

YARRA CITY COUNCIL

**PLANNING, ENVIRONMENT &
INFRASTRUCTURE
COMMITTEE MEETING**

AGENDA

Please note special time

to be held on Tuesday 6 February 2007 at **7.00 pm**
at the Richmond Town Hall

Councillor Membership

Cr Judy Morton (Chair)
Cr Jenny Farrar
Cr Jackie Fristacky
Cr Kathleen Maltzahn
Cr Kay Meadows

Council Officer Attendees

Justin Hanney (Chief Executive Officer)
Bruce Phillips (Director City Development)
Craig Kenny (Director Community Development)
Bryan Lancaster (Director Asset Management)
Marc Giglio (Executive Manager Finance and
Information Services)
Ivan Gilbert (Executive Manager Governance and
Organisational Development)
Erin Nairn-Marcon (Governance Adviser)

- 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.***



Public Participation at Council and Committee Meetings

PROCEDURE

1. The Yarra City Council welcomes the opportunity for members of the public to address Council, Special Committees and Council's Internal Development Approvals Committee in accordance with this procedure.
2. The following guidelines apply to public questions and submissions:
 - (a) public question time is restricted to 15 minutes, 2 questions per person, and **five (5) minutes per speaker**;
 - (b) the Chairperson has the sole discretion to extend speaking times or vary conditions of these guidelines;
 - (c) the minute clerk or the Chief Executive Officer shall advise the Chairperson when speaking times have expired;
 - (d) within reason, there will be no time restriction imposed on submissions under section 223 of the *Local Government Act* 1989 (the opportunity to speak to a previously lodged formal written submission pursuant to that section of the Act);
 - (e) where a number of people wish to make a submission on the same subject, a representative speaker is encouraged. Speakers are asked to restrict themselves to new comments and not repeat points made by other speakers
 - (f) all public comment is to be made prior to commencement of debate on matters to be determined;
 - (g) persons addressing the meeting shall confine themselves to the subject under consideration;
 - (h) town planning permit applicants shall be given an opportunity to present their submission before objectors and may exercise a right of reply following the hearing of all submissions.
3. The general provisions of these guidelines shall be made known to all intending speakers and members of the public, prior to the commencement of business at meetings.

PLANNING, ENVIRONMENT & INFRASTRUCTURE COMMITTEE MEETING

ITEM	REPORT PRESENTER
<p>3.1 Strategic Transport Statement - Plan of Actions and Encouraging and Increasing Walking Strategy Workplan Update</p> <p>REPORT FOR NOTING</p>	Maureen Brewer – Strategic Transport Planner
<p>3.2 Statutory Planning – Quarterly VCAT Activity Report</p> <p>REPORT FOR NOTING</p>	Stephen Wainwright – Manager Statutory Planning
<p>3.3 Asset Management Steering Committee Half Year Report</p> <p>REPORT FOR NOTING</p>	Chris Court – Manager Assets
<p>3.4 Community Amenity Unit – Quarterly Report</p> <p>REPORT FOR NOTING</p>	Steven McMurray – Manager Building and Regulatory Services
<p>3.5 Progress Report on Inner Melbourne Action Plan (IMAP)</p> <p>REPORT FOR NOTING</p>	Pauline Semmens – Coordinator Major Projects and Local Policy
<p>3.6 Possible Sites and Opportunities for Community Gardens</p> <p>OFFICER RECOMMENDATION FOR COMMITTEE DELIBERATION</p>	Mark Dornau – Manager Environmental Services
<p>3.7 Exhibition of Yarra Planning Scheme Amendment C85 – Heritage Review</p> <p>OFFICER RECOMMENDATION FOR COMMITTEE DELIBERATION</p>	Robyn Hellman – Coordinator Strategic and Economic Policy
<p>3.8 Amendment C65 and Permit Application PL05/1289 Australian Dyeing Company site, 145-175 Noone Street and 250-292 Alexandra Parade East, Clifton Hill</p> <p>OFFICER RECOMMENDATION FOR COMMITTEE DELIBERATION</p>	Pauline Semmens – Coordinator Major Projects and Local Policy

CONFIDENTIAL ITEMS

Nil.

3.1 Strategic Transport Statement - Plan of Actions and Encouraging and Increasing Walking Strategy Workplan Update

Executive Summary

Purpose

To provide an update on progress of implementation of the Strategic Transport Statement (2006) Action Plan and the Encouraging and Increasing Walking Strategy (2005) Workplan.

Key Issues

Increasing traffic is to be expected in any city increasing its population but the effects of the traffic need to be ameliorated so that Yarra's community maintains a good standard of living.

The Strategic Transport Statement (STS) and Encouraging and Increasing Walking Strategy (EIWS) use a variety of methods to address transport behaviour and it is expected that some change in travel mode and choice will result and this will contribute to an improved quality of life for Yarra's community.

The STS and EIWS updates show that there continues to be a keen interest from Yarra's community to see change and more sustainable transport choices. There has been considerable support for Yarra's efforts to promote more sustainable transport.

Financial Implications

Any additional costs associated with the implementation of the EIWS Workplan and STS Actions will be referred to the annual budget planning processes.

Environmental Implications

The actions contained in both the Strategic Transport Statement and Encouraging and Increasing Walking Strategy Workplan specifically seek to encourage more sustainable forms of transport and therefore have a positive effect on the environment.

Social Implications

The actions contained in both the Strategic Transport Statement and Encouraging and Increasing Walking Strategy Workplan have synergies with the aims of the Municipal Public Health Plan and the Positive Ageing Strategy. These include encouraging a more connected, inclusive and active community through transport choice and promoting active transport for leisure.

City Plan, Strategy and Policy Implications

The EIWS and STS are consistent with Council Plan 2006 – 2010.

PROPOSAL

That Council notes the progress to date in relation to the implementation of the Strategic Transport Statement Actions and the Encouraging and Increasing Walking Strategy Workplan.

3.1 Strategic Transport Statement - Plan of Actions and Encouraging and Increasing Walking Strategy Workplan update

File: 30/30/32/03 & 70/06/817/01
Responsible Officer: Manager Strategic and Economic Planning

Purpose

1. To provide an update on progress of implementation the Strategic Transport Statement (2006) Action Plan and the Encouraging and Increasing Walking Strategy (2005) Workplan.

Background

2. Council has long recognised that more needs to be done at a local level in the City of Yarra to tackle increasing traffic, particularly single occupancy private car use. Although private cars are important to the viability of our society, increasing car use, is recognised internationally, as unsustainable both in terms of oil availability and road space availability. There are also health issues which transport choice can influence. In order to address this, Council developed and adopted a Strategic Transport Statement (STS) (2006) and an Encouraging and Increasing Walking Strategy (EIWS) (2005).
3. At the local government level Council is limited in what it can do directly to affect change in transport. The State Government is responsible for public transport and the State roads authority, VicRoads, is responsible for many of the roads in Yarra. Any changes to arterial roads are administered and implemented by VicRoads. Similarly, improvements to public transport are administered by State Government and public transport operators.
4. Within the above constraints both the STS and the EIWS enable Council to support policies and programs which ensure a fulfilling life may be had by Yarra's community without having to rely on private motor vehicles.

Encouraging and Increasing Walking Strategy

5. Council adopted the Encouraging and Increasing Walking Strategy (EIWS) in December 2005. The EIWS Workplan included 4 themes:
 - (a) the continued improvement of internal co-operation within Council, so that the interests of pedestrians are supported across all Council Departments;
 - (b) new hardware and infrastructure;
 - (c) the promotion of behaviour change programs across Yarra; and
 - (d) continue to develop and strengthen land use and transport policies that lead to an improvement of the walking environment as new development takes place.
6. An audit was undertaken across all Council units to establish what kind of work was already being done by the different units to support the aims of the EIWS. This audit forms the basis of the EIWS Workplan which now tracks work and

identifies areas not being sufficiently addressed. The intention is that the EIWS Workplan will be reported on annually to Council. In updating the EIWS Workplan each Council unit is reminded of the value and importance of working towards improving conditions for pedestrians.

Strategic Transport Statement

7. In April 2006 Council adopted its Strategic Transport Statement which provides an overarching view for long-term transport sustainability in the City of Yarra. The STS relates to all transport modes, prioritising pedestrians and more sustainable transport modes. The STS includes seven strategic transport objectives to ensure decisions made in Council promote more sustainable transport choices over less sustainable transport modes.
8. Both the EIWS and the STS are consistent with the State Government's Melbourne 2030 Direction 8 which seeks to create 'better transport links' and Policy 8.7 which has a specific focus on giving more priority to cycling and walking in planning urban development and in managing our road system and neighbourhoods.

Implementation Highlights

9. Detailed updates in relation to the implementation of Action Plan and Workplan relating to the Strategic Transport Statement and the Encouraging and Increasing Walking Strategy respectively are included in Attachments 1 and 2 but are summarised below.

Inner Melbourne Action Plan (IMAP)

10. One of the ways Council can achieve effective long term strategic results in transport is to work together with neighbouring Councils. The Inner Melbourne Action Plan (IMAP) which includes the Cities of Yarra, Melbourne, Port Phillip and Stonnington, in association with VicUrban and the State Government, provides a framework for the future growth and development of the inner Melbourne region. It aims to make the area more vibrant, liveable, accessible and creative and allows a coordinated approach to strategic planning in the region. The work being undertaken by IMAP includes a substantial transport component. This is important to strategic transport planning in Yarra as transport routes / journeys cut across political boundaries.
11. Evidence of the importance of transport as a regional issue can be seen through the IMAP priority projects (i.e. to be completed within three years). Of the 25 priority projects to be completed by 2009, ten are transport related. These projects will ensure a regional approach to transport planning which is consistent with achieving good long term outcomes. The projects identified by IMAP as priorities include:
 - (a) Action 2.2 – Co-ordinated Pedestrian and Public Transport Signage System;
 - (b) Action 2.3 – Bicycle Network Legibility;
 - (c) Action 2.4 – Walking Links / Pedestrian Priority Areas;
 - (d) Action 2.5 – Complete Regional Bicycle Network;

- (e) Action 2.6 – Tram Network/Fixed Rail Improvements;
 - (f) Action 3.3 – Regional Approach to Car Parking;
 - (g) Action 4.1 – Travel Smart;
 - (h) Action 4.3 – Think Tram Program;
 - (i) Action 4.7 – Improvements to Public Transport Services; AND
 - (j) Action 8.2 – Improved Links to the Port.
12. Much of the work undertaken by Council in 2006 was in developing the IMAP projects outlined above. The projects are all generally consistent with, and will assist in the implementation of the EIWS and STS.
 13. It is expected that the IMAP work will continue to be a significant part of Council work and will contribute greatly to reinforce the priorities and actions included in the STS Actions and EIWS Workplan.

Related Council Policies and Strategies

14. There has been significant cross-Council collaboration on projects which include a sustainable transport component and greater awareness of how transport can substantially affect people's lives and lifestyles.
15. One of the highlights in the past year has been the number of Council strategies and plans that have identified active transport and particularly walking as a priority. There are synergies between the aims of the STS, EIWS, the Municipal Public Health Plan and the Positive Ageing Strategy which all include actions identifying different ways to incorporate activity, through walking, into lifestyles. The work being undertaken by Council's Metroactive project has a focus on improving walking options across Yarra's community.
16. Whilst much of Council's work is routine it is nonetheless important in achieving conditions which promote sustainable transport use. Staff at the frontline are more engaged in working towards making the walking environment better. This includes for example, street conditions, clearing overhanging foliage and ensuring garbage bins don't block footpaths.

Infrastructure

17. The installation of two new zebra crossings in Abbotsford and painted median strips in high pedestrian areas in Brunswick and Smith Streets has contributed to making the pedestrian environment safer. In Clifton Hill, 40kph speed restrictions have been introduced on all local roads. At Alphington Primary school a new bike path to assist in providing a safe route for students cycling to school has been installed.

Travel Behaviour Change

Community

18. Where possible Strategic Transport Planning has a presence at a large number of community events to promote sustainable transport options. Some of the highlights in 2006 have been Celebrate Yarra and the launch of the Municipal Public Health Plan. A snapshot of Strategic Transport Planning involvement in Council sponsored events can be seen in Attachment 3.
19. In August 2006, Yarra held a seminar on Peak Oil. A diverse audience of over 230 people, from truck drivers to transport professionals, attended the seminar. There was an opportunity for the community to discuss Peak Oil and its implications with the experts and each other. Members of the community were able to contribute their own ideas and solutions.
20. Further free seminars on transport planning and free screenings of two community developed DVDs 'End of Suburbia' and 'How Cuba Survived Peak Oil' were held in October and November. The screenings provided an opportunity for people concerned about climate change and sustainable transport to discuss issues with others and see what is possible with a change in personal and collective behaviour.

Businesses

21. Strategic Transport Planning has been working closely with major businesses throughout Yarra to assist them to encourage their staff and visitors to consider using more sustainable modes of transport. In 2006, the businesses included, Abbotsford Convent (including the Slow Food Festival), GE Money, Macro supermarket, Computershare, Radio 3MBS, the Australian Catholic University, the Neighbourhood Justice Centre and businesses within Victoria Gardens.
22. Working with the centre management at Victoria Gardens has seen campaigns for tram use at the centre, the installation of 12 bike hoops at one of the main entrances and most effectively Ride to Work Day in October 2006 was held at the centre. Breakfast food and prizes for cyclists were generously donated by businesses from within Victoria Gardens and the event attracted over 200 cyclists. The visibility of the event from Victoria Street also sent a positive sustainable transport message to other road users.

Schools

23. In April 2006, a 'Safe and Sustainable Transport to School Forum' (SSS) was held to launch a brochure, produced in collaboration with schools and carers, highlighting safe and sustainable transport issues for school children. The participants, about 40 parents, teachers and carers concerned about safe and sustainable transport to school, heard from VicHealth, Environment Victoria and Victoria Police. Seventy students from Yarra Primary School opened the SSS Forum by singing a song called 'Stop, Look, Listen and Think' written by their teacher Kevin Hunt.
24. The SSS was followed the very next day by a highly successful Walk to School Day. Council encouraged Yarra's schools to participate and 80% of students in the participating schools walked to school. Yarra Leisure supplied prizes by way

of swim passes to encourage more activity among students and one child at Abbotsford Primary School won the star iPod prize.

25. Strategic Transport Planning is currently working with the Centre for Education and Research in Environmental Strategies (CERES) and the Environment Management Unit to introduce a more strategic and consistent approach to the way that sustainable transport is being promoted in schools. A holistic and structured program that has targets and goals and is measurable is being introduced in some schools.

Council staff

26. A recent internal survey (Jan 2007) of Council staff found that about 9% of staff regularly cycled to work. This is significantly higher than the Journey to Work statistics (Census 2001) for Metropolitan Melbourne (0.8%) and higher also than Yarra's own impressive 5.7% of residents cycling to work.
27. This is also borne out by an increase in members of the City of Yarra staff BUG (Bicycle Users Group). In 2003 there were 21 members and at January 2007 there are 73 members.
28. In October 2006 on national Walk to Work Day, 60 City of Yarra staff walked all or part of the way to work with distances walked varying from 1km to 8km.
29. Council also encourages staff to use public transport to work or for meetings during work time. In 2005, a Yarra survey showed that over 50 staff travelled to work daily on public transport.
30. During work hours Council staff are encouraged to attend meetings using public transport. Data collected shows that since 2004, use of public transport by staff to get to meetings has increased by over 200%. From July to December 2006 over 411 work related trips undertaken by staff were by public transport compared with 190 trips for the six month period at the beginning of 2004 (when data was first collected).
31. The data demonstrates a commitment by some staff at City of Yarra to use more sustainable forms of transport. Some staff have stated that they have joined the City of Yarra specifically because of its proactive approach to sustainable transport.

Advocacy

32. As there is limited scope for Council to effect change to public transport provision or arterial road planning, advocacy is important for Council to ensure its long term sustainable transport goals are met. Sustainable transport advocacy can take place on several levels. Advocacy may be at a detailed project level throughout the year with transport stakeholders such as VicRoads, Yarra Trams, Metlink, DOI and DSE, where Council's position to support more sustainable and DDA compliant transport outcomes is articulated. Advocacy may also take place at a higher policy level with submissions and policies.
33. The City of Yarra is a member of the Metropolitan Transport Forum (MTF), an advocacy group comprising members from Melbourne metropolitan local government, associate members representing transport companies, and participants from the State Government and environment groups. In 2006,

Yarra's Mayor, Councillor Jackie Fristacky was deputy chair of the MTF and as such made a considerable contribution on sustainable transport advocacy.

34. Advocacy through the MTF contributed to getting public transport issues high on the State Government's agenda and in 2006, the State Government released 'Meeting Our Transport Challenges' with funding of \$10 billion. This is accepted as one of the most significant investments in transport in many years.
35. In 2006, the MTF successfully launched a report 'Keep People Moving in Melbourne's North-East'. The report funded jointly by the Cities of Banyule, Darebin, Manningham, Melbourne, Nillumbik, Whittlesea and Yarra includes recommendations for train, tram and bus services in the region to bring the network up to a standard that is world's 'good practice'.
36. One of the successes of the report was the agreement between the seven Councils that the key to future transport sustainability was an improved public transport system.
37. The State Government also announced the removal of Zone 3 from the fare structure. Yarra's submissions to State Government authorities e.g. to VCEC, included a call to revise the fare zones to encourage greater public transport use and thereby contribute to decreasing through traffic from using Yarra's roads.

Consultations

38. Both the EIWS Workplan and STS Actions have engaged Yarra's community, in a variety of ways, throughout 2006.

Resource and Financial Implications

39. Any additional costs associated with the implementation of the EIWS Workplan and STS Actions will be referred to the annual budget planning processes.

City Plan, Strategy and Policy Implications

40. The Strategic Transport Statement and Encouraging and Increasing Walking Strategy reflect Council's key commitment areas of promoting alternatives to car use, advocating on key issues (public transport), pursuing access improvements for retail shopping strips, creating a safer City especially for pedestrians and promoting access and equity across the municipality.
41. In addition the state Government's policy document Melbourne 2030's Direction 8 calls for Councils to encourage more sustainable transport and for priority to be given to walking and cycling in planning urban development.

Conclusion

42. The STS and EIWS updates show that there continues to be a keen interest from Yarra's community to see change and more sustainable transport choices. There has been considerable support for Yarra's efforts to promote more sustainable transport. There is also a general change in attitude, possibly a cumulative effect of the focus in the media on oil price rises and climate change, and a greater understanding of sustainable transport.

43. Within Council there is also greater awareness of sustainable transport issues and this feeds into the work undertaken in the various Council departments. Many Council staff are now being proactive within their work area to improve sustainable transport options. This is also evident in the numbers of staff increasingly taking up more sustainable transport modes where possible.

RECOMMENDATION

48. That Council notes the progress to date in relation to the Strategic Transport Statement (2006) and Encouraging and Increasing Walking Strategy (2005).

CONTACT OFFICER: Maureen Brewer
TITLE: Strategic Transport Planner
TEL: 9205 5374

Attachment 1 – Strategic Transport Statement – Actions
Attachment 2 – Encouraging and Increasing Walking Strategy – Workplan
Attachment 3 – Promoting Travel Behaviour Change



Adobe Acrobat
Document



Adobe Acrobat
Document

3.2 Statutory Planning – Quarterly VCAT Activity Report

File:

Responsible Officer: Planning Appeals Coordinator

Purpose

1. The purpose of this report is to inform the Council about the City of Yarra's performance in the Planning and Environment List of the Victorian Civil and Administrative Tribunal (VCAT).
2. The report details applications for review that have been lodged with or decided upon by VCAT during the months of October, November and December 2006. It also highlights any significant cases that have been decided upon by the Tribunal during this period.

Applications for Review Lodged With VCAT

3. During October, November and December a total of 29 matters were lodged for review with VCAT. Of these:
 - (a) 8 (28%) of matters were applications about Council's decision to refuse to grant a permit.
 - (b) 8 (28%) of matters were applications by objector/s about Council's decision to grant a permit.
 - (c) 7 (24%) of matters were reviews lodged regarding Council's failure to determine an application within the prescribed time.
 - (d) 5 (17%) of matters were reviews lodged by applicants about a decision to impose conditions on a permit.
 - (e) 1 (3%) were applications about amendments to permits.
4. Further details about reviews lodged in October, November and December are shown in Attachment 1.
5. For the entire 2006 calendar year, a total of 100 applications for review were been lodged with VCAT. This compares with 106 applications lodged during 2005.
6. A month-by-month comparison of applications lodged in 2005 and 2006 is detailed in Attachment 2.

Decisions Made by VCAT

7. The Tribunal decided on 19 review matters in October, November and December 2006.
8. Of the nine matters where Council argued a case to refuse the grant of a permit, the Tribunal agreed with Council on four occasions, directing that no permit be granted. Of those instances where Council was only partly

successful, one of the matters required a complete redesign of the proposal before being approved by the Tribunal.

9. Further information about decisions made by VCAT during October, November and December is shown in Attachment 3.

Significant decisions by the Tribunal

10. In *Lindsay Holland Pty Ltd v Yarra CC* the Tribunal refused an application to construct an 11 storey commercial building at 27 Russell Street Abbotsford. The subject site was very small (only 145 sqm) which made for a slender building form, much higher than the prevailing one and two storey character of the area. Council argued that the proposal was radically out of place in this context.

11. While the Tribunal did not support the proposal, it did not entirely agree with Council's assessment, describing the approach as 'conservatively conventional'. On the important issue of urban form, the Tribunal stated:

'...it cannot be said that the designer's approach is completely unmeritorious. If one regards the Hurstbridge/Epping Railway Line as a barrier to the finer grain residential areas to the east, and if one considers the subject land as forming part of a broader mainly commercial/ industrial urban environment bounded by the railway line, Johnston Street, Smith Street and Victoria Parade then the urban character is one in which the generally low rise one and two storey urban form is punctuated at regular intervals by taller structures.

In this broader context the proposed tall building is [not] so radically out of place [sic]. However, while the industrial and commercial framework plan provides some indirect support for taking this broader view, I cannot conclude that it is an approach directly supported by the planning scheme provisions.'

12. These observations about urban form notwithstanding, the Tribunal considered that there was insufficient merit to grant a permit, principally on the grounds of a more localised assessment of neighbourhood character, the amenity impacts of the proposed development upon adjoining properties, and the lack of on-site car parking.
13. A full summary of this and other decisions made by VCAT during October, November and December is contained in Attachment 4.

Conclusion

14. Yarra's light industrial neighbourhoods, outside Heritage Overlay areas, are continually subject to pressure for change and renewal. As the *Lindsay Holland* case highlights, the high cost of land (or opportunistic inclinations) are encouraging developers to propose highly intensive developments on even very small lots. The Tribunal has expressed a willingness to contemplate (but not necessarily approve) such developments even where they have the potential to considerably change the character of a neighbourhood.
15. It remains important, therefore, that Council articulate its *preferred* character for its neighbourhoods that are under pressure for change, using the Municipal Strategic Statement, local planning policies and relevant urban design frameworks.

Recommendation

16. That the report regarding statutory planning quarterly VCAT activity be noted.

CONTACT OFFICER: Lorraine Dowsey
TITLE: Planning Appeals Coordinator
TEL: 9205 5171

Attachment 1 – Number of Applications for Review Lodged With VCAT
Attachment 2 – Number of applications lodged in 2005 compared with 2006
Attachment 3 – Number of Review Matters Determined by VCAT
Attachment 4 – Summary of VCAT Determinations



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Document

3.3 Asset Management Steering Committee Half Year Report

Executive Summary

Purpose

Council has previously adopted an Asset Management Policy & Strategy. The Policy requires that the Asset Management Steering Committee provide a half yearly progress report to Council.

Key Issues

The role of the Asset Management Steering Committee is to provide strategic direction, ensure asset management improvement, co-ordinate actions & ensure effective communication, review existing policies & develop new policies related to asset management and provide leadership.

Asset management planning at the City of Yarra is well advanced and this report details background on asset management including a general industry overview and linkages to the City Plan.

The report also gives a stocktake on major works being undertaken including the ongoing role of the Asset Management (AM) Steering Committee & AM Improvement Team, participation in the MAV STEP program, status of individual AM Plans for Buildings, Furniture & Equipment, Fleet, Art & Heritage Collection and various precinct and other planning exercises currently underway.

The report lists priorities for the next six months which are:

- (a) review the Asset Management Policy & Strategy;
- (b) development of strategic planning for buildings to a point where a draft Asset Management Plan can be endorsed by Council (including continued work on the identification of surplus land or buildings and acquisition needs);
- (c) Council endorsement of Asset Management Plans for Furniture & Equipment, Fleet and Art & Heritage Collection;
- (d) continued work on planning for major projects and development of a clearer direction for staff accommodation requirements; and
- (e) continued improvement in our STEP program report card.

PROPOSAL

That the report be noted.

3.3 Asset Management Steering Committee Half Year Report

File: 15/25/01 (I07/168)
Responsible Officer: Manager Assets

Purpose

1. Council has previously adopted an Asset Management Policy & Strategy. The policy requires that the Asset Management Steering Committee provide a half yearly progress report to Council.

Background

2. Council adopted the Asset Management Policy & Strategy in October 2004. The Policy established an Asset Management Steering Committee and identified the following responsibilities of the Committee:
 - (a) to provide strategic direction;
 - (b) to ensure asset management improvement;
 - (c) to co-ordinate actions and ensure effective communication;
 - (d) to review existing policies and develop new policies related to asset management;
 - (e) to provide leadership; and
 - (f) to provide half yearly (or more frequently if required) progress reports to Council.
3. This is a half yearly report on general progress. This report is not intended to provide information on the detailed thinking which supports the individual Asset Management Plans as that forms part of those reports when presented to Council.
4. It is important to note that the emphasis on asset management is not restricted to the City of Yarra and it is a sector wide challenge given the ongoing deterioration of assets (through normal wear and tear) and the competing demands for funds.
5. Successful Asset Management requires the following:
 - (a) guidance from Council on policy and direction;
 - (b) long term financial planning for assets;
 - (c) documented processes and responsibilities;
 - (d) consideration of Whole of Life costs when creating new assets;
 - (e) formal linkages between risk assessment and asset based funding;

- (f) formalisation of service levels;
 - (g) measurement and reporting to the community on performance of assets;
and
 - (h) identification of underperforming or surplus assets.
6. The City of Yarra is making progress towards meeting these challenges by basing our planning on the City Plan in the context of the underlying key themes of:
- (a) People, Communities and Neighbourhoods;
 - (b) Built Form, Land Use and Transport;
 - (c) Culture, Celebration and Tradition;
 - (d) Local Economy and Business Development; and
 - (e) Environment and Public Space.
7. The goal is to meet the core principal of “Managing our Assets for the future - A Council that practices responsible development and management of its financial, natural, human, cultural and built resources.”

Asset Management Stocktake

8. Detailed below is a status report on each of the major elements of Asset Management.
- (a) Asset Management Policy and Strategy
 - (i) Council adopted the Policy and Strategy in October 2004;
 - (ii) Of the 26 key strategies 4 have been completed, 17 have been implemented and are ongoing and 5 are in progress. The full list and status is provided below:

	Key strategies	Responsibility	Time Frame	Status
1.1	Adopt and implement the Asset Management Strategy & Policy	Council All Business Units	October 2004	Adopted. Implementation is <u>ongoing</u> .
1.2	Integrate AM into council planning process	Council Executive Governance Branch	December 2004	Council Plan recognises Asset Management principles. <u>Complete</u>
1.3	Establish monitoring and evaluation programme as part of Asset Management Plans	Asset Management Steering Committee	July 2005	Asset Management Plans will be reviewed annually. <u>Implemented & Ongoing</u>
1.4	Review AM improvement through customer surveys,	Asset Management Steering Committee	Annual	Relates to service delivery which is measured in service and business plans

	annual service plans and business plans			<u>Implemented & Ongoing</u>
2.1	Establish Asset Management Steering Committee	Executive	October 2004	<u>Complete</u>
2.2	Establish Asset Management Improvement Team	Asset Management Steering Committee	October 2004	<u>Complete</u>
2.3	Formally assign asset management roles and responsibilities across all business units	Executive	December 2004	<u>Complete</u>
2.4	Provide clear direction for asset managers to allow informed decision making: <ul style="list-style-type: none"> • Asset Management Plans • Work Instructions • Procedure Manuals 	Asset Management Steering Committee Asset Management Improvement Team	Ongoing from October 2004	Discussed at AMSC and AMIT meetings. E.g. Project Management tools Net community benefit model Major cross functional investigations <u>Ongoing</u>
2.5	<ul style="list-style-type: none"> • Develop Asset Management Improvement Plan 	Asset Management Steering Committee Asset Management Improvement Team	November 2004	This is the improvement plan which will be refined on an ongoing basis. <u>Implemented & Ongoing</u>
2.6	Undertake analysis of items identified in the Gap Analysis	Asset Management Steering Committee Asset Management Improvement Team	November 2004 - ongoing	Most items in the gap analysis are being addressed either through system improvements or Asset Plans. There are a number of outstanding items which are yet to be addressed. <u>In progress</u>
2.7	Introduce a uniform 'life cycle' approach to asset management practices across the organisation	Asset Management Improvement Team	July 2005	Incorporated into capital works program. Will be enhanced by the introduction of an asset management system. <u>Implemented & Ongoing</u>
2.8	Include AM in Business Unit Plans and Annual Service Plans	All Managers	On going from October 2004	Business Unit Plans and Annual Service Plans include Asset Management as either a direct provision of the asset or requirements to utilise an asset to provide a service. <u>Implemented & Ongoing</u>
2.9	Support asset managers through training, education	Executive Asset Management	Ongoing from October 2004	Ongoing advice given. AMIT is a resource.

	and peer support	Improvement Team		<u>Implemented & Ongoing</u>
2.10	<p>Review first generation Asset Management Plans:</p> <ul style="list-style-type: none"> • Road Infrastructure • Building & Property • Open Space 	<p>Asset Management Steering Committee</p> <p>Asset Management Improvement Team</p>	July 2005	<p>Roads and open space complete.</p> <p>Buildings dependant on numerous investigations which are occurring across the organisation.</p> <p><u>Commenced</u></p>
2.11	Identify and programme preparation of AM Plans for all other asset categories	Asset Management Improvement Team	July 2006	<p>Roads & Open Space AMPs completed. Focus is now on Buildings, Fleet, Furniture & Equipment and Art & Heritage Collection which are all in draft form.</p> <p><u>In progress</u></p>
2.12	<p>Ensure access to relevant AM information is available across the organisation</p> <ul style="list-style-type: none"> • Review asset management information systems • Investigate options to consolidate information systems • Consolidate information systems as deemed appropriate • Develop and implement IT training programme 	<p>Asset Management Steering Committee</p> <p>Asset Management Improvement Team</p> <p>Governance Branch</p> <p>Information Services Branch</p>	July 2005 – July 2006	<p>Procurement of an Asset Management System has commenced.</p> <p><u>Implemented & Ongoing</u></p>
2.13	<p>Establish and implement AM improvement monitoring and evaluation programme:</p> <ul style="list-style-type: none"> • MAV Asset Management Benchmarking Study • Regular review and reporting on AM Plans • Review service levels 	<p>Asset Management Steering Committee</p> <p>Asset Management Improvement Team</p> <p>All Business Units</p>	October 2004 - Dec 2006	<p>Participating in STEP program and Dept of Vic Communities program.</p> <p><u>Implemented & Ongoing</u></p>
3.1	Schedule regular AM team meetings	Asset Management Improvement Team	On going from October 2004	<p>AMSC target of every 2 months.</p> <p>AMIT Occurring monthly</p>

				<u>Implemented & Ongoing</u>
3.2	Review business processes (business process mapping) to define asset management inputs	Asset Management Steering Committee Asset Management Improvement Team	October 2004 to Dec 2009	Ongoing as part of service planning <u>Implemented & Ongoing</u>
3.3	Document important business processes through procedure manuals and work instructions	Asset Management Improvement Team	July 2006	Occurring E.g. Net Community Benefit procedure is documented. Project management scoping tools developed and documented <u>Implemented & Ongoing</u>
3.4	Investigate feasibility of standardising AM data collection and reporting systems	Asset Management Improvement Team	July 2006	Asset Management System will require this. <u>In progress</u>
3.5	Share information and knowledge across the organisation to encourage maximum usage and economic performance of assets	All Business Units Asset Management Improvement Team	On going from October 2004	AMSC and AMIT meet regularly. <u>Implemented & Ongoing</u>
3.6	Review all policies and strategies to ensure appropriate inclusion of AM	All Business Units	Dec 2005	<u>In progress</u>
4.1	Conduct ongoing evaluation of asset performance against current and future market trends to achieve best long term financial performance	All Business Units Finance	On going	Investigations being carried out across the organisation in conjunction with neighbourhood and precinct planning. <u>Implemented & Ongoing</u>
4.2	Undertake detailed cost-benefit analysis prior to the consideration of any new asset acquisition and / or any major rehabilitation of or improvement to an existing asset. In the case of asset acquisition a comprehensive due diligence assessment will be completed.	All Business Units Asset Management Improvement Team	On going	Forms part of capital works bid process <u>Implemented & Ongoing</u>
4.3	Review and update Council's Risk Management Policy	Asset Management Steering Committee	February 2005	Policy has been reviewed and agrees with the principles identified in Asset Management Plans <u>Implemented & Ongoing</u>

Table 1: Key strategies identified in the adopted Asset Management Strategy – status report.

9. Asset Management Steering Committee:
 - (a) the Committee consists of Crs Farrar and D'Agostino, the Executive and Manager Assets. The role of the Committee is to provide high level direction and coordination of asset management activities and review the activities of the Asset Management Improvement Team. It meets a number of times per year with a target of every two months.
10. Asset Management Improvement Team:
 - (a) this team is made up of Managers and specialists from across the organisation and has met monthly in 2006. The role of the Team is to provide "on the ground" co-ordination of asset management activities.
 - (b) items are discussed to raise awareness and obtain feedback regarding impacts on other departments' works. Typical agenda items have included:
 - (i) feedback from Asset Management Steering Committee;
 - (ii) neighbourhood planning i.e. Social Infrastructure Management Plan being carried out by Community Development Division;
 - (ii) precinct planning being carried out by City Development Division;
 - (iv) development of the cross-organisational project linkages flowchart and support documentation showing resources and timeframes;
 - (v) STEP program - status and ongoing objectives;
 - (vi) introduction of an asset management system;
 - (vii) status and progress of master planning, strategies and individual Asset Management Plans;
 - (viii) net community benefit model; and
 - (ix) project management scoping document.
11. Participation in MAV sponsored STEP program
 - (a) the STEP program was initiated by the Municipal Association of Victoria (MAV) and is designed to set all Local Governments in Victoria on a path to successful asset management without each Council reinventing the wheel;
 - (b) there are four basic steps which form the foundation for improvement:
 - (i) Asset Management Policy;
 - (ii) Asset Management Strategy;
 - (iii) Asset Management Plans; and

- (iv) Asset Management Operational Plans.
- (c) the program has been operating since October 2002. The latest audit was carried out in August 2006 and based on industry standards and expected timeframes, the City of Yarra has satisfactorily progressed the implementation of the STEP program.
- (d) the MAV has recently changed the report card to go into more detail to encourage further improvements so a comparison with our last report card is not possible. Our goal from here is to achieve continuously higher scores. Our latest status report is shown below:

Pillar	Score	Performance	Target
Policy	73	Proficient	Excellence
Strategy	53	Proficient	Excellence
Plans	69	Proficient	Excellence
Operations	68	Proficient	Excellence

Note: 0-15 = Innocence
 16-30 = Awareness
 31-50 = Systematic
 51-80 = Proficient
 81-100 = Excellence

12. Development of Asset Management Plans for Roads/Bridges, Open Space, Buildings, Fleet, Furniture & Equipment and Art & Heritage assets

- (a) an Asset Management Plan (AMP);
 - (i) provides comprehensive details of our assets including condition, remaining life, valuations etc;
 - (ii) defines factors which influence demand at Yarra;
 - (iii) identifies strategies to manage demand;
 - (iv) identifies level of service and the cost to provide it;
 - (v) quantifies asset condition and performance;
 - (vi) quantifies maintenance requirements;
 - (vii) evaluates risks associated with the asset; and
 - (viii) provides financial projections for various scenarios.
- (b) it is important to note that a prime achievement throughout this process has been the identification of our assets, determining their condition and general raising of awareness;
- (c) the process has also recognised the need for a comprehensive planning process for the identification of long term service requirements which our buildings are expected to meet;

- (d) Council has adopted and gazetted a Road Management Plan. Council adopted the Road Infrastructure AMP on 13 September 2005;
 - (e) the Open Space AMP was adopted by Council on 11 October 2005. This document inter-relates with the Open Space Strategy which was adopted in December 2006;
 - (f) the Buildings AMP is dependant on high level strategic planning for our buildings including approval and prioritisation of major projects. It is anticipated that after the March 2007 Councillor workshop a clearer direction will be available and the Buildings AMP will be presented soon after;
 - (g) a draft Fleet Asset Management Plan is nearing finalisation and will be presented to Council in early – mid 2007;
 - (h) a draft Art & Heritage Collection Asset Management Plan is nearing finalisation and will be presented to Council in early – mid 2007;
 - (i) a draft Furniture & Equipment Asset Management Plan is nearing finalisation and will be presented to Council in early – mid 2007; AND
 - (j) it is intended that all Asset Management Plans be “living” documents and will be modified on an annual basis to reflect the circumstances of the day.
13. Various neighbourhood, precinct and other planning exercises
- (a) the Asset Management Plans whilst being developed as stand alone documents must be considered as an overall package as they are all inter related and all will place demands on available funding;
 - (b) there are various major investigations and studies being carried out relating to the long term planning of assets. This includes both maintenance, renewal and possible disposal of existing assets and planning for the future based on demographics, changing community needs, legislation etc. These are summarised as follows:
 - (i) Culture & Community Planning:
 - high level community needs study /precinct planning including community profiling and neighbourhood planning based on 10 neighbourhoods;
 - (ii) Libraries:
 - relocation of North Fitzroy library;
 - (iii) Family & Children Services:
 - master planning for Child Care Centres, Maternal & Child Health Centres, Kindergartens (Social Infrastructure Management Plan);

- (iv) Aged & Disability Services:
 - master planning for Senior Citizens Centres and Community Halls;
- (v) Leisure Facilities;
 - master planning for Leisure Centres and Burnley golf course;
- (vi) Urban Planning:
 - precinct planning relating to community facility needs, land use, Melbourne 2030, Municipal Strategic Statement and others based on 8 major precincts;
 - Urban Design Framework for the Richmond Town Hall precinct;
- (vii) Environment & Recreation:
 - master planning for various major open space holdings, including recent adoption of an open space strategy, development of the Victoria Park and Alphington Park master plans;
 - pavilions have been categorised into varying levels of service and levels of fit out / requirements have been standardised and documented for each category;
 - a sports plan is being developed which will detail future provision of sports in Yarra, determine the future use of existing facilities to support these sports and identify the need to upgrade or build new facilities;
- (viii) Infrastructure:
 - Road Management Plan and capital works planning;
- (ix) Assets:
 - development of a 40 year building maintenance program;
- (x) a prime role of the Steering Committee and Improvement Team is to ensure the co-ordinated flow of information between these various activities;

Priorities for the next six months

- (c) review the Asset Management Policy & Strategy;
- (d) development of strategic planning for buildings to a point where a draft Asset Management Plan can be endorsed by Council (including continued work on the identification of surplus land or buildings and acquisition needs);
- (e) Council endorsement of Asset Management Plans for Furniture &

Equipment, Fleet and Art & Heritage Collection;

- (f) continued work on planning for major projects and development of a clearer direction for staff accommodation requirements; and
- (g) continued improvement in our STEP program report card.

RECOMMENDATION

14. That the report be noted.

CONTACT OFFICER: Chris Court
TITLE: Manager Assets
TEL: 9205 5703

3.4 Community Amenity Unit – Quarterly Report

File No.: 25/25/07
 Responsible Officer: Manager Building & Regulatory Services

Purpose

- To provide a quarterly update on enforcement complaints received and subsequent investigations in the Community Amenity area.

Background

- Council has requested a Community Amenity Quarterly Report on planning enforcement, footpath trading and liquor licensing issues.
- At the December 2006 Council Meeting an Overview Report was presented to Council to provide an overview of the current issues causing concern within Yarra and the existing legislation in place available to the relevant authority to address these concerns. The report highlighted that Council does not have control or ability to control everything that occurs within the municipality. Rather, Council has control on some issues, but can only influence other issues by working with outside agencies or lobbying for legislative change.

The matrix in Attachment 1 of this report identifies what controls are currently available and the responsible authority.

Issues

Planning Enforcement Requests

- Table 1 lists the planning enforcement requests received by Council for the period 1 October 2006 to 31 December 2006.

Suburb	Ward	Breach of Planning Scheme	Breach of Scheme – Use	Breach of Permit – Construction Noise	Breach of Permit – Heights	Breach of Permit – Screening	Breach of Permit – Vegetation	Development without a Permit	Development with a Permit	Property enquiry	Illegal Brothels	TOTAL
Richmond	Melba	1	2	16	0	1	1	16	7	0	0	44
Burnley	Melba	0	0	0	0	0	0	0	0	0	0	0
Cremorne	Melba	0	0	3	0	2	0	2	0	0	0	7
Abbotsford	Langridge	0	1	0	0	1	0	2	0	0	0	4
Collingwood	Langridge	0	5	3	0	0	0	7	1	1	0	17
Collingwood	Nicholls	0	0	0	0	0	0	0	0	0	0	0
Clifton Hill	Langridge	0	1	0	0	2	0	5	1	0	0	9
Fairfield	Langridge	0	1	0	0	0	0	0	0	0	0	1
Alphington	Langridge	0	0	0	0	0	0	1	0	0	0	1
Fitzroy	Langridge	0	1	3	0	1	0	6	4	1	0	16
Fitzroy	Nicholls	0	0	0	0	0	0	0	0	0	0	0

Nth Fitzroy	<i>Nicholls</i>	1	1	1	0	2	0	5	5	0	0	15
Nth Carlton	<i>Nicholls</i>	0	0	0	1	0	0	5	3	0	0	9
Princes Hill	<i>Nicholls</i>	0	0	0	0	0	0	0	1	0	0	1
SUB -TOTAL		2	12	26	1	9	1	49	22	2	0	
TOTAL COMPLAINTS		124										

Table 1

5. There has been an increase in complaints over this quarter of 66.9%. Richmond continues to dominate complaints increase.
6. The Unit has implemented a zero tolerance approach to building noise complaints where developments commence or finish work outside the hours as conditioned in their planning permit. Fines will be issued in the first instance. A comparison in the next quarterly report will be provided.
7. The Unit is developing a methodology to incorporate a proactive inspection element into the core functions of Planning Enforcement Officers. A strategy is being developed in order to pick up those developments most likely to be non-compliant early in their construction. Further details will be provided in the next quarterly report.
8. As an informative approach the Unit (with assistance from the Communications Unit and the Statutory Planning Branch) will organise a media strategy for the purpose of educating the municipality highlighting where and when a planning permit is required and the obligations of owners and residents to contact Council before commencing any building and works.

Planning Enforcement Action

9. Table 2 lists planning enforcement action undertaken by Council for the period 1 October 2006 to 31 December 2006. The list also includes items that arose during previous reporting periods, but are yet to be fully resolved.

Actions taken on complaints received this quarter	Number
Inspected and completed this quarter	78
Inspected and on-going	35
To be inspected	11
TOTAL ACTIONS TAKEN THIS QUARTER	124
Proactive inspections	0
No Offence Detected (on initial inspection)	50
Complaints received this quarter	124
First inspection compliance rate	48.5%

Actions taken this quarter on complaints received previous quarters	Number
Completed this quarter	32
Inspected and on-going	5

Issues on hold / pending	Number
Referred to Building / Planning / Other	27
Interim Enforcement Order	0
Enforcement Order	2
Liquor Control Reform Act Section 90 applications (ongoing)	2

Liquor Control Reform Act Section 90 applications (this quarter)	0
Awaiting advice from Solicitors	3
Unpaid Planning infringements – with Solicitor for prosecution	2
Unpaid Planning infringements – sent Solicitor this quarter for follow up	1
Matters with Investigators for prosecution (planning/building)	2
TOTAL	39

Table 2

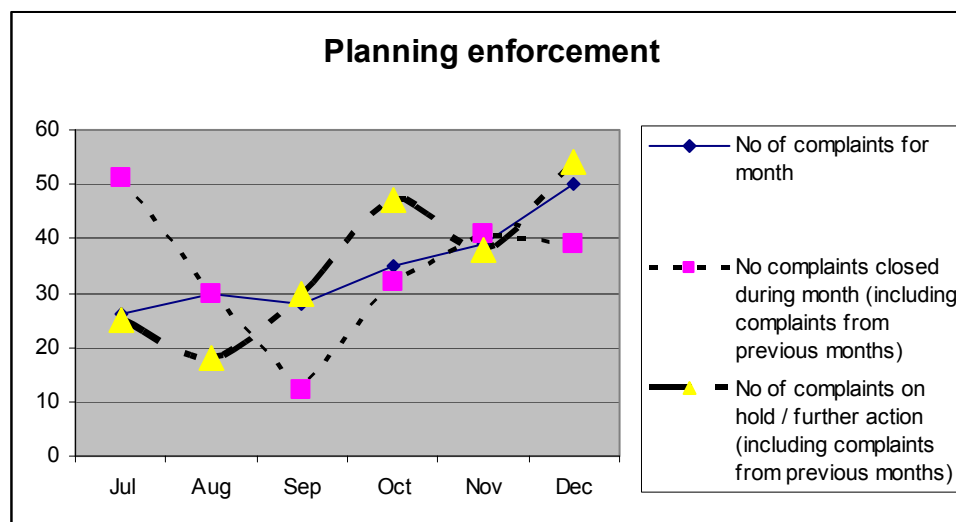


Table 3

- The above graph (table 3) details the activities of the Planning Enforcement area of the Unit between July and December 2006.
- Complaints received average 34.5 per month. Complaints are on hold when the owner has been provided time to comply or the matter is pending legal action and/or assessment of a retrospective planning permit application.

VCAT / Magistrate's Court hearings

- The list below details the matters heard at VCAT and Magistrate's Court regarding Planning breaches for the period 1 October 2006 to 31 December 2006.

Month	VCAT hearing	Magistrate's Court hearing
October	0	2
November	0	0
December	1	1
TOTAL	1	3

Table 4

Date of Hearing	Offence	Result
18 Oct 2006	Unightly property / fire hazard	Matter has been adjourned to be heard on 7 March 2007 (Council will be cleaning this property and costs to be reimbursed by owner of property).
19 Oct 2006	Works without building or planning permits (joint prosecution)	Convicted and fined \$1500.00. Ordered to pay costs of \$2189.00.
25 Oct 2006	Dog attack	The defendant was convicted and fined \$750.00, ordered to pay costs of

		\$709.80 and pay compensation of \$120.00 to the complainant for the cost of her pants.
5 Dec 2006	<ul style="list-style-type: none"> • Breach Planning Permit condition 4 - premises not to be used as a night club • Breach planning permit - condition 5 - exceed N2 conditions • Breach planning permit - condition 2 - exceed trading hours • Breach planning permit - condition 7 - music noise emissions (All for same venue) 	Convicted and issued with a \$3000 fine and \$2000 costs (defendant has vacated the premises and is yet to be located).

Table 5

13. The matters heard at the Magistrate's Court are listed in table 5 above.

Liquor Licensing / Public Behaviour Complaints

14. Table 4 lists the liquor licensing complaints received by Council for the period 1 October 2006 to 31 December 2006.

Complaint Type	Number Received
Liquor Licensing / Planning breach complaints received	3
Music noise complaints received	99
Public Behaviour complaints received	29
TOTAL COMPLAINTS	133
Number of complainants	59
Number of licensed venues involved	35

Table 6

15. Two of the 35 licensed premises involved have been carried over from the previous quarter. The remainder are deemed new complaints; however, some premises have been dealt with in the past and have been compliant for some time but have recently again come to the attention of the Unit.

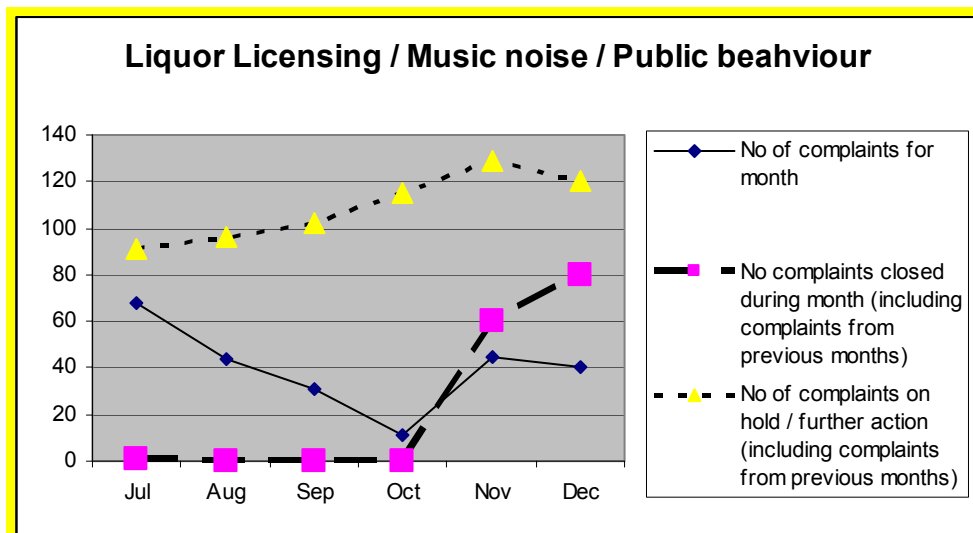


Table 7

16. The Unit has completed and closed a number of complaints after a period of compliance for music noise and patron behaviour; hence more issues closed this quarter than reported.

17. At the present time Council is also monitoring approximately 100 premises and revisiting proactively to ensure continued compliance. This amount will reduce over the next quarter as venues continue to show compliance.

Public Behaviour matters reported to Police

18. As outlined in the Overview Report to the December 2006 Council Meeting, civil disobedience is not a matter Council can deal with (see Attachment 1). As a consequence public behaviour matters observed and deemed a public safety issue or likely to cause injury are immediately reported to police for attendance. Other matters of a minor nature are reported at a later time for information of police to patrol as a matter of routine patrols. The following table details events reported to police during the quarter.

Date & time	Location	Action	Result
6 Oct 2006 11.55pm	1 male person drunk sleeping in Lennox Street footpath	Rang Richmond Police	Result unknown
13 Oct 2006 12.20am	1 male breaking into cars Scotchmer Street, North Fitzroy	Rang Fitzroy Police	Male apprehended
3 Nov 2006 11.00pm	1 female distressed having trouble standing up, her friend stated she may have been drugged at licensed venue	Rang Fitzroy Police.	Police attended and assisted female
7 Nov 2006 1.00am	Brawl outside licensed venue in Johnston Street	Rang Fitzroy Police	Result unknown
12 Nov 2006 1.10am	1 male affected by alcohol and drugs going crazy threatening people and damaging cars	Rang Fitzroy Police.	Male apprehended
7 Dec 2006 10.35pm	1 youth passed out drunk on corner of Smith and Stanley Street, Collingwood	Rang Fitzroy Police.	Result unknown
8 Dec 2006 11.40pm	Brawl outside licensed venue in Richmond	Rang Richmond Police	Result unknown

Table 8

Planning Enforcement – Infringement Notices Issued

19. Table 9 presents the number of planning enforcement infringement notices issued by Council (including those for liquor license breaches) for the period 1 October 2006 to 31 December 2006.

Number issued	
5	
Planning Enforcement	5
Liquor Licensing	0

Table 9

20. The unit is following the *Ask, Tell, Enforce* Approach and breaches detected did not warrant the issue of fines. The Unit is working closely with a number of proactive licensees who recognise the issues and are working towards resolving them.

Footpath Trading Statistics

21. Table 6 presents data related to footpath trading complaints and enforcement for the period 1 October 2006 to 31 December 2006.

Breaches	Number of incidents report	Notices to Comply issued	Warnings issued	No breaches detected	Infringement issued
Complaints received	22	4	14	4	0
Proactive offences detected	5	4	1	0	0
TOTAL	27	8	15	4	0

Table 10

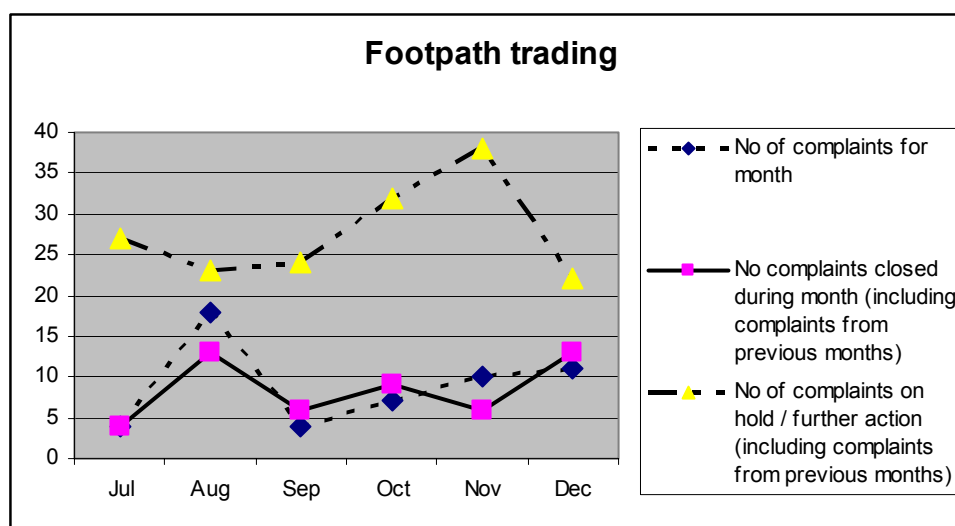


Table 11

22. Council currently has approximately 1158 Public Space Licence Agreements on record. The complaints received average at 7 per month. The compliance rate for footpath trading is consistently in the high 90% with one EFT dedicated to the position.

Total Complaints Received in 2006

	1 st quarter Jan-Mar	2 nd quarter Apr-Jun	3 rd quarter Jul-Sep	4 th quarter Oct-Dec	2006 TOTAL	2005 TOTAL
Planning enforcement	142	129	84	85	440	447
Liquor licensing / Public behaviour / Noise	190	82	143	96	511	924
Local Laws (including Commercial & Domestic noise)	478	348	249	136	1211	1318
Footpath Trading	69	41	26	18	154	430
Building sites	31	29	48	11	119	217
Animals	66	41	73	27	207	186
TOTAL	976	670	623	373	2685	3522

Table 12

23. Table 12 shows comparison of complaints received for 2006 compared with 2005; this shows an overall reduction of 837 complaints received. This may be attributed to an increased field presence by officers, coupled with improved reporting process and work procedures.

“Pooch Patrols” and Dog waste

24. An undertaking was given in the October quarterly report to follow up and detail the time spent in open space areas observations and actions. Dog faeces’ counts within the parks were conducted for comparison and of the parks patrolled and some reduction of the amount of faeces was observed. The following table (table 13) outlines the parks visited, date and times, officer observations and dog faeces sighted.
25. Responsible pet ownership of picking up after their dog and compliance with on/off leash areas was re-enforced with all persons spoken to through-out the patrols.
26. In conjunction with these patrols officers rewarded responsible owners with state of the art pick up bag holders and bags that attach to a dog’s leash. Non compliant dog walkers where given pooper scoopers. No fines were issued; however, persons previously spoken to regarding no compliance will be fined.
27. These patrols will continue until the cessation of daylight saving time.

Date	Time	Location	Offence	No of dog faeces sighted
19-Dec-06	7-9am	Curtain Square	15 dogs observed, 10 dogs observed off leash - verbal warnings issued to the owners. All persons spoken to carrying device to pick up faeces. No dogs observed defecating.	4 (consistent with previous 3, 4 & 5 sightings in previous report)
20-Dec-06	4.30-6pm	Barkly Gardens	12 dogs observed in the off leash area. No dogs observed off leash in the on leash area. Some dog owners complained to officers that sporting groups were using the off leash area and this was making it difficult for them to exercise their pets as it created tension between the two groups. 2 dogs observed defecating. All owners carrying devices and compliant.	14 (will be subject of intense patrols until March 31) Not part of previous report
04-Jan-07	4.30-6pm	Darling Gardens	8 dogs observed in the off leash area. Dogs compliant in on leash area. Two verbal warnings issued for not carrying devices. Pick up devices given to owners.	0 (major reduction from 10 sightings in previous report)
11-Jan-07	7-9am	Quarries Park	12 dogs observed All park users were compliant.	7
17-Jan-07	7-9am	Barkly Gardens	25-30 dogs sighted - all owners compliant with devices, 5 dogs observed to defecate: owners picked up	3 (major reduction)

Table 13

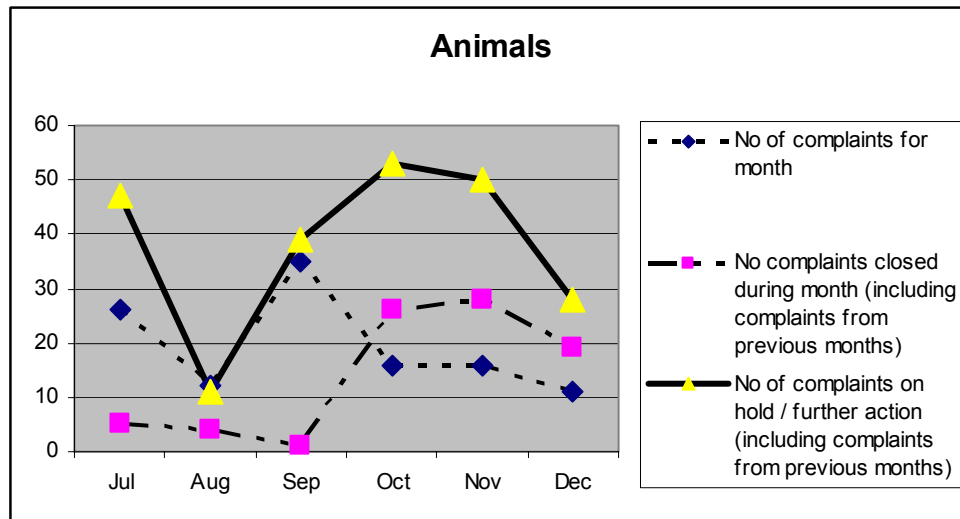


Table 14

28. The above graph (table 14) details the activities of the Animal Management area of the Unit between July and December 2006

Strategies relative to Dog waste in Parks.

29. The Unit is currently compiling an Animal Management Plan which is a legislative requirement of the *Domestic (Feral and Nuisance) Animal Act 1984*. The Plan is being formulated in conjunction with Council's Open Space Unit and will include an audit of the current dog bag dispenser and bin placements.
30. The intention of the audit will be in an effort to minimise dog waste in parks by ensuring bag dispensers and bins are user friendly, in the most appropriate location and are in sufficient numbers in the busier dog parks to encourage usage.
31. The Unit is benchmarking and discussing with other Council's so as to incorporate the best practice in relation to this issue and the minimisation of dog faeces in our streets and open space areas.
32. Recent amendments to the *Domestic (Feral and Nuisance) Animal Act 1984* require that all dogs as of 1 May 2007 be micro chipped. Council's will not be able to register any dog that has not been micro chipped after this date.
33. The Unit has organised, as part of Celebrate Yarra Day on 18 February, a micro chipping program in conjunction with the Lost Dogs Home. Residents will be able to have their animals micro chipped at a much reduced rate of \$20.00 on the day. This will be advertised as part of the communication process with the municipality advertising Celebrate Yarra Day.

RECOMMENDATION

34. That the Community Amenity quarterly report be noted.

CONTACT OFFICER: Ken Wolfe
TITLE: Co-ordinator Community Amenity Unit
TEL: 9205 5015

3.5 Progress report on Inner Melbourne Action Plan (IMAP)

Executive Summary

Purpose

This report provides an update on the Inner Melbourne Action Plan (IMAP) initiatives.

Key Issues

Financial Implications

No financial implications arise from this report – the normal Council capital budgetary process will consider IMAP actions that have commenced.

Local Area Access Programs (LAAP) funding grants from the Department of Infrastructure have been approved for Action 2.2 (Coordinated Pedestrian and Public Transport Signage throughout the Inner Melbourne Region) and Action 2.4 (Walking Links/Pedestrian Priority Areas – Green Light Project).

Economic Implications

The IMAP program will assist in the progression of actions that support the economic base of the City.

Environmental Implications

The IMAP program will assist in the environmental program and protection of the environmental attributes of the City.

Social and Cultural Implications

The IMAP program will assist in the progression of important social and cultural aspects of the City and inner Melbourne.

City Plan, Strategy and Policy Implications

The implementation of the IMAP program is consistent with core Council strategies. It is an agreed program amongst the Cities of Yarra, Stonnington, Port Phillip and Melbourne.

PROPOSAL

That Council note the progress of the Inner Melbourne Action Plan (IMAP) to date and the programmed actions that have already commenced and will lead into the next financial year.

3.5 Progress report on Inner Melbourne Action Plan (IMAP)

File: 30/30/43-04
Responsible Officer: Coordinator Major Projects and Local Policy

Purpose

1. This report is to provide an update on the progress of the Inner Melbourne Action Plan (IMAP) to Councillors. The last quarterly report on IMAP was submitted to Council in October 2006. The next IMAP Implementation Committee is on 23 February 2007.
2. At its Ordinary Meeting of Tuesday 21 February 2006, Council resolved to receive quarterly reports on:

"...the progressive implementation of IMAP and that the first of these reports be presented to the June 2006 cycle of Council"

The update material is provided as two Attachments to the report. Attachment 1 is a Summary Table of IMAP actions, dated 5 January 2007 and Attachment 2 provides the more detailed Progress Report on IMAP, as presented by the IMAP officer to the IMAP Committee in November 2006.

Background

3. Council is part of the regional collaboration model known as Inner Melbourne Action Plan (IMAP), which involves the Cities of Yarra, Stonnington, Port Phillip and Melbourne (with Docklands being an associate to the program).
4. The launch of IMAP occurred early in 2006 along with governance arrangements for the IMAP Implementation Committee, which have been put into place.
5. An IMAP implementation officer was appointed for a 12 month period under a secondment arrangement from the City of Port Phillip – Mr Martin Hartigan has now been in the position for some 9 months and has set a program in place for the advancement of the various Year 1 actions. An IMAP Implementation Plan has been adopted by the IMAP Committee.

Consultations

6. The IMAP document was put on display and submissions were then considered prior to the approval of the final document. Councillors have copies of the IMAP document and the summary brochure.

In September 2006 the IMAP Implementation officer presented to each of the four Council management teams to provide an overview of its strategic intent and to give a summary of the agreed action plan.

Financial Implications

7. This report raises no direct financial implications – each IMAP Council is contributing some \$ 20 K for year for operational aspects (IMAP officer etc).

This has previously been committed by each Council.

8. Capital works aspects will be coordinated but will occur via the individual Council capital works bidding processes (as part of the normal budgetary processes of the Council).
9. Local Area Access Program (LAAP) funding grants from the Department of Infrastructure (DOI) were approved in October 2006 for the following Year 1 IMAP actions:
 - (a) Action 2.2 Coordinated Pedestrian and Public Transport Signage throughout the Inner Melbourne Region; and
 - (b) Action 2.4 Walking Links/Pedestrian Priority Areas (Green Light Project).
10. Under the LAAP grants, State Government and local government will work collaboratively. The latter action will analyse 20 sites in Activity Centres across the four municipalities to improve safety and comfort levels for pedestrians using pedestrian operated signals on busy roads in the region. The project will focus on Activity Centres and key intersections .e.g. Johnston Street/Alexandra Parade, Elizabeth Street/Church Street in Yarra.
11. Action 2.2 will introduce consistent and informative regionally oriented pedestrian signage across the region, including indicative walking times and public transport information, to better link transport routes so that the region is accessible through out by walking, cycling and public transport. It will be located at key sites across the region e.g. activity centres, recreational and entertainment facilities.

Progress with IMAP Actions

12. A range of diverse actions have been determined and agreed by the IMAP Committee and arranged in a 1-3 year action plan.
13. The Year 1 actions which have already been commenced include the following:
 - (a) Action 1.1 Inner Melbourne Statement of Significance;
 - (b) Action 2.2 Coordinated Pedestrian and Public Transport Signage System;
 - (c) Action 2.3 Bicycle Network Legibility;
 - (d) Action 2.4 Walking Links/Pedestrian Priority Areas;
 - (e) Action 4.3 Think Tram/St Kilda Road;
 - (f) Action 5.2 Affordable Housing;
 - (g) Action 6.3 Managing Conflict in Activity Centres;

- (h) Action 7.4 Regional Economic Statement;
 - (i) Action 9.1 Regional Sustainability Targets;
 - (j) Action 9.3 Water Sensitive Urban Design;
 - (k) Action 9.6 Use of Recycled Water in Parks;
 - (l) Action 11.1 Inner Melbourne Map; and
 - (m) Action 11.2 Regional Tourism Program.
14. Action 4.3 has been earmarked an IMAP flagship project and discussions are continuing in the new year to progress coordination between DOI, Yarra Trams and Vic Roads and the member Councils. The project will include major infrastructure and tram service improvements along St Kilda Road over the next five years, in particular tram stop improvements and upgrades for Disability Design Access (DDA) compliance. The project is of a dimension that will create significant changes for the inner Melbourne area.
 15. Actions 2.2, 2.3, 9.1 and 9.6 have been designated as priority demonstration projects under the adopted IMAP Implementation Plan. They are considered to address current issues in the inner region, to have a relatively short term completion period (year 1 project), and are regional in nature.
 16. The year 1 actions are being progressed with the IMAP officer having set up various task teams across the four member Councils to progress the actions.
 17. Some year 2 - 3 actions are also being progressed as opportunities have arisen via the officer work teams. In this regard, progress is being made during year one on Actions 2.4, 4.3, 11.1 and 11.2.
 18. The Inner Melbourne Urban Design Statement (IMUD), outlining the structure, character and significance of Inner Melbourne, has been completed and published in a brochure form. The brochures have been forwarded to each Councillor and are available for immediate use by planners, policy makers and interested members of the public.

City Plan, Strategy and Policy Implications

19. The IMAP program sits within the Council policy framework. Its implementation is a significant priority for the Council and its partnering Councils.

Legal Implications

20. No legal implications arise from this report.

Other Issues

21. The linkage of the IMAP program and the capital works budgetary process of Council requires further consideration. This will require discussion in the next few months once program actions for the next financial year are firmed up to deliver on IMAP outcomes.

Options

22. This report is to simply note the IMAP actions to date and to obtain a broad overview of the progress of the IMAP implementation plan, updated to 30 January 2007.
23. It is recommended that Council note the report, actions to date and those being progressed. The Mayor and CEO will represent the Council at the next quarterly meeting of the IMAP Committee.

Conclusion

24. Good progress is occurring with the implementation of the Inner Melbourne Action Plan (IMAP). A number of staff across the four Councils are now involved in established project groups which are progressing the delivery of various actions, that accord with the agreed action plan.
25. Actions are now starting to flow out of various officer meetings under the sponsorship of the IMAP Implementation Committee and the overall guidance of the IMAP Implementation Officer.
26. Some further discussion will be required in the capital budgetary process leading into the 2007 / 2008 budget cycle via the capital bidding process at each of the Councils.

RECOMMENDATION

27. That Council note the report regarding the progression of actions of the Inner Melbourne Action Plan (IMAP).

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Attachment 1 – Summary Update IMAP Action Year 1-5 January 2007
Attachment 2 – IMAP Progress Report November 2006



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Document

3.6 Possible Sites and Opportunities for Community Gardens

Executive Summary

Purpose

To inform Council of the possible sites and opportunities for additional community gardens in the City of Yarra.

Resource and Financial Implications

The initial resource required will be a dedicated Community Gardens officer to establish protocols, recognise potential projects and sites, assist in the detailed logistics, create and harness public interest and identify funding opportunities.

It can also be anticipated that Council will have to assist in the establishment and construction of the Community Gardens as well as infrastructure improvements, such as access to water, drainage and security fencing.

Further funding opportunities exist through Council Community Grants and other potential state government grants.

Community Implications

The development of Community Gardens and partnerships in streetscapes will satisfy the increasing demand for more Community Gardens and opportunities for recreational gardening in the City, as well as foster an increase in physical activity, volunteerism and environmental awareness.

Environmental Implications

This project will continue to promote the ongoing awareness and improvement in environmental volunteerism and community participation in the community. The projects will provide the leadership in environmental design, management and maintenance practices and ensure the positive impact on the environment and the community.

City Plan, Strategy and Policy Implications

Several Council Strategies and policies promote alternative uses of open space as well as encouraging increased social, environmental and recreational opportunities across the City.

This project is considered to be consistent with the City Plan and other Council policies.

PROPOSAL

That Council endorses the report and refers the resourcing of establishing more community Gardens across the City to the 2007/2008 budget process for consideration.

That Council nominates Councillors to attend relevant aspects of the 4th Annual City Farms and Community Gardens Conference to be held at the Collingwood Town Hall, 20-25 March 2007. This will provide an opportunity for Councillors to the gather information from experts in the field, as well as meet with interested community members and potentially identify sites or projects.

3.6 Possible Sites and Opportunities for Community Gardens

File: I07/156
Responsible Officer: Manager Environmental Services

Purpose

1. To provide Council with options for the future planning, provision, design and management of Community Gardens and opportunities for utilising elements of the City's streetscapes for growing sustainable plantings.

Background

2. At its meeting on 19 September 2006 Council resolved to seek a report:
“(a) identifying possible sites for additional community gardens in the City of Yarra to include possible options of;
 - (i) community gardens being used for growing of flowers or vegetables;*
 - (ii) use of nature strips for gardens and/or fruit trees;*
(b) to be prepared for the December meeting of Council.”
3. Community gardens have a long history in Europe and the United States. The first community garden in Australia is the allotment garden at Nunawading (opened on October 7, 1977).
4. Limited space is an issue for Yarra City Council, with a high proportion of higher density dwelling structures in Yarra compared to the Melbourne statistical division. Currently semi-detached residences and apartments are the dominant dwelling types in the City of Yarra, providing minimal space for horticultural activities.
5. There is also a growing trend of people living alone in Yarra. Community gardens will help to meet the social and recreational needs of some of these residents.
6. There is growing community interest in community gardens, especially in Yarra and other inner city councils such as Melbourne, Darebin and Port Phillip. This is demonstrated in the long waiting lists for established gardens in these areas.
7. The 4th Annual City Farms and Community Gardens Conference is being held in Yarra City Council this year at the Collingwood Town Hall, March 20-25th 2007. The conference provides a unique opportunity to garner community interest in additional community gardens in Yarra. The conference will also provide an opportunity for Councillors and Council Officers to the gather information from experts in the field, as well as meet with interested community members and potentially identify sites or projects. Please refer to *Attachment 2* for Conference details.

Benefits of Community Gardens

8. Community Gardens offer significant social, economic and environmental benefits for the Yarra community.

Social / Economic Benefits

9. The following social and economic benefits have been identified:
 - (a) beautify public spaces, help reinstate natural areas and encourage communities to assist in the stewardship of their environment;
 - (b) revitalise and reclaim public spaces that may have been subject to vandalism and illegal activities;
 - (c) benefit everyone by creating safe and healthy recreational activities within parks and other Council owned and managed land;
 - (d) provide a space for community arts and cultural development, and are welcome sites for local celebrations;
 - (e) are great outdoor classrooms, laboratories and field trip destinations for school and home-schooled students, scouts, families and organisations;
 - (f) respond to community concerns about food safety, genetically modified foods, use of pesticides, herbicides, and preservatives in food, by providing a wide variety of fresh, organic and locally grown vegetables and fruit at relatively low cost;
 - (g) produce healthy accessible food for the gardeners and the entire community when shared with schools, food banks, shelters and other hungry people;
 - (h) provide skill-building and positive recreational opportunities that are accessible to a diverse range of people of all ages who take responsibility for organising and managing the garden area; and
 - (i) are economical, practical and enjoyable sites that contribute to community building while producing friendships, flowers and food.

Environmental Benefits

10. The following environmental benefits have been identified:
 - (a) encourage individuals to be part of a community that shares the efforts and benefits of gardening and generates a sense of custodianship for the land – encouraging members of community to take responsibility for their local environment;
 - (b) encourage sustainable living in the broader community by demonstrating good environmental practices such as organic gardening, mulching, composting, pruning and other community greening activities;
 - (c) are urban green spaces that provide oxygen, cooling shade and welcome community oases for meditation, recreation and relaxation thereby

improving the quality of life for gardeners and the communities in which they garden; and

- (d) reduce 'food miles' and associated greenhouse emissions by growing food closer to the community, thereby reducing the community's reliance on fruit and vegetables being trucked in from elsewhere in Australia, or imported from overseas.

Criteria for Community Garden Sites

11. The key criteria and essential elements for a successful Community Garden include:
 - (a) available space;
 - (b) local community demand and support for a garden, especially in streetscapes;
 - (c) access to a water source;
 - (d) adequate space - 1m² minimum plot – could be used for a small number of vegetables;
 - (e) free from soil contamination;
 - (f) public risk – preferably away from freeways, roadways and other unsafe areas;
 - (g) limited visual impact;
 - (h) geographic equity across the municipality;
 - (i) adequate sunlight;
 - (j) relatively flat site, for accessibility and drainage reasons;
 - (k) access via public transport;
 - (l) access for all abilities;
 - (m) public liability insurance;
 - (n) council planning meets requirements, buildings; etc
 - (o) management - council or community run;
 - (p) encourage ongoing self management;
 - (q) allow dogs/ cats; and
 - (r) not interfering with services such as sewers, stormwater drains.

Existing Community Garden Sites in the City of Yarra

12. The existing Community Gardens in Yarra are:

- (a) Rushall Community Garden, North Fitzroy;
- (b) Collingwood Children's Farm, Collingwood;
- (c) Collingwood College Kitchen Garden, Collingwood;
- (d) Fitzroy Primary School, Fitzroy;
- (e) 229 & 253 Hoddle Street, Collingwood;
- (f) Dight/Emerald Street, Collingwood;
- (g) Highett Street, Richmond;
- (h) Lennox Street, Richmond;
- (i) Napier Street, Fitzroy; and
- (j) Mark Street Therapeutic Garden, North Fitzroy.

Potential Sites

13. The following potential sites and landscapes could entertain Community Gardens across the City. The sites also include potential community uses for each place. These sites are indicative only as is the type of uses. It is not a definitive list of opportunities or sites.
 - (a) Kindergartens and Childcare Centres:
 - (i) Yarralea Childcare Centre; and
 - (ii) Richmond MCHC.
14. Potential gardens include traditional allotments, communal gardens, therapeutic gardens, aesthetic gardens, indigenous gardens, transferable planters, educational kitchen gardens.
 - (a) Community Centres, Youth Centres and Neighbourhood Houses:
 - (i) Attached to the Hardy Gallagher at the Neighbourhood House;
 - (ii) Napier Street Youth Centre; and
 - (iii) Mark Street Hall.
15. Potential gardens include traditional allotments, communal gardens, therapeutic gardens, aesthetic gardens, indigenous gardens, transferable planters, educational kitchen gardens, rooftop gardens.
 - (a) Rail Reserves.

16. Potential gardens include traditional allotments, communal gardens, aesthetic gardens, indigenous gardens.
 - (a) Senior Citizens, Nursing Homes:
 - (i) Park Street (Linear Reserve– potentially associated with the nursing home; and
 - (ii) Rushall Nursing Home/Lodge.
17. Potential gardens include traditional allotments, communal gardens, therapeutic gardens, aesthetic gardens, indigenous gardens, transferable planters.
 - (a) Adjacent to Churches:
 - (i) Richmond Uniting Church Waltham Place.
18. Potential gardens include traditional allotments, communal gardens, therapeutic gardens, aesthetic gardens, indigenous gardens, transferable planters.
 - (a) Short term land lease opportunities - private land.
19. Potential gardens include aesthetic gardens, indigenous gardens, transferable planters.
 - (a) Parks:
 - (i) Quarries park - behind and alongside the Scout Hall;
 - (ii) Burnley Park near the Burnley Cottage;
 - (iii) Burnley Park - Circus Site;
 - (iv) Condell Street Park;
 - (v) Yarra Bend Parks;
 - (vi) Coulson Reserve;
 - (vii) Inner Circle Railway Linear Park Reserve; and
 - (viii) Fairfield Park.
20. Potential gardens include traditional allotments, communal gardens, therapeutic gardens, aesthetic gardens, indigenous gardens, transferable planters.
 - (a) Adjacent to Council Facilities such as Town Halls and Libraries:
 - (i) Behind the Collingwood Town Hall.
21. Potential gardens include traditional allotments, communal gardens, therapeutic gardens, aesthetic gardens, indigenous gardens, transferable planters.
 - (a) Adjacent to Restaurants, Pubs.

22. Potential gardens include communal gardens, use of road reserves and median strips, aesthetic gardens, indigenous gardens, transferable planters.
- (a) Small Median Strips and Road Reserves:
- (i) Michael Street and Scotchmer Median Strip;
 - (ii) Grant Street Median; and
 - (iii) Smith Street Reserve.
23. Potential gardens include communal gardens, use of road reserves and median strips, aesthetic gardens, indigenous gardens, transferable planters.
- (a) Adjoining Councils;
- (b) Expand existing gardens:
- (i) Rushall Crescent;
 - (ii) Collingwood Children's Farm; and
 - (iii) within the housing estates.
24. Potential gardens include traditional allotments, communal gardens, and housing estate gardens
- (a) Incorporated into new apartment developments.
25. Potential gardens include traditional allotments, communal gardens, therapeutic gardens, aesthetic gardens, indigenous gardens, transferable planters, educational kitchen gardens, rooftop gardens
- (a) Schools, and Higher Learning Facilities.
26. Potential gardens include communal gardens, therapeutic gardens, aesthetic gardens, indigenous gardens, transferable planters, educational kitchen gardens, rooftop gardens
- (a) Specific Sites:
- (i) Behind Church on Hoddle Street;
 - (ii) Shakespeare Street, North Carlton;
 - (iii) Barkly Avenue - adjacent to CityLink;
 - (iv) Victoria Park – as part of the redevelopment;
 - (v) Abbotsford Convent;
 - (vi) Pocket parks along Alexandra Parade;
 - (vii) Cnr Princes Street and Nicholson;
 - (viii) MCHC Church Street; and

(ix) Belgium Avenue, Neighbourhood House.

27. Potential gardens include traditional allotments, communal gardens, community Involvement in Council planting, therapeutic gardens, aesthetic gardens, indigenous gardens, transferable planters, educational kitchen gardens, rooftop gardens, road reserves and median strips, temporary use of vacant land

Types of Gardens – Definitions and Examples

28. The following are the types of Community Gardens and their descriptions that have and could be adopted across the City. Please refer to the examples of each type has been included as *Attachment 1*.
29. *Community gardens* – neighbourhood spaces managed by and for members of the community. These gardens allow people to come together for the purpose of growing vegetables, fruits and flowers, but also provide new spaces for neighbourhood interactions.
30. *Traditional allotment* – small plots of land rented to individuals for their cultivation by local authorities or other public bodies—the upkeep of the land is usually the responsibility of the individual plot owners.
31. *Communal gardens* – common green space or a shared garden for use by a number of residents. For example, the centre of many city squares and crescents can be maintained as communal gardens
32. *Community Involvement in Council planting* – encouraging community involvement in planting streets, nature strips and reserves
33. *Therapeutic gardens* – gardens with raised plots and wheelchair access that can provide an opportunity for recreational activity for older people, or for people with disabilities.
34. *Aesthetic gardens* – Community involvement in local gardening projects, which do not necessarily involve fruit and vegetable planting
35. *Indigenous gardens* – community gardens that showcase indigenous plants, particularly bush foods.
36. *Kitchen gardens in schools/ kindergartens/ child care centres* – fruit and vegetable gardens within schools, often with associated nutrition or environmentally focused curriculum. The aim is generally to encourage life-long healthy eating habits in students by engaging them in growing, harvesting, preparing and sharing delicious and healthy food at school.
37. *Housing estates* – gardens situated within housing estates and managed by Cultivating Community (Office of Housing)
38. *Gardens Located On Public Housing Estates* -There are presently a total of 624 plots available for use by public housing residents on the estates. The aim of the project is to supply a range of community garden support services to public housing tenants.
39. *Road reserves, nature strips and median strips* – providing an opportunity for community involvement in the planting of road treatments and medians. It may

also be possible to create edible plantings in these areas – for example by planting fruit trees and herbs that can be used by the local community.

40. *Private land and development proposals* – private land offered for use by the community for gardening. This may be an unused part of a residential block, or included in plans for an apartment development proposal – allocating garden space for use by prospective tenants.
41. *Rooftop and balcony gardens* – utilising urban roof and balcony space for gardens. This may involve container gardening techniques, hydroponics, or utilising the rooftop itself as the planting medium.
42. *Planter Boxes* – Planter boxes are used in Bourke Street Mall to provide green space in the City. Planter boxes are changed on a seasonal basis and can range from trees to flower gardens.
43. *Use of Vacant Land* – temporary gardens could be established on undeveloped sites if there was a substantial period of inactivity. This would depend on developer's interest and other practical issues such as soil contamination and public liability issues.
44. *Virtual Gardens* – creating online space for virtual community gardens, providing an opportunity for local community interaction around a shared interest, such as gardening.

Consultations

45. Extensive communication, consultation and promotion will be required to establish groups and or projects. A detailed consultation and communication plan will be created as part of the detailed planning of the project.

Resource and Financial Implications

46. It is envisaged that a dedicated Community Gardens officer would be employed for 6 months to establish the systems and processes for the creation of groups and detailed investigation of potential sites and projects.
47. Ongoing support from the initial 6 months will be managed and maintained through existing staff and resources from the Environmental Services Branch.
48. Implementation of the Community Gardens programme would be funded primarily from Council Capital Works Program. Other sources of funding will include grants, co-funding from other levels of government and potentially open space contributions. Relevant asset management and financial actions will include:
 - (a) inclusion of capital works projects in Council's rolling 10-year Capital Asset Management Plan;
 - (b) annual budget and expenditure reporting; and
 - (c) applications for external funding;

Environmental Implications

49. Community Gardens will continue to promote the ongoing improvement in environmental volunteerism and community participation. The projects will provide the leadership in environmental design, management and maintenance practices and ensure the positive impact on the environment and the community.
50. Any potential site, location or area where food plants are being grown for public consumption will need to be treated with due diligence with reference to potential soil contamination and public health risk.
51. Projects will be evaluated and selected based on their positive environmental implementation and legacy. Sites and projects must be cognisant of current water restrictions and sustainable water management practices, such as minimising potable water through efficient practices and design. This would include such activities as capturing rain water and reusing grey and storm water. Projects must also consider impacts on green house emissions and where possible be environmentally sound.

City Plan, Strategy and Policy Implications

52. This project is considered to be consistent with the City Plan and other Council policies.
53. There is also a diverse range of other strategies and policies across Council that are relevant to the establishment of Community Gardens. Some of the key the higher-level strategies of Council including the Council Plan, Municipal Strategic Statement and Municipal Public Health Plan, the Recreation and Leisure Plan, the Draft Open Space Strategy, Open Space Asset Management Plan, Recreation Strategy Plan, Aboriginal Partnerships Plan and the Yarra Environment Strategy.

Legal Implications

54. There will be liability and indemnity issues that need to be resolved as part of the establishment of any community garden group as well as people occupying and working in public spaces
55. Some of these issues were resolved as part of the development of the North Fitzroy Community Gardens, where detailed lease was developed with the Cooperative and has recently been re-signed for a further 3 years

Proposal

56. It is proposed that Council endorse this report and the further development of Community Gardens opportunities for utilising elements of the City's streetscapes for growing sustainable plantings

RECOMMENDATION

57. That Council endorses the report and refers the resourcing of establishing more community Gardens across the City to the 2007/2008 budget process for consideration.
58. That Council nominates Councillors to attend relevant aspects of the 4th Annual City Farms and Community Gardens Conference to be held at the Collingwood Town Hall, 20 - 25 March 2007. This will provide an opportunity for Councillors to the gather information from experts in the field, as well as meet with interested community members and potentially identify sites or projects.

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Attachment 1 –Types and Examples of Community Gardens

Attachment 2 – 4th Annual City Farms and Community Gardens Conference Flier



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3.7 Exhibition of Yarra Planning Scheme Amendment C85 – Heritage Review

Executive Summary

Purpose

For Council to endorse the exhibition, under Section 19 of the *Planning and Environment Act 1987* (the Act) of Yarra Planning Scheme Amendment C85, being the Heritage Review, and for Council to adopt the study and database which underpin the Amendment. This report looks at the structure and content of the new heritage provisions, and details the consultation processes that have been undertaken, and that will be undertaken when the Amendment is exhibited.

Key Issues

There has been a continual process of refinement of heritage data at the City of Yarra which began with the early studies for each local council in the 1980s and has culminated in the current piece of work. The current study undertaken by Graeme Butler and Associates and titled "City of Yarra Review of Heritage Overlay Areas 2007 (the 2007 Study) is the quality assurance project suggested by the Panel for Yarra Planning Scheme Amendment C43. The 2007 Study has taken the earlier work and visually checked and photographed every building within the City's Heritage Overlays. Amendment C85 includes a clear and concise Local Policy and uses the 2007 Study to give substance to that Policy and thereby, to create a robust set of planning provisions for the City's heritage precincts.

Financial Implications

Consultation on the Heritage Review was budgeted for in the 2006/7 Strategic and Economic Planning budget.

Environmental Implications

The amendment aims to encourage reuse, reconstruction, restoration and adaptation of existing heritage places. This will allow for the recycling of existing building stock and minimise building waste associated with demolition and construction of new buildings.

Social Implications

The amendment aims to protect the City's heritage which is an integral part of the social fabric of the City. It supports community expectation that the City's heritage assets will be protected.

City Plan, Strategy and Policy Implications

The Heritage Review is consistent with Council Plan 2006–2010.

PROPOSAL

That Council exhibit Yarra Planning Scheme Amendment C85 in accordance with the provisions of Section 19 of the *Planning and Environment Act 1987*.

3.7 Exhibition of Yarra Planning Scheme Amendment C85 – Heritage Review

File: 30/10/21
Responsible Officer: Coordinator Strategic and Economic Policy

Purpose

1. For Council to endorse the exhibition, under Section 19 of the *Planning and Environment Act 1987* (the Act) of Yarra Planning Scheme Amendment C85, being the Heritage Review. This report looks at the structure and content of the new heritage provisions, and details the consultation processes that have been undertaken, and that will be undertaken when the Amendment is exhibited. The Amendment documents form Attachment 1, except that some of the incorporated documents which form part of the Amendment are included in Attachment 3 which has been circulated under separate cover.

Background

New Format Yarra Planning Scheme

2. In 1997, the City of Yarra commissioned Allom Lovell and Associates, in association with John Patrick P/L, to review conservation area controls across the City (the Allom Lovell report). The consultants were also asked to prepare documentation to facilitate the inclusion of places of heritage significance in the Heritage Overlay of the new format Yarra Planning Scheme. In undertaking the work, the consultants reviewed previous studies, which dated from the 1980s. The heritage assets of Yarra were re-surveyed and new precinct boundaries were drawn and introduced as Heritage Overlays in the new format Yarra Planning Scheme which was gazetted in 1999. Existing citations were also reviewed and revised as necessary and the Allom Lovell report is a reference document in the Planning Scheme.

Yarra Planning Scheme Amendment C43

3. In May 2001, Ian Wight, Planning and Heritage Strategies, along with other consultants were engaged to carry out a review of the Allom Lovell report (the Wight study). The intention of the review was to refine existing documentation and to ensure the protection of places of individual significance located within precincts. The work provided a more detailed assessment and documentation of places of individual significance within heritage precincts.
4. In late 2002 Council exhibited Amendment C43 in order to include the findings of the Wight study in the Planning Scheme.
5. Amendment C43 included the following:
 - (a) a revised Clause 22.02, Development Guidelines for Sites subject to the Heritage Overlay;
 - (b) for each precinct, a new Clause 22 local policy with a local area map identifying the significance of each building in the precinct (thirty precinct policies);

- (c) a document titled City of Yarra Review of Heritage Precincts 2001, which included citations for each heritage precinct was to be incorporated into the Planning Scheme and linked to the policies. The document also identified and provided a commentary on all buildings within heritage precincts which are significant but not of precinct significance;
 - (d) corrections to a few mapping anomalies; and
 - (e) paint controls and fence controls were removed from residential precincts.
6. The Panel appointed to consider submissions to Amendment C43 recommended that most of the Amendment be abandoned. The Panel was of the view that:

Whilst the Panel has recommended Council abandon this amendment, it supports the on-going refinement of the amendment.

7. The Panel indicated that Council needed to do further work to ensure consistency between the Local Planning Policy Framework (LPPF), the MSS and the local heritage policy; further develop precinct descriptions to ensure accuracy; complete statements of significance for significant buildings in and out of precincts, ensure mapping is correct; and develop clear guidelines for development in heritage areas. The Panel recommendations are listed in Attachment 2.
8. At its meeting on 13 April 2004 Council abandoned those parts of the Amendment comprising the draft policy: "Development Guidelines for Heritage Places" and the thirty draft local heritage policies, as well as the draft "City of Yarra Review of Heritage Precincts 2001" which was to have been incorporated into the Scheme. The remainder of the Amendment, including changes to the paint and fencing controls and minor corrections, was adopted and sent to the Minister for Planning for approval.
9. At that meeting there was a further recommendation:
- 3. *That Council adopt and refers the following preliminary work programme to Council's 2004/05 budget:*
 - (a) *review, correct and amend if necessary:*
 - (i) *corrected street numbered maps;*
 - (ii) *revised contributory and individually significant places;*
 - (iii) *revised citations; and*
 - (iv) *revised local policies;*
 - (b) *refine the existing head policy (Cl.22.02 to the Yarra Planning Scheme);*
 - (c) *undertake a study of gaps and inefficiencies in the mapping to the Heritage Overlay to review heritage overlay boundaries to address the need for tighter controls;*

- (d) *develop an electronic heritage database linked to Council's GIS system that is accessible via Yarra's web site; and*
 - (e) *amend and undertake a comprehensive review of the MSS.*
- 10. Yarra Planning Scheme Amendment C43 Part 1 was approved by the Minister for Planning and gazetted on 22 December 2005. The Amendment altered the Schedule to Clause 43.01 to remove the application of external paint controls for residential areas; introduced exemptions from Clause 43.01-4 for outbuildings and fences for a large number of sites; and correctly referenced the following State Heritage items:
 - (a) Nylex sign, Richmond;
 - (b) Richmond Maltings between Gough Street, Cremorne Street and Harcourt Parade, Richmond; and
 - (c) part of the former Foy and Gibson Complex between 68-158 Oxford Street, 103-115 Oxford Street, 107-131 Cambridge Street and 7 Stanley Street, Collingwood.
- 11. The Amendment also corrected mapping errors in the Heritage Overlay for land at:
 - (a) the junction of Rae Street and St Georges Road, Fitzroy North;
 - (b) the junction of Brunswick Street and St Georges Road, Fitzroy North;
 - (c) Rex Avenue and Coate Avenue, Alphington;
 - (d) corner of Langridge Street and Cromwell Street, Collingwood; and
 - (e) corner of Flockhart Street and Victoria Street, Abbotsford.

Current Heritage Review

- 12. Council employed Graeme Butler and Associates to undertake the work on the work program to address the concerns of the Panel. The resultant 2007 Study forms Attachment 3 circulated under separate cover.
- 13. The consultancy has undertaken a complete review of previous work, including street by street surveys, and has provided:
 - (a) a Statement of Significance for the City of Yarra;
 - (b) a refinement of the Statements of Significance for every precinct;
 - (c) further research and a review of the individual record sheets for heritage places that are significant but not from the primary development period of the Heritage Overlay to provide a statement of significance for each;
 - (d) a comprehensive database which includes every property within a Heritage Overlay (circulated in the form of a CD);

- (e) a statement of methodology; and
 - (f) recommendations for work to further improve heritage protection in the City.
14. Information on the database, including the methodology and a description of the information available for each property, is provided in Attachment 4.

Consultant Recommendations for Work to Further Improve Heritage Protection in the City

15. In summary these include the following:
- (a) significant trees in the City should be identified and assessed for protection under the Heritage Overlay;
 - (b) all identified places of individual significance should be subject to further historical research and physical assessment;
 - (c) the City of Yarra heritage database should be augmented to reflect ongoing historical research and architectural analysis;
 - (d) a more integrated guideline and management regime is needed in assessing planning applications, using the database as the basis and guideline link for decisions; and
 - (e) building Identification Forms from the former City of Melbourne (North Carlton, Princes Hill) should be scanned as an archive and potential on-line reference.
16. In addition there are a number of specific suggestions for realignment of Heritage Overlay boundaries.

Yarra Planning Scheme Amendment C85

17. The proposed amendment:
- (a) replaces Clause 22.02 (Development Guidelines for Heritage Places) with a new Clause 22.02 (Development Guidelines for Sites subject to the Heritage Overlay) and includes all the work undertaken for the 2007 Study, including the full database as a reference document;
 - (b) incorporates an abridged heritage database which identifies each property by address and property number and its level of heritage significance (Appendix 8 of the 2007 Study); and
 - (c) incorporates Statements of Significance for:
 - (i) the City of Yarra (chapter titled "Statement of Significance for the City of Yarra" in the 2007 Study);

- (ii) each Heritage Overlay excluding individual building overlays chapter titled “City of Yarra Heritage Overlay Areas: Statements of Significance” in the 2007 Study; and
 - (iii) each individually significant building within an Overlay that is not from the primary development period of the Overlay (Appendix 7 in the 2007 Study);
- (d) Incorporates the document titled City of Yarra Heritage Review, Building Citations, Volume 2 Parts I and II, Allom Lovell and Associates. These are building citations for the individual building heritage overlays, that is, buildings which are geographically isolated from the precincts but which are heritage places in their own right. A review of the citations in order to produce statements of significance was not part of the 2007 Study. The Allom Lovell citations are to be incorporated so that there is a consistent level of control for all individually significant buildings.

Clause 22.02 Development Guidelines for Heritage Places

18. The ‘Development Guidelines for Heritage Places’ is a policy document developed in-house with input from the Heritage Reference Group.
19. The revised policy includes:
- (a) definitions relating to the gradings of buildings, that is, not Contributory, Contributory, and Individually Significant;
 - (b) guidelines which allow for universal access and ecologically sustainable design practices;
 - (c) a revised ‘Demolition’ clause linked to the definitions;
 - (d) subdivision and consolidation guidelines;
 - (e) guidelines for the treatment of corner sites;
 - (f) guidelines for new car parks, vehicle crossovers and garages;
 - (g) general refinement of wording; and
 - (h) a restructure of the entire policy to avoid repetition and facilitate ease of use.

Consultations

20. The Heritage Review has included pre-exhibition consultation and the related amendment to the Yarra Planning Scheme will include extensive consultation under the provisions of the *Planning and Environment Act 1987*.

Pre-exhibition Consultation

21. The new policy was prepared by Council officers in consultation with the Heritage Reference Group. The Group met five times and members were very active in shaping the Policy. See Attachment 5 for the composition of the Group.
22. Although application for membership of the Reference Group was advertised widely, there was very little response from business. Because of this, businesses and those involved in property development were invited to a special breakfast to provide them with information and to obtain feedback on the Policy and heritage matters generally. About 10 people attended a very constructive meeting.
23. At the early stages of the Review a community information evening was held to update the community on the Heritage Review.
24. The collection and refinement of data was undertaken by the heritage consultancy. While members of the Heritage Reference group have been able to view it, it has not been subject to any review.
25. The next stage in the consultation process is the exhibition of the Amendment under the provisions of the *Planning and Environment Act 1987*. A consultation plan which details what actions will be taken as part of the exhibition process forms Attachment 6. The consultation will be extensive, with every affected property receiving a notice of the Amendment. There will be a two month consultation period and the community will be able to comment on any component of the Amendment.

Financial Implications

26. Consultation on the Heritage Review was budgeted for in the 2006/7 Strategic and Economic Planning budget.

Environmental Implications

27. The amendment aims to encourage reuse, reconstruction, restoration and adaptation of existing heritage places. This will allow for the recycling of existing building stock and minimise building waste associated with demolition and construction of new buildings.

Social Implications

28. The amendment aims to protect the City's heritage which is an integral part of the social fabric of the City. It supports community expectation that the City's heritage assets will be protected.

City Plan, Strategy and Policy Implications

29. The Heritage Review is consistent with Council Plan 2006–2010.

Legal Implications

30. The Amendment will be processed under the provisions of the *Planning and Environment Act 1987*.

Conclusion

31. The 2007 Study builds on a number of previous heritage studies for the City of Yarra and can be seen as a further refinement of all previous work. With regard to its recommendations for further work, some have already been addressed and others will be addressed in a proposed heritage gaps study. A further report will be put to Council to consider and prioritise actions for further heritage protection in the City.
32. As can be seen from the brief summary provided above, there has been a continual process of refinement of heritage data at the City of Yarra which began with the early studies and has culminated in the current piece of work. The current study undertaken by Graeme Butler and Associates is the quality assurance project suggested by the Panel. The study has taken Mr Wight's work and with reference to the Allom Lovell work, visually checked and photographed every building within the City of Yarra's Heritage Overlays.
33. Amendment C85 includes a clear and concise policy and uses the above work to give substance to the Policy and to create a robust set of planning provisions for the City's heritage precincts.

RECOMMENDATION

34. That Council adopt the following:
 - (a) City of Yarra Review of Heritage Overlay Areas 2007 (Graeme Butler and Associates); and
 - (b) Yarra Heritage Database 2007.
35. That Council exhibit Yarra Planning Scheme Amendment C85 in accordance with the provisions of Section 19 of the *Planning and Environment Act 1987*, as outlined in the consultation plan (Attachment 6).

36. That Council write to the members of the Heritage Review Reference Group advising them of its resolution and of the consultation plan.

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Attachment 1(a) – Amendment Document (Instruction Sheet)
Attachment 1(b) – Amendment Document (Explanatory Report)
Attachment 1(c) – Amendment Document (Yarra Planning Scheme)
Attachment 1(d) – Amendment Document (List of Changes)
Attachment 1(e) – Amendment Document (List of Amendments)
Attachment 2 – Panel recommendations
Attachment 3 – Consultant report (To be Distributed Separately)
Attachment 4 – Database information
Attachment 5 – Heritage Review Reference Group
Attachment 6 – Consultation Plan



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3.8 Amendment C65 and Permit Application PL05/1289 Australian Dyeing Company site, 145-175 Noone Street and 250-292 Alexandra Parade East, Clifton Hill.

Executive Summary

Purpose

To consider the report of the panel appointed to consider the submissions to Amendment C65 to the Yarra Planning Scheme and planning application PL05/1289, pursuant to Section 96A of the *Planning and Environment Act 1987* (the Act) at 145-175 Noone Street and 250-292 Alexandra Parade East, Clifton Hill.

Amendment C65, as exhibited, seeks to rezone the subject land from the Business 3 Zone to the Mixed Use Zone and to:

- (a) apply the Environmental Audit Overlay (EAO) to the land;
- (b) include 163-167 Noone Street into a new site specific Heritage Overlay (HO351) and the remove HO316 from the north- west corner of the site;
- (c) include part of Gray Street in the Road Closure Overlay (RXO); and
- (d) apply the Design and Development Overlay and a new site specific schedule to the subject land (DDO3).

The planning application is for the use and development of the land for predominantly residential purposes (100 dwellings) in place of the current industrial use of the site.

Key Issues

The *Yarra Industrial and Business Land Strategy Review* September 2004 (the Review) has identified the subject land as a key strategic site for rezoning to the Mixed Use Zone for redevelopment for higher density residential development in response to *Melbourne 2030*. The site has also been identified in Council's proposed revised Municipal Strategic Statement (MSS) as a key redevelopment site. Rezoning the land would facilitate the consideration of a residential redevelopment of the land (subject to a planning permit) and other uses consistent with the purpose of the Mixed Use Zone.

Following public exhibition of the amendment and planning application in June 2006, four submissions were received. The submissions were referred to an independent panel appointed by the Minister for Planning. The panel hearing was held on 2 November 2006 and the panel report received by Council on 5 December 2006.

In general, the panel considers the rezoning and related redevelopment of the site for primarily residential purposes, to be appropriate, subject to some modifications to the plans and permit conditions.

Financial Implications

The applicant has borne the costs associated with the amendment.

Environmental Implications

An Environmental Audit Overlay will be applied to the land to manage the residential or other non-industrial re-use of the industrial site. There is no landscaping on the site at present and the proposal will involve substantial planting of vegetation, both external and internal to the site.

City Plan, Strategy and Policy Implications

The amendment is consistent with State and Local Policy and the recommendations of the *Yarra Industrial and Business Land Strategy Review*, September 2004, as adopted by Council in June 2005.

PROPOSED ACTION

That Amendment C65 to the Yarra Planning Scheme be adopted by Council and planning permit PL05/1289 be issued, as revised to generally reflect the recommendations of the panel appointed to consider submissions to the amendment.

That, pursuant to sections 35 and 96I of the *Planning and Environment Act 1987*, Amendment C65 and planning permit PL05/1289 as revised, including the related documentation, be submitted to the Minister for Planning for approval.

All submitters to the amendment and the application for planning permit be advised accordingly.

3.8 Amendment C65 and Permit Application PL05/1289 Australian Dyeing Company site, 145-175 Noone Street and 250-292 Alexandra Parade East, Clifton Hill.

File: 30/25/07/65
Responsible Officer: Coordinator Major Projects and Local Policy
Coordinator Statutory Planning

Purpose

1. To consider the report of the panel appointed to consider the submissions to a combined planning scheme amendment (Amendment C65) to the Yarra Planning Scheme and planning permit application (PL05/1289), pursuant to Section 96A of the *Planning and Environment Act 1987* (the Act) at 145-175 Noone Street and 250-292 Alexandra Parade East, Clifton Hill.
2. Amendment C65, as exhibited, seeks to rezone the subject land from the Business 3 Zone to the Mixed Use Zone and to:
 - (a) apply the Environmental Audit Overlay (EAO) to the land;
 - (b) include 163-167 Noone Street into a new site specific Heritage Overlay (HO351) and the remove HO316 from the north- west corner of the site;
 - (c) include part of Gray Street in the Road Closure Overlay (RXO); and
 - (d) apply the Design and Development Overlay and a new site specific schedule to the subject land (DDO3).
3. Planning permit application PL05/1289 proposes to use and develop the land for predominantly residential purposes (100 dwellings) in place of the existing industrial use on the land.

Background

Subject Site

4. The subject land comprises 145-175 Noone Street and 250 -292 Alexandra Parade East, but is more commonly known as 169 Noone Street, Clifton Hill (the ADC site). It has an area of 1.3 hectares and is located on the southern side of Noone Street, Clifton Hill. It has frontages to Noone Street, Gray Street and Alexandra Parade East.
5. The site is occupied by the Australian Dyeing Company (ADC) which is an industry involving dyeing knitted and woven fabrics. The majority of the site is covered by buildings, ranging in height from one to three storeys. There is an open driveway through the site towards the western end and a total of 13 crossovers around the perimeter. There are six ventilation stacks which range between approximately 29 and 33 metres in height. Buildings on the site are in varying condition and of varying ages.
6. A building of heritage significance fronting Noone Street is the two storey red brick former Spicer factory building at 163-167 Noone Street, which has a decorative parapet. It has been recommended by the applicant's heritage

adviser that the front 14.5 metres of the building be included in a site specific Heritage Overlay. Council's heritage adviser agrees with this approach.

Surrounding Land Use and Development

7. The surrounding land is characterised by a mix of land uses and built form. Abutting to the west of the ADC site are one and two storey warehouse buildings beyond which are single and double storey dwellings addressing Groom Street. Industrial and commercial uses are located opposite the subject site, on the north side of Noone Street, comprising a cabinet maker, metal workshop and furniture distribution and warehouse premises. These properties are contained in a Mixed Use Zone.
8. Also on the north side of Noone Street opposite the site, towards Gray Street, is a row of timber Edwardian single storey dwellings in a Residential 1 Zone. On the north-east corner of Noone and Gray Streets is Council's operations depot, and on the east side of Gray Street is the Merri Creek parkland.
9. The southern side of Alexandra Parade East is separated from the Eastern Freeway by a timber sound wall. The intersection of Gray Street, Alexandra Parade East, Noone Street and Trenerry Crescent provides access to the south to Abbotsford, under the Eastern Freeway. The Clifton Hill Station is 700 metres to the north west and a small group of shops is located closer in Ramsden Street, to the north of the subject site.

Planning Scheme Controls

10. The subject site is zoned Business 3 under the Yarra Planning Scheme (refer to Attachment 2). The purpose of that zone is:

To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies;

To encourage the integrated development of offices and manufacturing industries, and associated commercial and industrial uses.

11. A Heritage Overlay (HO351 - Clifton Hill Eastern Precinct) currently applies to the north west corner of the site.

Amendment and Planning Application Exhibition

12. At its meeting on 16 May 2006 Council resolved to publicly exhibit the combined Amendment C65 and Planning Application PL05/1289 for a one month period from 10 June 2006, in accordance with the provisions of the *Planning and Environment Act 1987* (the Act).
13. Four written submissions were received from local residents, the Collingwood Historical Society, the 3068 Group and a local nearby business, Advanced Cabinet Works (ACW), raising concerns with the proposed rezoning and the design details of the proposed development.
14. At its meeting on 15 August 2006, Council considered the submissions received following the exhibition process and resolved to request the Minister for Planning to appoint an independent panel to consider the submissions

received, pursuant to section 23(1) (b) of the Act. The report to Council outlined the key issues raised in the submissions.

15. The main issues raised in the submissions can be summarised as follows:
 - (a) ensure ongoing protection of the heritage value of the South Eastern Clifton Hill precinct;
 - (b) objection to any reduction in the number of on-site car spaces and bicycle facilities to support the development and reliance on on-street car parking for visitors;
 - (c) objection to tandem parking arrangements for the townhouses on the site;
 - (d) additional traffic in nearby local streets and Alexandra Parade East near the site;
 - (e) inappropriate height proposed along Noone Street and at least half of the new townhouses should be only two storeys high;
 - (f) inadequate details regarding design elements;
 - (g) land should be rezoned Residential 1 and not a Mixed Use Zone; and
 - (h) ACW objected to the rezoning and residential development of the land as it will have a detrimental effect on its capacity to operate and sustain its current business production and operations as noise from its site will become more of an issue with more prospective residents on the rezoned site.

Panel Hearing

16. The panel comprised one person who conducted a one day panel hearing at the offices of Planning Panels Victoria on 2 November 2006. The following parties appeared at the panel hearing:
 - (a) City of Yarra;
 - (b) Australian Dyeing Company (the proponent), represented by Best Hooper; and
 - (c) the 3068 Group.

The submission from the Collingwood Historical Society was read to the panel.

Panel's Findings

Policy Framework

17. The panel agreed with Council's submission that the proposed amendment is consistent with the State Planning Policy Framework (SPPF), including its principles of urban consolidation and mixed use development close to transport, services and public open space. The associated development is also

considered to be consistent with the design provisions of Clause 19 in the SPPF.

18. The panel has considered the rezoning and accompanying redevelopment of the site for principally residential purposes to be appropriate, the site having been nominated as a major strategic redevelopment site with potential for higher density dwelling capacity in Council's adopted Inner Regional Housing Statement (IRHS), May 2005 and the Council's proposed revised MSS, as recently exhibited.

Overall development Plan and Layout

19. The proposed north-south and east-west streets and laneways will break up the large site into a finer grain and will provide permeable links through the site. No new crossovers will be provided to Noone Street and no garages will break up the streetscape, which has predominantly gardens and front fences. The overall layout and form of the development is considered appropriate.
20. The provision of at grade car parking on the site is satisfactory, with adequate provision for pedestrian and cycle access at ground level.

Use of Mixed Use Zone

21. The Mixed Use Zone is an appropriate zone for the adaptive reuse of old industrial sites and is consistent with the pattern of zoning in the balance of Clifton Hill. The zone provides adequate flexibility in the uses that can be carried out on the site, subject to planning approval. There is also the possibility that contamination issues may limit the viable use of all or part of the site for residential development.
22. The proposed rezoning is supported by strategic plans and policies, and it is not considered reasonable to require that a commercial component be included in the development.

Staging

22. The panel is of the view that, while it is important that potential contamination is assessed for the whole site at the beginning of the development proposal, it may not be desirable or practical to remove contamination (if any is found) from the whole site before development of a particular stage begins.
23. The panel has recommended that a new condition be introduced to require the submission and approval of a staging plan of the development. The new condition 2 of the planning permit, as shown in Attachment 1, is considered appropriate and has been supported by Council officers.

Road Closure

24. The layout plan of the subject site accompanying the planning application shows the closure of the northern portion of Gray Street at the Noone Street intersection to through traffic, with the exception of emergency and service vehicles and vehicle access for dwellings 42, 43 and 44. Within the road closure area a paved and granite sand footpath, planted with native species, will provide a landscaped link to the Merri Creek Reserve and the Capital City Trail.

25. There has been no hard traffic evidence that the intersection of Gray Street/Trennery Crescent and Noone Street is dangerous to use. Council's Traffic Engineer has raised doubts as to the actual need for the closure. Further, the closure may result in additional traffic being pushed onto Noone Street and may appear to privatise public parking spaces along the southern end of Gray Street and Alexandra Parade East.
26. It was always assumed that, before a commitment to the road closure could be given, additional information would be required to justify its implementation. This additional information would be required and dealt with by Council's Engineering Services at the time the overlay would be implemented, if that were to be the case.
27. Notwithstanding the above, the panel has determined that the road closure is not required to achieve the desired built form and urban design outcomes on the site. Further a number of units would rely on the 'closed' section of the road for their legal access.
28. Council's Principal Urban Designer does not support the road closure as street life is primarily created by a combination of both vehicular and pedestrian movement and this mix would activate the rear of the subject site, which is currently very quiet along Alexandra Parade East.
29. The panel has recommended that the road closure can be deleted from the amendment without any way affecting the proposal. The applicant has no objection to the deletion of the proposed road closure, as recommended by the panel.

Change to Heritage Overlay

30. The panel supports the deletion of the existing Heritage Overlay (HO 316 Eastern Clifton Hill) from the subject land and its replacement with a new site specific Heritage Overlay (HO 351) which will apply to the former Spicer factory building at 163-167 Noone Street, for a depth of 14.5 metres from the front façade. This will ensure greater consistency with the heritage objectives of the SPPF.
31. The panel has recommended that HO 316 be removed from the road in front of the subject land so that its application in this locality is consistent with its application in other localities. As the land opposite on the north side only of Noone Street will remain in HO 316 the roadway should be removed from the HO. This is a mapping matter which can be easily corrected in the documentation for Amendment C65, to be submitted to the Minister for approval.

Impact of Development on Heritage Values

32. The panel is satisfied that the proposed design and form of the new development will result in the retained heritage building along Noone Street (the former Spicer factory) remaining the central, dominant building form in the streetscape, with none of the proposed adjacent buildings being as high.

33. In addition, the form of the development along Noone Street - terrace houses without garages or crossovers - is consistent with the form of development in the nearby heritage areas.
34. The panel considers that the buildings have been designed in a robust and contemporary fashion, which responds to the surrounding building elements and the surrounding built form and character, in terms of height, range of external materials, roof forms and a high solid to void ratio on the building facades.

Car Parking

35. The panel has noted that the provision of 163 on-site car spaces, plus 46 external on-street spaces, well exceeds the indicated demand, as assessed under the Planning Scheme. The panel agrees with the proposal that visitor car parking for mixed developments of the type proposed is best provided in on-street locations where it can be easily found and used i.e. to the rear of the site along Alexandra Parade East.
36. The proposed mix of locations for the car parking facilities, partly in Noone Street, Gray Street and Alexandra Parade East (46 spaces) and partly along internal streets in the development (3 spaces) is considered appropriate by the panel.
37. In response to the submission from the 3068 Group, the panel saw merit in pursuing a consistent and area wide sign strategy in Clifton Hill to better indicate the location of the Clifton Hill and Victoria Park railway stations and local shops. No recommendation was made on this matter.

Bicycle Parking

38. The panel noted that the proposed dwellings, save for the Spicer building, will have garages and some have rear courtyards at ground level that could be used for bicycle storage. Condition 1(b) calls for the provision of 30 bicycle spaces and these are proposed to be provided in racks in the communal area or along Noone Street. The panel saw some value in exploring the opportunity in providing some secure bicycle storage in the future redevelopment of the Spicer building. This will be considered by the applicant for the development.

Home Office Development

39. The panel supports the provision of 7 home office units along Noone Street, as proposed. The proposed Mixed Use Zone (MUZ) provides the opportunity to consider additional home occupation offices in the development. In the MUZ no permit is required for home offices, subject to clause 52.11 of the Yarra Planning Scheme, which sets the requirements for a home occupation e.g. maximum floor area of 50 square metres. More intensive forms of home occupation conducted on the site would require further planning approval.

Noise

40. The joinery business opposite the subject site in Noone Street (ACW) has objected to the rezoning and proposed residential development on the basis that it will have a detrimental effect on its capacity to operate on the site and continue its current business operations. The noise from the company's

external dust extraction system may become more of an issue with more prospective residents on the rezoned site.

42. The panel is satisfied that condition 1(k), that requires the submission of an acoustic report, including details of all acoustic and noise protection measures incorporated into the new development, to ensure the amenity of future occupants is protected from all external noise sources, is reasonable and will provide adequate protection for future residents.
43. ACW is currently seeking legal advice from an acoustic consultant to determine what remedial measures can be undertaken to reduce the noise from its external dust extraction unit. Council's Noise Management Officer has advised that the operation is not complying with State policy (Control of Noise from Commerce, Industry and Trade No. N-1) and the Environment Protection Authority (EPA) has advised that the operation must meet the provisions of State policy. This action is being undertaken separately from the current rezoning and planning application proposal.

Drafting of DDO3

44. As discussed at the panel hearing and as agreed to by all parties, the building height limits for the proposed development have been revised to refer to building height above natural ground level, which is consistent with other planning schemes in Victoria. The DDO, as exhibited, defined building height in terms of storeys and in metres above a temporary benchmark. No change in the required maximum buildings heights is being proposed.
45. The revised DDO3 will state:

Building height should not exceed:

- *Three storeys above ground level or 11.8 metres to the Noone Street frontage for a depth of 10 metres.*
- *Four storeys above ground level or 13.0 metres for the former 'Spicer' factory building.*
- *Four storeys above ground level or 14.5 metres for the balance of the site.*

Revised Conditions

46. During the panel hearing discussion was held with the parties present, including the applicant and Council officers, regarding the revision and addition of conditions of the proposed planning permit No PL05/1298 for the subject land.

47. The changes to the proposed conditions are considered appropriate as they address the future likely staging of development of this large former industrial site. The following new additional conditions have been recommended by the panel, and these have been agreed upon by the applicant and Council officers:

(a) New Condition 2:

Prior to the commencement of development, a staging plan which shows stages of construction and associated internal and public road works and internal and public landscaping must be prepared to the satisfaction of the Responsible Authority.

(b) New condition 8

The development or any part of it hereby permitted must not be occupied until the car parking spaces associated with the development or any part of it have been provided on site to the satisfaction of the Responsible Authority.

(This condition will replace Condition 7 of the draft Permit, as exhibited).

(c) New condition 13

All landscaping works must be carried out in accordance with the endorsed landscaping plan and completed in accordance with the endorsed staging plan prior to the occupation of any dwelling within each stage.

(d) New condition 14

Once completed, the landscaping shall:

(a) *on the land, be maintained to the satisfaction of the Responsible Authority; and*

(b) *within the public realm, be maintained by the relevant public land manager.*

(This condition will replace Condition 12 of the draft Permit, as exhibited)

(e) New condition 19

Before the commencement of any stage of the development (not including investigative works required to satisfy this condition) hereby approved the owner shall submit to the responsible Authority for its approval a preliminary site assessment by an environmental auditor as to the suitability of the entire site being able to be used for residential purposes.

This new condition has been included in the proposed permit to provide the initial guarantee that the whole site is suitable for residential use before any stage of development is considered, and any required rectification works can be done as part of any stage of development.

The revised conditions 20, 21 and 22 require a complete Certificate of Environmental Audit or a statement from a qualified environmental auditor to ensure that the land is suitable for residential use, prior to the commencement of any stage of the development.

Conclusion

48. The proposed layout of the site and design concept for the development have been the subject of many meetings over a number of years between the applicant and his design and planning team with Council officers from the planning and urban design units. The proposed development has also been informed by and responded to a range of issues raised at two public information sessions on the report for members of the local community. These meetings were both initiated and conducted by the applicant.
49. In response to the first public meeting on 4 May 2005, the six storey building element was deleted at the rear of the site and replaced with 3 storey townhouses.
50. The final proposal and its design details have evolved following numerous detailed discussions between Council officers and the applicant's design team and the low number of objections to the proposed rezoning and planning application may be a reflection of the proposed development evolving over time and the specific design elements responding to local issues as raised through the planning process.
51. The proposed rezoning and redevelopment of the subject site has been supported by the independent panel appointed to consider the submissions and are considered to be in accordance with the orderly and proper planning of the area. The proposed development has been based on sound urban design and environmental principles.
52. The subject site has been recognised as a key redevelopment site in Council's draft MSS, which is also reflected in the Inner Regional Housing Statement (IRHS), adopted by Council in December 2005.

Consultations

53. The Amendment and related planning application have been exhibited pursuant to the requirements of the Act and a panel hearing has been conducted to hear individual submissions. Two public information sessions for the local community have also been conducted throughout the planning process for the development.

Financial Implications

54. The applicant has borne the costs associated with the amendment.

Environmental Implications

55. An Environmental Audit Overlay will be applied to the land to manage the residential or other sensitive non-industrial re-use of the industrial site. There is no landscaping on the site at present and the proposal will involve substantial planting of vegetation, both external and internal to the site.

Social Implications

56. The proposal will provide a well designed residential development, close to existing facilities, which will fit in with the nearby neighbourhood of Clifton Hill and provide a mix of dwellings in the location.

City Plan, Strategy and Policy Implications

57. The amendment is consistent with State and Local Policy and the recommendations of the *Yarra Industrial and Business Land Strategy Review*, September 2004, as adopted by Council in June 2005.

RECOMMENDATION

58. That Council adopt Amendment C65, as exhibited, with the exclusion of the proposed Road Closure Overlay (RXO), and that permit PL05/1298 be issued, subject to the revised conditions, as recommended by the panel which considered the submissions to the proposed combined amendment and planning permit for the subject site.
59. That the permit PL05/1289 and Amendment C65 and all related documentation be submitted to the Minister for Planning for approval.
60. That all submitters to the amendment and application be advised of Council's resolution.

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Attachment 1 – Site Plans

Attachment 2 – Revised conditions of permit PL05/1289, as recommended by the panel considering Amendment C65 and planning application PL05/1298.



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