

Birrarung Bolin Framework Plan

Minister's response to the report of the Yarra River – Bulleen Precinct Advisory Committee

Yarra River – Bulleen Precinct Advisory Committee

In October 2018 the former Minister for Planning appointed the Yarra River – Bulleen Precinct Advisory Committee to provide strategic and statutory planning advice on the future of the Yarra River – Bulleen Precinct, taking in areas of Bulleen, Heidelberg and Templestowe Lower. The precinct was highlighted in action 21 of the *Yarra River Action Plan* (2017), which committed to development of a precinct structure plan to provide direction to the future land use changes for the Yarra corridor between Bulleen Park and Banyule Flats.

The action plan noted that the precinct 'has the opportunity to become an internationally-significant cultural precinct, centred on the relationship between the arts, nature and Traditional Owner heritage'.

Scope

The committee's Terms of Reference required it to consider a draft of the Victorian Government's framework plan for the precinct, alongside two draft Manningham Planning Scheme amendments:

- C125mann which sought to enable residential development and public open space on the Yarra Valley Country Club site at 9-15 Templestowe Road, Bulleen
- C128 which sought to develop the former Bulleen drive-in site at 49 Greenaway Street.

In mid-2019 representatives of the former Bulleen Drive-in site requested that site no longer be considered by the committee and the committee's terms were amended to exclude consideration of C128 and, separately, to defer hearings until the Minister's assessment of the North East Link was made under the *Environment Effects Act 1978*.

Approach

Through the committee, draft documentation associated with the framework plan and a draft of C125mann was exhibited in mid-2019, receiving 39 submissions. Subsequent to the Minister's assessment of the North East Link, exhibition was undertaken again in mid-late-2020 with a further 45 submissions from existing and new submitters received. The committee held a Directions Hearing in October 2020, with Public Hearings conducted from January to March 2021.

Through the hearing process, the committee undertook a site visit and considered key issues raised across all submissions relating to the framework plan and the draft C125mann. Matters related to Aboriginal cultural heritage, arts and culture, stormwater and drainage, type, scale and location of development, biodiversity, landscape and natural values, open space and recreation, the North East Link, transport and traffic, pedestrians and cyclists, affordable housing and amenity.

The committee also informed itself through review of a large volume of material presented in hearings before reaching its conclusions.

Recommendations

The committee presented its report to the Minister for Planning in April 2021. Its recommendations related to both the draft framework plan and the draft C125mann.

Minister's response

In responding to the committee's recommendations, it is the Victorian Government's intention that the responses outlined below are considered in tandem with the *Birrarung Bolin Framework Plan* (2023) and its associated 'VC' Planning Scheme Amendment.

The government broadly accepts the committee's recommendations on the *Birrarung Bolin Framework Plan* and notes that the final form of the plan is generally consistent with the views of the independent committee. One exception to this is the committee's preferred future access arrangement for Banksia Park and Heide Museum of Modern Art via Bridge Street. This configuration is not consistent with both the reference design of the North East Link, nor the final design as represented in the *Tunnels Urban Design and Landscape Plan* (2023).

The government accepts the committee's recommendations on the form of draft amendment C125mann and provides this Minister's response in order to:

- establish clear expectations for the further revision of the amendment and its associated Development Plan Overlay
- accord with Birrarung Bolin Framework Plan and its associated 'VC' Planning Scheme Amendment.

Advisory Committee Report recommendation		Response
1	Amend the Yarra River - Bulleen Precinct Land Use Framework Plan, as shown in Appendix E.	Supported
2	Amend the Yarra River - Bulleen Precinct Land Use Framework Plan, as shown in Appendix E, to better recognise the Bulleen Art and Garden Centre.	Supported
3	Amend the Yarra River - Bulleen Precinct Land Use Framework Plan, as shown in Appendix E, to: <ul style="list-style-type: none"> a. revise Objective 1.4 to acknowledge the area's wetlands and other water features b. strengthen the importance of stormwater and drainage for the Yarra River in Section 3.5 	<ul style="list-style-type: none"> a. Supported b. Supported
4	Amend the Yarra River - Bulleen Precinct Land Use Framework Plan, as shown in Appendix E, to: <ul style="list-style-type: none"> a. encourage active recreation on the western side of the Yarra River and parklands with passive recreation on the eastern side through Objectives 1.1 and 1.3 b. seek revegetation of indigenous landscape to be at a depth sufficient to achieve minimum ecological outcomes and include species identified as culturally important to the Wurundjeri Woi Wurrung people. 	<ul style="list-style-type: none"> a. Supported in principle Locations for active recreation should be determined on a site-by-site basis. b. Supported

5	Amend the Yarra River - Bulleen Precinct Land Use Framework Plan, as shown in Appendix E, to introduce a new Strategy 2.9 to upgrade Templestowe Road which: <ul style="list-style-type: none"> a. is led by the Department of Transport b. includes an interim 3 metre shared footway on the north side of Templestowe Road, subject to further investigation. 	<ul style="list-style-type: none"> a. Supported b. Supported
6	Amend the Yarra River - Bulleen Precinct Land Use Framework Plan, as shown in Appendix E, to show a signalised intersection on Map 5B in Bridge Street which: <ul style="list-style-type: none"> a. provides access to Banksia Park and Heide Museum of Modern Art b. better integrates the areas north and south of Manningham Road and Bridge Street. 	<ul style="list-style-type: none"> a. Not supported This access arrangement is not consistent with the road network or the design of the North East Link b. Not supported The framework plan provides for strengthened integration and connection in this location without a signalised intersection in Bridge Street
7	Amend the Yarra River - Bulleen Precinct Land Use Framework Plan, as shown in Appendix E, to: <ul style="list-style-type: none"> a. add Strategy 2.11 for a new signalised intersection that: <ul style="list-style-type: none"> • consolidates access and between the 7 (Heide Museum of Modern Art) and 9-15 (Yarra Valley Country Club) • integrates pedestrian and cyclist circulation between 7 (Heide Museum of Modern Art), 9-15 (Yarra Valley Country Club) and 25 (Sonoco) Templestowe Road b. delete the reference on Map 5B to signalised access at 165 Templestowe Road. 	<ul style="list-style-type: none"> a. Supported b. Supported
8	Amend the Yarra River - Bulleen Precinct Land Use Framework Plan, as shown in Appendix E, to: <ul style="list-style-type: none"> a. refer to public safety in the Objective 2 introduction b. revise and introduce strategies 2.1, 2.2, 2.3, 2.4, 2.5, 2.6, 2.7, 2.8, and 2.12 to better respond to access and connectivity. 	<ul style="list-style-type: none"> a. Supported b. Supported
9	Amend the Yarra River - Bulleen Precinct Land Use Framework Plan, as shown in Appendix E, to add a new Strategy 2.13 which seeks to: <ul style="list-style-type: none"> a. investigate new public transport bus routes in and around the Yarra River - Bulleen Precinct, in consultation with, or led by the Department of Transport b. estimate car and bicycle parking needs and indicate their provision, based on future needs. 	<ul style="list-style-type: none"> a. Supported b. Supported
10	Amend the Yarra River - Bulleen Precinct Land Use Framework Plan, as shown in Appendix E, to better reflect the North East Link Project.	Supported
11	Amend the Yarra River - Bulleen Precinct Land Use Framework Plan, as shown in Appendix E, to: <ul style="list-style-type: none"> a. amend Objectives 1.1, 1.2, 1.3, 4.1 and 4.3 b. reflect changes associated with the proposed sports fields enabled through Amendment C132mann c. revise the Public Acquisition Overlay section to acknowledge that Manningham Planning Scheme Amendment C132mann, which enables 	<ul style="list-style-type: none"> a. Supported b. Supported c. Supported d. Supported e. Supported f. Supported

	<p>sports fields at 37-59 Templestowe Road, Bulleen was approved in December 2020</p> <p>d. identify 201 and 203 Bulleen Road, Bulleen? as a key site on relevant maps and in the Framework Plan Summary: Key Sites table</p> <p>e. for 165 Templestowe Road, Bulleen:</p> <ul style="list-style-type: none"> acknowledge in Maps 2, 4, 5A and 5B that the site is the subject to a lease until 2032 note in Map 4 that the site may be considered for open space after the lease expires in 2032 <p>f. make associated changes in other recommendations to the relevant maps.</p>	
12	Amend the Yarra River – Bulleen Precinct Land Use Framework Plan, as shown in Appendix E, to provide further direction on development.	Supported
13	Amend the Yarra River – Bulleen Precinct Land Use Framework Plan, as shown in Appendix E, to add high voltage transmission line content from the Middle Yarra Concept Plan (1993) in Section 3.4 (Physical connections).	Supported
14	Amend the Yarra River – Bulleen Precinct Land Use Framework Plan, as shown in Appendix E, to reference: <p>a. the proposed recreational facilities on the Bulleen Golf Driving Range site</p> <p>b. new shared user path bridges across the Yarra River</p> <p>c. Templestowe Road upgrade.</p>	Supported
15	Amend the Yarra River – Bulleen Precinct Land Use Framework Plan, as shown in Appendix E, to include the Rosanna Golf Course as a key site in the Yarra River – Bulleen Precinct.	Supported
16	Amend the Yarra River – Bulleen Precinct Land Use Framework Plan, as shown in Appendix E, to add more context and better drafting which improve its clarity and operation.	Supported
17	Approve and introduce the <i>Yarra River – Bulleen Precinct Land Use Framework Plan</i> into the relevant planning schemes before deciding on draft Amendment C125mann to the Manningham Planning Scheme.	Supported
18	<p>Draft Amendment C125mann to the Manningham Planning Scheme as re-exhibited in 2020 be prepared, adopted and approved, subject to the following changes:</p> <p>a. Apply General Residential Zone 4, as shown in Appendix F, rather than the Residential Growth Zone.</p> <p>b. Amend Development Plan Overlay Schedule 5, as shown in Appendix G.</p> <p>c. Amend Design and Development Overlay Schedule 2 to increase the maximum building height for 9-15 Templestowe Road, Bulleen from 8 metres to 11 metres (12 metres on sloping land).</p> <p>d. Apply the Environmental Audit Overlay to the entire site at 9-15 Templestowe Road, Bulleen.</p> <p>e. Abandon changes to:</p> <ul style="list-style-type: none"> Map 3 of Design and Development Overlay Schedule 2 clauses in the Planning Policy Framework, including the introduction of a site-specific Clause 22 policy. 	<p>Supported</p> <p>* See endnote</p>
19	Amend Development Plan Overlay Schedule 5, as shown in Appendix F, to prohibit development and significant earthworks on land subject to the Land Subject to Inundation Overlay.	<p>Supported</p> <p>* See endnote</p>
20	Abandon changes to Map 3 of Design and Development Overlay Schedule 2.	Supported

		* See endnote
21	Amend Development Plan Overlay Schedule 5, as shown in Appendix G, to require a Drainage and Hydrology Stormwater Management Strategy Report which prohibits treatment on the floodplain.	Supported * See endnote
22	Amend Development Plan Overlay Schedule 5 as shown in Appendix G to: <ul style="list-style-type: none"> a. delete reference to site remediation b. delete the requirement for a Site Remediation Strategy. 	Supported * See endnote
23	Apply the Environmental Audit Overlay to the entire site at 9-15 Templestowe Road, Bulleen.	Supported * See endnote
24	Amend Development Plan Overlay Schedule 5, as shown in Appendix G, to replace the section 173 agreement provisions for transferring public open space with new provisions.	Supported * See endnote
25	Amend Development Plan Overlay Schedule 5, as shown in Appendix G, to: <ul style="list-style-type: none"> a. specify a mandatory maximum building height of 12 metres (3 storeys) to land outside the Land Subject to Inundation Overlay b. specify that no development other than landscaping, open space and stormwater treatment be enabled on land within the Land Subject to Inundation Overlay c. include objectives of the Yarra River - Bulleen Precinct Land Use Framework Plan which will better guide future building heights and setbacks. 	Supported * See endnote
26	Amend Development Plan Overlay Schedule 5, as shown in Appendix G, to: <ul style="list-style-type: none"> a. require a landscape and visual impact assessment report b. specify a 3 storey maximum building height for the developable part of the site without specific heights and setbacks for each building block, unless a landscape and visual impact assessment report, prepared before the Amendment is finalised, informs these measures. 	Supported * See endnote
27	Amend Development Plan Overlay Schedule 5, as shown in Appendix G, to require a Native Vegetation and Biodiversity Report.	Supported * See endnote
28	Amend Development Plan Overlay Schedule 5, as shown in Appendix G, to require a housing diversity report with specified inclusions rather than a housing diversity statement.	Supported * See endnote
29	Amend Development Plan Overlay Schedule 5, as shown in Appendix G, to require five per cent of all dwellings to be affordable housing.	Supported * See endnote
30	Amend Development Plan Overlay Schedule 5, as shown in Appendix G, to: <ul style="list-style-type: none"> a. replace the traffic related provisions with Integrated Transport and Traffic Management Plan requirements, which includes: <ul style="list-style-type: none"> • allowing for long term vehicle access with abutting sites • having the Head, Transport for Victoria endorse access to Templestowe Road rather than Department of Transport b. revise the Outline Development Plan to: <ul style="list-style-type: none"> • replace the 'Potential secondary vehicular circulation' notation with reference to pedestrian and bicycle access • incorporate potential vehicle access 'down to' the future public open space 	Supported * See endnote

	<ul style="list-style-type: none"> revise reference to the Templestowe Road access to refer to shared access with the Heide Museum of Modern Art add a maximum 3 metre pathway along Templestowe Road <p>c. require a section 173 agreement to construct a signalised intersection</p> <p>d. require the Site Master Plan to resolve the location of the Templestowe Road access to the land.</p>	
31	Amend Development Plan Overlay Schedule 5, as shown in Appendix G, to require the Development Plan to include a Site Servicing Report.	Supported * See endnote
32	Amend Development Plan Overlay Schedule 5, as shown in Appendix G, to add further details about what an Ecologically Sustainable Development Strategy should include.	Supported * See endnote
33	Amend Development Plan Overlay Schedule 5, as shown in Appendix G, to require acoustic and air emissions reports.	Supported * See endnote
34	Apply the General Residential Zone to land not subject to the Land Subject to Inundation Overlay rather than the Residential Growth Zone.	Supported * See endnote
35	Apply the garden area requirement to the Yarra Valley Country Club site by not exempting it in General Residential Zone Schedule 4.	Supported * See endnote
36	Add 'None specified' to the maximum building height requirement in General Residential Zone Schedule 4 to enable the default maximum building height of 11 metres (3 storeys) in the General Residential Zone specified in Clause 32.08-10.	Supported * See endnote
37	Amend Design and Development Overlay Schedule 2 to increase the maximum building height for 7-15 Templestowe Road, Bulleen from 8 metres to 11 metres (12 metres on sloping land).	Supported * See endnote
38	Abandon changes to clauses in the Planning Policy Framework, including the introduction of a site-specific Clause 22 policy.	Supported * See endnote
39	Amend General Residential Zone Schedule 4, as shown in Appendix F, to make drafting changes which improve its clarity and operation.	Supported * See endnote
40	Amend Development Plan Overlay Schedule 5, as shown in Appendix G, to make drafting changes which improve its clarity and operation.	Supported * See endnote

*** Endnote:**

This advisory committee recommendation relates to draft Planning Scheme Amendment C125mann, which is a proponent-led amendment prepared on behalf of the Yarra Valley Country Club for land at 9-15 Templestowe Road, Bulleen.

The Advisory Committee's recommendations on the draft amendment are supported and have been reflected in the *Birrarung Bolin Framework Plan* and its associated VC Planning Scheme Amendment. It will be the responsibility of the proponent to undertake revisions of C125mann that conform with changes to the Manningham Planning Scheme made through the VC amendment.