

## **Municipal Planning Strategy**

### **02.03-1 Settlement**

There are opportunities for more intensive development within and adjoining activity centres to provide additional housing and employment generating uses.

The redevelopment of urban areas and key redevelopment sites including the Chirnside Park Activity Centre, the former Cave Hill Quarry and the former Swinburne University, will expand the diversity of housing, education, recreation and employment opportunities in Yarra Ranges.

Council's strategic directions for settlement are to:

- Contain urban development and urban renewal within the urban growth boundary.
- Support a mix of housing, business opportunities and community infrastructure within the suburbs and larger rural towns.

### **02.03-2 Environmental and landscape values**

#### **Biodiversity**

Yarra Ranges retains extensive areas of forested land together with a complex network of fragmented remnants of indigenous vegetation and waterways that provide habitats for a rich biodiversity. Remnant scattered trees and vegetation on private land also provide habitat and connectivity to the areas of public reserves that exist in Yarra Ranges. A significant proportion of indigenous vegetation especially within the foothills and valleys of Yarra Ranges was cleared as part of past land management practices.

The patchwork of fragmented bushland remnants throughout the settled areas of Yarra Ranges is susceptible to incremental vegetation removal, weed and pest animal invasion. Loss of vegetation from the landscape leads to nutrient loss, soil erosion, silting and pollution of waterways which can contribute to reduced agricultural production. Further fragmentation of bushland remnants also undermines their long-term viability as wildlife habitat.

#### **River corridors, catchments and waterways**

The waterways within the Yarra River and Dandenong Creek catchments are important environmental and water supply assets of the region although they suffer from degradation due to past and ongoing land management practices.

The Yarra River and its associated wetlands are important for wildlife habitat, as a landscape feature, a source of drinking water and as a recreational resource.

Remnant vegetation along waterways plays an important role in protecting in stream habitat and water quality. Responsible land and water management will help to protect drinking water quality and enhance the value of Yarra Ranges' bushland remnants and waterways as wildlife habitats, water resources and for recreation.

Land use and development within the catchment areas of the Yarra River may have an adverse impact on water quality within Yarra Ranges waterways.

Council's strategic directions for environment are to:

- Avoid the incremental loss and further fragmentation of large intact remnant patches of indigenous vegetation.
- Sustainably manage habitat areas and improve connections between them.
- Offset unavoidable vegetation removal by revegetation or land management measures that achieve a net increase in key biodiversity assets.
- Protect biodiversity assets on public land and areas that are accessible to the public.
- Avoid the removal of indigenous vegetation or significant earthworks within riparian environments that will impact on water quality and habitat value of waterways.

### **02.03-3 Environmental risks and Amenity**

Due to the natural land form, urban fringe and projected climate change, communities are exposed to environmental hazards including bushfire, landslip, flooding and soil contamination. Priority should be given to the protection of human life in the management of areas that are affected by environmental hazards.

Council's strategic directions for environmental risks are to:

- Discourage additional dwellings, subdivision and other sensitive land uses in bushfire prone areas and where the required defensible space would necessitate significant removal of high-quality indigenous vegetation.
- Locate and design development to minimise the potential risk from flooding.
- Protect the storage capacity of flood pondage areas.
- Locate and design development within areas of landslip risk to minimise the potential risk to life and property.

#### Amenity

Residential zones can permit a range of non-residential business uses that meet local community needs. Opportunities for non-residential uses in residential zones should respond to local community needs and retain the residential character of the area.

### **02.03-5 Built environment and heritage**

Scenic landscapes are a key contributor to Yarra Ranges and new development should consider the rural landscape setting and distinct separation from other urban areas. Future built form will adopt environmentally sustainable principles, be accessible to people of all disabilities, respect heritage places and reinforce the valued characteristics of their surroundings.

Council's strategic directions for the built environment and heritage are to:

- Protect and respect sensitive environments, significant landscapes and cultural and natural heritage.

- Incorporate best practice environmental design to contribute to sustainable building form.
- Encourage development that contributes to a sense of place and adds to the character and identity of the distinct localities in Yarra Ranges.

### **02.03-6 Housing**

There are existing opportunities within established urban areas and key strategic redevelopment sites to accommodate future housing and employment opportunities.

Concentration of additional housing development in identified consolidation areas (refer to Residential Framework Plan to Clause 16.01-1L) based on established activity centres will improve housing diversity, increase proportion of housing with access to services.

Council's strategic directions for housing area to:

- 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.

## **Planning Policy Framework**

### **Clause 11.01-1S Settlement**

This Clause seeks to facilitate the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.

### **Clause 11.01-1L-01 Settlement**

Cluster businesses, community facilities and housing within activity centres. Support residential infill development in the consolidation areas of large neighbourhood activity centres or where appropriate to the role of the town or suburb consistent with Table 2 to Clause 2.03-1.

Discourage infill residential development in incremental areas that are not walkable to shops, public transport and public open space or in areas of environmental risk. Discourage higher density housing in locations with poor access to activity centres. Retain smaller towns and dispersed communities as locations for rural residential development options, which are dependent on larger urban centres for many services.

Contain rural towns within Urban Growth Boundaries to create distinctive and compact towns separated by rural land.

#### **Clause 11.02-1S Supply of Urban Land**

This Clause seeks to ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.

Ensure the ongoing provision of land and supporting infrastructure to support sustainable urban development.

Ensure that sufficient land is available to meet forecast demand.

Plan to accommodate projected population growth over at least a 15 year period and provide clear direction on locations where growth should occur. Residential land supply will be considered on a municipal basis, rather than a town-by-town basis.

Planning for urban growth should consider:

- Opportunities for the consolidation, redevelopment and intensification of existing urban areas.
- Neighbourhood character and landscape considerations.
- The limits of land capability and natural hazards and environmental quality.
- Service limitations and the costs of providing infrastructure.

Monitor development trends and land supply and demand for housing and industry.

Maintain access to productive natural resources and an adequate supply of well-located land for energy generation, infrastructure and industry.

Restrict rural residential development that would compromise future development at higher densities.

#### **Clause 12.01-1S Protection of biodiversity**

This Clause seeks to protect and enhance Victoria's biodiversity.

#### **Clause 12.01-1L Biodiversity**

Strategies:

Support land management including fencing of remnant vegetation from livestock grazing and weed control to protect flora and fauna habitats and riparian vegetation.

Support rehabilitation and revegetation of bio-link corridors for wildlife to move between core habitat areas.

Protect and enhance areas containing indigenous vegetation patches on public land.

Encourage development on land adjoining public conservation reserves to protect and enhance the biodiversity assets on the public land.

Support planting of indigenous vegetation to provide habitat for local flora and fauna.

Ensure unavoidable vegetation removal is adequately offset by revegetation and land management that achieve a net improvement in Yarra Ranges' biodiversity assets.

Direct revegetation and land management improvements associated with vegetation removal offsets to identified habitat corridor links and other key sites within Yarra Ranges.

Protect the biodiversity values of conservation open spaces through revegetation and land management improvements including vegetation offsets.

### **Clause 12.01-2S Native vegetation management**

This Clause seeks to ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation.

Strategies:

Ensure decisions that involve, or will lead to, the removal, destruction or lopping of native vegetation, apply the three-step approach in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning, 2017):

- Avoid the removal, destruction or lopping of native vegetation.
- Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.
- Provide an offset to compensate for the biodiversity impact from the removal, destruction or lopping of native vegetation.

### **Clause 12.03-1S River and riparian corridors, waterways, lakes, wetlands and billabongs**

This Clause seeks to protect and enhance waterway systems including river and riparian corridors, waterways, lakes, wetlands and billabongs.

#### Policy guidelines

Consider as relevant:

- Locating earthworks, including dams, a minimum of 30 metres from waterway systems.
- Locating development a minimum of 30 metres from the banks of waterway systems.
- The views of floodplain and waterway managers.
- Any regional catchment strategy and related plans approved under the Catchment and Land Protection Act 1994.

### **Clause 12.05-1S Environmentally sensitive areas**

This Clause seeks to protect and conserve environmentally sensitive areas.

### **Clause 12.05-2S Landscapes**

This Clause seeks to protect and enhance significant landscapes and open spaces that contribute to character, identity and sustainable environments

### **Clause 13.01-1S Natural hazards and climate change**

This Clause seeks to minimise the impacts of natural hazards and adapt to the impacts of climate change through risk-based planning.

#### Policy guidelines

Consider as relevant:

- Climate change data and information maintained by the Department of Energy, Environment and Climate Action.
- Adaptation action plans prepared under Division 2 of Part 5 of the *Climate Change Act 2017*.

### **Clauses 13.02 Bushfire**

This Clause seeks to strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.

Strategies:

Give priority to the protection of human life by:

- Prioritising the protection of human life over all other policy considerations.
- Directing population growth and development to low risk locations and ensuring the availability of, and safe access to, areas where human life can be better protected from the effects of bushfire.
- Reducing the vulnerability of communities to bushfire through the consideration of bushfire risk in decision making at all stages of the planning process.

### **Clause 15.01-3S Subdivision Design**

This Clause seeks to ensure the design of subdivisions achieves attractive, safe, accessible, diverse and sustainable neighbourhoods.

Strategies:

In the development of new residential areas and in the redevelopment of existing areas, subdivision should be designed to create liveable and sustainable communities by:

- Creating compact neighbourhoods that have walkable distances between activities.
- Developing activity centres in appropriate locations with a mix of uses and services and access to public transport.
- Creating neighbourhood centres that include services to meet day to day needs.
- Creating urban places with a strong sense of place that are functional, safe and attractive.
- Providing a range of lot sizes to suit a variety of dwelling and household types to meet the needs and aspirations of different groups of people.
- Creating landscaped streets and a network of open spaces to meet a variety of needs with links to regional parks where possible.
- Protecting and enhancing habitat for native flora and fauna, and providing opportunities for people to experience nature in urban areas.
- Facilitating an urban structure where neighbourhoods are clustered to support larger activity centres served by high quality public transport.
- Reduce car dependency by allowing for:
  - Convenient and safe public transport.
  - Safe and attractive spaces and networks for walking and cycling.
  - Subdivision layouts that allow easy movement within and between neighbourhoods.
  - A convenient and safe road network.
- Minimising exposure of sensitive uses to air and noise pollution from the transport system.
- Being accessible to people with disabilities.
- Creating an urban structure that:
  - Responds to climate related hazards.
  - Incorporates integrated water management, including sustainable irrigation of open space.
  - Minimises peak demand on the electricity network.
  - Supports energy efficiency and solar energy generation through urban layout and lot orientation.
  - Supports waste minimisation and increased resource recovery.

- Providing utilities and services that support the uptake of renewable energy technologies, such as microgrids and energy storage systems, including batteries.
- Providing all-electric lots.

### **Clause 15.01-3L Residential Subdivision Design**

Strategies:

Design subdivisions to respond to existing physical, environmental and visual characteristics of a site and the surrounding area.

Support flexibility and diversity in residential subdivision design in consolidation areas.

Support a variety of lot sizes outside of consolidation areas where it will assist in retaining significant vegetation and other valued neighbourhood characteristics.

Retain significant environmental and landscape features when subdividing large lots within the Neighbourhood Residential Zone.

Design subdivisions to enable lots to have a strong street presence and to be conveniently accessible from the street.

Design subdivision layouts to:

- Minimise the removal of substantial vegetation and provide adequate opportunity for landscaping.
- Avoid court bowls that minimise on-street car parking and access for garbage collection and emergency vehicles.
- Minimise vehicle crossovers to maintain street trees and roadside vegetation.

Policy Guidelines:

Consider as relevant:

- Creating lots large enough in incremental change areas to accommodate a dwelling that covers no more than 40 per cent of the site.
- Providing a street frontage of at least 8 metres in the Low Density Residential Zone

### **Clause 15.01-4S Healthy neighbourhoods**

This Clause seeks to achieve neighbourhoods that foster healthy and active living and community wellbeing.



Strategies:

Design neighbourhoods that foster community interaction and make it easy for people of all ages and abilities to live healthy lifestyles and engage in regular physical activity by providing:

- Connected, safe, pleasant and attractive walking and cycling networks that enable and promote walking and cycling as a part of daily life.
- Streets with direct, safe and convenient access to destinations.
- Conveniently located public spaces for active recreation and leisure.
- Accessibly located public transport stops.
- Amenities and protection to support physical activity in all weather conditions.

Policy Documents:

Consider as relevant:

- *Urban Design Guidelines for Victoria* (Department of Environment, Land, Water and Planning, 2017)

### **Clause 15.01-5S Neighbourhood character**

This Clause seeks to recognise, support and protect neighbourhood character, cultural identity, and sense of place.

Strategies:

Support development that respects the existing neighbourhood character or contributes to a preferred neighbourhood character.

Ensure the preferred neighbourhood character is consistent with medium and higher density housing outcomes in areas identified for increased housing.

Ensure development responds to its context and reinforces a sense of place and the valued features and characteristics of the local environment and place by respecting the:

- Pattern of local urban structure and subdivision.
- Underlying natural landscape character and significant vegetation.
- Neighbourhood character values and built form that reflect community identity.

### **Clause 15.01-5L Neighbourhood character**

This Clause seeks 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.

#### **Clause 16.01-1S Housing supply**

This Clause seeks to facilitate well-located, integrated and diverse housing that meets community needs.

#### Strategies:

Ensure that an appropriate quantity, quality and type of housing is provided, including aged care facilities and other housing suitable for older people, supported accommodation for people with disability, rooming houses, student accommodation and social housing.

Increase the proportion of housing in designated locations in established urban areas (including under-utilised urban land) and reduce the share of new dwellings in greenfield, fringe and dispersed development areas.

Encourage higher density housing development on sites that are well located in relation to jobs, services and public transport.

Identify opportunities for increased residential densities to help consolidate urban areas.

Facilitate diverse housing that offers choice and meets changing household needs by widening housing diversity through a mix of housing types.

Encourage the development of well-designed housing that:

- Provides a high level of internal and external amenity.
- Incorporates universal design and adaptable internal dwelling design.

Support opportunities for a range of income groups to choose housing in well-serviced locations.

Plan for growth areas to provide for a mix of housing types through a variety of lot sizes, including higher housing densities in and around activity centres.

## **Clause 16.01-1R Housing supply – Metropolitan Melbourne**

### Strategies:

Manage the supply of new housing to meet population growth and create a sustainable city by developing housing and mixed use development opportunities in locations that are:

- In and around the Central City.
- Urban-renewal precincts and sites.
- Areas for residential growth.
- Areas for greyfield renewal, particularly through opportunities for land consolidation.
- Areas designated as National Employment and Innovation Clusters.
- Metropolitan activity centres and major activity centres.
- Neighbourhood activity centres - especially those with good public transport connections.
- Areas near existing and proposed railway stations that can support transit-oriented development.

Identify areas that offer opportunities for more medium and high density housing near employment and transport in Metropolitan Melbourne.

Facilitate increased housing in established areas to create a city of 20 minute neighbourhoods close to existing services, jobs and public transport.

Provide certainty about the scale of growth by prescribing appropriate height and site coverage provisions for different areas.

Allow for a range of minimal, incremental and high change residential areas that balance the need to protect valued areas with the need to ensure choice and growth in housing.

Create mixed-use neighbourhoods at varying densities that offer more choice in housing.

## **Clause 16.01-1L Housing**

### Incremental Change Areas

#### Strategies:

Retain a predominantly low residential density in areas identified as Incremental Change Areas in the map to this clause.

Support additional housing that is consistent with the existing character of the neighbourhood in areas with access to services.

Accommodate incremental development in identified locations within metropolitan residential areas and in rural and foothill townships.

### **Clause 16.01-2S Housing affordability**

This Clause seeks to deliver more affordable housing closer to jobs, transport and services.

Strategies:

Improve housing affordability by:

- Ensuring land supply continues to be sufficient to meet demand.
- Increasing choice in housing type, tenure and cost to meet the needs of households as they move through life cycle changes and to support diverse communities.
- Promoting good housing and urban design to minimise negative environmental impacts and keep costs down for residents and the wider community.
- Encouraging a significant proportion of new development to be affordable for households on very low to moderate incomes.

Increase the supply of well-located affordable housing by:

- Facilitating a mix of private, affordable and social housing in suburbs, activity centres and urban renewal precincts.
- Ensuring the redevelopment and renewal of public housing stock better meets community needs.

Facilitate the delivery of social housing by identifying surplus government land suitable for housing.

### **Clause 19.03-2S Infrastructure design and provision**

This Clause seeks to provide timely, efficient and cost-effective development infrastructure that meets the needs of the community.

Strategies:

Provide an integrated approach to the planning and engineering design of new subdivision and development.

Integrate developments with infrastructure and services, whether they are in existing suburbs, growth areas or regional towns.

### **Clause 19.03-3S Integrated water management**

This Clause seeks to sustainably manage water supply and demand, water resources, wastewater, drainage and stormwater through an integrated water management approach.

Strategies:

Plan and coordinate integrated water management, bringing together stormwater, wastewater, drainage, water supply, water treatment and re-use, to:

- Take into account the catchment context.
- Protect downstream environments, waterways and bays.
- Manage and use potable water efficiently.
- Reduce pressure on Victoria's drinking water supplies.
- Minimise drainage, water or wastewater infrastructure and operational costs.
- Minimise flood risks.
- Provide urban environments that are more resilient to the effects of climate change.

Integrate water into the landscape to facilitate cooling, local habitat improvements and provision of attractive and enjoyable spaces for community use.

Facilitate use of alternative water sources such as rainwater, stormwater, recycled water and run-off from irrigated farmland.

Ensure that development protects and improves the health of water bodies including creeks, rivers, wetlands, estuaries and bays by:

- Minimising stormwater quality and quantity related impacts.
- Filtering sediment and waste from stormwater prior to discharge from a site.
- Managing industrial and commercial toxicants in an appropriate way.
- Requiring appropriate measures to mitigate litter, sediment and other discharges from construction sites.

Manage stormwater quality and quantity through a mix of on-site measures and developer contributions at a scale that will provide greatest net community benefit.

Provide for sewerage at the time of subdivision or ensure lots created by the subdivision are capable of adequately treating and retaining all domestic wastewater within the boundaries of each lot.

Ensure land is set aside for water management infrastructure at the subdivision design stage.

Minimise the potential impacts of water, sewerage and drainage assets on the environment.

Protect significant water, sewerage and drainage assets from encroaching sensitive and incompatible uses.

Protect areas with potential to recycle water for forestry, agriculture or other uses that can use treated effluent of an appropriate quality.

Ensure that the use and development of land identifies and appropriately responds to potential environmental risks, and contributes to maintaining or improving the environmental quality of water and groundwater.

### **Clause 19.03-3L Water management**

Strategies:

Incorporate Water Sensitive Urban Design principles and best practice stormwater management standards in development proposals.

Support the use of drought proof landscaping and retention of existing vegetation to reduce water consumption.

Minimise the impacts of reticulated services infrastructure on the landscape and environment.

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.

## **Zone**

### **Clause 32.09 Neighbourhood Residential Zone – Schedule 2**

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To recognise areas of predominantly single and double storey residential development.

To manage and ensure that development is responsive to the identified neighbourhood character, heritage, environmental or landscape characteristics.

To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses specified in the following table.

<b>Class of subdivision</b>	<b>Objectives and standards to be met</b>
60 or more lots	All except Clause 56.03-5.
16 – 59 lots	All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.
3 – 15 lots	All except Clauses 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3 and 56.06-6.
2 lots	Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2.

## Overlay

### Clause 42.01 Environmental Significance Overlay – Schedule 1

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.

Environmental significance and objectives:

A schedule to this overlay must contain:

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

### Schedule 1

Statement of environmental significance.

Yarra Ranges contains an extensive network of bushland remnants that are an integral part of the municipality's unique landscape and environmental character. These bushland areas comprise a wide range of different ecosystems that provide habitats for a rich diversity of flora and fauna.

The value of habitat areas in Yarra Ranges' network of flora and fauna habitats is enhanced where there are opportunities for birds and other wildlife to shelter while moving between them. The connectivity between habitat areas increases their long term sustainability and value in biodiversity protection by reducing the risk of creating isolated and vulnerable habitat areas. This connectivity enables native species to respond to adverse climatic changes, providing greater opportunities for breeding and foraging, and allowing native species to recolonise areas following major disturbances such as bushfires.

The biolink corridors that have been identified in Yarra Ranges generally follow waterways although they also include some roadsides and other areas containing indigenous vegetation remnants. In some areas the extent and condition of indigenous vegetation within these habitat corridors has been fragmented and degraded by past land management practices. There are many opportunities to improve the habitat value of Yarra Ranges' network of flora and fauna habitats through the rehabilitation of these degraded areas especially along watercourses.

Environmental objective to be achieved:

To protect and manage the larger patches of remnant highest biodiversity bushland from fragmentation and incremental loss so that they continue to provide high quality biolink corridors and sustainable habitat for indigenous flora and fauna.

### **Clause 42.03 Significant Landscape Overlay – Schedule 22**

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.

Statement of nature and key elements of landscape:

The landscape significance of residential areas in the Shire is attributed to the quality of the environment which includes the vegetation and its relationship to the broader landscapes which contribute to a 'sense of place'. Many of these landscapes have National Trust classification including: the Western Face of the Dandenong Ranges, Sherbrooke Forest, Upper Yarra River and Environs, Silvan Agricultural Area and the Puffing Billy Railway Scenic Corridor.

Vegetation and buildings occurring in streamside areas are of particular significance as they play a role in the broader catchment.

**Yarra Junction** enjoys a spacious country town feel of buildings set into a wider landscape context of the Upper Yarra River and Environs. Large blocks and low level often exotic gardens sit in a landscape that includes rolling paddocks and treed hillsides rising up from the Yarra Valley.

The key elements of these landscapes are:

- A visual dominance of vegetation including large mature native and indigenous trees and garden planting of both native and exotic plants
- The majority of development sits within the landscape with minimal excavation and dwellings are partly obscured from view
- Hillsides appear to be covered with trees, even when developed with houses
- Vistas through development to hills, canopy trees and the surrounding landscape
- A general lack of front fencing.

Landscape character objectives to be achieved

- To recognise and conserve the environmental and visual sensitivity of residential areas
- To maintain vegetation as a dominant element of the landscape and encourage retention and regeneration of native vegetation
- To ensure development is sensitive to the natural characteristics of the land including slope, terrain and any existing vegetation
- To ensure setbacks are generous, consistent with nearby dwellings and allow sufficient space for mature plantings
- To ensure site cover maintains the ambience and sense of spaciousness
- To ensure that buildings and works retain an inconspicuous profile and do not dominate the landscape
- To ensure that the health of existing trees is not jeopardised by new development
- To maintain an absence of front fences and informal rural character with either open style front fencing or an absence of front fencing
- To protect and preserve the riparian areas along waterways

#### **Clause 44.06 Bushfire Management Overlay**

Purpose:

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.

To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.

To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.

## **Particular Provisions**

### **Clause 52.02 Easements, Restrictions and Reserves**

Purpose:

To enable the removal and variation of an easement or restrictions to enable a use or development that complies with the planning scheme after the interests of affected people are considered.

### **Clause 52.17 Native Vegetation**

Purpose:

To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning, 2017) (the Guidelines):

1. Avoid the removal, destruction or lopping of native vegetation.
2. Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.
3. Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.

To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.

### **Clause 53.01 Public Open Space Contribution and Subdivision**

A person who proposes to subdivide land must make a contribution to the council for public open space in an amount specified in the schedule to this clause (being a percentage of the land intended to be used for residential, industrial or commercial purposes, or a percentage of the site value of such land, or a combination of both). If no amount is specified, a contribution for public open space may still be required under section 18 of the *Subdivision Act 1988*.

This requirement does not apply if a public open space contribution requirement is specified in a schedule to the Built Form Overlay.

### **Clause 53.03 Residential Reticulated Gas Service Connection**

#### **Purpose**

To prohibit residential reticulated gas connections to new dwellings, new apartment developments and new residential subdivisions.

### **Clause 56 Residential Subdivision**

#### **Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To create liveable and sustainable neighbourhoods and urban places with character and identity.

To achieve residential subdivision outcomes that appropriately respond to the site and its context for:

- Metropolitan Melbourne growth areas.
- Infill sites within established residential areas.
- Regional cities and towns.

To ensure residential subdivision design appropriately provides for:

- Policy implementation.
- Liveable and sustainable communities.
- Residential lot design.
- Urban landscape.
- Access and mobility management.
- Integrated water management.
- Site management.
- Utilities.