Melba Highway, Yering</p>	<p>SCO10</p>	<p>A planning permit may be issued to allow extension of the existing rural building, generally in accordance with the plans in Appendix 1 of this document.</p>	<p>Planning permit YR-2017/500 issued in 2017 allows for building and works to extend a packing shed.</p> <p>The site-specific provision is to be</p>	<p>Delete</p> <p>Delete Incorporated Document <u>'30-32 Melba Highway, Yering - July 2016'</u></p>

Subject Site	SCO No	Site-Specific Provision	Comment	Recommendation
			deleted as it has been acted on and is no longer required.	Remove Specific Controls Overlay 10 (SCO10) from the site.
5 Chum Creek Road, Healesville	SCO11	A permit may be issued for use for a Shop and/or Food and Drink Premises.	<p>The provision was included in the planning scheme through Amendment C121 to enable the issue of a permit following the Black Saturday bushfires.</p> <p>The land has not been used for the purposes of a shop and/or food and drink premises (last known operation was in 2010 as a general store) and is now a private residential dwelling.</p> <p>The site is zoned GWAZ1 and is not a suitable location for an out of centre commercial operation.</p> <p>The provision is to be removed as the site-specific requirement is no longer required.</p>	<p>Delete</p> <p>The provision is to be deleted as part of the deletion of <u>'Document Incorporated under the Schedule to Clause 52.03 (Specific Sites and Exclusions) of the Yarra Ranges Planning Scheme, March 2017.'</u></p> <p>Remove Specific Controls Overlay 11 (SCO11) from the site.</p>
72A Milners Road, Yarra Junction	None	The parcels identified are surplus Melbourne Water land and a permit may only be granted for their use or development when the responsible authority is satisfied that each parcel has been consolidated with adjoining land. Expiry 20/7/2007	<p>Melbourne Water has confirmed the lots have not been disposed of and has requested an extension of the site specific provisions for a 10 year period.</p> <p>The lots included in the land parcel did not existing Incorporated Document but did not have an SCO allocated.</p> <p>The site-specific provision that expired in 2007 is to have a new 10 year expiry applied to 2034. SCO18 will be applied to the site.</p>	<p>Retain</p> <p>Include the site specific provisions in a</p> <p>New Incorporated Document <u>'72A Milners Road, Yarra Junction</u></p> <p><u>Pt Lot 25 PS 5142 Little Yarra Road, Yarra Junction</u></p> <p><u>Pt Lot 26 PS 5142 Little Yarra Road, Yarra Junction</u></p> <p><u>Pt CA W and Pt CA 53Z1 Milners Road, Yarra Junction</u></p>

Subject Site	SCO No	Site-Specific Provision	Comment	Recommendation
				<p><u>Incorporated Document May 2024'</u></p> <p>Apply a new Specific Controls Overlay 18 (SCO18) to the site.</p>
<p>6, 8 and 10 Albert Hill Road, Lilydale (lots 7,8 and 9, PS008099)</p>	<p>None</p>	<p>Despite the provisions of the Schedule to Clause 53.01, no permit is required to develop and use the land for a police station and associated buildings and works provided it is in accordance with a concept plan prepared to the satisfaction of the responsible authority. The concept plan must show: the design and external layout of the buildings and works including landscaping; traffic management measures; and the provision of car parking. Expiry 31/3/2010</p>	<p>The land has been developed for a police station and associated building and works as enabled by the site specific provision and is no longer required.</p>	<p>Delete</p> <p>The provision is to be deleted as part of the deletion of <u>'Document Incorporated under the Schedule to Clause 52.03 (Specific Sites and Exclusions) of the Yarra Ranges Planning Scheme, March 2017.'</u></p>
<p>Realignment of Melba Highway, Yarra Glen</p>	<p>None</p>	<p>Land reserved for the purpose of realigning the Melba Highway may be developed for that purpose provided that management plans are submitted to and approved by the responsible authority and drainage authority and the plans referred to in paragraphs (a) and (b) are to the satisfaction of the Department of Natural Resources and Environment, prior to construction commencing:</p> <ul style="list-style-type: none"> <li>▪ a management strategy for the billabongs within the road reserve and any others which are acquired and these to be developed in accordance with the recommendations to VicRoads by Ecology Australia Pty Ltd "Flora and Fauna of the Proposed Melba Highway realignment, Yarra Glen, Victoria" January 1994;</li> <li>▪ a landscaping and Revegetation Proposal for the environs of the roadworks referred to in the "Recommendations to VicRoads" by Ecology Australia Pty Ltd in the</li> </ul>	<p>The Melba Highway realignment has been built and the site specific provision is no longer required.</p>	<p>Delete</p> <p>The provision is to be deleted as part of the deletion of <u>'Document Incorporated under the Schedule to Clause 52.03 (Specific Sites and Exclusions) of the Yarra Ranges Planning Scheme, March 2017.'</u></p>

Subject Site	SCO No	Site-Specific Provision	Comment	Recommendation
		<p>report referred to in paragraph (a) above;</p> <ul style="list-style-type: none"> <li>▪ appropriate prescriptions for the preservation of any significant archaeological sites/materials in accordance with the requirements of the Heritage Series Section, Aboriginal Affairs, Victoria and the Coranderrk Koori Cooperative. Expiry 20/7/2007</li> </ul>		
<p>Signs Hill' area, including the former Warburton Hospital and associated properties, Warburton. (PC 352767K, Lot 1 of TP 805036D, Lot 1 of TP 805035F and Lot 6 of PS 48810).</p>	<p>None</p>	<p>A permit may be granted for the subdivision of the subject land into thirty-one (31) lots, generally in accordance with the plan labelled as "Proposed Development Warburton Hospital", prepared by Millar &amp; Merrigan, reference 11324T1, version 13A: 2/6/2008. One allotment shall be a body corporate lot, comprising all the hospital buildings and grounds including No 14 and 16 Blackwood Avenue. Separate ownership and subdivision shall be restricted to the six major buildings as indicated on plan 11324T1 version 13A 2/6/2008 with the balance of the land becoming common property. All lots created must be connected to reticulated sewer and underground drains.</p> <p>An application generally in accordance with the above is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of section 82(1) of the Planning &amp; Environment Act 1987.</p> <p>A recording and interpretation plan must be prepared for the interior of the hydrotherapy building, to the satisfaction of the responsible authority prior to any buildings and works, including demolition or alterations</p>	<p>The provision was included in the planning scheme through Amendment C43 to enable the-subdivision of the land into of thirty-one (31) lots. More specifically to enable the Warburton Hospital and 22 existing dwellings to be included on separate lots.</p> <p>The provision was required as the lots to be created were below the minimum subdivision size in the Low Density Residential Zone.</p> <p>A planning permit YR-2008/769/2 was granted on 14 January 2013 with all lots subsequently registered on title. The provision which expired in 2013 has been acted on and is no longer required.</p>	<p>Delete</p> <p>The provision is to be deleted as part of the deletion of <u><i>Document Incorporated under the Schedule to Clause 52.03 (Specific Sites and Exclusions) of the Yarra Ranges Planning Scheme, March 2017.</i></u></p>

Subject Site	SCO No	Site-Specific Provision	Comment	Recommendation
215-217 Victoria Road, Yering	None	The land may be used and developed in accordance with the incorporated document "Eastern Golf Club Yering, February 2013".	<p>Amendment C130 rezoned the land to Special Use Zone (SUZ9) and incorporated the document <i>Eastern Golf Club into the planning scheme on 08 February 2013</i> in the planning scheme.</p> <p>The site specific provision is already included in the scheme as part of a separate Incorporated Document and does not need to also be retained in the Incorporated Document 'Document Incorporated under the Schedule to Clause 52.03 (Specific Sites and Exclusions) of the Yarra Ranges Planning Scheme, March 2017'.</p>	<p>Delete</p> <p>The provision is to be deleted as part of the deletion of <u>'Document Incorporated under the Schedule to Clause 52.03 (Specific Sites and Exclusions) of the Yarra Ranges Planning Scheme, March 2017.'</u></p>

#### 4. Cambridge Road, Kilsyth

It is proposed to remove Development Plan Overlay Schedule 10 (Former Yarra Hills Secondary College – 150 Cambridge Road, Kilsyth) that facilitated housing on the land given the land is now in Council ownership and will be developed for open space purposes.

#### Planning Scheme Ordinance

#### 5. Amend Schedule 2 Major Tourist Facility to Clause 37.01 Special Use Zone (SUZ2):

The amendment proposes to amend Schedule 2 to the Special Use Zone Schedule (SUZ2) at Clause 37.01 to include accurate property addresses for all SUZ2 listed sites. Currently the schedule includes confusing property addresses that don't align with the actual addresses of each site or do not include the full street address. Further information on these sites is included in Table 4.

Table 4

Schedule 2 to Clause 37.01	Current address/ land reference	Updated address reference
Section 2.1	Heritage Golf Course, Hughes Road, Chirnside Park	1-3 Hughes Road, Chirnside Park
Section 2.2	'The Country Place', Olinda Creek Road, Kalorama	180 Olinda Creek Road, Kalorama
Section 2.3	No content	Delete section

<b>Section 2.4</b>	Maroondah Highway - Dalry Road, Healesville	16 Airlie Road, Healesville and 15 Healesville-Kooweerup Rd, Healesville
<b>Section 2.5</b>	Maroondah Highway – Mt Riddell Road, Healesville	11 Maroondah Highway, Healesville
<b>Section 2.6</b>	'Warburton Chalet', Scotchmans Creek Road, Warburton	3300 Warburton Highway, Warburton
<b>Section 2.7</b>	Little Yarra Road, Gilderoy	1350 Little Yarra Road, Gilderoy & 1420 Little Yarra Road, Gilderoy
<b>Section 2.8</b>	'Warburton Mountain Resort', Martyr Road, Warburton	40 Martyr Road and 1A Kent Street, Warburton
<b>Section 2.9</b>	'Mt Rael', Healesville – Yarra Glen Road, Healesville	140 Healesville-Yarra Glen Road, Healesville
<b>Section 2.10</b>	'Kenloch', Mt Dandenong Tourist Road, Olinda	487 Mt Dandenong Tourist Road, Olinda
<b>Section 2.11</b>	'Baron of Beef', Sherbrooke Road, Sherbrooke	10 Sherbrooke Road, Sherbrooke
<b>Section 2.12</b>	Balgownie Estate, 1309 Melba Highway, Yarra Glen	1309 Melba Highway, Yarra Glen

6. Delete outdated Environmentally Sustainable Design references from Clause 43.02 Design and Development Overlay (DDO)

The amendment proposes to remove outdated references to Environmentally Sustainable Design in Design and Development Overlays 4,9,11,12,13,14,15,16 and 17 that are inconsistent with, and now addressed in the Environmentally Sustainable Development local policy at Clause 15.01-2L of the planning scheme that was included in the planning scheme as part of Amendment C148.

7. Minor correction to the Schedule to Clause 44.01 Erosion Management Overlay:

The amendment proposes to correct a minor grammatical error in the schedule to the Erosion Management Overlay that occurred during the recent approval of Amendment C217. The correction will improve the operation of the schedule provisions.

## **Strategic assessment of the amendment**

### **Regional Strategy Plan**

#### **How does the amendment implement the Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan?**

The role of the Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan is to ensure that planning in the Region continues to protect the special character and features of the Region in accordance with the Principles of Statement of Planning Policy No 3. It is administered under Section 46F of the Planning and Environment Act 1987, which prohibits the Minister for Planning from approving

any amendment to the Yarra Ranges Planning Scheme that is inconsistent with the Regional Strategy Plan and its key policy directions.

The Regional Strategy Plan applies to all land within the Shire of Yarra Ranges. The Regional Strategy Plan was prepared to have regard to matters to enable increased protection for the special features and character of the Region.

As the amendment only proposes to correct minor anomalies in the planning scheme it is consistent with the Regional Strategy Plan.

### **Why is the amendment required?**

The amendment will improve the operation of the Yarra Ranges Planning Scheme by:

- Rectifying anomalies to ensure properties are covered by the zone control that best suits their function.
- Ensuring properties are not covered by more than one zoning when multiple zoning is not justified.
- Removing redundant overlay controls.
- Updating planning provisions to improve the operation of specific schedules and Incorporated Documents.

### **How does the amendment implement the objectives of planning in Victoria?**

The amendment is relevant to objectives of planning in Victoria, as contained in Section 4 of the Planning and Environment Act 1987:

- (a) to provide for the fair, orderly, economic and sustainable use and development of land;
- (b) to provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity;
- (c) to secure a pleasant, efficient, and safe working, living and recreational environment for all Victorians and visitors to Victoria;
- (e) to protect public utilities and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community;
- (g) to balance the present and future interests of all Victorians.

The amendment will contribute to these objectives by:

- Ensuring affected land is appropriately zoned for its existing and intended use.
- Provide for fair, orderly, economic and sustainable use and development of land through the application of appropriate planning controls and removal of redundant overlays.

### **How does the amendment address any environmental, social and economic effects?**

The amendment addresses environmental, social and economic effects as it will confirm the intended status and management of land with appropriate zoning or clarified planning controls.

The rezoning of land will allow land to be used for its intended purposes, to be developed appropriately, or bought and sold as necessary.

The amendment of the Design and Development Overlay Schedules will improve functionality and operation of the Yarra Ranges Planning Scheme and will not have any environmental, social or

economic impacts.

The removal of the redundant site-specific exemptions will remove redundant and expired requirements from the planning scheme.

The removal of the redundant overlays will remove unnecessary development restrictions for owners and occupiers in the future.

**Does the amendment address relevant bushfire risk?**

Some of the properties in this amendment are within a Bushfire Management Overlay or a Bushfire Prone Area. Clause 13.02- 1S (Bushfire) of the Planning Scheme has been considered in preparing the amendment, and the amendment is not considered to increase the risk to life from bushfire, or direct population growth to areas of bushfire risk.

Future planning approvals will need to satisfy Clause 13.02 and other relevant parts of the planning scheme. Future building approvals of any land in a Bushfire Prone Area will need to meet the requirements of AS3959-2018 for buildings with a residential use.

**Does the amendment comply with the requirements of any other Minister's Direction applicable to the amendment?**

The amendment complies with the requirements of the Ministerial Direction – The Form and Content of Planning Schemes (section 7(5) of the PE Act).

The amendment complies with the requirements of Ministerial Direction No. 11 Strategic Assessment of Amendments.

**How does the amendment support or implement the Planning Policy Framework and any adopted State policy?**

The amendment seeks to correct anomalies and administrative errors in the Yarra Ranges Planning Scheme and will not have any impact on the State Planning Policy Framework or adopted State policy.

**How does the amendment support or implement the Municipal Planning Strategy?**

The amendment supports the strategic directions for settlement at 02.03-1, environment at 02.03-2, the built environment at 02.03-5, and housing at 02.03-6.

**Does the amendment make proper use of the Victoria Planning Provisions?**

The amendment will result in planning scheme zones that better reflect the land tenure and land use planning objectives for the land. The Amendment makes appropriate use of the Victoria Planning Provisions through the implementation of zones and overlays to appropriately guide use and development of the relevant land.

**How does the amendment address the views of any relevant agency?**

The prescribed government agencies will be notified of the amendment and will be given an opportunity to make a submission.

Council has consulted with Melbourne Water in the preparation of the amendment for properties in its ownership or that affect flood provisions.

**Does the amendment address relevant requirements of the Transport Integration Act 2010?**

The amendment will not impact the relevant requirements of the *Transport Integration Act 2010*, in particular the need for the transport system to provide for the effective integration of transport and land use.

**Resource and administrative costs**



**What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?**

The amendment will have a positive effect on resource and administrative costs as it is, in part removing redundant planning controls from the Planning Scheme and in doing so, reducing planning permits.

**ATTACHMENT 1 - Mapping reference table**

<b>Land/ Area Affected</b>	<b>Mapping Reference</b>	<b>Changes to Planning Scheme</b>
26A Monbulk Road, Belgrave	znMap76	Part Rezone
1C Old Monbulk Road, Belgrave	znMap76	Part Rezone
7 Cheviot Avenue, Coldstream	znMap27	Rezone
9 Cheviot Avenue, Coldstream	znMap27	Rezone
11 Cheviot Avenue, Coldstream	znMap27	Rezone
7 Garlepp Street, Coldstream	znMap27	Rezone
9 Garlepp Street, Coldstream	znMap27	Rezone

11 Garlepp Street, Coldstream	znMap27	Rezone
15 Garlepp Street, Coldstream	znMap27	Rezone
17 Garlepp Street, Coldstream	znMap27	Rezone
19 Garlepp Street, Coldstream	znMap27	Rezone
21 Garlepp Street, Coldstream	znMap27	Rezone
23 Garlepp Street, Coldstream	znMap27	Rezone
25 Garlepp Street, Coldstream	znMap27	Rezone
4 Melrose Avenue, Coldstream	znMap27	Rezone
6 Melrose Avenue, Coldstream	znMap27	Rezone
8 Melrose Avenue, Coldstream	znMap27	Rezone
12 Melrose Avenue, Coldstream	znMap27	Rezone
14 Melrose Avenue, Coldstream	znMap27	Rezone
16 Melrose Avenue, Coldstream	znMap27	Rezone
43 Welton Drive, Coldstream	znMap27	Rezone
45 Welton Drive, Coldstream	znMap27	Rezone
47 Welton Drive, Coldstream	znMap27	Rezone
49 Welton Drive, Coldstream	znMap27	Rezone
51 Welton Drive, Coldstream	znMap27	Rezone
53 Welton Drive, Coldstream	znMap27	Rezone
57 Welton Drive, Coldstream	znMap27	Rezone
59 Welton Drive, Coldstream	znMap27	Rezone
8-10 Wheeler Street, Coldstream	znMap27	Rezone
12 Wheeler Street, Coldstream	znMap27	Rezone
14 Wheeler Street, Coldstream	znMap27	Rezone
16 Wheeler Street, Coldstream	znMap27	Rezone
18 Wheeler Street, Coldstream	znMap27	Rezone
5-5A Witham Drive, Coldstream	znMap27	Rezone
5 Witham Drive, Coldstream	znMap27	Rezone
6 Witham Drive, Coldstream	znMap27	Rezone

7 Witham Drive, Coldstream	znMap27	Rezone
8 Witham Drive, Coldstream	znMap27	Rezone
9 Witham Drive, Coldstream	znMap27	Rezone
10a Witham Drive, Coldstream	znMap27	Rezone
10 Witham Drive, Coldstream	znMap27	Rezone
11 Witham Drive, Coldstream	znMap27	Rezone
12 Witham Drive, Coldstream	znMap27	Rezone
13 Witham Drive, Coldstream	znMap27	Rezone
14 Witham Drive, Coldstream	znMap27	Rezone
15 Witham Drive, Coldstream	znMap27	Rezone
16 Witham Drive, Coldstream	znMap27	Rezone
18 Witham Drive, Coldstream	znMap27	Rezone
20 Witham Drive, Coldstream	znMap27	Rezone
22 Witham Drive, Coldstream	znMap27	Rezone
1 St Benedicts Drive, Gladysdale	znMap71	Rezone
6 Wilson Street, Healesville	znMap12	Part Rezone
10 Wilson Street, Healesville	znMap12	Part Rezone
20 Wilson Street, Healesville	znMap12	Part Rezone
271-273 Maroondah Highway, Healesville	znMap12	Part Rezone
150 Cambridge Road, Kilsyth	znMap52	Rezone
435-437 Maroondah Highway, Lilydale	znMap40	Part Rezone
441A Maroondah Highway, Lilydale	znMap40	Part Rezone
513 Woods Point Road, East Warburton	znMap35	Part Rezone
515 Woods Point Road, East Warburton	znMap35	Part Rezone
12 Ornata Road, Mount Dandenong	SCOMap52	Remove SCO2
25 Madeley Drive, Wesburn	SCOMap47	Remove SCO3
25 Maroondah Parade, Healesville	SCOMap12	Remove SCO8
2876 Warburton Highway, Wesburn	SCOMap47	Remove SCO9
30-32 Melba Highway, Yering	SCOMap19	Remove SCO10

5 Chum Creek Road, Healesville	SCOMap11	Remove SCO11
72A Milners Road, Yarra Junction	SCOMap58,46	Apply SCO18
150 Cambridge Road, Kilsyth	ZnMap 52 DPOMap52	Rezone Remove DPO10

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