

21.05 OBJECTIVES – STRATEGIES – IMPLEMENTATION

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21.05-1 Settlement and Housing

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The maintenance of the existing settlement pattern consisting of distinct urban areas and clearly defined rural townships surrounded by non-urban areas is critical to the ongoing sustainability of the Shire of Nillumbik as a 'green wedge' municipality. Expansion of townships into surrounding areas is contrary to State Planning Policy and the principles of the 'green wedge'. The Shire of Nillumbik is located on the fringe of metropolitan Melbourne and it does not form part of a designated growth corridor. Outward metropolitan development, therefore, will not be a significant feature of the municipality.

The activity centres have an increased role in providing for a diversity of housing and in particular, medium density housing in accordance with the adopted structure plans. Relevant State Planning Policies in relation to settlement and housing include Activity centres (Clause 11.01), Urban growth (11.02), Melbourne's urban growth (11.04-5), Green wedges (11.04-02) and Residential development (16.01). Environmental and Landscape Values (Clauses 12.01-04) of the SPPF are relevant to residential development, particularly in the more environmentally significant areas of the municipality. Key environmental issues are discussed in more detail in the 'Environment, Conservation & Landscape' section (Clause 21.05-3).

Objective 1

To provide for a range of housing types to meet the projected increase in the number and type of households within the municipality, while respecting the neighbourhood character, and protecting the natural and cultural heritage values of the locality.

Strategies

- Ensure anecdotal demand figures do not drive strategic planning decisions for the Shire, as population growth in the Shire is not predicted to be substantial.
- Actively encourage residential development within existing urban zones in accordance with the framework plan, the Neighbourhood Character Study, the major activity centre structure plans and the township strategy plans.
- Focus new residential subdivision and development in areas that are zoned residential and are currently vacant in Greensborough, Diamond Creek and Plenty, and new low-density subdivision and residential development in areas currently zoned for that purpose in Yarrambat and Plenty and other appropriately zoned areas.
- Focus medium density housing in the designated areas in the major activity centre structure plans and in areas with good access to commercial and community services, public transport, open space and where appropriate infrastructure is available. Strongly discourage medium density housing in areas where such services, facilities and infrastructure are inadequate.
- Require all accommodation, including medium density housing to be site and locality responsive and to respect local neighbourhood character, including the retention of significant vegetation.
- Actively encourage the consideration of a comprehensive range of siting and design issues at the earliest possible stage of development proposals.
- Encourage good architectural design that meets the needs of our ageing population.
- Require development contributions to ensure the timely provision of appropriate infrastructure.

- Encourage the use of alternative building materials such as mud-brick and rammed earth construction.
- Ensure all new residential development is undertaken in such a way that stormwater quality is not compromised and encourage all new development to accord with best practice principles in relation to storm water management.

Objective 2

To contain urban development and maintain non-urban breaks between existing urban areas and townships, and between townships.

Strategies

- Contain residential development within existing urban zones and review township strategy plans in accordance with the Urban Growth Boundary.
- Contain new low-density residential development in areas currently designated for that purpose at Yarrambat and Plenty and other appropriately zoned areas.
- Oppose the rezoning of land for urban or low-density residential purposes, unless supported by the framework plan or a future Council strategy.
- Maintain and enhance the Eltham Gateway (from Eltham Lower Park to the Eltham Major Activity Centre)
- Encourage landscape and urban design works which retain the integrity of, and enhance existing entrances to townships and commercial centres.
- Strongly discourage the realignment of boundaries of rural properties for the purpose of creating defacto residential lots. Generally, realignments are only supported for minor boundary adjustments which respond to topography or physical man-made features and do not provide for further development opportunities.

Objective 3

To consolidate and sustain existing urban areas and to protect and enhance urban streetscapes, townships and landscapes in the Shire.

Strategies

- Encourage the concentration of commercial and community services and facilities in major and neighbourhood activity centres and townships.
- Focus medium density housing in areas where appropriate infrastructure is available and in areas with good access to commercial and community services, public transport and public open space. Strongly discourage medium density housing in areas where such services, facilities and infrastructure are unavailable or inadequate.
- Review strategies relating to medium density housing following completion of structure plans for Eltham and Diamond Creek Major Activity Centres.
- Maintain the Eltham Gateway and ensure new development enhances the integrity of the Gateway (from Eltham Lower Park to the Eltham Major Activity Centre).
- Review and implement township strategies.

Objective 4

To maintain and enhance the character of urban and township areas.

Strategies

- Encourage applicants to refer to the Neighbourhood Character Study and Guidelines to provide direction in relation to new development and in particular, to take into account the characteristics of the local landscape and built form, including the retention of existing vegetation and recognition of housing styles and set-backs.
- Discourage development which would dominate and detract from the streetscape and which does not consider the neighbourhood character.
- Encourage planting of indigenous vegetation.
- Encourage landscape planting which complements and enhances the entrances to urban areas, townships and commercial centres.
- Encourage the provision of tree reserves where the edge of a township or urban area abuts a main or secondary road and maintain existing non-urban breaks between rural townships and between urban and non-urban areas.
- Limit subdivision and buildings in rural areas to maintain vistas. Encourage consolidation of buildings in locations below the ridgeline.
- Maintain and enhance the landscape values of the Eltham Gateway (from Eltham Lower Park to the Main Road shopping centre).
- Ensure that new development reflects the historic and rural character of the Hurstbridge and St Andrews Townships.
- Encourage muted tones for external surfaces and strongly discourage bright or contrasting colours.

Implementation

The Housing and Settlement strategies will be implemented as follows:

Using Local Policies

- Use a local policy to facilitate medium density housing in areas with good access to local services and public transport, and which demonstrates site and area responsive design (Medium Density Housing Policy, Clause 22.01).
- Use a local policy to guide subdivision of lots in Green Wedge areas (Subdivision in Green Wedge Areas, Clause 22.02).
- Use a local policy to guide consideration of permit applications for residential use and development on small lots in Green Wedge Areas (Residential Use and Development on Small Lots in Green Wedge Areas, Clause 22.03).
- Use a local policy to guide the consideration of use and development in the gateway to the Eltham Township (Eltham Gateway Policy, Clause 22.10).
- Use a local policy to guide consideration of permit applications in the General Residential, Residential Growth, Neighbourhood Residential and Township zones (Neighbourhood Character Policy, Clause 22.12).
- Use a local policy to guide the consideration of signage proposals in order to protect the visual quality of the Shire's urban streetscapes and rural landscapes from inappropriate signage (Signage Policy, Clause 22.09).

Applying Zones and Overlays

- Apply the General Residential Zone, Residential Growth Zone, or the Neighbourhood Residential Zone to residential areas.

- Apply the Low Density Residential Zone to existing low density residential areas located in North Warrandyte, the Plenty and Yarrambat corridor and around the urban edge of Eltham and Research.
- Apply the Township Zone to Hurstbridge, Panton Hill and St. Andrews to provide for residential development and a range of commercial, light industrial and other uses in these townships.
- Apply the Urban Floodway Zone within urban areas which have the greatest risk and frequency of being affected by flooding.
- Apply Environmental Significance Overlays to residential and low density residential areas identified as sites of faunal and habitat significance, Yarra River environs and Plenty River environs to protect the special environmental values of these areas.
- Apply the Significant Landscape Overlay to townships, low-density residential areas and parts of Eltham to encourage the retention of the treed nature of these areas and ensure that the preferred future character of the areas, as identified in the Shire of Nillumbik Neighbourhood Character Study 2000, is achieved.
- Apply the Development Plan Overlay to a low density residential area in Plenty and to land along the Plenty Gorge to specify requirements over the future development of these areas. The Development Plan Overlay will address land capability, infrastructure sequencing, environmental significance and preferred design outcomes which encourage a coordinated approach to development.
- Apply the Design and Development Overlay to the Eltham Gateway to encourage the retention of the treed nature of this area and guide development.
- Apply the Design and Development Overlay to locations in Plenty and Yarrambat where land capability, infrastructure sequencing, environmental significance and preferred design outcomes influence future residential development.
- Use the schedule to the Design and Development Overlay for designated areas in Yarrambat, to incorporate considerations in the Yarrambat Local Structure Plan, May 1993 and Yarrambat Extension Area Local Structure Plan, September 1996.
- Use the schedule to the Design and Development Overlay for designated residential areas in Plenty, to incorporate considerations in the Plenty Valley Environmental Living Area Outline Development Plan, March 1992 (including setting minimum lot sizes) and the Plenty Valley Environmental Living Area Siting and Design Guidelines, June 1991.
- Apply the Design and Development Overlay to the Hurstbridge and St Andrews Townships to encourage the retention of the historic and rural character of the Township and guide development.
- Use the schedule to the Design and Development Overlay to incorporate considerations in the Hurstbridge Design Guidelines Heidelberg-Kinglake Road (Main Road) Precinct, 2013 and the St Andrews Township Guidelines, April 2012.

Undertaking Further Strategic Work

- Review the Medium Density Housing Policy (Clause 22.01) to encourage greater housing diversity in the urban areas and the role of medium density housing and activity centres in meeting housing objectives.
- Implement structure plans for the Eltham and Diamond Creek Major Activity Centres
- Identify opportunities for medium density and more diverse housing that meet community needs particularly in the context of an ageing population. This should be undertaken through structure planning in identified activity centres.
- Review the stock of vacant residential land supply and demand

- Review the strategy documents for Hurstbridge and Wattle Glen.
- Consider undertaking further strategic work and reviewing implementation mechanisms to identify and ensure appropriate development including signage controls in township entrances and gateways.
- Revise objectives relating to energy efficiency rating in accordance with State Government legislation.
- Investigate application of energy rating systems to alternative building materials such as mud brick.

Other Actions

- Provide expertise and education to the public in the use of non-forest timbers and alternative building materials such as mud-brick, straw-bale and rammed-earth.
- Collate good examples of residential development designs and layouts which respond to site characteristics and streetscape and respect the neighbourhood. Make use of these to help demonstrate to the public the expectations of site and locality analysis and response in residential proposals.

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Rural Land Use

Overview

Approximately 92% of the Shire of Nillumbik is rural land and lies outside the Urban Growth Boundary. Rural areas contain natural resource based activities including agriculture, hobby farming, limited gold mining and forestry. Rural areas also contain sites of environmental significance as well as residences in rural or bushland settings. This diversity of uses raises issues of land use conflict, resource use and environmental management. These issues must be managed by ensuring the sustainable land use and natural resource management of rural areas.

The objectives, strategies and means of implementation which relate to the natural environment, conservation and landscape, much of which is prevalent in the rural areas of the Shire, are addressed in the 'Environment, Conservation & Landscape' section (21.05-3).

State Planning Policy (Clause 11.04-6) supports the protection of the green wedges of metropolitan Melbourne from inappropriate development. In Nillumbik, environmental and social values are ascribed to areas of environmental and landscape quality in the vicinity of the Yarra River, Plenty River, Diamond Creek and surrounding areas. Relevant State Planning Policies include River corridors (11.04-8), Protection of agricultural land (14.01-1) and Sustainable agricultural land use (14.01-2), Catchment planning and management (14.02-1) and Rural residential development (16.02-1)

Rural land use issues cover a range of themes including the environment, housing, economic development and infrastructure. This reflects the many considerations which are to be had for future subdivision, use and development in rural areas of the Shire.

Objective 1

To retain existing agricultural land for soil based agricultural production and promote sustainable agricultural activities..

Strategies

- Promote land use in rural areas in accordance with the capability and productive potential of the land.
- Limit small lot subdivision and encourage the consolidation of titles of agricultural land in order to maintain farm scale, retain the productive potential of land and the ability to undertake sustainable land management practices.
- Limit non-soil based use and development in land identified as rural, conservation farming or conservation in the Framework Plan, and land identified as high quality in Kangaroo Ground.
- Support the continuance and diversification of agriculture which demonstrates sustainable land management practices.
- Protect the productive potential of agricultural land from inappropriate use and development.
- Facilitate opportunities for diversification in agricultural activities.
- Discourage residential uses within non-urban areas.

Objective 2

To limit the fragmentation of land in rural areas.

Strategies

- Ensure land use changes do not have an adverse impact on the landscape or strategic environmental values of the land.
- Protect the productive potential of rural land by limiting small lot subdivision.
- Strongly discourage subdivision of property boundaries for the purpose of creating rural residential or hobby farm lots.
- Generally, support realignments for minor boundary adjustments which respond to topography or physical man-made features. Where small lots are allowed via the realignment of existing property boundaries, consider restrictions for the balance of the land with respect to future development and subdivision potential.
- Encourage new rural residential development in areas zoned for that purpose at Yarrambat and Plenty and other appropriately zoned areas.
- With respect to subdivision, consider rural land consistent with the Framework Plan, as rural, conservation, environmental rural and conservation interface based on land capability, rural character, proximity to major environmental assets and potentially conflicting low-density residential areas, landscape features and strategic environmental values.
- Encourage retention of large lots in single ownership for the purposes of preserving conservation values or agricultural potential which may require a larger subdivision size.
- Encourage the consolidation of titles.

Objective 3

To ensure that any new dwelling built in the non urban area does not adversely impact on the primary production activities carried out on the land or on the environmental values of the land.

Strategies

- Ensure that the development of any new dwelling outside of the Urban Growth Boundary does not adversely impact on the primary production activities carried out on the land or on neighbouring land.
- Encourage sites to be used according to land capability, and be managed to avoid or minimise adverse impacts on the quality and quantity of natural resources, surrounding land and the catchment.
- Ensure land to the west of the Bend of Islands will not threaten the integrity of the protection of flora and fauna in the Bend of Islands when residential use is introduced to this area.
- Consolidate residential uses and development in the urban areas, townships and designated low density residential areas in the Shire.

Objective 4

To minimise infrastructure servicing demand in rural areas.

Strategies

- Limit the development of new dwellings and buildings on rural allotments below the minimum subdivision size, unless exceptional circumstances apply.
- Strongly discourage commercial and industrial type uses and developments in rural areas with limited vehicular access, due to unsealed roads, no-through roads or other constraints to road safety or efficiency.
- Encourage the location of commercial/tourism uses which have the potential to attract substantial numbers of daily visitors, such as art galleries, cafes, plant nurseries, restaurants and wineries, in close proximity to major roads to limit the impact of these uses on the local road network.
- Facilitate the restructuring of old and inappropriate subdivisions.
- Encourage new rural residential development in areas currently designated for that purpose at Yarrambat and Plenty and other appropriately zoned areas.
- Ensure lots have the capacity to contain all effluent generated on site and provide for the appropriate management of stormwater.

Note: Services and facilities for the urban population of Mernda in the City of Whittlesea should be located in the urban zoned land of the City of Whittlesea. Rural land in the Shire of Nillumbik near the Whittlesea growth corridor will continue to be used for rural purposes.

Objective 5

To protect and enhance rural landscape character.

Strategies

- Conserve bushland and encourage revegetation.
- Ensure uses, buildings and works in rural and low-density residential areas maintain or enhance the landscape character of the locality, including views to the site.
- Restrict multiple buildings in rural and low-density residential areas, and support the consolidation of buildings (especially outbuildings).

- Ensure that the siting and design of buildings and works in rural areas avoid ridge-lines and hilltops wherever possible to ensure that they do not form a silhouette on the horizon.
- Discourage the use of reflective building materials such as zincalume in rural areas where a proposed building would be visible from other properties or roads.
- Encourage the use of muted tones on external surfaces while discouraging the use of bright or contrasting colours.
- Restrict subdivision and the development of buildings on lots in rural areas to maintain landscape qualities.
- Consult the Nillumbik Shire Council Roadside Management Plan in the consideration of works on roadsides.
- Encourage the planting of indigenous vegetation and discourage the planting of exotic species.

Implementation

The above strategies will be implemented by:

Using Local Policies

- Use a local policy to guide subdivision on rural land, and require property management plans to demonstrate good land management practices (Subdivision in Green Wedge Areas, Clause 22.02).
- Use a local policy to protect the integrity of landscape values in the Shire from inappropriate siting and design of buildings and works (Siting and Design Policy for Buildings & Works in Non-Urban Areas, Clause 22.04).
- Use a local policy for an area adjoining the Bend of Islands to help protect flora and fauna in the Bend of Islands (Yanakie Farm Domestic Pet Policy, Clause 22.11).

Applying Zones and Overlays

- Apply the Green Wedge Zone to land which provides for sustainable use for extensive animal husbandry and crop raising (land described as Farming in the Framework Plan).
- Apply the Rural Conservation Zone to non-urban land with environmental significance and landscape values.
- Use the schedule to the Rural Conservation and Green Wedge Zones to establish varying subdivision minimums based on land classified in the Framework Plan as Conservation, Conservation Farming, Rural Conservation and Conservation Interface. The schedule specifies the outcomes unique to each of the classifications.
- Apply the Special Use Zone to protect the unique environmental and lifestyle values of the Bend of Islands area.
- Apply the Restructure Overlay to two old and inappropriate subdivisions at Rankin Street in Panton Hill, Fawkner Crescent in Hurstbridge and Smiths Gully Road in Smiths Gully.

Undertaking Further Strategic Work

- Review planning controls including Local Planning Policy Framework (MSS and local policies) and the application of zones and overlays as an outcome of the Green Wedge Management Plan.

- Review the Yanakie Farm Domestic Pet Policy, upon implementation of the Warrandyte to Kinglake nature conservation link.

Note: Many future strategic initiatives for rural areas of the Shire are included in the Environment, Conservation & Landscape section (21.05-3).

21.05-3 Environment, Conservation & Landscape

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Overview

In order to maintain the high environmental and landscape values that occur within the Shire, threatening processes associated with the loss and degradation of the natural and built environment need to be addressed. The long term protection of native species and ecosystems requires large areas of high quality native vegetation interconnected by a network of habitat corridors. These areas are located on both public and private land. Knowledge and understanding of environmental and culturally significant values within the Shire, and the encouragement of a coordinated catchment approach based on sustainable principles, is critical in achieving sound planning decisions.

State Planning Policy supports improved environmental management that ensures water resources are managed in a sustainable way, that resource use and waste generation is reduced and that native habitat and areas of important biodiversity through appropriate land-use planning is protected.

Relevant State Planning Policies include: Open space planning (Clause 11.03-1), River corridors (11.04-8), Protection of habitat (12.01-1), Native vegetation management (12.01-2), Environmentally sensitive areas (12.04-1), Landscapes (12.04-2), Bushfire planning strategies and principles (13.05-1), Energy and resource efficiency (15.02-1), Heritage conservation (15.03-1) and Aboriginal cultural heritage (15.03-2). Given the unique natural and cultural value of the Shire, Clause 15.-03 is highly relevant and states *‘to ensure the conservation of places of heritage significance’* and *‘to ensure the protection and conservation of places of Aboriginal cultural heritage significance’*

State Planning Policy also states *‘to assist the protection and conservation of biodiversity, including native vegetation retention and provision of habitats for native plants and animals and control of pest plants and animals.’* Given the large number of threatened native species and threatening processes occurring in the Shire, this is a particularly relevant consideration in any planning decision.

Objective 1

To protect and enhance sites of environmental significance.

Strategies

- Protect areas of environmental significance, by restricting land uses and development that may adversely impact on native flora and fauna.
- Establish a shire wide network of strategic habitat links and retain high value conservation land in public ownership wherever possible.
- Incorporate the retention and enhancement of strategic habitat links into subdivision plans and site management plans where appropriate.
- Encourage the retention of vegetated areas of sufficient size that maintains the viability of faunal populations and vegetation communities and protects biodiversity and other significant environmental values.
- Identify significant nature conservation values and develop actions to ensure their long term survival.

- Protect and enhance roadside vegetation through the implementation of the Nillumbik Shire Council Roadside Management Plan (2012) and the planting of roadside reservations only with indigenous plantings, unless there are exceptional circumstances for alternative plants.
- Protect remnant vegetation by encouraging the use of Trust for Nature Conservation Covenants on private bush land.
- Encourage the protection and enhancement of sites of environmental significance with planting of indigenous vegetation rather than exotics.
- Encourage siting and design of dwellings that avoids the need to remove native vegetation and ensure development proposals address the Net Gain Principle of the Native Vegetation Framework.
- Protect all wetlands, floodplains and native habitat areas from inappropriate land use, development and works including dam construction.

Objective 2

To ensure land use and development is assessed in the context of its potential effect on the wider catchment and encourage sustainable land management.

Strategies

- Encourage land uses which complement land capability, improve water quality and maintain environmental flows.
- Encourage coordinated environmental management of public and private land.
- Protect the natural systems including land, air and water from pollution and detrimental activities in accordance with relevant State legislation including State Environment Protection Policies, best practice environmental management guidelines and approved catchment strategies.
- Encourage use and development that can demonstrate consistency with the requirements of Council's Sustainable Water Management Plan 2008 and best practice principles in relation to stormwater management.
- Refer to Melbourne Water's Diamond Creek and Plenty River Streamflow Management Plans when responding to permit applications within these catchments.
- Protect all waterways within the Shire from disturbance and pollution caused by inappropriate land use, development and works including dam construction.
- Ensure land use and development is consistent with identified land capability and environmental constraints and is managed to have minimum adverse impact on neighbouring properties and the catchment.
- Protect rural land from subdivision and development that impacts on the ability of the land to undertake sustainable land management practices.
- Where a permit is required for agriculture, seek to apply conditions requiring the protection of native vegetation (e.g. fencing off remnant vegetation).

Objective 3

To protect places of natural and cultural heritage.

Strategies

- Work with Aboriginal Affairs Victoria to protect sites of Aboriginal heritage significance.
- Ensure that informed assessments are carried out with respect to the potential Aboriginal heritage value of a site, and require referral to relevant heritage bodies as necessary.
- Protect heritage sites, buildings and trees identified in heritage studies and undertake ongoing review of places for their heritage significance
- Encourage new use and development to contribute to the protection and enhancement of natural and cultural heritage.
- Undertake and support community education programs that protect sites of natural and cultural heritage.

Objective 4

To promote energy efficiency in the layout of subdivisions and the siting and design of buildings.

Strategies

- Encourage subdivision designs to maximise solar access for lots. This includes careful orientation and sizing of house lots to maximise free solar heating and reduce overshadowing of north facing windows
- Encourage greater use of renewable energy resources such as solar, wind and water and reduce reliance on non-renewable resources such as fossil fuels.

Objective 5

To avoid and mitigate the limitations and threats posed by environmental hazards in land use and development.

Strategies

- Ensure that development in areas of bushfire risk is appropriately sited, designed and managed to avoid or minimise risk.
- Restrict sensitive uses, such as dwellings, in areas of bushfire risk.
- Implement fire management programs which are integrated with environmental objectives and strategies and the Municipal Fire Management Plan
- Ensure development is assessed in accordance with the Bushfire Management Overlays where applicable.
- Ensure that development in areas subject to inundation and flooding is appropriately designed and managed to minimise risk and to protect the environmental values of the site including water quality and streamside habitat.
- Ensure that development, including vegetation removal, takes into account the potential risk of soil erosion, stormwater quality, soil expansion and landslip.
- Ensure that land which may be contaminated is appropriately investigated and treated before new sensitive uses are allowed.

Objective 6

To promote resource conservation

Strategies

- Encourage retention and planting of indigenous vegetation through planning provision and environmental initiatives, recognising the role that vegetation plays in reducing greenhouse gas emissions.
- Encourage waste minimisation and the use of recycled and plantation-grown timbers in the construction of new buildings.
- Encourage the use of alternative building materials such as mud-brick and rammed earth construction.

Objective 7

To protect and enhance conservation areas and identify opportunities to create and link areas of open space in accordance with the Open Space Strategy.

Strategies

- Encourage large lot rural land use and rural living opportunities that protect the environmental and landscape values of major conservation areas such as the Plenty Gorge Park, Kinglake National Park and the Yarra River Valley.
- Strongly encourage the design of subdivisions to incorporate the potential for open space linkages and the retention of remnant vegetation and drainage lines as parts of open spaces.
- Develop and implement site management plans for conservation areas of high environmental sensitivity owned and managed by Council.
- Retain high value conservation land in public ownership.

Implementation

The Environment, Conservation and Landscape strategies will be implemented by:

Using Local Policies

- Use a local policy to provide guidelines on appropriate and responsive siting and design of buildings in rural areas and to minimise landscape impact, energy usage and fire hazard (Siting and Design Policy for Buildings & Works in Non-urban Areas, Clause 22.04).
- Use a local policy to acknowledge the prior occupation of the Shire by the Wurundjeri people and which requires future development in particular areas to have regard to sites of Aboriginal heritage, (Aboriginal Cultural Heritage Policy, Clause 22.05).
- Use a local policy which acknowledges Nillumbik Shire Council's Roadside Management Plan and provides guidelines for the consideration of proposals within or near roadsides (Roadside Management Policy, Clause 22.06).
- Use a local policy for an area adjoining the Bend of Islands to help protect flora and fauna in the Bend of Islands (Yanakie Farm Domestic Pet Policy, Clause 22.11).

Applying Zones and Overlays

- Apply the Rural Conservation Zone to most rural areas in the Shire to protect environmental values and to promote sound management and land capability practices.
- Apply a Special Use Zone to protect the unique environmental and lifestyle values of the Bend of Islands area. This zone specifically prohibits the construction of fences, keeping of domestic pets, grazing and agriculture and the planting of non-indigenous vegetation (except for a small kitchen garden).
- Apply the Public Conservation and Resource Zone to manage the use of major public reserves of significant environmental value.
- Apply the Urban Floodway Zone within urban areas which have the greatest risk and frequency of being affected by flooding.
- Apply the Public Acquisition Overlay to land identified by an authority for the purposes of acquiring public open space, notably Yarra Valley Parklands, Plenty Gorge Metropolitan Park and the Diamond Creek Linear Open Space Link.
- Apply an Environmental Significance Overlay to identified sites of national, state and regional faunal and habitat significance, derived from the NEROC Report (Beardsell, 1997). The overlay identifies potential environmental constraints, strengthens vegetation retention controls and where appropriate requires property management plans to demonstrate how new development or land use will not impact on environmental values.
- Apply an Environmental Significance Overlay to protect and enhance environmental and landscape characteristics of the Yarra River Valley environs. The overlay will facilitate the objectives of the *Middle Yarra Concept Plan* (Melbourne Water, 1991).
- Apply an Environmental Significance Overlay to protect and enhance the environmental and landscape characteristics of the Plenty River environs. The overlay will facilitate the objectives of the *Lower Plenty River Concept Plan* (Melbourne Water, 1992).
- Apply an Environmental Significance Overlay to all land within 30 metres of the Diamond, Arthurs and Watsons Creeks to protect existing vegetation, stream banks and improve water quality.
- Apply a Significant Landscape Overlay to low density residential areas in North Warrandyte and around Eltham that will protect the environmental and landscape character of the area. Proposed development will need to address issues including vegetation retention and the sensitive siting of buildings and works.
- Apply a Significant Landscape Overlay to bushland residential areas that will protect the environmental and landscape character of the area. Proposals will need to address the retention of native vegetation.
- Apply the Design and Development Overlay to the Eltham Gateway to encourage the retention of the treed nature of this area and guide development.
- Apply the Environmental Audit Overlay to areas identified as potentially contaminated with concentrations of arsenic, cyanide or mercury, as a result of past gold mining activity.
- Apply the Land Subject to Inundation Overlay to areas affected by the 1 in 100 year flood or any other flood prone area determined by Melbourne Water.
- Apply the Special Building Overlay to urban areas identified by Melbourne Water that are liable to inundation by overland flows from the urban drainage system.
- Apply the Bushfire Management Overlay to areas of high bushfire risk.
- Apply the Heritage Overlay to identify, protect and enhance heritage places of natural or cultural significance.

- Apply the Development Plan Overlay (for areas expressed in Clause 21.05-1) to ensure consideration of environment and landscape in specifying requirements over the future development of these areas.

Undertaking Further Strategic Work

- Ongoing implementation review of the Environmental Charter and associated statement and strategies to ensure appropriate actions to protect and enhance the natural environment.
- Prepare a catchment management plan for the Watsons Creek catchment based on State of the Environment Reporting.
- Review the Open Space Strategy.
- Review planning controls including Local Planning Policy Framework (MSS and local policies) and the application of zones and overlays as recommended by the Green Wedge Management Plan.
- Review the ESO1 boundaries and schedule to improve mapping and identification of significant environmental sites, threatened vegetation communities and species and identification of habitat links.
- Review the ESO1 schedule to clarify the need for information such as a flora and fauna assessment, proposed revegetation/landscaping, identification and control of weed species and ongoing management of the site.
- Review the coverage of ESO4 waterways to consider inclusion of additional significant waterways such as running creek and Deep Creek in Arthurs Creek, Pigeon Bank Creek and Stony Creek in Kangaroo Ground/North Warrandyte.
- Review the NEROC Report (Beardsell, 1997) as part of a regional project involving adjoining municipalities and DSE.
- Review the LSIO, UFZ and SBO as new information becomes available.
- Review Local Planning Policies Subdivision in Green Wedge Areas (Clause 22.02) and Siting and Design Policy for Building and Works in Non-Urban Areas (Clause 22.04) to improve their application as recommended by the Green Wedge Management Plan.
- Review the Local Planning Policy Framework to incorporate bushfire considerations into the Planning Scheme.
- Continue to review the Environmental Audit Overlay in relation to identification of sites of potential contamination.
- Identify and protect significant landscapes and vistas in the rural areas as an outcome of the Green Wedge Management Plan.
- Implement the Biodiversity Assessment Guidelines 2013.

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Economic Development

Overview

Economic development opportunities in the Shire of Nillumbik are likely to be generated by small business enterprises especially home-based businesses involved in leisure services, retailing, rural industry, tourism, information technology, education and training, innovative environmental management and sustainable agriculture. The principal focus with respect to economic development is to strengthen existing enterprises and facilitate new business initiatives which respect the Shire's environmental, social and economic development priorities.

Relevant State Planning Policies include: Activity centre network (Clause 11.01-1), Activity centre planning (11.01-2), Urban design (15.01-1), Business (17.01-1), Industrial land development (17.02-1) and Facilitating tourism (17.03-1). The main employment locations in Nillumbik, the Eltham and Diamond Creek Major Activity Centres, Hurstbridge Neighbourhood Activity Centre and the industrial land at Research need to be maintained to continue to provide opportunities for local employment. In the non-urban areas, the range of tourism and commercial activities are restricted to activity centres or purposes that can be used in conjunction with agriculture, rural industry or winery.

Many of the objectives included in Clause 17 directly relate to strategic directions for economic development in the Shire of Nillumbik. These objectives must be pursued in conjunction with other objectives identified in the Municipal Strategic Statement.

Objective 1

To facilitate environmentally sustainable economic development.

Strategies

- Facilitate establishment of clean green businesses and strategies encouraging greenhouse reduction targets as part of Council's Climate Change Action Plan 2010-2015 and Ecologically Sustainable Development Policy 2012.
- Facilitate establishment and growth of enterprises involved in environmental and agricultural research and development, and tourism based on environmental and local sustainable interests.
- Ensure urban and rural based tourism is compatible with the environmental capacity of the Shire and the locality.
- Develop links between research and education organisations and the Shire's community to provide opportunities to implement innovative approaches to sustainable land use and land management.
- Promote economic development opportunities that build on the cultural and physical characteristics of the conservation and rural focus (the 'green wedge') of the Shire.
- Encourage home-based businesses which achieve environmental and social benefits through decreased travel time, use of existing structures and resources, provision of a neighbourhood presence and provides increased demand for other local businesses as services and products are sourced locally.
- Facilitate signage to advertise business undertaken on-site, while ensuring that signs will not detract from streetscapes or landscape characters of areas, and not raise traffic safety concerns.
- Promote passive recreational activities within the Shire.

Objective 2

To promote Eltham and Diamond Creek Major Activity Centres as the main commercial and community activity areas in the Shire, and support the viability and vitality of these areas.

Strategies

- Concentrate the Shire's major retail activities in the Eltham and Diamond Creek Major Activity Centres.
- Develop a sense of place and opportunities for meeting and community interaction in the Eltham and Diamond Creek Major Activity Centres.

- Implement the Structure Plans for the Eltham and Diamond Creek Major Activity Centres.
- Ensure use and development in the Diamond Creek Road Business Area (north east corner Diamond Creek Road and McLaughlans Lane, Plenty is of only for limited local convenience and does not detract from the retail role and function of Diamond Creek Major Activity Centre.
- Ensure that the future land use and development in activity centres is appropriate to the role and function of the centre and enhances the natural and built environment.
- Maintain the retail nature of uses in core retailing areas at pedestrian thoroughfare levels (i.e. non-retail activities, such as offices and storage, should not be located at pedestrian thoroughfare levels in core retailing areas, as these uses detract from the retail presence of these areas).
- Ensure that new development enhances the accessibility of commercial and public areas to all users.
- Broaden the mix of land uses in and around major activity centres and neighbourhood activity centres to include services and medium density housing.
- Undertake infrastructure and streetscape improvements.
- Develop and implement a new masterplan for traffic and landscape development along Main Hurstbridge Road which maintains two lane/two-way traffic but keeps open possible duplication after 2020 to help improve traffic flows and conditions for pedestrians and cyclists, improve the town centre landscape and develop a distinct image.
- Implement the Eltham Major Activity Centre Structure Plan, 2004 and Diamond Creek twenty20-Diamond Creek Major Activity Centre Structure Plan and Leisure Facilities Plan, September 2006.

Objective 3

To promote good urban design in all activity centres and townships and recognise the importance of retaining the historical and individual characteristics of each area.

Strategies

- Encourage the creation of a sense of place and opportunities for meeting and community interaction.
- Ensure that new development enhances accessibility for all users including pedestrian and cyclist access, improved public space, orientation to public transport and the main public transport networks.
- Implement the Eltham Major Activity Centre Guidelines 2009 and the *Eltham Major Activity Centre Structure Plan, 2005 and the Bridge Street Business Precinct, Urban Design Framework* to assist consideration of development in the Eltham Major Activity Centre.
- Implement the Diamond Creek twenty20 –Diamond Creek Major Activity Centre Structure Plan and Leisure Facilities Plan, September 2006 and the Diamond Creek Major Activity Centre Guidelines 2009 to guide the urban form and landscape development in and around the Diamond Creek Major Activity Centre.
- Implement the Hurstbridge Township Strategy 2002 and the Hurstbridge Design Guidelines, Heidelberg-Kinglake Road (Main Road) Precinct 2013 to guide the built form and landscaping of the Hurstbridge Township.
- Implement to the Eltham Gateway Design Guidelines 2013 to provide guidance on new development in the Eltham Gateway.

- Ensure that business signs do not detract from streetscapes or landscape characters of areas, and do not raise traffic safety concerns.
- Ensure that new development is complementary to and enhances the existing historical and individual character of each locality

Objective 4

To facilitate small scale industries and business opportunities and the retention of low impact business and industrial areas.

Strategies

- Encourage industrial uses to consolidate in industrial areas.
- With the exception of designated areas in the Eltham and Diamond Creek Major Activity Centre Structure Plans, discourage non-industrial type uses from establishing in designated industrial areas.
- Encourage low impact uses such as offices, health centres and recreation venues on the north side of Brougham Street and west side of Susan Street (Eltham) as well as areas identified in the Diamond Creek Structure Plan.
- Encourage site consolidation and the development of bulky goods retailing in Bridge Street, Bolton Street and Sherbourne Road, Eltham.
- Discourage large inappropriate industrial uses from establishing in the Shire.
- Encourage occupiers of industrial estates to undertake coordinated beautification works.
- Encourage appropriate landscaping for existing and new developments in industrial areas.

Objective 5

To provide for land uses that expand tourism opportunities in the Shire and realise a potential for additional local employment.

Strategies

- Facilitate low impact tourism development opportunities that build on the cultural and physical characteristics of the 'green wedge'.
- Encourage the establishment of tourism related uses in urban locations where there is safe and efficient access to main roads, and which would not be to the detriment of neighbouring and surrounding land uses and from the neighbourhood character and streetscape.
- Encourage the establishment of tourism related uses in rural locations where there is direct access from a major road, and where such use and development is compatible with the environmental and landscape values of the site and surrounding area. Ensure that access is not reliant on unsuitable local roads and that the use will not adversely impact on neighbouring and surrounding land uses.
- Ensure tourism use is of a scale and type which can be adequately catered for by available infrastructure services.

Implementation

The above strategies will be implemented by:

Using Local Policies

- Use local policy to provide guidelines for the consideration of applications with respect to development and use in the Eltham Major Activity Centre. The policy includes considerations of environmental character, amenity, traffic, parking and advertising signs (Eltham Major Activity Centre Policy, Clause 22.07).
- Use local policy to guide decisions about land use and development in and around the Diamond Creek Major Activity Centre. The Diamond Creek Major Activity Centre Policy, Clause 22.14 deals with land use, building form and landscape, community and leisure facilities, transport and mobility.
- Use local policy to provide guidelines for the siting and design of industrial buildings. The policy includes considerations of landscaping, materials, building heights, loading and unloading facilities and earthworks (Industrial Areas Policy, Clause 22.08).

Applying Zones and Overlays

- Apply the Industrial 3 Zone to the three established industrial areas in Diamond Creek, Eltham and Research.
- Apply the Business 1 Zone to established retail areas in the Shire.
- Apply the Business 1 Zone to a limited local convenience centre on the north east corner of Diamond Creek Road and McLaughlan's Lane, Plenty.
- Apply the Business 2 Zone to two areas in the Shire at the Eltham Major Activity Centre (on the western side of Main Road) and the Diamond Creek Major Activity Centre (on the northern side of Main-Hurstbridge Road east of the railway crossing).
- Apply the Township Zone to provide for a range of residential, commercial, light industrial and other uses which complement the multi-use function of smaller townships in the Shire.
- Apply the Development Plan Overlay to the Kangaroo Ground commercial precinct to specify requirements over the future development of the area.
- Apply a variety of overlays which do not relate specifically to economic development but will highlight considerations for particular land parcels (e.g. significant landscape and land subject to inundation). These overlays are included under other themes.
- Apply the Design and Development Overlay to the Hurstbridge Township to specify requirements to guide development.

Undertaking Further Strategic Work

- Implement the Eltham and Diamond Creek Major Activity Centre Structure Plans, the Bridge Street Business Precinct Urban Design Framework and the Hurstbridge Township Strategy.
- As part of structure planning for activity centres review the quality, extent and visual impact and effectiveness of signage in industrial, commercial and gateway precincts to allow businesses to effectively promote their presence, products and activities.
- Review the Industrial Areas Policy (Clause 22.08).

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C87**Overview**

The provision of appropriate infrastructure services such as public utilities, public open space, recreation and transport networks are integral to a variety of land uses. The dispersed nature of low-density residential areas creates some difficulties in the provision of a full range of infrastructure services, and rural areas invariably have only limited physical infrastructure. Planning for all areas of the municipality needs to take into account the appropriate level of infrastructure provision required. New development is encouraged to be more concentrated at activity centres to ensure the most efficient use of existing infrastructure.

Relevant State Planning Policies in relation to infrastructure include Open Space (Clause 11.03), Integrated Transport (18.01), Movement Networks (18.02), Community Infrastructure (19.02) and Development Infrastructure (19.03).

State Planning Policy states that *'planning for development of urban physical and community infrastructure should enable it to be provided in a way that is efficient, equitable, accessible and timely...'* It is important to note that the Council is regularly approached to allow development in non-urban areas. Rural areas do not and will not contain the levels of, and types of, infrastructure that are common-place in urban areas.

State Planning Policy also states that *'planning authorities are to consider the use of development contributions (levies) in the funding of infrastructure.'* This is particularly important in the Shire of Nillumbik for low-density housing in the Plenty/Yarrambat Corridor, as well as new residential developments in Plenty and Diamond Creek, and in-fill development throughout urban areas of the Shire.

Objective 1

To ensure the efficient provision of infrastructure to areas designated for residential and low-density residential development.

Strategies

- Encourage the provision of utility services to designated residential areas.
- Limit the development of residential and low-density residential services until critical infrastructure services are available, and in particular ensure the development of low-density residential areas in Plenty occurs in accordance with the development plan which includes, amongst other things, arrangements for reticulated water and sewerage in the area.
- Ensure the provision of useable public open space in new subdivision and encourage open space links to the existing open space network in accordance with the Recreation Strategy 2011-2019, Nillumbik Trails Strategy 2011 and the Open Space Strategy 2005.
- Implement approved development contributions plans for residential and low-density residential areas to assist in the fair and equitable provision of infrastructure and review the need for further plans in the Shire.
- Encourage the implementation of best practice principles in relation to stormwater management, including (where appropriate) the development and enhancement of natural drainage lines and promote reuse of stormwater on site.
- Implement the Shire of Nillumbik Sustainable Water Management Plan 2008.

Objective 2

To provide safe and efficient roads and road links within the municipality and to the wider region.

Strategies

- Upgrade the local road network to provide all weather roads and reduce environmental impacts on downstream waterways, by sealing unmade local roads where appropriate, in an environmentally sensitive manner.
- Provide for adequate access and egress for emergency services to ensure community safety.
- Discourage the introduction of uses in areas along local roads (especially unsealed, narrow and/or no-through roads), where uses would attract significant additional vehicular movements which would be inconsistent with existing vehicular traffic and the capacity of the road, and/or which would be to the unacceptable detriment of the condition of the road.
- Recognise that traffic levels along Yan Yean Road has increased due, in part, to recent and anticipated future residential development in the Whittlesea growth corridor in the City of Whittlesea. Ensure that land use adjacent to Yan Yean Road is compatible with the long term arterial road transport function of the road and that direct access to properties from Yan Yean Road is minimised.
- Provide for the long term duplication of Yan Yean Road, from Diamond Creek Road to Kurrak Road, and encourage sufficiently large set-backs for development and use on properties fronting the road along this alignment.
- Encourage vehicular traffic generated by the Whittlesea growth corridor in the City of Whittlesea, to access Melbourne via Plenty Road, and not via Yan Yean Road.
- Recognise the broader role of roads for all users including cycling, walking and buses. Ensure integrated planning of transport modes, especially the provision of paths and roads to be continuously accessible in and between neighbourhoods and community facilities where possible to maximise opportunities for walking, cycling, use of mobility devises (i.e. motorised scooters/wheelchairs) and access to public transport.

Objective 3

To encourage increased public transport usage.

Strategies

- Promote medium density housing around scheduled public transport stops and where there is good access to commercial and community facilities and open space links.
- Encourage improved and more flexible public transport provision and public transport linkages across the Shire which meets the needs of lower population densities on the urban fringe.
- Advocate accessible public transport options for people with disabilities to relevant transport authorities.
- Incorporate greater links between land use planning and transport especially in relation to activity centres and the public transport network.

Objective 4

To provide equitable local recreational facilities and public open spaces to meet local community needs.

Strategies

- Encourage, particularly through structure plans and strategies, the formation of open spaces and opportunities to link areas of public open space.
- Refer to the Recreation Strategy 2011-2019 and the Open Space Strategy, November 2005 to identify recreational needs of local communities in the development of public open spaces in local areas.
- Provide active and passive recreational facilities as an integral part of each township.
- Consolidate public open space into viable management units.
- Provide public open space networks within reasonable walking distance of urban residential areas.
- Design public open spaces in ways that ensure that access is available to all persons where appropriate.
- View open space as an environmental resource and as a means of protecting significant habitat.
- Seek public open space contributions in accordance with the Open Space Strategy, November 2005.
- Provide active recreation areas, including playgrounds and identify opportunities for more sporting fields in accordance with the Recreation Strategy, 2000.

Objective 5

To provide a network of public open spaces across the Shire and similarly a network of recreation trails throughout the Shire.

Strategies

- Link public open spaces where possible to provide diversity of recreational opportunities in accordance with the Open Space Strategy, November 2005.
- Actively encourage the design of subdivisions to incorporate the potential for open space linkages and the retention of remnant vegetation and drainage lines as parts of open spaces.
- Provide appropriate access to regional recreation features.
- Identify a network of appropriate routes.
- Consider feasibility studies for the provision of recreation trails including the development of regional trails along the Maroondah Aqueduct from Research to Sugarloaf Reservoir, trails from Greensborough to Diamond Creek and from Diamond Creek to Hurstbridge.
- Progressively install trail infrastructure.

Objective 6

To ensure access and mobility needs of people of all abilities are:

- addressed for existing public places;
- encouraged for existing private meeting places; and
- considered in future use and development proposals.

Strategies

- Improve accessibility to Council facilities and programs for people with disabilities.
- Ensure that disability access issues are addressed in strategic planning initiatives.
- Incorporate physical mobility and access needs of people of all abilities in the design, construction and maintenance of public roads, footpaths, seating, designated parking bays for people with disabilities and other physical infrastructures, providing topography permits.
- Encourage provision of accessibility to private meeting places for people with disabilities.
- Require applications to address accessibility issues for commercial proposals and other proposals where appropriate.
- Actively promote to developers their responsibilities under the *Disability Discrimination Act 1992*, and the economic effects of non-compliance.

Implementation

The above strategies will be implemented by:

Using Local Policies

- Use a local policy for areas having appropriate infrastructure provision and good access to public transport and public open space, which may be proposed for medium density housing (Medium Density Housing Policy, Clause 22.01).
- Use a local policy for land identified in the Framework Plan as 'Farming' to control the creation of small lots in rural areas (Subdivision in Green Wedge Areas, Clause 22.02).

Applying Zones and Overlays

- Apply the General Residential Zone, Residential Growth Zone, Neighbourhood Residential Zone and the Low Density Residential Zone to contain township areas which can be serviced by an appropriate range of utility services.
- Apply the Public Use Zone to areas of public infrastructure in the Shire.
- Apply the Road Zone Category 1 to proclaimed State highways and the Road Zone Category 2 to other key roads.
- Apply the Public Park and Recreation Zone to areas used as public recreation reserves.
- Apply the Special Use Zone to the Heritage Golf Course at Christmas Hills.
- Apply the Public Acquisition Overlay to land proposed to be acquired by Melbourne Water, VicRoads, Parks Victoria and Nillumbik Shire Council.
- Apply Development Plan Overlays and Design and Development Overlays in areas of Plenty and Yarrambat where they assist in the coordinated provision of services to new residential and low density residential areas.

- Apply the Restructure Overlay to three old and inappropriate subdivisions at Rankin Street in Panton Hill, Fawkner Crescent in Hurstbridge and Smiths Gully Road in Smiths Gully.
- Apply the Development Contributions Plan Overlay to require development contributions applying to the development of the areas known as Diamond Creek North, Areas A, and B and the Plenty Low Density Area, west of Yan Yean Road and south of Kurrak Road, Plenty.
- Apply the Schedule to Clause 52.01 to specify an open space provision of 5% in Diamond Creek North Areas A and B.
- Apply the Schedule to Clause 52.01 to specify an open space contribution of 7.9% of site value for the Plenty Low Density Area.

Undertaking Further Strategic Work

- Finalise a disability access policy and develop and implement a disability access action plan.
- Implement the Open Space Strategy, November 2005.