

## **Attachment 2: Relevant Planning Scheme Requirements**

### **Zone**

#### **Clause 32.07 Residential Growth Zone (RGZ)**

##### Purpose

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies;
- To provide housing at increased densities in buildings up to and including four storey buildings;
- To encourage a diversity of housing types in locations offering good access to services and transport including activities areas;
- To encourage a scale of development that provides a transition between areas of more intensive use and development and areas of restricted housing growth; and
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

Pursuant to the provisions of the zone, a planning permit is required to construct two or more dwellings on a lot. An application must meet the requirements of Clause 55.

### **Overlays**

#### **Clause 43.02 Design and Development Overlay Schedule 7 (DDO7)**

##### Purpose

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To identify areas which are affected by specific requirements relating to the design and built form of new development.

The site is located within Schedule 7 – Lilydale Activity Centre Residential Areas. The schedule provides the following design objectives:

- To implement the objectives of the Lilydale Structure Plan, Lilydale Urban Improvement Project and the Shire of Yarra Ranges Housing Strategy.
- To increase residential density and to provide for a range dwelling types within the housing consolidation area of Lilydale.
- To encourage the aggregation of existing lots allowing greater flexibility to design quality higher density residential development that complements the existing streetscape.
- To ensure new development is articulated and upper storey elements are not bulky or visually obtrusive.

- To ensure new development retains existing streetscape elements of setback and spacing between buildings.
- To ensure that the design of new buildings provides an appropriate transition of scale and form to buildings on adjacent lots.
- To protect the amenity of existing dwellings by confining higher built form to larger lots. To ensure street frontages and open space provide sufficient room for canopy trees and vegetation. To protect identified heritage elements and encourage the retention of older significant buildings in new developments.

Pursuant to the provisions of the Schedule to the Overlay a planning permit is required to construct a building or construct or carry out works.

### **Clause 44.04 Land Subject to Inundation Overlay (LSIO)**

#### **Purpose**

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To identify land in a flood storage or flood fringe area affected by the 1 in 100 year flood or any other area determined by the floodplain management authority.
- To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.
- To reflect any declaration under Division 4 of Part 10 of the Water Act, 1989 where a declaration has been made; to protect water quality in accordance with the provisions of relevant State Environment Protection Policies, particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).
- To ensure that development maintains or improves river and wetland health, waterway protection and flood plain health.

Pursuant to the provisions of the schedule to the overlay a planning permit is required to construct a building or construct or carry out works.

An application must be referred to the relevant floodplain management authority under Section 55 of the Act unless in the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the floodplain management authority.

### **Planning Policy**

#### **02.03-1 Activity Centres**

Locate retail, commercial, entertainment, community services and facilities and other intensive employment generating activities within established activity centres.

Accommodate additional retail and office floor space within larger activity centres.

Discourage activity centre functions in out of centre locations.

Support housing within and adjoining activity centres.

Support well-designed and integrated activity centres that service the needs of local residents and visitors and contribute to a sense of local identity.

### **02.03-6 Housing**

Support residential growth, increased densities and housing diversity in the consolidation areas of the major activity centres.

Support diverse housing on key redevelopment sites and combined lots that are close to community services, local employment and public transport.

Support affordable housing in new developments in consolidation areas and other locations with access to town centres, commercial and community facilities.

Contain residential subdivision within the existing Urban Growth Boundary.

Discourage housing in locations that would increase the potential for land use conflicts and adverse impacts on landscape amenity or the environment.

Support aged care accommodation in locations that meet the needs of an ageing population.

### **11.03-1L-01 Activity Centres - General**

Support use and development that reinforces the role and function of each activity centre as defined in Table 2 - Yarra Ranges Activity Centre Hierarchy in Clause 02.03-1.

Maintain a network of vibrant activity centres.

Facilitate a diverse mix of land uses within activity centres as defined in Table 2 - Yarra Ranges Activity Centre Hierarchy in Clause 02.03-1.

Design development to avoid conflicting land uses.

Support development of safe and accessible public spaces in activity centre.

Design development to provide a building character, scale and density that is compatible with the environmental and preferred built character of a centre.

Ensure development responds to the land capability of the site.

### **11.03-1L-01 Activity Centres - Residential Development**

Locate housing in activity centres to take advantage of existing infrastructure and under-utilised sites.

Encourage residential accommodation to be incorporated into commercial developments.

Support shop top housing and other mixed-use development types that include housing.

Discourage residential occupation of the ground floor or street frontage in retail precincts.

Locate residential entrances and private outdoor open space to avoid conflicts.  
Provide accessible off-street parking.

### **11.03-1L-01 Activity Centres - Major Activity Centre**

Support development in major activity centres that:

- Provides a mix of retail, commercial, entertainment, cultural and other uses.
- Has public transport linkages and serves a large regional catchment.
- Provides additional residential dwellings.
- Provides specialist medical and higher order medical services.

### **11.03-1L-01 Activity Centres - Policy Guidelines**

Consider as relevant:

- For proposals with leasable retail floor area of more than 2,000 square metres the impact of the development on:
  - The demand for additional retail facilities.
  - The role of the activity centre in which it is located, and on the viability of other activity centres in the Yarra Ranges activity centre network.
  - The implications on local employment and overall net community benefit.

### **11.03-1L-02 Lilydale Activity Centre – Strategies**

#### Residential Precinct

Encourage residential development that is diverse in size and scale affordable, and accessible.

Avoid the incremental loss of residential development areas

Provide specialised and aged care residential accommodation on large undeveloped sites at the rear of commercial premises east of the Warburton Rail Trail.

Retain predominantly residential use on the properties fronting the Maroondah Highway between Anderson Street and the Warburton Rail Trail.

#### Built Form

Encourage development to complement and reinforce the activity centre character.

Design development on land north of the Maroondah Highway between Cave Hill Road and the railway and transport interchange to provide an attractive entry to Lilydale.

### **15.01-1L Urban Design in Activity Centres**

Provide active frontages to main streets and other key public domain areas of activity centres to encourage pedestrian activity.

Encourage pedestrian links between an activity centre, car parking, public transport facilities, recreational trails and parklands.

Design new development to respect the amenity of adjoining residential areas.

Design car parking, vehicle accessways and drive through facilities to avoid disruption to continuous retail frontages or create impediments to pedestrian circulation

Design development to provide accessibility including accommodating motorised scooters, wheelchairs and prams.

Encourage underground cabling, cable bundling or co-location of services and telecommunications infrastructure to improve the amenity of streetscapes and increase opportunities for substantial street trees.

## **15.01-2L Environmentally Sustainable Development - Policy Guidelines**

### Residential

A Sustainable Design Assessment (including an assessment using BESS, STORM or other methods) for:

- 3-9 dwellings.

A Sustainability Management Plan (including an assessment using BESS/Green star, STORM/MUSIC or other methods) and a Green Travel Plan for:

- 10 or more dwellings.

## **15.01-5L Neighbourhood Character**

### Objective

To protect the distinctive characteristics and environmental features of residential neighbourhoods.

### Strategies

Design development to complement existing site features such as slope, terrain, substantial trees and remnant vegetation.

Retain extensive tree canopy cover and native vegetation.

Support the establishment and maintenance of substantial trees within residential areas.

Site and design development on land adjoining public land and open space to provide passive surveillance.

## **16.01-1L Housing Consolidation Areas**

### Strategies

Support additional and diverse housing in areas identified as Consolidation Areas in the map to this clause.

Support additional housing within easy walking distance to shops, public transport, open space and schools.

Support infill housing development that retains and/or upgrades existing housing and enhances the overall character of the area.

Encourage higher density housing development that provides a high level of internal and external residential amenity.

Discourage additional housing in areas with significant vegetation or infrastructure constraints or on land with steep slopes.

### **19.03-3L Water Management**

#### Domestic

Facilitate the capture, storage, and recycling of stormwater and wastewater for non-drinking purposes.

Support water sensitive urban design as part of stormwater drainage infrastructure.

Ensure waterways and groundwater are not contaminated by household wastewater.

### **Particular Provisions**

#### **Clause 52.06 Car Parking**

The purpose of this clause is:

- To ensure that car parking is provided in accordance with the State Planning Policy Framework and Local Planning Policy Framework.
- To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.
- To support sustainable transport alternatives to the motor car.
- To promote the efficient use of car parking spaces through the consolidation of car parking facilities.
- To ensure that car parking does not adversely affect the amenity of the locality.
- To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

Table 1 at Clause 52.06-5 sets out the car parking requirement that applies to a use listed in the Table. Pursuant to Table 1 the proposed use for a eleven (11) dwellings requires that a minimum number of one (1) car space to each one-two bedroom dwelling, and two (2) car spaces to each three or more bedroom dwelling be provided on site. In addition, a minimum one (1) visitor car parking space is require to every 5 dwellings.

#### **Clause 55**

The purpose of this clause is:

- To implement the Planning Policy Framework, and local planning policies.

- To achieve residential development that respects the existing neighbourhood character or which contributes to a preferred neighbourhood character.
- To encourage residential development that provides reasonable standards of amenity for existing and new residents.
- To encourage residential development that is responsive to the site and the neighbourhood.