



## **YARRA CITY COUNCIL**

### **PLANNING & COMMUNITY DEVELOPMENT COMMITTEE MEETING**

#### **AGENDA**

to be held on Tuesday 1 February 2005 at 8.00 pm  
at the Richmond Town Hall

#### **COUNCILLOR MEMBERSHIP**

Councillor Jenny Farrar (Chairperson)

Councillor Stephen Jolly

Councillor Kathleen Maltzahn

Councillor Kay Meadows

Councillor Judy Morton

- I. ATTENDANCE**
  
- II. DECLARATIONS OF PECUNIARY INTEREST AND CONFLICT OF INTEREST**
  
- III. COMMITTEE BUSINESS REPORTS**

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***Welcome to the City of Yarra.  
Council acknowledges the  
Wurundjeri community as the first  
owners of this country.  
Today, they are still the custodians  
of the cultural heritage of this land.***

***Further to this, Council acknowledges  
there are other Aboriginal and Torres  
Strait Islander people who have lived,  
worked and contributed to the  
cultural heritage of Yarra.***

## **PLANNING AND COMMUNITY DEVELOPMENT COMMITTEE MEETING**

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## **2.1 Community Facility Fund Policy**

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### **Executive Summary**

#### **Purpose**

To brief Council on the State Government's Education Department Community Facility Fund (CFF) and recommend a policy to guide Council decisions in relation to proposals regarding the joint development of local state school facilities.

#### **Key Issues**

In March 2004, the State Government announced a new funding program, the CFF and invited Victorian state schools to form strategic partnerships with their local council to build or modernise facilities within schools that can be accessed and used by the broader community.

In August 2004 Council received a report outlining a request for funding from the Princes Hill Secondary College (PHSC) towards the cost of construction a joint community facility at the school.

Council currently has no policy to guide its decisions and or criteria by which to assess the merits of proposals from local schools regarding the joint development of community facilities.

Council approved this application in principle and further resolved that a joint use and funding policy be formulated for the shared use of educational facilities with broader opportunities for community use of school facilities in Yarra.

#### **Financial Implications**

Funding via the CFF may assist Council to achieve a number of its strategic directions in regard to the development of local community facilities, by providing funding for up to 50 percent of the capital costs.

All proposals will need to be considered and prioritised as part of Council's capital works program, through Council's normal budget process.

#### **PROPOSAL**

That Council adopt the Community Facility Fund Policy and endorse a list of potential capital works projects which can be used as the basis for discussions at a meeting to be convened with representatives from local state schools.

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## 2.1 Community Facility Fund Policy

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File: 10/60/02/13  
Responsible Officer: Manager Environmental and Recreation Services

### Purpose

1. To brief Council on the State Government's Community Facility Fund (CFF) and recommend a policy to guide Council decisions in relation to proposals regarding the joint development of local state school facilities.

### Background

2. In August 2004 Council received a report outlining a request for funding from the Princes Hill Secondary College (PHSC) for the development of a spectator-viewing platform as a part of a new indoor sports stadium that is to be built at the school in 2005/06.
3. Council approved in principle to provide \$36,000 towards this development and further resolved that a joint use and funding policy be formulated for the shared use of educational facilities with broader opportunities for community use of school facilities in Yarra.
4. In March 2004, the State Government announced a new funding program, the CFF and invited state schools to submit proposals for the joint development of school facilities.
5. This new funding program complements the State Government's existing Community Facility Funding Program, which is administered by Sport and Recreation Victoria.
6. It should be noted that the PHSC proposal was not part of the new CFF, as this project was developed prior to establishment of the CFF, however it is likely that all future requests from state schools for funding for the joint development of schools will be part of the CFF.
7. The CFF provides opportunities for state schools to form strategic partnerships with their local council to build or modernise facilities within schools that can be accessed and used by the broader community.
8. The objectives of the CFF, as defined by the 'State Government Community Facilities Fund Guidelines' ('the Guidelines') are to:
  - (a) *encourage school councils to look for opportunities for jointly funded community facilities, particularly in areas designated as neighbourhood renewal areas by the Department of Human Services and other areas of socio-economic disadvantage;*
  - (b) *enhance community access to school facilities;*
  - (c) *contribute to the vision of continuing improvement in the quality of the government school system as outlined in the Blueprint for Government Schools;*
  - (d) *increase the links between schools and their communities; and*
  - (e) *maximize community benefit from public funds."*

9. Projects can include:
  - (a) sporting facilities;
  - (b) community halls;
  - (c) playgrounds;
  - (d) spaces to support school age holiday, before and after-school programs;
  - (e) information technology centres;
  - (f) libraries;
  - (g) performing arts complexes; and
  - (h) co-located child-care centres.
10. The State Government has allocated \$30 million over three state budgets towards this program (2004/05, 2005/06, and 2006/07).
11. The second round of the program funding (2005/06) closes on the 2 April 2005.
12. Under the Guidelines, to be eligible for CFF a project must meet all of the following criteria:
  - (a) the project builds or modernises a facility that furthers the schools ability to deliver outcomes in one or more "improvement areas" or "priorities" (as identified in the school charter) and, where possible contributes to the achievement of wider government policy objectives;*
  - (b) the project builds or modernises a facility for which there is a demonstrated need within the broader community;*
  - (c) the project does not duplicate facilities provided by other government departments or funding programs;*
  - (d) the project is not the subject of an existing application for funding under another program, including the Community Support Fund;*
  - (e) the proposal partnership is limited to the School Council and the local council. Organisations, including other government departments, industry, community groups and business wishing to make a contribution to the capital costs of the facility can only do so through the local council;*
  - (f) the CFF contribution to any project proposal will be no more than 50% of the total cost of the facility;*
  - (g) the project partners provide evidence of consultation with the local community on the proposed use of the facility, its location and design;*
  - (h) project partners give an undertaking to enter into a facility construction and management agreement based upon Department Education and Trainings (DE&T) standard Development and Joint Use Agreement.*

- (i) *the project partners identify a viable strategy for meeting the ongoing costs of operating the facility, including utilities, cleaning, maintenance and insurance costs. Departmental contributions towards operating costs will be limited to formula funding for entitlement area;*
  - (j) *the proposed facility is to be built upon school land;*
  - (k) *where the school has a current masterplan, any impact of the proposed facility on the masterplan must be moderated to the satisfaction of DE&T; and*
  - (l) *the Regional Director confirms that the development of the facility is appropriate in the context of on-going educational provision.”*
13. The program does not require a financial contribution from Council, but it is anticipated that Council will act as a focal point for the drawing together of local funds and may choose to contribute financially to the project.
  14. All CFF funded facilities will be the subject of a joint use agreement between the School and Council.
  15. Fitzroy Secondary College has recently approached Council to discuss a proposal to construct two outdoor netball/basketball courts as part of the CFF. No formal application has been received for this project to date.
  16. Council currently has no policy or criteria by which to assess the merits of this or any other future proposal that may be received.

### **Consultations**

17. Consultation has been undertaken with the following Council Branches/Units:
  - (a) Assets;
  - (b) Arts and Cultural Services;
  - (c) Community Partnerships;
  - (d) Environment and Recreation Services;
  - (e) Family and Children’s Services; and
  - (f) Aged and Disability Services.
18. These consultations have attempted to identify if and where there are any synergies between Council existing strategic directions for capital projects and the opportunities for the potential joint development of facilities via the CFF.
19. The following strategies and plans have been reviewed as part of this process:
  - (a) Open Space Strategy;\*
  - (b) Recreation Strategy Plan 2003/08;
  - (c) Neighbourhood House review;

- (d) Assets Plan; and
- (e) Early Childhood Municipal Plan\*.

*\* Strategy/Plan is currently in being developed.*

20. The following projects have been identified through the review of Council's strategic directions as areas for potential development of joint community facilities under CFF:
- (a) informal ball sport play areas including rebound walls, half-court basketball courts, all areas (Recreation Strategy Plan 2003/08);
  - (b) outdoor tennis and netball courts with lights (minimum 2 courts) – Fitzroy, Collingwood and Alphington (Recreation Strategy Plan 2003/08);
  - (c) playgrounds – Abbotsford, Collingwood and Fitzroy (Open Space Strategy);
  - (d) neighbourhood houses/ community centres (Finbar Neighbourhood House);
  - (e) development of family and children service hubs (co-locating a range of children and families services on one site); and
  - (f) modernisation and upgrading of school premises used for Council after-school programs.

### **Financial Implications**

21. Funding via the CFF may assist Council to achieve a number of its strategic directions in regard to the development of local community facilities, by providing funding for up to 50 percent of the capital costs.
22. All proposals will need to be considered and prioritised as part of Council's capital works program, through Council's normal budget process.

### **Environmental Implications**

23. The construction of either new or the modernisation of existing Education Department physical infrastructure as joint community facilities will provide an opportunity for Council to work with the State Government and local schools to ensure that these new works are environmentally friendly and sustainable developments.
24. All proposed developments would be required to address Council's Environmental Sustainable Design Notes.

### **Social Implications**

25. The CFF provides Council with an opportunity to develop partnerships with local schools for the development of facilities that meet community needs. It will also provide a general opportunity for Council to advocate for better after-hours utilisation of public infrastructure and thereby maximise the use of these valuable assets for the benefit of both the schools and the wider community.

26. There is an opportunity for Council to take a more proactive role in this process and use the fund as an opportunity to engage with local schools to talk about community needs and Council's strategic plans to address these needs.
27. By adopting a proactive role, Council will have a better opportunity to shape any proposed applications to the fund and will limit the number of proposals that do not meet Council's strategic directions.
28. In order to take this proactive stance Council will need to identify capital works projects that are appropriate for joint development under the CFF.

### **Council Plan, Strategy and Policy Implications**

29. The proposed policy and approach will ensure that all local state schools are informed of Council's strategic directions for community facilities and maximise the potential for local schools to develop proposals that are consistent with these directions.

### **Legal Implications**

30. The joint usage agreements and associated matters will need to be addressed by Council's Solicitors at the appropriate junctures.

### **Other Issues**

31. Council will need to establish funding criteria and timelines for its involvement in CFF proposals and communicate the criteria to local schools in a proactive manner. The funding criteria will need to address the various types of development from major such as libraries, indoor sports facilities to minor developments including playgrounds and casual outdoor sports facilities.
32. The CFF provides no additional funding to schools to meet ongoing operation, insurance and/or maintenance costs.
33. A key contact point within Council will be nominated for all CFF proposals to ensure that proposals are handled in a consistent and efficient manner.
34. Further, Council will need to develop a social and economic framework through which it can evaluate the relative "community benefit" of any proposals.
35. Council is currently in the process of developing a "Net Community Benefit Tool" to assess the relativity between environmental, social, cultural and economic benefits for the purposes of making decisions related to the use of land and other assets within the City of Yarra. This "Net Community Benefit Tool" could also be utilised to assess the relative community benefit of CFF proposals.

### **Options**

#### Option 1 – No Council Financial Involvement

36. That Council resolves not to provide any financial assistance to schools for the development of joint school/community facilities.
37. This option would restrict opportunities for local state schools to develop community facilities and place the responsibility for the funding of the 50% of the project with the school and local community.

38. It would mean that there are no financial demands on Council. This option may also result in lost opportunity for the development of community facilities and an increased net cost to Council where Council develops its own community facilities.
39. This option would also be inconsistent with Council's approach to the funding of the PHSC Sports Stadium.

#### Option 2 – Reactive Council Involvement

40. That Council endorses the policy and considers individual requests from schools for the funding of community facilities under the CFF through its annual capital works programs.
41. This option would assist local state schools to develop proposals under the CFF but would place Council in the difficult position of having to make decisions in regard to applications to the CFF in a reactive manner. Under this option schools would be left to develop their own proposals independent of Council and then come to Council with funding requests.

#### Option 3 – Proactive Council Involvement

42. That Council endorses the policy and adopts a proactive role to work with local schools to develop joint proposals to the CFF.
43. Under this option Council would identify opportunities for the potential development of joint community facilities that are consistent with Council's strategic directions and capital works program. Council would then convene a meeting of local state schools to discuss the identified project areas and then work with local schools to develop proposals.

### **RECOMMENDATION**

44. That Council adopts the Community Facility Fund Policy as outlined in Attachment 1.
45. It is proposed that Council endorse the following capital works projects, subject to the availability of funding, as a basis for Council's discussions with local schools regarding joint developments under the CFF:
  - (a) informal ball sport play areas including rebound walls, half-court basketball courts, all areas (Recreation Strategy Plan 2003/08);
  - (b) outdoor tennis and netball courts with lights (minimum 2 courts) – Fitzroy, Collingwood and Alphington (Recreation Strategy Plan 2003/08);
  - (c) playgrounds – Abbotsford, Collingwood and Fitzroy (Open Space Strategy);
  - (d) neighbourhood houses/ community centres (Finbar Neighbourhood House);
  - (e) development of family and children service hubs (co-locating a range of children and families services on one site); and
  - (f) modernisation and upgrading of school premises used for Council after-school programs.

46. That Council use the Net Community Benefit Tool” to assess the relative merit of any submissions to the Community Facility Fund.
47. That Council convene a meeting of local state schools to discuss Council’s strategic directions, funding criteria and opportunities for partnership through the Community Facility Fund.

**CONTACT OFFICER:**           **Geoff Ovens**  
**TITLE:**                       **Manager Environmental and Recreation Services**  
**TEL:**                         **9205 5036**

**Attachment 1 – Community Facility Fund Policy**



Adobe Acrobat  
Document

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## **2.2 Proposed Public Exhibition of Amendment C62 to the Yarra Planning Scheme and combined Planning Permit Application PLO4/0681 at 46 – 60 Nicholson Street, Abbotsford (former Denton Hat Mills)**

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### **Executive Summary**

#### **Purpose**

To seek Council approval to prepare and exhibit a combined planning scheme amendment and permit application pursuant to the *Planning and Environment Act 1987* (the Act) at 46 – 60 Nicholson Street, Abbotsford.

The amendment seeks to alter the schedule to the Heritage Overlay of the Yarra Planning Scheme (YPS) to allow prohibited uses (dwellings and office, floor area exceeding 500sqm) and apply the Environmental Audit Overlay (EAO) to the site. The proposal is to develop the land for residential dwellings, offices, a food and drinks premises and on-site car spaces.

#### **Issues**

The Denton Hat Mills buildings occupy the substantive part of the subject site. An adjacent vacant site to the south will be developed and integrated with the existing buildings. The existing buildings are listed with Heritage Victoria (H815) and are included in HO 40 and HO 339 under the YPS. Heritage Victoria issued a planning permit on 24 March 2004 for the redevelopment of the Denton Hat Mills buildings. The proposal will facilitate the retention and preservation of this State historic and cultural asset.

Following public exhibition of the proposal Council has three options: to abandon the amendment; to resolve submissions with the applicant and the submitters and approve the proposal; or to refer the submissions to Planning Panels Victoria for consideration.

#### **Resource Financial Implications**

The total cost of the amendment will be borne by the proponent.

#### **Community Implications**

During the public exhibition process all interested parties can consider and comment on the proposed development. All documents, including Attachments to this report, form part of the documentation for public exhibition.

#### **Environmental Implications**

The re-use of the Denton Hat Mill's buildings will facilitate the ongoing conservation of a significant building within the City of Yarra. An EAO will be applied to the site to manage reuse of industrial land.

#### **City Plan, Strategy and Policy Implications**

The conservation and re-use of the former Denton Hat Mill's buildings accords with Yarra's Council Plan 2004 – 2008, Council's Municipal Strategic Statement (MSS) and the State Planning Policy Framework (SPPF).

#### **PROPOSED ACTIONS**

That Council resolve to prepare and place on exhibition a combined amendment and planning permit application (Amendment C 62 and Planning Permit PL04/ 0681) to the land at 46–60 Nicholson Street, Abbotsford for residential dwellings, offices, a food and drink premises and on-site car spaces.

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## 2.2 Proposed Public Exhibition of Amendment C62 to the Yarra Planning Scheme and combined Planning Permit Application PLO4/0681 at 46 – 60 Nicholson Street, Abbotsford (former Denton Hat Mills)

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File: 30/25/07/62  
Responsible Officer: Coordinator Strategic Planning

### Purpose

1. To seek Council approval to prepare and exhibit a combined planning scheme amendment (Amendment C 62) and planning permit application (PL04/0681) pursuant to Section 96A of the *Planning and Environment Act 1987* (the Act) at 46 – 60 Nicholson Street, Abbotsford. The location of the subject site is shown on Attachment 1.
2. The amendment seeks to change the schedule to the Heritage Overlay at Clause 43 (HO 40) of the Yarra Planning Scheme to allow consideration of prohibited uses such as dwellings and offices (floor area exceeding 500 square metres) and to apply the Environmental Audit Overlay to the subject site. Planning permit application PL04/0681 proposes a development for the subject site that includes partial demolition (no permit required) alterations and additions to the existing buildings, including new buildings for use as dwellings, offices and a food and drinks premises and to include a waiver of car parking requirement pursuant to Clause 52.06 of the Yarra Planning Scheme.

### Background

3. The subject site has a recent planning history, which is outlined below.
4. Burbank Holdings Australia Pty. Ltd. previously submitted a request to Council to amend the schedule to the Heritage Overlay (HO 40) under the Yarra Planning Scheme to permit the consideration of prohibited uses on the subject site. An application for a planning permit did not accompany the original request although a set of draft plans was distributed to all Councillors at the time.
5. At its meeting of 8 July 2003, Council resolved to defer exhibition of the amendment until the *Industrial and Business Activity: Trends and Opportunities Analysis Report* (Ratio 2000) was updated for so proper strategic consideration of future use of the site could be undertaken (refer Attachment 2). The *Yarra Industrial and Business Land Strategy Review*, (Hansen Partnerships & Charter Keck Cramer, 2004), was adopted by Council in principle as a working document, on 12 October 2004.
6. At its meeting of 14 October 2003, Council approved the work plan of the Strategic Planning Unit and resolved to endorse the way forward for several sites that had been the subject of rezoning discussions with Council. For this site, Council resolved that the:  
  
*“Applicant prepares a planning application that is consistent with Council policy to accompany the rezoning request for Council consideration”.*
7. This report was previously considered by Council at its meeting of 14 December 2004. At that time, Council resolved that the matter be deferred to the February 2005 cycle.

## Proposal

8. Amendment C62 proposes to change the schedule to the Heritage Overlay (HO 40) which applies to the subject site by placing "Yes" in the column in the table to the overlay, titled *Prohibited Uses may be Permitted?* This amendment will allow prohibited uses in the current zone (Industrial 3), including residential and office that exceeds 500 square metres, subject to planning approval.
9. The amendment will facilitate the redevelopment and future use of the significant heritage buildings for residential development and limited commercial use.
10. The proposed use and development of the land for a mix of uses, including residential dwellings, is consistent with the recommendations the *Yarra Industrial and Business Land Strategy Review* (Hansen Partnerships & Charter Keck Cramer, 2004) ('the Hanson Review').
11. The Hanson Review recognises that the properties on the south side of Mollison Street, (including the subject site) currently zoned Industrial 3 could be appropriately rezoned to a Mixed Use Zone (MUZ) which would facilitate the continuation of existing uses in the locality.
12. Heritage Victoria has issued planning permit P7255 pursuant to the *Heritage Act 1995* for the Denton Hat Mill's buildings at 48-60 Nicholson Street, Abbotsford on 24 March 2004 for:  
  
*'The proposed redevelopment of the former hat factory complex comprising the retention of the principal polychromatic brick buildings to Nicholson and Mollison Streets, which are to be conserved and adapted for residential and commercial use. The brick chimney is proposed to be retained. Remaining buildings to the rear (east) and interior parts of the site are proposed to be demolished to accommodate the construction of new apartment buildings, and an apartment building is also proposed to be constructed on the adjacent vacant site.'*
13. This permit was issued following consultation with Council's heritage adviser, a limited number of surrounding landowners and occupiers, site inspections attended by Council officers and Councillors (refer Heritage Victoria Permit at Attachment 3).
14. A number of expert reports were submitted by the applicant in support of the proposal. A summary of the key findings of these reports can be found in Attachment 4.
15. Heritage Victoria wrote to Council on 25 November 2004 outlining their concerns regarding the current security risk to the building while it remains vacant. It has requested that the proposed development and use of the site be considered by Council as quickly as possible to enable the applicant to make the appropriate decisions about what to do to protect the building (refer Attachment 9).

### Existing Conditions

#### Subject Site

16. The subject site is at 46 – 60 Nicholson Street and is approximately 4270 square metres in area. The former Denton Hat Mills buildings occupy 48 – 60 Nicholson Street and a smaller abutting vacant site is at 46 Nicholson Street.

17. The former Denton Hat Mills buildings are located at the corner of Nicholson and Mollison Streets, Abbotsford. The site has primary frontage to Nicholson Street and also fronts Mollison and Little Nicholson Streets. The land is contained within Certificate of Title Volume 8600 Folio 954.
18. The Denton Hat Mill's buildings were constructed in the early 1880s. The complex series of three storey polychromatic brick buildings have a continuous façade along the boundary of the site to Mollison and Nicholson Streets. Built form generally occupies the whole site.
19. 46 Nicholson Street is currently vacant. This land is contained in Certificate of Title Volume 7512, Folio 075. It is not included in a heritage overlay.

#### Surrounding Land Use and Development

20. To the north of the site the land is occupied by warehouses and commercial uses. To the east is Little Nicholson Street, a 5 metre wide street that runs north south between Gipps Street and Victoria Street. Warehouses and residential properties occupy Land on the eastern side of Little Nicholson Street. Beyond Little Nicholson Street lie a number of industrial uses, the largest site occupied Carlton and United Breweries (CUB). The area to the north and east of the Denton Hat Mills is in the Industrial 1 Zone.
21. To the south of the site there is a three-storey brick apartment building. The apartments contain north-facing windows that have an outlook to the subject site. Further south are a number of residential properties. No. 46 Nicholson Street and the residential properties to the south are in the Residential 1 Zone.
22. Approximately two hundred metres to the south of the subject site is the Victoria Street retail strip. This strip is a vibrant mixed retail and tourist area well serviced by public transport on one of the major east-west transport routes through the City of Yarra. "Melbourne 2030" designates Victoria Street as a Major Activity Centre.
23. To the west of the subject site are residential properties in the Residential 1 Zone that range from single to three storey Victorian and mid 1950's weatherboard and red brick dwellings.

#### Planning Scheme Controls

##### Current Zoning Under the Yarra Planning Scheme

24. The Denton Hat Mills buildings are located in an Industrial 3 Zone. The purpose of the Industrial 3 Zone is:
  - (a) *'To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and Local Planning Policies.'*;
  - (b) *'To provide for industries and associated uses in specific areas where special consideration of the nature and impacts of industrial uses is required to avoid inter-industry conflict.'*;
  - (c) *'To provide a buffer between the Industrial 1 Zone or Industrial 2 Zone and local communities, which allows for industries and associated uses compatible with the nearby community.'*; and

- (d) *'To ensure that uses do not affect the safety and amenity of adjacent, more sensitive land uses.'*
25. The amendment does not seek to alter the zoning of the site but to alter the schedule to the Heritage Overlay (HO 40) at Clause 43.01 to permit prohibited uses i.e. residential and office floor area exceeding 500 square metres on the site. Under the provisions of the Yarra Planning Scheme a planning permit is required to use the site for the purpose of a food and drinks premises (Clause 33.03-1) and for buildings and works pursuant to Clause 33.03 – 4.
26. 46 Nicholson Street is located in a Residential 1 Zone with no overlays applying to the site. Pursuant to Clause 32.01-4, a planning permit is required for the construction of two or more dwellings on this lot. The provisions of ResCode do not apply to the application, as the building is greater than four stories. This portion of the site will be assessed against Council's Guidelines for Buildings Over Three Storeys.

#### State Planning Policy Framework: Yarra Planning Scheme

27. The State Planning Policy Framework (SPPF) of the Yarra Planning Scheme contains policies relating to environmental, social and economic factors. The sections of the SPPF relevant to the consideration of this application are:
- (a) Clause 11.03 – Principles of land use and development planning;
  - (b) Clause 14.01 – Planning for urban settlement;
  - (c) Clause 14.02 – Metropolitan development;
  - (d) Clause 15.06 – Soil contamination;
  - (e) Clause 15.11 - Heritage;
  - (f) Clause 15.12 – Energy efficiency;
  - (g) Clause 16.02 – Medium density housing;
  - (h) Clause 17.01 - Activity Centres;
  - (i) Clause 17.03 - Industry;
  - (j) Clause 18.02 – Car parking and public transport access to development ; and
  - (k) Clause 19.03 – Design and built form.
28. The proposal is consistent with the SPPF, including the principles of urban consolidation, mixed use development close to transport and services and a Major Activity Centre. The proposal is also consistent with the heritage objectives of the framework and can meet the State design provisions under clause 19 of the scheme.

#### Local Planning Policy Framework (LPPF)

29. The following strategies in Council's Municipal Strategic Statement (MSS) are relevant to this application:

- (a) Clause 21.05- 1 - Urban Design Framework;
  - (b) Clause 21.05- 2 - Residential Land Use and Development;
  - (c) Clause 21.05- 3 - Industry and Commerce;
  - (d) Clause 21.05- 4 - Retailing and Activity Centres; and
  - (e) Clause 21.05 -7- Heritage Conservation.
30. The conservation of the historic building contributes towards the maintenance of the City's *prevailing nineteenth century heritage character*, which is an objective of Clause 21.05-1.
31. The proposal provides a greater range of housing stock close to an existing Major Activity Centre. It proposes 58 x 1 bedroom dwellings, 50 x 2 bedroom dwellings and 6 x 3 bedroom dwellings. The proposal also proposes commercial activities on the ground floor to provide active street frontages. The proposed dwellings will be fitted with acoustic measures to mitigate against any adverse external noises from the surrounding commercial and industrial uses.
32. Discussions have taken place with the proponent to enter into a legal agreement to upgrade the pedestrian and cycling link between the site and Victoria Street. These works could include re-sheeting and widening of the eastern footpath between Mollison and Victoria Streets and installation of indented parking bays between the new street trees. A condition has been included on the draft planning permit for the proponent to enter into a Section 173 Agreement for these works that will be subject to further design work and discussions.

#### Local Policies

33. The following local policies in the LPPF are relevant to this proposal.

#### *Clause 22.04 – Retail Centres Policy*

34. It is policy to promote the individual roles of retail strips within the municipality. Victoria Street is known for its community and local convenience shopping/ office activity. It is considered that the proposed mixed use development which including some commercial activity and improved pedestrian links will enhance the retail strip of Victoria Street.

#### Proposed Clause 22. 9 - Development Guidelines for Development Above Three Storeys

35. The policy provides design and building envelope direction for buildings over three storeys in non heritage areas. Given that 46 Nicholson Street is in a non- heritage area this policy has been used to assess the built form on the site only. The assessment is included at Attachment 7.

#### Proposed Clause 22.11 – Bicycle Facilities

36. Exhibition of this amendment (Amendment C71) has been completed and a report on the amendment and submissions received will be presented to Council in February 2005. This amendment seeks to require the provision of bicycle storage in new dwellings and offices. An assessment of the proposal against this policy is provided in

Attachment 7. Based on a revised rate of one bicycle storage space for every four bedrooms and one visitor storage space for every 8 bedrooms, with bike facilities to serve the offices and food and drink premises. Adequate end of trip facilities on site – a publicly accessible shower, is included as a condition in the proposed planning permit. Attachment 7 also includes an assessment of the proposal under the State amendment VC 28 which is now part of the Yarra Planning Scheme (clause 52.34)

#### Proposed Yarra Industrial and Business Land Strategy Review, September 2004

37. Council has recently endorsed use of *The Yarra Industrial and Business Land Strategy Review* ('the Hanson Review') as a working document. The review recommends that Council consider future rezoning of many of its industrial zoned areas given the substantial structural changes to the manufacturing industry sector. Many sites are becoming redundant as industries are locating offshore or on green field sites on the outskirts of Melbourne.
38. The review recommends consideration is given to the subject site and the surrounding Industrial 3 Zoned land to be included in the Mixed Use Zone. The Industrial 1 Zone to the north of the site is recommended for consideration as Business 3 Zone and the Business 3 Zone to the north east of the subject site is recommended for consideration as a Mixed Use Zone. No change in zoning is recommended for the CUB site and its surrounds to ensure an appropriate buffer to protect this major industry and employer in the municipality.
39. The approach recommended for heritage buildings in industrial areas is that, due to their contribution to the character of the municipality, alternative uses other than industrial may be considered if the proposed use and development would facilitate the conservation of the building. The report notes that careful consideration needs to be given to the impact that any permitted alternative land use to an industrial building would have on the operation of viable established industrial uses in the vicinity.

#### Strategic Assessment Guidelines

40. In considering an amendment to the planning scheme, Council must assess the proposal against the *Strategic Assessment Guidelines* that have been prepared by the Department of Sustainability and Environment (DSE). The proposal meets the heritage and environment sustainability provisions of the guidelines and accords with the DSE Practice Note: *Applying the Heritage Overlay (Feb 1999)*. An assessment against the *Strategic Assessment Guidelines* is provided at Attachment 7.

#### Minister's Directions

41. A full assessment of the proposal against *Ministerial Direction Number 1: Potentially Contaminated Land* is also included at Attachment 7. The application of the EAO to the subject site as a part of the amendment will require the issuing of a statement of certificate of environmental audit prior to the commencement of works on the subject site. The application of the overlay to the subject site meets the requirements of Ministerial Direction Number 1.

42. Ministerial Direction Number 9: Metropolitan Strategy, Melbourne 2030: requires Council to ensure that the planning scheme amendment has regard to the Metropolitan Strategy: *Melbourne 2030*. The Direction requires that the amendment consider the following matters:
- (a) what aspects, if any, of the Metropolitan Strategy are relevant?;
  - (b) how does the Metropolitan Strategy affect this Amendment?;
  - (c) is the amendment consistent with any directions or policies in the Metropolitan Strategy?;
  - (d) does the amendment support, give effect to or assist the implementation of the Metropolitan Strategy or can it be reasonably modified to do so?; and
  - (e) Will the amendment compromise the implementation of the Metropolitan Strategy?
43. The amendment and development proposal accord with the principal strategic directions of *Melbourne 2030*, in particular urban consolidation, providing a mix of dwelling types and conserving a heritage place. A complete assessment of the proposal against *Melbourne 2030* is included in Attachment 8.
44. The amendment is consistent with the *Ministerial Direction on the Form and Content of Planning Schemes* under Section 7 (5) of the Act relevant legislative frameworks and requirements have been followed. (Refer Attachment 5: Amendment Documentation).

#### Current Development Proposal (Application PL04/ 0681)

45. The proposed application is described as alterations and additions to the existing building and new works up to six levels, use of the site for the purpose of 114 dwellings, seven offices a food and drinks premises at ground level and a waiver of associated car parking requirements pursuant to the Yarra Planning Scheme. The dwellings proposed are 58 x 1 bedroom, 50 x 2 bedroom and 6 x 3 bedroom dwellings. 155 car spaces and 153 bicycle spaces are proposed. Details of the application are outlined in Attachment 6.

#### Issues/Comments

##### Land Use

46. The proposed amendment will allow consideration to be given to use the former industrial buildings for uses otherwise prohibited in an Industrial 3 Zone. The subject planning permit application (PL04/0681) incorporates 1005 square metres of office space at ground floor level. This exceeds the 500 square metre maximum floor area permitted under Clause 33.03-1 of the Industrial 3 Zone. In addition the application proposes to the use the site the for the purpose of 'dwelling', a use that is also prohibited within an Industrial 3 Zone.
47. Due to the size, layout, condition, built form and heritage status of the heritage buildings, the site is no longer suitable for re-use for industrial purposes. Re-use of the building for predominantly residential purposes, combined with street level offices and a café, is considered a viable and appropriate use of the building that will enable its ongoing conservation and use.

48. The use of the site for the purpose of dwellings is considered appropriate given its direct abuttal to a Residential 1 Zone to the south and east, and its proximity to the Victoria Street Major Activity Centre. In addition, the inclusion of offices is a reasonable transition between the residential areas to the west, south and partly east of the subject site and the commercial and industrial areas to the north-east.
49. Given that the site forms a border between a residential and a commercial / industrial area, careful consideration needs to be given to ensure that residential use does not compromise the future viability of the nearby commercial and industrial precinct. For this reason, Council has required that appropriate acoustic measures are to be included in the construction of the proposed residences to ensure a reasonable level of amenity without impacting on the ongoing usage of the area for legitimate industrial and business purposes.
50. The application incorporates a food and drinks premises (café) on the corner of Nicholson Street and Mollison Street. A food and drink premises falls within the definition of a retail premises and is a Section 2 - permit required use within an Industrial 3 Zone. The application proposes a maximum of 50 seats within the café with operating hours from 7.00am to 10.00pm Monday to Sunday (no liquor licence is sought).
51. The location of a food and drink premises is considered appropriate, as it will cater to the local residents and businesses.

#### Design Issues

52. Council officers have had lengthy discussions with the applicant in relation to urban design. A number of issues relating to the design and amenity of the proposed dwellings have been raised and in response, the scheme has been amended a number of times to address the concerns. The following provides a summary of the key issues /comments raised by Council's Principal Urban Designer.
53. The design of the proposed dwellings has been revised to provide a greater mix of dwelling types and improve access to sunlight for all units. The privacy of the proposed dwellings has also been improved with the proposed use of opaque glass in the new corridor linking the existing building with the new buildings on the vacant site.
54. The new building at 46 Nicholson Street will be built to the street edge to continue the alignment of the existing heritage building. The treatment of the façade of the new building requires further design detail, to complement the original building façade and to ensure its visual prominence in the streetscape. This will be the subject of further consultation and has been addressed under condition 1 of the proposed planning permit.
55. Further discussions are required to finalise the design of the car park level along Little Nicholson Street, to consider a varied finish and colour treatment to add to its visual impact along the street, particularly for pedestrians.

#### Traffic Issues

56. The application was referred to Council's Engineering Services Unit. The following paragraphs summarise key traffic issues and concerns.
57. The proposed car park entry/exit arrangement on the site includes a left turn only provision out of the development. This relies on the installation and operation of a light

warning system. This is not considered appropriate at this location and the applicant will be required to re-design the entry/exit to ensure safe and efficient movement of vehicles to and from the site, without reliance on a light warning system. In addition, ramp grades in the car park need to be amended. These issues, plus lighting of the car park, will be addressed by a provision under Condition 1 (revised plans) of the proposed permit requiring the car park to be redesigned to the satisfaction of the Responsible Authority.

58. A pavement threshold treatment or similar at the Mollison Street end of Little Nicholson Street will be required as a condition on the proposed permit to improve the safety of the Mollison and Nicholson Streets intersection.

#### Waiving of Car Parking on Site

59. The application incorporates the provision of 155 car spaces on the site. Of these spaces, 33 spaces will be allocated to the commercial tenancies and 122 spaces for the residential component.
60. Assessment against Council's Town Planning Parking Policy and the rates provided in the Development Guidelines for Buildings Over Three Storeys requires 145 spaces and 143 spaces respectively for the proposed dwellings. The proposed development includes parking provision for 122 spaces for the proposed residential development, which includes 120 spaces allocated to the dwellings and 2 to visitors.
61. The application was accompanied with a traffic report prepared by GTA Consultants, which demonstrates that this parking allocation is satisfactory and that on-street vacancies in the surrounding area will adequately cater for the expected remaining car parking demand. Council's Engineering Services Unit has also indicated that this parking provision is satisfactory.
62. The application proposes to allocate 33 car spaces for the commercial tenancies proposed for the site - this is 32 car spaces less than the recommended requirements of clause 52.06 of the Planning Scheme (car parking) and 20 spaces less than the requirements under Council's Town Planning Parking Policy. A dispensation for car parking for the proposed commercial components of the development is considered appropriate and will not adversely affect the parking conditions in the surrounding area.

#### Other Engineering Issues

63. Details of waste management will be included as a condition on the permit.
64. The 50 seat café proposed at ground level may generate some loading/ unloading of facilities however given the industrial nature of the locality and the size of the café; it is not considered unacceptable that this operation occurs along the street. An existing 15 minute loading zone is located adjacent to the site on Nicholson Street. Additional loading for the offices tenancies by small vans can occur from within the office visitor spaces in the car park.
65. Details of lighting within the proposed car park will be included as a condition on the permit.

#### Statutory Assessment of the Planning Application

66. A full statutory planning assessment and draft Planning Permit (PLO4/0681) is provided at Attachment 7 and 8 respectively. Given that the subject site incorporates

two separate sites with different zones and overlays affecting them, an individual assessment on each of the sites is provided.

67. The residential component of the development has been assessed under Res Code. While it is acknowledged that ResCode is not strictly applicable to developments above three storeys and to sites located within an Industrial 3 Zone, use of the Code is considered appropriate as it includes sound design principles which complement the provisions of Amendment C66 (the Built Form Review) particularly when assessing amenity impacts as a result of a multi-unit residential development.
68. The proposed development at 46 Nicholson Street has been assessed against Council's Design Guidelines for Development Above Three Stories and the Built Form Review.
69. In summary, the application generally complies with these policies. Issues relating to the height and design of the new building and the safe egress and ingress to the car park need further resolution. It is considered appropriate to engage with the community at this stage of the application to ensure that any outstanding issues are considered prior to any final changes by the applicant and then determination on the application by Council.

### **Consultations**

70. The proposed amendment and planning permit application will be advertised to persons who may be materially affected in accordance with Section 19 of the Act. In addition, it will be referred to Heritage Victoria for further comments.
71. Following public exhibition of the proposal Council has three options: to abandon the amendment, to resolve submissions with the applicant and the submitters and approve the amendment or to refer the submissions to Planning Panels Victoria for consideration.

### **Resource and Financial Implications**

72. The total cost of the amendment will be borne by the proponent.

### **Environmental Implications**

73. The proposed amendment will facilitate the conservation of the heritage place that is of State significance.
74. Any consideration of a more sensitive use to be developed on this site will require that a certificate or statement of environmental audit.

### **City Plan, Strategy and Policy Implications**

75. The proposed combined amendment and planning permit application seeking to facilitate the conservation of this building accords with Council's commitment to a sustainable urban environment as detailed in Council Plan 2004 – 2008. The proposal addresses a number of elements of the State Planning Policy Framework, specifically in relation to urban consolidation in inner city areas well serviced by public transport, provides a mix of uses, and is close to existing activity centres, complementing and adding to the vitality of Victoria Street. The conservation of the building contributes towards maintenance of the historic fabric of the city, provides housing stock close to activity centres, can be designed to minimise land use conflict due to close proximity of

industrial uses, and provides facilities or local use such as office and food and drink premises, and adequate bicycle storage given Yarra's higher than average bicycle usage statistics.

76. The consideration of prohibited uses in a zone is applied to buildings that are listed on the Victorian Heritage Register in recognition of the community benefit gained by maintaining significant heritage buildings, which contribute to the cultural and industrial history of the municipality.

### **Legal Implications**

77. The amendment will be processed in accordance with the provisions of the Act.

### **Proposal**

78. In the context of relevant planning policy, the proposal is considered an appropriate and well-designed adaptive reuse of an important heritage building and development of a vacant lot. The proposal provides a range of dwelling types, is located close to an existing activity centre, and accords with the principles of urban consolidation - all elements included in *Melbourne 2030*. The mixed use nature of the development provides an appropriate land use response including an appropriate extension to the buffer area between traditional industries and adjoining residential uses. The proposed small scale offices and food and drink premises uses on the ground floor are consistent with policy to enhance local business in the area and provide a good connection to the Victoria Street precinct.

### **RECOMMENDATION**

79. That Council resolve to prepare and place on exhibition a combined amendment and planning permit application (Amendment C 62 and Planning Permit PL04/ 0681) pursuant to Section 96A of the *Planning and Environment Act 1987* with respect to the land at 46 –60 Nicholson Street, Abbotsford to enable the partial demolition and the construction of alterations and additions and new works up to 6 levels on the subject site, and its use for the purpose of 114 dwellings, seven offices and one food and drinks premises (at ground level) and a waiver of the associated car parking requirement pursuant to the Yarra Planning Scheme (in accordance with the amendment and planning permit application documentation attached).

**CONTACT OFFICER:** Jane Homewood  
**TITLE:** Manager Urban Planning  
**TEL:** 9205 5104

**Attachment 1 – Location and Zoning Map**  
**Attachment 2 – Council Resolution from 8 July 2003**  
**Attachment 3 – Heritage Victoria Permit**  
**Attachment 4 – Applicant's Expert Reports**  
**Attachment 5 – Amendment Documentation**  
**Attachment 6 – Details of the Application**  
**Attachment 7 – Planning and Design Guidelines**  
**Attachment 8 – Draft Planning Permit**  
**Attachment 9 – Heritage Victoria Correspondence**



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## 2.3 Public Lighting Policy

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File: 55/60/11-02  
Responsible Officer: Manager Infrastructure

### Purpose

1. To present a Public Lighting Policy to Council for adoption. The policy has been developed to:
  - (a) propose a set of principles for public lighting across Yarra;
  - (b) provide direction and consistency in the management of external public lighting throughout Yarra;
  - (c) define objectives and standards for public lighting across different areas of the City;
  - (d) identify appropriate standards to ensure the safety and security of the community;
  - (e) improve the environmental performance of public lighting installations, particularly the energy efficiency of lighting types with respect to reducing greenhouse gas emissions;
  - (f) inform negotiations for supply of power to unmetered public lighting, and for supply of Operation, Maintenance and Repair (OMR); and
  - (g) ensure that community safety standards, through the Crime Prevention Through Environmental Design (CPTED) Principles, are adhered to as part of all public lighting consultations and installations across Yarra.

### Background

2. The existing policy was last reviewed in 1996. Since then there has been a change in industry requirements, namely a new Public Lighting Code and several Australian and New Zealand Standards.
3. *A new policy is required as the existing policy is confined to street lighting, and has no reference to:*
  - (a) energy efficiency;
  - (b) purchase of Green Power;
  - (c) non-standard street lighting poles, fittings and globes;
  - (d) possible development contribution options;
  - (e) right-of-way, car parks, and commercial areas; and
  - (f) new industry standards and codes.

## **Consultations**

4. A report was presented to a Councillors' Briefing in July 2003. It was requested at the meeting that the Environment Community Advisory Committee be consulted on the draft Policy. The consideration of environmental aspects of public lighting that are incorporated in the proposed policy derive from comments received from Committee members.
5. Given the importance of this policy in respect of open space, community safety and urban amenity, consultation with staff from the Open Space, Social Planning (Community Safety) and Strategic Planning Units has taken place.
6. The electricity distributors, Citipower and AGL were consulted during the development of this policy, and in regards to the possibility of conducting a trial to test the policy.

## **Financial Implications**

7. It is not possible to assess the financial costs of implementing the policy as:
  - (a) no assessment is available to determine where the lighting level requires improvement; and
  - (b) the costs of operation and maintenance of different lighting types are not available from industry.
8. There are several options for sharing costs of maintaining public lighting on roads and for maintaining approved non-standard lighting installed in association with new developments as outlined in the policy.

## **Environmental Implications**

9. The proposed policy addresses environmental concerns associated with public lighting, namely the energy efficiency of the lighting type and installation and associated greenhouse emissions, and the impacts of light spill and glare on nearby residents and local wildlife.

## **Social Implications**

10. The proposed policy addresses the need to ensure safety for pedestrian and vehicular traffic.

## **Council Plan, Strategy and Policy Implications**

11. The proposed policy contributes to the implementation of the Greenhouse Action Plan, developed as part of Council's commitment to the 'Cities for Climate Protection' campaign in the Council Plan. It is also informed by the Safer Yarra Plan (November 2004).

## **Legal Implications**

12. A representative from Maddocks has provided advice in regards to the legal means of sharing costs for the maintenance of approved non-standard lighting in new developments, which has been incorporated into the proposed policy.

13. The proposed policy is in accordance with relevant legislation and current standards.

## **RECOMMENDATION**

14. That Council:

- (a) adopts the draft Public Lighting Policy (Attachment 1);
- (b) undertakes an assessment and review of the existing street lighting in Yarra and further refine the required level of street lighting in individual streets, based on the principles outlined in the proposed policy, and incorporating community consultation;
- (c) develops a definitive list of streets/areas that require an increase in street lighting level;
- (d) refers for consideration as part of the deliberations for that 2005/06 Budget a proposal to engage consultants to design a street lighting plan to meet street lighting code requirements and to inform resource allocation decisions; and
- (e) as part of the 2005/06 budget development, consideration be given to approving an increased level of funding for renewal of core street lighting infrastructure assets in future capital works programs to achieve 100% of compliance with Public Lighting Code.

**CONTACT OFFICER:** Craig Stevens  
**TITLE:** Manager Infrastructure  
**TEL:** 9205 5020

### **Attachment 1 – Draft Public Lighting Policy**



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## **2.4 Australia Council – Proposed Restructure**

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### **Executive Summary**

#### **Purpose**

To brief Council on the proposed restructure of the Australia Council for the Arts (AC), which includes the dissolution of the Community Cultural Development and New Media Boards.

To identify the implications and possible impact of this restructure on local community and cultural development.

To seek Council approval for future action and advocacy on this issue.

#### **Key Issues**

In 2004, the AC created a Future Planning Taskforce to review its organisational structure. On 7 December 2004, the full Board of the AC resolved to adopt significant changes to its operations as an outcome of the Future Planning Taskforce.

A major change to operations includes the dissolution of two of the nine boards: the Community Cultural Development (CCD) Board and the New Media Board.

The local community arts sector has registered strong concerns with Council regarding the changes to be adopted. A key concern is that opportunities will be reduced for funding and resources for community arts projects that specifically target communities either disadvantaged (socially, economically, or culturally) and /or not traditionally engaged with the arts.

#### **Financial Implications**

The AC's role as a major funding source for community and local government projects has often meant that local communities have been able develop longer-term projects.

There are very real concerns that local government will lose a major funding partner for grassroots community art projects that engage with disadvantaged communities, if the CCD Board is disbanded.

The July 2003 CCD Board funding announcements awarded over \$400,000 to projects of relevance to Council.

#### **PROPOSAL**

That Council officers:

- (a) continue to keep a watching brief on this issue and continue to liaise with other local government authorities and the local community arts sector; and
- (b) support advocacy initiatives calling for the continuation of the AC's CCD Board.

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## 2.4 Australia Council – Proposed Restructure

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File: 13/30/01-03  
Responsible Officer: Coordinator Arts and Cultural Services

### Purpose

1. To brief Council on the proposed restructure of the Australia Council for the Arts (AC), which includes the dissolution of the Community Cultural Development and New Media Boards.
2. To identify the implications and possible impact of this restructure on local community and cultural development.
3. To seek Council approval for future action and advocacy on this issue.

### Background

4. The AC is the Australian Government's arts funding and advisory body. It is a statutory authority established under the *Australia Council Act 1975* (CWLTH). The AC is led by a Chairman appointed by the Governor-General on the advice of the Minister for the Arts.
5. In 2003/04, the AC had a government appropriation of \$139.5m, employed 143 full-time equivalent staff and distributed \$132.2m in arts grants. The AC is based in Sydney.
6. The AC operates on two interrelated principles: arm's length funding and peer-group assessment and decision-making. Arm's length funding refers to the principle of the Council's independence from government, and the artists and arts organisations it assists.

### Future Planning Taskforce

7. In 2004, the AC created a Future Planning Taskforce to review its organisational structure and focus for the next five years. The Taskforce comprised of five members and was headed by Terrey Arcus (Deputy Chair AC).
8. The Taskforce met over six months and developed a confidential report by late 2004. The review process included minimal consultation with external stakeholders, which extended only to some staff and AC Board members.
9. On 7 December 2004, the full Board of the AC resolved to adopt significant changes to its operations as an outcome of the Future Planning Taskforce. These changes are to be implemented by July 2005.
10. A major change to operations includes the dissolution of two of the nine AC boards, being the Community Cultural Development (CCD) Board and the New Media Board.
11. The limited external consultation prior to adoption of these significant changes and the subsequent lack of detail about the proposed changes has caused

considerable public outcry. Jennifer Bott (Chief Executive Officer of AC) has indicated that the AC will be considering “constructive views” over the coming months.

#### The Boards of the AC

12. The AC has nine Boards that administer arts funding and are the AC’s main source of advice on the development of arts policy and grant programs. The AC’s artform Boards are comprised of people who have specific expertise in their field and therefore best placed to make decisions on grants and directions for their particular artform. The Boards and their 2003/04 funding budgets are:
  - (a) Aboriginal and Torres Strait Islander Arts Board (\$3.725m);
  - (b) Community Cultural Development Board (\$5.674m);
  - (c) Dance Board (\$3.019m);
  - (d) Literature Board (\$4.177m);
  - (e) Major Performing Arts Board (\$77.718m);
  - (f) Music Board (\$3.939m);
  - (g) New Media Arts Board (\$2.617m);
  - (h) Theatre Board (\$8.2079m); and
  - (i) Visual Arts/Craft Board (\$6.573m).
13. To date, the AC has not specified how the combined funding budgets (\$8.29m) of the CCD and New Media Boards will be distributed across the organisation and remaining artform Boards.

#### Culture and Community Development Board

14. The Culture and Community Development Board (CCD) Board is an important source of funding and expertise for arts projects that strengthen communities and cultivate local identity. It supports initiatives that often engage the most disadvantaged members of the community in the creation and experience of art. The Board has six members. Maria Filippow (Deputy Chair) is a community cultural development worker with Visionary Images, a local youth arts organisation based in Richmond.
15. The Taskforce’s restructure proposes the CCD Board will become a component of the existing Community Partnerships and Market Development Division. Artists and organisations working in arts in the community will apply for grants through the artform specific boards (Aboriginal and Torres Strait Islander Arts, Dance, Literature, Major Performing Arts, Music, Theatre, Visual Arts/Craft).
16. One of the grant recipients is North Richmond Community Health Centre’s (NRCHC) Arts and Culture Program. The AC funds NRCHC as a “key

organisation” in recognition of the contributions NRCHC has made to community arts practice and its role in community development. NRCHC’s arts programs have been operating for over ten years, advocating for the centrality of arts and cultural practice for health as well being. The NRCHC develop multi-artform projects with culturally diverse communities, often those rich in culture but poor on resources.

17. In the new structure it is unclear how programs such as NRCHC will be funded, as the work is not about marketing to the “audience” nor does their work necessarily involve a single artform.
18. The Taskforce’s restructure proposes that an Inter-Arts Office will be created to handle hybrid arts (that is, projects where artists combine conventional artforms to create new forms of artistic expression). This new office would also identify hybrid arts applications and direct them to relevant artform boards of the AC.

### **Consultations**

19. Council, and the local government sector generally has not received any direct correspondence from the AC on this issue.
20. Since the information has become public, Council has liaised with the following stakeholders:
  - (a) Yarra Arts Advisory Committee (YAARTS);
  - (b) local community arts sector;
  - (c) other local government arts units; and
  - (d) state government arts officers (Arts Victoria).
21. The local community arts sector has registered strong concerns with Council regarding the changes to be adopted. Key concerns include:
  - (a) the processes used by the AC to develop the restructure model;
  - (b) the lack of community and cultural development expertise informing funding decisions at a national level;
  - (c) the restructure places uncertainty for the future funding of CCD projects, In particular, spreading targeted CCD Board funds across all the artform boards removes the guarantee of those funds being used for projects of community engagement merit; and
  - (d) the reduced opportunities for funding and resources for community arts specifically targeting communities that are either disadvantaged (socially, economically, or culturally) and /or not traditionally engaged with the arts.

### **Financial Implications**

22. The AC’s role as a major funding source for community and local government projects has often meant that local communities have been able develop longer-term projects. In turn this has meant that local government, service agencies, arts organisations and artists have been able to develop

relationships with disadvantaged communities and individuals so critical in successfully achieving real and lasting cultural and community and development.

23. There are very real concerns that local government will lose a major funding partner for grassroots community art projects that engage with disadvantaged communities, if the CCD Board is disbanded.

#### Council Programs and Projects

24. Local government is a major investor in community cultural development, and frequently partners with the AC's CCD Board to support community arts projects at the grassroots.
25. In 2004/05 Council allocated \$40,000 through the Community Innovation Program to a newly created Community Arts sub-stream. In addition to this, Council's Arts and Cultural Services Unit includes a Culture and Community Development Program that is supported by an Arts Development Officer (EFT, Band 6). This program has an annual operational program budget allocation of \$15,000 to facilitate and support local community arts initiatives.
26. Council's resources for community arts initiatives are frequently augmented by grants from other levels of government. Council and the AC have co-funded a number of community arts projects in recent years, including:
  - (a) Rotary Youth Arts Network (RYAN) project - in 2002/03 Council provided \$20,000 of sponsorship towards the RYAN project. In 2003/04, Council received \$20,000 from the CCD Board of the AC to complete an additional stage of the RYAN project;
  - (b) Inside Out/Outside In (Mpac & North Yarra Community Health) – Council contributed \$7,000 (in-kind= \$5,000 and cash \$2,000) towards this project. The AC contributed \$80,000; and
  - (c) Settled/Unsettled (Belgium Avenue Neighbourhood House) - Council contributed \$8,900 towards this project. The AC contributed \$26,710.
27. In addition to this, Council has funded the NRCHC's Moon Lantern Festival on the Richmond Public Housing Estate since the mid 1990s. This initiative is a good example of a local government and AC partnership whereby the AC supports the NRCHC's core administrative costs and Council provides dedicated project (Moon Lantern festival) funding (\$18, 500 in 2004/05).

#### **Economic Implications**

28. Over the last decade the CCD Board has lead an increase in investment in community arts by other government departments and the private sector. Other major funding sources for community cultural development projects now include:
  - (a) local and state governments;
  - (b) Vichealth;
  - (c) Department of Human Services; and

- (d) philanthropic bodies, such as the Myer Foundation, the Reichstein Foundation etc.
29. The local organisations listed below have benefited significantly from this increase in community arts sector funding.

Community Programs and Projects

30. The City of Yarra is home to leading community arts organisations and practitioners including:
- (a) Multicultural Arts Victoria;
  - (b) North Richmond Community Health Centre Arts Program;
  - (c) Jesuit Social Services – Gateway Program;
  - (d) Mpact Artists;
  - (e) StART Collective;
  - (f) Belgium Avenue Neighbourhood House;
  - (g) Visionary Images; and
  - (h) North Yarra Community Health Centre.
31. The July 2003 CCD Board funding announcements awarded over \$400,000 to projects of relevance to the City of Yarra. Summaries of Yarra based projects funded by the AC in recent years are listed by category below:

Arts Development

- (a) MAV - Sudanese youth workshops for Refugee Festival, \$23,660 (Yarra organisation and festival);
- (b) Graham Pitts - Mentorship with Rosalie Hastwell, \$22,700 (Yarra organisations); and
- (c) Bernadette Janssen – 3D symposium \$26,448 (Yarra resident).

Key Organisations

- (a) JSS - Artful Dodgers Studio, \$80,000 (Yarra organisation); and
- (b) The Torch \$80,000 (peak organisation).

Triennial Funding 2005/07

- (a) North Richmond Community Health Centre \$195,000 (Yarra organisation); and
- (b) Arts Access Society Inc \$225,000 (peak organisation).

### **Environmental Implications**

35. There are no environmental implications.

### **Social Implications**

36. The restructure removes the national forum in which community cultural development theories and practices are tested, discussed, debated and endorsed. It is one of the critical places where models of best practice are shared, developed and distributed nationally. In this way, the CCD Board assists the community sector to set new benchmarks for community development.
37. There is concern that the loss of the CCD Board will reduce the expertise that informs AC decision-making. Future applications for community arts funding is to be decided by the remaining seven artform boards, whose membership may not have first-hand knowledge of the particular requirements of community and cultural development.
38. Community cultural development practice has supported the fundamental right of all Australians to be engaged in creative practices. The projects funded by the CCD Board have often helped to build social capital and a sense of community. It empowers severely disadvantaged communities with complex needs. Furthermore it has helped to shape the unique Australian cultural identity that values difference. Over the past decade, community cultural development projects have:
- (a) been a powerful and constructive tool in nurturing cross cultural understanding and respect;
  - (b) fostered a greater and enriched sense of place and cultural identity;
  - (c) built personal and collective skills for communities and individuals to find their own solutions to complex social and economic issues; and
  - (d) helped communities and individuals find a voice and tell their own stories.

### **Council Plan, Strategy and Policy Implications**

39. The key contributions of many local community cultural development initiatives outlined in the section above are consistent with Council's long-term commitment to grassroots community development.
40. This commitment is outlined in *City Plan 2004/08: Our Future, Our Vision 2010*, area the objectives of
- (a) community cohesion;
  - (b) health, wellbeing and safety; and
  - (c) places we meet.

41. The Yarra Planning Scheme's Municipal Strategic Statement also notes the contribution arts and cultural development can make to:
- (a) a diverse and distinct City identity;
  - (b) the enhanced liveability of the City, and
  - (c) a strengthened local economy.

### **Legal Implications**

42. There are no legal implications.

### **Other Issues**

43. On Friday 28 January 2005, the Cultural Development Network will host a public meeting in the Swanston Room of the Melbourne Town Hall. Jennifer Bott (AC Chief Executive Officer) and two Melbourne-based AC councillors, Ian McRae and Mel Ward will discuss the AC's planned reorganisation. Council officers will attend this meeting and a further update will be provided at the Committee meeting.

### **RECOMMENDATION**

44. That Council write to the following people and outline its support for the continuation of the CCD Board:
- (a) David Gonski AO, Chairman of the AC;
  - (b) Senator, the Hon Helen Coonan, Minister for Telecommunications, Information Technology and the Arts; and
  - (c) Senator, the Hon Rod Kemp, Minister for the Arts and Sport.
45. That a copy of this letter is sent to the:
- (a) AC CEO, Jennifer Bott;
  - (b) the Hon Mary Delahunty MP Minister for the Arts;
  - (c) Chairperson of VicHealth;
  - (d) Dr Owen Donald, Executive Director of Office of Housing, Department of Human Services;
  - (e) President, Municipal Association Victoria;
  - (f) President, Victorian Local Governance Association; and
  - (g) Chairperson, Cultural Development Network.

46. That Council support advocacy initiatives within the local government and local community arts sectors, which call for the continuation of the AC's CCD Board.

**CONTACT OFFICER:** Kate McCaughey  
**TITLE:** Coordinator Arts and Cultural Services  
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**Attachment 1 – Restructure Statement from AC's Website**

**Attachment 2 – Article from 'The Australian'**

**Attachment 3 – Article from the 'Sydney Morning Herald'**



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