

YARRA PLANNING SCHEME

AMENDMENT C238

EXPLANATORY REPORT

Who is the planning authority?

This amendment has been prepared by Yarra City Council which is the planning authority for this amendment.

The Amendment has been made at the request of Yarra City Council.

Land affected by the Amendment

The amendment applies to all land within the City of Yarra and affects new residential, commercial and industrial development within the municipality (Figure 1).

Land developed for a non-government school, as defined in Ministerial Direction on the Preparation and Content of Development Contributions Plans of 11 October 2016 and certain types of development (renovations, alterations, demolition and construction of a replacement building, outbuildings, reinstatement of damaged buildings) are exempt from the requirement to make contributions.

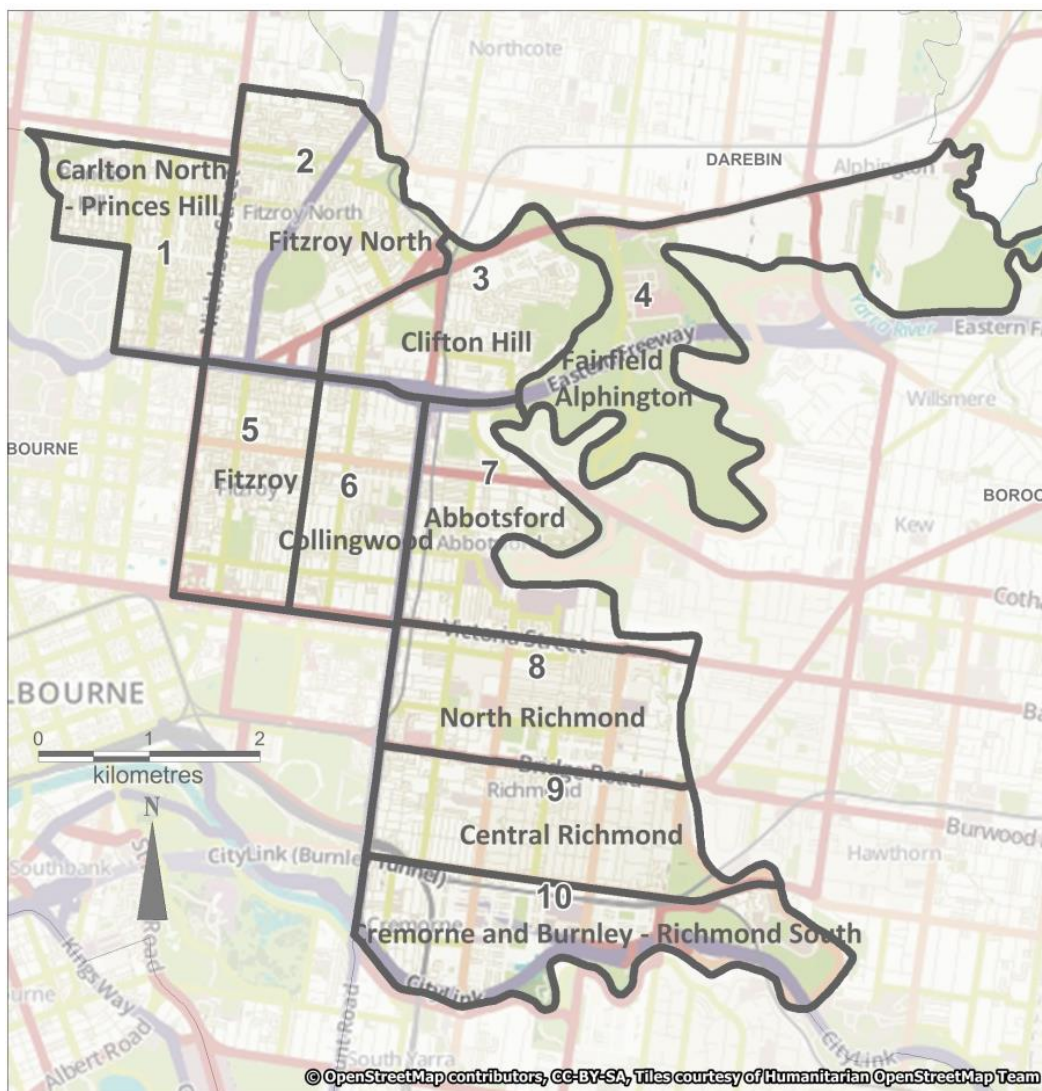


Figure 1: Subject Land

What the amendment does

The Amendment:

- Inserts a new Clause 45.06 Development Contributions Plan Overlay and a new Schedule 1 to the Clause 45.06 into the Yarra Planning Scheme. .
- Amends the Schedule to Clause 72.03 to include new Planning Scheme Maps: 1DCPO1, 2DCPO1, 3DCPO1, 4DCPO1, 5DCPO1, 6DCPO1, 7DCPO1, 8DCPO1, 9DCPO1 into the Yarra Planning Scheme.
- Amends the Schedule to Clause 72.04 Schedule to incorporate the Yarra Development Contributions Plan –2017 into the Yarra Planning Scheme.

Strategic assessment of the Amendment

Why is the Amendment required?

The amendment implements the municipal-wide *Yarra Development Contributions Plan 2017*. The Development Contributions Plan (DCP) imposes a development infrastructure levy and/or a community infrastructure levy to fund a range of social and physical infrastructure throughout the municipality. The DCP includes capital infrastructure projects such as roads, footpath, streetscape works as well as community infrastructure projects (for example- a community centre).

The infrastructure is required to cater for the growing population of the municipality and the consequential increased demand on infrastructure.

The DCP will provide certainty for Council, developers and the broader community about how and to what extent new residential, commercial and industrial developments will be levied to ensure the necessary infrastructure is delivered in a timely manner. The DCP will further reduce the uncertainty and resource intensity associated with the current case-by-case voluntary agreements for contributions between Council and proponents.

Does the Amendment address relevant bushfire risk?

This amendment does not have an impact on bushfire risk.

Does the Amendment comply with the requirements of any Minister's Direction applicable to the amendment?

The amendment is consistent with each of the Ministerial Directions on Development Contribution Plans made under the *Planning and Environment Act 1987*. The amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the *Planning and Environment Act 1987*.

The Amendment complies with the requirements of the Ministerial Direction on the Form and Content of Planning Schemes (section 7(5) of the Act)

How does the Amendment support or implement the State Planning Policy Framework and any adopted State policy?

Clause 19 Infrastructure

This clause encourages planning authorities to consider the use of development contributions in the funding of infrastructure in an efficient, equitable, accessible and timely manner.

In particular the amendment is consistent with Clause 19.03-1S Development and infrastructure contributions plans which seeks 'to facilitate the timely provision of planned infrastructure to communities through the preparation and implementation of development contributions plans'.

The strategies to implement this objective are:

- Prepare development contributions plans and infrastructure contributions plans, under the Planning and Environment Act 1987, to manage contributions towards infrastructure.
- Collect development contributions on the basis of approved development and infrastructure contributions plans.

- Require annual reporting by collecting and development agencies to monitor the collection and expenditure of levies and the delivery of infrastructure.

Planning authorities should consider the Development Contributions Guidelines when preparing a DCP (Department of Sustainability and Environment, June 2003 – as amended March 2007) and the relevant Ministerial guidelines.

How does the Amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?

Amendment C238 is consistent with the following Clauses contained in Council's Local Planning Policy Framework:

Clause 21.05-4 Public environment

This clause requires new development to add positively to Yarra's overall character and help create a safe and engaging public environment where pedestrian activity and interaction are encouraged. Public spaces and urban squares provide outdoor spaces for people to meet and gather.

There is a need to ensure that, as development occurs, Yarra's public environment, buildings and transport infrastructure are accessible to all people.

Clause 21.06-1 Walking and cycling

Strategy 31 encourages improved pedestrian and cycling links in association with new development where possible.

Clause 21.07-3 Water quality

Strategy 38.1 encourages the use of stormwater retention and treatment devices to improve water quality.

Clause 21.10 Future work

This clause identifies nominates the investigation of *an appropriate contributions system* for areas that are forecast to experience significant rates of residential development as further work required to meet the strategies and objectives of the MSS

Does the Amendment make proper use of the Victoria Planning Provisions?

The Amendment makes proper use of the Victoria Planning Provisions by applying the Development Contributions Plan Overlay to all land and introducing a Development Contribution Plan to equitably collect funding for community and development infrastructure throughout the municipality.

How does the Amendment address the views of any relevant agency?

The views of relevant agencies will be sought during the formal exhibition process of Amendment C238.

Does the Amendment address relevant requirements of the Transport Integration Act 2010?

There are no particular requirements of the Transport Integration Act 2010 that are of relevance to the introduction of the amendment

Resource and administrative costs

What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?

The introduction of the DCP will impact on Council's administrative costs because Council will need to set up a new accounting and auditing system to monitor the income and expenditure from the DCP. However, the DCP will also generate revenue for Council to assist in delivering essential community and development infrastructure. The amendment will represent a cost saving to Council in so far as it is presently required to negotiate on a case by case basis for contributions to infrastructure.

Where you may inspect this Amendment

The Amendment is available for public inspection, free of charge, during office hours at the following places:

City of Yarra website at www.yarracity.vic.gov.au/amendmentc238

Richmond Town Hall, 333 Bridge Road, Richmond.

The Amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection.

Submissions

Any person who may be affected by the Amendment [and/or planning permit] may make a submission to the planning authority. Submissions about the Amendment [and/or planning permit] must be received by 21 September 2018.

A submission must be sent to:

email

info@yarracity.vic.gov.au (please use Amendment C238 in the subject header)

or

post

Strategic Planning
City of Yarra
PO Box 168
Richmond. 3121.

Panel hearing dates

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- directions hearing: Week of 10 December 2018
- panel hearing: Week of 25 February 2019

Planning and Environment Act 1987

YARRA PLANNING SCHEME

AMENDMENT C238

INSTRUCTION SHEET

The planning authority for this amendment is the City of Yarra

The Yarra Planning Scheme is amended as follows:

Planning Scheme Maps

The Planning Scheme Maps are amended by a total of 9 attached map sheets.

Overlay Maps

1. Insert new Planning Scheme Map Nos. 1DCPO1, 2DCPO1, 3DCPO1, 4DCPO1, 5DCPO1, 6DCPO1, 7DCPO1, 8DCPO1, 9DCPO1 in the manner shown on the attached maps marked “Yarra Planning Scheme, Amendment C238”.

Planning Scheme Ordinance

The Planning Scheme Ordinance is amended as follows:

2. In Overlays – insert Clause 45.06, in the form of the attached document.
3. In Overlays – following Clause 45.06, insert a new Schedule 1 in the form of the attached document.
4. In General Provisions – Clause 72.03, replace the schedule with a new Schedule in the form of the attached document.
5. In Incorporated Documents – Clause 72.04, replace the Schedule with a new Schedule in the form of the attached document.

End of document

45.06

19/01/2006
VC37

DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as **DCPO** with a number.

Purpose

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

To identify areas which require the preparation of a development contributions plan for the purpose of levying contributions for the provision of works, services and facilities before development can commence.

45.06-1

19/01/2006
VC37

Development contributions plan

A permit must not be granted to subdivide land, construct a building or construct or carry out works until a development contributions plan has been incorporated into this scheme.

This does not apply to the construction of a building, the construction or carrying out of works or a subdivision specifically excluded by a schedule to this overlay.

A permit granted must:

- Be consistent with the provisions of the relevant development contributions plan.
- Include any conditions required to give effect to any contributions or levies imposed, conditions or requirements set out in the relevant schedule to this overlay.

45.06-2

19/01/2006
VC37

Preparation of a development contributions plan

The development contributions plan may consist of plans or other documents and may, with the agreement of the planning authority, be prepared and implemented in stages.

The development contributions plan must:

- Specify the area to which the plan applies.
- Set out the works, services and facilities to be funded through the plan, including the staging of the provision of those works, services and facilities.
- Relate the need for the works, services or facilities to the proposed development of land in the area.
- Specify the estimated costs of each of the works, services and facilities.
- Specify the proportion of the total estimated costs of the works, services and facilities which is to be funded by a development infrastructure levy or community infrastructure levy or both.
- Specify the land in the area and the types of development in respect of which a levy is payable and the method for determining the levy payable in respect of any development of land.
- Provide for the procedures for the collection of a development infrastructure levy in respect to any development for which a permit is not required.

The development contributions plan may:

- Exempt certain land or certain types of development from payment of a development infrastructure levy or community infrastructure levy or both.
- Provide for different rates or amounts of levy to be payable in respect of different types of development of land or different parts of the area.

Notes: *Refer to the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement, for strategies and policies which may affect the use and development of land.*

Check the requirements of the zone which applies to the land.

Other requirements may also apply. These can be found at Particular Provisions.

Proposed C23
8

SCHEDULE TO CLAUSE 72.03 WHAT DOES THIS PLANNING SCHEME CONSIST OF?

1.0

Maps comprising part of this planning scheme:

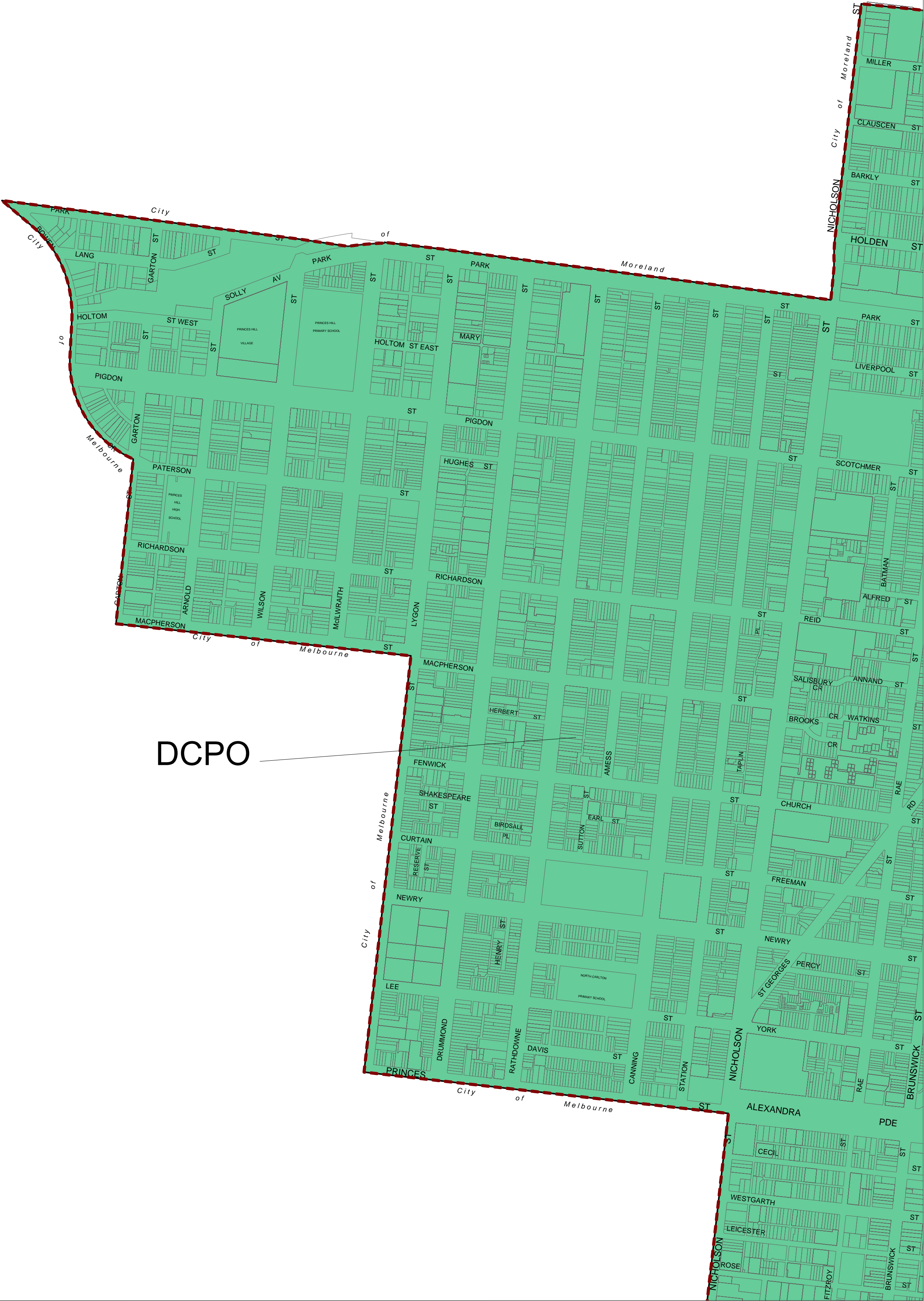
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- Maps No. 1, 1HO, 1DDO, 1SBO, 1PAO, 1EAO, 1DCPO
- Maps No. 2, 2SLO, 2ESO, 2HO, 2DDO, 2LSIO, 2SBO, 2PAO, 2EAO, 2DCPO
- Maps No. 3, 3SLO, 3ESO, 3HO, 3DPO, 3DDO, 3LSIO, 3SBO, 3PAO, 3EAO, 3DCPO
- Maps No. 4, 4SLO, 4ESO, 4HO, 4DPO, 4DDO, 4LSIO, 4PAO, 4EAO, 4DCPO
- Maps No. 5, 5HO, 5DPO, 5DDO, 5EAO, 5DCPO
- Maps No. 6, 6SLO, 6HO, 6DPO, 6DDO, 6IPO, 6LISO, 6SBO, 6PAO, 6EAO, 6PO, 6DCPO
- Maps No. 7, 7SLO, 7DPO, 7DDO, 7LSIO, 7SBO, 7PAO, 7HO, 7EAO, 7DCPO
- Maps No. 8, 8SLO, 8HO, 8DDO, 8LSIO, 8SBO, 8EAO, 8CLPO, 8DCPO
- Maps No. 9, 9SLO, 9HO, 9DPO, 9DDO, 9LSIO, 9PAO, 9EAO, 9CLPO, 9DCPO

Proposed
C238**SCHEDULE TO CLAUSE 72.04 DOCUMENTS INCORPORATED IN THIS PLANNING SCHEME****1.0****Incorporated documents**Proposed
C238

Name of document	Introduced by:
10 Bromham Place, Richmond Incorporated Document, February 2013	C171
18-62 Trenerry Crescent, Abbotsford (Incorporated Plan, May 2018)	C218
32-68 Mollison Street and 61-69 William Street, Abbotsford July 2013	C170
520 Victoria Street, 2A Burnley Street, and 2 – 30 Burnley Street, Richmond, Burnley Street West Precinct - Incorporated Plan, 2012	C150
Amcor Alphington Paper Mill Site Preparation – Incorporated Document, September 2012	C161
Atherton Gardens – Fitzroy, September 2010	C136
Caulfield Dandenong Rail Upgrade Project, Incorporated Document, April 2016	GC37
Chandler Highway Upgrade Incorporated Document, March 2016 (Amended December 2017)	GC80
City of Yarra Review of Heritage Overlay Areas 2007 Appendix 8, revised February 2018	C237
Cremorne Balmain Dover Street Project	NPS1
Crown Land Car Park Works, Burnley, August 2005	C92
Fitzroy Former Gasworks Site, Incorporated Document, February 2018	C242
Flying Fox Campsite, Yarra Bend Park, December 2004	C90
Hurstbridge Rail Line Upgrade 2017 Incorporated Document, January 2017	GC60
Incorporated Plan under the provisions of clause 43.01 Heritage Overlay, Planning permit exemptions, July 2014	C178
Local Policy “Protection of Biodiversity” Sites of Remnant Vegetation (Biosis 2001)	C49
M1 Redevelopment Project, October 2006	C86
Melbourne City Link Project – Advertising Sign Locations, November 2003	VC20
Planning and Design Principles for the Richmond Maltings Site, Cremorne – November 2007	C101
Richmond Walk Up Estate Redevelopment, September 2010	C136
Social housing redevelopment; Atherton Gardens Estate, Fitzroy, and Richmond Public Housing Estate, Richmond, for which the Minister for Planning is the Responsible Authority, May 2010	C135
Specific Site and Exclusion – Lot 2 on PS433628L (452 Johnston Street, Abbotsford	C56
Swan Street Works, Burnley, June 2005	C91
Tramway Infrastructure Upgrades Incorporated Document, May 2017	GC68
Victoria Gardens Building Envelope and Precinct Plan and Precinct 3 Plan – Warehouse Area	C7
Victoria Gardens Urban Design Guidelines	NPS1
Victorian Institute of Forensic Psychiatry Concept Plan (January 1997)	NPS1

Name of document	Introduced by:
Yarra Development Contributions Plan 2017	C238
Yarra Gardens Precinct Plan, December 2009	C128



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This map should be read in conjunction with additional Planning Overlay Maps (if applicable) as indicated on the INDEX TO MAPS.

Overlays
DCPO Development Contributions Plan Overlay

Municipal Boundary (If shown)

200 0 200 m
AUSTRALIAN MAP GRID ZONE 55

PREPARED BY: Planning Mapping Services

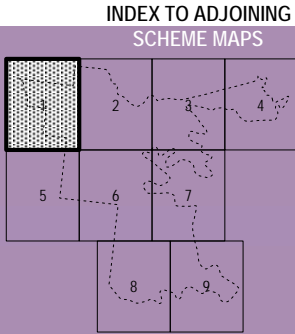


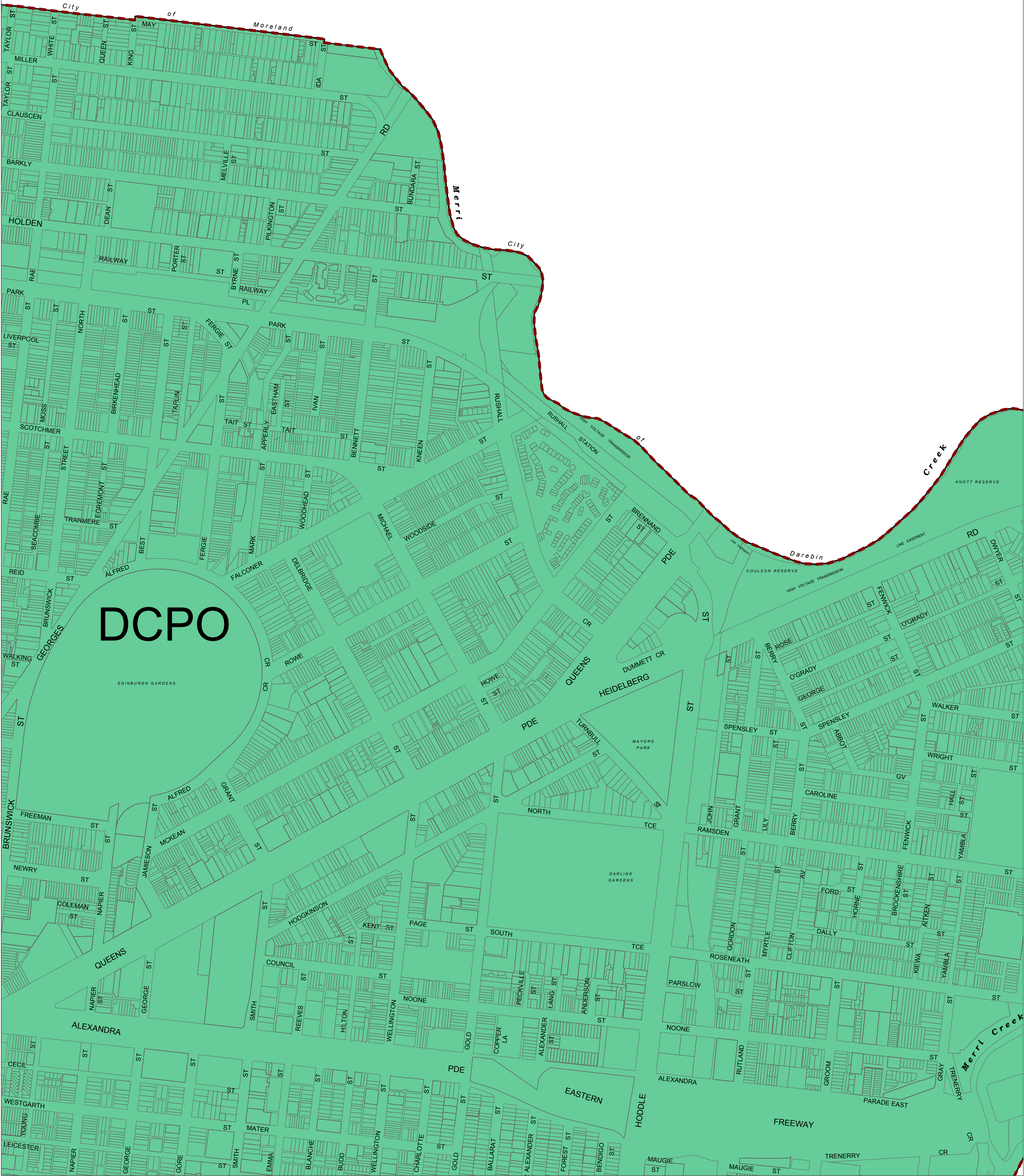
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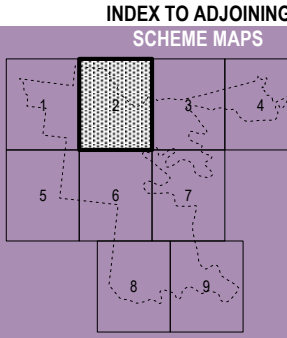


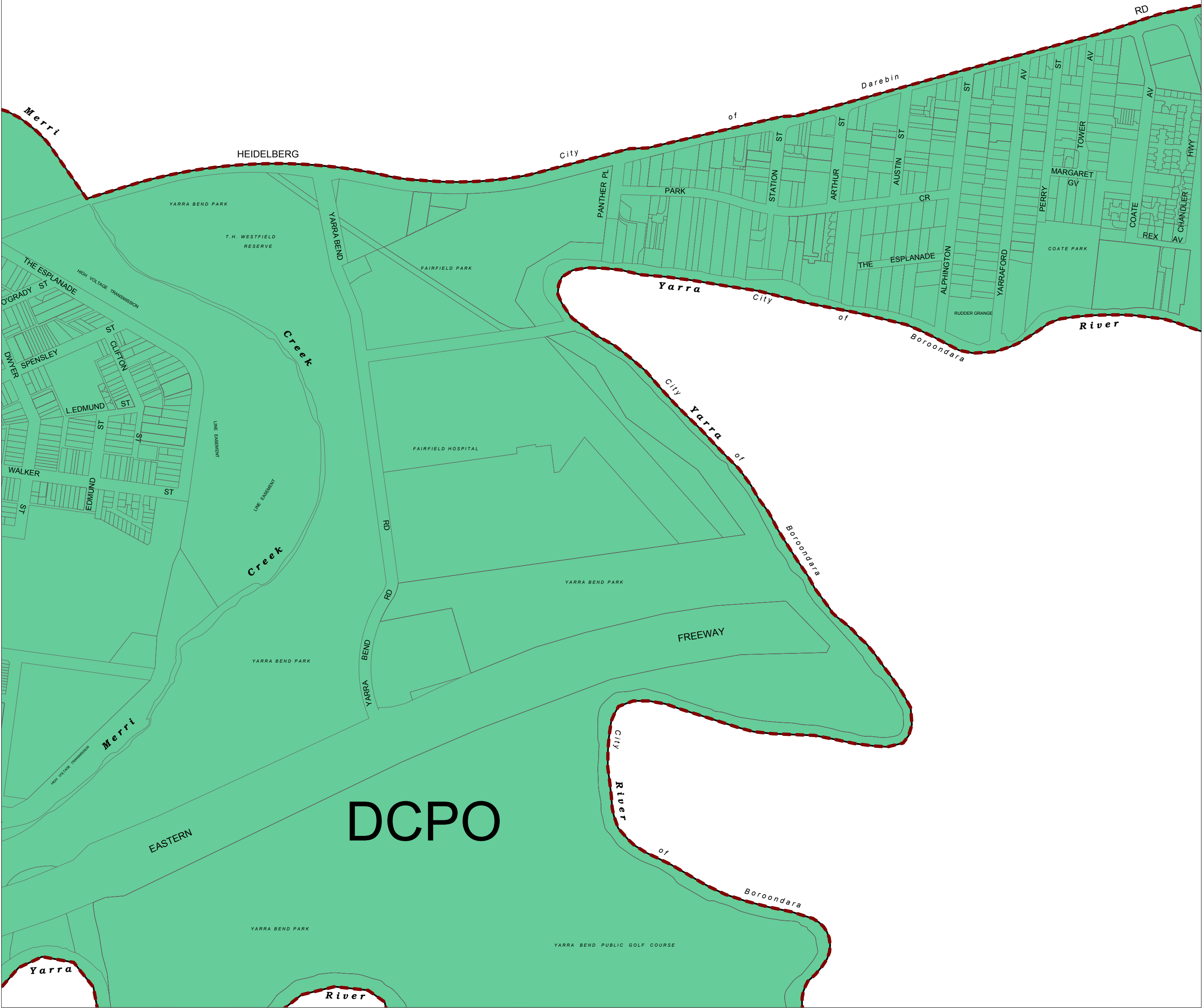
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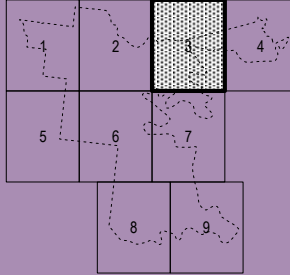
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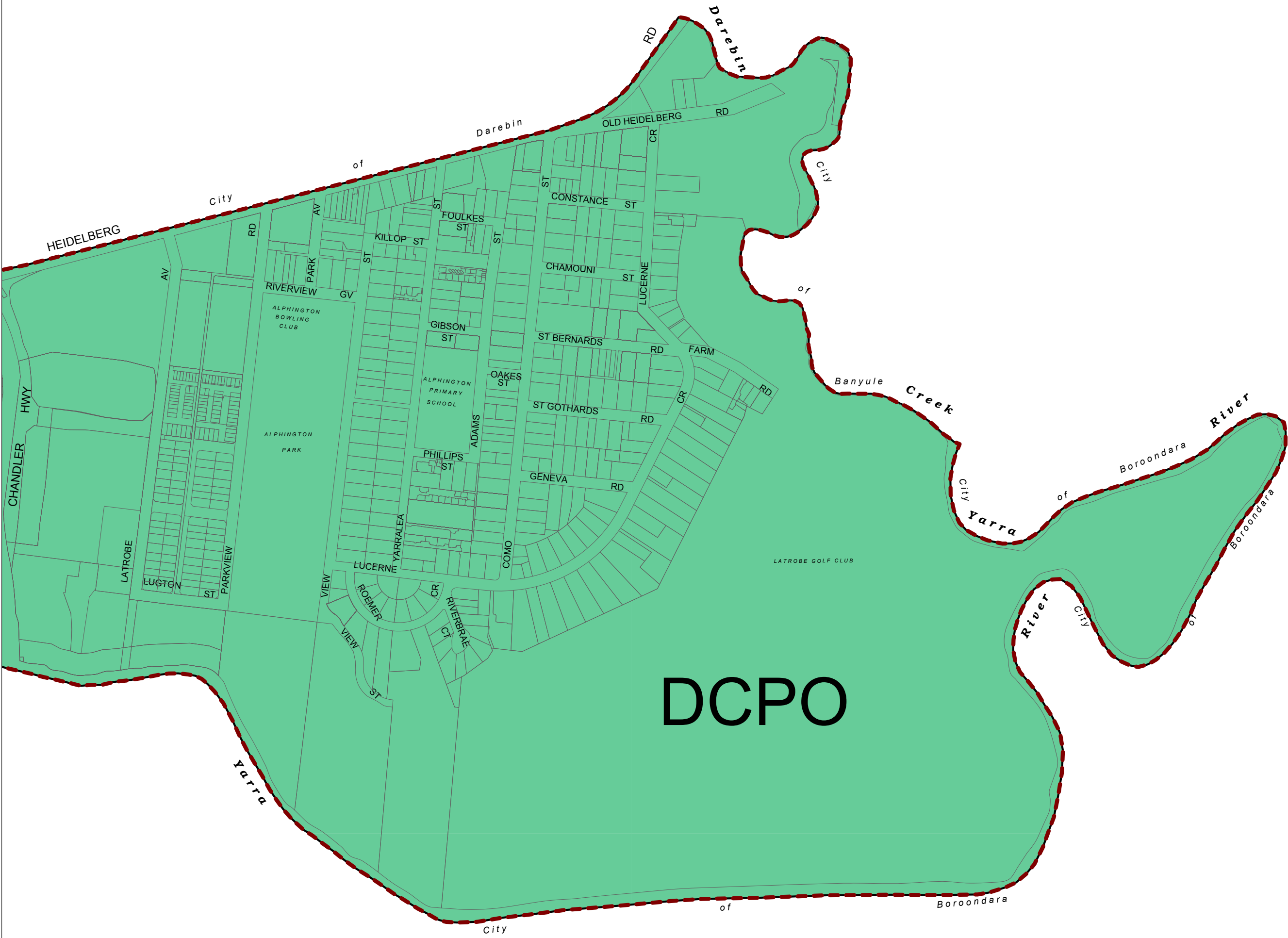
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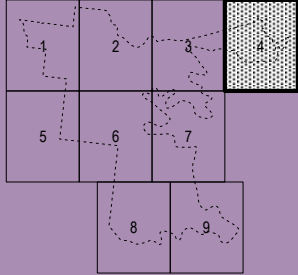
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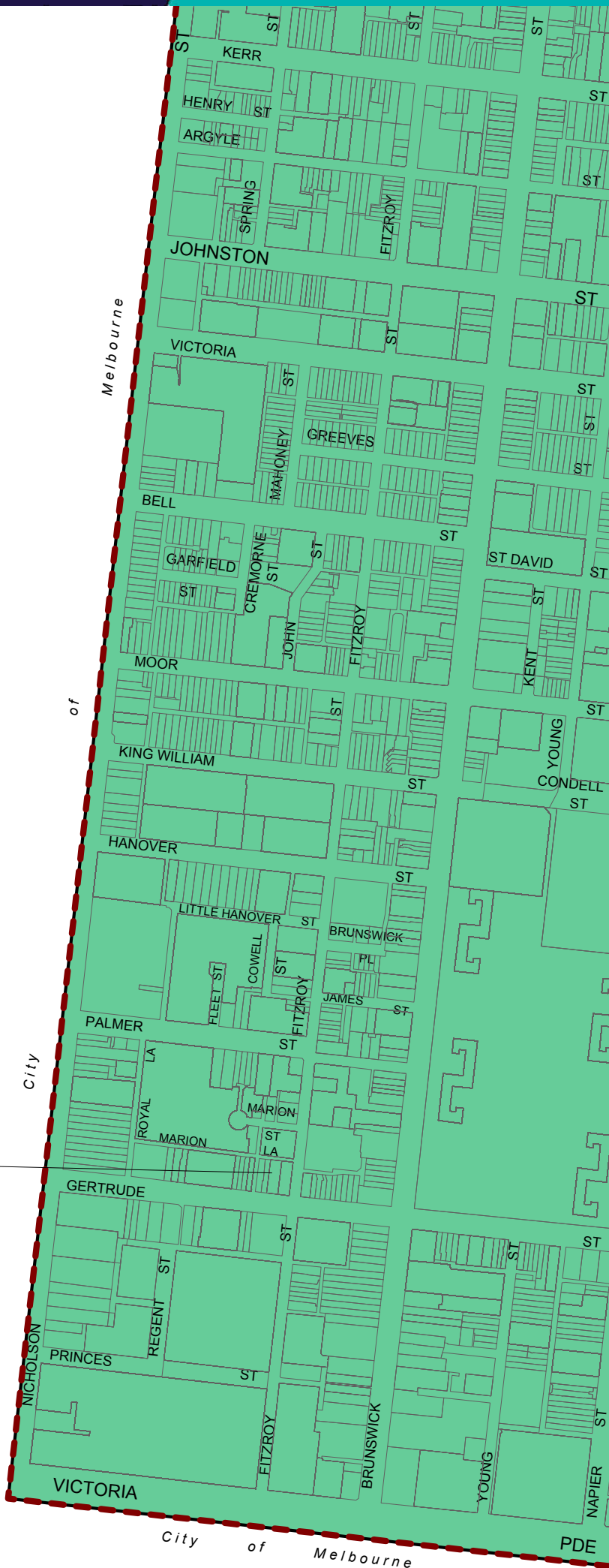
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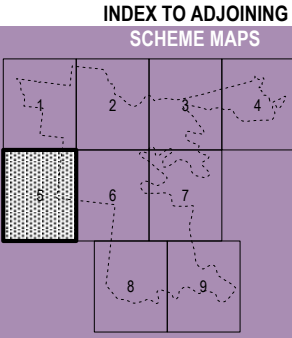


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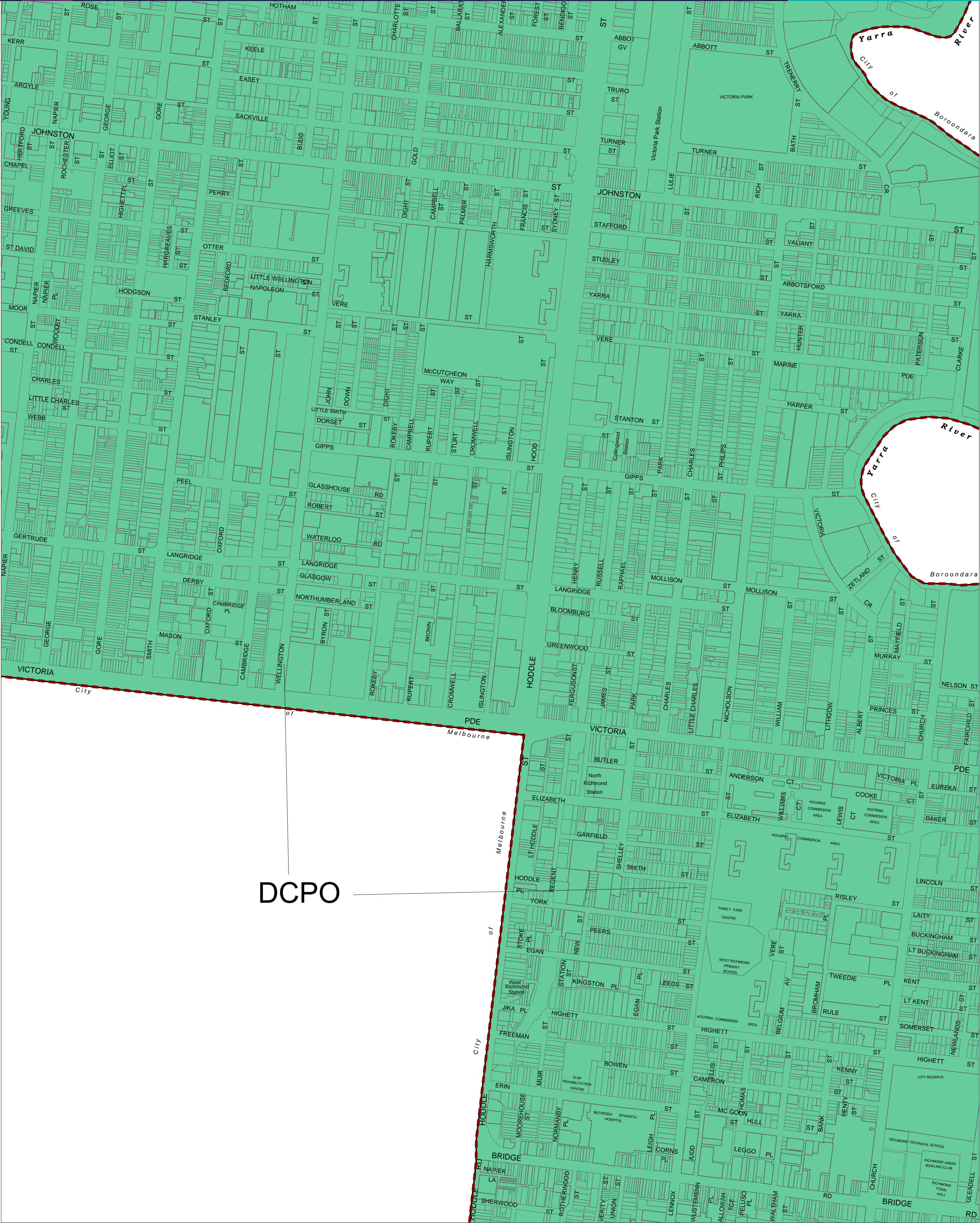
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YARRA PLANNING SCHEME - LOCAL PROVISION



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Overlays
DCPO Development Contributions Plan Overlay

Municipal Boundary (If shown)

200 0 200 m

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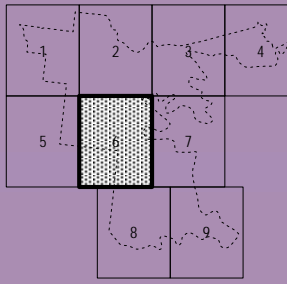
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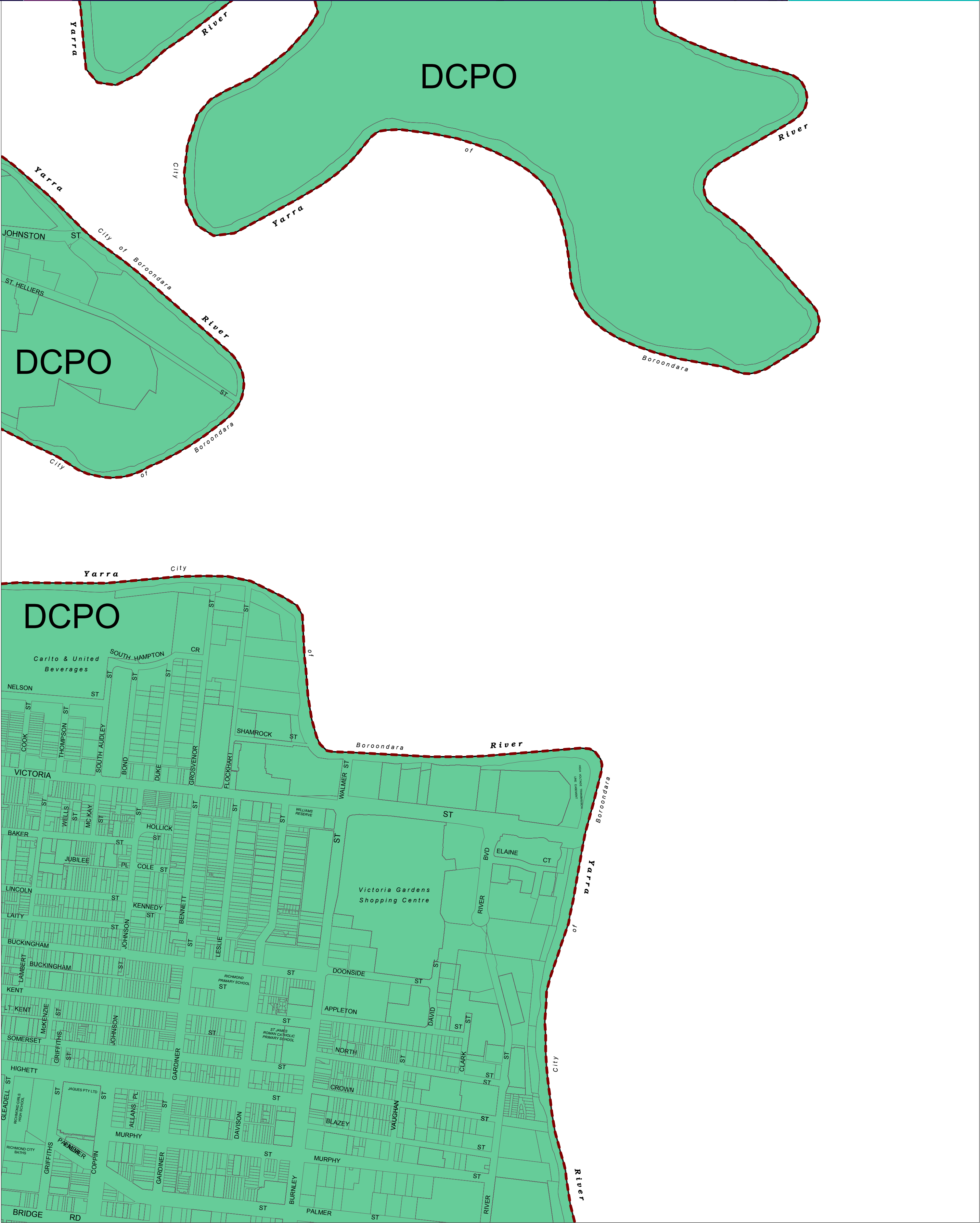
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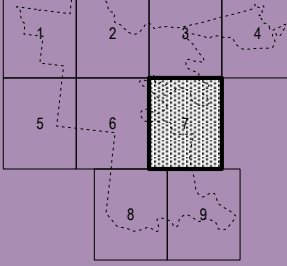
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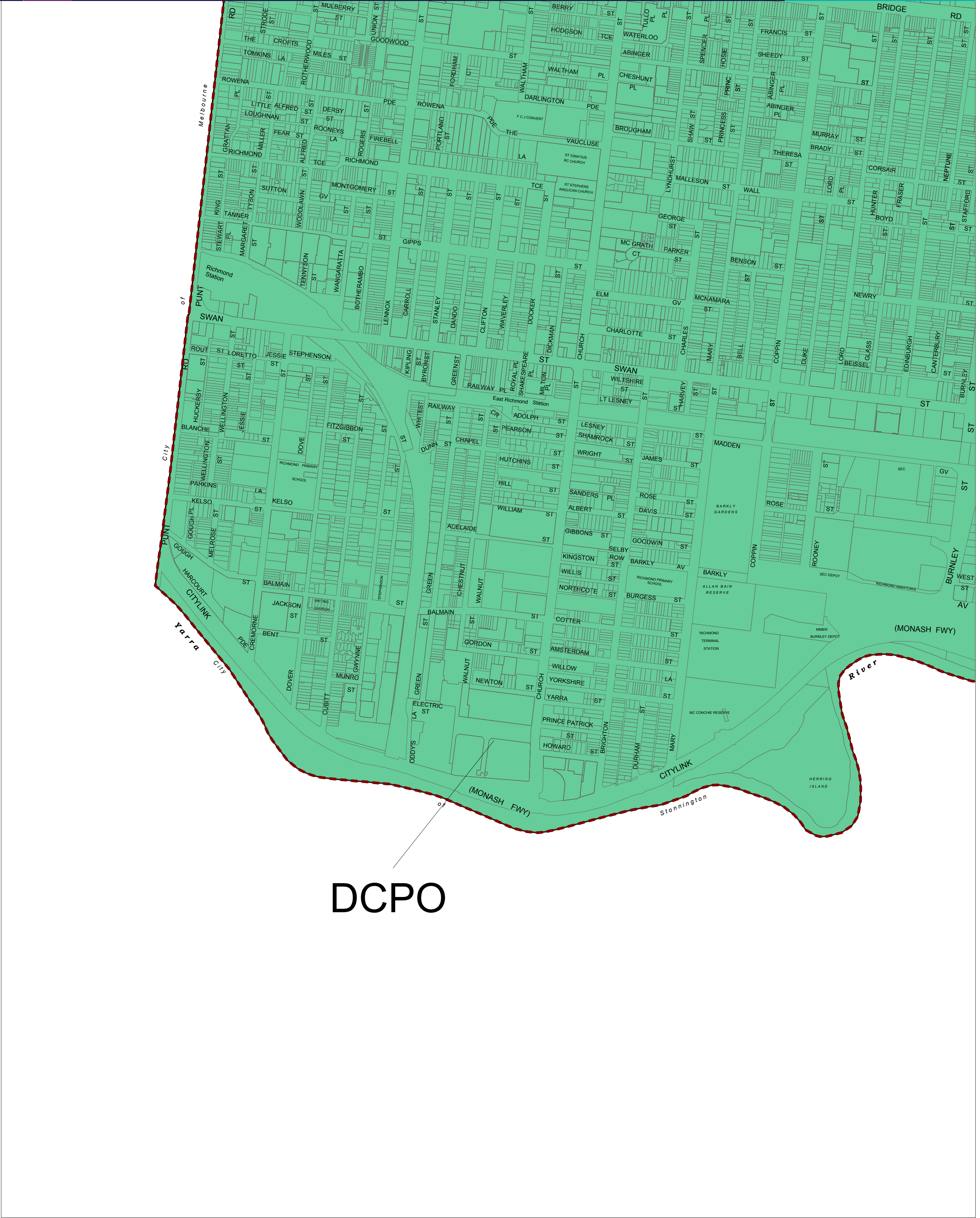
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YARRA PLANNING SCHEME - LOCAL PROVISION



DCPO

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Overlays

- DCPO Development Contributions Plan Overlay



Municipal Boundary
(If shown)

A horizontal scale bar with a purple background. It has three segments: a dark purple segment on the left labeled '200', a light purple segment in the middle labeled '0', and a dark purple segment on the right labeled '200 m'.

AUSTRALIAN MAP GRID ZONE 55

PREPARED BY: *Planning Mapping Services*



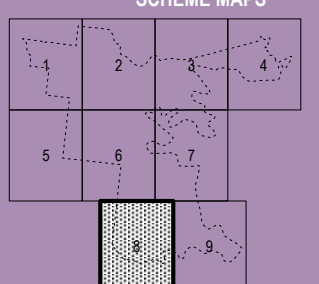
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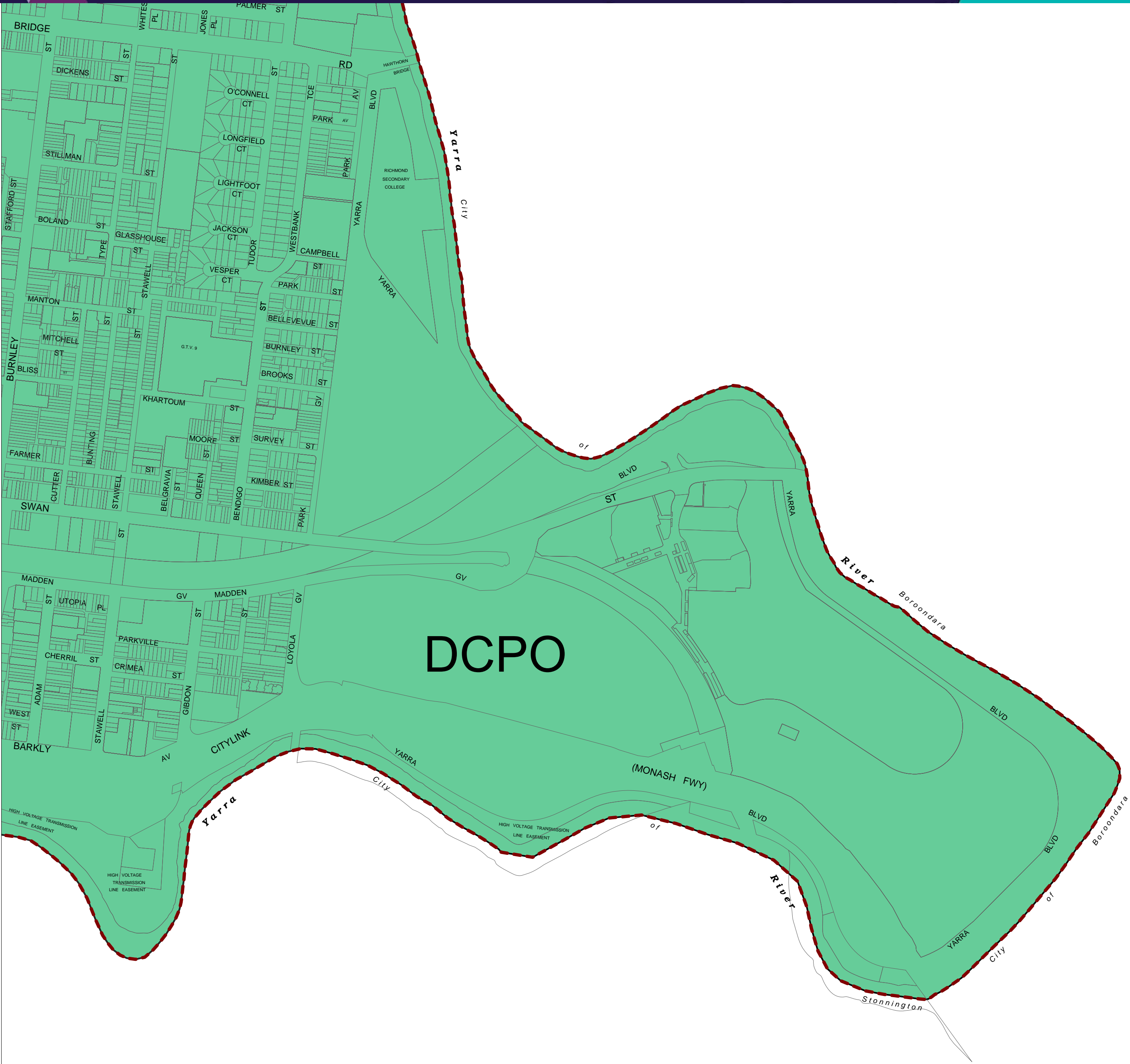
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DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

MAP No 8DCPO



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Municipal Boundary (If shown)

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