

24/02/2017  
GC48**SCHEDULE 3 TO THE DESIGN AND DEVELOPMENT OVERLAY**

Shown on the planning scheme map as **DDO3**.

**Yarra (Birrarrung) River Corridor Protection****1.0**24/02/2017  
GC48**Design objectives***Landscape protection*

- To protect and enhance the natural landscape character of the Yarra River corridor where the waterway, its topography, adjacent public open space and a continuous corridor of vegetation and canopy trees are the dominant features.
- To minimise the visual intrusion of development when viewed from the Yarra River and adjacent public open space, bicycle and shared paths and bridge crossings.
- To ensure development on visible hillslopes, crests, skylines and ridgelines is subordinate to existing local vegetation and natural landscape character setting.
- To ensure sufficient space is provided between buildings to maintain views to the Yarra River and allow for the planting and growth of vegetation, including large canopy trees.

*Siting and design*

- To ensure new buildings are appropriately set back from the banks of the Yarra River and adjacent public open space.
- To avoid additional light spill and overshadowing from buildings on the banks and water of the Yarra River, its adjacent public open space, bicycle and shared paths.
- To ensure building elevations are presented at a variety of heights, avoid visual bulk and are stepped back from the frontage of the Yarra River and adjacent public open space.
- To ensure all external colours and finishes are non-reflective and do not create contrast with the natural landscape character setting.
- To ensure public views of buildings are filtered through vegetation and trees.

*Site coverage and permeability*

- To avoid tennis courts, swimming pools and other structures within identified setbacks from the Yarra River to protect and enhance the natural landscape character setting and riparian zone.
- To minimise impervious surfaces to allow for the filtration of water and retention and establishment of vegetation and canopy trees.
- To ensure all fencing within close proximity to the Yarra River is low in scale, visually permeable and does not create contrast with its natural landscape character setting.

**2.0**24/02/2017  
GC48**Buildings and works**

A permit is required to:

- Construct a new, or replace an existing fence within the minimum setback specified in Table 1 of this schedule or where it abuts public open space, unless all of the following requirements are met:

- the maximum height of the fence does not exceed 1.4 metres at any point above natural ground level; and
- the fence is of timber post and rail or timber post and wire construction.
- Construct a swimming pool or tennis court associated with a dwelling.

***Requirements***

The following requirements must be met. A permit can not be granted to vary the following:

- Buildings and works must not cast any additional shadow across the Setback Reference Line specified in each Setback Map Reference to this schedule between 11:00am and 2:00pm on 22 June.
- A new building must:
  - Not exceed the maximum height specified in Table 1 of this schedule measured from natural ground level.
  - Be set back at least the minimum specified in Table 1 of this schedule from the Yarra River.
- The complete or partial replacement of an existing building within the minimum setback specified in Table 1 of this schedule from the Yarra River must not:
  - exceed the maximum building height specified in Table 1 of this schedule from natural ground level;
  - reduce the existing setback of the building from the Yarra River and public open space; and
  - increase the existing gross floor area of the existing building.

The following requirements should be met. A permit may be granted to vary the following:

- Fencing within the minimum setback specified of this schedule from the Yarra River should:
  - not impede the flow of flood waters;
  - not be more than 1.4 metres above natural ground level; and
  - be visually permeable and utilise non-reflective colours and finishes.
- Buildings should not cast any additional shadow across any public open space between 11:00am and 2:00pm on 22 September.
- The site area covered by buildings (including tennis courts and swimming pools) and other impervious surfaces within a residential area should not exceed 40 per cent of the total area of land within a lot.
- Tennis courts, swimming pools and other outbuildings associated with a dwelling should be set back the minimum distance specified in Table 1 of this schedule from the Yarra River.
- Building materials should utilise non-reflective colours and finishes to blend with the existing natural landscape character of an area.

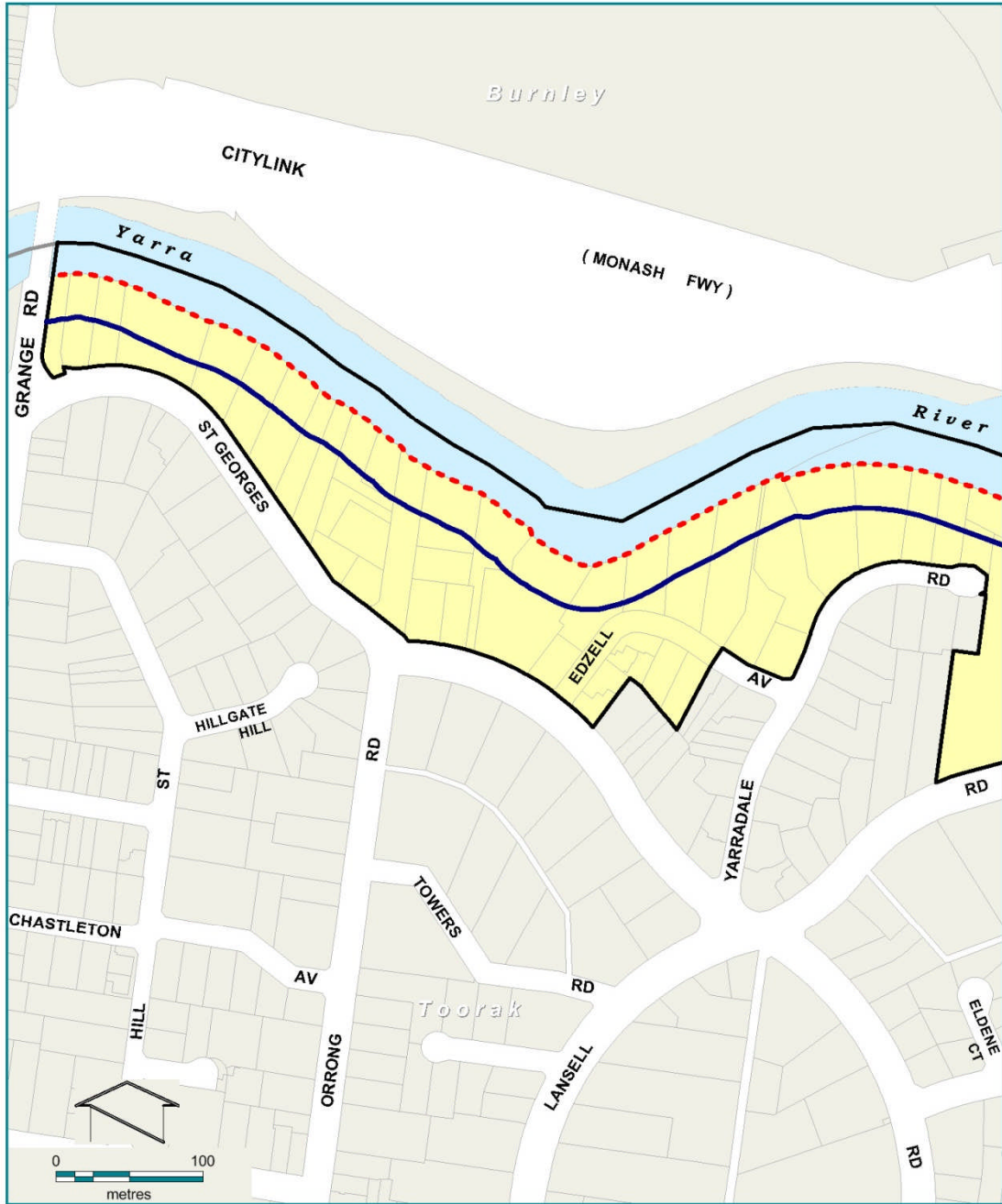
**Table 1**

| DDO3<br>Map<br>Ref. | Location                           | Mandatory Requirements                              |                |                      | Discretionary Requirements |                      |
|---------------------|------------------------------------|-----------------------------------------------------|----------------|----------------------|----------------------------|----------------------|
|                     |                                    | Minimum<br>Setback<br>Line <sup>1</sup><br>Distance | Maximum Height |                      | Maximum Height             |                      |
|                     |                                    |                                                     | Maximum        | Sloping <sup>2</sup> | Maximum                    | Sloping <sup>2</sup> |
| A                   | Grange Road to<br>Gardiners Creek  | 30m                                                 | 9m             | 10m                  | -                          | -                    |
| B                   | Riverfront<br>Precincts Apartments | -                                                   | 12m            | -                    | -                          | -                    |
| C                   | River Ridgeline Precincts          | -                                                   | 9m             | 10m                  | -                          | -                    |
| D                   | Melbourne High Precinct            | -                                                   | -              | -                    | 6m                         | 7m                   |

*Definitions to be read in conjunction with the above table and following setback reference maps:*

- <sup>1</sup> *Mandatory Minimum Setback Line:* The minimum building setback from the Yarra River is the specified distance measured horizontally in metres from the *Setback Reference Line*<sup>3</sup>; or
- <sup>2</sup> *Sloping site:* Where the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more.
- <sup>3</sup> *Setback Reference Line:* The closest parallel property boundary adjoining the Yarra River defining the location of its banks and the commencement of the waterway identified on each Setback Reference Map to this schedule.

DDO3 Setback Map Reference Area A - Grange Rd to Gardiners Creek(West)

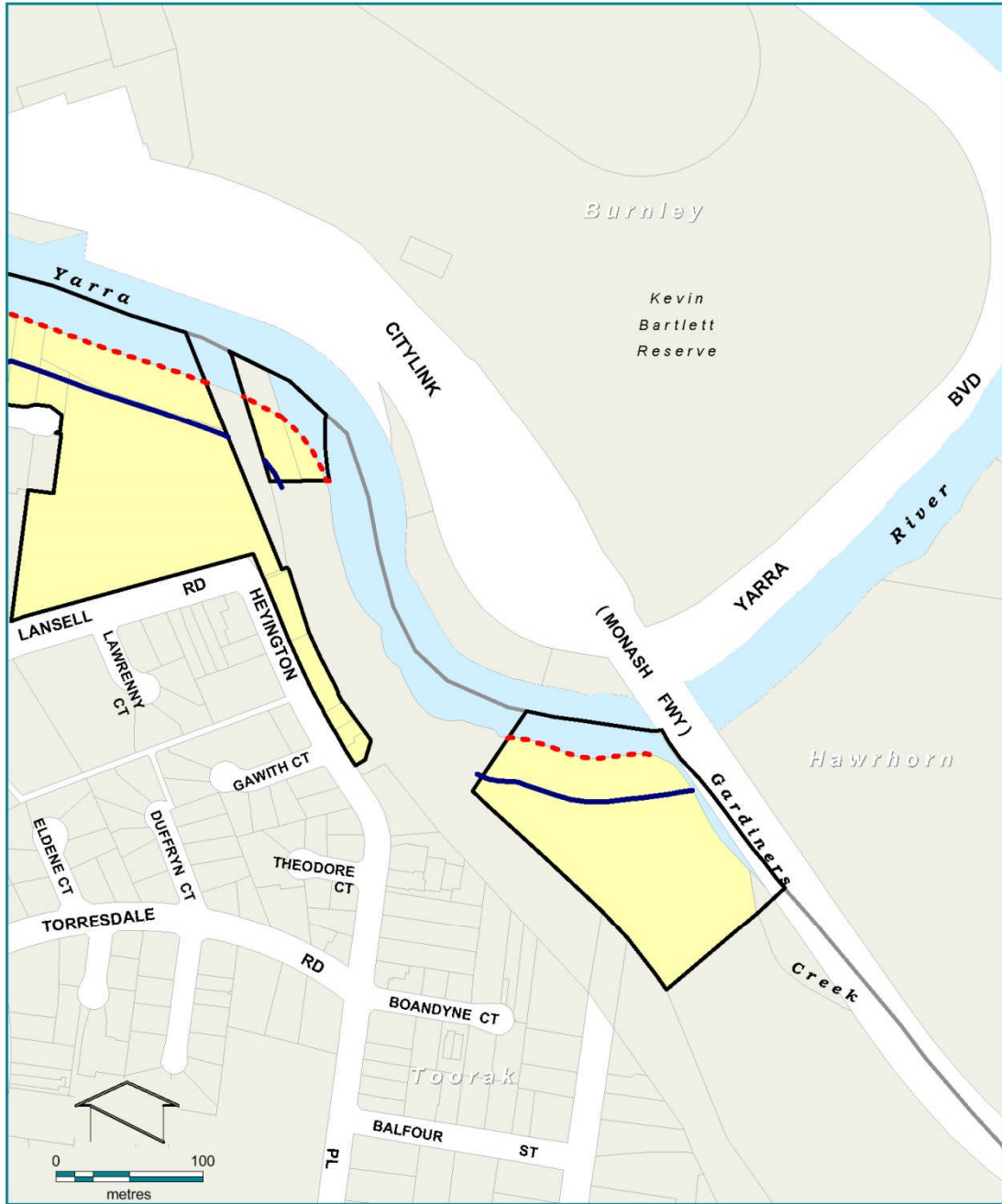


**LEGEND**

- Area Boundary
- Mandatory Minimum Setback Line \*
- Setback Reference Line

\* Setback line is an approximate location only. The precise location must be identified on a site survey plan prepared and certified by a suitable qualified surveyor.

DDO3 Setback Map Reference Area A - Grange Rd to Gardiners Creek(East)



**LEGEND**

- Area Boundary
- Mandatory Minimum Setback Line \*
- Setback Reference Line

\* Setback line is an approximate location only. The precise location must be identified on a site survey plan prepared and certified by a suitable qualified surveyor.

**3.0**24/02/2017  
GC48**Application requirements**

An application must be accompanied by the following information as appropriate:

- A written assessment demonstrating how the proposal meets the objectives and requirements of this overlay.
- A site survey plan certified by a qualified surveyor clearly showing the location of the mandatory minimum setback line and any existing and proposed buildings and works.
- A site plan showing all elevations including the maximum building height using Australian Height Datum (AHD) measured from natural ground level at any point including any areas of cut and fill.
- A schedule of proposed materials and finishes.
- Shadow diagrams demonstrating how the proposed buildings and works meet the overshadowing provisions of this schedule.
- A visual impact assessment of proposed buildings and works from public viewing points within the Yarra River corridor as determined by the responsible authority .
- The location and site area percentage calculation of all buildings (including tennis courts and swimming pools) and other existing and proposed impermeable surfaces.
- A landscaping plan, including written explanation which shows:
  - The type, location, quantity, height at maturity and botanical names of all proposed plants and details of any proposed tree protection zones.
  - How natural landforms will be protected, including appropriate approaches to vegetation retention and planting, ground preparation and minimising ground disturbance.
  - How erosion will be managed and stability maintained or improved using soft landscaping techniques.
  - How the rate and quantity of stormwater leaving a property will be controlled and pollutants filtered, during and post construction.

Where the complete or partial replacement of an existing building does not meet the minimum setback specified in Table 1 of this schedule from the Yarra River, the application must be accompanied by a report which:

- Provides a calculation of the existing and proposed gross floor area of all buildings.
- Explains why the proposed building or works can not be set back at least the minimum distance specified in Table 1 to this schedule from the Yarra River.
- Identifies any impacts on existing vegetation, the land, the flow of floodwaters or other environmental matters.
- Explains how any environmental impacts will be mitigated.

**4.0**24/02/2017  
GC48**Referral of applications**

In accordance with section 55 of the Act, all applications within 100 metres of the Yarra River must be referred to Melbourne Water unless in the opinion of the responsible authority the proposal satisfies requirements or conditions previously agreed to in writing between the responsible authority and Melbourne Water.

## 5.0 Decision guidelines

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Before deciding on an application the responsible authority must consider, as appropriate:

### *Landscape protection*

- The visibility of any proposed buildings and works when viewed from the Yarra River and adjacent public open space, bicycle and shared paths and bridge crossings.
- Whether sufficient space is provided between buildings to maintain views of the Yarra River and allow for the planting and growth of vegetation, including large canopy trees.
- Whether the siting of buildings and works avoids the removal of existing riparian vegetation.
- Whether any earthworks will affect public views of the river corridor.
- The need for additional landscaping or new vegetation screening to filter views of proposed buildings and works.

### *Siting and design*

- Whether any additional overshadowing of public open space can be avoided by redesigning or relocating a proposed building or parts of it.
- Whether siting of proposed buildings impacts the river's natural flood and watercourse characteristics.
- Whether any proposed garages and outbuildings ancillary to a dwelling are integrated into the overall design to minimise the appearance of built form impacting public views of the river corridor.
- Whether the location, bulk, outline and appearance of any proposed building or works are in keeping with or enhance the natural landscape character and appearance of the Yarra River.
- The appropriateness of proposed materials and finishes for any proposed buildings and works in reducing contrast.

### *Site coverage and permeability*

- The need to minimise impervious surfaces to allow for filtration of water and retention and establishment of indigenous vegetation and canopy trees.
- The need to limit areas, (including tennis courts and swimming pools) and other impervious surfaces within the minimum setback distance specified in Table 1 of this schedule to allow for replanting and vegetation growth.
- Whether adequate spacing is provided between buildings to maintain and create views to the Yarra River and its corridor.

## 6.0 Reference documents

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*Lower Yarra River Study - Recommendations Report 2016*, Department of Environment, Land, Water and Planning

## 7.0 Transitional arrangements

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The requirements of this schedule do not apply to:

- Development of land for which a permit under the Building Act 1993 was issued under the requirements of this planning scheme before 24 February 2017.

- Development of land for which a planning permit was issued before 24 February 2017 under the requirements of this planning scheme.

**8.0**

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**Expiry**

The requirements of this schedule cease to have effect after 31 January 2021.