



Council Meeting Agenda

**to be held on Tuesday 1 September 2020 at 6.00pm
MS Teams**

Participating in Council meetings during the COVID-19 pandemic

In order to ensure the health and safety of Councillors, staff and the community, Council meetings held during the Victorian State of Emergency are closed to the public. This is in accordance with advice provided by the State Government.

Members of the public are encouraged to watch proceedings online at www.yarracity.vic.gov.au/webcast.

Making a submission

If you have participated in consultation about a matter before this meeting, you do not need to submit your feedback again. However, if you would like to ask a question about something that is not on the agenda, or make a brief submission about something that is listed, you can join the meeting online using the Microsoft Teams platform.

To register for the meeting and receive instructions on how to participate, please register by following the link to this meeting from www.yarracity.vic.gov.au/meetings. Your registration must be lodged by 10.00am on the day of the meeting.

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Order of business

- 1. Statement of recognition of Wurundjeri Woi-wurrung Land**
- 2. Attendance, apologies and requests for leave of absence**
- 3. Declarations of conflict of interest (Councillors and staff)**
- 4. Confidential business reports**
- 5. Confirmation of minutes**
- 6. Public question time**
- 7. Council business reports**
- 8. Notices of motion**
- 9. Petitions and joint letters**
- 10. Delegates' reports**
- 11. General business**
- 12. Questions without notice**
- 13. Urgent business**

1. Acknowledgment of Country

“Yarra City Council acknowledges the Wurundjeri Woi Wurrung people as the Traditional Owners and true sovereigns of the land now known as Yarra.

We acknowledge their creator spirit Bunjil, their ancestors and their Elders.

We acknowledge the strength and resilience of the Wurundjeri Woi Wurrung, who have never ceded sovereignty and retain their strong connections to family, clan and country despite the impacts of European invasion.

We also acknowledge the significant contributions made by other Aboriginal and Torres Strait Islander people to life in Yarra.

We pay our respects to Elders from all nations here today—and to their Elders past, present and future.”

2. Attendance, apologies and requests for leave of absence

Anticipated attendees:

Councillors

- Cr Misha Coleman (Mayor)
- Cr Mi-Lin Chen Yi Mei (Deputy Mayor)
- Cr Danae Bosler
- Cr Jackie Fristacky
- Cr Stephen Jolly
- Cr Daniel Nguyen
- Cr Bridgid O’Brien
- Cr James Searle
- Cr Amanda Stone

Council officers

- Vijaya Vaidyanath (Chief Executive Officer)
- Brooke Colbert (Group Manager Advocacy, Engagement and Communications)
- Ivan Gilbert (Group Manager Chief Executive’s Office)
- Lucas Gosling (Director Community Wellbeing)
- Gracie Karabinis (Group Manager People and Culture)
- Chris Leivers (Director City Works and Assets)
- Diarmuid McAlary (Director Corporate, Business and Finance)
- Bruce Phillips (Director Planning and Place Making)
- Mel Nikou (Governance Officer)

3. Declarations of conflict of interest (Councillors and staff)

4. Confidential business reports

Item

4.1 C1535 - Tender for tree and streetscape maintenance services

This item is to be considered in closed session to allow consideration of private commercial information, being information provided by a business, commercial or financial undertaking that relates to trade secrets or if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

These grounds are applicable because the report contains information submitted on a commercial in confidence basis by private businesses as part of a competitive procurement process.

4.2 C1534 - Tender for Jack Dyer Pavilion redevelopment

This item is to be considered in closed session to allow consideration of private commercial information, being information provided by a business, commercial or financial undertaking that relates to trade secrets or if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

These grounds are applicable because the report contains information submitted on a commercial in confidence basis by private businesses as part of a competitive procurement process.

4.3 Yarra Energy Foundation – Appointment of Chair and Director

This item is to be considered in closed session to allow consideration of personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

These grounds are applicable because the report contains private information about the personal affairs of an individual.

Confidential business reports

The following items were deemed by the Chief Executive Officer to be suitable for consideration in closed session in accordance with section 66(2)(a) of the Local Government Act 2020. In accordance with that Act, Council may resolve to consider these issues in open or closed session.

RECOMMENDATION

1. That the meeting be closed to members of the public, in accordance with section 66(2)(a) of the Local Government Act 2020, to allow consideration of confidential information.

5. Confirmation of minutes

RECOMMENDATION

That the minutes of the Council Meeting held on Tuesday 4 August 2020 be confirmed.

That the minutes of the Council Meeting held on Tuesday 18 August 2020 be confirmed.

That the minutes of the Council Meeting held on Thursday 27 August 2020 be confirmed.

6. Public question time

Yarra City Council welcomes questions from members of the community.

Public question time procedure

To register to ask a question at this meeting and receive instructions on how to participate, please register by following the link to this meeting from www.yarracity.vic.gov.au/meetings. Your registration must be lodged by 10.00am on the day of the meeting.

Public question time is an opportunity to ask questions about issues for which you have not been able to gain a satisfactory response on a matter. As such, public question time is not:

- a time to make statements or engage in debate with Councillors;
- a forum for initially raising operational matters, which should be directed to the administration in the first instance;

When you are invited by the Mayor to ask your question, please state your name clearly for the record and:

- direct your question to the Mayor;
- refrain from making statements or engaging in debate
- not raise operational matters which have not previously been raised with the Council administration;
- not ask questions about matter listed on the agenda for the current meeting.
- refrain from repeating questions that have been previously asked; and
- if asking a question on behalf of a group, explain the nature of the group and how you are able to speak on their behalf.

Once you have asked your question, please remain silent unless called upon by the Mayor to make further comment or to clarify any aspects.

7. Council business reports

Item		Page	Rec. Page	Report Presenter
7.1	Amendment C245 - Theatres Studies and Fix Up Amendment - Panel Report	8	21	Leonie Kirkwood – Project and Policy Coordinator, City Strategy
7.2	Planning Scheme Amendment C280yara – 32-68 Mollison Street, Abbotsford	23	34	Fiona van der Hoeven – Assistant Manager City Strategy
7.3	Proposed Amendment C281yara - New Cremorne Car Parking Provisions	35	44	Fiona van der Hoeven – Assistant Manager City Strategy
7.4	The design, management and safety of Council parks, reserves and gardens	46	65	Julia Bennett-Mitrovski - Senior Planner Community Health and Safety
7.5	PLN19/0450 - 36-52 Wellington Street, Collingwood - Supplementary Report - Proposed Planning Scheme Amendment C285yara	66	70	Mary Osman – Manager Statutory Planning
7.6	Adoption of the Yarra Open Space Strategy 2020	71	80	Julia Mardjuki – Open Space Planner
7.7	Graffiti Management Framework 2020 - 2023	82	88	Joe Agostino – Project Officer
7.8	Proposed Discontinuance of Roads abutting 53-77 Burnley Street, Richmond.	89	92	Bill Graham – Coordinator Valuations
7.9	Economic Development Strategy 2020 - 2025	93	106	Simon Osborne – Coordinator Economic Development
7.10	Establishment of an Audit and Risk Committee	108	112	Rhys Thomas – Senior Governance Advisor

The public submission period is an opportunity to provide information to Council, not to ask questions or engage in debate.

Public submissions procedure

To register to make a submission at this meeting and receive instructions on how to participate, please register by following the link to this meeting from www.yarracity.vic.gov.au/meetings. Your registration must be lodged by 10.00am on the day of the meeting.

When you are invited by the Mayor to make your submission, please state your name clearly for the record and:

- Speak for a maximum of five minutes;
- direct your submission to the Mayor;
- confine your submission to the subject under consideration;
- avoid repetition and restating previous submitters;
- refrain from asking questions or seeking comments from the Councillors or other submitters;
- if speaking on behalf of a group, explain the nature of the group and how you are able to speak on their behalf.

Once you have made your submission, please remain silent unless called upon by the Mayor to make further comment or to clarify any aspects.

8. Notices of motion

Item		Page	Rec. Page	Report Presenter
8.1	Notice of Motion No.12 of 2020 - Investing in the post-COVID Recovery	113	114	Councillor Amanda Stone
8.2	Notice of Motion No.13 of 2020 - Monitoring of the Merri Creek Trail	116	117	Councillor Bridgid O'Brien
8.3	Notice of Motion No. 14 of 2020 - Project Reference Groups	118	118	Councillor Bridgid O'Brien

9. Petitions and joint letters

10. Delegate's reports

11. General business

12. Questions without notice

13. Urgent business

Nil

7.1 Amendment C245 - Theatres Studies and Fix Up Amendment - Panel Report

Executive Summary

Purpose

The purpose of the meeting is to consider the report of the independent Planning Panel in relation to Amendment C245 and consider the officer recommendations. Council needs to decide whether to adopt the Amendment with or without changes, or whether to abandon the Amendment.

Key Issues

The report from the Panel, appointed to consider Amendment C245, has been received.

The Panel concluded that the Amendment is generally supported by, and implements the relevant section of the Planning and Policy Framework. It also considered the Amendment generally well founded and strategically justified, although there were some elements the Panel did not support.

Council must now consider whether or not to adopt the Amendment, with or without changes. Alternatively under the *Planning and Environment Act 1987*, Council could choose to abandon the Amendment or parts of the Amendment.

Financial Implications

The financial cost of planning scheme amendments is included in the budget of Council's Strategic Planning Unit for 2019/20.

PROPOSAL

In summary, it is proposed that Council considers the Planning Panel and officer report for Amendment C245 and decides whether to:

- (a) adopt all or part of the Amendment, with or without changes; or
- (b) abandon all or part of the Amendment.

The report concludes that Council should adopt the Panel's recommendations.

7.1 Amendment C245 - Theatres Studies and Fix Up Amendment - Panel Report

Council at its meeting on 27 August 2020 resolved that the matter be deferred to the meeting to be held on 01 September 2020.

Reference: D20/122149

Authoriser: Director Planning and Place Making

Purpose

1. The purpose of the meeting is to consider the report of the independent Planning Panel in relation to Amendment C245 and consider the officer recommendations. Council needs to decide whether to adopt the Amendment with or without changes, or whether to abandon the Amendment.

Background

2. Amendment C245 proposes to correct identified heritage overlay errors and zone anomalies within the Yarra Planning Scheme and implement the recommendations and findings of recent heritage studies and citations.
3. It applies to 72 different places, of which 44 include errors or anomalies within Heritage Overlays, 11 with zoning and 17 are recommendations from recent heritage studies. A complete summary of places affected and the exhibited proposed changes is at **Attachment 1**.

Exhibition and Submissions

4. Amendment C245 was placed on public exhibition from 18 July – 19 August 2019.
5. Nine submissions were received (including four late submissions) prior to Council considering submissions on 26 November 2019. Two submissions were received after the Council meeting.
6. At the Ordinary Council Meeting of 26 November 2019, Council considered the nine submissions and resolved to refer Amendment C245 and all submissions to an independent Planning Panel.
7. At that meeting Council also resolved to:
 - (a) advise the Panel of its intention to abandon the proposal for internal controls for the former Richmond Cinema and Burnley Theatre;
 - (b) continue to pursue the internal heritage controls for the former Austral Theatre; and
 - (c) advise the Panel of its intention to abandon the proposal to remove HO109 (which applies to the Former William Peatt Boot Factory) from 14 Glasgow Street, Collingwood to enable further work to be undertaken.
8. The two further late submissions received after the Council meeting were also referred to the Panel. These submissions objected to the proposed deletion of the internal controls for the former Richmond Cinema and the former Burnley Theatre.

Planning Panel Hearing

9. A single person panel (Mr. John Roney) was appointed by the Minister for Planning.
10. At the hearing, Council was represented by legal counsel and called two heritage witnesses, Anita Brady and David Helms.
11. The Panel Hearing was held from 22 - 24 April 2020 via video conferencing rather than the usual face to face format due to COVID19.
12. Seven parties were heard by the independent Planning Panel, including the three owners of the theatres, one of the owners of 202-206 Church Street (representing two of the

properties), the Collingwood Historical Society and two individual submitters with an interest in heritage. A further submitter made a written submission only to the Panel.

Overall Panel Findings

13. The Panel Report was received on 27 May 2020 and released on 16 June 2020. It is at **Attachment 2**.
14. The Panel recommended the Amendment should be adopted as exhibited subject to changes.
15. The Panel concluded that the Amendment is generally supported by, and implements the relevant section of the Planning and Policy Framework. It also considered the Amendment generally well founded and strategically justified, although there were some elements the Panel did not support.

Next steps in the amendment process

16. The next phase of the Amendment is the final step in the process for Council. The way in which Council considers the adoption is prescribed in the *Planning and Environment Act 1987* (the Act).
17. Under Sections 27, 28 and 29 of the Act, Council must:
 - (a) consider the Panel's report before deciding whether or not to adopt the amendment; and then;
 - (b) either abandon all or part of the Amendment; or
 - (c) adopt all or part of the Amendment with or without changes.
18. Section 9 of the *Planning and Environment Regulations 2015* (the Regulations) sets out the information to be submitted to the Minister for Planning under Section 31 of the Act. Council must provide the following:
 - (a) the reasons why any recommendations of a Panel were not adopted; and
 - (b) a description of and the reasons for any changes made to the amendment before adoption.
19. **Attachment 3** to this report sets out what the Panel recommended. It explains why or why not recommendations were adopted.
20. **Attachment 4** describes every change made by Council to the Amendment from exhibition to the version of the amendment proposed for adoption and gives reasons for the change.
21. **Attachments 5-18** contain the amendment documents for adoption.

Site-specific Panel findings and officer recommendations

22. Officers recommend accepting all changes proposed by the independent Planning Panel (see Attachment 3). (NB - Appendix D of the Panel Report provides a marked-up version of the Panel's proposed changes to the Amendment.)
23. The Panel's findings and officer recommendations for the seven places discussed at the hearing are as follows:

Former Burnley Theatre

Current controls & proposed changes under Amendment C245	Summary of Panel recommendations
<p><i>Current</i></p> <p>Site specific (individual) Heritage Overlay (HO286).</p> <p><i>Proposed</i></p> <p>No change is recommended to the current HO controls and level of significance.</p>	<p>The Panel agrees with Council's intention to abandon the internal controls.</p> <p>The Panel found the interior of the building has been extensively modified and does not justify internal heritage controls.</p> <p>No changes should be made to the existing Statement of Significance at this time. Any</p>

Current controls & proposed changes under Amendment C245	Summary of Panel recommendations
<p>Internal controls for the site were proposed, however, after considering submissions Council resolved to indicate to Panel an intention to abandon these controls.</p> <p>New Statement of Significance exhibited reflecting the Theatres Study, work by GJM and the proposal for internal controls. (At the Panel Hearing to align with Council's resolution of 26 November 2019, officers proposed to delete references to interiors.)</p>	<p>changes should only proceed following further consideration of the heritage significance of the place and through a separate public process.</p>

Commentary

24. Prior to the Panel hearing, significant water damage had occurred to the interior of the building and large portions of the interiors were removed (an issue of concern to a number of submitters.) However, this was investigated by Council's Planning Enforcement Coordinator and Building Surveyor and it was determined that no planning enforcement was required as there are no current internal controls in the Yarra Planning Scheme that apply to the site. Therefore there was no breach in removing the interior panelling.
25. At the Panel, officers submitted that Council no longer sought the inclusion of internal heritage controls for the former Burnley Theatre (consistent with resolution passed on 26 November 2019).
26. The Panel supported Council's position. It noted that the bar for applying internal controls to buildings is very high. *Planning Practice Note 1 (PPN01) – Applying the Heritage Overlay* is the starting point for the assessment of internal heritage controls. PPN01 states that '*This provision should be applied sparingly and on a selective basis to special interiors of high significance*'.
27. It concluded that having regard to the high threshold required to justify internal controls as set out in PPN01, internal alteration controls were not justified on the former Burnley Theatre.
28. It was also acknowledged at the hearing that a significant amount of the internal fabric which was recognised in the Statement of Significance, included in the Theatres Study, has now been removed (due to the water damage).
29. However the Collingwood Historical Society and two individual submitters submitted that the elaborate ground floor foyer and the balcony appeared to remain intact and should be individually protected. The Panel concluded that the interior (or selected parts) did not meet the required threshold to warrant heritage controls.
30. Officers support the Panel's position and recommends Council abandon internal controls for the former Burnley Theatre. This is consistent with resolution passed by Council on 26 November 2019.
31. The Panel did not support Council's proposed changes (based on the GJM Heritage report and the Theatres Study) to the existing Statement of Significance for the Burnley Theatre. It noted that the GJM Heritage report (which partly informed the Statement of Significance) is the subject of review at the forthcoming Amendment C191 Panel Hearing for Swan Street. The Panel considered that changes to the Statement of Significance should be based on more thorough and comprehensive assessments with the input of heritage experts.
32. The Panel accepted that there may be benefit in updating the existing Statement of Significance at some point in the future, however it did not support changes at this time. Any changes to the Statement of Significance should only proceed following a more considered perspective of the heritage significance of the place and through a separate amendment process.
33. Officers accept the Panel's recommendation.

Former Richmond Cinema

Current controls & proposed changes under Amendment C245	Summary of Panel recommendations
<p><i>Current</i></p> <p>Partly within in the Bridge Road Precinct, Richmond (HO310). Graded 'contributory'.</p> <p><i>Proposed</i></p> <p>Replace the precinct control with a site specific (individual) Heritage Overlay control, which covers the whole of the property.</p> <p>Change grading from 'contributory' to 'individually significant'.</p> <p>Internal controls for the site were proposed, however, after considering submissions Council resolved to indicate to Panel an intention to abandon these controls.</p> <p>New site specific Statement of Significance exhibited reflecting the Theatres Study and the proposal for internal controls. (At the Panel Hearing to align with Council's 26 November 2019, officers proposed to delete references to interiors but include changes to reflect the historical information from the Theatres Study.)</p> <p>New Precinct Statement of Significance also exhibited.</p>	<p>The Panel agrees with Council's intention to abandon the internal controls. The Panel found the interior of the building has been extensively modified and does not justify internal heritage controls.</p> <p>The proposed site-specific Heritage Overlay (HO504) is not supported, however, the current precinct Heritage Overlay (HO310) should be extended to cover the entire property.</p> <p>The Panel did not support Council's proposal to change the cinema to 'individually significant'.</p> <p>The theatre should remain 'contributory' within HO310.</p> <p>Abandon the proposed site specific Statement of Significance and apply the exhibited version for HO310.</p>

Commentary

34. At the Panel, officers submitted that Council no longer sought the inclusion of internal heritage controls for the former Richmond Cinema (consistent with resolution passed on 26 November 2019).
35. Expert evidence provided to the Panel noted the building's interior had been substantially modified. This evidence noted that the most distinctive spaces and elements from the main phases of the building (i.e. roller skating rink, conversion to a cinema, construction of a theatre) have largely been removed or demolished.
36. The Collingwood Historical Society and the two individual submitters acknowledged that the building had undergone significant change, but submitted that the trussed ceiling should be protected. One submitter noting about a quarter of the roof was still visible at the rear.
37. The Panel found that *'The extensive modifications to the interior of the building has diminished the heritage significance of the place to such an extent that it does not meet the required threshold to warrant internal heritage controls.'*
38. Officers support the Panel's position and recommends Council abandon internal controls for the former Richmond Cinema. This is consistent with resolution passed by Council on 26 November 2019.
39. Officers also accept that Panel's recommendations that:
 - (a) the site should remain in the Precinct Heritage Overlay (HO310) rather than being included in its own specific Heritage Overlay (HO504). The site specific Heritage

Overlay was required to enable Council to specify that internal controls would apply to the site; and

- (b) HO310 should be extended to cover the whole of the site. This is consistent with *Planning Practice Note 1* and Council's exhibited position.
- 40. The Panel also did not support the proposed change of grading for the former Richmond Cinema from 'contributory' to 'individually significant'. It based its decision on the evidence from the expert acting for the theatre owner who concluded the site was only just worthy of 'contributory' status.
- 41. Officers accept the Panel's recommendation based on the further evidence presented at the Panel noting that the extensive changes to the building which had made interpretation of the former uses difficult to understand.
- 42. Having concluded that the site does not justify a grading of 'individually significant', the Panel found it would be inappropriate and unnecessary to require a Statement of Significance for a 'contributory' building and rejected the proposed site specific Statement of Significance. It also rejected minor changes made to the Precinct Heritage Overlay reflecting work from the Theatres Study.
- 43. Officers support the Panel's recommendation. The updated Statement of Significance for the Bridge Road Precinct (HO310) as updated in the *Victoria Street and Bridge Road Precinct Review, GJM Heritage (2018)* provides a sound basis to manage the heritage significance of the place.

Former Austral Theatre

Current controls & proposed changes under Amendment C245	Summary of Panel recommendations
<p><i>Current</i></p> <p>Partly included as an individually significant place in the HO324 Johnston Street Precinct.</p> <p><i>Proposed</i></p> <p>Replace the precinct control with a site specific (individual) Heritage Overlay control, which covers the whole of the property.</p> <p>Internal controls were also proposed.</p> <p>New Statement of Significance exhibited reflecting the Theatres Study and the proposal for internal controls.</p>	<p>The application of internal heritage controls was not supported. The Panel found the interior of the building has been extensively modified and does not justify internal heritage controls.</p> <p>The proposed site-specific Heritage Overlay (HO499) is not supported, however, the current precinct Heritage Overlay (HO324) should be extended to cover the entire property.</p> <p>The theatre should remain 'individually significant' within HO324.</p> <p>No changes should be made to the Statement of Significance at this time. Any changes should only proceed following further consideration of the heritage significance of the place and through a separate amendment process.</p>

Commentary

- 44. The former Austral Theatre was the only theatre of the three proposed for inclusion in C245 which Council resolved to progress internal controls following the receipt of submissions.
- 45. The Collingwood Historical Society submitted that the building and its interior are of architectural significance, was of a high level of social importance to the local community in the Depression of the 1920s and 1930s and reflects its working class context.
- 46. Expert evidence put to the Panel did not support the application of the internal controls as the interior of the building did not reach the required threshold to justify interior controls and has been extensively modified over time.
- 47. Council submitted that the Austral Theatre was one of the only surviving picture palaces in Yarra and while the condition and intactness of some internal areas to the theatre have been compromised, the remaining heritage fabric in the interior is of heritage significance. The decorated ceiling in the foyer of the theatre is highly intact as are several ceiling roses on the

ceiling of the ground floor room beneath the upper level tier. While other parts of the interior are of varying levels of intactness, the original design and use of the theatre is still evident in the remaining heritage fabric.

48. As with the other theatres, the Collingwood Historical Society and two individual submitters suggested the option to list selected parts of the interior of the former theatre to ensure that those features are protected.
49. The Panel considered the interior of the building had been extensively modified and features have been removed to such an extent that the building does not display the required 'special interior of high significance' to justify internal heritage controls.
50. It did not consider that the Theatres Study (which informed the proposed controls) provides appropriate justification for the inclusion of internal heritage controls for the former Austral Theatre.
51. As with the former Burnley Theatre, the Panel did not believe that the remaining features within the building warrant selective protection.
52. Officers accept that the interior has undergone extensive adaptation including the removal of several key components such as the stage and proscenium. Numerous aspects of the interior emphasised in the Theatres Study are either no longer in evidence or are no longer intact. Officers therefore agree with the Panel and recommend Council abandon internal controls for the former Austral Theatre.
53. Officers also accept the Panel's recommendations that the:
 - (a) existing Heritage Overlay should be extended to the entire property. All parties at the hearing agreed with this approach; and
 - (b) site should remain in the Precinct Heritage Overlay (HO324) rather than being included in its own specific Heritage Overlay (HO499) as a site specific Heritage Overlay.
(Noting the site specific overlay is not required if internal controls are not pursued.)
54. The Panel did not support the changes proposed by Council to the Statements of Significance (i.e. the overall statement for the precinct and the 'individually significant' citation for the former Austral Theatre). It considered that the existing Statements of Significance for the site are adequate and should not be modified at this time.
55. Officers support the Panel's recommendation.

Halls Buildings, 202-206 Church Street, Richmond

Current controls & proposed changes under Amendment C245	Summary of Panel recommendations
<p><i>Current</i></p> <p>Currently not within a Heritage Overlay.</p> <p><i>Proposed</i></p> <p>Include in a site-specific (individual) Heritage Overlay control with an individually significant grading.</p> <p>New Statement of Significance</p>	<p>The Panel found there is appropriate strategic basis for the application of heritage controls.</p> <p>It is appropriate to apply HO526 to the properties as exhibited.</p> <p>The exhibited grading of 'individually significant' is appropriate.</p> <p>Proposed Statement of Significance is supported.</p>

Commentary

56. One of the owners of 202-206 Church Street appeared at the hearing (on behalf of himself and another property owner) and outlined numerous concerns about the application of a Heritage Overlay, including:
 - (a) the proposed heritage controls would be a burden given the commercial zoning of the buildings;
 - (b) the area surrounding the site is undergoing significant change and development; and

(c) the building has been significantly altered and the facade is poor condition.

57. The Panel accepted there is sufficient strategic justification to apply the Heritage Overlay to the Hall's Buildings in Church Street, Richmond. It also accepted the buildings should be graded 'individually significant'.
58. It did not consider that the contemporary and changing environment surrounding the site detracts from the heritage significance of the place. The Panel did not accept that the imposition of a Heritage Overlay would create an unacceptable burden on the owners nor that the condition of the building as reasons to not apply the Heritage Overlay. But noted it would be a consideration at the planning permit stage.
59. Officers support the Panel's recommendation to include the property in a Heritage Overlay. Officers note that the Heritage Overlay is necessary to ensure places with heritage value are recognised and appropriately managed within the municipality, but does not preclude buildings, works or demolition of a property altogether.

Queens Parade Road Reserve

Current controls & proposed changes under Amendment C245	Summary of Panel recommendations
<p><i>Current</i></p> <p>Partly included in Queens Parade Street Trees (HO93).</p> <p><i>Proposed</i></p> <p>Extend HO93 to include the entire width of Queens Parade (from Alexandra Parade to Delbridge Street, Clifton Hill).</p> <p>New Statement of Significance.</p>	<p>Panel concluded the proposed changes and mapping should proceed as exhibited.</p> <p>The exhibited Statement of Significance is satisfactory.</p> <p>Council should consider a future planning scheme amendment that deals with the unresolved anomalies and gaps in the heritage controls for the place.</p>

Commentary

60. The 3068 Group submitted that HO93 should be extended further south-west to include the Napier Reserve and the existing substation. They also submitted that the Statement of Significance does not distinguish between plantings of different eras.
61. The Panel supports the extension of HO93 to include the full width of the Queens Parade road reserve. This makes the Heritage Overlay map consistent with the heritage citation and the significance of the place. It did not support the inclusion of Napier Reserve as part of Amendment C245.
62. However it also recommended that Council consider a number of other fix-ups in a future planning scheme amendment (e.g. updating the format of the Statement of Significance to a contemporary format; including a history of the plantings and hard landscaping in an updated Statement of Significance; reviewing where a number of Heritage Overlay's overlap; and considering whether Napier Reserve should be included in HO93).
63. Officers support the Panel's recommendations but note that any changes to the extent of HO93 and the Statement of Significance will require further study. Officers note this could occur as part of a future amendment.

St Brigid's Catholic Church Complex

Current controls & proposed changes under Amendment C245	Summary of Panel recommendations
<p><i>Current</i></p> <p>Part of the site is included as an individually significant place in North Fitzroy Precinct (HO327).</p> <p>Schoolroom (the 1897 school and hall), Presbytery and Church are graded 'individually significant'.</p> <p>There is no grading for the 1924 school at 20 York</p>	<p>The Panel found that all land within the St. Brigid's Catholic Church complex should be included within HO327.</p> <p>The City of Yarra Database of Heritage Significant Areas (Appendix 8) should be modified to include all buildings in the complex.</p>

Current controls & proposed changes under Amendment C245	Summary of Panel recommendations
<p>Street or the convent at 27 Alexandra Parade.</p> <p><i>Proposed</i></p> <p>Extend the Heritage Overlay to cover the entire property.</p> <p>No changes to gradings were proposed by Council (however at the Panel hearing, changes were suggested in expert evidence).</p> <p>At the hearing, officers submitted that the Statement of Significance should be modified to update references to the St Brigid's church complex. (No changes to the existing Statement of Significance were exhibited.)</p>	<p>The Panel supported the application of 'contributory' gradings to 27 Alexandra Parade (St Brigid's former convent) and 20 York Street (St Brigid's School).</p> <p>The Statement of Significance for HO327 should not be modified at this time. Panel recommended the preparation of an individual citation for the St Brigid's precinct, implemented through a separate planning scheme amendment process.</p>

Commentary

64. The Panel agreed that the boundary to HO327 should be modified as exhibited to include all of the land within the St Brigid's Catholic Church complex to include all buildings of significance.
65. It also supported the application of 'contributory' gradings to 27 Alexandra Parade (St Brigid's former convent) and 20 York Street (St Brigid's School).
66. The Panel supports a more detailed review to determine whether the site should be part of a site specific Heritage Overlay (noting this appeared to be the case). It also recommends work is undertaken to prepare an individual citation for the St Brigid's complex. This should be subject to a separate study and a separate planning scheme amendment process.
67. The Panel did not support any changes to the existing Statement of Significance (noting none were proposed by the amendment). It recommended that work be undertaken to prepare an individual citation for the St Brigid's precinct should be subject to a separate study and a separate planning scheme amendment process.
68. Officers support the Panel's recommendations.

51 Langridge Street and 14 Glasgow Street, Collingwood

Current controls & proposed changes under Amendment C245	Summary of Panel recommendations
<p><i>Current</i></p> <p>Part of 14 Glasgow Street, Collingwood is included in HO109, the Former William Peatt Boot Factory.</p> <p><i>Proposed</i></p> <p>Remove the existing Heritage Overlay (HO109) from the land at 14 Glasgow Street, Collingwood and change the address to 61-75 Langridge Street, Collingwood.</p> <p>Council resolved to advise the Panel of its intent to abandon these proposed changes at the 26 November 2019 Ordinary Meeting (as the issue required further review).</p>	<p>Panel agrees with Council that the proposed changes to HO109 should not proceed at this time.</p> <p>Panel recommends further investigation be conducted for a future planning scheme amendment that deals with the site.</p>

Commentary

69. At the Panel, officers outlined Council's intent to abandon the proposed changes to HO109 pending further study to establish the correct title boundaries of 14 Glasgow Street and the appropriate address of HO109.

70. The Collingwood Historical Society generally supported Council's position to review the extent of the Heritage Overlay and correct the property address.
71. The Panel agreed with Council that the proposed changes to HO109 as part of Amendment C245 should not proceed at this time. The Panel noted the clear need for further assessment of the William Peatt Boot Factory. It considered this further investigation should inform a future planning scheme amendment that deals with the site.
72. Officers support the Panel's recommendations.

Proposed changes to Incorporated and Reference Documents

73. The Panel recommended a number of changes to the form and content of the exhibited Amendment.
74. During the hearing, the Panel questioned the proposed reference and incorporated documents and how Statements of Significance for the places subject of the Amendment were to sit within the Scheme.
75. The specific issues raised were:

Issues raised by Panel	Explanation
Whether the Amendment had addressed State-wide amendment, Amendment VC148	<p>VC148 requires that any 'new' heritage place in the Schedule to the Heritage Overlay must include a reference to its Statement of Significance (which must now be in the form of an incorporated document).</p> <p>If a site is already within a Heritage Overlay (e.g. in a precinct or a site specific overlay), the requirements of VC148 do not apply.</p>
The workability of a large single document containing all the Statements of Significance for Yarra's high streets	<p>At its meeting of 26 November 2019, Council resolved to update the <i>Yarra High Streets: Statement of Significance</i> with documents from Amendment C245. (This was in part as a result of changes since Amendment C245 was exhibited.)</p> <p>This meant that the Yarra High Streets document would include the statements of significance for the Queens Parade street trees, the GJM Victoria Street and Bridge Road Heritage Assessment and the Theatres Study as well as Statements of Significance proposed for inclusion in other amendments such as Amendment C231 – Queens Parade.</p> <p>The Panel thought the use of the Yarra High Streets document as the single source of all statements of significance for all Yarra's high streets was unwieldy.</p>
The proposal to make all statements of significance part of an Incorporated Document rather than a reference document	<p>In Council's Part B submission to the Panel, officers proposed that all statements of significant should be included in an Incorporated Document rather than a reference document.</p> <p>The purpose was to align with the approach taken for Amendment C231 - Queens Parade and to meet the requirements of VC148.</p> <p>However during the hearing other submitters commented that they considered this a transformation of the Amendment as it was not exhibited. It was also clarified that only 'new' heritage places needed to be included as incorporated documents.</p>

76. In Council's closing submission, officers responded to the Panel's questions and presented a restructure of the reference and incorporated documents. The proposed approach was to:
 - (a) include only the Statements of Significance for the eight new heritage places created by the Amendment in an Incorporated Document (in line with the requirements of Amendment VC148). Other statements of significance would remain in reference documents;
 - (b) create a new reference document which would include the Statements of Significance for properties in Bridge Road and Victoria Street. Officers proposed that instead of one

single document called 'Yarra High Streets', going forward a series of separate 'Yarra High Streets' documents that address the different high streets, such as Bridge Road and Victoria Street or Swan Street, would be created; and

- (c) retain background documents such as the Theatres Study and the GJM Victoria Street and Bridge Road Heritage Assessment as reference documents to the Scheme.

77. The details of the proposal and the Panel response to those proposals are outlined below.

What was proposed	Panel recommendation and comments
<p>Incorporated documents</p> <p>At the Panel, officers proposed Schedule to Clause 72.04 should be amended to include a new incorporated document - <i>Yarra High Streets (Victoria Street and Bridge Road) Statement of Significance: Incorporated Document (May 2020)</i>.</p> <p>This document would contain the Statements of Significance for the eight places which were 'new' heritage places:</p> <ul style="list-style-type: none"> • HO525 – Shop and Residence, 637-639 Bridge Road • HO526 – Hall's Building, 202-206 Church Street • HO527 – Pair of Terrace Houses, 32 and 34 Thomas Street • HO528 – James Boland Shop and Residence, 635 Bridge Road • HO529 – Royal Oak Hotel, 529-533 Bridge Road • HO530 – Whipps Terrace, 597-599 Bridge Road • HO531 – Flour Mill and Grain Store Complex (former), 534-534A Bridge Road • HO532 – Richmond Town Hall, 325-333 Bridge Road <p>NB – All are located within Richmond.</p> <p>The eight properties identified as 'new' heritage places reflect the officer's recommendations included in this report.</p>	<p>The Panel supported the inclusion of the <i>Yarra High Streets (Victoria Street and Bridge Road) Statement of Significance: Incorporated Document (May 2020)</i> as an incorporated document to the Scheme which will include the Statement of Significance for the eight new heritage places.</p>
<p>Reference documents</p> <p>At Panel, officers proposed to locate the other statements of significance in:</p> <ul style="list-style-type: none"> • <i>Yarra High Streets (Victoria Street and Bridge Road) Statements of Significance: Reference Document (May 2020)</i>; and • <i>Heritage Citation: Queens Parade, Fitzroy North Street Trees, John Patrick Landscape Architects Pty Ltd (2018)</i>. <p>As well as the documents above, the background studies which informed the amendment were proposed for inclusion as reference documents in Clauses 22.02 and 22.11:</p> <ul style="list-style-type: none"> • <i>Thematic Study of Theatres in the City of Yarra, Context Pty. Ltd. (2017) (Theatres Study)</i>; and 	<p>The Panel supported the inclusion of the following documents as the location for the Statements of Significance and as reference documents in Clauses 22.02 and 22.11:</p> <ul style="list-style-type: none"> • <i>Yarra High Streets (Victoria Street and Bridge Road) Statements of Significance: Reference Document (May 2020)</i> • <i>Heritage Citation: Queens Parade, Fitzroy North Street Trees, John Patrick Landscape Architects Pty Ltd (2018)</i>. <p>It did not support the inclusion of reference documents such as the Theatres Study and GJM Victoria Street and Bridge Road Heritage Assessment. It considered they would cause confusion and duplicate material. The Panel</p>

<ul style="list-style-type: none"> • <i>Victoria Street and Bridge Road Built Form Review: Heritage Assessment, GJM Heritage (2018)</i> (GJM Victoria Street and Bridge Road Heritage Assessment). 	noted that key components of these documents had been distilled into the proposed new High Streets reference document.
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78. Officers accept the Panel's recommendations in relation to reference and incorporated documents.
79. Officers agree with the Panel's recommendation to abandon the Theatres Study and GJM Victoria Street and Bridge Road Heritage Assessment as reference documents as it will reduce confusion and the doubling up of Statements of Significance.

External Consultation

80. Council has:
 - (a) exhibited the amendment for one calendar month, in accordance with the requirements of the *Planning and Environment Act 1987*;
 - (b) posted notice of the proposal to all owners and occupiers of land directly affected by the changes, other interested parties (such as historical societies) Prescribed Ministers;
 - (c) published formal notice of the amendment in *The Age and Government Gazette*; and
 - (d) provided comprehensive information on the Council website.
81. Consultation provided the community, land owners and stakeholders the opportunity to make a submission about the proposed changes.
82. Council received 11 submissions to the Amendment:
 - (a) nine prior to the 26 November 2019 Council Meeting which considered submissions; and
 - (b) two received after this Council Meeting that were referred directly to the Panel.
83. Council officers had preliminary discussions about the amendment with the Department of Environment, Land, Water and Planning (DELWP).
84. Officers have written to the 11 submitters to the Amendment to advise them of the process for consideration of Amendment C245.

Internal Consultation (One Yarra)

85. The proposed amendment has been circulated internally with comments from different team members from the Strategic Planning Unit and the Statutory Planning Team of Council.

Financial Implications

86. The financial cost of planning scheme amendments is included in the budget of Council's Strategic Planning Unit for 2019/20.

Economic Implications

87. There are no significant economic implications from the Amendment.

Sustainability Implications

88. There are no known significant sustainability implications from the Amendment.

Climate Emergency Implications

89. The retention of heritage places reduces building waste and conserves embodied energy in existing buildings.
90. However, older buildings are potentially less energy efficient than newer buildings and the amendment may limit opportunities for future development of sustainable buildings on these sites.

Social Implications

91. There are no known significant social implications from Amendment C245 identified.

Human Rights Implications

92. The Amendment complies with the *Victoria Charter of Human Rights and Responsibilities Act 2006*.
93. There are no human rights implications anticipated from the Amendment.

Communications with CALD Communities Implications

94. Consultation for the amendment is in accordance with the *Planning and Environment Act 1987* and Council's consultation policies.

Council Plan, Strategy and Policy Implications

95. The value of creating a liveable Yarra to Council and the community is acknowledged in the *Council Plan 2017-2021*.
96. A Liveable Yarra is identified as where development and growth are managed to maintain and enhance the character and heritage of the city.
97. The Amendment seeks to promote and conserve areas of growth and significance by:
- (a) applying new Heritage Overlay provisions in the Planning Scheme; and
 - (b) correcting errors and anomalies in the Heritage Overlay and zones.

Legal Implications

98. The Amendment complies with the requirements of the *Planning and Environment Act 1987*.
99. There are no known legal implications of this Amendment.

Other Issues

100. There are no other known issues with this Amendment.

Options

101. Council can either adopt the Panels recommendation or abandon in part or full.

Conclusion

102. At its meeting on 26 November 2019, Council resolved to refer Amendment C245 and all submissions to an independent Planning Panel.
103. Council also resolved to:
- (a) advise the Panel of its intention to abandon the proposal for internal controls for the former Richmond Cinema and Burnley Theatre;
 - (b) continue to pursue the internal heritage controls for the former Austral Theatre; and
 - (c) advise the Panel of its intention to abandon the proposal to remove HO109 from 14 Glasgow Street, Collingwood to enable further work to be undertaken.
104. The Panel Hearing was held from 22 – 24 April 2020.
105. Of the 72 places affected by Amendment C245, seven parties were heard by the independent Planning Panel. One additional party provided a written submission.
106. The Panel Report was received on 27 May 2020.
107. The Report recommended the Amendment be adopted as exhibited, subject to changes.
108. The key Panel recommendations were:
- (a) the Panel supported Council's intent to abandon internal controls for the former Richmond Cinema and Burnley Theatre, but did not support the proposal to regrade the former Richmond Cinema from 'contributory' to 'individually significant';

- (b) the Panel recommended Council abandon the proposal for internal controls for the former Austral Theatre, however, supported extending the boundary of HO324 over the entire site;
- (c) the Panel supported Council's intent to abandon changes to the Heritage Overlay 109 for 51 Landridge and 14 Glasgow Streets (William Peatt Boot Factory);
- (d) the Panel supported the inclusion of the entire St Brigid's Catholic Church complex in a Heritage Overlay and changes to gradings for some buildings on the site;
- (e) the Panel supported the changes to extent of Heritage Overlay 93 which applies to the road reserve and trees along Queens Parade (from Alexandra Parade to Delbridge Street);
- (f) the Panel supported applying HO526, the heritage grading and the Statement of Significance to the properties at 202-206 Church Street (Hall's Buildings); and
- (g) the Panel recommended modifications to the form and content of the Amendment, including incorporated and reference documents.

109. Officers support the Panel's recommendations, as set out in this report.

RECOMMENDATION

1. That Council notes the officer report regarding Amendment C245 including the Panel Report and officer recommendations.
2. That Council undertakes the further heritage work recommended by the Panel for the following places, as part of a future heritage amendment:
 - (a) 14 Glasgow Street, Collingwood;
 - (b) St Brigid's Catholic Church Complex, North Fitzroy; and
 - (c) Queens Parade Street Trees.
3. That Council adopts Amendment C245 to the Yarra Planning Scheme in accordance with Section 29(1) of the *Planning and Environment Act 1987* with the changes set out in Attachment 4 to this report.
4. That Council submits the adopted Amendment C245 as set out in Attachments 5 - 18 to this report to the Minister for Planning for approval, in accordance with Section 31(1) of the *Planning and Environment Act 1987*.
5. That Council submits the information prescribed under Section 31 of the *Planning and Environment Act 1987* with the adopted amendment, including:
 - (a) the reasons why any recommendations of the Panel were not adopted as outlined in Attachment 3 of this report; and
 - (b) a description of, and reasons for, the changes made to Amendment C245 between exhibition and adoption as outlined in Attachment 4 of this report.
6. That Council delegates to the CEO the authority to finalise Amendment C245, in accordance with Council's resolution, and to make any administrative changes required to correct errors, grammatical changes and map changes.
7. That all submitters are advised of the Council's determination in relation to Amendment C245.

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Attachments

- 1** [⇒](#) Attachment 1 - Summary of Places
- 2** [⇒](#) Attachment 2 - Yarra C245 Panel Report
- 3** [⇒](#) Attachment 3 - Panel recommendations and officer response
- 4** [⇒](#) Attachment 4 - Yarra C245 - Comparison of exhibited version recommended for adoption
- 5** [⇒](#) Attachment 5 - Yarra C245 - Database of Heritage Significant Areas July 2020
- 6** [⇒](#) Attachment 6 - Yarra C245 - YHS (Victoria Bridge) Statements of Significance Incorporated Doc (May 2020)
- 7** [⇒](#) Attachment 7 - Yarra C245 - YHS (Victoria Bridge) Statements of Significance Reference Doc (May 2020)
- 8** [⇒](#) Attachment 8 - Yarra C245 - Collingwood Mixed Use Pocket: Heritage Analysis & Recommendations, GJM Heritage (2018)
- 9** [⇒](#) Attachment 9 - Yarra C245 - Heritage Citation 18-22 Derby Street, Collingwood, Anthemion Consultancies (2018)
- 10** [⇒](#) Attachment 10 - Yarra C245 - Heritage Citation 33-45 Derby Street, Collingwood, GJM Heritage (2018)
- 11** [⇒](#) Attachment 11 - Yarra C245 - Heritage Citation QP, FN, John Patrick Landscape Architects Pty. Ltd. (2018)
- 12** [⇒](#) Attachment 12 - Yarra C245 - Explanatory Report
- 13** [⇒](#) Attachment 13 - Yarra C245 - Instruction Sheet
- 14** [⇒](#) Attachment 14 - Yarra C245 - Mapping Changes
- 15** [⇒](#) Attachment 15 - Yarra C245 - CLAUSE 21.11 - Adoption
- 16** [⇒](#) Attachment 16 - Yarra C245 - CLAUSE 22.02 - Adoption
- 17** [⇒](#) Attachment 17 - Yarra C245 - SCHEDULE TO CLAUSE 43.01 - Adoption
- 18** [⇒](#) Attachment 18 - Yarra C245 - SCHEDULE TO CLAUSE 72.04 - Adoption

7.2 Planning Scheme Amendment C280yara – 32-68 Mollison Street, Abbotsford

Executive Summary

Purpose

The purpose of this report is to present a proponent led Amendment (C280yara) which applies to land at 32-68 Mollison Street, Abbotsford and seeks to replace the Incorporated Plan Overlay – Schedule 1 (IPO1) and associated Incorporated Plan to facilitate a mid-rise commercial redevelopment of the site.

Council has two options:

- Option 1: seek ‘authorisation’ from the Minister for Planning to prepare and exhibit the amendment; or
- Option 2: not to support the amendment and not seek ‘authorisation’.

Key Issues

The current controls are an outcome of Amendment C170 to the Yarra Planning Scheme, which was gazetted in 2013. The purpose of Amendment C170 as it related to 32-68 Mollison Street was primarily to permit the use of the land for office to accommodate the land owner’s (Meydan Group) growing businesses. Office was a prohibited use in the Industrial 1 Zone at the time that the amendment process commenced.

State Government zoning changes came into effect shortly before Amendment C170 was gazetted. Those changes allowed for offices to be permissible. If the amendment had been abandoned, the objective of being able to permit office would have been achieved without the built form controls via IPO1.

The proposed heights in Amendment C280yara is reflective of recent approvals on surrounding sites.

Financial Implications

If the Amendment request is supported there would be some direct and indirect costs associated with the normal Planning Scheme Amendment process some of which would be off-set by fees and costs paid by the proponent, in accordance with Council’s Planning Scheme Amendment Fees and Cost policy.

PROPOSAL

The amendment request provides planning controls that:

- (a) increase the allowable building height from 5 storeys (23m) to 7 storeys (32m) for part of the land which would match other allowable heights in the employment area;
- (b) provide a modified built form, amenity outcomes;
- (c) retain or enhance the existing amenity of the public realm; and
- (d) provide for improved traffic access and movement outcomes.

Accompanying the amendment request is a commitment by the proponent to widen Little Nicholson Street (laneway) and to install a formal and raised pedestrian crossing across Mollison Street at the Victoria Crescent intersection. The commitments would be formalised through section 173 agreements.

7.2 Planning Scheme Amendment C280yara – 32-68 Mollison Street, Abbotsford

Council at its meeting on 27 August 2020 resolved that the matter be deferred to the meeting to be held on 01 September 2020.

Reference: D20/126132

Authoriser: Director Planning and Place Making

Purpose

1. The purpose of this report is:
 - (a) to present a proponent-led planning scheme amendment request, to replace the existing Incorporated Plan Overlay - Schedule 1 (IPO1) and Incorporated Document that applies to 32-68 Mollison Street, Abbotsford (refer to Attachments 1 and 2);
 - (b) outline the accompanying commitment by the proponent to widen Little Nicholson Street (laneway) and to install a formal and raised pedestrian crossing across Mollison Street at the Victoria Crescent intersection; and
 - (c) for Council to decide whether to seek 'authorisation' from the Minister for Planning to prepare and exhibit the amendment or not support the request.

Background

Subject site

2. The site at 32 – 68 Mollison Street, Abbotsford, is located on the northern side of Mollison Street, between Little Nicholson Street and Victoria Crescent (Figure 1). It is approximately 4,360 square metres with a frontage of approximately 147m to Mollison St. It is part of an employment area generally located between Mollison Street to the south, Gipps Street to the north, the Yarra River to the east, and Nicholson Street to the west.

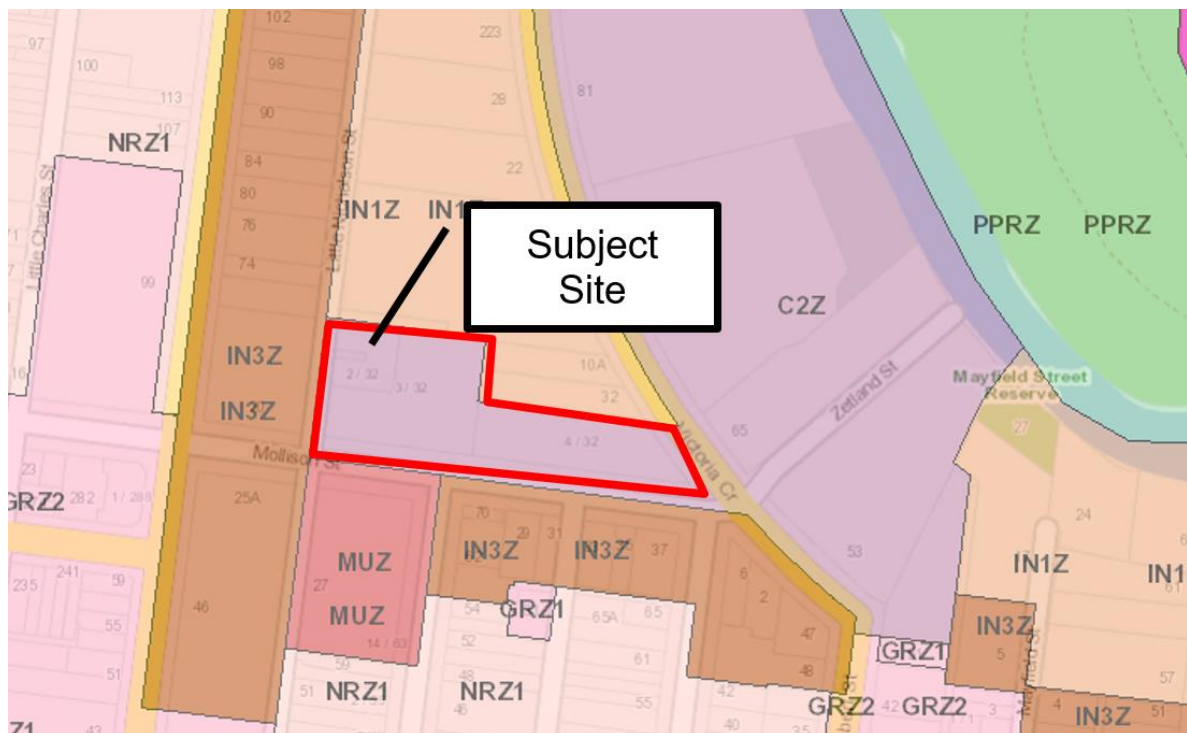


Figure 1: Location of the subject site

3. The site is owned by an entity of the Meydan Group (AH Meydan Pty Ltd) and is currently developed with an at grade carpark at the western end adjoining Little Nicholson Street, and a three storey office building across the remainder (Figures 2 and 3).

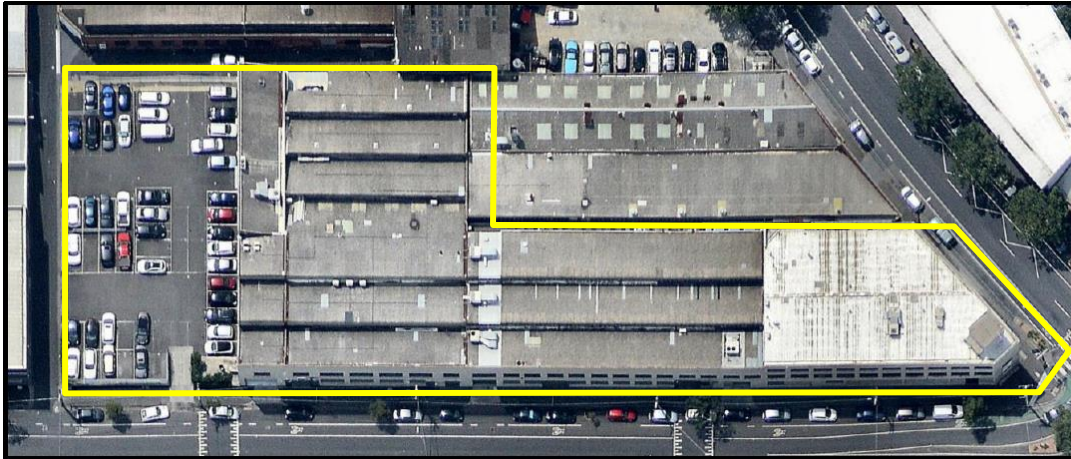


Figure 2: Aerial photograph (from Meydan Planning Scheme Amendment Request)



Figure 3: Mollison Street Frontage – 48 – 60 Mollison (from Meydan Planning Scheme Amendment Request)

Surrounding Context

4. The surrounding land is zoned mostly for non-residential uses, with the exception of the Mixed Use land on the south side of Mollison Street. This includes Industrial 1 zoned land to the north, Industrial 3 zoned land to the west, Industrial 3 zoned land to the south and Commercial 2 zoned land to the east.
5. The site is in proximity to Victoria Street activity centre, two train stations and a tram line (along Victoria Street).
6. While the surrounding area is currently developed with a mix of one to three storey older industrial and warehouse style buildings, this is set to change due to recent planning permit approvals (refer to Table 1).

Table 1: Existing Planning Permit Approvals in Surrounding Area

Site	Use	Height	Setback from Little Nicholson Street
20-30 Mollison St (opposite side of Little Nicholson Street) Zoned Industrial 3 PLN17/0535	Office	Proposed: 12 Storeys (47.5m) Approved: 8 Storeys (29.7m) <i>NB: The permit was issued following a Compulsory Conference (mediation) at VCAT.</i> <i>This building provides an indication</i>	Setback from Little Nicholson Street, enabling it to be widened to 5.5 metres

		<i>of emerging street wall heights with a 3 storey podium accentuated by variable upper level setbacks</i>	
12-20 Victoria Crescent (north of the subject site) Zoned Industrial 1 PLN18/0239	Office	Proposed: 9 Storeys (34.37m) Approved: 9 Storeys stepping down to 6 storeys (25.64m) towards Victoria Crescent	An additional setback (approx. 1.5m to 1.6m) from Little Nicholson Street to provide a minimum width of 6.5 metres.

Current Planning Controls

7. The site is subject to the following zone and overlays:

- (a) Commercial 2 Zone (C2Z) – refer to Figure 1;

The purpose of this zone is generally *to encourage commercial areas for offices, appropriate manufacturing, bulky good retailing, other retail uses, and associated business and commercial services.*

The zone would remain unchanged as part of this amendment;

- (b) Environmental Audit Overlay (EAO);

The purpose of this zone is *to ensure that potentially contaminated land is suitable for a use which could be significantly adversely affected by any contamination*

The EAO would remain unchanged as part of this amendment; and

- (c) Incorporated Plan Overlay – Schedule 1 (IPO1) applies specifically to '32-68 Mollison Street and 61-69 William Street, Abbotsford';

Changes to the IPO1 and Incorporated Document are the subject of Amendment C280yara and outlined further in this report.

Amendment C170

8. The current controls are an outcome of Amendment C170 to the Yarra Planning Scheme, which was gazetted in 2013. The planning scheme request was made by the Meydan Group to:
- (a) rezone of 32-68 Mollison Street from Industrial 1 Zone to the Business 3 Zone;
 - (b) rezone of 61-69 William Street from Part Industrial 3 Zone and part Residential 1 Zone to the Mixed Use Zone;
 - (c) introduce Schedule 1 to the Incorporated Plan Overlay (IPO) and apply the IPO Schedule to land on Mollison Street and William Street;
 - (d) include the Incorporated Plan to the Incorporated Document Schedule at Clause 81.01; and
 - (e) apply the EAO over the land at Mollison Street and William Street.
9. The purpose of Amendment C170 that applied to the William Street land was to provide for an apartment development with ground floor retail. That development has recently been completed.
10. The purpose of Amendment C170 as it related to 32-68 Mollison Street was primarily to permit the use of the land for office to accommodate the land owner's (Meydan Group) growing businesses. Office was a prohibited use in the Industrial 1 Zone at the time that the amendment process commenced.

11. State Government zoning changes came into effect shortly before Amendment C170 was gazetted. Those changes allowed for offices to be permissible. If the amendment had been abandoned, the objective of being able to permit office would have been achieved without the built form controls via IPO1.

Existing Planning Permit (PLN17/0679)

12. 32-68 Mollison Street (and 10 Victoria Street) is subject to planning permit PLN17/0679, which provides for a development of the site that is in accordance with the existing IPO1 and Incorporated Document.
13. The permitted development allows for a five storey office building with some retail at ground level and two levels of basement parking. The development would occur in two stages, divided generally into the eastern and western portions of the site. Vehicular access from Little Nicholson Street (Stage 1) and Victoria Crescent (Stage 2).

Planning Scheme Amendment C280

14. In August 2019, the landowner lodged a request with Council to consider a Planning Scheme Amendment (C280yara) to replace the Incorporated Plan Overlay – Schedule 1 (IPO1) and the associated Incorporated Plan (an Incorporated Document).
15. In assessing the amendment request and preparing the amendment documentation Council officers sought advice from Council's traffic engineers, civil engineers and urban design teams and independent urban design advice from Hodyl and Co (2019).
16. The following outlines the proposed differences to the existing IPO1 and associated Plan and elements that create a modified built form, traffic / access and movement outcomes and retain or enhance the existing amenity of the public realm.
17. The proposed IPO1 varies from the existing IPO1, as follows:
 - (a) drafted in accordance with the Ministerial Direction for '*The form and content of Planning Scheme*' and *Planning Practice Note 23: Applying the Incorporated Plan and Development Plan Overlays* (November 2018);
 - (b) removes reference controls that specifically relate to the land at William Street as the development of that site has been completed;
 - (c) extends the set of conditions that apply to a permit to relate to road widening, built form and amenity outcomes, and car parking / traffic impact;
 - (d) removes the requirement for a permit to address the '*the proximity of properties to the north in a different zone including the potential impacts from noise, light, odour and 24 hour traffic movements*' as this is addressed in Clause 22.05 Interface Uses Policy in the Yarra Planning Scheme and the approved planning permit for the site to the north is for office not industry;
 - (e) removes the decision guideline to consider the extent to which environmentally sustainable design features are adopted as this is now a requirement in Clause 22.15 Environmental Sustainable Design Policy in the Yarra Planning Scheme;
 - (f) removes the decision guideline related to 'design of the car park building', as the proposal is introducing a requirement for active frontage at ground level and for car parking to be concealed from the Victoria Crescent and Mollison Street frontages;
 - (g) removes the decision guideline relating to 'screening of mechanical plant equipment' and 'reverse amenity impacts' as this can be addressed through Clause 22.05 Interface Uses Policy in the Yarra Planning Scheme;
 - (h) removes the decision guidelines relating to 'the proposed development has regard to the heritage values of the site as applicable' as the subject site is not affected by Heritage Overlay, this was specific to the property 61-69 William Street; and
 - (i) changes to the requirements to prepare an Incorporated Plan to include additional built form controls and remove provisions relating to land use. Land use is controlled by the C2 Zone.

18. The proposed Incorporated Plan prepared under IPO1 would be an Incorporated Document in the Schedule to clause 72.04 of the Yarra Planning Scheme. Figures 4 and 5 illustrate the existing and proposed Incorporated Plans and the table 2 provides a comparison between the existing and proposed Incorporated Plans (refer to Attachment 2).

Table 2: Comparison between the Existing and Proposed Incorporated Plans

	Current Incorporated Plan (refer to Figure 4)	Proposed Incorporated Plan (refer to Figure 5)
Height	Building height for 32-68 Mollison Street, Abbotsford must not exceed 23 metres and 5 storeys.	Building height in Area A is increased to not exceed 32 metres and 7 storeys. Building height in Area B remains the same and not exceed 23 metres and 5 storeys.
Street wall	Existing building Street Wall (three storey)	Street wall height should transition from three storeys at the western end (Area A) of the site to four storeys at the eastern end (Area B) of the site.
Upper level setback from street wall and northern boundary	Manage edge to provide for continued industrial purposes on the northern side. 2m setback as shown on the Incorporated Plan.	Above the street wall and northern boundary wall, upper level setback is increased to a minimum of 3 metres from northern boundary, Mollison Street, Victoria Crescent and Little Nicholson Street. Upper level setbacks above the street wall and northern boundary should be contained within a maximum of two steps (including the setback above the boundary wall below as one step) to avoid repetitive stepping of individual levels.
Ground Level Setback	No requirement. (in current IPO1 and Incorporated Plan)	The building must be setback along the western boundary of the property to provide for two way vehicle access on Little Nicholson Street.
Corner treatment	No requirement. (in current IPO1 and Incorporated Plan)	The corner of the development at the Mollison Street and Victoria Crescent intersection should be chamfered as shown on The Plan. No cantilevering should occur at the upper levels.
Upper Level building separation	No requirement. (in current IPO1 and Incorporated Plan)	Upper level development (from 4 th Storey) should be separated by a minimum of 6 metres between Area A and Area B.
Overshadowing	No requirement. (in current IPO1 and Incorporated Plan)	New development must not overshadow the footpath on the southern side of Mollison Street between 10 am and 2 pm on 22 September.
Active frontages	As per the IPO1, <u>Conditions and requirements for permits</u> An active ground floor frontage incorporated into the design of the car park building at 32 Mollison Street. <u>Decision Guidelines</u> The relationship of any new buildings to the street including entrances that provide opportunities for active or visual engagement.	Active frontages should be provided to a minimum 80% of the Mollison Street & Victoria Crescent frontage, keeping inactive facades to a minimum.
Material definition (podium and upper levels)	No requirement. (in current IPO1 and Incorporated Plan)	Façade articulation and composition should achieve cohesive design between lower and upper levels with upper level being lighter colour.

Car Parking	Requirement for a car parking building on the western part of the property.	Car parking should be concealed from the Victoria Crescent and Mollison Street frontages.
Bicycle Parking	No requirement. (in current IPO1 and Incorporated Plan)	Staff bicycle parking should be located and designed to be secure and conveniently accessible from the street and associated uses (e.g. changing facilities).
Vehicular access	Three access points from Mollison Street and one from Victoria Crescent. (as shown on the Incorporated Plan)	Limit vehicular access to one from Little Nicholson Street and one from Mollison Street as shown on Map 1. No vehicular access is to be provided from Victoria Crescent.
Pedestrian Access	No requirement. (in current IPO1 and Incorporated Plan)	Pedestrian access to buildings should be achieved via streets and primary access from laneways should be avoided. Where pedestrian access from a laneway is appropriate, it should include a pedestrian refuge or landing and include lighting. Ensure pedestrian entrances are clearly visible, secure and have an identifiable sense of address.
Service cabinets	No requirement. (in current IPO1 and Incorporated Plan)	Service cabinets to be appropriately located and integrated with the design of the building utilising the laneway where possible.

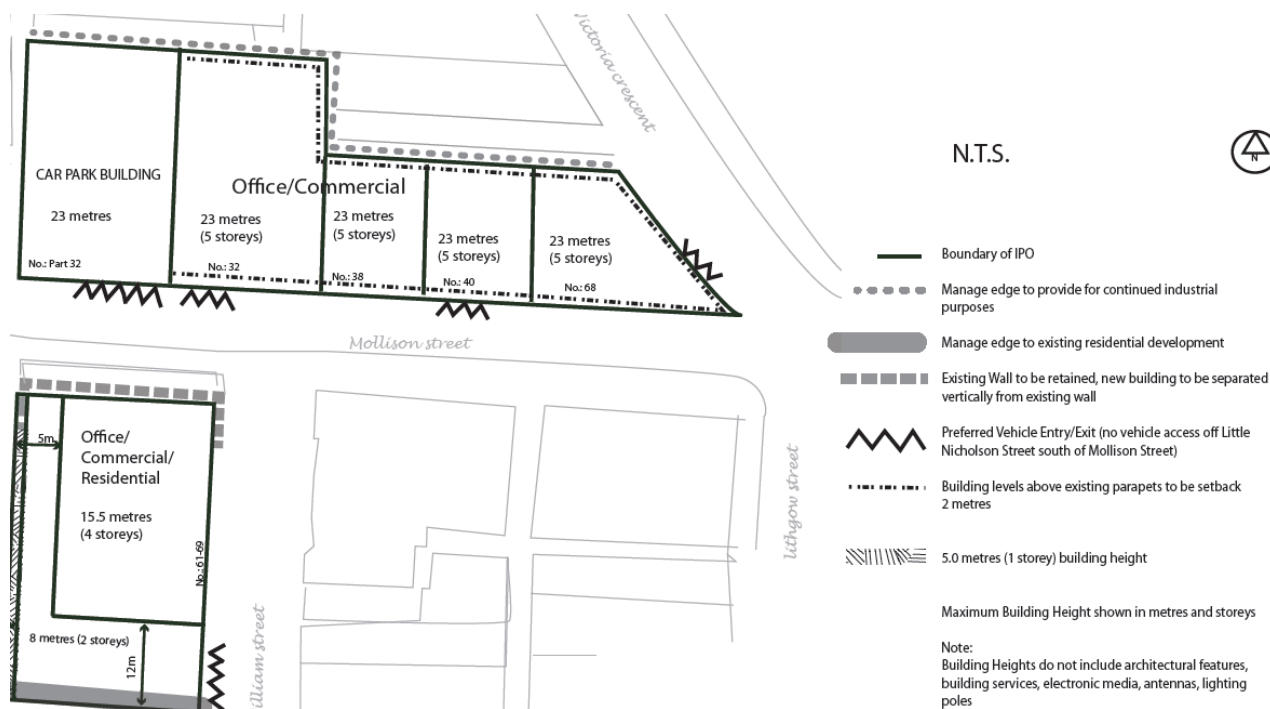


Figure 4: Existing Incorporated Plan Map



Figure 5: Proposed Incorporated Plan Map

Built Form and Land Use

19. Key elements included in Amendment C280yara to deliver acceptable built form outcomes include:
 - (a) providing active frontages towards Mollison Street and Victoria Crescent and removing vehicle access from Victoria Crescent;
 - (b) introducing a range in street wall height from three to four storeys: three storeys to Little Mollison Street and four storeys to the corner of Mollison Street and Victoria Crescent;
 - (c) introducing a setback above the street wall of 3 metres from northern boundary, Mollison Street, Victoria Crescent and Little Nicholson Street to create a more distinctive break between the podium and upper levels and assist in managing visual bulk at upper levels;
 - (d) continuing the chamfered corner of Mollison St and Victoria Crescent to mark corner and provide a generous pedestrian standing area;
 - (e) requiring different materials between the podium and upper levels that are responsive to the local context and character;
 - (f) providing for upper-level building separation (minimum 6m building separation from the 4th Storey and above) and design treatments so that the upper level forms to read as separate buildings; and
 - (g) varying height across the site that responds to the emerging heights of adjacent approvals, coupled with upper level building separation has the following benefits:
 - (i) reduces visual bulk from adjacent buildings, Mollison St and streets to the south of the subject site;
 - (ii) improves internal amenity of commercial floorplates; and
 - (iii) creates a perception of multiple buildings of varying heights rather than one large monolithic building.
20. Amendment C280yara does not affect the land uses that may be permitted on the site, as it is not proposed to change the zone.

Traffic, Access and Movement

21. It is acknowledged that the proposed changes would increase the density of use on the site by allowing for increased floor area (through additional height). The updated transport and urban design related provisions of IPO1 and the associated Incorporated Plan would allow that increase to be accommodated.
22. The proposed IPO1 and the associated Incorporated Plan includes a number of elements to manage traffic and movement:
 - (a) requiring a ground level setback from Little Nicholson Street to enable two-way traffic movements;
 - (b) requiring a traffic engineering report to be prepared at the planning permit stage that demonstrates, amongst other matters, how the development reduces car dependence and promotes sustainable transport modes;
 - (c) ensuring pedestrian entrances are clearly visible, secure and have an identifiable sense of address; and
 - (d) requiring staff bicycle parking to be located and designed to be secure and conveniently accessible from the street and end of trip uses.
23. In addition, the proponent has given a commitment to enter Section 173 agreements for laneway widening and the raised pedestrian crossing.

Public Realm

24. The proposed IPO1 and associated Incorporated Plan includes a number of elements to retain or enhance the existing amenity of the public realm:
 - (a) requirement for active frontage at ground level and for car parking to be concealed from the Victoria Crescent and Mollison Street frontages;
 - (b) removing access from Victoria Crescent to provide an improved interface towards the street;
 - (c) requiring service cabinets to be appropriately located and integrated with the design of the building; and
 - (d) mandate that new development must not overshadow the footpath on the southern side of Mollison Street between 10-00 am and 2-00 pm on 22 September.

Retaining Land for Employment

25. The site is currently being used as an office; the development proposes to increase office space, a café and a shop at ground floor which eventually would create more employment opportunities.
26. The redevelopment would support local businesses through direct retail spend, business to business transactions, and the creation of jobs. Advice from the proponent's economic experts (Urbis) suggested that the office-based employees would be typically spending an average of \$25 per day in local businesses.
27. In addition, the proponent's economic experts (Urbis) advised that the retail and 'business to business' spending prompted by the redevelopment of the site is anticipated to create an additional 848 'indirect' jobs on an ongoing basis, many of which are likely to be located within the City of Yarra.
28. The development would support the delivery of a number of employment-related goals of the City of Yarra, with the Abbotsford precinct designated as an employment precinct, which over time would transition from its former industrial base to the knowledge sector.
29. The redeveloped site would be occupied in part by the Meydan Group of business, including Taking Shape. This will have a workforce of more than 90, of which at least 10% live within

the City of Yarra. The applicant indicates that the current projection is that the Meydan Group would occupy approximately 50% of the Stage 1 building.

External Consultation

30. Officers have also sought the view of the Department of Environment, Land, Water and Planning (DELWP).
31. If Council resolves to seek 'authorisation' for the amendment and it is approved by the Minister for formal exhibition, the amendment documentation would be exhibited for a period of one month in accordance with the requirements of the Planning and Environment Act 1987. This includes giving notice to those considered to be materially affected through mail out and would include all owners and occupiers of land within and immediately adjoining the amendment area. The information would be made available online through the Council website. This would provide the community with an opportunity to submit on the proposed controls.

Internal Consultation (One Yarra)

32. Officers have sought internal comments from urban design, engineering, traffic and statutory planning. These comments have informed the requirements of the amendment documentation.

Financial Implications

33. The costs associated with the exhibition of the amendment, statutory fees, and panel fees would be met by the proponent. Other aspects would be met by the strategic planning budget.

Economic Implications

34. The economic implications are set out earlier in the report. The Amendment could facilitate more employment opportunities within the premises.

Sustainability Implications

35. The site is in proximity to public transport and can be accessed by different modes of travel.
36. The amendment is accompanied by a Section 173 agreement to contribute to a raised pedestrian crossing on Mollison Street, facilitating pedestrian movement between surrounding employment uses and Victoria St activity centre.
37. Clause 22.15 Environmental Sustainable Development seeks to ensure environmental sustainability is considered at planning permit application stage, with particular consideration given to energy performance, water resources, indoor environment quality, stormwater management, transport, waste management and urban ecology. For a development of the type permitted on the site, a Sustainability Management Plan and Green Travel Plan would be required to be submitted as part of the planning permit application.

Climate Emergency Implications

38. Refer to sustainability.

Social Implications

39. The active frontages of the development would engage with the public realm and potentially increase the safety of the pedestrians.

Human Rights Implications

40. There are no anticipated human rights implications.

Communications with CALD Communities Implications

41. Notification and consultation, if 'authorisation' is granted, would include advice about the use of the interpreter service by residents. This would be available to help affected parties to understand the proposal and associated processes. The Amendment process also involves steps outlined in the Council engagement strategy to assist CALD communities.

Council Plan, Strategy and Policy Implications

42. The amendment is consistent with the Council Plan 2017 - 21 objective 4: A Liveable Yarra and Objective 5: A Prosperous Yarra.

Spatial Economic and Employment Strategy 2018

43. A key finding in Council's adopted the Spatial Economic and Employment Strategy (SEES) was that:

Employment growth and floor space demand forecasts suggest that, in aggregate terms, Yarra will not need significant additional floor space to accommodate future employment growth. However, there will be significant changes in the mix and type of floor space that is required, necessitating redevelopment and renewal in existing employment precincts. (p37)

44. The relevant strategic direction of the SEES is to:

Retain other C2 zoned precincts and sites to support a greater diversity of business and economic activity.

45. The site is specifically considered under Strategy 5: Retain other C2 zoned precincts.

46. Amendment C280yara facilitates commercial redevelopment of the site, supporting *greater diversity of business and economic activity*.

Legal Implications

47. The amendment would be progressed in accordance with the provisions of the *Planning and Environment Act 1987*.

Other Issues

48. There are no other issues.

Options

49. There are two options for deciding on this proposed amendment:

- (a) Option 1: seek 'authorisation' from the Minister for Planning for the amendment to be prepared and proceed to public exhibition; or
- (b) Option 2: not to support the amendment request.

50. Officers recommend that the amendment request be supported based on the justification set out in this report.

Conclusion

51. Proposed Amendment C280YARA is a proponent led amendment that seeks to facilitate a mid-rise (5 storeys (23m) to 7 storeys (32m)) commercial redevelopment of this commercial site.
52. The amendment request provides planning controls that:
- (a) increase the allowable building height from 5 storeys (23m) to 7 storeys (32m) for part of the land which would match other allowable heights in the employment area;
 - (b) provide for a modified built form and amenity outcomes;
 - (c) retains or enhances the amenity of the public realm;
 - (d) provide for improved traffic access and movement outcomes; and
 - (e) facilitate more employment space on a site that is part of a key employment precinct in Yarra as identified in Spatial Economic and Employment Strategy 2018.
53. Accompanying the amendment request is a commitment by the proponent to widen Little Nicholson Street (laneway) and to install a formal and raised pedestrian crossing across Mollison Street at the Victoria Crescent intersection.

54. Council must now decide whether to support the amendment request and seek authorisation from the Minister for Planning, or not pursue the request.

RECOMMENDATION

1. That Council:
- (a) notes the officer report in relation to the proposal by the Meydan Group in relation to the amendment at land 32-68 Mollison Street, Abbotsford;
 - (b) notes the proposal, the officer analysis and the attachments in relation to the amendment;
 - (c) as the planning authority, applies to the Minister for Planning under section 8A(3) of the Planning and Environment Act 1987, for authorisation to prepare Amendment C280yara to the Yarra Planning scheme;
 - (d) as the planning authority, prepares Amendment C280yara to the Yarra Planning Scheme in accordance with section 8A(2) of the Planning and Environment Act 1987, if authorised to do so by the Minister for Planning;
 - (e) exhibit Amendment C280yara, in accordance with section 17, 18 and 19 of the Planning and Environment Act 1987, if authorisation to prepare Amendment C280yara is received under section 8A(4) of the Planning and Environment Act 1987;
 - (f) endorses, for the purpose of exhibition, the draft amendment documentation at Attachments 1 and 2;
 - (g) authorises officers to make changes to the draft amendment documentation at Attachments 1 and 2 required to correct any administrative errors and to meet any conditions the Minister for Planning imposes through authorisation; and
 - (h) authorise the CEO to formalise the commitments made by the proponent to widen Little Nicholson Street (laneway) and to install a formal and raised pedestrian crossing across Mollison Street at the Victoria Crescent intersection through section 173 agreements.

CONTACT OFFICER: Mir Faruque
TITLE: Strategic Planner
TEL: 9205 5374112

Attachments

- [1](#) ➡ Attachment 1 - Draft IPO Schedule
- [2](#) ➡ Attachment 2 - Draft Incorporated Plan
- [3](#) ➡ Attachment 3 - Planning Scheme Amendment Request C280yara
- [4](#) ➡ Attachment 4 - Urban Design Peer Review
- [5](#) ➡ Attachment 5 - IPO Amendment Map
- [6](#) ➡ Attachment 6 - Proposed Changes

7.3 Proposed Amendment C281yara - New Cremorne Car Parking Provisions

Executive Summary

Purpose

The purpose of this report is for Council to consider a change to the car parking rates for off street carparking in new developments for office and retail businesses in Cremorne.

Key Issues

Cremorne is experiencing significant development pressure. There are an increasing number of physical, social and economic indicators that suggest the need to address and review car parking provisions within the Yarra Planning Scheme and promote sustainable forms of transport for commuters.

There is a mix of residential and commercial land uses across Cremorne.

A Parking Overlay could be introduced into the Yarra Planning Scheme to reduce the number of required car spaces in new office and retail developments within the Cremorne Enterprise Precinct.

A Parking Overlay would be a means of having a maximum car parking rate for office and retail to better manage the increasing traffic congestion in the precinct and encourage a shift to more sustainable transport modes.

This approach would assist in managing the precinct having regard to all stakeholders.

Financial Implications

The costs associated with the implementation of the Review have been anticipated and included in the City Strategy budget.

PROPOSAL

Council has three options if it wishes to progress an amendment to implement the findings of the Review. These are:

- (a) Option A – request the Minister for Planning to prepare, adopt and approve Amendment C281yara to the Yarra Planning Scheme;
- (b) Option B – request the Minister for Planning to introduce Amendment C281yara to the Yarra Planning Scheme on an interim basis; or
- (c) Option C – Apply to the Minister for Planning under section 8A (3) of the *Planning and Environment Act 1987*, for authorisation to prepare Amendment C281yara to the Yarra Planning Scheme.

Alternatively Council may decide not to pursue an amendment.

Officers recommend a Parking Overlay approach via Option A.

7.3 Proposed Amendment C281yara - New Cremorne Car Parking Provisions

Council at its meeting on 27 August 2020 resolved that the matter be deferred to the meeting to be held on 01 September 2020.

Reference: D20/125770

Authoriser: Assistant Manager City Strategy

Purpose

1. The purpose of this report is for Council to consider a change to the carparking rates for off-street car parking in new development for office and retail businesses in Cremorne.
2. There are three key documents for Council to consider. These are:
 - (a) the *Parking Controls Review: Cremorne Enterprise Precinct* (Traffix Group, July 2020)
 - (b) proposed Schedule 2 to Clause 45.09 Parking Overlay (PO2);
3. There are three options to prepare Amendment C281yara to the Yarra Planning Scheme to implement the findings of the *Parking Controls Review: Cremorne Enterprise Precinct* (Traffix Group, 2020) in the Cremorne Enterprise Precinct.

Background

4. Cremorne is a rapidly growing inner-city employment precinct due to its strategic location, business synergies, public transport options, urban character and development potential. Whilst a thriving centre for business, innovation and enterprise, the precinct does have unique, localised car parking issues and challenges.
5. Cremorne also has pockets of residential areas which makes the area a mixed use precinct. The residential amenity of those areas is also an important consideration.
6. Due to sustained growth in the commercial activity in Cremorne, there are an increasing amount of indicators that suggest the need to review onsite car parking planning provisions, including:
 - (a) an unprecedented amount and rapid rate of development and land use change;
 - (b) significant numbers of car trips from elsewhere during the week;
 - (c) high levels of traffic congestion, impacting accessibility and pedestrian safety;
 - (d) a highly constrained, narrow road network within Cremorne with limited opportunities to accommodate further parking; and
 - (e) some built form outcomes, such as extensive car parking at the ground floor of developments that detract from the streetscape appearance.
7. The current car parking provisions in the Yarra Planning Scheme are state-wide requirements that do not reflect the constrained environment of this inner-metropolitan location with good access to alternate transport options.

Cremorne Enterprise Precinct

8. Cremorne has been identified as a Pilot Enterprise Precinct (Figure 1.) by the State Government to ensure its continued success and to improve its quality of place.
9. A key Pilot Enterprise Precinct initiative is the development of the Cremorne Place Implementation Plan (CPIP). The CPIP is a joint project between the Victorian Planning Authority (VPA) and Council, with input from other key State Government agencies.

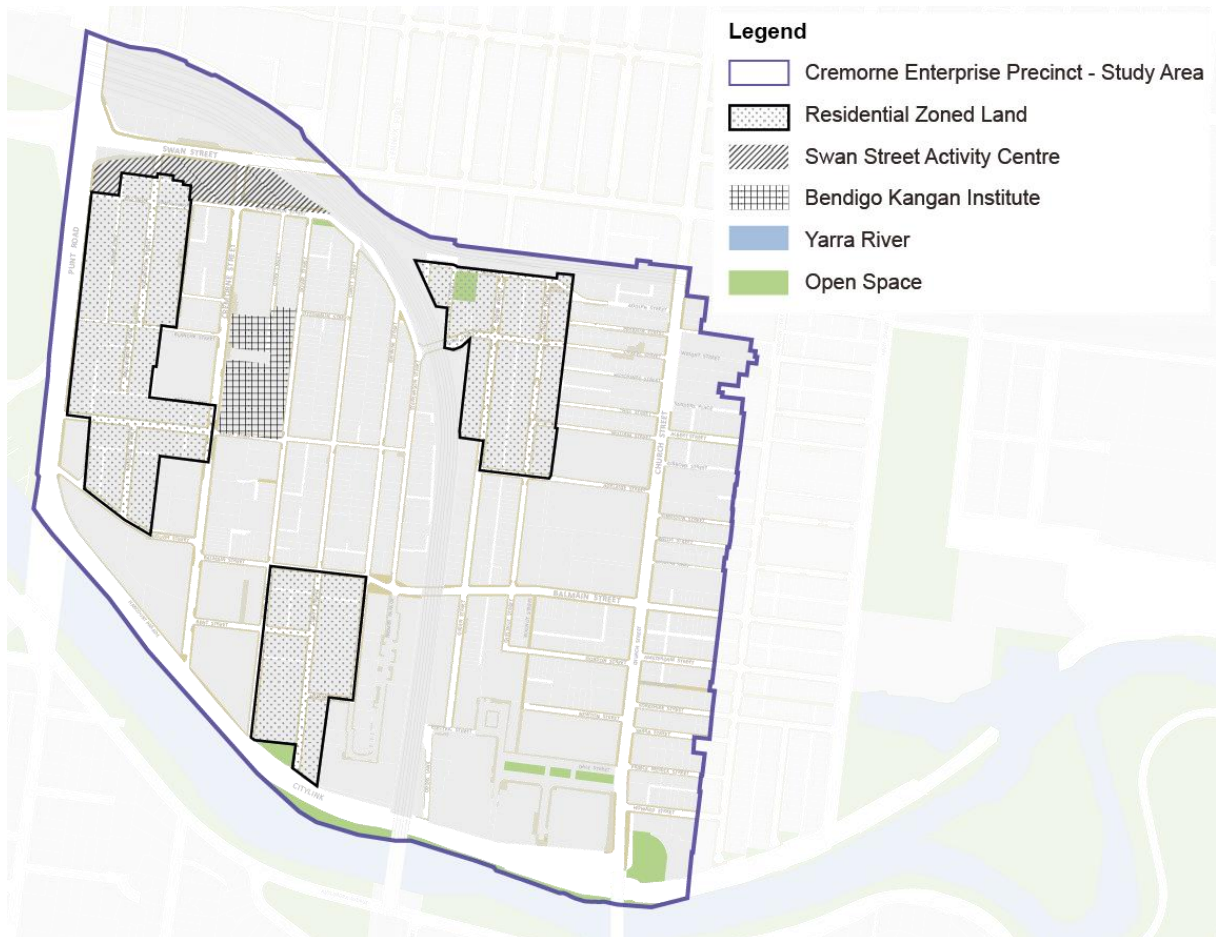


Figure 1.

10. The *Cremorne Creating a Future Vision: Issues & Opportunities Paper*, November 2019 (Paper) was prepared by the VPA, along with Council officers, to facilitate discussions with the community on key actions and a new vision to be included in the CPIP.
11. The Paper acknowledged that:
 - (a) the standard provision of car parking applied by the Yarra Planning Scheme is an issue and is not suitable for an inner urban, context which is well connected to public transport; and
 - (b) Council and VCAT consistently have applied reduced rates in planning permits (the average parking approval rate is 1.07 car spaces per 100m² within Cremorne, with no developments approved at the statutory minimum requirement of 3 spaces per 100m²).
12. Given this issue, the Paper included the following opportunity, under *Opportunity 4.4. Promote the most efficient management and use of car parking supply*:
 - (a) *Undertake a review of car parking provisions in the Yarra Planning Scheme.*
13. The final CPIP is currently under consideration by the Minister for Planning.

External Consultation

14. Community engagement was first undertaken in November-December 2019 to inform the preparation of the CPIP. The *Cremorne Issues and Opportunities Paper: Stage 1 Engagement Outcomes Summary Report* (Capire, February 2020) highlighted that car parking is a sensitive issue within the community that requires careful consideration.
15. Participants had different views on parking, both on and off street. Some participants did not want to see any reductions in parking as proposed in the Issues and Opportunities Paper, expressing the view that it was already too difficult to find parking. Some participants expressed support for reducing dependence on cars in Cremorne.

Cremorne Parking Review Survey

16. In June 2020, Council and Traffix Group prepared two separate online surveys; one for employers and business owners and another for employees in Cremorne. The purpose was to gather some evidence about the provision and use of on-site car parking spaces and the commuting behaviour of employees/employers.
17. The Yarra City Council used the survey platform, SurveyGizmo to build, run, analyse, and report on the surveys. The surveys were open from Wednesday 3 June 2020 – Friday 19 June 2020 (16 Days).
18. The targeted surveys were confidential and multiple-choice. Yarra City Council distributed the online survey via the following communication methods:
 - (a) links included in the Yarra Business News e-newsletter, distributed 3 and 12 June 2020; and
 - (b) emailed to key Cremorne businesses, employers and business leaders, 4 June 2020.
19. In total:
 - (a) 40 employers/business owners in Cremorne completed the employer survey; and
 - (b) 34 employees in Cremorne completed the employee survey.
20. Of the employees that took the survey 51% of participants said that they did drive and 75% said they would if there was parking. Many participants that drove to work said that they are parking on neighbouring streets. This result implies that to reduce the existing and future impacts of traffic congestion a shift in travel behaviour is required. It also implies that if more parking is provided onsite, vehicle use would likely become even more entrenched in the area, generating more traffic congestion and increasing on-street car parking demand.

Discussion

Parking Controls Review

21. For enterprise precincts to be investment-ready and productive, with the capacity to grow and enable job creation, the planning framework needs to support employment and provide for development outcomes that contribute positively to the local context and the public realm.
22. Council engaged the Traffix Group to review the car parking rates within the Yarra Planning Scheme to respond to the local parking issues in Cremorne and enable it to grow as a sustainable major enterprise precinct. The findings are documented in *Parking Controls Review: Cremorne Enterprise Precinct*, July 2020 (Review) (refer to Attachment 1).
23. The Traffix Group undertook a detailed review of the existing onsite and offsite car parking conditions within the commercial areas in Cremorne. This provides the strategic justification and rationale to reduce the provision of off-street car parking to promote more sustainable modes of transport.
24. The Review found that there are very limited options to increase the traffic capacity of the arterial roads surrounding Cremorne and the links into Cremorne itself. This comes from several factors including the local road network configuration and limited road reserve widths generally.
25. It identified that Cremorne has a distinctly finite ability to accommodate additional car-based trips, meaning that the provision of high levels of car parking in new developments would exacerbate these constraints.
26. Given Cremorne's physical constraints, the Review notes that the future of transport into Cremorne is via sustainable transport modes – walking, cycling and public transport. Cremorne's location and access to public transport modes mean that Cremorne already has the key attributes required to support sustainable transport choices. However, as outlined earlier in this report, a significant mode shift for journeys both to and from the Precinct is required.

27. Within the Commercial 2 Zone in Cremorne, 'office' is the most common land use activity. The Review notes that land used for office activities is an important target for mode shift due to its impact on the road network. Office car parking is a key generator of traffic during the road network peak hours in Cremorne and this demand occurs at the peak availability of public transport services (i.e. services are at their most frequent). Importantly, office car parking generates 2 to 3 times traffic on a per car space basis during peak hours than a residential car space.
28. Currently, car parking for offices in the Yarra Planning Scheme (same as other Councils) is required at the minimum car parking rate of 3.0 car spaces per 100m² of floor area, unless a dispensation is provided.
29. Over the last 5 years 1,281 car spaces have been either approved or proposed for office development in Cremorne. It is anticipated that the number of onsite office car parking spaces in Cremorne will continue to increase, further embedding vehicle use and reliance without planning intervention.
30. The Review also notes that land used for retail activities is generally a secondary land use for office in proposals within Cremorne. In many cases, the retail component of a development in Cremorne is small and provides local service and amenities to local workers and residents of the area, who do not require car parking to access the use. Whilst there is no specific retail rate, shop and food and drink premises (two highly typical retail land uses) have a statutory minimum car parking rate of 3.5 car spaces per 100m² of floor area.
31. In this context, reducing on-site parking requirements for employment generating uses (office and retail) in the Planning Scheme for the Cremorne precinct would:
 - (a) encourage people to shift to more sustainable forms of transport; and
 - (b) manage car parking for the whole precinct, rather than on a site-by-site basis which is the current situation.

The Parking Overlay (PO2)

32. The Review recommends the application of a **Parking Overlay** to the Cremorne Enterprise Precinct to respond to local car parking issues and outline local variations to the standard requirements in Clause 52.06.
33. Schedule 2 to Clause 45.09 Parking Overlay (PO2) (refer to Attachment 2) is proposed to apply to land zoned Commercial 2 and Comprehensive Development Zone to reduce the parking requirements of employment-generating developments (Figure 2.). Specifically, the proposed PO2 addresses office and retail land uses.

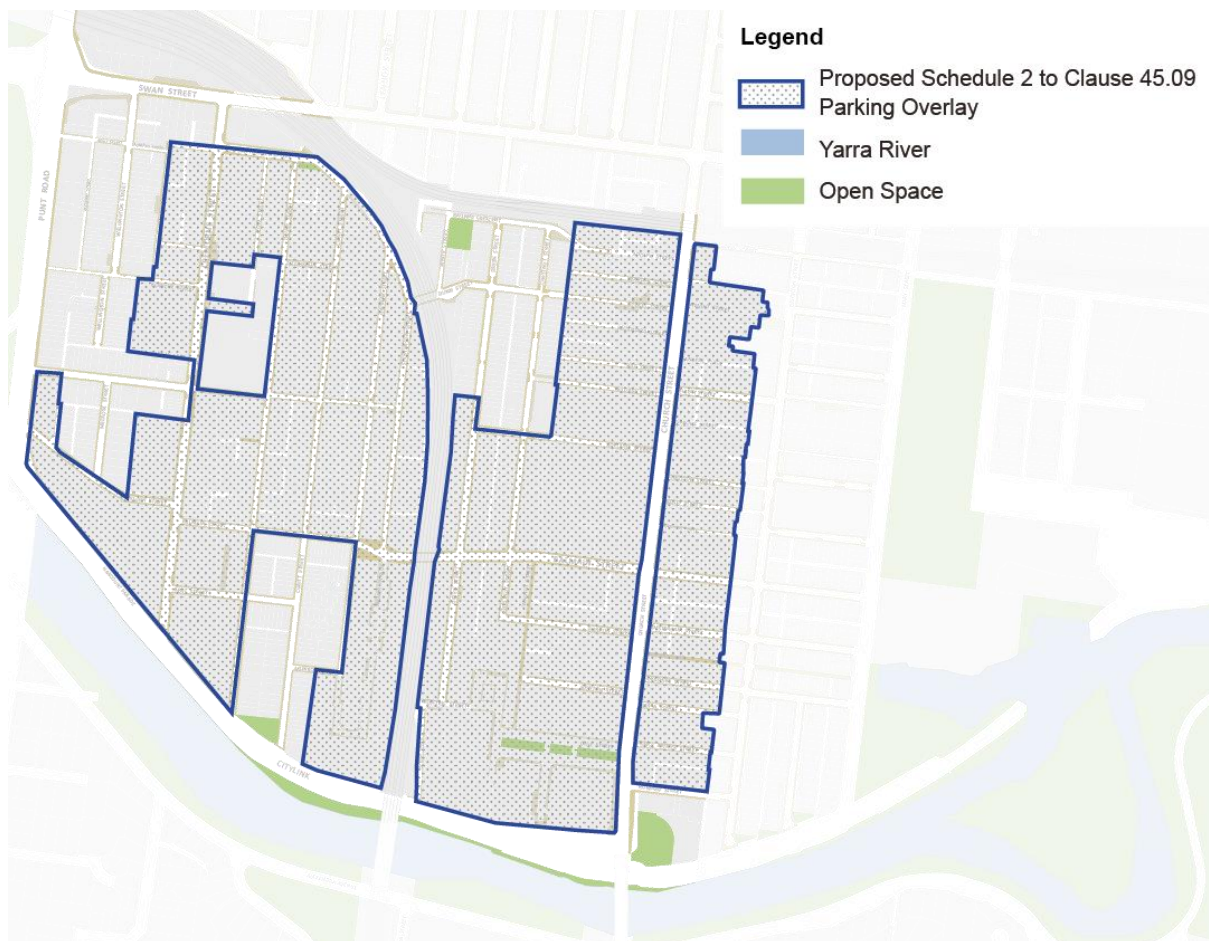


Figure 2.

34. The proposed parking overlay (PO2) includes five objectives that reflect Cremorne's unique context and vision for a more sustainable future. Critically, it also provides car parking rates that reflect the Cremorne Enterprise Precinct's unique transport environment and access to alternative forms of transport to the private car.
35. The following requirements for office and retail uses are *proposed* to be included in PO2:
 - (a) The Office car parking rate to be set at a **maximum** parking rate of 1.0 car spaces per 100m² of floor area; and
 - (b) The Retail car parking rate to be set at a **maximum** parking rate of 1.0 car spaces per 100m² of floor area.
36. It is noted that all other uses are proposed to remain at the current minimum requirements of Clause 52.06-5.
37. The application of maximum parking rates would mean that a permit would not be required for an application to reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5, even for potentially very intense land uses (for instance, a large office development). A permit would be required to exceed the parking rate.
38. The PO2 also includes a set of additional decision guidelines, required for when applications seek to exceed the maximum rates to ensure positive development outcomes. The recommended guidelines aim to encourage sustainable transport patterns for new developments and minimising the negative impacts of high levels of car parking.
39. Proposed PO2 would support the development and sustainability of Cremorne by reducing the traffic impacts of new development within Cremorne. The proposed PO2 would have the following benefits, as it:
 - (a) recognises the constrained road network in Cremorne, which is operating at capacity and that there is limited scope to improve the capacity of the local road network;

- (b) acknowledges that the future of transport within Cremorne is via sustainable transport modes, walking, cycling and public transport and it supports these outcomes;
- (c) would implement a parking control that is consistent with current planning practice in the area; and
- (d) would provide clear guidance to decision makers, developers, businesses and residents as to the expectations for car parking provision in Cremorne.

Internal Consultation (One Yarra)

- 40. Officers have consulted across Council, with advice from Statutory Planning, Urban Design, Traffic and Sustainable Transport Units.

Financial Implications

- 41. The costs associated with the implementation of the Review have been anticipated and included in the City Strategy budget.

Economic Implications

- 42. The Review notes that the introduction of a Parking Overlay is unlikely to have a negative impact on the development of Cremorne as an Enterprise Precinct, as:
 - (a) development in the area over the last 5 years has already largely adopted the car parking rates proposed by PO2, demonstrating that a reduced parking rate is already accepted by the market; and
 - (b) overflow parking impacts are likely to be negligible given that on-street parking is already highly regulated within Cremorne and immediate surrounds.
- 43. Furthermore it would provide more certainty and clear guidance to decision makers, developers, businesses and residents, ensuring the Cremorne Enterprise Precinct has a more streamlined, efficient and effective planning framework.

Sustainability Implications

- 44. Cremorne is well serviced by public transport, cycling infrastructure and is highly walkable. The proposed PO2 would encourage travel to and within Cremorne is via sustainable transport modes.

Climate Emergency Implications

- 45. The reduction of car parking rates supports strategic priority four (*Transition to zero emission transport*) in the *Climate Emergency Plan*.

Social Implications

- 46. Proposed Amendment C281yara is consistent with the overarching goal in the Yarra Planning Scheme to integrate relevant environmental, social, and economic factors in the interests of net community benefit and sustainable development.

Human Rights Implications

- 47. There are no anticipated human rights implications.

Communications with CALD Communities Implications

- 48. It is officers understanding that CALD communities were considered as part of the community engagement led by the VPA in November-December 2019 to inform the preparation of the CPIP.

Council Plan, Strategy and Policy Implications

- 49. The *Yarra Council Plan 2017-2021* identifies the need to manage traffic movement and promote road safety within local roads.
- 50. The Proposed Parking Overlay (PO2) would assist with delivering the following key directions of Melbourne's metropolitan planning strategy, *Plan Melbourne 2017-2050*, including:

- (a) *Direction 4.1: create a city of 20-minute neighbourhoods.*
- (b) *Direction 4.3: create neighbourhoods that support safe communities and healthy lifestyles.*

51. Plan Melbourne 2017-2050 (Direction 5.1) states that a 20-minute neighbourhood must:

- (a) *be safe, accessible and well connected for pedestrians and cyclists to optimise active transport.*
- (b)
- (c) *facilitate access to quality public transport that connects people to jobs and higher-order services.*
- (d) ...
- (e) *facilitate thriving local economies.*

Legal Implications

52. The options outlined (see below) accords with the requirements of the *Planning and Environment Act 1987*.

Options

53. Council has three options if it chooses to progress an amendment to introduce a PO2:

- (a) Option A – request the Minister for Planning in accordance with Section 8 (1) (b) and 20 (4) of the *Planning and Environment Act 1987*, to prepare, adopt and approve Amendment C281yara to the Yarra Planning Scheme;
- (b) Option B – request the Minister for Planning in accordance with Section 8 (1) (b) and 20 (4) of the *Planning and Environment Act 1987*, to prepare, adopt and approve Amendment C281yara to the Yarra Planning Scheme on an interim basis for a couple of years; or
- (c) Option C – Apply to the Minister for Planning under section 8A(3) of the *Planning and Environment Act 1987*, for “authorisation” to Council to prepare a full Amendment to the Yarra Planning Scheme.

54. These options are outlined below:

Option A

55. Section 20 (4) of the *Planning and Environment Act 1987* (the Act) enables the Minister for Planning to exempt an amendment, which the Minister prepares, from any of the notification requirements of sections 17, 18 and 19 of the Act or the regulations.

56. When considering the Amendment, the Minister would need to consider the criteria outlined in the *Ministerial Powers of Intervention in Planning and Heritage Matters* - November 2004 (PPN29).

57. Officers consider that the Amendment meets the criteria outlined in the Planning Practice Note (PPN29), including that compliance with any of the usual notification requirements is not warranted because:

- (a) The impact of Amendment C281yara would be relatively limited as planning permit applications for retail and office land use activities are already being approved with a substantial reduction in car parking; and
- (b) Targeted consultation was undertaken with potentially affected parties and a public process was conducted. The views of those individuals and stakeholders who participated in the public process are well understood and have been taken into account during the preparation of the Amendment C281yara. It is unlikely that further consultation would result in changes to the amendment.

58. Furthermore, the interests of this part of Victoria make such an exemption appropriate because the prompt approval of the Amendment would immediately:

- (a) protect Cremorne from an oversupply of parking which would generate more traffic congestion;
 - (b) support employment and provide for development outcomes that contribute positively to the local context, sustainability, built form, quality of place and the public realm;
 - (c) implement a parking control that is consistent with current planning practice in the area;
 - (d) provide more certainty and clear guidance to decision makers, developers, businesses, ensuring the Cremorne Enterprise Precinct has a more streamlined, efficient and effective planning framework;
 - (e) manage car parking for a whole precinct, rather than on an ad hoc, site-by-site basis;
 - (f) reduce the traffic impacts of new office/commercial developments; and
 - (g) improve the built form interface with the public realm at ground level, if parking is not required.
59. The matter is also one of state significance where the determination of a reduced rate of car parking would have a substantial effect on the achievement and development of Cremorne as a sustainable Enterprise Precinct.
60. It is important to note, that the Minister for Planning would determine the final content of the Parking Overlay and may make changes, particularly to any proposed maximum parking rates given. Also, the effect of the exemption is that third parties would not receive a formal statutory notice of the amendment and would not have the opportunity to make a submission or be heard by an independent panel about the amendment.

Option B

61. Council could also request, under Section 20 (4) of the *Planning and Environment Act 1987* that the Minister for Planning to introduce Amendment C281yara on an interim basis.
62. The amendment process for Option B is the same as Option A. However, the Amendment, or more specifically the proposed Parking Overlay, would include a sunset clause (it is typical for an interim planning control to expire after one or two years).
63. Option B would provide the same immediate benefits as Option A, but it would be a short term approach to test the reaction on the market and community before committing to a long term solution to car parking management. If Council were to extend the interim controls or to seek permanent controls, this would again require the support and approval of the Minister for Planning and may consume significant Council resources.

Option C

64. Under section 8A (3) of the *Planning and Environment Act 1987*, Council can seek “authorisation” from the Minister for Planning to prepare Amendment C281yara to the Yarra Planning Scheme. This would require Council to give full notice that it has prepared an amendment. Notice of preparation of an amendment would need to be given to:
- (a) Every minister, public authority and municipal council that may be materially affected by the amendment. This might include local bodies such as water and sewerage boards, the Environment Protection Authority and, in many cases, adjoining municipalities;
 - (b) The owners and occupiers of land that may be materially affected by the amendment. This includes anyone whose land is subject to changed controls under the amendment and might include owners and occupiers of adjoining or nearby land; and
 - (c) Any Minister, public authority, municipal council or person prescribed.

65. This option sets up a long, expensive and unpredictable process that requires both the support of Council and the Minister Planning. The average amendment process takes at least two years to complete, from authorisation to gazettal. The risk is, that while this type amendment progresses, the remaining sites in Cremorne would continue to be developed at a rapid pace and would provide more onsite parking, entrenching private vehicle use and generating more traffic congestion.
66. Officers support pursuing Option A as it would enable a prompt decision to be made on the adoption and approval of Amendment C281yara (Attachment 2).

Given Cremorne's rapid rate of development and finite ability to accommodate additional car-based trips, the management of car parking in Cremorne requires a long term, permanent solution to start to encourage a model shift away from private vehicle use and dependence. If the Minister for Planning supports the request to introduce Parking Overlay (as outlined), this would introduce the controls immediately and ensure that new land uses and development are assessed against the proposed Parking Overlay.

Conclusion

67. Due to unprecedented growth in Cremorne over the last several years, there is an increasing number of physical, social and economic issues that suggest the need to address and review onsite car parking planning provisions. Council engaged the Traffix Group to undertake a detailed review of car parking in the Cremorne Enterprise Precinct.
68. The Traffix Group review notes that, given Cremorne's physical constraints, the future of transport into Cremorne is via sustainable transport modes. To encourage a model shift away from private vehicle use, they recommended the application of a Parking Overlay to land in the Commercial 2 Zone and Comprehensive Development Zone in Cremorne. The reduction of car parking rates would remove incentives for car use and ownership and instead encourage active and public transport modes.
69. The following requirements for office and retail uses are proposed to be included in this Parking Overlay (P02):
 - (a) The Office car parking rate is set at a maximum parking rate of 1.0 car spaces per 100m² of floor area; and
 - (b) The Retail car parking rate is set at a maximum parking rate of 1.0 car spaces per 100m² of floor area.
70. Officers recommend Council request the Minister for Planning (in accordance with Section 8 (1) (b) and 20 (4) of the *Planning and Environment Act 1987*), to prepare, adopt and approve Amendment C281yara to introduce PO2 into the Yarra Planning Scheme (Option A).
71. This would introduce a maximum car parking rate for office and retail in this precinct in order to better manage the emerging congestion in the precinct.

RECOMMENDATION

1. That Council note that:
 - (a) the Cremorne area has limited access to the main road network surrounding the precinct and is also experiencing a great deal of development pressure that needs to be managed so that the precinct does not become overly congested through the movement of vehicles;
 - (b) as part of the *Cremorne Creating Future Visions: Issues and Opportunities Paper (November 2019)*, undertaken in conjunction with the Victoria Planning Authority, a carparking review has been undertaken of existing on-site and off-site parking conditions within the commercial area of Cremorne;

- (c) an analysis of actual carparking rates for recently approved office developments within the Cremorne commercial precinct shows that the average carparking provisions has been 1.07 carspaces per 100 m2 for office landuse, and
 - (d) the Cremorne area is very well serviced by public transport and also has good cycling access for commuting of persons to office and ancillary retail premises.
2. That Council, in the context of the above:
- (a) acknowledge that the current statutory rate of carparking of 3 car spaces per 100 m2 of office floorspace in Cremorne is not reflective of the inner city context of the area which is well serviced by public transport and also has good cycling networks, and in this regard the parking rate can reasonably be less than the minimum rate currently in the Yarra Planning Scheme;
 - (b) acknowledge that a rate of the of 3 car spaces per 100 m2 of office floorspace of off-street parking for new office floorspace would only add to the traffic congestion in the Cremorne area as further development occurs in the Commercial precincts, which would be undesirable by generating further traffic within the Cremorne area and cause additional congestion to the detriment of the precinct, and
 - (c) determine that the parking rate for office landuse, and ancillary retail landuse, can reasonably be less than the minimum rate currently in the Yarra Planning Scheme.
3. That Council, in this regard note:
- (a) the officers report in respect to the proposed changes to the off-street carparking rate for office and retail landuses for the Cremorne precinct as outlined in the report;
 - (b) the commentary and analysis contained in the officer report and Attachments 1 and 2 in regards to car parking in the Cremorne Enterprise Precinct; and
 - (c) the proposed Amendment C281yara to introduce a Parking Overlay as a means of seeking to manage the development and congestion levels in the Cremorne area.
4. That Council, in the context of the above:
- (a) adopt the *Document Parking Controls Review: Cremorne Enterprise Precinct* (Traffix Group, July 2020) at Attachment 1 for the purpose of pursuing Amendment C281yara to the Yarra Planning Scheme;
 - (b) adopt the draft amendment documentation at Attachment 2, which contains information required by the Minister for Planning to prepare, adopt and approve Amendment C281yara under 20 (4) of the *Planning and Environment Act 1987*; and
 - (c) authorise Council officers to request the Minister for Planning in accordance with Section 8 (1) (b) and 20 (4) of the *Planning and Environment Act 1987*, to prepare, adopt and approve amendment C281yara to the Yarra Planning Scheme (Option A).

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Attachments

- [1](#) ➡ Parking Controls Review: Cremorne Enterprise Precinct (Traffix Group, July 2020)
- [2](#) ➡ Proposed Amendment C281yara documents

7.4 The design, management and safety of Council parks, reserves and gardens

Executive Summary

Purpose

Council resolved on 28 May 2019:

“That Officers present a report to Council on public safety in Council Parks, Reserves and Gardens (parks), such report to address issues including but not limited to:

- (a) appropriate lighting such that parks can be used safely by all members of the community after dusk;*
- (b) the viability of panic alarms or other appropriate forms of raising emergency attention to issues;*
- (c) that the overall planning, designing and managing of parks be addressed in a manner to recognise Council’s policies of gender equality and inclusion and address considerations that:*
 - (i) park supervisors are appropriately trained in leisure time management and social pedagogics;*
 - (ii) pedestrian pathways be clearly visible (e.g. Clear route concept, in direct line of sight to streets and apartment buildings);*
 - (iii) pedestrian and cycling pathways across parks should be well lit (e.g. Sensor activated or continual lighting after dark); and*
 - (iv) cleanliness in the parks include safe, clean and functioning toilets close to the playground or park if not in the park.*

Additionally, on 30 July 2019, Council subsequently resolved to:

- (a) note that there is significant material available evidencing research into the safety impacts of self-defence training for the referenced groups;*
- (b) defer this report for consideration with the Gender mainstreaming report about lighting, panic alarms, the “Yarra Free to Be” app and the inclusive use of public space and sporting facilities; and*
- (c) request that such report include:*
 - (i) available gender data on the use of sporting facilities and leisure centres, including a break-down of gym use, group fitness areas and other services provided by our leisure centres; and further; and*
 - (ii) the available gender data on clubs using our sporting facilities, include the gender makeup of teams using the space as well as club leadership.*

Key Issues

Council officers have undertaken research of public safety practices and approaches with particular regard to the design, management and safety of Council parks, gardens and reserves and have considered the role and viability of other tools and mechanisms to support public safety.

It is recognised that safety in and near parks remains a concern for some in our community, and we continue to monitor trends and consider multi-faceted solutions to address these concerns.

Officers recommend continuing to seek out grant opportunities focused in the public safety realm, and the further investigation and trial of technologies such as those described throughout the report to complement a suite of tools aimed at addressing perceptions of safety in open spaces. The submission of the *Public Infrastructure Safety Fund* described earlier in this report is an

example of officers pursuing a multi-faceted, sophisticated approach to address the complexities of perceptions of safety (the outcome of this application remains pending).

Financial Implications

There are no financial implications identified.

RECOMMENDATION

That Council:

- (a) notes that gender based violence continues to be a serious issue of great concern in our community including in public spaces;
- (b) notes that Council's Open Space Lighting Policy (2014) is under revision with the intent to integrate a leading multi-faceted design approach to the way we light our parks, gardens and reserves with the development of a Public Open Space Lighting Policy;
- (c) supports a strategic review of the existing Gender Equity Strategy (2016-2021), in the context of the commencement of the Gender Equality Act 2020;
- (d) endorses the implementation of Gender Impact Analysis of policies, services and programs in line with the requirements of the Gender Equality Act 2020, including Council's Physical Activity Plan, Council's Allocation Policy and Yarra's Leisure Master Plan; and
- (e) request officers to continue advocacy efforts and the pursuit of grant opportunities focused on public safety and inclusive place-based technologies.

7.4 The design, management and safety of Council parks, reserves and gardens

Council at its meeting on 27 August 2020 resolved that the matter be deferred to the meeting to be held on 01 September 2020.

Trim Record Number: D20/134126

Responsible Officer: Director Community Wellbeing

Purpose

1. Gender based violence continues to be a serious and highly prevalent issue in Australia. Women in our community are at far greater risk of family and sexual violence. Whilst much of this violence against women is perpetrated by men known to them, women also have frequent experiences of violence whilst engaging in public spaces perpetuated by opportunistic individuals. Some studies have indicated that approximately 10% of women over the age of 15 have experienced violence perpetuated by a stranger.
2. Unfortunately, there also continues to be a number of shockingly violent incidents and murders in public spaces, some of which have caught the attention of the community. Recent examples have included the high profile cases such as those involving Natalina Angok, Aii Maasarwe, and Eurydice Dixon to name but a few.
3. Councillors have expressed serious concern over these matters and have asked officers to examine a range of issues intended to make our community a safer place.
4. On 28 May 2019, Council resolved:

“That Officers present a report to Council on public safety in Council Parks, Reserves and Gardens (parks), such report to address issues including but not limited to:

 - (a) appropriate lighting such that parks can be used safely by all members of the community after dusk;*
 - (b) the viability of panic alarms or other appropriate forms of raising emergency attention to issues;*
 - (c) that the overall planning, designing and managing of parks be addressed in a manner to recognise Council’s policies of gender equality and inclusion and address considerations that:*
 - (i) park supervisors are appropriately trained in leisure time management and social pedagogics;*
 - (ii) pedestrian pathways be clearly visible (e.g. Clear route concept, in direct line of sight to streets and apartment buildings);*
 - (iii) pedestrian and cycling pathways across parks should be well lit (e.g. Sensor activated or continual lighting after dark); and*
 - (iv) cleanliness in the parks include safe, clean and functioning toilets close to the playground or park if not in the park.*
5. This report has been drafted to satisfy the above resolution; it presents information on Council policies and procedures in practice relevant to public safety in Council Parks, Reserves and Gardens. Given the broad focus of the resolution, matters such as roads and lanes and private open spaces are not discussed at this time.
6. This report also presents community perception of safety results as they relate to Council Parks, Reserves and Gardens from the Annual Customer Satisfaction Survey (ACSS) 2019. Results for 2020 are currently being finalised by officers and are to be presented to Councillors’ Briefing in the coming weeks.

7. To present current research and the findings of a brief literature review on the efficacy and efficiency/effectiveness of panic alarms (and other devices) and lighting relative to public safety issues and particularly public parks, reserves and gardens.
8. To present current research and an update on current practices utilised to achieve safer public places.
9. Additionally, on 30 July 2019, Council subsequently resolved to:
 - (a) *note that there is significant material available evidencing research into the safety impacts of self-defence training for the referenced groups;*
 - (b) *defer this report for consideration with the Gender mainstreaming report about lighting, panic alarms, the “Yarra Free to Be” app and the inclusive use of public space and sporting facilities; and*
 - (c) *request that such report include:*
 - (i) *available gender data on the use of sporting facilities and leisure centres, including a break-down of gym use, group fitness areas and other services provided by our leisure centres; and further; and*
 - (ii) *the available gender data on clubs using our sporting facilities, include the gender makeup of teams using the space as well as club leadership.*
10. This report will also present information related to available gender data on the use of sporting facilities and leisure centres, including a break-down of gym use, group fitness areas and other services provided by our leisure centres.
11. This report will attempt to address each of these matters in turn, noting that further reports on particular areas will be the subject of future engagement with Council.

Background

12. Council is responsible for lighting of open spaces such as parks, reserves and sports grounds and select trails. Council owns and pays for their maintenance and electricity charges and monitors their performance.
13. Electricity distributors own and maintain the majority of street lighting within the municipality, with network charges and service costs paid for by the Council. Alphington’s streetlights are managed by Jemena, with the balance of the municipality managed by CitiPower.
14. Lighting enables community and business activity outside of daylight hours. By illuminating key routes, lighting can encourage sustainable modes of transport. Lighting can highlight urban features and enhance the look and feel of the city by night.
15. Council also purposefully does not light particular areas so as to reduce light pollution, support urban wildlife, improve residential amenity and not create false perceptions of safety by lighting remote areas with poor passive surveillance.
16. Causal links between the presence of lighting and reductions in the incidence of crime are equivocal and vary by setting. To promote public safety and deter criminal activity, Council officers employ the holistic approach of Crime Prevention Through Environmental Design (CPTED) which consider aspects of natural surveillance, access control, territorial reinforcement and maintenance.

Perceptions of safety – findings of the Annual Customer Satisfaction Survey 2020

17. It is important to note the relationship between “perceptions of safety” and real, lived experience. The term is not intended to in anyway diminish or suggest that perceptions are not based on reality, only that perceptions play an important role in understanding what physical areas may require attention. Perceptions of safety can also be seen on a spectrum and can be both positive and negative. Indeed perceptions of particular areas may vary dramatically based on time of day, activation levels and specific events, and are broadly used in several research areas including the annual customer satisfaction survey and peer based apps as a way of providing community input.

18. One of the time series questions asked in the ACSS is: *“On a scale of 0 to 10, how safe do you feel in the public areas in the City of Yarra during the day and at night?”* If respondents recorded a score of less than six, they asked why they felt unsafe and where they felt least safe.
19. In 2020, 112 respondents identified specific places where they felt least safe. Approximately 15 percent cited in and near parks, including near Princes Park, Merri Creek trail and some of which are located outside of the City of Yarra.
20. Since the first ACSS in 2010, perceptions of public safety remain lowest in and around Victoria Street and not within Council’s Parks, Reserves and Gardens.
21. In 2020, the neighbourhoods that had lower perceptions of safety scores were Abbotsford, Collingwood and Richmond North and these scored lower for both the day and night. In these neighbourhoods, Council parks, reserves and gardens were not the predominant locations associated with respondents feeling unsafe; however, lighting and safety at night were notable themes.

Perceptions of safety – findings of the Annual Customer Satisfaction Survey 2019

22. In 2019, 85 respondents identified specific places where they felt least safe of which 14 percent (12 respondents) cited in and near parks, including near Princes Park, Edinburgh Gardens, and Atherton Gardens and some of which are located outside of the City of Yarra.
23. Similar to the results in 2020, the neighbourhoods that had lower perceptions of safety scores were Abbotsford, Collingwood and Richmond North and these scored lower for both the day and night. In these neighbourhoods, parks, reserves and gardens were not associated as the locations where respondents felt unsafe; however, lighting and safety at night were common themes.
24. It is important to note that over the past six months, Council’s customer relationship management reporting system has captured a total of one *Community Safety* query related to the provision of, and investigation into, the adequacy of lighting specific to Council parks, reserves and gardens, in relation to Clifton Hill (Darling Gardens). The vast majority of *Community Safety* queries have related to drug issues (approximately 40 queries received).
25. Nevertheless, it is recognised that safety in and near parks remains a concern in our community, and we continue to monitor trends and consider multi-faceted solutions to address these concerns. One way, for example, is through the provision of smart lighting solutions, as discussed in the below sections.

Provision of lighting within Open Space

26. The lighting of open space outside of daylight hours is provided to our community for a variety of reasons, including:
 - (a) Park destinations: Designated areas within parks and gardens that have specific uses outside of daylight hours. This may include structured sport and recreation uses, for example Edinburgh Gardens Tennis Club;
 - (b) Key linkages and connections: Important access connections to public transport, shops or community hubs where no safe and accessible street network exists for walking/cycling. For example Mayors Park- linkage between Clifton Hill Station and Queens Parade; and
 - (c) Shared paths: Key shared paths which are commuter paths of many pedestrians and bike riders which link into the main movement network.
27. Park destinations and path connections are typically located in larger reserves including Regional, City-wide and Neighbourhood open space. Local and small local parks are generally suitably illuminated by adjacent street lighting.

Lighting for safety in Open Space

28. There is limited research on the efficacy of provision of lighting within park settings (as opposed to on or adjoining roads and streets). Further, the correlation between provision of lighting and crime remains inconclusive (as considered in Attachment 1). Evidence particularly remains limited in relation to safety and lighting in public parks. Although it is a common perception, there is little significant data to support that lighting directly reduces criminal activity.
29. Lighting can, however, improve perceptions of safety in the community, by encouraging use of certain spaces and passive surveillance provided by the presence of others. However, care should also be taken in avoiding creation of false perceptions of safety by not providing lighting in remote or poorly surveyed locations.
30. Lighting can be utilised in combination with other measures to improve safety, particularly when used with the principles of safety in environmental design such as CPTED. However it does not guarantee safe places in and of itself and may not always be an appropriate or stand-alone solution, particularly when considering the intricacies of the local context and population and indeed in the application and characteristics of the lighting itself. Furthermore, The *Safer Design Guidelines for Victoria* provide a robust set of principles which Council applies when considering all interventions related to promoting perceptions of safety, including in relation to the provision of lighting.
31. Research has found that very bright and 'over' (i.e. excessively) lit spaces do not necessarily correlate with observations of safety and can, in fact, increase perceptions of feeling unsafe. Instead, provision of layered lighting – where there are multiple light sources and the reflective values of surfaces are taken into consideration – has been shown to positively influence perceptions of safety.
32. For context, Council has recently lodged a grant application to the *Public Infrastructure Safety Fund* seeking to install smart motion sensor technology at known trouble hot spots in the Victoria Street locality that triggers smart LED illumination based on pedestrian activity. The outcome of this application remains officially pending, although officers have again been recently verbally advised of a successful outcome.
33. It is important to note that in terms of relevant local research on this issue, the 2019 ACSS found that residents' top observed improvement in Yarra in the last two years was related to parks, gardens and open space. That same year, parking, traffic management and infrastructure, were areas where improvements were most sought and not parks, gardens and open space.
34. The Open Space Lighting Policy (2014) is currently being revised with the intent to integrate a more considered design approach to the way we light our parks, gardens and reserves. While traditional design methodologies seek to ensure lighting is compliant with Australian Standards through vertical and horizontal illuminance, a more considered approach recognises that other elements alter perceptions of brightness and safety in a space. Council officers continue to practice the more considered approach. This includes consideration of site conditions and context (e.g. surface finishes, spatial typology, escape routes etc.) and a greater awareness of the role and impact lighting plays within our open spaces. The perception of brightness can be modified through measures such as creating layers of light, creating focal points, adjusting colour temperature and rendering, etc.

Use of other technology to understand and measure perceptions of safety

35. Similar to the smart motion sensor technology for lighting mentioned earlier, a number of new technologies are being pursued internationally to not only address criminal activity but also

understand and measure perceptions of safety, particularly in and around public space, including open space.

36. One such technology is the use of crowd-mapping technology. Following a similar model to the crowd-mapping tool 'Free-to-be' undertaken by Plan International, the Victorian Government recently launched two pilot gender equality maps across Darebin City Council and Melton City Council. People were asked to drop a pin and add a comment on locations where they had experienced gender equality or inequality - results are currently being assessed and should be made public later this year.
37. The use of 'emotional maps,' as a tool for the participatory crowd-mapping of peoples' perceptions of their environment have been found to attract peoples' attention and also provide valuable, tangible results to policy makers, law enforcement and various tiers of government. It is noted that the ACSS of perceptions of safety data questions currently provides valuable insight and data on these issues.
38. Use of technology to understand and measure perceptions of safety has already been contemplated and acted upon by Council officers, through research into and trialling of an Audit App to aid officers in their work. The *Integrated Safety Auditing for Public Places* (ISAPP) smartphone tool was developed in collaboration between Social Strategy and CityLab to assess public spaces in Yarra according to CPTED principles. A first version of the app has been developed and the next step would be to test it out in practice to see if it would be useful to the organisation, and possibly beyond.
39. In addition to the app, officers have worked with RMIT and the Department of Justice and Community Safety (DoJCS) to develop a survey about the use of CPTED in Victoria. The survey was designed to gain an understanding of awareness and use of CPTED for crime prevention and community safety, and any gaps in training or application. The survey was administered in 2019 and the report of the findings was submitted to DoJCS for consideration. Publication is pending.
40. Officers are supportive of further investigation and trial of other technologies such as those described above to complement a suite of tools aimed at addressing perceptions of safety in open spaces. The submission of the *Public Infrastructure Safety Fund* described earlier in this report is an example of officers pursuing a multi-faceted, sophisticated approach to address the complexities of perceptions of safety (the outcome of this application remains pending). Officers continue to proactively monitor opportunities to pursue such initiatives (including grant opportunities) to better understand and measure perceptions of safety. Further grants or funding opportunities should be explored when available to enable such technologies to be implemented in Yarra.

Current practice to achieve safer places

41. Well-designed and maintained urban environments are essential for improved safety in the community.
42. The key to safer places is to improve the quality of the environment, minimise the opportunity for crime and promote accessible and liveable places that encourage a feeling of safety and community participation.
43. Guiding current practice are the *Safer Design Guidelines for Victoria* based on the following set of principles:

(a) **Surveillance**

Maximise visibility and surveillance of the public environment

When there are 'eyes on the street' or 'natural surveillance' from passers-by, and if public places are overlooked from adjoining buildings, people feel safer and potential

offenders feel exposed. Natural surveillance is one of the primary aids for crime prevention.

(b) **Access, movement and sightlines**

Provide safe movement, good connections and access

People feel more comfortable using public places that provide well defined routes and clear sightlines (day and night) so they can see and be seen. Entrances to buildings should be safe and accessible without compromising security.

(c) **Activity**

Maximise activity in public places

Balancing the needs of all users of streets and public places is vital so that people feel comfortable and safe. Encouraging walking increases activity, social interaction and surveillance in public places and reduces the risk of crime.

(d) **Ownership**

Clearly define private and public space responsibilities

Clarifying 'ownership' of private and public space is important for improving public safety. Where the 'ownership' of an area is ambiguous, it is often 'unclaimed' and can become the focus of anti-social and criminal behaviour. It is important to encourage residents to take responsibility and pride in places they use and inhabit.

(e) **Management & maintenance**

Manage public space to ensure that it is attractive and well used

Well maintained public places improve people's perception of how safe a place is and supports their desire to occupy and use those places. Management programs to clean, repair and maintain public spaces and private buildings are vital for community safety and wellbeing.

44. Council officers recently utilised these principles when undertaking path lighting upgrades including works undertaken at Edinburgh Gardens, Gahan Reserve, Curtain Square, Barkley Gardens and Darling Gardens. It is strongly recommended that they continue to be utilised as guiding principles when undertaking similar works.
45. In terms of making information and reporting of incidents accessible to our residents, Council officers have also recently prepared a new page on Council's website dedicated to [Community Health and Safety](#). Topics covered on the page include the following:
- (a) Medically Supervised Injecting Room (MSIR);
 - (b) Syringe management services (including reporting/requesting clean-up of a syringe);
 - (c) Support for local drug related issues;
 - (d) Rediscover Victoria Street; and
 - (e) CCTV.

Connectivity and Accessibility in Open Space

46. Pedestrian and shared paths are also very important in enabling people to be physically active. They provide connections and accessible routes of travel.
47. Pedestrian and bicycle paths are most inviting when they are direct, highly visible and well sign-posted, offer shade, seating and end-of journey facilities.
48. The diverse needs of pedestrians and cyclists – children and young people, older people and those with a disability who may be using mobility aids – require inclusive design solutions.
49. Considerations include but not limited to:
- (a) determine appropriate path widths and geometry;

- (b) ensure compliance with all relevant Australian Standards;
 - (c) maintain suitable clearances (e.g. minimum 2.5m above path from overhanging objects);
 - (d) maintain clear sightlines and remove obstructions from adjacent areas (e.g. set dense planting and trees well back from path edges); and
 - (e) maximise natural surveillance (e.g. promote clear sightlines from adjacent land uses to pathways).
50. As previously mentioned, the existing Open Space Lighting Policy (2014) is currently being updated. The purpose of this updated policy is to guide when and where lighting in open space is needed and if so, how and what type of lighting should be used.
51. As noted earlier in this report, the revisions to the Policy include the intent to integrate a more considered design approach to the way we light our parks, gardens and reserves. That is, to utilising place-based intel to undertake appropriate lighting and open-space transformations for our community underpinned by knowledge of geography and by leveraging local social capital and a multi-faceted evidence-base.

Light quality in Open Space

52. To achieve suitable lighting within Open Space the following criteria is to be addressed in the reviewed Open Space Lighting Policy.
- (a) lighting applications of Open Space use (e.g. Ovals, paths etc.);
 - (b) light type, placement, luminance levels (to Australian Standards) and timing of operations;
 - (c) performance considerations (energy use, maintenance requirements etc.); and
 - (d) impacts of lighting (Greenhouse Gas Emissions, Impact on Urban Wildlife, Light Pollution, Life Cycle Costs etc.).

Yarra's Open Space Lighting Policy

53. The existing Open Space Lighting Policy (2014) is currently being updated. The purpose of this updated policy is to guide when and where lighting in open space is needed and if so, what type of lighting and illumination level should be used.
54. As mentioned in other sections of this report, it has been an important consideration to have a multi-faceted and sophisticated approach in developing the Policy. Key principles of the new Open Space Lighting Policy include:
- (a) increase hours of usage of public open space;
 - (b) improved safety;
 - (c) support connections associated with sustainable transport modes;
 - (d) address greenhouse gas emissions through energy efficient lighting;
 - (e) protect environmentally sensitive areas;
 - (f) minimise light pollution; and
 - (g) minimise life cycle costs.
55. The updated policy is scheduled to be completed later in 2020 and will be the subject of a future report to Council.

Efficacy of panic alarms and 'apps' for safety in public parks

56. Research has found that while panic apps/alarms could be useful in the event that they are accessed/actioned successfully prior to a crime taking place, the unfortunate reality of such situations means that these devices do not present the best response option.

57. Effective use of panic alarms/apps relies overwhelmingly on a victim having access to their phone/device/mechanism to effectively activate it in the first instance. Accessibility does not relate exclusively to physical access (to a phone, for example), but also the availability of other basics such as phone signal, battery life and credit. Similar practical constraints relate to standalone 'panic buttons' which could be available in a space, such as a park, public toilet or train station, but not accessible when needed.
58. In large parks such as Darling or Edinburgh Gardens, hard wired alarms would need to be installed in large numbers to ensure its effectiveness. More remote sites such as walking paths close to the Yarra would likely also require significant investment in hard infrastructure that is unlikely to result in meaningful increases in safety for users of these areas. In addition, concerns over maintenance, cost and potential misuse would need to be considered alongside any potential safety improvements.
59. Research findings have been critical of the use of such mechanisms: if an alarm is successfully accessed and activated, there remains a number of flaws with this approach. Specifically, the effectiveness assumes that the contact(s) who are informed of an alert/panic alarm can instantaneously undertake all of the following:
 - (a) take the alert seriously and continue to follow up if they cannot reach the user;
 - (b) has the presence of mind to act rationally;
 - (c) can reach the user before the crime takes place; or
 - (d) that emergency services, if contacted, will, and are adequately resourced, to act on the information and can reach the user before the crime takes place or is completed.
60. In the research, few panic-related apps and alarms were found to be preventive in nature by educating and empowering users about the risk factors for victimisation or how to reduce personal vulnerability. However, it is essential to highlight that offenders are solely responsible for the perpetration of violence and that blame should never be placed on victims who do not engage in behaviours that reduce vulnerability.
61. Officers have consulted with Victoria Police on the use of panic alarms. Victoria Police expressed the view that panic alarms that also link to a response service is not a preferred methodology for notifying police of an emergency. This is because in many instances the alarm goes through a third party provider and can reduce or delay response times. A direct call to 000 is often the simplest and quickest way of ensuring police assistance. Dialling 000 also does not require phone credit. However this still relies on individuals having access to a mobile phone, and in the event of a criminal incident a mobile phone itself is sometimes the subject of an initial attack on the victim.
62. Some research has found that apps focusing on loud personal panic alarms can be useful in a small number of circumstances (e.g., if the offender is a first-time offender or is inexperienced), or where the offender may lack confidence and more likely to be scared off by the possibility of bystander attention. However, evidence shows that offenders may not always be deterred by alarms when undertaking a crime. This is because alarms do not create a physical barrier for crime to occur nor do they decrease the risk of offenders to approach and assess the target, as may be achieved by increased surveillance or lighting, for example. Instead, they work on the assumption that potential offenders will believe that a suitable guardian will be alerted to the criminal activity and thus increase the risk that they will be apprehended.
63. The viability of panic alarms/apps remains inconclusive, particularly in the local context and with limited local evidence and research. The effectiveness of hard-wired panic alarms for safety in parks not supported by officers as a viable solution. Panic alarms/apps would not be recommended as a stand-alone solution to address public safety in Council parks, reserves and gardens. Alternatively, efforts focused around preventative measures such as improved environmental design, education and empowerment strategies, information sharing of known

risks, and efforts toward reducing vulnerability would be preferred and likely lead to better outcomes.

Yarra's current staff management of parks

64. Council does not currently offer safety patrols or allocate staff resources to individual parks beyond regular maintenance, other than during specific festivals, events and significant days.
65. Whilst the City of Melbourne have park rangers associated with Royal Park this is not standard practice in Victoria and is not practice at the City of Yarra.

Influence of Yarra's Leisure and Recreation program on public safety and promoting participation including in relation to gender

66. The City Works and Assets Division is responsible for the strategic management and maintenance of Yarra City Council's recreation and leisure facilities through the Recreation and Leisure Services Branch and is committed to the "improvement of the physical and mental health and wellbeing of the community". Yarra Leisure is part of the Recreation and Leisure Services Branch and is made up of the following leisure facilities: Richmond Recreation Centre, Collingwood Leisure Centre, Fitzroy Swimming Pool, Collingwood Estate Gym and the Burnley Golf Course. The Recreation Unit oversees the management, planning and development of Council's sporting grounds, associated sporting facilities, pavilions and assets, as well as local sporting organisations, schools and community groups.
67. The Branch is tasked by Council to help to deliver on "A Healthy Yarra"- one of the seven core objectives of Council's long-term strategic planning. It does this by operating three major leisure centres, a public golf course, a community gymnasium, plus numerous sporting grounds and facilities and pavilions, but by also providing a range of high-quality fitness programs delivered on premise that encourages participation from a broad cross-section of the community.

Current Programming and Services

68. Over many years, Yarra Leisure have designed and developed an extensive range of fitness programs and services all of which continue to be popular and delivered to the community daily. All of these programs aim to support inclusive participation in physical activity and improve wellbeing for specific groups of the Yarra community that experience a barrier/s to entry into traditional leisure centre spaces and/or programs.
69. These programs include those that specifically support women, older adults, people with a disability, migrant communities, disadvantaged communities and young people as follows:
 - (a) **Living Longer, Living Stronger** (An award-winning program targeting adults 50+ years of age to undertake strength-training based exercise in the gym);
 - (b) **Striving For Maximum Strength** (targeting people with chronic health issues to participate in strength-based exercise in the gym);
 - (c) **CP Program** (targeting people with Cerebral Palsy or people with other complex conditions or high needs to participate in strength-based exercise in the gym);
 - (d) **Women Making Waves** (targeting women of all ages, cultures and abilities for swimming, group fitness and gym access on a Saturday evening session after-hours. Children are welcome to accompany adults, boys under 5 years of age are welcome too);
 - (e) **African Children's Swimming Program** (An award-winning program targeting families who have newly arrived in Australia and may not have had access to swimming lessons before);
 - (f) **Access All Abilities AAA** (Targeting children with a disability of who may have specific learning needs to participate in swimming lessons);
 - (g) **Community Golf Program** (Beginning as a pilot program in partnership with Yarra's Aboriginal Partnerships Plan, to support indigenous men to get off the streets in Fitzroy. It has since transformed into a program available to community groups in and

outside of the City of Yarra which reduces the financial and social barriers faced by parts of our community towards playing golf and socialising in this space);

- (h) **Collingwood Estate Gym** (We run a community gym in the Collingwood Housing Estate for residents of the estate. This is staffed by our qualified gym instructors and is available at little to no cost for participants);
- (i) **Accessible Swimming Pools** (each of our pools offers accessible avenues for entry into the pools with each pool having either a ramp, hoist or both to access the main pool spaces);
- (j) **Community Health Membership Program** (This researched-driven, award-winning program was developed in partnership with Co-Health and offers heavily subsidised membership to local health organisations in Yarra, providing access to leisure membership for some of the most marginalised members of our community at little to no cost to the individual);
- (k) **Yarra Youth membership** (specifically targeting young people aged 14-16 years of age to participate in swimming, group fitness and gym exercise sessions appropriate for their development);
- (l) **Family membership** (specifically targeting families to exercise together appropriate for their age and interests. Options are available for families of 2, 3, 4 and beyond can be calculated specific for family make-up larger/different to this. Family membership has recently been broadened to those in the same household);
- (m) **Entry and Membership Fees** (More than \$1M in entry fees are subsidised each year as part of Council's fees and charges. Yarra Leisure offers a diverse range of pricing options to suit a multitude of needs with concession, student and off-peak memberships and casual entries at heavily discounted rates. There are also significant discounts applied to bulk casual packs. This reduces a significant barrier for entry for everyone in the community); and
- (n) **PRIDE night** (is an inclusive gym and swim night for the LGBTIQ+ community and their allies. This is a place where inclusion, diversity and uniqueness is welcomed, respected and celebrated). The first PRIDE night was successfully delivered in August 2019. The planning for the second PRIDE event is currently taking place).

Recreation and Leisure Services projects

- 70. The Recreation and Leisure Branch is currently developing a 'Physical Activity Plan' that aims to increase participation. The Plan aims to address common barriers to participation in physical activity. Two out of three Australians, four out of five Victorian children and almost half of Yarra's adult population live an inactive or sedentary lifestyle. The World Health Organisation acknowledges that insufficient physical activity is one of the leading risk factors for death worldwide and research proves that regular physical activity can assist in the prevention and treatment of a range of non-communicable diseases and can lead to overall improvements in physical and mental health. The Plan is being developed with the intent to provide opportunities to improve the health of all people who live, work and play in Yarra by focusing on physical activity.
- 71. The Plan aims to improve the health of all people who live, work and play in Yarra through a focus on physical activity. The Plan also aims to address common barriers that prevent physical activity including ensuring the infrastructure and built environment is inclusive and safe so as to encourage opportunity for all members of the community to participate in physical activity.
- 72. Recreation and Leisure Services is currently developing an Allocation Policy for all clubs within the municipality. The Policy aims to ensure a transparent and consistent approach, provide guidance to clubs and establish the eligibility and selection criteria to be applied when allocating use of Yarra's sporting grounds, venues and/or facilities. Additionally, the Policy would allocate use of Yarra facilities to clubs so as to improve physical, mental and social health and wellbeing outcomes for all residents of Yarra with a focus on the inclusion

of women, children/youth, LGBTIQ+ and gender non-binary people, thereby creating another component of a wider approach to influencing and ultimately improving safety and wellbeing outcomes for our community.

73. Yarra Leisure has also been part of a MAV gender impact analysis pilot. Funding was provided to 10 local councils to pilot gender impact analysis in policy, planning, services and program delivery. The purpose of the pilot was to prepare local councils for the implementation of the Gender Equality Bill and increase the capacity of local councils in the practical application of gender impact analysis tools. Under the guidance of the Inclusion and Diversity team, representatives from Recreation and Leisure Services participated in the Gender Impact Analysis pilot program to analyse the Yarra Leisure Master Plans.
74. Extensive stakeholder sessions were successfully conducted enabling a process of critical reflection, analysis and assessment that informed how Yarra Leisure Master Plans, programs and services might be experienced, or affect women, men and gender non-binary people differently.
75. The pilot acknowledged that significant internal data is already gathered by Yarra Leisure, however, it was agreed that this data would benefit from disaggregation via gender and other categories as appropriate, for example visit and member data, staff and user surveys, user complaints, social media engagement, so that it could be applied to program development, program uptake and program improvement

Recreation and Leisure Services Gender-based data

76. Part of the Council resolutions requested that this report should include:
 - (a) *available gender data on the use of sporting facilities and leisure centres, including a break-down of gym use, group fitness areas and other services provided by our leisure centres.*
77. The table below demonstrates the Leisure Member Breakdown by Full Facility membership (gym and swim access) including the member gender profile – as of 9 March 2020:

Gender	Number	%
Female	3205	48.70%
Male	3350	50.90%
Other	11	0.17%
Unknown	15	0.23%
TOTAL	6581	100%

78. The Yarra Leisure membership base is made up of almost 51% male users and almost 49% female users, with 0.4% of users indicating either no or other gender at the time of signing up.
79. The table below demonstrates the Leisure Member Breakdown by Aquatic User for the Aquatic Program including the member gender profile – as of 9 March 2020:

Gender	Number	%
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Female	1388	49.24%
Male	1425	50.55%
Other	4	0.14%
Unknown	2	0.07%
TOTAL	2819	100%

80. For Yarra Leisure members choosing the aquatic-only access, there is very little difference in the gender split in comparisons to the full facility membership type (i.e. Aquatic-only members are made up of almost 50% male users and 49% female users, with 0.2% of users indicating either no or other gender at the time of signing up).
81. The following provides a snapshot of sport club membership growth in the City of Yarra over a four year period, particularly highlighting the growth of female programs. It must be acknowledged that all data is self-reported by sporting clubs. Further, Yarra's participation data trends included in the table below only focuses on football/soccer, Australian Rules football and cricket as these are the only three sports that have traditionally self-reported.

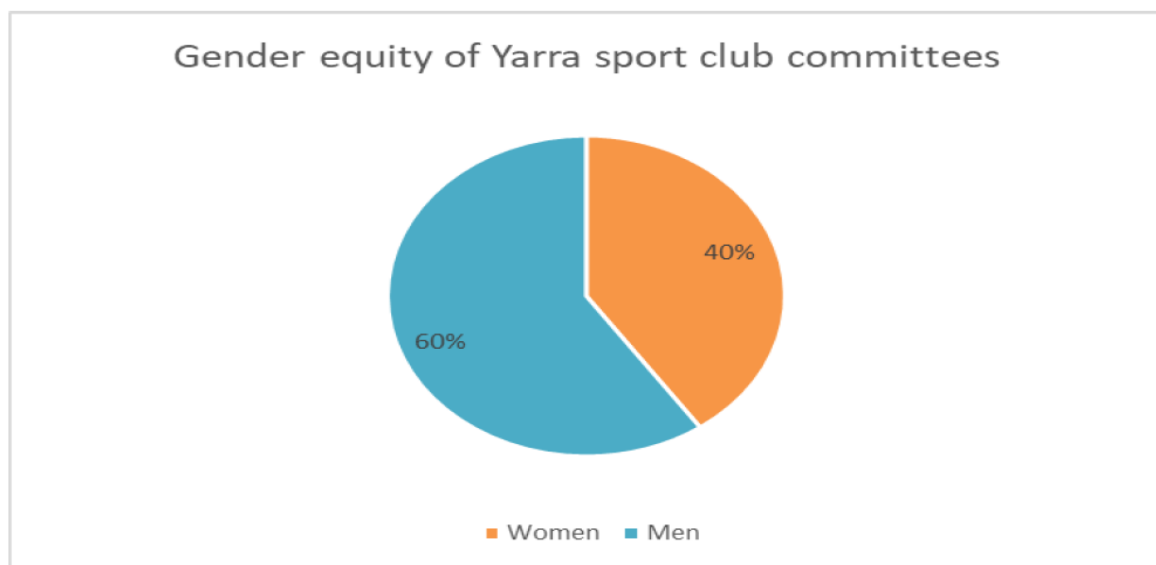
AFL, Soccer and Cricket (combined) participation rates

Year	Junior Female	Senior Female	Junior Male	Senior Male	Total
2016	273	387	1632	1396	3688
2017	494	417	2088	1521	4520
2018	868	598	2449	1376	5291
2019	1019	556	2408	1754	5737

82. VicHealth and Sport and Recreation Victoria conducted joint research into participation rates and found that the overall participation numbers increased each year between 2015 and 2017. Consequently, the trends within Yarra sporting clubs are reflective of wider participation throughout Victoria, with significant growth in female participation in sport over the last four years.
83. Significant efforts have been made industry-wide to drive the positive trends in female participation rates over recent years. A number of factors should be considered as contributing to the increase in female sports participation.
- (a) A 2015 Inquiry into Women and Girls in Sport and Active Recreation resulting in nine recommendations:
- (i) drive Commitment through an Ambassador Program;
 - (ii) engage and Empower by Connecting Ambassadors to Women and Girls;
 - (iii) mandate Gender Balance and Good Governance Principles;
 - (iv) reform Recruitment Practices and Processes for Leadership Positions;
 - (v) enhance Participation Choice and Improve How Opportunities are Marketed;
 - (vi) deliver Female Friendly Built Environments and Equitable Facility Usage Policies;
 - (vii) build an Enabling Environment through Education and Training;

- (viii) showcase the Pathways and Opportunities through Role Models; and
 - (ix) increase the Profile of Women in the Sports Media.
 - (b) The success of VicHealth's campaign *This Girl Can*— currently entering its third year;
 - (c) Provision of new/modified Grant opportunities:
 - (i) Vic Government – Change Our Game Grants; and
 - (ii) VicHealth – Active Club Grants; and
 - (d) Investment in and growth of professional female sport:
 - (i) Soccer: W-League and success of Australian national teams;
 - (ii) Australian football: AFLW launch and expansion; and
 - (iii) Cricket: W-BBL and success of Australian national teams.
84. From 1 July 2019 all sport and active recreation organisations funded by Sport and Recreation Victoria and the Victorian Government were expected to comply with the mandatory 40% women on boards quota. The tables below demonstrate the promising progression of City of Yarra sport club committees in achieving 40% representation of women on committees.

Gender equity on sport club committees (all sports)



Provision of self-defence classes and safety

85. It is noted that Council's Recreation and Leisure Services have not directly received any specific community enquiries or requests to supply self-defence classes, nor is Recreation and Leisure Services currently resourced to provide such activities. On that basis, Officers recommend responding to and connecting interested community members to local venues and existing self-defence programs including supporting them with access to information.
86. While officers can support people seeking access to self-defence classes officers will continue and increase efforts to address the multiple inputs to perceptions of safety, as outlined throughout this report. This includes supporting the development of , community-inclusive and place-based initiatives focused on activating smart-city capabilities and technology, a Physical Activity Plan, an Allocations Policy and continued advocacy and grant

applications to external stakeholders including the State and Commonwealth government, as covered in other sections of this report.

Information focused on gender equity in sport and recreation

87. In a review of available information focused on gender equity in sport and recreation and the role Yarra can play, the following was identified by Council's Recreation and Leisure Services officers:
 - (a) gender equity and prevention of violence against women education in grassroots sporting clubs;
 - (b) promote equitable treatment of women and gender diverse people in the provision of and access to infrastructure and facilities through the development of an Allocations Policy;
 - (c) annual expenditure on sport and recreation services and infrastructure thorough annual budgeting process to ensure an equitable distribution of funds to support women's and girls' participation for both operations and capital;
 - (d) provision of grants to support community groups to develop programs and initiatives that focus on gender equality and prevention of violence against women;
 - (e) gender balance leadership, volunteerism and membership at club level; and
 - (f) gender balance employment, programs, visitation and environments within service provision e.g. Leisure centres.
88. In a recreation and leisure context, the City of Yarra is focusing on a range of actions that seek to achieve equity and increase female participation:
 - (a) Development of an Allocation Policy and Physical Activity Plan – inclusion of a focus on increasing participation and physical activity among women, children/youth, LGBTIQ+ and gender non-binary people;
 - (b) Pavilions - enhancing these to be universally accessible and female friendly;
 - (c) Programs - specialised programs such as Women Making Waves at Collingwood Leisure Centre;
 - (d) Community Grants - the Sport and Recreation stream includes a focus on women and girl's participation;
 - (e) Club fee discounts - supporting inclusion of women and girls teams;
 - (f) Data - Avenues to collect data on female participation in clubs and committee, which assists in understanding the current status and informing decision making to promote gender equity; and
 - (g) Other - Fully funded sanitary services for all pavilions.

Gender Mainstreaming

89. 'Gender mainstreaming' refers to the need to bring gender considerations into the societal mainstream for consideration at every level of amenity, policy, governance and social infrastructure.
90. The idea of gender mainstreaming was first introduced in 1985 and has largely been concerned with the application of a binary gender lens that ensures that the rights and needs of women are considered alongside, but separate from, those of men, as a matter of priority for policy makers. By applying a gender lens to all levels of policy creation and implementation, the aim is to reveal sources of gender inequity to ensure women have an equal right to safety, public spaces and economic participation. In Yarra's case, current gender equity practice is to acknowledge a spectrum of gender and it is through this lens that policy matters are considered.

91. Officers are currently undertaking a gender impact analysis, as part of a larger state government project, applying a gender-lens to policies, programs and services across the whole organisation. This work is compatible with gender mainstreaming principles.
92. It is apparent that gender mainstreaming and its interaction with perceptions of safety (particularly for women) presents complexity. Officers recommend considering the influence of gender mainstreaming in the design, management and safety of parks through adopting a multi-lateral approach that is community-inclusive and place-based.

External Consultation

93. External consultation has been undertaken with Victoria Police on a range of safety matters pertinent to this report.

Internal Consultation (One Yarra)

94. Managers and officers from the in-scope services were engaged at multiple points including the co-delivery of this briefing.

Financial Implications

95. There are no financial implications identified

Economic Implications

96. There are no economic implications identified

Sustainability Implications

97. Greenhouse Gas Emissions result from lighting and there are environmental impacts associated with Life Cycle Costs.
98. Outdoor lighting is required for the enjoyment and use of open space outside of daylight hours, which Council should encourage in appropriate locations and times in order to support diverse night time and early morning activity in Yarra.
99. It will not be appropriate or desirable to light all open spaces as lighting can present issues including:
 - (a) impact on native fauna;
 - (b) impact on adjoining resident amenity if after hours park use is encouraged;
 - (c) energy use; and
 - (d) encouraging people to use open space at night when it is not inherently safe, leading to personal safety issues.

Social Implications

100. Council must consider balancing the varied social needs of the community with respect to perceptions of public safety when considering the allocation of resources to deliver additional infrastructure (or otherwise) within council parks, reserves and gardens.
101. Considerations must be balanced to ensure inclusive, sustainable, equitable service provision can occur in a way that ensures that planned activity with limited resources will lead to meaningful change. A balanced, strategic, evidence-based, co-designed and multi-faceted approach is recommended when considering issues of public safety and participation in physical activity which may be carried out in Council parks, reserves and gardens.

Gender Equity Act 2020

102. In February 2020, the Victorian Government passed *The Gender Equality Act 2020*. The Act “aims to improve workplace gender equality across the Victorian public sector, universities and local councils”.
103. The Act also aims “to level the playing field” so that Victorians can have equal rights, opportunities, responsibilities and outcomes.

104. Under the Act, Local Governments have a range of obligations in relation to both workplace gender equality and the promotion, advancement and achievement of gender equality in the community. On commencement the Act requires defined entities such as local government to conduct gender impact analyses during development or review of policies, programs and services that have direct and significant impacts on the public. In addition defined entities will be required to conduct workplace gender audits based on a series of indicators outlined in the Act, the results of which will inform Gender Equality Action Plans (GEAPs).
105. GEAPs must be submitted to the office of the newly established Commission for Gender Equality in the Public Sector every four years and publically displayed on organisation's websites. Defined entities are required to report to the Commission every two years on the material progress they're making in relation to their GEAPs, the application of GIAs to policies, programs and services – and the ways in which these address, promote and meet the needs of persons of different genders – and other matters as prescribed in regulations.
106. The issues raised in this report affect diverse strands of work from divisions across Council including Community Wellbeing, Planning and Place Making, People and Culture and City Works and Assets.
107. While individual matters under consideration in the report are accounted for in the work plans of individual Branches much of this work also falls within the strategic intent of Yarra's existing Gender Equity Strategy (2016-2021). This Strategy, now in its final year of implementation, is currently focused on delivering an internal Workplace Gender Equity Action Plan. Planning for review of the Strategy has commenced through the Organisational Culture, Community and Diversity Branch and will be guided by the requirements of the new Victorian Gender Equality Act 2020, set to commence in March 2021. This presents a further opportunity to progress work in the community to promote gender equality and safety.

Human Rights Implications

108. Gender equity and inclusion is an important consideration and is part of the standard design process.
109. All works within Council parks, reserves and gardens are mindful to adhere to relevant Australian Standards, including but not limited to Access and Mobility, Playground equipment and surfacing.
110. Council must also consider the gender spectrum when considering issues of inequality which may influence perceptions of safety, particularly in Council parks, reserves or gardens. This could include issues such as female participation in organised and informal activity/sport, including time periods and types of activity affected by the gender spectrum, and access to facilities, such as provision of appropriate change facilities at sports grounds, or accessible amenities.
111. Council must have regard for the full spectrum of gender and ensure efforts are not focused to the exclusion of others. Yarra's current gender equity practice is to acknowledge a spectrum of gender and it is through this lens that policy matters are considered and will be enhanced by future gender impact assessments.

Communications with CALD Communities Implications

112. Nil.

Council Plan, Strategy and Policy Implications

113. The intent of this report is consistent with two of the priority areas in the Council Plan 2017-2021, namely:
 - (a) Community health, safety and wellbeing are a focus in everything we do; and
 - (b) Inclusion, diversity and uniqueness are welcomed, respected and celebrated.

Legal Implications

114. Nil.

Other Issues

115. The far-reaching implications of the COVID-19 pandemic is having a profound impact across the world and is requiring rapid adaptability in service provision, financial support and strategic planning for recovery.
116. Unfortunately, the ability to utilise public parks, reserves and gardens by our community in Yarra has not been spared the devastating effects of the COVID-19 crisis and will require time, support and investment to recover, particularly when considering initiatives focused on increasing participation and gender equity in sport club membership and leadership positions.
117. It is noted that Council have recently endorsed a *COVID-19 Community and Economic Support Package* (6 April 2020) to alleviate the short, medium and long-term impacts of the crisis and amongst other responses, this package outlines initiatives focusing efforts/finances toward Yarra's public health and safety, including support for family violence services to promote safe health and wellbeing practices from home (in lieu of leisure centre, sporting club and public park/play equipment access).
118. It is noted that further, extensive consideration and strategic work will be undertaken under separate cover to address these (along with many other) issues.

Conclusion

119. Council officers have undertaken research of best-practice public safety practices and approaches with particular regard to the design, management and safety of Council parks, gardens and reserves and have considered the role and viability of other tools and mechanisms to support public safety.
120. This report in combination with the background report (attachment 1) has presented reporting on perceptions of safety relative to Council Parks, Reserves and Gardens and current research and the findings on the efficacy, efficiency and effectiveness of panic alarms (and other devices), lighting, and other matters relative to public safety issues.
121. It is recognised that safety in and near parks remains a significant concern for some members of our community, and we continue to monitor trends and consider multi-faceted solutions to address these concerns.
122. This report has highlighted the numerous, existing Council policies and procedures in practice (including those currently under review or for future adoption) relevant to public safety in Council Parks, Reserves and Gardens, including an update on current and scheduled works, and particularly from a gender equity and leisure perspective.
123. The Open Space Lighting Policy (2014) is currently being revised with the intent to integrate a more considered design approach to the way we light our parks, gardens and reserves. While traditional design methodologies seek to ensure lighting is compliant with Australian Standards through vertical and horizontal illuminance, a more considered approach recognises that other elements alter perceptions of brightness and safety in a space. Council officers continue to practice this more considered, nuanced approach and the revised policy will explore this, and will be the subject of a further report to Council at a later date. Officers do not recommend adding additional actions until they can be considered within the context of the updated Policy.
124. Officers recommend continuing to seek out grant opportunities focused in the public safety realm, and the further investigation and trial of technologies such as those described throughout the report to complement a suite of tools aimed at addressing perceptions of safety in open spaces. The submission of the *Public Infrastructure Safety Fund* described earlier in this report is an example of officers pursuing a multi-faceted, sophisticated approach to address the complexities of perceptions of safety (the outcome of application remains pending). Officers would recommend the continuation of advocacy efforts and

pursuit of grant opportunities focused in the public safety realm which enable further investigation and trial of innovative, community-inclusive and place-based technologies.

125. Panic alarms/apps would not currently be recommended as a stand-alone solution to address public safety in Council parks, reserves and gardens. As an alternative, efforts focused around preventative measures such as improved environmental design, education and empowerment strategies, information sharing of known risks, and efforts toward reducing vulnerability would be recommended.
126. Officers recognise the opportunity to further embed broad based gender equity through the introduction of the Gender Equity Act 2020. A number of these matters can be referred to the implementation of the Act including the Gender Impact Assessments of future Council policy reviews.

RECOMMENDATION

1. That Council:
 - (a) notes that gender based violence continues to be a serious issue of great concern in our community including in public spaces;
 - (b) notes that Council's Open Space Lighting Policy (2014) is under revision with the intent to integrate a leading multi-faceted design approach to the way we light our parks, gardens and reserves with the development of a Public Open Space Lighting Policy;
 - (c) supports a strategic review of the existing Gender Equity Strategy (2016-2021), in the context of the commencement of the Gender Equality Act 2020;
 - (d) endorses the implementation of Gender Impact Analysis of policies, services and programs in line with the requirements of the Gender Equality Act 2020, including Council's Physical Activity Plan, Council's Allocation Policy and Yarra's Leisure Master Plan; and
 - (e) request officers to continue advocacy efforts and the pursuit of grant opportunities focused on public safety and inclusive place-based technologies.

CONTACT OFFICER: Julia Bennett-Mitrovski
TITLE: Senior Planner Community Health and Safety
TEL: 9205 5490

Attachments

- 1 [↗](#) Background report

**7.5 PLN19/0450 - 36-52 Wellington Street, Collingwood - Supplementary Report -
Proposed Planning Scheme Amendment C285yara**

Executive Summary

Purpose

This report provides Council with supplementary information in respect to planning permit application PLN19/0450 that affects the land at 36-52 Wellington Street, Collingwood, in regards to the following:

- (a) Proposed Planning Scheme Amendment C285yara in response to the referral from the Building Victoria's Recovery Taskforce (BVRT) to the Minister for Planning; and
- (b) Request for Council's views under Section 20(5) of the *Planning and Environment Act* 1987.

The information and assessment as contained in the original officer report presented to the Internal Development Approvals Committee (IDAC) of 11 March 2020 and subsequent IDAC Minutes remain current and relevant in the consideration of this proposed amendment.

CONTACT OFFICER: Amy Hodgen
TITLE: Senior Coordinator Statutory Planning
TEL: 9205 5330

7.5 PLN19/0450 - 36-52 Wellington Street, Collingwood - Supplementary Report - Proposed Planning Scheme Amendment C285yara

Council at its meeting on 27 August 2020 resolved that the matter be deferred to the meeting to be held on 01 September 2020.

Reference: D20/134183
 Authoriser: Manager Statutory Planning

Ward: Langridge Ward
Proposal: Construction of a multi-storey office building, use of the land for food and drink premises and a reduction in car parking
Existing use: Commercial/warehouse
Applicant: Hines 36 Wellington Property Pty Ltd
Zoning / Overlays: Commercial 2 Zone/Design and Development Overlay Schedules 2 and 11
Date of Application: 10 July 2019
Application Number: PLN19/0450

Application Background

1. This report provides Council with supplementary information with respect to planning permit application PLN19/0450, which affects the land at 36-52 Wellington Street, Collingwood.
2. The agenda and associated minutes of Council's Internal Development Approvals Committee (**IDAC**) of the 11 March 2020, remain current and pertinent in the consideration of this amendment.
3. The planning application is subject to a review at the Victorian Civil and Administrative Tribunal (**VCAT**) pursuant to Section 79 '*failure to determine within the prescribed time*' of the *Planning and Environment Act 1987* (**the Act**).
4. There are six (6) objector parties to the VCAT proceedings.
5. Council formed a position on the application at the IDAC meeting of 11 March 2020, contrary to the officer recommendation, that had it been in a position to determine the application, it would have determined that the application be refused subject to the following grounds:
 - (a) *The proposed height and scale of the development is excessive and not site responsive;*
 - (b) *The proposed development fails to respond appropriately to the heritage interface, resulting in a loss of visual identity and principal views to the old distillery site;*
 - (c) *Waste management processes are unacceptable; and*
 - (d) *The proposed development fails to achieve acceptable levels of environmental sustainable design.*
6. The matter was listed for a Compulsory Conference on 26 March 2020, however this was vacated due to the COVID-19 pandemic. The matter was listed for a full merits hearing on 18 May 2020, however on 6 May 2020, VCAT advised that the hearing has been adjourned until the 26 October 2020.

7. Prior to notification of the adjournment, and in accordance with the VCAT Practice Note (PNVCAT2), Council and the permit applicant had circulated expert evidence on 5 May 2020. This included Urban Design and Heritage evidence (Council) and Urban Design, Heritage and Traffic evidence (Permit applicant). These expert statements did not raise any new issues, however the Traffic Evidence Statement prepared by Charmaine Dunstan, Traffic Engineer of Traffic Group and dated 1 May 2020, contained further traffic and safety analysis in response to the road safety concerns raised by Council's Engineering Services Unit (and subsequently referenced in the officer recommendation at Condition 24). Upon review of the Traffic Evidence, Council's Engineering Services Unit advised that it no longer considered that Condition 24 of the officer recommendation was necessary, which was:

- (i) *Prior to the endorsement of plans, a Road Safety Audit to assess and provide recommendations on the following:*

- *How conflicts will be managed at the western end of Northumberland when parked cars are present*

Proposed Yarra Planning Scheme Amendment C285yara

8. On 6 August 2020, Council received notification that the Minister for Planning (**the Minister**) is considering preparing an amendment to the Yarra Planning Scheme (**the Scheme**) under section 20(4) of the Act to amend the Schedule to Clause 45.12 'Specific Controls Overlay' to apply SCO13 to the site and the Incorporated Document "36-52 Wellington Street, Collingwood, Incorporated document, July 2020", and make other associated changes. The amendment would facilitate the development generally as proposed in planning permit application PLN19/0450. A copy of the notice and the draft amendment is attached to this report (Attachment 1).
9. Before deciding on whether to prepare, adopt and approve the proposed amendment, the Department of Environment, Land, Water and Planning (**DELWP**) is seeking Council's views pursuant to section 20(5) of the Act regarding the proposed development of the site and the drafting of the proposed amendment, which has been based on the officer recommendation outlined in IDAC agenda of 11 March 2020. Council's written response was requested within 10 business days from the date of the letter, however an extension has been granted, subsequently requiring a response by 28 August 2020.
10. The purpose of this report is to formalise Council's position on the proposed Planning Scheme Amendment C285 to provide to DELWP and the Minister for consideration.

Summary

11. This supplementary report will assess the proposed Planning Scheme Amendment, noting Council's position as outlined the IDAC Minutes of the 11 March 2020, was not to support the application.
12. As Council is not the determining authority for the application, it is recommended Council advise DELWP and the Minister of its position on the proposed Planning Scheme Amendment.

Key Issues

13. In considering the proposal, Council must turn its mind to:
 - (a) Planning Scheme Amendment C285yara;

Planning Scheme Amendment C285yara

14. The purpose of Amendment C285 as outlined in the Explanatory Report is to facilitate the delivery of a development that will stimulate the Victorian economy during the COVID-19 pandemic. The proposed development is expected to result in capital expenditure of \$214

million with an estimated 600 construction/design jobs and 2,000 ongoing jobs upon completion.

15. The proposed Planning Scheme Amendment C285yara, would result in the following:
 - (a) Amended Planning Scheme Map 6SCO to apply to the land at 36-52 Wellington Street, Collingwood;
 - (b) Amendment to the Schedule to Clause 45.12 (Specific Controls Overlay), applying SCO13 to the land at 36-52 Wellington Street, Collingwood and insert the incorporated document titled “36-52 Wellington Street, Collingwood, Incorporated document, July 2020”; and
 - (c) Amendment to the Schedule to Clause 72.04 (Documents Incorporated in this Planning Scheme) of the Scheme by inserting the Incorporated Document titled “36-52 Wellington Street, Collingwood, Incorporated document, July 2020”.
16. The draft Incorporated Document is based on the Officer’s recommendation as included within the IDAC Agenda dated 11 March 2020, subject to modified language to suit an Incorporated Document format rather than a planning permit (e.g. reference to conditions modified to reference clauses, reference to the permit holder has been modified to reference the developer and references to the permit document have been modified to refer to the Incorporated Document).
17. Notably, the time expiry for commencement of the development within the draft Incorporated Document is proposed to be reduced from two years to one year, reflective of the intent of Amendment C285yara to stimulate the Victorian economy during the COVID-19 pandemic. However, an expiry for completion of the development or commencement of the use has not been specified. In the event that the Minister issues the proposed Amendment, it is recommended that the following expiry conditions are including within the Incorporated Document:
 - (a) The development is not completed within three (3) years of the gazettal of Amendment C285yara to the Yarra Planning Scheme; and
 - (b) The use has not started within four (4) years of the gazettal of Amendment C285yara to the Yarra Planning Scheme.
18. Furthermore, in light of the additional analysis contained within the Traffic Evidence Statement prepared by Charmaine Dunstan, Traffic Engineer of Traffix Group and dated 1 May 2020, the following conditions are no longer considered necessary and in the event that the Minister issues the proposed Amendment, it is recommended that these be deleted:
 - (a) *Condition 1(i):*
 - (i) *Changes as a result of the road safety audit if required by the responsible authority; and*
 - (b) *Condition 24:*
 - (i) *Prior to the endorsement of plans, a Road Safety Audit to assess and provide recommendations on the following:*
 - *How conflicts will be managed at the western end of Northumberland when parked cars are present.*

Conclusion

19. The facilitation of the development through Planning Scheme Amendment C285yara is sought to facilitate the delivery of a development that will stimulate the Victorian economy during the COVID-19 pandemic.
20. It is recommended that Council advise the Minister for Planning and DELWP that Council does not support the proposed amendment for the grounds as resolved and included in the IDAC Minutes of 11 March 2020.

RECOMMENDATION

1. That the Council resolves to:

- (a) advise the Minister for Planning that Council does not support the Proposed Planning Scheme Amendment C285yara to facilitate the development of a multi (15) storey office building, use of the land for food and drink premises and a reduction in the car parking requirements at 36-52 Wellington Street, Collingwood for the reasons as resolved and included in the IDAC Minutes of 11 March 2020; and
- (b) however, in the event that the Minister for Planning does proceed with the Amendment, that the following modifications to clause 6.1 of the draft Incorporated Document “36-52 Wellington Street, Collingwood, Incorporated document, July 2020”:
 - (i) deletion of Condition 1(i) and subsequent renumbering of remaining conditions;
 - (ii) deletion of Condition 24 and subsequent renumbering of remaining conditions; and
 - (iii) amend the expire condition to include the following expires for the completion of works and the commencement of the use:
 - a. the development is not completed within three (3) years of the gazettal of Amendment C285yara to the Yarra Planning Scheme; and
 - b. the use has not started within four (4) years of the gazettal of Amendment C285yara to the Yarra Planning Scheme.

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Attachments

- 1 ➡ S20(5) Notice and Draft Amendment
- 2 ➡ IDAC Report 11 March 2020
- 3 ➡ IDAC Minutes 11 March 2020

7.6 Adoption of the Yarra Open Space Strategy 2020

Executive Summary

Purpose

To present the Yarra Open Space Strategy 2020 (the Strategy) for adoption.

Key Issues

The Strategy has been in development since late 2017 and the final Strategy is now ready to be presented for adoption.

The full suite of Strategy documents includes:

- the Summary Strategy; and
- the Technical Report.

The Technical Report also includes appendices which contain high resolution maps and detailed consultation results from the two rounds of community engagement.

The final Strategy is based on community feedback received on the draft Strategy during the consultation period which ran from 20 January to 15 March 2020.

Given the support shown for the draft Strategy by the community and internal stakeholders during the consultation period, there have been no major changes to the strategic directions in the report. The modifications made have been to strengthen the rationale behind the recommendations in the Strategy, and to supplement information related to the issues and themes which were identified as important to the Yarra community.

The Strategy will guide the open space capital works program that will be put forward in the annual budget process, the development of masterplans for open space sites, the improvements to existing open space and the development of new open space including through the acquisition of land for conversion to open space.

Financial Implications

The new Strategy provides the strategic justification to pursue the setting of a new public open space contribution rate in the *Yarra Planning Scheme* through a separate planning scheme amendment process.

The current rate is 4.5% and can only be applied to residential subdivisions. The draft Strategy proposes a rate of around 10% be applied to the subdivision of all land.

Approx. \$4 M has been collected *annually* from the rate over recent years, which is transferred into the public open space reserve. An increase in the rate would allow more funds to be accumulated and used for the improvement, and expansion, of the existing open space network.

PROPOSAL

To adopt the new Yarra Open Space Strategy 2020; as the guiding document for planning, developing and managing the open space network in Yarra over the next 15 years;

To acknowledge and thank the Yarra community for their input in developing the Yarra Open Space Strategy 2020.

7.6 Adoption of the Yarra Open Space Strategy 2020

Reference: D20/135272

Authoriser: Director Planning and Place Making

Purpose

1. To present the Yarra Open Space Strategy 2020 (the Strategy) for adoption. This will be the guiding document to plan, design and manage Yarra's open space network over the next 15 years.

Background

Purpose of the Strategy

2. The Strategy is an important piece of work for managing the City's open space network and to better meet the needs of the existing and forecast residential and employment communities. It provides a comprehensive strategy to ensure the legacy of a high quality open space network in Yarra over the next 15 years.
3. The Strategy will replace the 2006 *Yarra Open Space Strategy* and provide a new set of recommendations to work towards meeting the needs of the current and forecast residential and employment communities.
4. The Strategy seeks to ensure a quality built environment in Yarra through the open space network. This assists in providing both physical and mental health and wellbeing outcomes for the community. It also enables Council to realise other strategic goals for the City, including actions from the *Urban Forest Strategy*, *Climate Emergency Plan*, *draft Nature Strategy* and others.
5. The Strategy realises Objective 1.1.2 of the *Council Plan 2017-2021*:
'Develop an Open Space Strategy to ensure Yarra's public open space is managed as a functional network that encourages shared use and active living'.
6. Yarra's community values open space especially for its natural qualities, the provision of large canopy trees and the respite it provides from the built environment. The Strategy provides means to safeguard these values into the future and ensures Council is working to realise the community's vision for open space.
7. The directions and recommendations in the Strategy also provide the justification for increasing Yarra's existing public open space contribution rate specified within the *Yarra Planning Scheme*. The existing rate is a single citywide rate of 4.5% and the proposed new rate is around 10%. The existing rate can only be applied to residential subdivision; however, the Strategy provides justification for the rate to be applied to subdivisions of industrial and commercial land as well.
8. The new rate would help Council to realise the projects listed in the Strategy, in order to improve and expand the existing open space network to meet forecast growth. To achieve this new rate it would need to be taken through a formal planning scheme amendment process before it can be applied.
9. 'Authorisation' to commence the preparation of a planning scheme amendment process will be sought at the Council Meeting on 15 September 2020.

Document structure

10. The Strategy is comprised of two key documents:
 - (a) *Summary Strategy*, refer **Attachment 1** - a concise report detailing the issues facing Yarra and the principles for planning and managing open space. It includes high-level recommendations across the City and detailed recommendations across the precincts within Yarra; and

- (b) *Technical Report*, refer **Attachment 2** - the detailed analysis and background study to develop an open space network that adequately provides for the existing and forecast Yarra population. It includes guidelines to manage and maintain the open space network and detailed recommendations for each precinct.
- 11. There is an Appendix to the Technical Report which contains:
 - (a) Maps associated with the report, refer **Attachment 3**; and
 - (b) *Community Consultation Summary Report 1*, refer **Attachment 4** - a detailed analysis of the community consultation results for the first round of engagement.
- 12. There is also a separate *Consultation Summary Report 2*, refer **Attachment 5** for the second round of consultation, which provides an analysis of the consultation results as well as the key changes that have been made as a result of community input.

Developing the Strategy

- 13. There were several arms of research, with varying depths of analysis, required to understand the open space requirements in Yarra in order to develop a Strategy which would best meet the needs of our existing and forecast communities.
- 14. The Strategy uses residential growth projections from the 2016 census to 2031, provided by *id. Consulting* and it captures employment growth figures from the *Spatial Economic and Employment Strategy* (SEES) 2018 prepared by SGS consultants.
- 15. Extensive background research and analysis was undertaken to develop the report including;
 - (a) an analysis of the existing open space network in terms of location, function, quality and condition;
 - (b) a review of the planning policy framework, including State level policies and strategies as well as relevant Council policies, strategies and plans;
 - (c) development and employment trends in Yarra;
 - (d) best practice frameworks including international benchmarks for open space provision, the impacts open space has on enhancing health and wellbeing and providing opportunities for social connection;
 - (e) sustainable initiatives and climate emergency mitigation mechanisms including innovative water reduction methods and urban heat mitigation measures; and
 - (f) a gap analysis of Yarra's existing open space network.
- 16. Extensive community consultation was also undertaken as part of the development of the Strategy, the results of which have shaped the document.
- 17. A significant amount of work was also undertaken to develop the public open space contribution rate to ensure that it is strategically justified, meets the needs of the forecast community and is equitable in its application. Planning Panels have an expectation that the general principles of *need*, *nexus* and *equity* will be considered in applying a rate to ensure the proposed increase is fair.

Objectives of the Strategy

- 18. The Strategy aims to:
 - (a) improve the quality of existing open spaces by increasing the diversity of facilities to appeal to everyone in the community, while maintaining a balance of natural areas to relax and unwind. This includes spaces for people of all ages, abilities and backgrounds;
 - (b) to ensure everyone in Yarra has easy walking access to open space within 150m of where they live or work. This means new open spaces have been proposed where there is a gap in the existing network, where high levels of growth are projected and where existing spaces are at capacity or over used. Twenty six (26) new open spaces

have been proposed across the different precincts of Yarra. The majority of these are in Collingwood, Cremorne and Richmond;

- (c) provide a linked and accessible open space network that people can easily walk to, so as to improve community health and wellbeing, including through physical fitness and social connection;
 - (d) ensure open space is used to realise sustainable objectives in Yarra including the mitigation of the urban heat island effect, the improvement of biodiversity values and an increase in urban greening;
 - (e) create larger open spaces to allow a flexibility of use, so that increased opportunities are available to grow large broad spreading canopy trees while also allowing adequate solar access;
 - (f) ensure the open space network respects the cultural heritage and character of Yarra's distinct precincts; and
 - (g) ensure Yarra's open space network is robust, fit for purpose and can accommodate the range of users and uses required.
19. The Strategy provides a series of recommendations for each of Yarra's 10 precincts to meet the needs of the current and forecast communities. It prioritises the works and links them to an 'implementation plan' to realise the recommendations of the Strategy.
 20. The Strategy also contains comprehensive design and management guidelines on the best way to develop and manage open space in Yarra. This includes minimum standards to achieve quality spaces, methods to incorporate sustainable initiatives, guidelines that promote universal access, diversity and inclusion as well as the appropriate infrastructure to include in existing and new open space.
 21. The Strategy is a robust document, developed and tested by the consultant team, officers and the wider community through the two staged consultation process. The Strategy is thorough and provides the strategic justification for increasing the public open space contribution through a planning scheme amendment process.

External Consultation

22. There were two rounds of consultation undertaken as part of the development of the Strategy.
23. The first ran over February and March, 2018 and sought to understand community values around open space. Over 2,000 survey responses were received. A specific 'workers survey' was also conducted to understand how our employment community use and value open space. Over 600 employee submissions were received.
24. The results of the consultation were used to inform the recommendations and directions of the Strategy.
25. The second community consultation period ran from 20 January to 15 March, 2020 to test the community's support for the principles and directions of the draft Strategy. Almost 300 submissions were received.
26. The *outcomes* from the second round of consultation showed that the community are largely supportive of the draft Strategy. Their priorities around the key directions in the Strategy are:
 - (a) maximising the opportunity for large canopy trees and natural features;
 - (b) ensuring all residents and workers are in close walking distance to open space; and
 - (c) increasing the opportunities for people of all ages, abilities and cultural backgrounds to access, participate and enjoy open space.
27. The *key issues* identified by the community in relation to open space management and provision were also identified. This includes:

- (a) increasing urban densities and the impact this has on neighbourhood character including possible overshadowing and use of open space, the visual dominance of built form without adequate levels of greening and more vehicles and traffic;
 - (b) lack of existing open space to adequately cater to the recent and future development and increased population;
 - (c) the need to balance the provision of increased facilities for fitness and exercise with the unbuilt and natural qualities of green space which is highly valued as a place to relax and unwind; and
 - (d) dog off-leash in open space leading to personal safety and health issues, particularly in relation to children, while others note the importance of providing off-leash areas given pets are important for community health and wellbeing.
28. The *issues and themes* extracted were used to make the following changes to the Strategy:
- (a) additional open spaces have been proposed in Collingwood and Central Richmond in response to the community's request to balance the rates of development and growth there;
 - (b) the proposal for a new open space located in the vicinity of the Former Police Workshop on Wellington Street, Collingwood;
 - (c) a new small local open space in Central Richmond C is proposed close to projected growth areas;
 - (d) additional text has been included in the Technical Report to note the high level of community support for urban greening;
 - (e) the difference in open space vs streetscapes is clearly articulated;
 - (f) additional text has been added to address the issue around the impacts of increased density on the use and provision of open space; and
 - (g) the open space contribution program has been updated to reflect the additional projects.
29. The *Consultation Summary Report 2* – refer Attachment 5, presents an overview of the key changes and how they have been linked to feedback received during the second round of community consultation. This document will be made available on the project's *Your Say Yarra* page and Council's website along with the final Strategy documents.
30. The report specifies how the broad issues identified by the community have been addressed, as well as how each theme raised in the individual responses received is responded to in the final Strategy.
31. In addition to the changes from the feedback, the Strategy has been updated to reflect information from the:
- (a) *Yarra Ngargna Plan 2020-2023*; and
 - (b) *Draft Yarra Strategic Plan*.
32. The full consultation reports including the methodologies and outcomes are available as **Attachments 4 and 5**.

Internal Consultation (One Yarra)

33. An internal working group guided the development of the Strategy from the beginning of the project. It includes members from:
- (a) Finance;
 - (b) Statutory Planning;
 - (c) City Strategy;
 - (d) Recreation and Leisure;

- (e) City Works;
 - (f) Property;
 - (g) Urban Design;
 - (h) Strategic Planning;
 - (i) Communications and Engagement; and
 - (j) Open Space Planning and Design.
34. A broad range of internal stakeholders from across Council were given an opportunity to review the full suite of strategy documents and provided feedback.
 35. Feedback from internal stakeholders focussed mainly on refining information in their areas of expertise and did not change the overall direction of the Strategy.
 36. There was general support for the overall draft Strategy and the level of rigour and research presented.

Financial Implications

37. The proposed new Strategy will provide the strategic justification to pursue the setting of a new public open space contribution rate in the *Yarra Planning Scheme* through a separate planning scheme amendment process.
38. The draft Strategy proposes a rate of around 10%, increasing from the current rate of 4.5%. It also proposes applying the rate to the subdivision of Industrial and Commercial land, not just residential land.
39. The draft Strategy includes a series of recommendations, for the improvement of existing parks as well as the development of new parks to meet the needs of Yarra's growing community. There is an expectation these would be implemented over the life of the Strategy, the next 15 years. These would be funded from a mix of general rates revenue, Council grants and the public open space contribution rate when the works are for the benefit of the new community.
40. The draft Strategy also recommends that Council acquire land to meet growing community needs for open space. In order to do that, Council would need to have an adequate level of funds, or arrange financing, to support any program of land acquisition. As a general principle, in order to do this, there needs to be a greater accumulation of public open space contributions, rather than continuing to use a significant level of contributions for open space capital works projects.
41. Council can only expend the public open space contributions received for the purposes provided under the *Subdivision Act 1988* and the *Planning and Environment Act 1987* in the following way:
 - (a) the creation of new open space and related recreational facilities;
 - (b) the upgrading of open space and associated recreational facilities, only to the extent which such works would result in existing open space being more intensively used after than before the subdivision; and
 - (c) The renewal or improving of open space and associated recreational facilities, only to the extent which such works would result in the existing open space/recreation facility, being more intensively used after than before the subdivision.

Economic Implications

42. A new public open space contribution rate in the *Yarra Planning Scheme* would apply to both commercial and residential subdivision, but would mainly affect residential subdivisions and provide greater funding in order to meet the community's open space needs.

43. The increase in the contribution will add to the costs of developments / subdivision in the municipality; this is considered appropriate given the extra demands being placed on existing open space and the need for additional open space by new development and the additional population.

Sustainability Implications

44. Many Council strategies will achieve their sustainability actions through the open space network. This includes:
- (a) developing biodiversity corridors;
 - (b) creating opportunities for sustainable water management, for example through passive irrigation or storm water harvesting; and
 - (c) reducing the urban heat island effect by creating more permeable surfaces in parks, which also provides the opportunity to plant larger canopy trees that cannot always be achieved through the streetscape network.

Climate Emergency Implications

45. The implementation of the recommendations in the Strategy will allow mitigation measures to be built into Yarra's infrastructure and provide long term positive environmental impacts.

Social Implications

46. Yarra's open space network provides a setting where the diverse community can converge and socialise if they choose to in a free, safe and welcoming environment, in a number of different ways.
47. The open space network provides varied opportunities for childhood development and growth. Being outdoors is an important part of early years learning.
48. Measures to manage perceptions of safety and equity across the open space network needs to be managed through the ongoing implementation of the Strategy and aligned to the directions of other relevant Council strategies.

Human Rights Implications

49. Recommendations related to accessibility and equity have been included in the design and management guidelines.

Communications with CALD Communities Implications

50. Feedback was sought from the CALD community through service providers and agencies.

Council Plan, Strategy and Policy Implications

51. The Strategy is linked to the seven priority areas of the *Council Plan* as detailed in the Table below:

Council Plan Objective	How the Strategy will meet the objective
<p>A healthy Yarra</p> <p>1.1 Maintain and enhance Yarra's open space network to meet the diverse range of community uses.</p> <p>1.1.1 Increase the amount and quality of green open space through the strategic acquisition of land, the conversion of urban land to open space and/or the creation of pocket parks in high density areas.</p> <p>1.1.2 Develop an open space strategy to ensure Yarra's public open space is managed as a functional network that encourages shared use and active living.</p> <p>1.1.3 Undertake community education to promote understanding and greater acceptance of multiple use infrastructure including open space.</p>	<p>Upgrade existing open spaces to encourage the community outdoors to exercise and socialise in them.</p> <p>Provide additional public open space so that everyone lives and works within a safe and easy walk to open space.</p> <p>Encourage greening of open space so open space contributes to urban cooling.</p> <p>Protect and improve habitat and biodiversity values of open space including along the waterway corridors and across the network where appropriate.</p>
<p>An inclusive Yarra</p> <p>2.1 Build resilience by providing opportunities and places for people to meet, be involved in and connect with their community</p>	<p>Open space is for everyone in Yarra's diverse community, including all ages, abilities and cultures.</p> <p>Open space is accessible to everyone and requires no membership of an organisation or payment to use it.</p> <p>Everyone lives and works within a safe and easy walk of open space.</p>
<p>A sustainable Yarra</p> <p>3.1 Investigate strategies and initiatives to better manage the long term effects of climate change.</p> <p>3.5 Promote responsible water usage and practices.</p> <p>3.7 Investigate strategies and initiatives to improve biodiversity.</p>	<p>Encourage use of sustainable materials in open space.</p> <p>Maximise urban greening.</p> <p>Protect and improve habitat and biodiversity values of open space including along the waterway corridors and across the network where appropriate.</p>
<p>A liveable Yarra</p> <p>4.3 Plan, promote and provide built form and open space that is accessible to all ages and abilities.</p>	<p>Identify the need for and areas where new open space is required in response to the <i>Yarra Housing Strategy 2018</i> and the <i>Yarra Spatial Economic and Employment Strategy 2018</i>.</p> <p>The design guidelines require the inclusion of sustainable water re-use and urban greening including additional large canopy trees to promote the role of open space in mitigating urban heat island effect.</p>

Council Plan Objective	How the Strategy will meet the objective
<p>A prosperous Yarra</p> <p>5.2 Strengthen and monitor land use change and economic growth including new and emerging economic clusters.</p> <p>5.4 Develop Innovative Smart City solutions in collaboration with government, industry and community that use technology to embrace a connected, informed and sustainable future.</p>	<p>Open space is able to attract employees and visitors to Yarra, increasing visitation and economic activities.</p> <p>The actions in the proposed Strategy are costed and form the basis of the open space contribution rate that is included in the Strategy.</p> <p>Growth projections will be monitored over the life of the Strategy. Recommendations may shift as required depending on changes in projected growth.</p> <p>The Strategy provides certainty for Council, the community and developers regarding the location and type of new open space that is required over the 10 year timeframe of the Strategy.</p> <p>Smart City solutions (use of technology) will be considered and applied to the development of new open space and linear trails where applicable.</p>
<p>A connected Yarra</p> <p>6.5 Develop and promote pedestrian and bicycle infrastructure that encourages alternate modes of transport, improves safety and connectedness.</p>	<p>Strengthen the linear connections and sustainable transport options to open space sites.</p> <p>Shared trails are safe and able to be used by a range of community members.</p> <p>Open space sites will be easy to walk to through a safe and amenable street network.</p> <p>Provide bike parking facilities at key open space sites.</p> <p>Biodiversity corridors and habitats will be enhanced.</p>
<p>A leading Yarra</p> <p>7.4 Ensure Council services are efficient, well-planned, accessible, and meet community needs.</p> <p>7.5 Provide the community with meaningful and genuine opportunities to contribute and participate in Council planning and decision making processes with a focus on young people, hard to reach and traditionally underrepresented communities.</p> <p>7.8 Continue a 'customer centric' approach to all service planning and delivery.</p> <p>7.9 Advocate for the best interests of our community.</p>	<p>The proposed Strategy is based on community engagement feedback and best practice provision of open space and facilities in established areas and high density precincts.</p> <p>The community will be engaged on a project basis during the implementation of the Strategy and their responses and experiences will form the base of future planning and design work.</p> <p>Community satisfaction standards will be measured through the <i>Annual Customer Satisfaction Survey</i>.</p>

Legal Implications

52. Independent legal advice from Maddocks (Solicitors) has been sought to ensure the development of the Strategy follows a methodology that would support increasing the public open space contribution rate in the *Yarra Planning Scheme*. This would require a separate planning scheme amendment process following the adoption of the Strategy.

Other Issues

53. Adoption of the Yarra Open Space Strategy will allow objective 1.1.2 from the Council Plan to be realised. This sets up the framework for a legacy of quality open space in Yarra that will serve the community well into the future.

54. Once adopted, a further report, expected to be on 15 September 2020, will be presented to Council to request 'authorisation' from the Minister for Planning to enable Council to proceed with a planning scheme amendment to increase the public open space contribution rate in the *Yarra Planning Scheme*.

Conclusion

55. The Yarra Open Space Strategy 2020 establishes a very sound strategic framework to ensure a legacy of quality built environment and open space provision in Yarra.
56. There is a direct link between the consultation outcomes, research and analysis, growth projections and the recommendations for each precinct in Yarra. There is also flexibility built into the Strategy so it can be reviewed if forecast projections change or alternate opportunities for open space provision arise.
57. The recommendations in the Strategy are costed, prioritised and linked to a new public open space contribution rate so they can be realised during the life of the Strategy.
58. It is considered that the Strategy presents the right strategic framework to meet the necessary open space provisions in the City to accommodate Yarra's forecast projections.
59. The Strategy will guide the open space capital works program that will be put forward in the annual budget process, the development of masterplans for open space sites, the improvements to existing open space and the development of new open space, including through the acquisition of land for conversion to open space.
60. The adoption of the Strategy is the first step toward realising a higher public open space contribution rate in the Yarra Planning Scheme.
61. The recommendation for Council to seek the required 'authorisation', from the Minister for Planning, to enable Council to commence a planning scheme amendment process will be presented at the Council Meeting on 15 September 2020.

RECOMMENDATION

1. That Council:
 - (a) note the officer report regarding the proposed final Yarra Open Space Strategy 2020;
 - (b) note the extensive background analysis that supports the Yarra Open Space Strategy 202, as detailed in the Technical Reports and Appendices, and which sets out directions for improving and increasing open space within Yarra over the next 15 years;
 - (c) note the two phases of community consultation that were undertaken and have informed the Strategy, as detailed in the Consultation Reports; and
 - (d) note that following adoption of the Strategy by Council, a further report will be presented to Council proposing a planning scheme amendment to increase the public open space contribution rate in the *Yarra Planning Scheme*.
2. That Council adopt the Yarra Open Space Strategy 2020 as outlined in the Attachments to serve as the guiding document planning and managing Yarra's open space network over the next 15 years.
3. That Council note that a further report will be provided to the Council meeting on 15 September, 2020, for Council to consider requesting 'authorisation' from the Minister for Planning to enable a planning scheme amendment to be placed on exhibition regarding an increased public open space contribution rate for the subdivision of new developments in the municipality.
4. That Council acknowledge and thank the community for their assistance in developing the Yarra Open Space Strategy 2020.

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Attachments

- 1 [⇒](#) YOSS2020_Summary Report
- 2 [⇒](#) YOSS2020_Technical Report
- 3 [⇒](#) YOSS2020_Appendix A - Maps
- 4 [⇒](#) YOSS2020_Appendix B - Consultation Report
- 5 [⇒](#) YOSS2020_Consultation Summary Report

7.7 Graffiti Management Framework 2020 - 2023

Reference: D20/132661
Authoriser: Director City Works and Assets

Purpose

1. The purpose of this report is to present to Council the Draft Graffiti Management Framework 2020 – 2023 following consultation feedback, including submissions from the Fitzroy Residents Association (FRA), community graffiti management trials, a restructure of the methodology used for graffiti removal and graffiti audits across the municipality.

Background

2. The updated Draft Graffiti Management Framework 2020-2023 was presented to Council (as the Draft Graffiti Management Framework 2019-2022) for adoption on the 2nd July 2019, following a public consultation process. The adoption of the draft updated Framework was delayed to allow the consideration of a late submission from the Fitzroy Residents Association (FRA) and to further clarify aspects of the draft Framework.
3. At the Council Meeting on the 2 July 2019 the below resolution was adopted;

COUNCIL RESOLUTION

Moved: Councillor Coleman

Seconded: Councillor Jolly

Request a deferral of this report for one month to ensure that:

- (a) areas of the policy which are currently unclear are clarified;
 - (b) that areas such as the heritage dimensions are more carefully considered; and
 - (c) that the submission from the Fitzroy Residents Association and others today are considered by officers for potential inclusion by officers in the revised report.
4. It was subsequently agreed with the CEO that the report would be deferred for a longer period to allow additional information from Graffiti trials and audits being undertaken, to be considered and to inform the final Draft Graffiti Management Framework 2020-2023.

Graffiti Management Service Review

5. In early 2018 City Works undertook a review of the graffiti management operations to identify potential improvements in the way that the service was delivered.
6. The key finding of the review were:
 - (a) graffiti removal was not being carried out in strict accordance with the Graffiti Management Framework 2015 – 2018;
 - (b) the framework required residents to remove graffiti from private property;
 - (c) a high percentage of the resources were being utilised to remove graffiti from private property and in particular from rear laneways (Night soil laneways – i.e. laneways that run behind properties, rather than those that now provide frontage to some properties) due to resident pressure;
 - (d) paint matching was consuming a disproportionate amount of time which lowered productivity rates;
 - (e) the purchase of paint was expensive and not efficient as Council became a storehouse for excessive volumes of paint that had been matched to specific addresses;
 - (f) high priority areas were not receiving the appropriate levels of service in accordance with the Graffiti Management Framework 2015-2018; and

- (g) the service was not providing Council or the community with value for money outcomes.

Community Graffiti Management Trials

7. In June 2018 City Works commenced 12 month graffiti management trials in collaboration with the Yarra community across six areas including Abbotsford, Collingwood, Fitzroy, Fitzroy North, Richmond and Richmond North.
8. The objectives of the trials were to:
 - (a) work in collaboration with the Yarra community to identify better ways to manage and prevent graffiti within Yarra;
 - (b) to identify proactive methods to improve the appearance of the City of Yarra and to enhance the environment and liveability of our City;
 - (c) to stimulate civic pride within the City of Yarra Community;
 - (d) to support the community with free graffiti removal kits, paint vouchers and practical advice;
 - (e) to test the effectiveness of quick removal as a preventative measure;
 - (f) to seek alternative methods of graffiti prevention to include, but may not be limited to, quick removal, various wall treatment including plants, colours to deter graffiti, stakeholder engagement, signage, murals, surveillance and enforcement; and
 - (g) to gather information and data that could be utilised to inform the updated Graffiti Management Framework 2020-2023.

Trial Methodology

9. Six trial areas were established with core groups as representative for their respective areas. The areas had specific boundaries and a letter was delivered to each property within the trial areas explaining the purpose of the trial and the expectations from the community and from Council during the trial period. All graffiti was removed by Council within the boundaries of the six areas to provide a base starting point for data collection.
10. Expectations from the community within the trial areas were:
 - (a) monitor the respective area for graffiti;
 - (b) take a photo of identified graffiti and email to Council with details of time, date and location;
 - (c) property owners to clean the graffiti or paint over the graffiti ASAP and send details to Council; and
 - (d) property tenants to clean the graffiti or paint over the graffiti ASAP and send details to Council.
11. Expectations of Council within the trial areas were:
 - (a) provide residents with free graffiti removal kits or free \$50 paint voucher;
 - (b) remove graffiti or paint over graffiti from all other non-private assets as soon as possible;
 - (c) remove graffiti or paint over graffiti from private property where residents were elderly, had physical constraints or the graffiti was excessive in size as soon as possible;
 - (d) record data for analysis and research;
 - (e) facilitate trial stakeholders;
 - (f) set up a Facebook group for trial participants to communicate and share ideas;
 - (g) work with trial groups to trial ideas for graffiti management in each trial area;
 - (h) use trial learnings to feed into the updated Graffiti Management Framework 2020-2023;

- (i) arrange and facilitate group meetings as required; and
- (j) provide data reports and progress reports as required.

Trial Results

12. The key findings of the community Graffiti Management Trials include:
- (a) quick removal of graffiti is the most effective preventative method;
 - (b) graffiti attracts graffiti;
 - (c) the return hit rate within the trial areas was an average of approximately 25%;
 - (d) proactive graffiti removal programs are more effective than reactive programs;
 - (e) self-removal of graffiti is effective for small areas up to 1 square metre in size;
 - (f) some residents have expressed an appetite to pay for a Council graffiti removal service, in other words, fee for service;
 - (g) property owners are more engaged than rental tenants;
 - (h) civic pride is generally important to property owners; and
 - (i) the community is more likely to self-remove with the appropriate level of support from Council.

Graffiti Information Workshops

13. Since June 2018 City Works staff have held graffiti information workshops at Bunnings Collingwood on a monthly basis. The focus of the workshops is to provide Yarra residents with free graffiti removal kits, paint vouchers and practical advice to assist with graffiti removal. The workshops have attracted positive feedback from the Yarra community and provides a positive platform for residents to engage with Yarra staff.

Yarra Graffiti Audit – August 2018

14. In August 2018 a graffiti audit was completed across the entire Yarra municipality. The snapshot across Yarra in August 2018 is provided in table 1 below:

Table 1

TOTAL GRAFFITI - SQUARE METRES	109,000	
CATEGORY	SQUARE METRES	% OF TOTAL
Ground Level	102,500	94%
Second Level	6,500	6%
Rear of property (Night soil laneways)	39,000	36%
On property line ground floor	57,000	52%

Graffiti Service Restructure

15. In September 2018, the method of service delivery for graffiti removal was restructured into two components:
- (a) a proactive program for retail strips and high priority areas (delivered by a Contractor);
 - (b) Council owned property and other reactive removal (delivered by in house team);
 - (c) the total budget remained the same and was distributed between contractor work and in house work;
 - (d) this was a shift away from a reactive service, to a proactive service for high priority areas; and

- (e) this allowed the busy retail areas to be cleaned overnight when there is less pedestrian activity. This was difficult to arrange with in house staff due to industrial relations limitations.

Result of the Service Restructure

- 16. The result of the restructure was an increase in productivity by over 200%. This was due to economies of scale gained by a proactive approach and a change in work times to allow better access for graffiti removal in high priority areas. For the contractor, graffiti removal represents 80% of their total business so they have a deeper skill level and are better equipped with paint mixing and matching equipment so all jobs can be done on the spot.

Audit December 2019

- 17. Since the graffiti audit in August 2018 and the service delivery restructure in September 2018, the focus has been graffiti removal surfaces on property lines on the ground floor. There has been no removal of graffiti from rear night soil laneways or from second story levels. Laneways are not considered priority and second story surfaces present significant OH&S risks.
- 18. In December 2019, another graffiti audit was completed across Yarra. The focus of this audit was to measure graffiti on property lines on the ground floor to provide an understanding of how effective the proactive approach has been over the past 15 months. The results of the August 2018 audit and the December 2019 audit for this specific category are compared in table 2 below.

Table 2

AUDIT CATEGORY	SQUARE METRES AUGUST 2018	SQUARE METRES DECEMBER 2019	% IMPROVEMENT
On property line ground floor	57,000	40,000	30%

- 19. The information in table 2 above demonstrates that the restructure of the method of delivery for graffiti removal combined with a consistent and proactive approach has reduced the volume of graffiti within Yarra. Improvements in the status of graffiti has been achieved with more efficient use of resources and without an increase in budget.

Draft Graffiti Management Framework 2020 - 2023 – Further Review

- 20. The Draft Graffiti Management Framework 2020-2023 has been further reviewed and updated based on a number of considerations including:
 - (a) the submission from the FRA on the 2 July 2019;
 - (b) further discussions with the FRA;
 - (c) learnings from the Community Graffiti Management trials;
 - (d) the restructure and methodology of graffiti removal over the past 18 months;
 - (e) results from the graffiti Audit completed in December 2019; and
 - (f) feedback from Yarra residents at the Graffiti Management Workshops held at Bunnings Collingwood since June 2018.
- 21. A Copy of updated Draft Graffiti Management Framework 2020 – 2023 can be found as Attachment 1.

Categories of updates within the Draft Graffiti Management Framework 2020 – 2023

- 22. There were 2 major areas of concern identified by the FRA:
 - (a) the treatment of graffiti on heritage buildings; and
 - (b) assistance for graffiti removal from private property outside of the high prominence zones.

Heritage Buildings

23. The section on Heritage has been updated within the draft framework to clarify Councils position regarding heritage buildings. Further clarity is provided regarding the removal of graffiti from heritage buildings which includes a reference to Heritage Victoria Guidelines. The World Heritage area in Fitzroy has also been included as part of the High Prominence category to ensure a more proactive graffiti management approach.

Graffiti on private property outside of High Prominence Zones

24. The FRA has noted that they appreciate that Council needs to focus on high priority areas, however they also feel that the high prominence zones are being subsidised by the ratepayers and that the areas outside of high prominence zones are not receiving a fair share of graffiti removal resources.
25. The attached draft Framework has been updated to clarify the treatment of graffiti removal for private property outside of the high prominence zones.

Graffiti on private property outside of High Prominence Zones

26. The attached draft Framework has been updated to clarify the treatment of graffiti removal for private property outside of the high prominence zones.
27. In summary the updated Framework reflects that Council will support residents outside of high prominence zones with graffiti removal in accordance with guidelines set out below.
28. Guidelines include:
- (a) Council will provide a graffiti removal service to private property outside of high prominence zones by request a maximum of 2 times per annum;
 - (b) this will only apply to surfaces on footpath building lines such as walls and fences;
 - (c) graffiti behind building lines will not be removed by Council;
 - (d) Council will not remove graffiti above 3 metres in height;
 - (e) Council will not remove graffiti from second storey surfaces;
 - (f) Council will not remove graffiti from rear laneways (Night Soil Laneways);
 - (g) Council will explore the potential for an on-request, cost-neutral to Council, fee for service for removal of graffiti from private property outside of high prominence zones, beyond the 2 allowable removals per annum by June 2021;
 - (h) removal of graffiti will be consistent with heritage conservation principles and graffiti treatment on heritage buildings will be in accordance with Heritage Victoria Guidelines; and
 - (i) graffiti removal will be in accordance with the Graffiti Prevention Act 2007.
29. This process will be reviewed after a 12 month period to identify efficacy and any potential impacts on budgets. The updated Draft Graffiti Management Framework 2020 – 2023 reflects that there will be a review after a 12 month period.

Alternative Measures to Assist Graffiti Management – Green Walls

30. There is an interest from some residents to use 'green walls' as a preventative graffiti management methodology. Currently there is no formal guidance on best practice for residents interested in plantings on walls/fences on private property to prevent or deter graffiti. A number of residents have requested support and advice from Council to assist them with the greening of walls/fences on their property.
31. There would be a number of considerations for this process including those of safety, asset management, efficacy and liability. The approach to safe and effective plantings to prevent or deter graffiti requires consideration of permits and approvals, and may involve footpath cutting, species selection, soil volumes, sunlight/shade, maintenance requirements, compliance to space requirements and tactile interference for the visually impaired. The

greening of walls and/or fences has been considered within the draft Framework, including an action to establish a process and guidance to support plantings on private property during year 1 of the framework.

External Consultation

32. The external consultation process included the Yarra Community at large, the participants involved in the Community Graffiti Management Trials, the FRA, other Councils, Council's graffiti removal contractor and the MAV.

Internal Consultation (One Yarra)

33. The internal consultation process included the Executive Team, Compliance, Arts & Culture and City Works.

Financial Implications

34. There are no financial implications for the purposes of this report, presuming Council endorses the options proposed within the Framework. Any variance from this has potential to add costs which have at this point, not been budgeted for.

Economic Implications

35. There are no economic implications for the purposes of this report.

Sustainability Implications

36. There are no sustainability implications for the purposes of this report.

Climate Emergency Implications

37. There are no climate emergency implications for the purposes of this report.

Social Implications

38. There are no social implications explored in detail within this report. It is acknowledged that graffiti is viewed differently by people in the community, and that street art is valued by many, whilst tagging is generally considered to be vandalism and seen as detrimental.

Human Rights Implications

39. There are no human rights implications for the purposes of this report.

Communications with CALD Communities Implications

40. There are no CALD Communities implications for the purposes of this report.

Council Plan, Strategy and Policy Implications

41. There are proposed updates to the Graffiti Management Framework 2020 – 2023 as outlined within this report.

Legal Implications

42. There are no legal implications for the purposes of this report, however legal advice will be sought to inform the option of applying a Local Law to compel owners to clean Graffiti off their property, as per Action 5.3 of the Draft Framework.

Other Issues

43. No other issues have been identified.

Options

44. The options for consideration are, either to:
- (a) adopt the updated Graffiti Management Framework 2020 – 2023 that addresses community feedback, including input from the Fitzroy Residents Association (FRA); or
 - (b) not adopt the updated Graffiti Management Framework 2020 – 2023.

Conclusion

45. Graffiti management is a contentious issue for some Yarra residents. It is a challenge to reach a balance between what is or is not an acceptable level of graffiti and the available budget and resources available for graffiti management.
46. Trials within the City of Yarra in collaboration with community members identified that quick removal of graffiti is a strong preventative measure. A restructure of the service delivery methodology for graffiti removal with a focus on more efficient use of resources has resulted in productivity improvements and an overall reduction of the volume of graffiti within Yarra.
47. Part of the productivity gain has been achieved by not removing graffiti from rear laneways (Night soil laneways) that run behind the rear of properties. This has allowed a more proactive approach in the high prominence zones.
48. The two key areas of concern from the FRA regarding the draft Graffiti Management Framework 2020 – 2023 presented to Council for adoption on the 2 July 2019 were the treatment of heritage buildings and the level of graffiti removal support provided to private properties outside the high prominence zones. There has been significant consultation with the FRA regarding the attached updated Graffiti Management Framework 2020 – 2023.
49. The updated framework addresses concerns regarding heritage buildings and particularly the World Heritage Area in Fitzroy. Allowing 2 graffiti removal services per annum per property for areas outside of the high prominence zones provides an additional level of support. Not servicing rear laneways (Night soil laneways) allows resources to be used in areas that have a much greater impact.
50. The focus of Council's efforts and this Framework is to incrementally reduce the level of graffiti across Yarra by taking a proactive approach and utilising resources in a more flexible and efficient manner. The challenge is to manage graffiti in a cost effective way, while improving the amenity of across the municipality. The Graffiti Management Framework seeks to achieve this.

RECOMMENDATION

1. That:
 - (a) Council endorse the updated Graffiti Management Framework 2020 – 2023; and
 - (b) subject to endorsement, the services proposed in the Graffiti Management Framework 2020-2023 take effect from the 5th October 2020 to allow appropriate workflows and practice notes to be implemented.

CONTACT OFFICER: Joe Agostino
TITLE: Manager City Works
TEL: 9205 5523

Attachments

- 1  Draft Graffiti Management Framework 2020-2023

7.8 Proposed Discontinuance of Roads abutting 53-77 Burnley Street, Richmond.

Reference: D20/131103
Authoriser: Chief Financial Officer

Purpose

1. For Council to consider whether the roads shown as lot 1 on the title plan attached as Attachment 1 to this report (**Burnley Street Laneway**), being the whole of the land contained in Conveyance Book 227 No. 672 and lot 1 on the title plan attached as Attachment 2 to this report (**Doonside Street Laneway**), being part of the land contained in certificate of title volume 9214 folio 439, (together the **Roads**), should be discontinued pursuant to the *Local Government Act 1989 (Act)* and sold to the owners of 53-77 Burnley Street, Richmond.

Background

2. The Burnley Street Laneway is shown as the area coloured purple, and the Doonside Street laneway as the area coloured red, on the plan attached as Attachment 3 to this report (Site Plan). Copies of the title searches of the Roads are attached as Attachment 4 to this report.
3. Vicinity Manager Pty Ltd (**Owner**) is the registered proprietor of all of the properties which about the Roads, shown delineated blue on the Site Plan, and being the land known as 620 Victoria Street, Richmond, 53 Burnley Street, Richmond, 61 Burnley Street, Richmond, 65 Burnley Street, Richmond, 67 Burnley Street, Richmond, 77-79 Burnley Street, Richmond and 1-9 Doonside Street, Richmond, (together, the **Owner's Properties**).
4. The ownership structure of the Owner is as follows:
 - (a) the Owner is the trustee of the Victoria Gardens Retail Trust;
 - (b) the unitholders (in equal shares) of the Victoria Gardens Retail Trust are the Victoria Gardens Trust No. 1 and the Victoria Gardens Trust No. 2;
 - (c) the unitholders (in equal shares) of each of the Victoria Gardens Trust No 1 and the Victoria Gardens Trust No 2 are the Vicinity Centres Trust and the Victoria Gardens Property Trust;
 - (d) Vicinity Centre Trust is part of the publicly listed Vicinity Limited; and
 - (e) the sole beneficiary of the Victoria Gardens Property Trust is Taras Nominees Pty Ltd, which is ultimately owned by Salvatore (Sam) John Tarascio.
5. The Owner has requested that Council discontinue the Roads and sell the Roads to the Owner (**Proposal**).
6. The Owner agreed to pay Council's costs and disbursements associated with the proposed discontinuance of the Roads, together with the market value (plus GST) as determined by the Act for the transfer of the discontinued Roads to the Owner.

Road Status

7. The Burnley Street Laneway is known to title as a 'road' and is registered in the name of John Cornish since 14 March 1873, constructed in concrete and partially obstructed by a chain across its entrance at Burnley Street.
8. The Doonside Street Laneway is known to title as a 'road' and is registered in the name of Finklands Nominees Pty Ltd since March 1981, constructed in bitumen and gravel and partially obstructed by a gate approximately 35 metres from its entrance at Doonside Street.
9. It is considered that the Roads are not reasonably required for public use as:
 - (a) The Burnley Street Laneway:
 - (i) only provides access to the Owner's Property at 53 Burnley Street;

- (ii) is not available for vehicular access by the public due to a chain obstructing its entrance from Burnley Street; and
 - (iii) is a dead end and does not provide public access to any other public road as a thoroughfare.
- (b) The Doonside Street Laneway:
 - (i) only provides access to the Owner's Properties at 1-9 Doonside Street and 53, 61, 65, 67 and 77-79 Burnley Street; and
 - (ii) does not provide public access to any other public road as a thoroughfare as it is obstructed by a gate approximately 35 metres from its entrance.
- 10. The Roads are 'roads' for the purpose of the Act, and Council has the statutory power to consider discontinuing the Roads. If the Roads are discontinued, the Roads will vest in Council.
- 11. At its meeting on 5 May 2020, Council resolved to:
 - (a) remove the Roads from Council's register of public roads pursuant to section 17(4) of the *Road Management Act 2004*. Council is required to remove roads from its road register prior to considering their discontinuance; and
 - (b) commence the statutory procedures and give notice pursuant to section 207A and 223 of the Act of its intention to discontinue and sell the Roads to the Applicant.

Public Notice

- 12. The required public notice was placed in the Age Newspaper on 29 May 2020, Council's Facebook page and Council's Website. Two large yellow copies of the public notice were displayed prominently at the entrance of each laneway.
- 13. No Submissions were received by Council in response to the public notice.

Adjoining Owners

- 14. As the Owner is the owner of all properties which abut the Roads, the Owner was not required by Council to seek the consent of any adjoining landowners to the Proposal.

Public/Statutory Authorities

- 15. The following Public/Statutory authorities have been advised of the Proposal and have been asked to respond to the question of whether they have any exiting assets in the Roads that should be saved under section 207C of the Act; City West Water; Melbourne Water; CitiPower; United Energy; Multinet Gas; Telstra; Optus; APA Gas; Ausnet and Yarra City Council.
- 16. Council, Ausnet Services, Melbourne Water, CitiPower, United Energy, Multinet Gas and Optus have advised that they have no assets in or above the Roads and no objection to the Proposal.
- 17. After initially requiring an easement for gas infrastructure over the Doonside Street Laneway, APA Gas advised that the gas infrastructure has been abandoned and that it no longer requires an easement over the Doonside Street Laneway.
- 18. City West Water (**CWW**) advised that it has sewer assets in the Roads. CWW advised that it did not object to the Proposal, subject to the following conditions:
 - (a) a 2 metre wide sewerage easement is created over the sewer main located in the Roads in favour of CWW;
 - (b) any proposed fences must be located a minimum distance of 800mm clear of the centreline of the existing sewer mains;
 - (c) any proposed fence lines must be located a minimum of 1 metre from sewer manholes and/or inspection shafts; and
 - (d) any proposal to build over CWW assets requires CWW's prior written consent.

19. The title plan for the Burnley Street Laneway was prepared to include the easement in favour of CWW as requested by CWW.
20. Telstra advised that it has assets located in the vicinity of the Roads, and no objection to the Proposal, provided that the Owner:
 - (a) calls Dial Before You Dig for a detailed site plan and a list of Telstra Accredited Plant Locators to establish the exact location of Telstra assets;
 - (b) in the event that Telstra's assets require relocation, obtain a quote from Telstra's asset relocation team; and
 - (c) pay Telstra's costs for any relocation of Telstra assets.

External Consultation

21. No external consultation is required for this report.

Internal Consultation (One Yarra)

22. No internal consultation is required for this report.

Financial Implications

23. The Owner/Applicant has agreed to acquire the Roads for their market value (plus GST) as determined by the Act.
24. In addition to the market value (plus GST) the Owner/Applicant has agreed to pay Council's costs and disbursements associated with the Proposal.

Economic Implications

25. There are no economic implications arising from this report.

Sustainability Implications

26. There are no sustainability implications arising from this report.

Climate Emergency Implications

27. There are no climate emergency implications arising from this report.

Social Implications

28. There are no social implications arising from this report.

Human Rights Implications

29. There are no human rights implications arising from this report.

Communications with CALD Communities Implications

30. All notices and correspondence issued in respect of this Proposal will contain a reference to National Relay Service.

Council Plan, Strategy and Policy Implications

31. There are no Council Plan, Strategy and Policy implications

Legal Implications

32. There are no legal implications for this report.

Other Issues

33. There are no other issues.

Options

34. There are no options associated with this report.

Conclusion





35. Council must now determine whether the Roads are reasonably required for public use in order to decide whether the Roads should be discontinued and sold pursuant to clause 3 of schedule 10 of the Act.

RECOMMENDATION

1. That Council acting under clause 3 of schedule 10 of the *Local Government Act 1989* (**Act**):
 - (a) resolves, having followed all the required statutory procedures pursuant to sections 207A and 223 of the Act pursuant to its power under clause 3 of schedule 10 of the Act, and being of the opinion that the roads abutting 53-77 Burnley Street, Richmond (shown marked lot 1 on the title plan attached as Attachment 1, and lot 1 on the title plan attached as Attachment 2 to this report, respectively (**Roads**)) are not reasonably required for public use for reasons set out in this report, to discontinue the Roads;
 - (b) directs that a notice pursuant to the provisions of clause 3(a) of Schedule 10 of the Act is to be published in the Victoria Government Gazette;
 - (c) directs that, once discontinued, the Roads be transferred to the adjoining owner of 53-77 Burnley Street, Richmond (**Owner**), for no less than the market value (plus GST) as determined by the Act;
 - (d) directs that the CEO sign any transfer or transfers of the Roads and any other documents required to be signed in connection with the discontinuance of the Roads and their subsequent transfer to the Owner;
 - (e) any easements, rights or interests required to be created or saved over Roads by any authority be done so and not be affected by the discontinuance and sale of the Roads; and
 - (f) directs that the Owner be required to consolidate the titles to the discontinued Roads with the Owner's adjoining property, by no later than 6 months after the date of transfer of the discontinued Roads.

CONTACT OFFICER: Bill Graham
TITLE: Coordinator Valuations
TEL: 9205 5270

Attachments

- 1  Title Plan - Burnley Street
- 2  Title Plan Doonside Street
- 3  Site Plan
- 4  Title Searches

7.9 Economic Development Strategy 2020 - 2025

Executive Summary

Purpose

To seek the Council endorsement of a new Economic Development Strategy.

Key Issues

- (a) The current EDS 2015 – 2020 concluded in July, 2020; and
- (b) A new EDS will provide clarity and direction, and in particular help facilitate recovery from the impacts of COVID-19.

Some adjustments have been made to the exhibited draft in response to the feedback received.

Background

A process for a new strategy began in 2019 with background research and some early community engagement to enable a new strategy to be considered by Council in 2020.

Urban Enterprise (Consultants), on Councils behalf, undertook a review of the actions from the previous strategy, as well as high level analysis of the macro economic trends relevant to Yarra.

Significant consultation with a wide range of stakeholders, both internal and external, was also undertaken to shape a new draft Strategy.

This consultation included an online survey, in-depth 1-1 meetings, engagement with Councils Business Advisory Group, as well as a broad range of internal stakeholders and groups.

The early consultation provided qualitative analysis of how key trends in the economy are impacting on business locally, and helped shape the overarching themes and supporting actions.

Whilst the initial background report and initial draft strategy were both prepared pre COVID-19, the final draft that was placed on exhibition in the middle of this year contained a number of references to address this throughout the strategy.

Importantly, the exhibited version of the proposed strategy includes a key strategy regarding a recovery period due to the COVID pandemic impact – further, all the other strategies and actions provide stimuli to the local economy to assist in this recovery phase once restrictions are relaxed.

The draft Strategy has been on exhibition for a period of four weeks, to seek further community feedback. Overall the feedback received provided clear indication from respondents that:

- (a) the overall strategy is supported (73.68%), and
- (b) the three supporting themes are strongly supported (all scoring 84% or above).

The proposed new EDS (**Attachment 1**) intends to build on the work that has already occurred through the implementation of current EDS, Council Plan and Spatial Economic Employment Strategy (SEES). It provides a good basis to plan for the future while responding to the very real challenges and opportunities presented within the current economic context.

Financial Implications

There are no direct financial implications to Council in the development of the EDS. The actions will be mainly followed through by current services and also through internal collaboration with other units to pursue actions.

PROPOSAL

For Council to consider the proposed new Economic Development Strategy 2020 – 2025 for adoption.

7.9 Economic Development Strategy 2020 - 2025

Reference: D20/135940

Authoriser: Director Planning and Place Making

Purpose

1. Yarra's current Economic Development Strategy 2015 – 2020, has been the key strategic document that outlines how Council can assist and empower local business to grow Yarra's economy, boost employment and investment and capitalise on Yarra's unique advantages.
2. The EDS expired in July 2020. A recent review shows that the actions from the EDS have progressed well with most actions successfully implemented and objectives achieved.
3. The process of developing the Draft EDS 2020 - 2025 began with the commissioning of external consultants '*Urban Enterprise*' to undertake a review on the current strategy and high level analysis of the macro economic trends relevant to Yarra. This included the following:
 - (a) a review of the current EDS to understand:
 - (i) the strategies and actions that have been implemented and their outcomes;
 - (ii) strategies and actions that are yet to be implemented, remain relevant and can be further progressed; and
 - (iii) new and emerging opportunities that can be implemented over the next 5 years.
 - (b) review of relevant strategic and policy documents to ensure that the EDS aligns with current priorities across State Government, Council and regional partnership organisations, and
 - (c) extensive research and analysis of macroeconomic trends and outlook and factors influencing the Yarra economy including trends in economic indicators and demographics.
4. The next phase entailed the early consultation with Council's Business Advisory Group (BAG) to inform the development of the Draft EDS.

Background

5. It is important to note that the Background Report (Report) (**Attachment 2**) was prepared pre COVID and was designed to form part of the evidence base to support and inform the development of Council's EDS for the next five years.
6. Whilst COVID has had a crippling effect on the economy, a new EDS with a medium focus is still very important for committing to the required work that will assist the local economy once the severe effects of the COVID pandemic have passed.
7. In this regard, the aim of the background report was to understand the following:
 - (a) key macro-economic trends which will influence economic growth over the next five years;
 - (b) major projects that are planned or currently underway in the City of Yarra;
 - (c) major strategies and policies which will need to be considered in the development of a new Strategy;
 - (d) major demographic trends to understand any changes to the resident profile and the potential implications for the labour force and local economy;
 - (e) the local economic and business profile, in order to identify industries that are driving the economy, emerging growth sectors, as well as industries that may be in decline or

in transition. In particular, to identify any notable changes/trends since the last EDS was prepared;

- (f) employment, business and industry activities that are occurring within specific locations;
 - (g) trends in tourism and visitation; and
 - (h) key considerations which will need to be addressed in the Economic Development Strategy.
8. The Background Report also provided preliminary findings to assist in the consultation process with stakeholders.
 9. Following the completion of the Background Report and consultation, a draft EDS (**Attachment 1**) has been prepared to provide an achievable, evidence based plan for the future while responding to the very real current challenges, but also opportunities presented in a local context.
 10. An additional component relating to the impact of coronavirus (COVID-19) was added into the draft strategy prior to its exhibition seeking comment – this was to acknowledge and respond to the significant effect it has had on economies, and outlines Yarra’s initial response via the support package that Council adopted a few months ago.

Key trends and considerations

11. The following lists the key macroeconomic trends identified within the Report that will have implications for Yarra’s economy over the next five years:
 - (a) COVID-19 and what recovery looks like;
 - (b) the Victorian economy has been diversifying (pre COVID);
 - (c) automation (AI and robotics) has been revolutionising some industry sectors;
 - (d) the importance of Small to Medium Enterprises (SME’s) to the health of the economy;
 - (e) the Gig Economy has been transforming employment;
 - (f) growth in start-ups/co-working spaces up to recent times;
 - (g) Melbourne’s CBD and CBD fringe office market (that has been showing strong growth);
 - (h) a low carbon economy which presents opportunities for business;
 - (i) the growing demand for health care;
 - (j) manufacturing remains an important industry in Victoria in terms of export value and value added;
 - (k) business mix and occupancy rates in retail and service precincts constantly changing; and
 - (l) rising property and rental values affecting affordability for some businesses.
12. Yarra’s workforce has largely consisted of ‘white collar’ professionals that work in knowledge-based and service-oriented industries, drawing on a highly skilled, educated and professional workforce.
13. Some of the industries that have been impacted by automation, globalisation and collaboration are considered to be Yarra’s industry strengths, including professional services, information, media and communication, technology and financial services.
14. Demand for co-working spaces has until recently been predominantly been driven by growth in tech and creative industries but has also become popular with professional and financial service industries.
15. Yarra has a significant number of co-working spaces, particularly in Richmond, Abbotsford and Cremorne. Collingwood and Fitzroy also have had a growing number of co-working spaces including some niche spaces that cater to specific industries. Whilst the proportion of

floorspace dedicated to co-sharing is still relatively small in the inner metropolitan Councils, this model is likely (post COVID) to increase and is suited to the competitive advantages of Yarra.

16. The demand for office floorspace in areas such as Cremorne has been unprecedented which has been highlighted by a 20% increase in rents between 2016 – 2017 and over 200,000 m² of development applications (approved or under assessment) in the year ending 2017.
17. In terms of office supply, there has been a notable pipeline of office developments proposed for Yarra including key sites on Swan Street, Church Street and Wellington Street / Gipps Street precinct in Collingwood.
18. In recent years Yarra's role in the metropolitan office market has increased significantly to become a preferred inner-city location for high quality office development which has attracted many business headquarters and is particularly notable in Cremorne. However, many of these pipeline projects remain uncommitted and present a risk for office vacancy rates in Yarra. Note: The COVID situation and working from home arrangements that have been occurring in the past few months may also impact on this trend.
19. Environmental leadership is a longstanding value of Yarra. The significant size of Yarra's working population means that business engagement and support for sustainable practices is crucial for the realisation of broader sustainability goals.
20. The healthcare sector has been growing rapidly. Yarra includes two major health precincts Fitzroy (St Vincent's Public and Private Hospitals) and Richmond (Epworth Hospital). With a growing demand for health care and allied services, the importance of these precincts is expected to strengthen in the future.
21. Retail spending has over a number of years played an important role in the local economy and especially for the Yarra retail based activity centres. Again, this has been impacted heavily by the COVID situation at the present time.
22. The retail sector has been providing the goods and services needed by the community and has been contributing to the vitality of centres and provided a significant amount of employment opportunities. This, however, has been hit hard by the pandemic and shop closures and will take some time to rebuild and recover.
23. Household finances have also come under pressure from stagnant wages growth and declining wealth, and this has reduced consumer sentiment and household's inclination to spend (even pre COVID).
24. As a general trend, the number of major retailer defaults have been on the rise in Australia. Further, vacancy rates in retail centres have been on the rise in inner metropolitan retail strips and are now heavily impacted due to the pandemic. This is potentially going to be an entrenched situation for some time due to the impacts of the COVID-19 pandemic.
25. Until recently, health care, wellness and fitness related businesses have increased significantly in Yarra's retail and services precincts, with significant growth in the number of gyms, Pilates / yoga studios and allied health businesses such as osteopaths, chiropractors, remedial massage and natural therapies. It remains to be seen how that sector responds after the full impacts of the COVID pandemic.
26. The median house and unit prices in Yarra indicate that the municipality is less affordable when compared with middle and outer metropolitan areas. The rising property and rental values in Yarra continue to make housing affordability a concern. This particularly affects vulnerable communities, lower income groups and key workers needed to support the local economy.

Proposed EDS 2020 - 2025

27. The proposed new EDS takes into consideration the macro trends identified in the Background Report and intended to be a flexible document that recognises the need to adopt actions that reflect the now severe changes in economic conditions and seek to meet the needs of the business community.

28. As said, the earlier draft EDS was produced prior to coronavirus (COVID-19), so some projections and figures will be inaccurate (perhaps significantly) in regard to the timeframe that they will be achieved. It should be noted, however, that the first strategic action coming out the new strategy is focussed on the implementation of a recovery plan in response to COVID-19.

29. It is proposed that the Council Plan 2017 – 2021, objective 5:

“City of Yarra is a place where local businesses prosper and creative and knowledge industries thrive”

forms the vision statement for the new EDS. This will strengthen the alignment between the EDS and the Council Plan to improve the continuity of longer term initiatives.

30. There are three key themes that have emerged from the background research and consultation that will shape the future economic growth within Yarra, and provide the framework for the draft EDS. These are outlined below:

Theme 1: Thriving and diverse employment precincts

31. After the City of Melbourne, Yarra has the next highest concentration of knowledge sector employment with a significant proportion of workers engaged in knowledge intensive sectors of health and education, architectural and engineering services, finance, advertising and information technology. The rise of the knowledge economy in Victoria is based on a highly educated labour force, sophisticated technologies and innovative products and services.
32. The theme *thriving and diverse employment precincts* is based on locations in Yarra that generate and encourage innovation, productivity and growth in the knowledge economy. These are areas where research institutions, medical precincts, universities and clusters of high-tech and creative firms attract businesses, entrepreneurs and professionals. Within Yarra, there are a number of key locations where this is occurring, and their role and function has strengthened significantly since the previous EDS. These include the Cremorne Precinct, the Fitzroy health/ education cluster, the Richmond health cluster and Collingwood Gipps Street Precinct.
33. Consistent with Council’s Spatial Economic and Employment Strategy (SEES) adopted in 2018, the draft EDS aims to support business growth in these areas and enhance the competitive strengths and attraction of these areas.

Theme 2: Vibrant and evolving retail and services precincts

34. Covid-19 has had a significant impact on our retail and services precincts, in particular the food and beverage, and creative sectors. The impact of enforced restrictions, social distancing requirements, poor consumer confidence (fiscal and health related), coupled with the absence of interstate and international tourism, mean these precincts are vulnerable to increased business closures.
35. Yarra’s night time economy primarily made up of bars, clubs and live music venues is also under enormous strain due to COVID-19, with enforced closures, social distancing requirements and operational uncertainty.
36. The retail sector and the format of retailing will likely continue (over time) to evolve in response to wider trends and changes. Each retail precinct in Yarra is unique and dynamic, with a business and land use mix that is continually changing.
37. Whilst a number of activity centres are experiencing high vacancy rates, these rates have been comparable with other inner metropolitan retail strips. Generally, lower vacancy rates in Yarra and inner Melbourne are found in tightly held retail strips that include a diverse mix of business types.
38. The proposed EDS seeks to build back resilience into Yarra’s retail strips by addressing some of the issues that retailers and retail centres have been experiencing, as well as investigate opportunities for activating the public realm to create a more attractive environment for residents, workers and visitors.

Theme 3: A creative, inclusive and sustainable economy

39. Yarra has long been recognised as a creative and cultural municipality, as it is home to many artists, creative and cultural institutions. It has been hit very hard, however, due to the pandemic and Government restrictions.
40. The sector typically includes activities that are community based, commercially driven and experimental. Creative industries generally relate to art and cultural activities across a range of disciplines including visual arts, music, theatre, performance, literature, public art, software and interactive content, architecture, design, print media, and filmmaking.
41. There are many attractive liveability characteristics in Yarra that have stemmed from the arts and cultural activities in the municipality, including creative spaces, public/street art, galleries, museums, cultural institutions, music and performing arts venues. How Council can support these creative industries will be very important in the next few years.
42. The proposed EDS acknowledges and aims to also address the growing threat of unaffordability in Yarra, including rising property prices and rents for working artists, creative and makers to live and occupy spaces and studios.
43. Environmental leadership is a long standing value of the City of Yarra. Consultation with local business highlighted the important role Council can play in assisting businesses in undertaking practical and efficient measures to reduce their environmental impact and minimising energy costs. The new EDS intends to further strengthen its engagement with business on sustainable business practices through providing relevant and accessible information and resources, as well as connecting businesses through networking and mentoring initiatives.
44. The proposed EDS builds on the current EDS and Council Plan 2017 – 2021, that will hope (in recovery mode) to see the further development of knowledge intensive and also the creative sector as the key driver of Yarra's future economy.
45. The key strategic priorities will need to actively leverage off the ongoing transformation of the inner Melbourne economic structure.
46. The proposed EDS is intended to complement the strategic directions recommended for the management of Yarra's employment lands outlined within Yarra's SEES.
47. The current EDS, Council Plan and SEES have established a strong framework for building on Yarra's economic attributes with many strategic objectives remaining relevant for inclusion into the new EDS to be further progressed.

External Consultation

48. The preparation of the draft EDS included consultation with the local business community and a broad range of key stakeholders. This consultation provided qualitative analysis of how key trends are impacting on business locally and to establish priorities for supporting the local economy. The consultation process (pre COVID) included:
 - (a) a workshop with graduates from Yarra's Young Entrepreneurs in the North (YEN) program;
 - (b) a workshop with Council's Business Advisory Group (BAG);
 - (c) one-on-one interviews with a diverse range of industry sectors and members of the business community including representatives from health/medical, creative, retail, education, disability, co-sharing spaces, start-ups. **(Attachment 3)**;
 - (d) meetings with internal Council stakeholders;
 - (e) meeting with Council's Disability Advisory Committee;
 - (f) online survey promoted via *Your Say Yarra* engagement portal, Yarra Life e-news, message to Advisory Committee representatives and Yarra's Business e-news; and

(g) follow up telephone interviews with interested online survey respondents.

49. The objectives of the consultation process were to:

- (a) encourage community participation in the development of the strategy and a sense of investment in the final product;
- (b) receive data that informs and refines the strategy, and ensures that it reflects community priorities and aspirations;
- (c) ensure that Council hears from a broad cross-section of people involved in the local economy which includes reaching out to business owners, employees and customers from both traditional and emerging industries; and
- (d) promote Council as a champion of local business development, while helping people understand the nature of Council's role and the extent of Council resources.

Business Advisory Group

50. On 19 September 2019, 'Urban Enterprise' attended Council's Business Advisory Group (BAG), to discuss the key findings of the Background report. BAG members raised the following relevant matters for consideration:

- (a) consultation on the EDS should include interviewing younger residents;
- (b) identify networking opportunities for small businesses that are operating above ground floor level;
- (c) consider reviewing policies, strategies, planning frameworks and regulation that may be relevant to business;
- (d) use planning zoning to protect balance of residential and commercial;
- (e) use parking regulation in retail strips to better reflect business mix; and
- (f) consider performance indicators that don't just focus on GDP, such as health indicators etc.

51. In response, the preparation of the proposed EDS has incorporated the suggestions raised by BAG that are within the scope of the Economic Development Strategy.

Online Survey results

52. Council received 147 responses to the *Your Say Yarra* online survey results between 31 October and 3 December 2019.

53. In summary, feedback from the online survey (December 2019) provided a clear indication from survey respondents that:

- (a) Council should increase its focus on the creative sector (34% support) and the retail sector (30% support) to help grow the local economy over the next 5 years (Note: this will now need to be a very significant focus);
- (b) streetscape improvements (52% support), promoting environmentally sustainable practices to businesses (42% support), promoting Yarra's street life, galleries, public art and cultural activities (39% support) and attracting new businesses to Yarra (38% support) should be considered as priorities to support the local business community; and
- (c) to encourage more people to visit local shopping strips, Council should prioritise improving the look and feel of shopping strips (35% support) and make them easier to visit by foot or bike (22% support).

54. Of the 29 survey respondents that indicated that they would like to expand on their feedback in a detailed one-on-one interview with Council staff, only six took the opportunity to do so.

55. The additional comments received from survey respondents (Dec 2019) in the form of free text, and the feedback from the six follow up interviews, were consistent and mostly directed towards support for retail and services precincts, this included:

- (a) placemaking;
- (b) marketing;
- (c) activating empty shops;
- (d) street cleaning;
- (e) graffiti removal;
- (f) concerns about drug taking and feeling unsafe on Victoria Street;
- (g) streetscape improvements;
- (h) addressing vacancies;
- (i) improving pedestrian access, cycling and promoting sustainable transport;
- (j) concerns about parking costs, availability and time restrictions; and
- (k) impact of large residential development on the amenity.

56. Specific objectives and initiatives for implementation under the theme Vibrant and Evolving Retail and Services Precincts have been developed within the draft EDS, that respond to many of the issues and suggestions raised by the survey respondents.

One-on-one interviews with key industry stakeholders

57. One-on-one interviews were conducted by Council officers with 16 key industry stakeholders and members of the business community including; six traders, Bendigo Kangan Institute, Melbourne Polytechnic, Inspire9, Launchpad, VALID, Compumedics, Abbotsford Convent and Collingwood Arts Precinct.
58. The format of the interviews enabled in depth conversation with the key stakeholders on key issues and opportunities impacting the local economy and the role Council can play in responding to these challenges.
59. This process identified a number of potential partnership opportunities for inclusion in the draft EDS. Again, these interviews were pre COVID, but the intent is still very valid – this includes:
- (a) providing support for young entrepreneurs and start-ups;
 - (b) enhancing visitation through creating art trails that link significant arts and cultural precincts;
 - (c) building a stronger brand for Cremorne as a place of innovation; and
 - (d) promoting innovative initiatives that are available for supporting people with disabilities into the local workforce.
60. A workshop was then conducted with participants involved with Young Entrepreneurs in the North (YEN) program on 7 November 2019. Officers from Yarra and Moreland City Council's Economic Development and Youth Services team facilitated discussion on both the YEN program and the role that Council could play in supporting young people into employment.
61. The provision of personalised support, practical resources and links to networks and mentoring support from Council were highly valued by YEN participants.
62. The proposed EDS includes a number of actions that aim to facilitate local level partnerships which create and promote a range of learning, employment and pathway opportunities.
63. The key themes and objectives outlined within the proposed EDS have been shaped to respond to feedback received throughout the consultation process and the COVID situation.

External Exhibition

64. The exhibition period was for a 4 week period to seek feedback on the proposed themes and actions. **(Attachment 4)**
65. The exhibition included:

- (a) a workshop with Councils Business Advisory Group (BAG) held on 16 July 2020;
- (b) an online survey hosted on the *Your Say Yarra* engagement portal, which had 642 unique visits and was promoted via:
 - (i) a physical letter drop to 3,800+ business;
 - (ii) Yarra Life e-news – mailed to 13,000+ subscribers;
 - (iii) Yarra's Business e-news – mailed to 10,000+ subscribers;
 - (iv) four posts to Yarra's corporate social media platforms;
 - (v) direct email to all previous participants who contributed to the initial consultation, and
 - (vi) direct email to all 1,072 *Your Say Yarra* subscribers and community groups including neighbourhood houses, and;
- (c) Meetings with internal Council stakeholders.

Online Survey results

- 66. Council received 21 responses to the *Your Say Yarra* online survey results between 29 June and 27 July 2020.
- 67. In summary, feedback from the online survey provided a clear indication from survey respondents that:
 - (a) the overall strategy is supported (73.68%), and
 - (b) the three supporting themes are strongly supported (all scoring 84% or above).
- 68. Of the 21 submitters, 12 made additional comments with two of the submitters attaching supporting documents.
- 69. The additional comments received from survey respondents in the form of free text included support for retail & services precincts. These included:
 - (a) parking availability;
 - (b) empty shops, and
 - (c) graffiti and cleanliness.
- 70. Additional comments related to COVID-19, as well as highlighting Yarra's competitive advantages including:
 - (a) COVID-19 considerations and the usefulness of this strategy, and
 - (b) Yarra's proximity to the city.
- 71. Taking into consideration the feedback received from all stakeholders across the exhibition period, a number of edits and additions were made to the final strategy including:
 - (a) inclusions to the overview section and throughout the document, referencing Yarra's strategic location in proximity to the city, and acknowledging the pressures that growth has on liveability;
 - (b) provided additional context around what Economic Developments role is within the Yarra economy, and included a list of tools and levers that will allow the unit to measure and report on our objectives;
 - (c) rewrites to the COVID-19 section, providing a more accurate and up to date picture of the economy, outlining recent fiscal responses from all tiers of government, and includes additional considerations due to further lockdown restrictions and how this will impact recovery;
 - (d) edits to the Melbourne's CBD and CBD fringe office market section, to acknowledge the impact that COVID-19 has had, and the potential flow on effect of more people working from home;

- (e) edits to the Low Carbon Economy section, making it clear that there is a triple bottom line benefit to implementing environmentally sustainable practices, such as improved employee wellbeing, meeting environmental targets and significant cost savings;
 - (f) the inclusion of a project led by the Inner Metro Partnership which aims to support more affordable workspaces and creative uses within Yarra;
 - (g) inclusions of the Yarra's Arts and Culture unit to jointly lead on a number of actions were also made to reflect the partnership between both the Economic Development and the Arts units; and
 - (h) minor grammatical edits and removal of industry jargon, replaced with plain English
72. Some of the feedback raised within the exhibition period was not incorporated within this strategy, as they are addressed in detail within other Council strategies such as the Road Management Plan, the Spatial Economic and Employment Strategy and Climate Emergency Plan.

Internal Consultation (One Yarra)

73. Council staff were also consulted for their input towards the new EDS, to make sure that it aligns with corporate objectives and priorities, as well as to identify opportunities to work collaboratively on initiatives that support the new direction.
74. Representatives included staff from Strategic Planning, Social Policy, Community Partnerships, Urban Design, Heritage, Communications and Advocacy, Sustainability, Arts and Culture, Library Services, CityLab and Youth Services.
75. All relevant Council representatives of advisory committees were requested to notify members of the on-line survey. This included Aboriginal Advisory group, Library Advisory Committee, Heritage Advisory Committee, Arts Panel, Disability Advisory Committee, Active Ageing Advisory Group, Bicycle Users Advisory Group, Environment Advisory Group, Multicultural Diversity Group, Health and Wellbeing Advisory Group, Neighbourhood House Network and the Liquor Forum.
76. A presentation was made to the Disability Advisory Committee (DAC) on 19 November 2019, seeking their input and feedback regarding priorities for people with a disability. Some of the matters raised by DAC members were beyond the scope of the EDS as they related to the provision of disabled parking. Relevant issues included greater advocacy to local business operators for improved physical access and practical support for people with disability, particularly in relation to retail premises.
77. The proposed new EDS includes actions that aim to promote the need for better access to local business. Articles on ways that business can improve access and inclusion of people with disabilities are to be featured in future business e-bulletins.

Financial Implications

78. The Economic Development team provide a service to promote and assist, where possible, small commercial operators and in particular the retail sector.
79. The Yarra Business Application Support (YBAS) has now also been operational for some 12 months through the economic development team actively assisting new businesses with what approvals are required, and also linking those persons with the relevant staff member to discuss particular aspects.
80. There are no direct financial implications to Council in the development of the EDS. The actions will be followed through mainly through current services and also through internal collaboration of other units to pursue actions.

Economic Implications

81. The proposed new EDS will provide Council with clear strategic goals and priorities for how it will stimulate, attract and maintain business activity and employment within the municipality. This is particularly important in assisting the local economy recover from the COVID situation.

82. Actions have been outlined to achieve the following ten strategic objectives:
- (a) retain and grow Yarra's employment precincts and unlock economic development opportunities through strategic planning processes;
 - (b) support and encourage innovative and entrepreneurial activities across Yarra's employment precincts;
 - (c) encourage a resilient community through capacity building and business support programs and initiatives;
 - (d) strengthen Yarra's retail and services precincts through improved streetscapes and amenity, to attract more people who visit, recreate, dwell and spend;
 - (e) nurture resilience in the retail industry and appropriately equip businesses to respond and adapt to structural changes in the industry;
 - (f) grow the night-time economy and proactively manage safety and amenity challenges to enhance people's experience when visiting Yarra's night-time precincts;
 - (g) grow and protect local creative industries and strengthen Yarra as a destination for arts and culture;
 - (h) encourage sustainable business practices across Yarra;
 - (i) facilitate local partnerships which create and promote a range of learning, employment and other pathway opportunities for businesses, workers and residents; and
 - (j) support employment pathways and career development opportunities for people who are disadvantaged.

Sustainability Implications

83. The proposed new EDS also includes reference to a number of important actions that support local businesses to be more sustainable and resilient to climate change, these include:
- (a) working in partnership with Council's sustainability unit to develop a program that supports local businesses to be more sustainable that will be delivered over the life of the EDS;
 - (b) promoting environmentally sustainable practices to businesses with relevant and accessible information in regard to energy, water and waste efficiency, and
 - (c) continuing to support energy and resource efficiency programs that help reduce business costs and improve environmental outcomes in collaboration with Yarra Energy Foundation (YEF) and other organisations as appropriate.
84. In preparing the new EDS, the implications of sustainability has been considered within the broader context of social, environment, economic and climate adaption through the application of Yarra's recently adopted Quadruple Bottom Line (QBL) Assessment Tool. The tool results demonstrate that reasonable consideration was given to all four key pillars.

Climate Emergency Implications

85. The EDS has key strategies and actions that address the importance of the climate emergency, and to build off the Climate Emergency Action Plan.

Social Implications

86. The active implementation of the EDS will seek to provide a range of social benefits, particularly in relation to strategic priorities that aim to support employment pathways, affordable spaces for the creative sector and supporting growth in Yarra's activity centres.
87. This is important to assist the constantly evolving retail, entertainment, hospitality and commercial services to meet the needs of visitors and residents and to seek to assist in the recovery stage from the impact of the COVID pandemic.

Human Rights Implications

88. There are no known human rights implications.

Communications with CALD Communities Implications

89. Yarra's Multicultural Diversity Group have been consulted for their feedback and input. The issue of empty shops on Victoria Street was raised. This is an ongoing topic and along with some other centres needs further careful analysis.

Council Plan, Strategy and Policy Implications

90. The EDS is consistent with and responds to the strategic directions set out in the following Council Strategies and plans;
- (a) Spatial Economic and Employment Strategy 2018;
 - (b) Council Plan 2017 -2021;
 - (c) Yarra Housing Strategy 2018;
 - (d) Night Time Economy Strategy 2014; and
 - (e) Climate Action Plan 2020 – 2024.
91. It is also consistent with the Council support package to the local economy due to the COVID situation.

Legal Implications

92. There are no anticipated legal implications.

Other Issues

Victorian Auditor-General's Office

93. The Victorian Auditor-General's Office (VAGO) report on Local Government and Economic Development was tabled in the Victorian Parliament on 8 March 2018.
94. The audit sought to assess whether local government economic development activities help to improve the economic viability and sustainability of their municipalities. Specifically, they assessed whether Council's actions to improve economic viability and sustainability are strategic and achieve their intended outcomes.
95. Although Yarra City Council was not one of the Councils audited, the audit findings and recommendations need to be considered in the development of Yarra's new EDS.
96. The report made eight recommendations, with three for Regional Development Victoria, two for Regional Development Victoria and Local Government Victoria and the remaining three for the local government sector.
97. The following VAGO recommendations have been considered in the preparation of the draft EDS:

Recommendation	Response
<u>Recommendation 6</u> <i>"regularly review alignment between economic development strategies and council plans to improve the continuity of longer term initiatives."</i>	Council Plan 2017 – 2021 Objective 5: <i>"City of Yarra is a place where local businesses prosper and creative and knowledge industries thrive"</i> forms the vision statement for the new EDS.
<u>Recommendation 7</u> <i>"develop comprehensive"</i>	High-level targets are provided under each theme and are in-line with historical growth rates (where applicable). Each target proposes an indicator to monitor in order to

<p><i>performance measures for economic development with clearly articulated targets and benchmarks”</i></p>	<p>track progress at key intervals.</p> <p>Several broader indicators will be reported to give a more general picture of Yarra’s economy and its performance compared with Melbourne/Victoria/Australia as a whole. These indicators will include:</p> <ul style="list-style-type: none"> • Unemployment rate (Department of Employment); • Estimated resident population growth, current and projected (ABS); • Housing and non-housing building investment (ABS); • Latest estimate of Gross Regional Product for Yarra; • Latest estimate of local jobs; • Latest estimate of local businesses, and • Latest estimate of employed residents
<p>Recommendation 8 <i>“monitor and report on economic development outcomes and clearly link actions to intended outcomes”.</i></p>	<p>Annual progress reports on the implementation of the EDS will be presented to Council’s Business Advisory Group and Council.</p>

Richmond Retail Revitalisation Project

98. The Victorian Government through the Hon Richard Wynne MP established the *Richmond Retail Revitalisation Project* to revitalise Bridge Road and Victoria Street precincts. The Department of Environment, Land, Water and Planning (DELWP) has been leading the project and is finalising a report. The focus is to identify the problems affecting the precincts and recommend ways to address the problems, including recommendations to improve the immediate and long-term economic, environmental, social, logistical and cultural health of the precincts.
99. It is understood that the draft report is with the Minister for Planning and will be shortly released.
100. The final recommendations will be considered as part of the first year implementation of the Economic Development Strategy.

COVID-19 dashboard - commercial vacancy rates

101. The Inner Metropolitan Action Plan (IMAP), have commenced the process of commissioning a dashboard to track the impacts that COVID-19 has, and is having on the economy. Part of this work will look at commercial vacancy rates on ground floor premises in retail precincts. The expected project outcomes (again pre COVID) have been set to:
 - (a) confirm the level of commercial vacancies in activity centres in inner Melbourne across IMAP municipalities;
 - (b) highlight the constraints and disincentives on landlords that discourage them from unlocking their properties;
 - (c) identify changes or incentives at a policy or program level that could be employed across the three tiers of government to encourage activation of commercial vacancies or compel them to do so in addition to incentivising high street curation opportunities;
 - (d) identify potential future uses of vacant shops and the associated planning/regulatory requirements; and
 - (e) develop an advocacy platform for State and Federal Government changes.

102. The project is scheduled to be completed later in 2020 and will also be considered in the first year implementation of the Strategy.

Conclusion

103. The draft EDS was developed (pre COVID) through extensive quantitative research that provided a high level analysis of the Yarra economy and identified issues and opportunities for economic development in the municipality for the next five years.
104. In addition to the quantitative research, consultation was also undertaken with key industry stakeholders and the community to identify how key trends are impacting on business locally and establish priorities for supporting the local economy.
105. Following on from the exhibition period, a number of changes were made to the draft strategy. These changes included more detail and context around Yarra's comparative strengths, acknowledging pressures such as a growing population, leading to increased infrastructure strains, and the impacts growth has on the areas liveability.
106. It is acknowledged and understood that the research and analysis contained within the draft strategy and accompanying background report was prepared prior to the COVID-19 pandemic, and therefore some figures and projections are in contrast to more recent data, in particular employment figures, household expenditure and visitation numbers.
107. The strategic framework, strategies and associated action plans, however, remain extremely relevant in guiding Yarra's economic recovery post pandemic, and the inclusion of a dedicated strategy directly responding to COVID-19, aims to address issues facing the Yarra business community.
108. The proposed new EDS outlines how Council can best support economic development by empowering local business to grow, boost employment and investment and capitalise on Yarra's unique advantages.
109. The proposed new EDS intends to build on the work that has already occurred through the implementation of current EDS, Council Plan and SEES. It provides a good basis to plan for the future while responding to the very real challenges and opportunities presented within the current economic context.

RECOMMENDATION

1. That Council:
 - (a) note the report of officers regarding the proposed new Economic Development Strategy;
 - (b) note the background documents and the consultation that has been undertaken as part of the work to formulate the new Economic Development Strategy;
 - (c) note that, notwithstanding the background research occurring prior to COVID -19, the proposed Economic Development Strategy is still very relevant and important highlighting how Council can assist the local economy through focused actions; and
 - (d) note the proposed Economic Development Strategy as outlined in Attachment 1.
2. That in the context of the above, Council now adopt the Economic Development Strategy 2020 – 2025.
3. That officers inform all submitters and the Business Advisory Group of the adoption of the Economic Development Strategy.

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Attachments

- 1⇒ Attachment 1 - EDS Final
- 2⇒ Attachment 2 - Background Report
- 3⇒ Attachment 3 - Consultation report
- 4⇒ Attachment 4 - Exhibition Report

7.10 Establishment of an Audit and Risk Committee

Reference: D20/136277

Authoriser: Group Manager Chief Executive's Office

Purpose

1. To respond to the enactment of the Local Government Act 2020 ("2020 Act") and the repeal of sections of the Local Government Act 1989 ("1989 Act") by:
 - (a) dissolving the Audit Committee established under section 139 of the 1989 Act;
 - (b) establishing an Audit and Risk Committee under section 53 of the 2020 Act;
 - (c) endorsing an Audit and Risk Committee Charter under section 54 of the 2020 Act; and
 - (d) appointing two Councillors and three external persons as members of the Audit and Risk Committee.

Background

2. On 24 March 2020, the *Local Government Act 2020* received Royal Assent, marking the end of a reform process that has taken place over the past three years.
3. One feature of the Act is that implementation will take place progressively, with a number of milestones triggering specific provisions of the 2020 Act, while simultaneously rescinding the equivalent provisions of the 1989 Act.
4. On 6 April 2020, Stage 1 took effect, which included:
 - (a) new definitions of 'confidential information' for Council reports (narrower definitions);
 - (b) new provisions for the closure of meetings to the public (can be closed where people are disrupting the meeting); and
 - (c) completely restructured electoral provisions (requiring postal votes, compulsory voting for over 70s and the eventual move to single member wards).
5. On 1 May 2020, Stage 2 took effect, and requires the delivery of a number of specific matters on or before 1 September 2020:
 - (a) Governance Rules;
 - (b) Expenses Policy;
 - (c) Delegated Committees;
 - (d) Asset Committees;
 - (e) Audit and Risk Committee Charter; and
 - (f) Public Transparency Policy.
6. This report responds to point (e) above and proposes to establish an Audit and Risk Committee, endorse a Charter and appoint members to the Committee.

Committee Establishment

7. The changes to the legislative framework insofar as they relate to Audit Committees see the committees take on a slightly broader role and continue the evolution of the role of the committees that has been in place for some years. The enactment of the 2020 Act and repeal of the 1989 Act means that the most appropriate mechanism to ensure council complies with its obligations is to dissolve the existing committee (established under the 1989 Act) and create a new committee under the provisions of the 2020 Act.
8. These steps are provided for at clauses 1(a) and (b) of the recommendation.

Charter

9. The current charter of the Yarra City Council Audit Committee was adopted by Council in September 2019 following a comprehensive review by the committee in light of the release of the Local Government Bill 2019 (which later became the 2020 Act).
10. At that time, the committee considered a desktop assessment of the current charter undertaken by Committee member Vince Philpot. Mr Philpot is a Qualified Audit Assessor of the Institute of Internal Auditors Australia (IIA) and conducted a review using the IIA Audit Committee Charter Checklist. The Committee examined a number of suggested changes arising from Mr Philpot's work, feedback from the Audit Committee Chairperson and advice from Council officers.
11. More recently, the committee again review the charter, both at its May and August 2020 meetings, and sought to ensure that the expanded role of Audit and Risk Committees envisaged in the making of the legislation was captured.
12. In early June, Local Government Victoria released a model charter for Audit and Risk Committees, and a further review was conducted by the Senior Governance Advisor. Following consideration of this review and a further examination at the committee's August meeting, it was proposed to replace the 'responsibilities' section of the draft Yarra charter with the equivalent provisions directly lifted from the model charter.
13. This approach ensure consistency across the sector and enables Council to more readily draw on resources such as a model annual workplan and other supporting materials.
14. At the Audit Committee meeting on 20 August, the Committee resolved *"that the Audit endorse the draft Audit and Risk Committee Charter with the changes shown ... and refer it to Council with the recommendation that it be adopted."*
15. While the full extent of the differences between the charter of the existing Audit Committee and the draft charter of the Audit and Risk Committee changes can be found in the marked up version found at **Attachment One**, the material changes are summarised below.

Charter Reference		Rationale
Title	Change to "Audit and Risk Committee".	To mirror the language in the 2020 Act.
Approval/ review date	Planned four yearly review	Will enable each Council to update the Charter just prior to the election period.
3.5	New section stating the collective expertise of the committee members	To mirror the language in the 2020 Act.
4	Totally replaced the 'Committee Responsibilities'	Using the model charter provided by Local Government Victoria as a basis assist in achieving clarity in understanding and consistency across the sector.
5	Retention of parts of the existing Committee Responsibilities that relate to public reporting	These provision do not appear in the model charter so have been retained as a stand-alone section.
6.1.1	Change from twice annual presentation by the Chair to once annually.	The new provisions provide for twice annual written reports and greater powers for the committee to present matters to the Council if required. It is envisaged that the Chair will need to present to the Council once every twelve months (ahead of the development of each year's annual workplan).

Charter Reference		Rationale
6.3.4	Removal or requirement to lodge written pecuniary interest returns	This requirement no longer exists in the 2020 Act.
7.1.1	Removal off prescriptive dates for the meeting cycle.	Allows greater flexibility for the Committee to schedule meetings
7.1.3	Change from adopting a 'rolling' workplan to adopting an annual workplan once each year.	To reflect the process described in the 2020 Act.
7.4	Inclusion of an indemnity clause for members.	To reflect the removal of the equivalent clause from the 2020 Act.

16. A clean copy of the proposed Audit and Risk Committee Charter with all mark-ups incorporated can be found at **Attachment Two**. It is recommended that Council endorse the charter with these mark-ups incorporated. This is provided for at clause 1(c) of the recommendation.

Membership

17. Cr Coleman and Cr Searle were appointed to the Audit Committee by the Council for a one year term at the annual ceremonial Council meeting on 28 November 2019. Their terms will conclude on the day of the Council election on 24 October 2020.
18. David Ashmore was originally appointed at the Council meeting on 7 July 2015, with the term to commence in September 2015 and expire on 21 September 2018. Following his reappointment to a second term, Mr Ashmore's current term is scheduled to end on 21 September 2021.
19. Vince Philpott was also originally appointed at the Council meeting on 7 July 2015, with the term to commence immediately and expire on 6 July 2018. Following his reappointment to a second term, Mr Philpot's current term is scheduled to end on 6 July 2021.
20. Helen Lanyon was originally appointed at the Council meeting on 19 September 2017, for the period 1 October 2017 to 30 September 2020.
21. While all five terms of appointment technically come to an end with the dissolution of the Audit Committee, there is significant benefit in continuity in membership between the Audit Committee and the newly established Audit and Risk Committee. Given the imminent expiry of Helen Lanyon's term and the upcoming Council elections, it is proposed to appoint all existing members to the new committee for the remainder of their existing terms (and, in the case of Helen Lanyon, a further three year term).
22. Both the Audit Committee Charter and the draft Audit and Risk Committee Charter contain an identical provision providing for the reappointment of independent members upon the expiry of their term. The documents provide that *"independent members will be eligible for extension or re-appointment after a formal review of their performance, such review to be undertaken by the Chief Executive Officer (or delegate) and referred to Council."* This process was completed in August 2020 with the Ce recommended that *"Having completed the necessary review, I am satisfied that Helen Lanyon should be re-appointed to the Audit Committee for a further three year term. Given the Audit Committee is to be dissolved on 1 September and replaced with an Audit and Risk Committee, it is recommended that this appointment be made by Council appointing Helen Lanyon to the Audit and Risk Committee until 31 September 2023."*
23. In considering the number of terms served by each independent member, the time served on Council's Audit Committee should be treated as contributing toward the time served on the Audit and Risk Committee. As a result, for the purpose of clause 3.9 of the Audit and Risk Committee Charter (which provides that independent members may serve only three terms),

the appointment of independent members made in this report shall be considered as each member's 'second term'.

24. The proposed membership appointments are provided for at clause 1(d) and (e) of the recommendation.

External Consultation

25. Aside from discussions at Audit Committee meetings as detailed above, no further consultation has been undertaken.
26. External Committee members have confirmed their willingness to continue to serve the committee for the terms set out in the recommendation.

Internal Consultation (One Yarra)

27. This review has been led by Council's Governance team, in consultation with the Director Corporate, Business and Finance and the Chief Financial Officer.

Financial Implications

28. The arrangements for the establishment and payment of fees to external members of the Audit Committee remain a matter for the Chief Executive Officer to determine, but there is no proposal to alter the current arrangements as a result of the changes recommended in this report.
29. It is possible that the broader role of Audit and Risk Committees may, over time, require additional resourcing, which will be accommodated within the necessary budget.

Economic Implications

30. There are no economic implications arising from this review.

Sustainability Implications

31. There are no sustainability implications arising from this review.

Social Implications

32. There are no social implications arising from this review.

Human Rights Implications

33. There are no human rights implications arising from this review.

Communications with CALD Communities Implications

34. No external communications were undertaken in the conduct of this review.

Council Plan, Strategy and Policy Implications

35. The establishment of an Audit and Risk Committee assists Council to achieve its commitment to 'A leading Yarra' as set out in the Council Plan 2017-2020.
36. More specifically, this work supports articulated strategy 7.3, which commits Council to *"maintain a culture of transparency, governance, ethical practice and management of risks that instils a high level of community respect and confidence in Council decision-making"*.

Legal Implications

37. Council is required under section 53 of the Local Government Act 2020 to constitute an Audit and Risk Committee in accordance with the requirements of that section. The Audit and Risk Committee Charter has been reviewed with a view to ensuring continued compliance with section 54 of the 2020 Act, as well as drawing on the outcomes of the assessment of the Charter against the Institute of Internal Auditors Australia Audit Committee Charter Checklist.

Other Issues

38. Here are no other issues identified at this time.

Options

39. The draft charter presented in this report has been reviewed by the Audit and Risk Committee and has been endorsed for Council's consideration. While this endorsement demonstrates the Committee's support for the outcomes of the review, it is not binding on Council and it is open to Council to amend the charter by resolution.
40. The composition of the Audit and Risk Committee Charter is a matter for Council, and Council has the discretion to make any changes to the Charter as presented by resolution.

Conclusion

41. This report recommends the dissolution of the Audit Committee and the establishment of an Audit and Risk Committee with the charter and membership set out in this report.

RECOMMENDATION

1. That:
 - (a) Council dissolve the Audit Committee;
 - (b) in the exercise of the power conferred by s53 of the Local Government Act 2020, Council establish an Audit and Risk Committee;
 - (c) in the exercise of the power conferred by s54 of the Local Government Act 2020, Council approve the revised Yarra City Council Audit and Risk Committee Charter found at **Attachment One**;
 - (d) Council appoint the following persons as members of the Audit and Risk Committee:
 - (i) Cr Misha Coleman (to 24 October 2020);
 - (ii) Cr James Searle (to 24 October 2020);
 - (iii) David Ashmore (to 21 September 2021);
 - (iv) Helen Lanyon (to 30 September 2023); and
 - (v) Vince Philpot (to 6 July 2021); and
 - (e) Council note that for the purpose of clause 3.9 of the Audit and Risk Committee Charter, the appointment of independent members made in this resolution shall be considered as each member's 'second term'.

CONTACT OFFICER: Rhys Thomas
TITLE: Senior Governance Advisor
TEL: 9205 5302

Attachments

- 1⇒ Audit Committee Charter (marked up)
- 2⇒ Audit and Risk Committee Charter

8.1 Notice of Motion No.12 of 2020 - Investing in the post-COVID Recovery
Council at its meeting on 27 August 2020 resolved that the matter be deferred to the meeting to be held on 01 September 2020.

Reference: D20/134941
Authoriser: Group Manager Chief Executive's Office

I, Councillor Amanda Stone, hereby give notice that it is my intention to move the following motion at the Ordinary Meeting of Council to be held on 1 September 2020:

1. *That Yarra Council acknowledge that:*
 - (a) *the restrictions resulting from the COVID-19 pandemic, and the current lockdown in particular, has resulted in serious, negative and ongoing impacts to many Yarra residents and businesses;*
 - (b) *the overall impacts of this pandemic won't be fully understood or felt for some time and could last for many years;*
 - (c) *recovery from the pandemic will necessitate significant investment of funds and resources from all levels of government;*
 - (d) *the Recovery provides an opportunity to rebuild community wellbeing and the local economy, based upon principles of social justice and environmental sustainability;*
 - (e) *a recovery must by definition, build community resilience to future social, economic and environmental shocks and challenges, including the known impacts of climate change; and*
 - (f) *the Council's adopted Climate Emergency Plan can provide a strong framework to guide future planning post-COVID.*
2. *That Yarra Council commit to investing in a post COVID Recovery Plan comprising projects that will support Yarra Community members who have been hit hardest by the pandemic and build broader community resilience to future shocks.*
3. *That this program of recovery projects will:*
 - (a) *support innovative approaches through Yarra's Social and Affordable Housing Strategy to facilitate increased growth of social and affordable housing in Yarra;*
 - (b) *invest in community led initiatives and programs that will stimulate environmentally responsible small businesses in Yarra, to increase access to well-paying and sustainable jobs that both offer training and advancement opportunities;*
 - (c) *radically transform the Yarra community carbon emission footprint by accelerating investment in the Climate Emergency Plan and in active transport infrastructure;*
 - (d) *leverage funding- whether State or Federal or through borrowing or other sources - to enhance public community infrastructure, that will promote community participation and support the health, wellbeing and connectedness of residents;*
 - (e) *ensure that decisions made about these projects are informed by, and that consultation is centered on, those who have been most impacted in Yarra: including those from Aboriginal and Torres Strait Islander backgrounds, culturally diverse communities, public housing residents, young people and other marginalised groups; and*
 - (f) *use Council's adopted Climate Emergency Plan as a guiding framework.*
4. *That a Workshop to develop the details of a Post-COVID Recovery Plan be held in September with Councillors, Executive Members and other relevant officers, with a report*

back to Council on a proposed Recovery Plan and recommendations for financially resourcing the Plan, which may include borrowing.

5. *That this Plan:*
 - (a) *be based on the key principles of working towards a just, fair and sustainable future and Council's adopted Climate Emergency Plan; and*
 - (b) *be referred to the new Council for inclusion in the Yarra Council Plan 2020-2024 along with consideration of the Sustainable Development Goals as an additional guiding framework.*

RECOMMENDATION

1. That Yarra Council acknowledge that:
 - (a) the restrictions resulting from the COVID-19 pandemic, and the current lockdown in particular, has resulted in serious, negative and ongoing impacts to many Yarra residents and businesses;
 - (b) the overall impacts of this pandemic won't be fully understood or felt for some time and could last for many years;
 - (c) recovery from the pandemic will necessitate significant investment of funds and resources from all levels of government;
 - (d) the Recovery provides an opportunity to rebuild community wellbeing and the local economy, based upon principles of social justice and environmental sustainability;
 - (e) a recovery must by definition, build community resilience to future social, economic and environmental shocks and challenges, including the known impacts of climate change; and
 - (f) the Council's adopted Climate Emergency Plan can provide a strong framework to guide future planning post-COVID.
2. That Yarra Council commit to investing in a post COVID Recovery Plan comprising projects that will support Yarra Community members who have been hit hardest by the pandemic and build broader community resilience to future shocks.
3. That this program of recovery projects will:
 - (a) support innovative approaches through Yarra's Social and Affordable Housing Strategy to facilitate increased growth of social and affordable housing in Yarra;
 - (b) invest in community led initiatives and programs that will stimulate environmentally responsible small businesses in Yarra, to increase access to well-paying and sustainable jobs that both offer training and advancement opportunities;
 - (c) radically transform the Yarra community carbon emission footprint by accelerating investment in the Climate Emergency Plan and in active transport infrastructure;
 - (d) leverage funding- whether State or Federal or through borrowing or other sources - to enhance public community infrastructure, that will promote community participation and support the health, wellbeing and connectedness of residents;
 - (e) ensure that decisions made about these projects are informed by, and that consultation is centered on, those who have been most impacted in Yarra: including those from Aboriginal and Torres Strait Islander backgrounds, culturally diverse communities, public housing residents, young people and other marginalised groups; and
 - (f) use Council's adopted Climate Emergency Plan as a guiding framework.
4. That a Workshop to develop the details of a Post-COVID Recovery Plan be held in September with Councillors, Executive Members and other relevant officers, with a report

back to Council on a proposed Recovery Plan and recommendations for financially resourcing the Plan, which may include borrowing.

5. That this Plan:
 - (a) be based on the key principles of working towards a just, fair and sustainable future and Council's adopted Climate Emergency Plan; and
 - (b) be referred to the new Council for inclusion in the Yarra Council Plan 2020-2024 along with consideration of the Sustainable Development Goals as an additional guiding framework.

Attachments

There are no attachments for this report.

8.2 Notice of Motion No.13 of 2020 - Monitoring of the Merri Creek Trail

Reference: D20/136750

Authoriser: Group Manager Chief Executive's Office

I, Councillor Bridgid O'Brien, hereby give notice that it is my intention to move the following motion at the Ordinary Meeting of Council to be held on 1 September 2020.

1. *That Council:*

- (a) *note the correspondence from the Friends of Merri Creek;*
- (b) *refer to the appropriate Officers, including the Biodiversity Team and the Compliance Team for advice on:*
 - (i) *the matter of installing further signage on the importance of wildlife corridors and dog lead regulations in wildlife sensitive areas such as the Merri Creek Trail and along the Yarra River;*
 - (ii) *the provision of clear signage where dog off-lead areas end;*
 - (iii) *where such signage would be of greatest benefit to protect wildlife and support efforts to restore the green corridors in Yarra;*
 - (iv) *potential costings and/or existing budget allocations available to enable installation at the earliest opportunity; and*
 - (v) *request advice on the above prior to the next Budget Review;*
- (c) *requests from the appropriate Council department:*
 - (i) *regular patrols and enforcement of dog lead regulations by Council Officers in wildlife sensitive areas; and*
 - (ii) *consideration of increased fines for repeat offenders for dog off-lead violations in wildlife sensitive areas;*
- (d) *request an immediate community awareness campaign via the Council website, social media and newsletters:*
 - (i) *pertaining to the attached correspondence, the above items and the overall community benefits associated; and*
 - (ii) *increased messaging about dog off-lead areas with clear maps provided;*
- (e) *request appropriate Officers engage with the Friends of Merri Creek and other relevant organisations regarding the green corridors in Yarra:*
 - (i) *for further strategies to increase safety for wildlife and restore habitat potential;*
 - (ii) *for actions to improve and increase connectivity of the corridors across the catchment, within the municipality of Yarra; and*
 - (iii) *to identify a network of wildlife refuge areas along the creek and river; and*
- (f) *requests from Officers, within a reasonable timeframe:*
 - (i) *a response to b. and c; and*
 - (ii) *feedback on the progression of d. and e.*

Background:

The referenced correspondence from Friends of Merri Creek draws attention to:

- (a) significant increase in activity along the Merri Creek corridor resulting from COVID lockdown and people getting out and enjoying the area;
- (b) the many more dogs observed to be off-lead;
- (c) the risk to wildlife as a consequence; and
- (d) the need for education of users of the area by means of additional signage, additional patrols and possible other actions to protect wildlife.

RECOMMENDATION

1. That Council:

- (a) note the correspondence from the Friends of Merri Creek;
- (b) refer to the appropriate Officers, including the Biodiversity Team and the Compliance Team for advice on:
 - (i) the matter of installing further signage on the importance of wildlife corridors and dog lead regulations in wildlife sensitive areas such as the Merri Creek Trail and along the Yarra River;
 - (ii) the provision of clear signage where dog off-lead areas end;
 - (iii) where such signage would be of greatest benefit to protect wildlife and support efforts to restore the green corridors in Yarra;
 - (iv) potential costings and/or existing budget allocations available to enable installation at the earliest opportunity; and
 - (v) request advice on the above prior to the next Budget Review;
- (c) requests from the appropriate Council department:
 - (i) regular patrols and enforcement of dog lead regulations by Council Officers in wildlife sensitive areas; and
 - (ii) consideration of increased fines for repeat offenders for dog off-lead violations in wildlife sensitive areas;
- (d) request an immediate community awareness campaign via the Council website, social media and newsletters:
 - (i) pertaining to the attached correspondence, the above items and the overall community benefits associated; and
 - (ii) increased messaging about dog off-lead areas with clear maps provided;
- (e) request appropriate Officers engage with the Friends of Merri Creek and other relevant organisations regarding the green corridors in Yarra:
 - (i) for further strategies to increase safety for wildlife and restore habitat potential;
 - (ii) for actions to improve and increase connectivity of the corridors across the catchment, within the municipality of Yarra; and
 - (iii) to identify a network of wildlife refuge areas along the creek and river; and
- (f) requests from Officers, within a reasonable timeframe:
 - (i) a response to b. and c; and
 - (ii) feedback on the progression of d. and e.

Attachments

There are no attachments for this report.

8.3 Notice of Motion No. 14 of 2020 - Project Reference Groups

Reference: D20/136741

Authoriser: Group Manager Chief Executive's Office

I, Councillor Bridgid O'Brien, hereby give notice that it is my intention to move the following motion at the Ordinary Meeting of Council to be held on 1 September 2020:

1. *That Council seeks a report on the merits of establishing Community Project Reference Groups for:*
 - (a) *the Edinburgh Gardens/Brunswick Street Oval Project; and*
 - (b) *the Heidelberg Road Corridor Amendment/Project;**with the report being presented to Council before the election period if possible, to enable timely community input into these projects.*

RECOMMENDATION

1. That Council seeks a report on the merits of establishing community Project Reference Groups for:
 - (a) the Edinburgh Gardens/Brunswick Street Oval Project; and
 - (b) the Heidelberg Road Corridor Amendment/Project;with the report being presented to Council before the election period if possible, to enable timely community input into these projects.

Attachments

There are no attachments for this report.