

The Warrandyte Community Association (WCA) objects to the current proposed Planning Scheme Amendment C117 – Planning for Manningham’s rural areas.

Overall, the WCA supports the purpose of the review was to provide a clear vision for securing the long term sustainable viability of the rural areas. In this regard the WCA supports the importance of maintaining the existing Rural Conservation Zone (RCZ) with its purpose to:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To conserve the values specified in a schedule to this zone.*
- *To protect and enhance the natural environment and natural processes for their historic, archaeological and scientific interest, landscape, faunal habitat and cultural values.*
- *To protect and enhance natural resources and the biodiversity of the area.*
- *To encourage development and use of land which is consistent with sustainable land management and land capability practices, and which takes into account the conservation values and environmental sensitivity of the locality.*
- *To provide for agricultural use consistent with the conservation of environmental and landscape values of the area.*
- *To conserve and enhance the cultural significance and character of open rural and scenic non urban landscapes.*

Quite clearly the overall intent of the purpose of the RCZ is to maintain and protect natural values of the Green Wedge and most importantly the open rural and scenic value non urban landscapes. Also the linkage with the *Clause 57.01 Core Planning Provisions* for the Metropolitan Green Wedge Land that for the types of uses associated with tourism and economic development (such as function centres, residential hotels and restaurants)

generally requires as a condition that such uses *‘Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery’*.

It is our position that just as the purpose of the RCZ calls for the provision of agricultural use consistent with the conservation of the environmental and landscape values of the of the Green Wedge, so also the same applies to any future planning policy directions for any proposed economic and tourism land use and development.

The WCA considers as the Planning Scheme Amendment is currently proposed it will result in planning policy that will see future economic and tourism opportunities being allowed that is to the detriment of the very values that underpin the purpose of the Green Wedge, namely the conservation of natural environment and the character of the open rural and scenic non-urban landscapes.

In our following detailing of our specific concerns with the proposed amendment, we will also offer planning policy directions that we consider would meet the purpose of the Council’s amendment while at the same time providing strong safeguards for the fundamental values of the Manningham Green Wedge.

Proposed amendment of the Municipal Strategic Statement (MSS) to provide further strategic direction on appropriate land use applications.

It is recognised that there has been a decline in traditional agricultural land use across the Green Wedges as a whole. Traditional agricultural land use has been equated with farming activities that provide the major or sole source of income for the household. This is an outdated model in the Green Wedges and many other forms of land use of agricultural land use are recognised. These have been detailed in a study commissioned by the Port Phillip and Westernport CMA and the then Department of Agriculture such as green lifestylers (bush blocks), and part-time farmers. A part-time farmer will be at least partially dependent on farm income whereas green lifestyler are interested in enhancing the conservation value of their rural property and have an income that is off-farm.

It is our position that both existing and new agricultural businesses should be proactively supported and encouraged by the Council and State Government. There has been a developing trend for writing off agricultural land use as unsustainable because of the wholly commercial focus and this needs to be reversed in thinking about future land use planning and development.

We agree that balancing the expansion of business and commercial activity with the protection of the natural environment is a key strategic issue. We don't consider that the proposed amendment achieves this.

Proposed expansion of the scope of Clause 22.19 (Outbuildings in the Low Density Residential Zone) to apply to outbuildings in the Rural Conservation Zone (RCZ)

The WCA considers that this is entirely inappropriate as it clearly misrepresents the clear difference between the Low Density Residential Zone (LDRZ) and the Rural Conservation Zone (RCZ).

The purposes of the two zones are completely at odds.

The purpose of the LDRZ is to provide for low density residential development. The minimum default sub division size for the LDRZ is at least, 0.4ha for a lot where reticulated sewerage is not connected and 0.2ha where it is connected.

In contrast while the RCZ allows for consideration of the use of land for a dwelling, it is not a zone that in any way encourages residential type development. The minimum default sub division size for the RCZ is 40ha.

So the LDRZ is for urban land use and the RCZ for rural land use. It is the proposition of the WCA that connecting the two into one planning policy as proposed is misleading to the people that are unfamiliar with the planning scheme and encourage people proposing urban

development to equate the LDRZ with the RCZ and have expectations for residential development in the Green Wedge that are quite unfounded in the planning scheme. Also it can be reasonably expected from much previous experience across the Green Wedges that proponents particularly of larger proposed developments would use such a connection to blur the interpretation of the planning scheme with regard to the RCZ to a more residential context.

Proposed insertion of a new local planning policy in Clause 22 to guide non-residential uses in the Rural Conservation Zone (RCZ)

The WCA agrees with the intent of this proposed additional clause to the planning scheme but considers that it falls well short of the achieving its proposed objectives.

The criteria for assessment of non-residential uses is just too open to interpretation and from the experience in other Green Wedge areas will inevitably lead to increased development with bulk and scale of the built form and associated infrastructure (e.g. car parks and access roads) effectively resulting in an increasingly urbanisation of the Green Wedge.

The criteria lack necessary specificity for Council planning officers to make objective evidence-based decisions about the merits of a given proposed application for a commercial or tourism use.

For example how does someone assess whether a proposal is:

- *The overall cumulative impact of land uses on the natural environment, surrounding land uses and other sensitive interfaces is minimised.*
- *Uses are encouraged that enhance and promote sustainable land use practices and enhance the environmental values of the Rural Conservation Zone.*
- *.....responsive to the character and cultural heritage of the Rural Conservation Zone areas and integrated with the surrounding landscape.*

- *The location, scale and siting of new development should be subordinate to the existing scale and height of development and landscape character*

The WCA is arguing that it is our understanding of experience from other Green Wedge areas that even if the Council was to reject an application on the basis of these criteria, proponents with considerable resources to engage legal, town planning and expert witnesses will 'drive a hole' through these criteria and successfully argue for developments with excessive built form bulk and scale.

The 'Design and Siting' criteria are crucial and just not strong and specific enough to achieve the overall purpose of the bulk and scale of development that is subordinate to the rural land uses that protect the natural environment and character of open rural and scenic non urban landscapes. The proposed criteria highlighting aspects such as setbacks, visual impacts and consistency with height and scale of existing development miss the major point of any new development **not fragmenting** existing rural land uses or potential for the future use for rural land uses for nature conservation or agriculture.

The WCA to address our objections above would like to discuss with the Council the potential for the application of an envelope for the built form and associated infrastructure in the Manningham Green Wedge. Such a building envelope could be applied to the RCZ and include protection of the values of existing land use and future potential for land use for nature conservation and agricultural land use.

There is a need to require that any new proposed discretionary use has a low physical footprint. Proposed principles could be that:

- The use of the subject site for agriculture or nature conservation or other use that maintains and protects the rural character of the site clearly dominates the scale of the built form and associated infrastructure.
- The built form and associated infrastructure is contained within a development envelope that addresses design elements for the development that are consistent with protecting and sustaining the natural rural values of the site.

Currently in other Green Wedge areas, new developments with clearly excessive built form and scale seek to be justified on the basis that the footprint is low because it is calculated only of the footprint of each building and associated hard surface infrastructure. This means that buildings can be scattered over the whole of a site and effectively fragment both existing and future rural land uses for nature conservation and agricultural land use. In addition, much emphasis has been placed planting vegetation around the proposed development screening the visual impact from roads or surrounding properties as meeting the requirements for protecting the Green Wedge values. If such criteria are allowed then the Green Wedge could end up as effectively being dominated by buildings and associated infrastructure. The Green Wedges would end up with nothing but a façade of trees screening out large developments.