

Middle Yarra River Corridor Study

RECOMMENDATIONS REPORT
OCTOBER 2016

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2016



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Acknowledgements

Traditional Owners

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

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

Project Participants

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

This study recognises the contribution of Jennifer Lardner who was a key project member who passed away in 2015. Jennifer’s contribution was invaluable.

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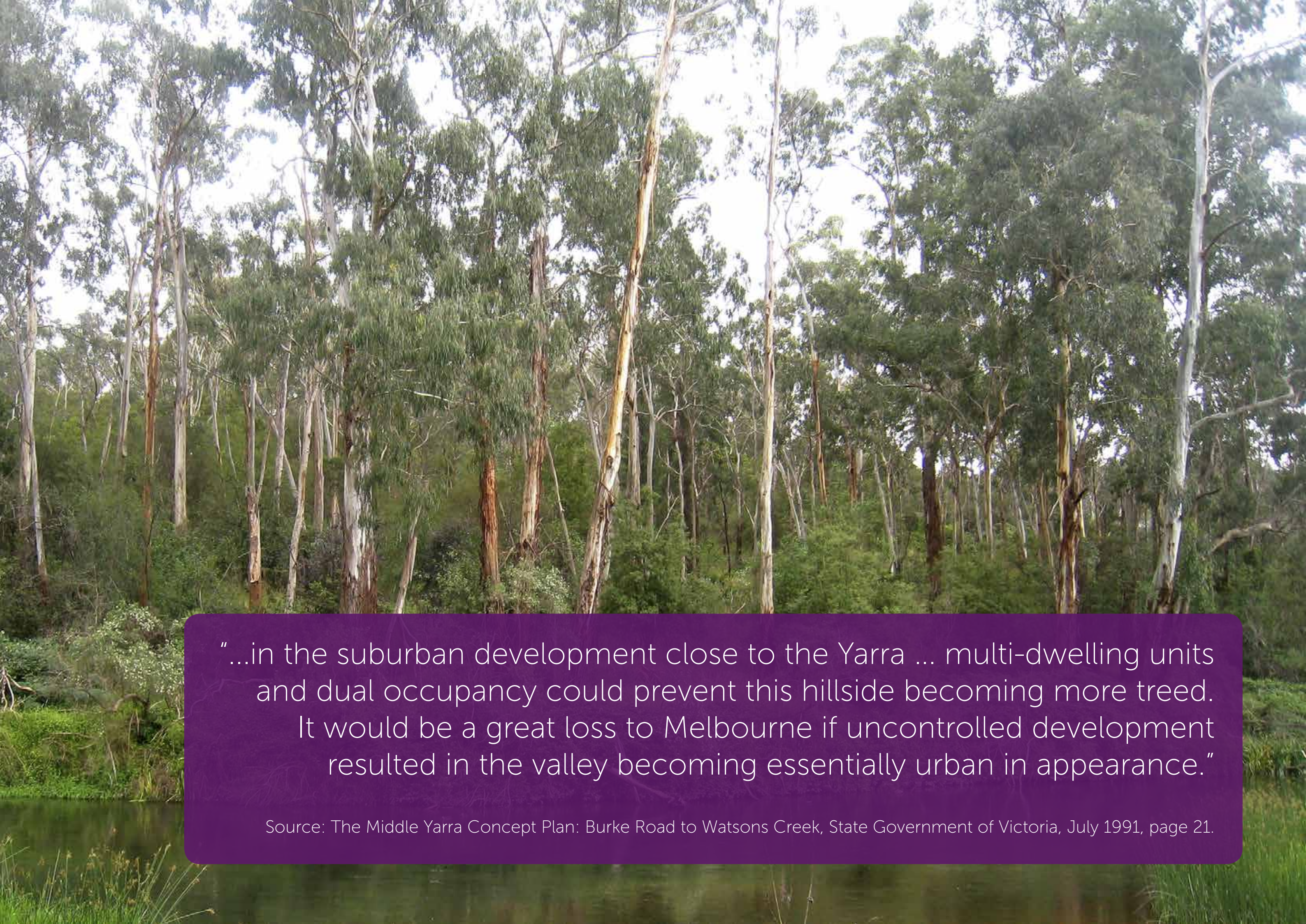
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"...in the suburban development close to the Yarra ... multi-dwelling units and dual occupancy could prevent this hillside becoming more treed. It would be a great loss to Melbourne if uncontrolled development resulted in the valley becoming essentially urban in appearance."

Source: The Middle Yarra Concept Plan: Burke Road to Watsons Creek, State Government of Victoria, July 1991, page 21.

1. Introduction

1.1 Purpose of the Study

Waterways make a significant contribution to Melbourne’s landscape and liveability. Melbourne’s two main rivers are the Yarra and the Maribyrnong. The Victorian Government is committed to protecting both the Yarra and Maribyrnong Rivers from inappropriate development and safeguarding public access.

The Department of Environment, Land, Water and Planning (DELWP) commissioned this study of the Middle Yarra River corridor to better understand and assess the need for new or amended planning controls and design guidelines for land in proximity to the Yarra River between Burke Road and Warrandyte.

The objective of this study is to achieve consistent development outcomes along the Middle Yarra River to ensure that further development does not encroach on the river’s landscape, environmental, aesthetic, cultural and recreational values. Importantly, the study focusses on management of the interface between public and private land along the corridor.

The Middle Yarra River Corridor Study is being prepared in partnership with Banyule City Council, Manningham City Council, Shire of Nillumbik and Melbourne Water. A range of stakeholders, including local community groups, have been consulted in the development of the study to better understand the river’s values and the preferred outcomes for this landscape.

Project Partners

Department of Environment, Land, Water and Planning

Banyule City Council

Manningham City Council

Shire of Nillumbik

Melbourne Water

1.2 Study Products

This Report

This report is the third of four key outputs for the Middle Yarra River Corridor Study. The full suite of documents to be prepared is depicted in the diagram opposite.

This report outlines a brief history of planning for the Yarra River, documents the values of the Middle Yarra River corridor, and defines a series of river interface character types and important views within the study area.

It also includes detailed analysis of the Middle Yarra River corridor which underpins the proposed guidelines and controls.

The report concludes with the proposed implementation of the study, including planning scheme changes. This section outlines the objectives, controls and guidelines proposed to protect the river environs and guide development into the future.

The Municipal Toolkits to assist Councils to implement this study contain detailed planning scheme recommendations by municipality.



1.3 Study Area

Broad Context

The study area, known as the 'Middle Yarra River corridor', is located between Burke Road (Ivanhoe) and Warrandyte. It includes parts of three municipalities: Banyule, Nillumbik and Manningham, and contains substantial areas of public open space managed by Parks Victoria.

The study area:

- Extends eastward from the Banyule municipal boundary at the Darebin Creek (on the northern side of the river), and the Manningham municipal boundary at the Yarra River in Buleen (on the southern side of the river) - through to Blue Tongue Bend in the Warrandyte State Park.
- Includes the open space corridor that surrounds the river, and its urban and suburban interface.
- Includes all land adjacent to the Middle Yarra River open space corridor, including both public and private land.

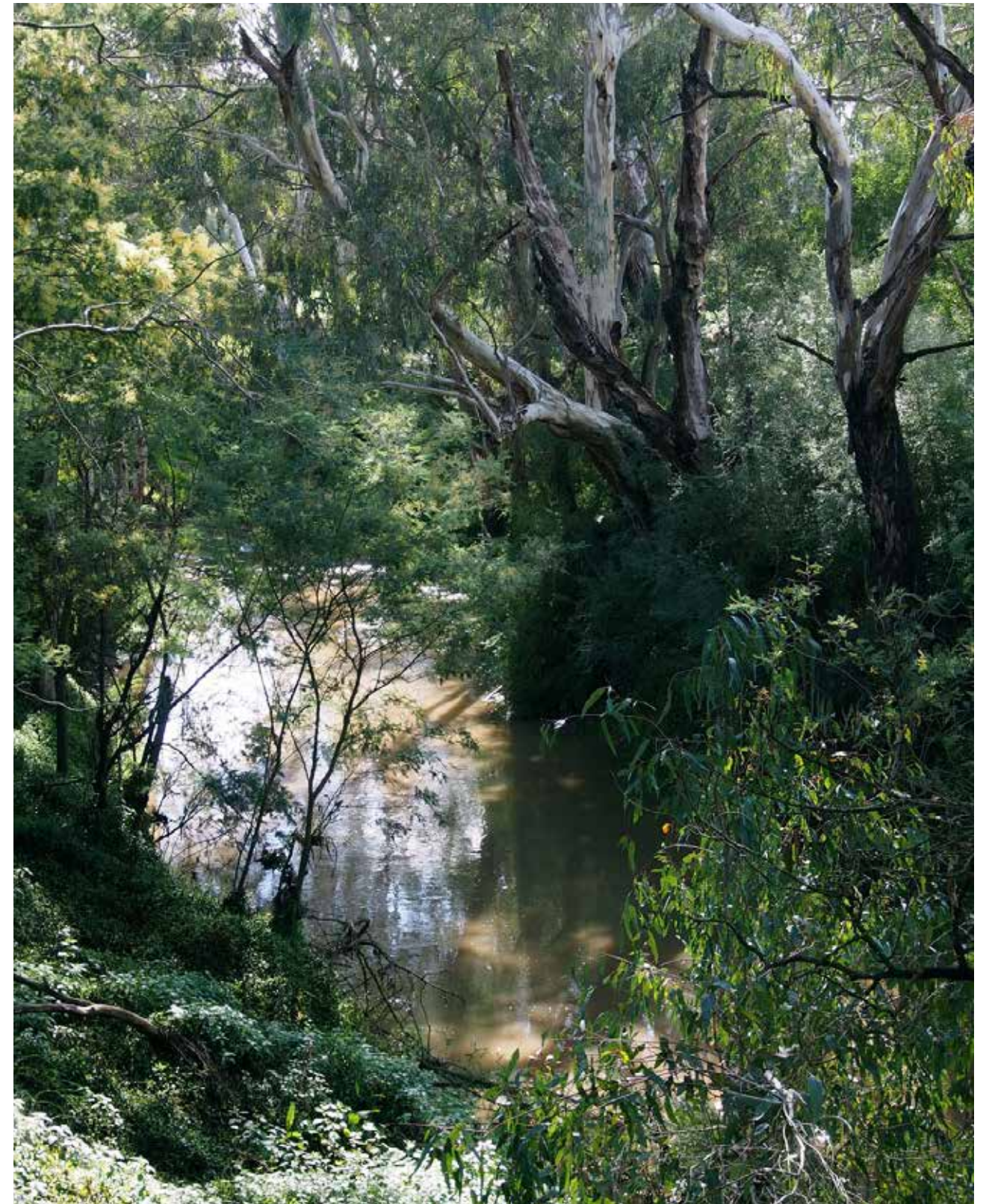
The study includes consideration of land west of Burke Road (within the City of Banyule) including material prepared as part of the *Review of Policies and Controls for the Yarra River Corridor: Punt Road to Burke Road* (Planisphere, June 2005).

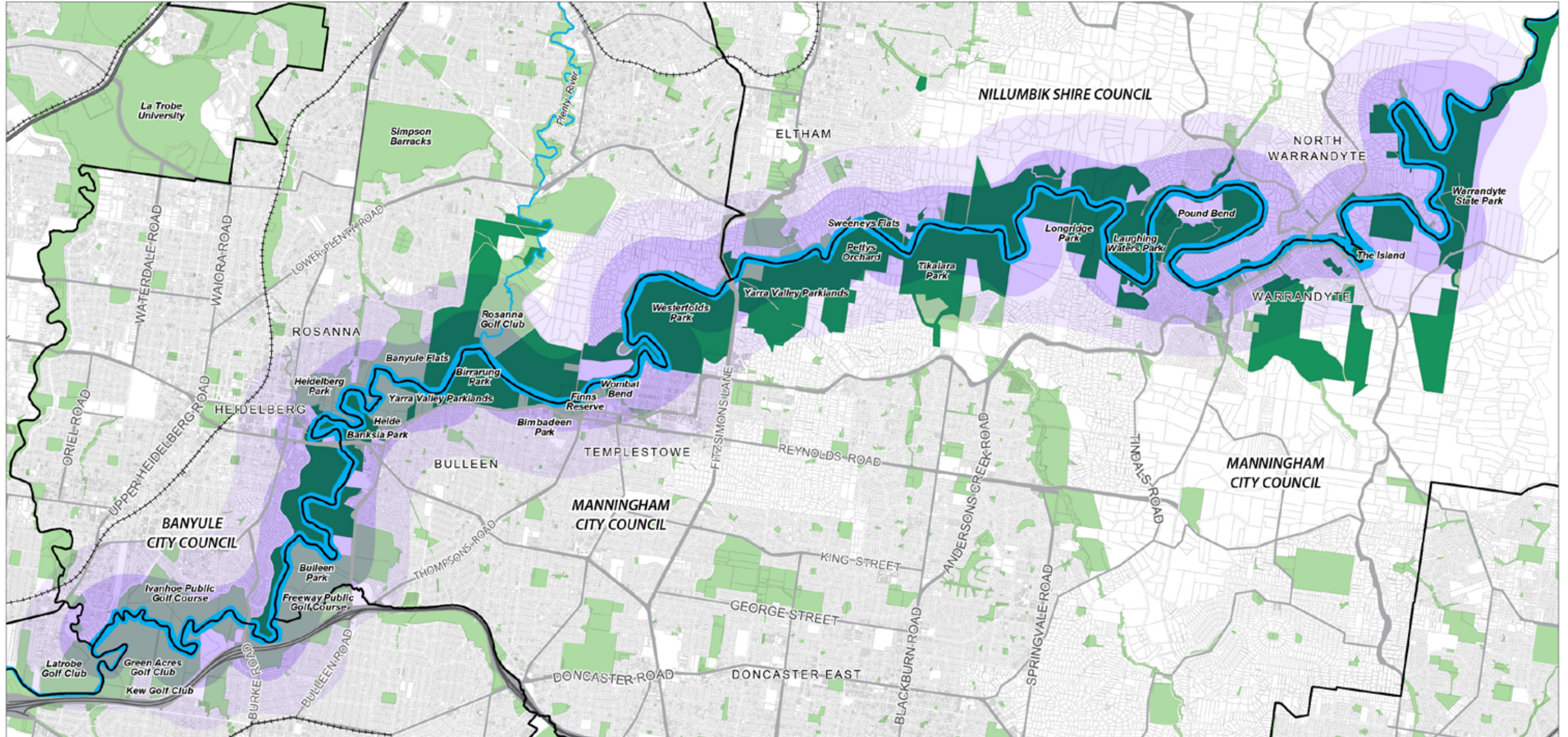
Primary Focus

The extent of the study area has been further informed by:

- a primary focus on land within 500 metres from the banks of the Yarra River, which was assessed in detail as part of the field survey work, which will include the interface of public and private land;
- a one kilometre area of interest from the banks of the Yarra River to provide a broader context;
- the topographical character of the surrounding landscape, including consideration of land up to the 'crest' of the surrounding hill slopes;
- the visibility of land and development from publicly accessible locations including the Main Yarra Trail, other walking trails, bridges, areas of open space, main road corridors, and the river itself;
- identified important views and viewsheds; and,
- the location and extent of existing zones and overlays in the relevant planning schemes.

These defining elements are illustrated on the Study Area Map on the following page.





LEGEND

- Local Government Boundaries
- Parks Victoria Managed Land
- Open Space
- Yarra River
- Study Area (Primary Focus) 500m from the banks of the Yarra River
- Study Area (Broader Context) 1km from the banks of the Yarra River

MIDDLE YARRA RIVER CORRIDOR STUDY

STUDY AREA



1.4 Study Process & Approach

Study Process

Preparation of this report has involved a review of background documents, together with the relevant planning schemes, VCAT decisions and Planning Panel reports. Analysis of GIS information and photography (including aerial photography) has also informed the contents of this report, together with a detailed field survey, undertaken over the course of three days, including one full day on foot/ bicycles.

The process consisted of an assessment of the river corridor's:

- landscape character
- key views
- values
- threats and pressures
- existing policy and controls.

The study process was undertaken as four key stages. A summary of each stage is outlined as follows:

Stage 1: Project Inception

The preparation of the detailed program to complete the study was undertaken in this stage. This included the public engagement and consultation program and resolution of the study area boundary. A community bulletin was circulated to Councils for distribution and listed on the DELWP (DTPLI) website.

Stage 2: Background Review & Analysis

Background research and investigation work was undertaken in this stage to define issues and opportunities for the study area. This included a detailed site survey and a review of all relevant concept plans, background documents and current planning scheme policies and controls.

Stage 3: Community Engagement

A targeted consultation was carried out in this stage, including a drop-in session. A second community bulletin was also circulated to Councils for distribution and listed on the DELWP (DTPLI) website.

Stage 4: Implementation Recommendations

Final recommendations, design guidelines and draft of proposed planning controls for each Council was completed in this stage. This report outlines the key findings of the study.

Design Principles

Siting, massing and design of development needs to take account of the particular characteristics of the Yarra River corridor as a sub-area. While the method for this study focussed on visual assessment of the landscape, it used a holistic approach to consider all the area's values, including aesthetic values (both visual and non-visual), historic, environmental, scientific, social and other values.

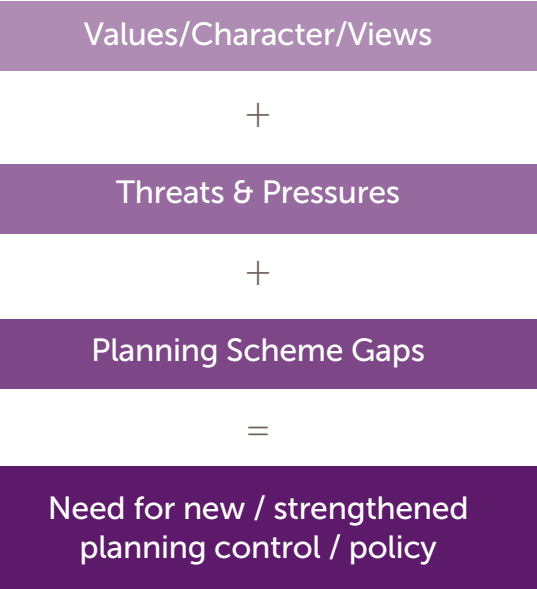
The following design principles, which have been applied in previous studies for the Yarra River and successfully tested in appeals tribunal hearings, have underpinned the approach to this study:

- The Yarra River is valued and appreciated as much for the vegetation and parkland that dominate its corridor as for the presence of the waterbody itself
- The topographical character of the Yarra River is easily diminished by larger scale development sited too close to its banks
- There are a number of distinct river interface character types, i.e. areas of varying topographical, landscape and built form character, through which the Yarra River passes, each of which warrants a tailored policy approach
- Strong built form controls are likely to be necessary for sections of the river corridor, in order to maintain and enhance its valued qualities. Analysis of existing built form controls shows where these may need to be strengthened in some locations.

Approach

The approach adopted by this study to determine whether new or strengthened policy and controls are required for this section of the Yarra River can be summarised simply as:

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



1.5 Consultation, Engagement & Community Values

Consultation & Engagement Goals

A consultation and engagement strategy was developed at the start of the project, setting out the means of obtaining feedback from stakeholders at each project stage.

The goals of the consultation and engagement strategy were to:

- Achieve a partnership approach to the preparation and implementation of all study products with all participating councils and Melbourne Water.
- Obtain the views of key community and stakeholder groups and other parties who have an interest in protecting the future of the Yarra River.
- Provide an opportunity for any interested party to have a say and/or keep informed as part of this study.
- Use information and feedback received through direct consultation to inform the development of the study recommendations.

Project Stakeholders

There are many people who have an interest in this project, for a wide range of reasons. The consultation and engagement strategy identified two key stakeholder groups - 'internal stakeholders' and 'external stakeholders'.

The strategy provided various opportunities for ongoing dialogue with both stakeholder groups. All stakeholders have been given the opportunity to share and articulate their vision for the area and to help shape recommendations for future controls and guidelines along the Middle Yarra River corridor.

Internal Stakeholders

The internal stakeholder group comprised key governing bodies and agencies including the Department of Environment, Land, Water and Planning, Parks Victoria, Melbourne Water and the three municipalities within the study area of Banyule City Council, the City of Manningham and the Shire of Nillumbik.

Internal stakeholders own and/or manage a large portion of the land in the study area. They are also involved in administering existing planning controls and guidelines, and any future controls or guidelines the project recommends.

These stakeholders have provided direct advice and input throughout the study, through a Project Reference Group which met at each project milestone. Individual meetings and contact has also been made with these stakeholders as required throughout the project.

External Stakeholders

External stakeholders include the multitude of people in the community who value the river and live or work in, or visit, the study area. This includes Councillors, sporting and recreation clubs, community groups, schools, businesses and the general community who use the river's open spaces and waterway.

Given that the planning controls and guidelines recommended in this project may have an impact on external stakeholders, opportunities to inform and consult with external stakeholders have been provided throughout the decision-making process.

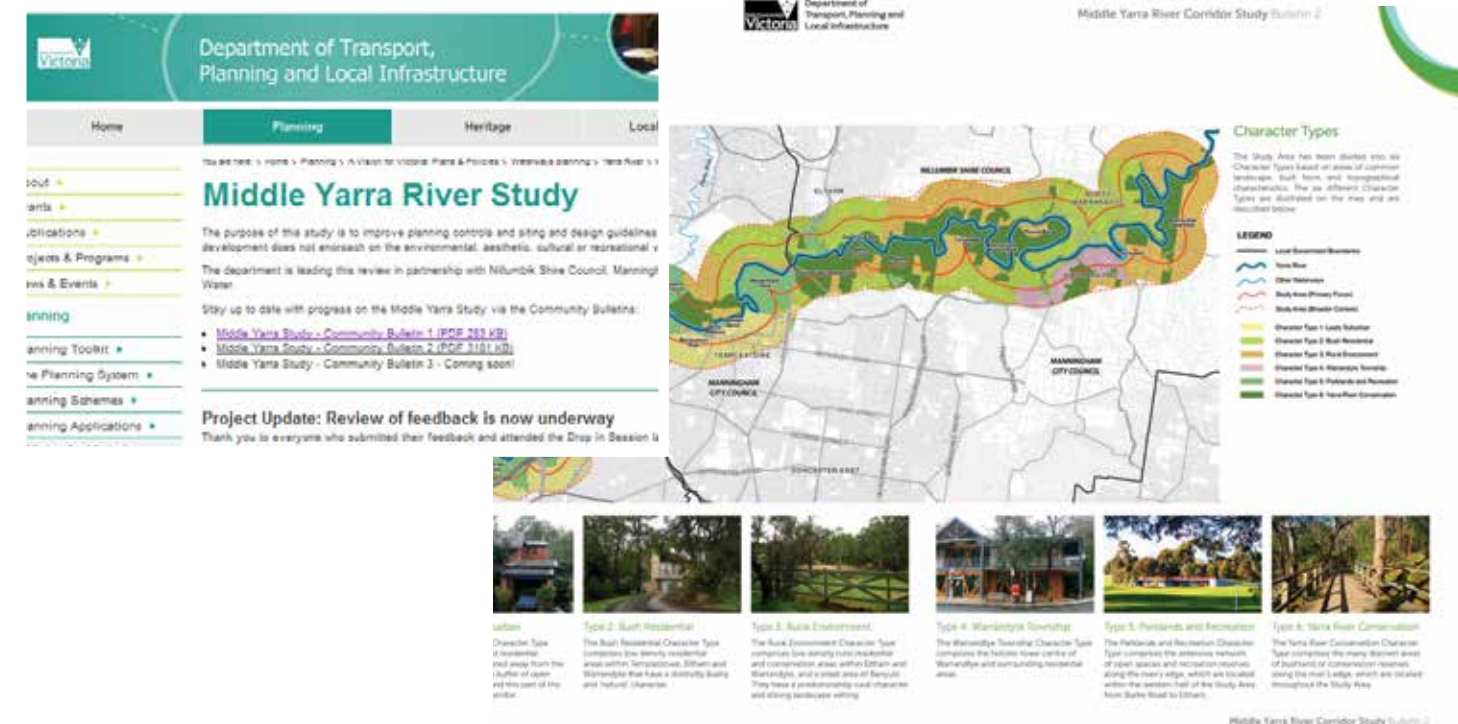
It is envisaged that direct engagement with potentially affected residents and landowners (based on potential new or amended planning controls) will occur during the standard planning scheme amendment process prescribed under the *Planning and Environment Act 1987* post completion of this study. This will provide affected parties the opportunities to have their views considered and heard via an independent panel.

Consultation & Engagement Program

Consultation and engagement included:

- Project website providing an overview of the project with links to latest outputs
- Three Community Bulletins distributed at each project milestone, providing updates and seeking feedback from the community
- Email and distribution list assembled for direct mail to interested parties
- Meetings of the Project Reference Group at each project stage
- Phase one consultation comprising a community 'drop-in session' held in November 2013 at Westerfolds Park, which provided an informal setting for people to meet with the project team and Council representatives to discuss their ideas, concerns or aspirations for the study area
- Ongoing direct phone or email contact with stakeholders as required
- Phase two consultation upon preparation of the Draft Recommendations Report, which included distribution of a Community Bulletin, information on the DTPLI website and consultation at the local level undertaken by Councils.

Community Bulletins & website



Stakeholder Perspectives on the Middle Yarra

During the Stage 2 response period, submissions were received from a range of stakeholders, including the Yarra Riverkeepers, flora and fauna interest groups, community associations, resident groups and individuals.

A feedback form was prepared for the Stage 2 response period, which included questions to assist people in thinking about different aspects of the Middle Yarra:

1. What do you consider to be the main pressures and issues facing the Middle Yarra River corridor?
2. What do you value most about the Middle Yarra River corridor?
3. How can these values be better protected and enhanced?
4. A feature, place or view along the river corridor that you consider to be significant, scenic or beautiful?

Not all submitters responded to each question and an opportunity to provide other comments was also provided on the feedback form.

Submissions received were varied, with the majority of submitters providing detailed feedback on what they value most about the Middle Yarra River corridor.

A summary of key consultation outcomes indicates the values held for the river, concerns about its future and places along the corridor that are considered to be of significance.

Issues & Pressures

- Development close to the river edge and dominant built form
- Over-development near the river spoiling views and ambience of the river corridor
- Litter and pollution
- Water quality reduction
- Pest plants (weeds) and animals (rabbits and foxes)
- Inadequate funding for parks management

Values

There were many aspects of the river corridor in which submitters valued. In particular these included:

- The special river corridor ambience and aesthetic
- Its role as a refuge for indigenous plants and animals
- The open space and recreation areas long the corridor
- Native trees and animals.

Protection & Management

There was strong support for improved management and protection of the Middle Yarra River corridor and a number of detailed submissions outlined ways in which protection could be enhanced, including:

- Stricter controls for the protection of native vegetation and animals
- Further revegetation work
- Better management
- Increased funding for the Middle Yarra River corridor
- Implementation of built form development guidelines
- Improved planning controls.

Special Places

A number of specific places along the Middle Yarra River corridor were mentioned as having special value or significance to submitters:

- Longridge Park
- Sweeneys Flats
- Candlebark Park
- Murundaka Park
- Banyule Flats Reserve
- Warringal Parklands, including Silks Bend
- Yarra Flats, Bolin Bolin Billabong
- Wilson's Reserve
- Westerfolds Park
- Pound Bend
- Tikalara Park
- Petty's Orchard
- The Warrandyte township.

Other Issues

Other specific issues were raised by many submitters ranging from wildlife protection, lot size controls and further protection against inappropriate development.

What do you consider to be the main pressures and issues facing the Middle Yarra River Corridor?

What do you value most about the Middle Yarra River Corridor?

How can these values be better protected and enhanced?

1.6 Key Relevant Studies for the Yarra River Corridor

Several key studies have been undertaken in relation to development along the Yarra River corridor in general, and provide the background to this project.

Plan Melbourne: Metropolitan Planning Strategy (2013)

On 9 October 2013, the Premier, Minister for Planning and Minister for Transport launched Plan Melbourne, a 50 year planning strategy for metropolitan Melbourne.

Melbourne has some 7000 kilometres of waterways within its metropolitan boundaries which form an essential component of the city's open space network. They provide a sense of place and important habitat for maintaining biodiversity. The rivers and creeks of Port Phillip Bay and Western Port are popular recreational destinations for residents and tourists, with around 90 million visits each year.

The Plan recognises the need to continue to protect Melbourne's open space waterway corridors from inappropriate development to ensure that these significant values provided to Melbourne and its residents are maintained and enhanced over time. (Initiatives 4.2.4, 5.2.2 and 5.6.2).

The Plan will seek to use the model approach being prepared by the recent planning controls implemented by the Middle Yarra Study and recent work prepared for the Lower Yarra River and the Maribyrnong River, in partnership with local governments and key stakeholders to prepare to implement planning controls to protect Melbourne's metropolitan waterway corridors.

The Plan identifies the need for this initiative to be completed in the short term (next four years) led by the Department of Environment, Land, Water and Planning has been tasked with leading this important initiative.

For further information about Plan Melbourne visit www.planmelbourne.vic.gov.au.

Review of Policies & Controls for the Yarra River Corridor: Punt Road to Burke Road (2005)

The State Government Department of Sustainability and Environment (DSE) commissioned Planisphere to review the policies and controls for development within the lower Yarra River in 2005.

The Study applied the principles of landscape protection to the lower Yarra River by assessing the river's values, distinguishing river interface types and identifying planning objectives that are relevant to this section of the river. Recommendations to protect and enhance the valued qualities of the corridor were made. This included non-statutory recommendations such as public land management and improved access, as well as a range of overlay controls in specific locations, including the Design and Development Overlay, Environmental Significance Overlay and the Significant Landscape Overlay.

The Department of Planning and Community Development (DPCD) undertook a follow-up project to implement the 2005 DSE report in 2010. This included consultation with Councils and development of draft planning scheme changes for the four municipalities, including overlays. The Middle Yarra Review project is a continuation of the work done in 2005.

Middle Yarra Concept Plan - Burke Road to Watsons Creek (1991 & 1993)

This plan was commissioned by the MMBW in 1991 and completed by Melbourne Parks and Waterways in 1993. The plan focused on a similar area to this project and addressed the protection of recreation, landscape and environmental values. It recommended a range of implementation measures including public land management and planning scheme controls through the creation of Streamside Environment Areas, Floodway Management Areas, Yarra Valley Backdrop Areas, Yarra Viewshed Areas.

Waterway Management Reports

A number of reports have been completed to address issues of waterway management along the river corridor generally. These studies include:

- Healthy Waterways Strategy (2013) by Melbourne Water. This has specific reference to the Yarra River and provides a range of management actions.
- A Cleaner Yarra River and Port Phillip Bay – A Plan of Action (2012) by the Office of Living. This report specifically focuses on the Yarra River and provides a framework for State Government action.
- Port Phillip and Westernport Regional River Health Strategy (2005) by Melbourne Water includes directions for the Yarra River catchment.
- Guidelines for Development in Floodprone Areas (2005) by Melbourne Water provides guidelines for building siting and landscaping.
- Yarra Catchment Action Plan (1999) by Yarra Care, DNRE.

Archaeological surveys

Archaeological surveys have been undertaken for the river corridor within the Plenty Valley. These studies are referenced in the Banyule Planning Scheme and include:

- Lower Plenty River Archaeological Survey (1991) by MMBW.
- The Plenty Valley Corridor: The Archaeological Survey of Aboriginal Sites (1989) by Isabel Ellender for Ministry for Planning & Environment.
- The Plenty Valley Corridor: The Archaeological Survey of Historic Sites (1989) by Fiona Weaver for Ministry for Planning & Environment.



Plan Melbourne: Metropolitan Planning Strategy (2013)



Review of Policies & Controls for the Yarra River Corridor: Punt Road to Burke Road (2005)

1.7 Evolution of Controls relating to the Yarra River Corridor

Recognition of the environmental, recreational, landscape and aesthetic values of the Yarra River corridor have been evolving over the last 30 years.

The Middle Yarra Study allows a new shared vision for the Middle Yarra to be developed with the community, by all of those who manage the water and land of the river corridor.

Over the course of its history, the Yarra River corridor has faced various development pressures and threats to its landscape and environment. Formerly this was due to the location of industry or agriculture along the river's edge. From the second half of the twentieth century, the river's attractiveness for residential and commercial use also began to cause concern.

Earlier planning studies for the Yarra focussed primarily on environmental and recreational values – similarly to other river corridors that were the subject of studies by the then Melbourne Metropolitan Board of Works (MMBW).

Creation of continuous corridors of open space and trail networks was a particular priority, and the MMBW began the process of reserving open space along the Yarra in the 1950s. This was the first step in addressing decades of environmental degradation along the river. The fact that government and agencies have continued to implement these recommendations to the present day attests to the continuing relevance of these studies.

Public interest in environmental issues emerged strongly in the 1970s through organisations such as the Save the Yarra League, that campaigned for the preservation of the Yarra Valley. A Statement of Planning Policy issued in 1971 which set out conservation and recreation as planning objectives, was a landmark in the process of preserving the Yarra.

In 1980 the Age newspaper launched a public campaign to 'Give the Yarra a Go'. This led to the preparation of the first comprehensive plan for a major section of the river - Planning Opportunities along the Lower Yarra River from Punt Road to Dights Falls (1983).

Others plans for the Yarra River corridor soon followed: Concept Plan Lower Yarra River (Punt Road to Dights Falls)

(1986), Lower Yarra River Landscape Guidelines (1988), Lower Yarra River Urban Design Guidelines (1992) and the Middle Yarra Concept Plan - Dights Falls to Burke Road (1990) and Burke Road to Watsons Creek (1993).

Recognition of the landscape significance of the Yarra River was more implicit than explicit in the original planning studies. Policies to protect the landscape values of the river have been evolving since the 1980s, reflecting the gradual emergence of accepted techniques for evaluating and protecting landscapes generally over the last 10-20 years in Victoria. Through consideration of landscape values, the later studies offer a more holistic view of the river corridor.

Significant milestones in the evolution of landscape protection in Victoria since the 1980s have included National Trust recognition of significant landscapes, the introduction by Councils of special zones to protect areas of landscape significance (e.g. Blackburn Lake area) and the inclusion in the Victoria Planning Provisions in the late 1990s of the Significant Landscape Overlay and Environmental Significance Overlay.

Since the early 2000s, assessment of landscape values at a regional scale has been progressed by the State Government's studies for coastal and rural areas of Victoria. These studies represent a further advance in the methodology for evaluation of landscapes and a wider appreciation of the importance of their protection and management among the community, planning profession and government.

The Middle Yarra Review provides an opportunity to examine the range of issues relating to the protection and management of the river corridor and its wider setting. The project will see an updated shared vision for the Middle Yarra developed with the community, by all of those who manage the water and land of the river corridor.

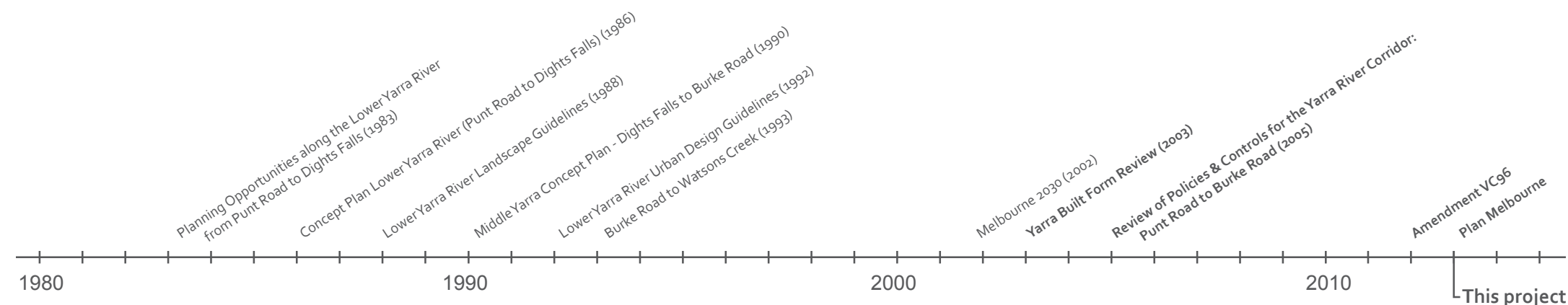


Yarra Falls, Collingwood, 1918

Source: www.aboriginalhistoryofyarra.com.au



Mat Golding, The Age Newspaper October 2012



A timeline showing the various policies developed for the Yarra River corridor since the 1980s

1.8 New Directions for the Yarra River

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

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

Establishing the Yarra River Trust

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

A Ministerial Advisory Committee was announced on 15 December 2015. The Committee is focused on providing advice to government on the role and responsibility of a future dedicated Trust and the form of legislative instruments required for it to be established.

The Committee will commence work in 2016 with the first step being preparation of a discussion paper to determine the river's long term needs, with advice to Government in late 2016 and a potential Trust established in 2017. The Committee will consult all stakeholders and the community throughout this process.

Implementing Stronger Policy and Planning Controls

The Victorian Government recognises that development pressures will continue in the short to medium term until a trust is formed. To support effective decision making along the Yarra River while the above investigations progress, the Minister for Planning has approved a program that focuses on strengthening existing planning policy as it relates to the Yarra River. This includes finalising a range of studies (including this study) and implementing their recommendations via suite of consistent planning controls within the Yarra River corridor between Richmond and Warrandyte – an area under the greatest pressure from urban development.

Strengthening State Planning Policy

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

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

On 17 September 2015, the Department of Environment, Land, Water and Planning hosted a workshop of senior planning practitioners from all councils, Melbourne Water, Parks Victoria and the Port Phillip Catchment Management Authority to discuss the components of a strengthened state planning policy, and to discuss the potential form and content of model planning controls. The feedback received through this workshop has been used to inform the development of strengthened State planning policy and input into the preparation of model planning controls for discussion and application within the Yarra River corridor, between Richmond and Warrandyte.

On 21 December 2015, Amendment VC121 was gazetted giving effect to a strengthened 'River corridor' and a new 'Yarra River Protection' sub-policy within the State Planning Policy Framework. The new 'Yarra River Protection' policy provides a strengthened basis and rationale for the protection of the whole of the Yarra River corridor to inform decision making.

Preparing Consistent Planning Controls: Richmond to Warrandyte

The Department of Environment, Land, Water and Planning is progressing a program to finalise a number of studies and implement new and/or reformed planning controls for the Yarra River corridor between Richmond and Warrandyte. The program includes steps to:

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

The Department of Environment, Land, Water and Planning is working in partnership with all councils to finalise the above work and progress a planning scheme amendment to implement agreed controls.

