

Amendment C269 - Response to Submissions

Council received 424 submissions to the Amendment, a number of which raised similar issues or themes and provided detailed, tracked changes (rewritten) versions of the exhibited policies. Each submission was considered in detail, however, the sheer volume of submissions presented difficulties in responding to each submission individually. Given the similar themes and issues raised across the submissions the following process has been undertaken:

- The issues raised in submissions have been summarised using key 'Themes' and 'Sub-Themes' as headings (refer to Summary of Individual Submissions Table as included as a separate attachment to the council report.) The 'Themes':
 - are generally taken from the new format of the planning scheme introduced by State Government.
 - were also identified on Council's C269 webpage as part of the exhibition of the Amendment (as a way of grouping together the policies that are included in the Amendment).
- It was not possible to summarise the submissions that included detailed requests for changes using tracked changes (rewritten) versions of the exhibited policies. These submissions essentially "rewrote" the relevant policy, attaching the submitters preferred version. These submissions have been identified in the Summary of Individual Submissions Table, included as a separate attachment to the council report.
- The issues raised in submissions (excluding detailed requests for changes to the proposed policies using tracked changes) have been responded to using the key 'Themes' and 'Sub-Themes' as headings. See Response to Submissions Table below.
- In relation to the Response to Submissions Table below, it is also noted that it was not possible to repeat every issue or statement made by the Submitters verbatim. In cases where submissions raised overlapping or similar issues based on a specific theme, officers have summarised the issues raised and provided a thorough, consolidated response.
- To consider a submission that included detailed requests for changes using tracked changes (rewritten) versions of the exhibited policies, an Assessment Criteria was prepared to help assess whether to recommend ACCEPTING a change or NO CHANGE. This is included as a separate attachment to the council report.

Response to Submissions Table

Theme & Sub-Themes	Summary of issues raised in submissions	Officer response and recommended position
Activity Centres (A number of the issues raised in submissions under the Activity Centres Theme, were linked to multiple Sub-Themes (for example: the issue related to Height/Built form AND Heritage AND Character within an Activity Centre)		

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<i>Height / Built form</i>	<ul style="list-style-type: none"> • Objection to mid-rise and high-rise development in activity centres. • Requests for mandated height limits. • Mid-rise may be too high in heritage activity centres. • Concerned about the impact of mid-rise and high-rise development on the heritage and community feel of the area. • Submits that mid-rise development must be redirected outside of the historic cores of shopping strips and an individual strategy for each centre should be prepared to guide this. • Queens Parade outcome - no logical reason why the results of that in-depth study should not be adopted Yarra-wide. 	<p>Council recognises a nuanced approach is required when expressing mid-rise within an activity centre and its transition to the adjacent low-rise residential areas. New development needs to respond to the context and be of a scale that is appropriate to the capacity of the centre and its unique character, in particular heritage streetscapes and buildings, and laneways, as well as transitions to low-rise residential neighbourhoods. This is captured in the proposed strategic directions and policies (Clause 11.03-1L Activity Centres; Clause 15.01-2L Building Design; Clause 15.01-1L Urban Design; Clause 15.03-1L Heritage). These strategic directions and policies complement and support each other.</p> <p>Council is also implementing a programme to manage built form in activity centres through Design and Development Overlays (DDOs). These controls address height, setbacks and, where relevant, heritage considerations within the context of the particular activity centre.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> • Transition policies need to be strengthened between activity centres and residential areas. • Allowing multiple multi-storey buildings will ruin the historic character of the neighbourhood. • Need to maintain the village atmosphere, does not want high rise buildings. • Need to protect low rise heritage shopping strips. • Concerns regarding the impact of high-rise buildings in heritage shopping precincts. 	<p>Refer to response above.</p> <p>Managing transitions or height in terms of setting a 'metric' is outside the scope of Amendment C269. However, Council is implementing a programme to manage built form in activity centres through Design and Development Overlays (DDOs). These controls address height, setbacks, building separation, amenity and the like. In specific circumstances, Yarra has successfully achieved mandatory built form controls.</p> <p>Amendment C269 is not proposing to introduce specific built form controls – rather it sets out the policy framework so that specific</p>

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	<ul style="list-style-type: none"> • If high rise is to be allowed on Heidelberg Road then it should be restricted to 3-5 storeys with appropriate staggering to minimise the impact on existing residential properties. • Keep all villages low-rise with no residential apartments/multi storey buildings visible/close from the road. • MAC's within the proposed planning scheme are too high and lack step down to residential terrace homes. • Council needs to be clearer in articulating the precise extent of urban change in local neighbourhoods especially those interfacing with key thoroughfares in activity centres and managing development along these sensitive residential interfaces. • Generous setbacks and the ability to see the sky. 	<p>planning controls can then be developed to respond to specific centres.</p> <p>Council's activity centre programme also seeks to protect identified heritage buildings by updating the Heritage Overlay. It is the role of the heritage policy, combined with the Heritage Overlay to protect places and buildings of heritage significance.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> • Mandatory height controls should be applied to all heritage shopping streets – including: <ul style="list-style-type: none"> - Fitzroy North Village, St Georges Road that reflect the C231 overlay for Precinct 4 which restrict heights to 3-4 storeys with appropriate setbacks - Nicholson Street - Rathdowne Street • St Georges Road and Nicholson Street Activity Centres require a Design and Development Overlay to ensure protection for the significant heritage low rise shopping centres and to provide a guide for appropriate and sensitive residential and commercial development. 	<p>The community have had / will have the opportunity to make a submission on proposed permanent built form controls (DDOs) through separate amendment processes. The built form controls address height, setbacks, building separation, amenity and the like. The programme to manage built form in activity centres through DDOs includes:</p> <ul style="list-style-type: none"> • Heidelberg Road: On 4 February 2020 Council resolved to request the Minister for Planning to introduce interim built form controls (DDO18) along Heidelberg Road via Amendment C272. The interim built form controls cover the commercial land along Heidelberg Road from Yarra Bend Road to Como Street. An amendment for permanent DDOs is proposed to be progressed in the second half of 2021.

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	<ul style="list-style-type: none"> • What is left of the unique, heritage and arty low-rise nature of Brunswick and Gertrude Streets Fitzroy (general height of 11.5 metres) be retained. • Questions how the north side of Swan St between Burnley and Stawell St has had approvals for such greater height limits as per 439-441 Swan St. • Highlights an existing architectural language in place for Fitzroy where taller buildings are on the intersections of streets and lower scale buildings either side. Considers that new scheme destroys this rhythm. • Concerns in relation to the impact of development along Brunswick Street and Queens Parade. • Concerned that 8+ storeys on Brunswick street will overshadow, create a wind tunnel and be unpleasant. • 'Old Paper Mill' site - concerned that without strict guidelines, developers will use it as a precedent to convert the commercial zones along Heidelberg Road into large apartment buildings and this will have a detrimental Impact on the suburb. • Does not object to reasonable development – but believes that Heidelberg Road (on both sides) should be restricted to no more than 5 storeys. • Nicholson Street Village is suffering from land banking. 	<ul style="list-style-type: none"> • Swan Street: Amendment C191 seeks to introduce permanent DDOs, update the Heritage Overlay and rezone land along Swan Street. This amendment recently went through an exhibition process and Panel hearing, affording the opportunity for people to have a say and make a representation to an independent planning panel. C191 is with the Minister for Planning for approval. • Johnston Street and Queens Parade: Permanent DDOs were introduced via Amendments C220 and C231 respectively. • Victoria Street and Bridge Road: Both have existing built form interim controls and on 20 April 2021, Council resolved to commence the amendment process to introduce permanent controls through Amendment C291. • Collingwood South (mixed use land): Has existing interim built form controls and on 18 May 2021, Council resolved to commence the amendment process to introduce permanent controls through Amendment C293. • Fitzroy / Collingwood (stage 1): On 17 December 2019 Council resolved to request the Minister for Planning to introduce interim built form controls via Amendment C270. These cover the commercial and mixed-use land generally along Brunswick / Smith / Gertrude / Johnston Streets. • Fitzroy / Collingwood (stage 2): On 30 March 2021 Council resolved to request the Minister for Planning to introduce interim built form controls via Amendment C288. The interim built form controls generally cover commercial and mixed-use

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		<p>land in Fitzroy West (predominantly mixed-use land) and Alexandra / Victoria Parades.</p> <p>As can be seen above, the activity centres built form programme is extensive and designed to consider the unique circumstances and opportunities of each centre.</p> <p>Officers anticipate that work on the remaining activity centres (including Nicholson Street, Rathdowne Street, St Georges Road) could commence once the above projects have been completed, however there is no confirmed timeframe for those other projects at this stage.</p> <p>The issue of land banking in Nicholson Street is outside the scope of this Amendment.</p> <p>NOTE: the on-line <i>Do Gooder Campaign</i> raises concerns in relation to 8-14 storeys development and particularly as it relates to development above shops. Amendment C269 does not specify or provide any specific direction about development of 8-14 storeys. Officers are therefore unsure why this development range has been identified as of particular concern to the campaign.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> • Clause 11.03: Delete reference to taller and mid-rise built form north of Gertrude Street. 	<p>The reference is relevant as it supports the proposed interim DDOs for Smith Street and Brunswick Street which were adopted by Council in 2019. The proposed interim DDOs articulate the built form outcomes of detailed work undertaken for each Activity Centre. The term 'taller' is relative to the other controls in the proposed interim DDOs.</p>

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		<p>As Council prepares an amendment to introduce permanent DDO controls, the strategies in Clause 11.03 can be reviewed.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> Submission refers to November 2016 Council resolution to seek 4 storey height limits in all mixed-use zones in Yarra. 	<p>In accordance with the resolution of 22 November 2016, Council, on behalf of the Yarra Resident Coalition presented three proposals (as developed by the Resident Coalition), to the Minister for Planning which included a: <i>request the Minister for Planning to introduce immediate interim height control to the Mixed Use zone and General Residential Zones (Schedule 3) in the City of Yarra through the introduction of a Design and Development Overlay (DDO) specifying a maximum development height control of 13 metres and a development set-back of 10 metres and approve the advertising of a concurrent amendment to the planning scheme.</i></p> <p>The Minister responded that: <i>While I value the proposals developed by the coalition, significant changes to the Yarra Planning Scheme must be underpinned by sound strategic planning work with opportunities for consultation with the community and industry.</i></p> <p>This work would require a separate process be undertaken which is outside the scope of Amendment C269.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> Amazed given Queens Parade planning - that the Council would contemplate a change that is so certain to drastically alter the character of our local shopping strips. 	<p>The proposed policy in Clause 11.03 - 1L reflects DDO16.</p> <p>Council is also implementing a programme to manage built form in activity centres through Design and Development Overlays (DDOs). These controls address height, setbacks and, where relevant, heritage considerations within the context of the particular activity centre.</p>

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		<u>Recommended position:</u> No change to the Amendment.
<i>Heritage AND Character</i>	<ul style="list-style-type: none"> • There needs to be well crafted neighbourhood character statements for all the activity centres. • Maintain human scale, diversity and vibrancy. • Some things are worth keeping – i.e. – ceramic seats by Giuseppe Ranari on Brunswick Street. • There are innumerable quirky monuments in Yarra (eg old shop signage). These, even on private property need to be maintained as they easily decay and are lost. • Memorials such as the little tower outside The Everleigh on Brunswick Street have been defaced which detracts from their value. • Need to protect heritage streetscapes, verandahs and heritage buildings. • Local villages highly valued - North Fitzroy (St Georges Road and Scotchmer St), Nicholson Rathdowne and Queens Parade Villages. • Protect heritage significance and heritage shop fronts. • Historically significant buildings like The Pinnacle should be protected. 	<p>Proposed strategic directions and Clause 11.03-1L Activity Centres, support a diverse network of activity centres and their unique character.</p> <p>Yarra values the heritage significance of Yarra’s shopping strip streetscapes and buildings. This is evident in the recent DDOs introduced into the planning scheme and proposed Clause 15.03-1L Heritage.</p> <p>The character and elements of heritage significance for each centre is being reflected through Council’s separate significant built form work programme which underpins built form controls (DDOs outlined in earlier response) and policy (in particular, Clause 11.03-1L Activity Centres). As part of introducing built form work into the Scheme, Clause 11.03-1L can be updated to address the character and, where relevant, ensure development retains the heritage streetscape and/or heritage buildings in a centre. This is reflected in Clause 11.03-1L and the statements of policy that are already in place for specific activity centres.</p> <p>Part of the character of the shopping strips are the verandahs and their importance has been identified in a significant number of submissions received. In response, it is recommended to include reference to verandahs in the proposed Clause 15.03-1L Heritage policy.</p> <p>Retention of street infrastructure (e.g. ceramic seats) is outside the scope of the Amendment, which deals with policy.</p>

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		<p>The Pinnacle (located at 251 St Georges Road) is protected under the Heritage Overlay (it is listed on the Victorian Heritage Register and included in HO220).</p> <p><u>Recommended position:</u> Change to the Amendment:</p> <ul style="list-style-type: none"> Refer to response under the Theme 'Built Environment and Heritage', Sub -Theme 'Heritage' for a recommended change to Clause 15.03-1L Heritage relating to verandahs.
	<ul style="list-style-type: none"> Clause 11.03L: <ul style="list-style-type: none"> Map of Fitzroy – add World Heritage Environs Area (WHEA) to map. Johnston Street Precinct 7 – Trenerry Crescent should be seen as sensitive riverside and industrial heritage. Not as an 'activity centre' with large development. Local Activity Centres – Spensley and Ramsden Street should not have development higher than 2 or 3 storeys. Victoria Street East Precinct – Needs more emphasis on heritage and the significance of the former Alma wool scouring works (663 Victoria Street, Abbotsford). 	<ul style="list-style-type: none"> Adding the WHEA to the map of Fitzroy is not required as the WHEA is addressed separately in Clause 15.03-1L World Heritage Environs Area. Johnston Street Precinct 7 – Trenerry Crescent is appropriately included in the Activity Centre boundary. It includes land zoned Commercial 1 and 2 and Mixed Use. Land in the Precinct is also covered by Incorporated Plan Overlay 2 (IPO2) or Development Plan Overlay 14 (DPO14) which has considered the heritage significance and sets out the development outcomes for those sites. In relation to the issue of Local Activity Centres – Spensley and Ramsden Street - the activity centres built form programme is extensive and designed to consider the unique circumstances and opportunities of each centre. Officers anticipate that work on the remaining activity centres can commence once the identified current projects are completed, however there is no confirmed timeframe for those other projects at this stage. Victoria Street East Precinct: This Clause is an updated translation of existing policy. The former Alma wool scouring

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		<p>works at 663 Victoria Street, Abbotsford is protected under a Heritage Overlay (HO65).</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> • Planning Scheme needs to ensure diversity of small shops rather than a move to larger less diverse complexes. • In activity centres, residential housing on Commercial 1 or mixed-use sites to be confined to commercial residential businesses such as public and private hotels. • Policy should ensure mixed use is not allowed to be developed into residential development by stealth. • C269 needs to protect and enhance our iconic activity centres and provide ways to increase their diversity for both a night and day time economy. 	<p>Land use is controlled by Zones rather than policy. For example:</p> <ul style="list-style-type: none"> • The purpose of the Mixed Use Zone includes: <i>To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality; To provide for housing at higher densities; and To encourage development that responds to the existing or preferred neighbourhood character of the area.</i> • The purpose of the Commercial 1 zone includes: <i>To create vibrant mixed-use commercial centres for retail, office, business, entertainment and community uses; To provide for residential uses at densities complementary to the role and scale of the commercial centre.</i> <p>Amendment C269 proposed policies however support a mix of uses in activity centres that provide for daily and weekly shopping and service needs, and development that is of a scale appropriate to the role and capacity of the centre. Proposed Clause 02.03 includes strategic directions to: Support and strengthen the vibrancy and local identity of Yarra’s network of activity centres which includes providing a mix of uses.</p> <p>Council’s economic development team works closely with trader groups and business associations, to devise ways to promote Yarra’s retail and services precincts, with the key goal of retaining existing businesses. The team also collects and presents data and insights into the retail mix of a street, so that prospective businesses can identify opportunities, as well as understanding how competitive</p>

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		<p>a street may be. This information is also made available to all real estate agents, to help keep them informed when identifying spaces for businesses.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> Night-time and alcohol-based businesses have skewed the amenity. 	<p>Proposed Clause 13.07-1L Licenced Premises is a translation of existing Clause 22.09. An objective includes: <i>to protect the amenity of nearby properties and areas by managing the location, size, operation and hours of licensed premises.</i></p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> Requests that the landscape quality of the Victorian boulevard, Victoria Parade, is retained by not allowing buildings to dominate. Need to protect laneways. 	<p>Proposed Clause 15.01-1L Urban Design includes specific strategies for Boulevards, including: <i>Maintains the landscaped character comprising avenue trees along Alexandra Parade, Victoria Parade and the south end of Queens Parade and Creates quality building design and reinforces the importance of the boulevard.</i></p> <p>Built form controls to manage buildings along boulevards is being reflected through Council's separate significant built form work programme (DDOs outlined in earlier response – see Theme 'Activity Centres', Sub-Theme 'Height/Built form').</p> <p>In relation to the issue of protecting laneways - Refer to the Theme 'Built Environment and Heritage', Sub-Theme 'Urban Design'.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
<p><i>Transport/ Traffic/ Car parking</i></p>	<ul style="list-style-type: none"> The Department of Transport submitted that all Activity Centres in Clause 11.03, with tram corridors, should include the policy objective that is included in the Swan Street Activity 	<p>Broad support is given for the objective included in the Swan Street Activity Centre Plan, but it may not be practical in every situation. This needs further consideration as part of the strategic planning for specific activity centres. Access and movement is a key</p>

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	<p>Centre Plan: “to ensure that vehicular access to development does not adversely impact the level of service, efficiency, and safety of the arterial and tram network. Left in left out vehicle access should be considered where access is proposed along the Principal Public Transport Network”.</p> <ul style="list-style-type: none"> • Concerns regarding the impact of development on traffic, car volumes in side streets. • Object to having car access to the areas noted for moderate or incremental residential developments on rear or side laneways. • Small businesses may suffer if rampant development takes place. Business owners that are hemmed in my apartments will lose easy access, especially if laneways are lost. 	<p>element that forms part of the built form work for each specific activity centre.</p> <p>Traffic and car parking impacts for individual developments are assessed on a case by case basis and usually require car parking and traffic impact assessments be submitted as part of the planning permit process. At a strategic level, access and movement is considered in the preparation of built form frameworks for a specific area.</p> <p>The proposed policies on road systems, car parking and sustainable transport (Clause 18.02) are intended to reduce the impact of private vehicle traffic and secure a sustainable transport system. As noted above, the traffic and car parking impacts, including access issues, for individual developments are assessed on a case by case basis.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> • St Georges Road: <ul style="list-style-type: none"> - Improve pedestrian and cycling access around the precinct including reduced speed limits. - Consider addition of green islands along Scotchmer to reduce and improve pedestrian safety. 	<p>These specific matters are outside the scope of Amendment C269 as they relate to traffic management / control measures.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
<i>Boundary</i>	<ul style="list-style-type: none"> • Does not support: <ul style="list-style-type: none"> - Stewart, Hoddle, Tanner and Wangaratta Streets being included in the Swan Street Major Activity Centre; - Swan Street MAC boundary should not be extended to include the Australian Knitting Mills complex just north of Richmond Station. 	<p>General response:</p> <p>Amendment C269 is supported by the <i>Activity Centres Roles and Boundaries Report (2019)</i> which defines boundaries based on Planning Practice Note 58 <i>Structure Planning for Activity Centres (PPN58)</i>. Consideration was given to the criteria / issues in PPN 58, in determining the potential location of an activity centre boundary. Amendment C269 proposes to include this document as a background document in the Planning Scheme.</p>

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	<ul style="list-style-type: none"> - inclusion of Berry/Ramsden Street, Clifton Hill and Spensley Street, Clifton Hill within the Local Activity Centres; - the inclusion of the site at 582 Heidelberg Road, Alphington in the Alphington Activity Centre. <ul style="list-style-type: none"> • Exhibited 11.03-11 Activity Centres clause merges the different activity centres, ignores their different roles and classifications and does not align with state policy. Council should review the language/ensure that the intended meaning is clear. 	<p>Planning Practice Note 58 <i>Structure Planning for Activity Centres</i> (PPN58), discusses the role and nature of activity centres in the opening paragraphs of the Practice Note:</p> <p><i>Activity centres are a focus for housing, commercial, retailing, community, employment, transport, leisure, open space, entertainment and other services and are places where people shop, work, meet, relax and live.</i></p> <p><i>State planning policy ...recognises that activity centres are ideally placed to provide for growth in household numbers. As such, activity centres will be a major focus for change in metropolitan Melbourne.</i></p> <p>The Major and Neighbourhood Activity Centre network is a policy neutral translation of the existing classification in the current Planning Scheme (existing Clause 21.08) and Plan Melbourne (Major Activity Centres):</p> <ul style="list-style-type: none"> • Major activity centres (MACs) are identified in Plan Melbourne 2017- 2050 and provide access to a wide range of goods and services, some serving larger subregional catchments. • Neighbourhood activity centres (NACs): are in the existing Yarra Planning Scheme and provide access to local goods, services and employment opportunities and serve the needs of the surrounding community. <p>Swan Street There is a boundary error in the exhibited map for the Swan Street Activity Centre in Clause 11.03-1L. Clause 2.04 Strategic Framework Plan and the proposed background document <i>Activity Centres Roles and Boundaries report, October 2019</i> includes the</p>

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		<p>Mixed Use Zone land north of the Richmond Train Station in the Activity Centre boundary. In error, the same land was not included in the Swan Street Activity Centre boundary in the map at Clause 11.03-1L.</p> <p>As outlined in the <i>Activity Centres Roles and Boundaries Report</i>, this Mixed Use area is included in the Activity Centre as it meets a number of the relevant PPN58 activity centre boundary criteria, including:</p> <ul style="list-style-type: none"> • Location of transport infrastructure / walkability: which recognises the proximity of this area to Richmond Station and East Richmond Station • Location of existing commercial areas and land uses: which recognises the mix of uses in this area and its proximity to services and retail • Impacts of boundary on other activity centres: Opportunity for higher development adjacent to a non-sensitive interface – railway line. <p>As with all the activity centres, the built form outcomes across the centres vary significantly, responding to the context such as the presence of heritage significance or sensitive interfaces. As presented in the Amendment C191 Panel hearing: <i>Council does not accept that a MAC designation eclipses the suitability of Council specifying a preferred future character based on considerations of heritage, amenity and quality of the public realm.</i></p> <p>It is recommended that the Swan Street Activity Centre Map in Clause 11.03-1L Activity Centres be updated to correct this error and identify this land as included in the Swan Street Activity Centre. Through Amendment C191, this pocket of land was identified for 'future strategic work' (along with the sites at the eastern end of Swan Street). It is also recommended that this additional information</p>

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		<p>that applies to the land be included on the map, consistent with the recommendations of the Amendment C191 Panel and as per the final form of Amendment C191 adopted by Council.</p> <p><u>Recommended position:</u> Change to the Amendment:</p> <ul style="list-style-type: none"> • Correct the error in the Swan Street Activity Centre Plan Map in Clause 11.03- 1L Activity Centres to: <ul style="list-style-type: none"> - Include the Mixed-Use zoned land north of the Richmond Train Station in the Activity Centre boundary - Identify '<i>land subject to future strategic work</i>' on the map as per adopted Swan Street Framework Plan in Amendment C191.
	<ul style="list-style-type: none"> • Designate Rathdowne Street Activity Centre (south) (between Fenwick Street and Princes Street) – as Local Activity Centre • Suggests if Berry/Ramsden and Spensley Streets are retained within the Local Activity Centres, the language in the Strategies section needs to be clarified and amended so that it doesn't permit wide application of inappropriate activities in this residential area. 	<p>Local Activity Centres Maps in Clause 21.08 in the existing planning scheme identifies the following as neighbourhood activity centres:</p> <ul style="list-style-type: none"> • Lygon / Patterson Streets • Rathdowne / Richardson Streets • Nicholson / Curtain Streets • Nicholson / Lee Streets • Berry Street/Ramsden Street and Spensley Street Clifton Hill <p>These centres however were recognised as providing a limited range of goods, services and employment to adjoining communities. As such they have been reclassified as local activity centres rather than neighbourhood activity centres as part of C269.</p> <p>Rathdowne Street Rathdowne Street Activity Centre (south) (between Fenwick Street and Princes Street) is currently classified as a neighbourhood activity</p>

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		<p>centre in existing Clause 21.08 in the Planning Scheme and it is considered that this designation is appropriate. This centre provides good access to local goods, services and employment opportunities and serves the needs of the surrounding community.</p> <p>Many of Yarra's activity centres are covered by Heritage Overlays and as such the proposed policy (Clause 11.03-1L) includes general strategies relevant to all activity centres such as improving the built form character of activity centres whilst conserving heritage buildings, streetscapes and views to identified landmarks.</p> <p>Clause 11.03-1L also includes strategies specific to Rathdowne Street, in particular to: <i>Support a mix of uses; Support low-rise development where it respects the heritage character of the activity centre; Protect the historic significance of the precinct, which includes heritage shopfronts and verandahs.</i></p> <p>Berry Street/Ramsden Street and Spensley Street Clifton Hill Proposed Clause 11.03-1L Activity Centres includes a policy to <i>maintain the local convenience retail role of local activity centres and ensure any development respects the character of the centre.</i></p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> • Designate: Nicholson Street Activity Centre (north) as a Local Activity Centre. • Concern about a possible huge over-development of the Bus Site which could overshadow and threaten historic/well-preserved Rae Street. 	<p>Nicholson Street, North Fitzroy Nicholson Street is currently classified as a neighbourhood activity centre in existing Clause 21.08 in the planning scheme and it is considered that this designation is appropriate. This centre provides access to local goods, services and employment opportunities and serves the needs of the surrounding community.</p>

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		<p>Many of Yarra’s activity centres are covered by heritage overlays and as such the proposed policy (Clause 11.03-1L) includes general strategies relevant to all activity centres such as improving the built form character of activity centres whilst conserving heritage buildings, streetscapes and views to identified landmarks.</p> <p>Clause 11.03-1L also includes strategies specific to Nicholson Street, North Fitzroy in particular to: <i>Retain the visual prominence of the heritage streetscape and buildings.</i></p> <p>The Nicholson Street bus site is currently zoned General Residential 3 (GRZ3) and affected by two overlays, the Environmental Audit Overlay (EAO) and Heritage Overlay (HO). In the GRZ3 zone, a building height must not exceed 11 metres; and the building must contain no more than 3 storeys at any point. Amendment C269 does not change the zoning or overlay provisions.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> • Queens Parade Boundary: <ul style="list-style-type: none"> - the boundaries cause confusion – entire length of Queens Parade is defined as an activity centre but only the shopping precinct qualifies as an activity centre; - extending the boundary of the Queens Parade Activity Centre to include Mayors Park should be deferred until a heritage study is commissioned to determine whether Mayors Park requires heritage and significant landscape overlay protection. 	<p>Queens Parade</p> <p>The boundary of Queens Parade is consistent with PPN58 in that it includes land that is a focus for housing, commercial, retailing, community, employment, transport, leisure, open space, entertainment and other services and are places where people shop, work, meet, relax and live.</p> <p>The former Fitzroy gasworks site is major regeneration site in Yarra that will comprise of a variety of housing types, community facilities and public open space. It is appropriate that this site is included as part of an activity centre. In addition, it is also appropriate that commercial zoned land along Queens Parade and the mixed-use zoned land on the north side of Queens Parade (west of Jamieson</p>

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		<p>Street) is also included as it provides for commercial and housing opportunities.</p> <p>In setting a boundary for an activity centre PPN58 includes <i>a public open space area that have or are intended to have a strong functional interrelationship with the activity centre</i>. Mayors Park is considered to have a relationship with Queens Parade. Mayors Park is owned by Yarra City Council and is in the Public Park Recreation Zone in which the purpose is to: <i>recognise areas for public recreation and open space; protect and conserve areas of significance where appropriate; and provide for commercial uses where appropriate</i>. Inclusion in the activity centre boundary does not alter this and it is not necessary to defer including the park in the Activity Centre boundary.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> Concerned at the proposal made in C269 to designate the section of Heidelberg Road (south side), between Parkview Rd and Como St as a NAC, to be an area of Moderate Change, allowing for mid-rise development of 8-14 storeys. 	<p>Heidelberg Road</p> <p>Maps in Clause 21.08 in the existing planning scheme identifies the area between Como Street and Parkview Street as a neighbourhood activity centre. The redevelopment of the Alphington paper mill was recognised however as changing the extent of the existing Heidelberg Road retail centre. The redevelopment will see substantial growth in commercial, retail and community facility floor-space, west of the existing small centre, thereby moving its focal point.</p> <p>The parcel of land at 582 Heidelberg Road meets the relevant activity centre boundary criteria in PN58, in particular it is commercial zoned land adjacent to the larger centre as Alphington Paper Mill develops.</p>

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		<p>On 4 February 2020 Council resolved to request the Minister for Planning to introduce interim built form controls (DDO18) along Heidelberg Road via Amendment C272. The interim built form controls cover the commercial land along Heidelberg Road. An amendment for permanent DDOs is proposed to be progressed in the second half of 2021.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>

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	<ul style="list-style-type: none"> Defining boundaries to the Activity Centres, will increase certainty but will also increase anxiety for those living on the boundary. Transition policies need to be strengthened such as the rear setback provisions adopted in DDO16. 	<p>Council recognises a nuanced approach is required when implementing built form provisions for development within an activity centre and its transition to adjacent low-rise residential areas. This is captured in the proposed strategic directions and policies (Clause 11.03-1L Activity Centres; Clause 15.01-2L Building Design; Clause 15.01-1L Urban Design; Clause 15.03-1L Heritage). These strategic directions and policies complement and support each other.</p> <p>Managing transitions in terms of setting a 'metric' is outside the scope of C269. However, Council is implementing a programme to manage built form in activity centres through Design and Development Overlays (DDOs). These controls address height, setbacks, building separation, amenity and the like. In specific circumstances, Yarra has successfully achieved mandatory controls. C269 is not proposing to introduce specific built form controls – rather it sets out the policy framework so that specific planning controls can then be developed to respond to specific centres.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>

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	<ul style="list-style-type: none"> Johnston Street Local Area Plan. Precinct 2 “Johnston St East” is an example of how not to develop a local activity centre. 	<p>Johnston Street The DDO15 applies to Johnston Street and was introduced in 2020. DDO15 introduced mandatory controls, including building heights in Precinct 2. Any changes to DDO15 is outside the scope of this amendment.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
Environmental and landscape values		
	<ul style="list-style-type: none"> Significant trees, street trees, avenues of trees, culturally significant trees, trees in parks should be registered and retained / maintained Submissions include specific trees to be nominated under the planning scheme. The Urban Forest is a major policy in Yarra and needs implementing through this scheme. Not enough trees in Yarra – particularly Fitzroy and Collingwood. Clause 02.03 Strategic directions – increasing the street tree canopy – target could be higher e.g. 100% increase by 2040 instead of only a 25% increase. Heat in our suburbs is a concern for health and climate change. Propose that future plans include: central green island and footpath green cut out plantings in wide bitumen streets such as McKean Street. 	<p>Council has <i>Tree Removal Guidelines</i> that recognise trees are the most important and highly visible asset within Yarra’s parks, gardens and streets. They not only improve the liveability of the City but also characterise the place and provide enjoyment for people. Many of the City’s trees are culturally important and some have heritage significance.</p> <p>Council’s aim is to retain trees wherever possible and to manage their well-being so that they continue to contribute to the quality of the urban environment. Council receives many requests each year to remove trees. These guidelines provide the framework for decision making when assessing council managed trees for removal.</p> <p>In addition, Council has a register of significant trees that have horticultural, aesthetic, historical, environmental, social or cultural value, and are located on public land and private properties. Trees can be nominated to be added to the register. Once registered a permit is required to remove or prune trees. It is administered through Local Laws rather than the Planning Scheme.</p> <p>The Schedule to Council’s Heritage Overlay also applies tree controls to the following trees in streets and parks:</p>

Theme & Sub-Themes	Summary of issues raised in submissions	Officer response and recommended position
		<p>Parks</p> <ul style="list-style-type: none"> • Darling Gardens - HO94 • Fairfield Park - HO147 • Barcelona Terrace Gardens HO153 <p>Street Trees</p> <ul style="list-style-type: none"> • Queens Parade, between Alexandra Parade and Delbridge Street Clifton Hill / North Fitzroy - HO93 • Victoria Parade - HO188 • Edinburgh Gardens - HO213 <p>Amendment C269 recognises Yarra's Urban Forest Strategy and includes a proposed policy to achieve the vision of the Strategy: <i>A more liveable city supported by a healthy and growing urban forest.</i> In particular:</p> <ul style="list-style-type: none"> • Clause 02.03: <i>Create a healthy and growing urban forest that includes all trees and plants in Yarra, by greening open spaces, streetscapes and buildings; and Reduce the urban heat island effect by increasing the street tree canopy by 25% (from 2014 levels) by 2040.</i> • Clause 12.01-1L Biodiversity • Clause 15.01-2L Building design – building setbacks and landscaping • Clause 15.02-1L Environmentally sustainable development – urban ecology • Clause 18.02-3L Road system <p>Therefore, to the extent that Amendment C269 can deal with the issues raised by submitters, it has done so. Other specific issues (such as nominating particular trees for the register and increasing street tree canopy targets etc) are outside the scope of the Amendment.</p>

Theme & Sub-Themes	Summary of issues raised in submissions	Officer response and recommended position
		<p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> • Support residents in planting Indigenous plants in nature strips without requiring permits. • Preface native planting over European plants in parks and gardens. Replace Introduced grass with Indigenous after works. Replace mulch with Indigenous wildflowers under trees. • Strengthen the references to using local native plants in revegetation work. 	<p>Council Officers are recommending an update to the proposed policy to reference indigenous plants.</p> <p><u>Recommended position:</u> Change to the Amendment.</p> <ul style="list-style-type: none"> • Insert '<i>indigenous</i>' into proposed Clause 12.01-1L Biodiversity. • Insert '<i>(with a preference of native over non-native)</i>' into proposed Clause 12.01-1L Biodiversity.
	<ul style="list-style-type: none"> • Corridors should be managed and protected, including protection from impinging development. 	<p>The proposed policy forming part of Amendment C269 recognises the importance of the waterway corridors, in particular, the strategic directions and Clause 12.03-1L Yarra River, Darebin and Merri Creek corridors. This policy complements Design and Development Overlay 1 Yarra (Birrarung) River Corridor which sets out built form controls to protect the corridors.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> • Yarra Riverbank adjacent to the "AMCOR" redevelopment site has incurred considerable damage – collapse of significant trees and riverbank slumping. Protection of the river corridors needs to be strengthened particularly with new developments 	<p>The impact of construction works is outside the scope of this amendment.</p> <p>It is noted however that the riverbank in the former AMCOR site is private land and Council has been working with Glenvill (the developer) at the Yarrabend Development (Former Amcor site) to understand and rectify the riverbank slumping. Glenvill are currently undertaking further work to address this slumping issue.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>

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	<ul style="list-style-type: none"> There is some imagination in the street trees for some locations but in others it seems arbitrary. Drip irrigation or storm water harvesting could be used to water trees. 	<p>These matters are outside the scope of this Amendment.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
Environmental risk and amenity		
<i>Interface and amenity</i>	<ul style="list-style-type: none"> Submission from the EPA with specific comments regarding proposed Clause 13.07-1L (Interfaces and amenity) and the proposed Guideline – <i>Managing Noise Impacts in Urban Development</i>. 	<p>The EPA raised a number of matters regarding proposed Clause 13.07-1L Interfaces and Amenity and the associated Guidelines - <i>Managing Noise Impacts in Urban Development</i>. Council officers have considered each of the matters raised by the EPA submission and propose changes to the key documents in response. These changes also reflect consultation with SLR Consulting, the authors of the <i>Noise and Vibration Considerations Discussion Report (October 2019)</i> in relation to the matters raised by the EPA. In summary, officers recommend changes to:</p> <ul style="list-style-type: none"> Update the documents to reflect the expected changes to the environment protection legislation in 2021. Refer to “recommended maximum noise level” as opposed to “design targets”. Confirm that wherever possible building siting and internal layout should be the primary considerations to minimise or otherwise reduce noise exposure. Clarify the circumstances where the use of noise masking is appropriate. Include a glossary in the Guidelines, although it is not considered necessary to summarise VCAT cases in the Guidelines. <p>There are only two issues raised by the EPA which are not supported.</p> <p>The first is the EPA’s preference for PPN83 to be referred to in the Guidelines (instead of the NSW Guidelines). The Guidelines provide</p>

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		<p>different advice to that included in PPN83 in several ways, making it difficult to refer to PPN83 without qualification. The targets provided in the Guideline are stronger for residential and mixed use developments than those included in PPN83 and are designed to protect the existing commercial uses by minimising the likelihood of complaint about, as well as the amenity of, future residential occupants. In addition, the NSW Guidelines include succinct, stand-alone advice for both the measurement and reporting of road and rail noise. As such, referencing PPN83 alone has the potential to undermine or contradict the recommendations provided in the Guidelines.</p> <p>The second is in relation to the Lmax design levels for patron noise and carpark noise. The design levels of 55 dBA in bedrooms at night is a commonly accepted design level and has been assessed as acceptable in an inner city environment. In addition, carpark equipment is still assessable to SEPP N-1 / the Noise Protocols and the Lmax is a supplementary assessment.</p> <p><u>Recommended change:</u> Change to the Amendment:</p> <ul style="list-style-type: none"> • Changes to Clause 13.07-1L Interfaces and Amenity as identified in preferred version of policies. • Changes to the Guidelines - <i>Managing Noise Impacts in Urban Development</i> as identified in a separate attachment to the Council Report. • Consequential changes to the <i>Noise and Vibration Considerations Discussion Report</i> consistent with changes to the Guidelines - <i>Managing Noise Impacts in Urban Development</i>.
	<ul style="list-style-type: none"> • Construction noise – Suggest that Yarra adopt a policy of allowing only one noisy building/renovation project at a time in 500 	<p>This matter is outside the scope of Amendment C269 however this submission will be forwarded to Council’s Construction Enforcement Unit for information.</p>

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	<p>metres of any residential dwelling. Suggests a policy of staggering them also.</p>	<p><u>Recommended change:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> There is major damaging health impacts from building on arterial roads due to noise and air pollution. How density is built in these locations requires particular attention to avoid harm for residents. 	<p>Proposed Clause 13.07-1L Interfaces and Amenity includes a section on Fumes/air emissions/ light spill and vibration.</p> <p>There is insufficient strategic justification at this stage to support a change to the amendment.</p> <p><u>Recommended change:</u> No change to the Amendment.</p>
<p><i>Licensed venues</i></p>	<ul style="list-style-type: none"> Unable to see protections for long established bars and pubs. I have seen some businesses struggle with unreasonable complaints from new/temporary residences. This is a particular problem for the many small bars and pubs scattered through the back streets, resulting in a real and permanent loss to the community and culture of the area. 	<p>Proposed Clause 13.07-1L Licenced Premises is primarily concerned with the appropriate location of licensed premises and amenity impacts on the surrounding area. It is a policy neutral translation of the existing Clause 22.09, introduced into the planning scheme in 2018. Amendment C269 does not propose any changes to the policy.</p> <p>The 'agent of change' approach is the strongest piece of policy that protects venues against new residential dwellings. This is the basis for proposed Clause 13.07-1L. As noted earlier under the sub theme Interface and amenity, the Guidelines have been prepared to protect the existing commercial uses by minimising the likelihood of complaint about, as well as the amenity of future residential occupants.</p> <p>Recently the State Government introduced a new state planning policy Clause 13.07-3S (Live Music) and makes changes to Clause 53.06 (Live Music Entertainment Venues) of the Victoria Planning Provisions (VPP) and all planning schemes to encourage, create and protect opportunities for the enjoyment of live music. In addition, Clause 53.06 includes the purpose <i>to ensure that the primary responsibility for noise attenuation rests with the agent of change.</i></p> <p><u>Recommended position:</u> No change to the Amendment.</p>

Theme & Sub-Themes	Summary of issues raised in submissions	Officer response and recommended position
<i>Climate change</i>	<ul style="list-style-type: none"> • Yarra’s declaration of a Climate State of Emergency should be reflected in C269. 	<p>Yarra City Council is part of a growing movement – with over 1,400 jurisdictions across 30 countries that have declared a climate emergency – and Yarra’s Climate Emergency Plan was adopted unanimously on Tuesday 2 June 2020.</p> <p>Officers agree that the Yarra Planning Scheme would benefit from a statement reflecting that this declaration has been made.</p> <p><u>Recommended position:</u> Change to the Amendment:</p> <ul style="list-style-type: none"> • Include a statement in reference to the Climate State of Emergency declared by the City of Yarra in Clause 02.01 Context under the Climate Change section.
	<ul style="list-style-type: none"> • Concerned that often the proposed changes are aspirational rather than enforceable and lack the sense of urgency that our current climate crisis demands. 	<p>The drafting of proposed policies that form part of Amendment C269 have been prepared in line with the State Government’s <i>A Practitioner’s Guide to Victorian Planning Schemes, April 2020</i>. It is considered that the proposed policies appropriately set out the strategic basis for the application of a provision and, where appropriate, guide the exercise of discretion under other provisions.</p> <p>The Yarra Planning Scheme will work in conjunction with key Council Strategies and Plans that sit outside the planning scheme including Yarra’s Climate Emergency Plan to respond to the important issue of climate change.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
<i>Flood management</i>	<ul style="list-style-type: none"> • Flood management - Should not apply to outdoor additions such as decks or pergolas. • Increasing red tape for these important minor additions is overzealous. 	<p>The proposed policy does not set up permit triggers – This matter is outside the scope of the Amendment.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>

Theme & Sub-Themes	Summary of issues raised in submissions	Officer response and recommended position
Built environment and heritage		
<i>Urban design</i>	<ul style="list-style-type: none"> • Laneways need to be maintained, cleaned and retained. • Growing disruption to the laneways and backstreets of our precinct as the nature of both traffic and pedestrians living and working there has changed. • Little thought has been put into the design and management of conflicting needs of a large number of delivery vans, visitors by car, servicing residents and businesses. • Historic bluestone laneways not allowed to be sold. • Nothing in C269 to address issues of access via laneways for emergency service vehicles. 	<p>General response:</p> <p>Laneways that are public roads are maintained in line with Council’s Road Management Plan. Any reconstruction of a laneway by Council or as part of a redevelopment is undertaken in line with Council’s Road Materials Policy and will take into account any modern-day access needs.</p> <p>Laneways that are Council roads are available for all to use. Council will generally not permit obstructions and encroachments of laneways unless there are exceptional circumstances. Council will generally undertake enforcement of obstructions within available resources noting that there is a complex range of historic landownership and title arrangements that needs to be worked through.</p> <p>Whether a laneway is discontinued and sold is a decision of Council on a case by case basis. Any road discontinuance proposal is subject to statutory processes including community consultation which will inform any Council decision.</p> <p>Proposed Clause 15.01-1L Urban Design includes strategies that support the retention of laneways and bluestone.</p> <p>As part of preparing Design and Development Overlays for specific locations, access and movement is considered and appropriate provisions included in the overlay. This includes provisions on laneways. That is separate to Amendment C269.</p> <p>Emergency Service Vehicles:</p> <p>This issue is outside the scope of Amendment C269.</p>

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	<ul style="list-style-type: none"> • Ensure that new developments do not overshadow parks and green spaces. • Overshadowing of public open space should be based on the winter solstice, not the equinox. • Green spaces must have more than 5 hours sunlight a day in winter. 	<p>Note: In a decision of the Victorian Civil and Administrative Tribunal - <i>Ciullo & Yarra CC & Ors [2016] VCAT 921</i> - for the development of a dwelling at the rear of No.304-308 Queens Parade the VCAT member concluded that the emergency services issue was not a relevant planning matter. Fire safety is something that is looked at under the building regulations under “<i>Essential Safety Measures</i>”.</p> <p><u>Recommended position:</u> No change to the Amendment.</p> <p>Amendment C269 includes proposed policies to protect open space from overshadowing – Clause 15.01-1L Urban Design.</p> <p>Council has progressed a body of built form work, which uses the measure of 10am to 2pm at the equinox to protect public realm and public open spaces from overshadowing in Yarra’s Activity Centres. This work is embodied in Amendments such as Amendments C220 (Johnston Street) and C191 (Swan Street).</p> <p>A change to the winter solstice would require further strategic investigation which would be separate to Amendment C269.</p> <p>To ensure protection of parks from overshadowing and consistency with the body of work described above, the reference to 11am in Clause 15.01-1L should become 10am. This change is consistent with Council’s current built form work.</p> <p><u>Recommended position:</u> Change to the Amendment:</p> <ul style="list-style-type: none"> • In Clause 15.01-1L Urban Design, under <i>Development adjacent to a public open space</i> alter reference from 11am to 10am:

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	<ul style="list-style-type: none"> Supports Objective 17 of existing policy (Clause 21.05-2) that includes the stipulation that “development on strategic redevelopment sites or within activity centres should generally be no more than 5-6 storeys unless it can be demonstrated that the proposal can achieve specific benefits”. 	<p><i>Avoids overshadowing of public open space between 11am-10 am-and 2pm on 22 September</i></p> <p>Council is now implementing a programme to manage built form through Design and Development Overlays (DDOs) rather than rely on policy alone. The DDO’s address height, setbacks, building separation, interfaces, amenity, and the like. Amendment C269 continues to set out policy to guide discretion so that specific planning controls can then be developed to respond to specific centres to assist with shaping appropriate built form outcomes including height controls.</p> <p>Proposed Clause 15.01-2L Building design includes strategies directing the locations where mid rise development could occur and expectations for the type of built form outcomes.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
<i>Building design</i>	<ul style="list-style-type: none"> I have heard that Yarra Planning defines ‘moderate height’ as 14 storeys. I hope this is not true. 14 storeys is high. Heights in the “incremental change” area should be limited well below the plan’s midrise limit of 14 storeys. We don’t want to be built up and overshadowed by medium height building. Identifies the “ill effects” of high-rise buildings: noise levels of building and construction, blocks views and light, compromises the character of the area – large buildings dominate the feeling of the neighbourhood Height impact on heritage character in size, scale and good design 	<p>Proposed Clause 15.01-2L Building Design sets out expectations for height in particular that <i>development reflects the predominant low-rise character of the area, except in specific areas.</i></p> <p>It also sets out the type of built form outcomes expected from a mid rise development, such as: <i>contributes to a high-quality built form; contributes to an improved public realm.</i></p> <p>Specific metric controls for height and setbacks are defined through relevant Overlays – Development Plan Overlay (DPO’s) or Design and Development Overlay (DDO’s). Refer to Theme – ‘Activity Centres’ for a discussion on heights in heritage streetscapes and shopping strips.</p> <p>The proposed policy is also supported by particular provisions in relation to apartment buildings (including Clause 58 – Apartment Developments).</p>

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	<ul style="list-style-type: none"> • The many intact heritage streetscapes and shopping strips throughout Fitzroy have a maximum height limit of 11.5 metres to its residential and commercial areas. • Yarra should encourage developers to build apartments of a reasonable size so that residents can have a reasonable quality of life living in them. • Buildings should have recessed heights, decreasing as they reach up rather than be cube/box styles. • The amenity, cultural diversity and heritage of the municipality is at stake with over development and inappropriate height. • Gradual step backs with height restrictions and step backs on each level will help with issues regarding overshadowing and overlooking. 	<p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> • Lack of height controls on rear extensions to residential buildings – please limit to 2 storeys. 	<p>This issue is outside of scope of Amendment C269.</p> <p>Height controls for residential buildings located in the Neighbourhood Residential Zone or the General Residential Zone are contained in the Zone provisions.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> • Nowhere in any DDO or planning scheme in the past has there been any real guidelines for a buffer or incremental zone between Residential and Commercial – especially where there is no laneway between the zones. It would be good if C269 could consider this as well as including stricter 	<p>Council recognises a nuanced approach is required when transitioning to the adjacent low-rise residential areas. This is captured in the proposed strategic directions and policies (Clause 11.03-1L Activity Centres; Clause 15.01-2L Building Design; Clause 15.01-1L Urban Design; Clause 15.03-1L Heritage). These strategic directions and policies complement and support each other.</p>

Theme & Sub-Themes	Summary of issues raised in submissions	Officer response and recommended position
	<p>guidelines regarding the protection of heritage architecture</p> <ul style="list-style-type: none"> Any development that borders a residential area should have much sterner height and setback restrictions than those on a main road (perhaps three storeys if next to existing dwelling). 	<p>Managing transitions in terms of setting a 'metric' is outside the scope of C269. However, Council is implementing a programme to manage built form in activity centres through Design and Development Overlays (DDOs). These controls address matters such as height, setbacks, amenity and the like.</p> <p>Amendment C269 is not proposing to introduce specific built form controls – rather it sets out the policy framework so that specific planning controls can then be developed to respond to specific centres.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> Proposed guidelines should address the issues of height, setbacks, a variety of finishes, privacy, overshadowing, retention of street character and establish lower building heights for new development. 	<p>This issue is outside the scope of Amendment C269.</p> <p>The proposed policies set out a framework that address the matters raised and support the specific controls in the particular provisions or Design and Development Overlays.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> Strategic Plan should set out clear guidelines for the type of buildings that are complementary to the local neighbourhood and prevent the construction of out of context buildings that are 'white elephants' within the historic Richmond. 	<p>This issue is outside the scope of Amendment C269.</p> <p>A Built Form Framework was prepared for commercial zoned land along Swan Street and responds to the heritage significance along parts of that street. This has been translated into proposed planning controls that are the subject of a separate amendment (C191). The historic areas in Richmond are covered by a Heritage Overlay and generally in the Neighbourhood Residential Zone, which has height limits in the Zone controls.</p> <p>Further work on built form controls in other areas is separate to Amendment C269.</p>

Theme & Sub-Themes	Summary of issues raised in submissions	Officer response and recommended position
	<ul style="list-style-type: none"> Pursue inclusion of Universal Design and the Liveable Housing Guidelines and develop a position on mandatory minimum accessibility regulations for Class 1a residential buildings and internal parts of individual Class 2 buildings. 	<p><u>Recommended position:</u> No change to the Amendment.</p> <p>Proposed Clause 15.01-2L Building Design includes a strategy under the Pedestrian access heading: <i>Match entries at ground floor level with the street level to assist with universal access.</i></p> <p>A short report on the Silver Standards for Inclusive Design and how they might be applied in Yarra is to be provided separately to Council as per its resolution on 18 May 2021.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> Particularly concerned with the built environment policies and controls. Concerned about the types of new developments taking place/policies are not strong or appropriate enough to protect the current built environment. Design and details of several new dwellings do not complement the existing. New buildings be well designed, environmentally sustainable and sympathetic to the existing built form My research tells me that high rise over development is health damaging and maximum heights to 5-7 storeys with amenity and space is health promoting. Advocate of higher density but not overdevelopment. Issues I see important for consideration are - Quality of design/providing reasonable quality of life. New buildings need to be respectful to their neighbours and new construction in a 	<p>Proposed policies exhibited in C269 include strategies for development to consider and respond to the existing built environment and be environmentally sustainable, including:</p> <ul style="list-style-type: none"> 11.03-1L Activity Centres 15.01-2L Building design 15.02-1L Environmentally sustainable development 15.03-1L Heritage <p>It is considered Amendment C269 deals with these issues comprehensively, and appropriately in the context of this amendment.</p> <p>The proposed policy is also supported by particular provisions in relation to apartment buildings (including Clause 58 – Apartment Developments).</p> <p><u>Recommended position:</u> No change to the Amendment.</p>

Theme & Sub-Themes	Summary of issues raised in submissions	Officer response and recommended position
	<p>heritage area needs to be well designed, properly built using relevant building materials and appropriately scaled in relation to the adjacent buildings.</p>	
	<ul style="list-style-type: none"> • Roof gardens should be removed in the scheme. • Is site coverage of 80% too much? • Medium density housing needs greenery too. Recommends this is a mandatory part of the new design. • Prescriptive requirement for designated open/green space ie 50% of land area including provision for passive surveillance in the design. • Provide green spaces, green walls and landscaping. 	<p>The proposed policy for roof top gardens is a direct translation from existing Clause 22.10 - Built Form and Design Policy. There is no basis for removing this policy from the Yarra Planning Scheme.</p> <p>Similarly, the proposed policy for site coverage is a direct translation from existing Clause 22.10 Built Form and Design Policy.</p> <p>In relation to the need for greenery and landscaping, the proposed policy includes a specific section on landscaping, including the following strategies:</p> <ul style="list-style-type: none"> • <i>Encourage the planting of trees and vegetation to increase their canopies and coverage to contribute to an urban forest;</i> • <i>Facilitate landscaping (including planting in deep soil, planter boxes, green walls and green roofs) that: Promotes the on-going health of trees and vegetation that has been retained on site...</i> <p>For apartment developments, Clause 58.03-2 Communal Open Space includes the objective <i>to ensure that communal open space is accessible, practical, attractive, easily maintained and integrated with the layout of the development.</i> It specifies a standard for developments with 40 or more dwellings, <i>to provide a minimum area of communal open space of 2.5 square metres per dwelling or 250 square metres, which ever is lesser.</i> It also specifies how communal open space should be located and designed.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>

Theme & Sub-Themes	Summary of issues raised in submissions	Officer response and recommended position
	<ul style="list-style-type: none"> References to specific planning applications / permits / proposals, eg Piedemonte. 	<p>This matter is outside the scope of the Amendment.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> Preserve the garden suburban nature of Alphington and Fairfield. 	<p>The proposed Clause 15.01-2L Building design, includes a section on <i>Landscaping</i> and a strategy for design to reflect and respond to streetscape elements.</p> <p>This matter is also considered through the residential zones.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> Encouraging mid-rise development in Cremorne is inappropriate in the absence of specific built form guidance in the form of a Structure Plan, Design and Development Overlay or similar control Please do not over-develop Cremorne and implement development height restrictions ASAP. 	<p>In accordance with the State Government's <i>A Practitioner's Guide to Victorian Planning Schemes, April 2020</i>, the Municipal Planning Strategy (MPS) should outline the planning outcomes the municipality seeks to achieve that will be implemented by the policies and provisions. As such it is appropriate that the strategic directions at Clause 2.03 of Amendment C269 are forward-looking and seek to direct mid-rise buildings to appropriate locations such as Cremorne, in accordance with relevant State planning strategies and policies. The new MPS will form the strategic foundation of any future planning provisions sought for Cremorne.</p> <p>As a designated Enterprise Precinct, the State Government is actively seeking to establish and grow Cremorne as a globally significant centre for business and innovation.</p> <p>It is acknowledged that there is a need to better manage and respond to increased development activity in Cremorne to ensure the suburb remains a vibrant and attractive place for the residents, workers and businesses.</p>

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		<p>The Cremorne Place Implementation Plan, December 2020 (CPIP) is a joint initiative between the State Government and Yarra City Council to guide the future of Cremorne, building on its unique attributes and location. A key action of the CPIP is to plan for and manage development in Cremorne.</p> <p>Council is progressing the actions in the CPIP.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> Infill should be mandated to conform to the rhythm on the street. 	<p>The drafting of proposed policies that form part of Amendment C269 have been prepared in line with the State Government's <i>A Practitioner's Guide to Victorian Planning Schemes, April 2020</i>.</p> <p>Policies are unable to mandate requirements.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> Suggests an independent body made up of a mix of people; architectural and construction experts, interested residents, people of an artistic or creative background and suitably qualified parties. 	<p>The establishment of an independent body is outside the scope of this Amendment.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
<i>Landmarks</i>	<ul style="list-style-type: none"> Requests for additional landmarks and additional primary views to be included. Wording used in the landmarks section should be inclusive rather than exclusive. Landmarks should not be sold in this scheme – should be maintained and protected. 	<p>The list of landmarks in proposed Clause 15.01-2L is a translation of the landmarks included in the existing policy at Clause 22.03 - Landmarks and Tall Structures. The proposed policy has been strengthened with additional clarifications to maintain the visual prominence of and protect primary views to Yarra's valued landmarks.</p> <p>Including additional landmarks would require re-exhibition of the Amendment and is therefore outside the scope. Including additional primary views in the proposed policy is not sufficiently supported by evidence that reassesses the appropriateness of alternative views.</p>

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		<p>The focus of the work conducted in relation to Amendment C269 has been on the existing landmarks in clause 22.03. Council has recorded the additional landmarks and views that have been proposed by submitters. This could be subject to future work.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> • Objects to the proposed 15.01-2L Landmarks and associated background document 'Landmarks and Views Assessment – Ethos Urban – October 2019 (Specific reference to the Pelaco sign). • The implications of protecting the view lines to the Pelaco sign from the proposed vantage points has not been properly tested or assessed. • Proposed 'primary' views have not been adequately justified based on heritage or urban design analysis. • The statement of significance for the Pelaco sign does not identify the proposed 'primary views' that are proposed to be protected. • The amendment does not make appropriate use of VPP toolkit as the protection of views to landmarks ought to be managed using a development control such as a DDO rather than local policy. 	<p>The proposed 15.01-2L Landmarks policy is supported by the associated background document 'Landmarks and Views Assessment – Ethos Urban – October 2019' which identified the primary key views of landmarks. The background document also provides strategic justification for which parts of the view to the landmark are to be protected.</p> <p>Council has progressed the permanent built form provisions for Bridge Road and Victoria Street Activity Centres through Amendment C291yara, which ensures the protection of primary views to the relevant landmarks identified in the proposed policy. (Council resolution: 20 April 2021).</p> <p>The submitter refers to errors in the background document '<i>Landmarks and Views Assessment – Ethos Urban – October 2019</i>' and doesn't substantiate what these are, however, officers have undertaken an internal review of the document and have identified some matters that can be clarified. It should be noted that these matters do not change the strategic justification for the importance of the primary views identified for the Pelaco Sign.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>

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	<ul style="list-style-type: none"> It is not appropriate to apply development control using local policy which is merely supposed to 'guide' decision making, and the Amendment is not consistent with DELWP practice notes. 	
Heritage	<ul style="list-style-type: none"> C269 should have clearly listed heritage objectives to preserve, restore and enhance the heritage of Yarra. Exhibited 15.03-1L Heritage - This Clause requires meaningful objectives. 	<p>Officers consider that inserting heritage objectives into the proposed Clause 15.03-1L Heritage will provide additional content of benefit. Three objectives from existing Clause 22.10 Development Guidelines for Sites Subject to the Heritage Overlay have been selected that are considered to complement the State objective <i>to ensure the conservation of places of heritage significance</i> and provide a localised policy setting.</p> <p><u>Recommended position:</u> Change to the Amendment:</p> <ul style="list-style-type: none"> Change to Clause 15.03-1L Heritage by adding the following under <i>Objectives</i>: <ul style="list-style-type: none"> To conserve Yarra's natural and cultural heritage. To preserve the scale and pattern of streetscapes in heritage places. To ensure the adaptation of heritage places is consistent with the principles of good conservation practice.
	<ul style="list-style-type: none"> Concerns/requests for changes in terminology in proposed 15.01-1L Heritage – Lack of technical terms. Concerned that list of definitions from current policy is not included in revision. 	<p>Proposed Clause 15.01-1L Heritage has been drafted with consideration of the State Government's <i>A Practitioner's Guide to Victorian Planning Schemes, April 2020</i>, the Burra Charter and the head provisions to the Heritage Overlay at Clause 43.01.</p> <p>The proposed policy was reviewed extensively with DELWP officers.</p>

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		<p>Key definitions are proposed to be included in <i>City of Yarra Database of Heritage Significant Places</i> which is an incorporated document in the Planning Scheme.</p> <p>In response to submissions, a further review of wording has been undertaken and some changes are recommended to clarify the intent of statements and ensure consistent language throughout.</p> <p><u>Recommended position:</u> Change to the Amendment:</p> <ul style="list-style-type: none"> • Changes to wording in Clause 15.01-1L Heritage (to clarify intent and ensure consistency) as identified in the preferred version of policies in a separate attachment.
	<ul style="list-style-type: none"> • Planning scheme needs to be explicit about our cherished heritage and how it is protected. The current draft does not do this. • Critical that heritage villages and neighbourhoods are protected. • Concerned that this planning scheme does not go far enough to protect the heritage of the area. • Need to protect the heritage and visual aesthetic of Yarra. • Yarra's Victorian and early twentieth century residential and commercial buildings must be preserved. • Heritage Overlay should be a priority at all times. • All houses that have heritage features should be protected, to maintain the overall heritage significance of the municipality. 	<p>Amendment C269 does not propose to make changes to the Heritage Overlay. It replaces the existing Clause 22.02 with a new local policy that provides the detailed policy directions for heritage in Yarra. The proposed local policy helps Council to implement state policy in a way that is relevant for Yarra.</p> <p>The statements made in submissions regarding the need to protect Yarra's heritage are noted. It is considered that the local policy has been drafted to conserve Yarra's natural and cultural heritage. The proposed Clause 15.03-3L includes strategies for all new developments, alterations and additions; and includes specific strategies for residential, commercial and former industrial heritage places.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>

Theme & Sub-Themes	Summary of issues raised in submissions	Officer response and recommended position
	<ul style="list-style-type: none"> Retention of heritage areas for future generations is important – reference to Alfred Crescent (relatively untouched) and maintaining Queens Parade shops. 	
	<ul style="list-style-type: none"> Stop demolishing buildings with heritage features. These buildings must be saved and not just as a façade. Despite heritage overlays, heritage stock is being destroyed and views to historical buildings are being eroded. 	<p>Amendment C269 does not propose to make changes to the Heritage Overlay. If a planning permit is required for demolition under the Heritage Overlay (Clause 43.01), then proposed Clause 15.03-1L Heritage provides a detailed Demolition clause that can be applied, including a Strategy to <i>prioritise preservation, restoration and adaptation of a heritage place over demolition</i>.</p> <p>The proposed policy also includes strategies relating to views.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> Minimal facades and unsympathetic buildings above, visible from most directions make a mockery of heritage policies/sustainability. Every city in the world has an oldest suburb which should be preserved – merely maintaining the heritage facades whilst enabling developers to demolish everything else would be another nail in the heritage coffin. Need to preserve more than just façades. Council’s proposal of a two room setback is too prescriptive and does not take into account the specific characteristics of the building, the setting and appropriate response required. 	<p>Proposed Clause 15.03-1L Heritage includes strategies under <i>New development, alterations and additions</i> to respect specific elements of the heritage place (elements are listed) and be visually recessive against the heritage fabric through siting, mass, scale, materials, architectural detailing, texture, linking additions to historic form.</p> <p>Specific to residential alterations and additions, the proposed policy includes a strategy to: <i>set back buildings and works to the depth of two front rooms to retain the original or early elements of the fabric of the individually significant or contributory buildings, its principal façade and primary roof form</i>.</p> <p>Council officers sought assistance from GJM Heritage in responding to issues raised in submissions regarding the above strategy. A change to this clause is recommended to insert the word ‘minimum’ so that the setback should be a ‘<u>minimum</u> depth of two front rooms’. It is considered that this change clarifies and reinforces the intent of the strategy.</p>

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		<p><u>Recommended position:</u> Change to the Amendment:</p> <ul style="list-style-type: none"> In Clause 15.03-1L Heritage, under the heading ‘Residential alterations and additions’, insert the word ‘minimum’ before the words ‘depth of two front rooms’.
	<ul style="list-style-type: none"> Concerned about the lack of policy on verandahs. Would like to see all verandahs at the front of the shops reinstated. 	<p>A number of submissions related to verandahs – their retention and reinstatement.</p> <p>Council officers sought assistance from GJM Heritage in responding to these types of submissions. Given the importance of the verandah to many of the heritage places in Yarra (both commercial and residential), it is recommended that under the heading ‘New development, alterations and additions’, that the dot point <i>respecting the following elements of the heritage place</i> includes verandahs in the list.</p> <p><u>Recommended position:</u> Change to the Amendment:</p> <ul style="list-style-type: none"> In Clause 15.03-1L Heritage, under the heading ‘New development, alterations or additions’, include ‘verandahs’ as an element under the dot point <i>respecting the following elements of the heritage place:...</i>
	<ul style="list-style-type: none"> Need to find a better way of documenting, recording, cataloguing heritage buildings, objects and other aspects. 	<p>This matter is outside the scope of the Amendment.</p> <p>Note: Council’s Senior Heritage Advisor has been made aware of this submission.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>

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	<ul style="list-style-type: none"> One of my greatest hopes is that the sightline guidelines that are already in place be mandated. 	<p>Existing Clause 22.02 (Development guidelines for sites subject to the Heritage Overlay) includes sightline guidelines and associated figures.</p> <p>These sightline guidelines are not included in proposed Clause 15.03-1L Heritage. They are being replaced with a strategy under the heading 'Residential alterations or additions' to: <i>setback buildings and works to the depth of two front rooms to retain the original or early elements of the fabric of the individually significant or contributory building, its principal façade and primary roof form</i> (note that officers are recommending that this strategy be updated so that the setback is a 'minimum' depth of two front rooms). The test for the 'depth of two rooms' is referenced in the Residential Heritage Policy Review, Context which is proposed to be included as a background document in the Planning Scheme as part of Amendment C269.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> Exhibited policy does not respond adequately to the Yarra Industrial Heritage Policy 2019. 	<p>Proposed Clause 15.03-1L Heritage includes strategies under the headings 'Commercial and former industrial heritage places' and 'Former industrial heritage places'.</p> <p>The <i>Yarra Industrial Heritage Policy, 2019</i>, prepared by GJM is proposed to be included as a background document in the Planning Scheme as part of Amendment C269.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> Encourage adaptive re-use of buildings Should encourage existing homes to be retained and restored. 	<p>Proposed Clause 15.03-1L Heritage includes under the heading 'Restoration and reconstruction', the following strategies:</p> <p><i>Retain the significance of the heritage place and the original fabric through:</i></p>

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		<ul style="list-style-type: none"> • <i>Restoration (returning a place to a known earlier state by removing accretions or by reassembling existing elements without the introduction of new material).</i> • <i>Adaptive re-use.</i> • <i>Reconstruction, where evidence exists (returning a place to a known earlier state, including the introduction of the new material)...</i> <p>It is considered that that restoration and reconstruction is addressed through this section of the Heritage Policy.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> • Concern relates to the status of laneways being part of the public realm or not. • Reference to C231 decision to exclude laneways from the public realm. Decision had significant ramifications for the site at 390A Queens Parade. • Requests that: <ul style="list-style-type: none"> - The public realm be clearly defined - Laneways be reinstated to the public realm for all of Yarra, or - Failing 2 above, that wording of the proposed amendment be altered to specifically ensure the protection of heritage buildings which only have laneway frontages. • Views of our streets and lanes should ensure visibility of the heritage building against the blue sky. 	<p>In order to address laneway views that are significant in Yarra (but to also balance this against where the laneway views and associated fabric is not identified as contributing to the heritage place), it is recommended that the strategy under the heading ‘New development, alterations or additions’ be updated to read:</p> <p><i>Promote development that is high quality and respectful in its design response by:</i></p> <ul style="list-style-type: none"> • <i>Protecting and conserving the view of heritage places from the public realm (except from laneways, <u>unless fabric visible from laneways is identified as being significant in the Statement of Significance for the place</u>).</i> <p>As a result of the above change, a consequential change would also be required to the Demolition section of the policy to address the above so that it reads:</p> <p><i>Avoid the demolition of any part of an individually significant or contributory building unless all of the following can be demonstrated:...</i></p>

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	<ul style="list-style-type: none"> Importance of laneways – love the heritage views from these laneways – those views need protecting. 	<ul style="list-style-type: none"> <i>The area of demolition is not visible from:</i> <ul style="list-style-type: none"> <i>The street frontage (other than a laneway, <u>unless the fabric visible from the laneway is identified in the Statement of Significance</u>)...</i> <p><u>Recommended position:</u> Change to the Amendment:</p> <ul style="list-style-type: none"> Change to Clause 15.03-1L Heritage as detailed above and identified in preferred version of policies included as a separate attachment to the Council Report.
	<ul style="list-style-type: none"> Reference to City of Yarra Heritage Gaps: An Overview (Graeme Butler 2004) – suggested that there were significant trees and sites in Yarra Bend Park which should have been protected in a heritage overlay. 	<p>Amendment C269 does not propose to make any changes to the Heritage Overlay. It is considered that this matter is outside the scope of the Amendment.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> Areas of significance to First Nations peoples should also be honoured and protected. 	<p>Yarra’s Heritage Strategy 2019-2030 includes an action to <i>develop an Aboriginal heritage interpretation strategy to ensure greater appreciation of Aboriginal cultural and shared heritage values in the city, including the intersection of Indigenous and natural values</i>. This would also involve identifying sites of Aboriginal heritage significance and preparing interpretation strategies.</p> <p>Note: Council’s Senior Heritage Advisor has been made aware of this submission.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>

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	<ul style="list-style-type: none"> Planning Scheme should include reference to the original owners of the land – the Wurundjeri. 	<p>Council officers support this proposal made in submissions and as such are recommending acknowledgement of the Wurundjeri in the MPS as the first sentence.</p> <p><u>Recommended position:</u> Change to the Amendment:</p> <ul style="list-style-type: none"> Relocate the following in the proposed Clause 02.01 MPS - Context: <p>“Yarra stands on the traditional lands of the Wurundjeri people”.</p>
	<ul style="list-style-type: none"> Leaders of community groups (associated with migrant groups) should be consulted as to what locations are significant to them and preserved or noted appropriately. 	<p>Council’s Senior Heritage Advisor has been made aware of this submission.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> Council would be aware of the heritage value of the area around the Fairfield Boathouse. I'm wondering if Indigenous Australians have been spoken to about anything that impacts on these areas? 	<p>Council has an adopted Heritage Strategy (2019-2030) which includes a number of actions that aim to partner with the Wurundjeri Community representatives:</p> <ul style="list-style-type: none"> Action 21 seeks to develop an Aboriginal heritage interpretation strategy to ensure greater appreciation of Aboriginal cultural and shared heritage values in the city. Action 22 seeks to develop a database as an internal resource of Aboriginal heritage places, to complement Victorian Aboriginal Heritage Register records for Yarra by recognising places of historical or social value to the Aboriginal community, including from historical and recent times. <p>Council’s Senior Heritage Advisor has been made aware of this submission.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>

Theme & Sub-Themes	Summary of issues raised in submissions	Officer response and recommended position
	<ul style="list-style-type: none"> • Abbotsford Convent should be added to the heritage listing. • There should be greater protections for Fairfield boat house. • Heritage Overlay over Charles Street Precinct (HO303) - could Council not go beyond the standard paint controls etc towards a more detailed and imaginative vision for how it sees different heritage areas? • Specific reference to Lennox Street, Richmond, just north of Swan Street. • Concerned about the effects of change in this part of Yarra. Heritage is undervalued and the actual community feel is being eroded by overdevelopment and substandard design. • Main contributions relate to the historic Richmond Hill precinct. Need to place a stronger more binding heritage overlay over this area. 	<p>Amendment C269 does not propose to make changes to the Heritage Overlay. It is considered that these matters are outside the scope of the Amendment.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> • Regarding providing a transition when development takes place adjacent to land in a Heritage Overlay – has concerns about the current direction of Gipps Street, which has been designated a “major employment precinct”. Without proper controls these developments will fundamentally change the skyline and literally overshadow the heritage cottages in Campbell Street. 	<p>Gipps Street is identified as a Major Employment Precinct and proposed Clause 17.0-1L Employment applies. Further work on built form controls for areas such as Yarra’s major employment precincts is separate to Amendment C269.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> • Against multi storey developments in heritage areas. 	<p>Height of development is generally identified through the relevant zone or built form overlay control (eg: DDO or Development Plan Overlay).</p>

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		<p>Amendment C269 includes proposed policies to be applied in conjunction with other sections of the Planning Scheme. Relevant clauses that consider built form outcomes include:</p> <ul style="list-style-type: none"> • Proposed Clause 15.01-1L Urban design • Proposed Clause 15.01-2L Building design • Proposed Clause 15.02-1L Environmentally sustainable design • Proposed Clause 15.03-1L Heritage <p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> • I can see the route from Vic Park Station, Skirting Victoria Park (home of the historic Collingwood Football Club), Stafford St, Valiant St, through to the Convent conceptualised as a heritage walking route. 	<p>This matter is outside the scope of this Amendment.</p> <p>Council’s Senior Heritage Advisor has been made aware of this submission.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> • Regarding height controls for residential extensions – concerned that the stipulation that residential extensions must be “substantially concealed” is open to interpretation. 	<p>This particular strategy is complimented by the “<i>depth of two rooms</i>” test in the proposed policy and height limits set in residential zones.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
<i>World Heritage</i>	<ul style="list-style-type: none"> • Requests for additional content. 	<p>Proposed Clause 15.03-1L World Heritage Environs Area (WHEA) is a policy neutral translation from existing Clause 22.14 Development Guidelines for Heritage Places in the World Heritage Environs Area. Additional work is currently being undertaken to update this policy and will be the subject of a separate amendment process.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>

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ESD	<ul style="list-style-type: none"> • Requests for additional / strengthened standards. • New developments should be ultra low-energy, net-zero, or to the Passivhaus standard buildings. • Gas should not be permitted in any new developments. • New developments to date have not been required to meet sustainability requirements. Developers need to adopt sustainable practices, build with the future in mind, replacing gas with renewable energy and car spaces with bike racks and share car stations. • C269 should include controls to direct that all new buildings be carbon neutral and encourage adaptive re-use of existing buildings rather than demolition. • High rise buildings are not sustainable. • Requests to accept changes in terminology proposed by CASBE (this has also been requested in submissions by Local Councils). • Mandatory environmentally sustainable measures/conditions are needed. • Need to do more than offset emissions – need to actively reduce them. • Important that local government steps up to address the need for our local community to endorse policies that will assist in reducing emissions and addressing the effect of 	<p>CASBE’s submission and other ESD related submissions have been reviewed by Council’s ESD Officer who has provided support to make changes to the proposed Clause 15.02-1L Environmentally Sustainable Development consistent with CASBE’s submission and associated CASBE preferred version of the policy.</p> <p>In relation to requests made in submissions for additional and strengthened standards, whilst officers generally support these notions, it is considered important to maintain a consistent and collaborative approach that aligns with the CASBE preferred version of the policy.</p> <p>Yarra City Council is working with other CASBE member councils to pursue a planning scheme amendment that builds on the existing local ESD Policies held by numerous Victorian Councils. The <i>Elevating ESD Targets Planning Policy Amendment</i> project aims to deliver revised and elevated ESD targets, including targets for zero carbon development.</p> <p><u>Recommended position:</u> Change to the Amendment:</p> <ul style="list-style-type: none"> • Accept all track changes to the proposed policy Clause 15.02-1L- Environmentally sustainable development submitted by CASBE.

Theme & Sub-Themes	Summary of issues raised in submissions	Officer response and recommended position
	<p>increased global warming on local residents. Impact of new buildings on the environment.</p> <ul style="list-style-type: none"> • Improve power supply poles and wires network and encourage the introduction of virtual power plants. • Power requirements for lifts and security must increase energy consumption in high rise (compared to low rise – potential for walk up). • Would like the plan to specify that all new builds must be equipped with renewable energy facilities with the ability to be upgraded. 	<p>This matter is outside the scope of this Amendment.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> • The ESD clause does not appear to be linked to objectives, which need to be addressed in section 54/55, which questions how important they will be in both the design and approval processes. • Requires clearer guidance in the application of Clause 71.02-03 which already states that where there are conflicting objectives that they should be found in favour of net community benefit and sustainable development for the benefit of present and future generations. • There are conflicting objectives. For example, the heritage policy places a number of restrictions on what can be done to a building that can contradict ESD objectives. 	<p>The proposed <i>Clause 15.02-1L Environmentally sustainable development</i> covers a range of areas and unlike Clause 54 and Clause 55, is not exclusive to residential development.</p> <p>Creating clearer guidance in the application of Clause 71.02-03 is outside the scope of this Amendment. Clause 71.02-03 is a State standard provision that cannot be changed by Council. Amendment C269 appropriately sets out the local policy framework to apply in conjunction with other sections of the Planning Scheme.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> • Sustainability needs to be taken seriously in developments. Council should look at plant farm buildings in closed loop modules instead of office blocks. 	<p>There is insufficient strategic work to underpin this matter within Amendment C269.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>

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Signs	<ul style="list-style-type: none"> 15.01-1L Signs – current legislation appears to limit control of illuminated street signs due to the effect they have on drivers and road users. These can be placed in direct line of sight of residential developments, apparently with only limited control of the light pollution effects. 	<p>Proposed Clause 15.01-1L Signs includes a section on residential areas and specifically references limiting illumination.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
Housing		
<i>Location of residential development</i>	<ul style="list-style-type: none"> There is too much densification of housing already and no further need for more. There is potential to undermine State Policy that directs more intense development outcomes in Activity Centres. Residential development should not be in local shopping strips. Industrial spaces would be more sustainable and a better option for residential development as they have less impact on shops and residential homes. The strategic housing framework does not give any idea of the height and density of future developments. 	<p>Amendment C269 aligns with the <i>Yarra Housing Strategy</i> adopted in 2018. This strategy outlines the projected growth in population and housing for Yarra. It also identifies where in Yarra housing growth should be directed and to what level of growth. Yarra’s activity centres are identified as an area where residential growth should be encouraged, which is reflected in the proposed <i>Clause 16.01-2L – Location of residential development</i>.</p> <p>Amendment C269 is in accordance with the State Planning policy directions that are outlined in Plan Melbourne. These include directing residential development to Yarra’s activity centres.</p> <p>Heights of future built form is determined by the relevant zones and overlays.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> Residential development should not be at the expense of community interaction, light, view, corridors for wildlife and should avoid overshadowing. 	<p>Amendment C269 includes a number of built form policies that help to guide appropriate built form outcomes. These include:</p> <ul style="list-style-type: none"> - Clause 12.01-1L Biodiversity; - Clause 15.01-1L Urban Design; - Clause 15.01-2L Building Design; And - Clause 15.03-1L Heritage

Theme & Sub-Themes	Summary of issues raised in submissions	Officer response and recommended position
	<ul style="list-style-type: none"> • Could have a negative impact on native life with forced migration upsetting the ecological balance. 	<p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> • Future development should respect the character of the street and encourage single or town house type dwellings on small individual lots. 	<p>Amendment C269 implements Yarra’s Housing Strategy. This is reflected in the proposed <i>Clause 16.01-2L – Location of residential development</i> which outlines that for areas categorised as minimal change, encourage development:</p> <ul style="list-style-type: none"> - <i>Of one or two dwellings on typically small individual lots.</i> - <i>That respects character of the street.</i> <p>Other provisions in the Planning Scheme, particularly the Zones and Overlays guide appropriate built form outcomes.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> • Housing growth classification terms are not transparent and need to be defined. 	<p>Proposed Clause 16.01-2L – Location of residential development classifies the areas of change in Yarra. The change areas/classifications are defined in Yarra’s Housing Strategy which is proposed to be included in the Planning Scheme as a Background Document. The change areas/classifications include the following:</p> <p><u>Minimal change areas</u> are residential areas that have limited capacity to accommodate future housing growth over time. They usually have one or more of the following characteristics:</p> <ul style="list-style-type: none"> - They are within established residential areas (Neighbourhood Residential Zone) that have heritage significance. - Have consistent fine-grain subdivision pattern and small lot sizes. - Have detached and dual occupancy dwellings. <p>Minimal change areas apply to over 58% of Yarra’s residential land. This change area will continue to accommodate one or two dwellings on typical small individual lots.</p>

Theme & Sub-Themes	Summary of issues raised in submissions	Officer response and recommended position
		<p><u>Incremental change areas</u> are areas that have the capacity to accommodate more modest levels of housing growth over time. Incremental change areas generally display one or more of the following characteristics:</p> <ul style="list-style-type: none"> - They are within established residential areas (General Residential Zone). - They are within mixed use and commercial areas that have heritage significance, including cohesive and highly intact heritage streetscapes and buildings. - Have consistent fine-grain subdivision pattern and small lot sizes. - Have detached, dual occupancy and smaller scale apartment dwellings. <p>Incremental change areas make up over 21% of Yarra’s residential land.</p> <p>It is expected that this change area will gradually evolve over time, accommodating single or town house type housing on individual lots or smaller scale apartment development.</p> <p><u>Moderate change areas</u> are areas that have the capacity to accommodate moderate housing growth over time. Moderate change areas generally display one or more of the following characteristics:</p> <ul style="list-style-type: none"> - They are within or close to activity centres that have heritage significance, sensitive interfaces and other site constraints. - Have excellent access to services, open space and public transport. - Have mixed lot sizes.

Theme & Sub-Themes	Summary of issues raised in submissions	Officer response and recommended position
		<p>Moderate change areas apply to over 12% of Yarra’s residential land.</p> <p>This change area will accommodate medium density residential and mixed use development in the form of apartment buildings that respond to heritage significance and streetscape character.</p> <p><u>High change areas</u> are areas and sites that have capacity to accommodate substantial housing growth over time. High change areas generally display one or more of the following characteristics:</p> <ul style="list-style-type: none"> - They are within or close to activity centres that do not have site constraints. - Have excellent access to services, open space and public transport. - Have large lot sizes. <p>Identified high change areas apply to over 8% of Yarra’s residential land.</p> <p>This change area will accommodate higher density residential and mixed use development in the form of apartment buildings.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<p>10 Garryowen Lane:</p> <ul style="list-style-type: none"> • Reference to 10 Garryowen Lane, Fitzroy. It’s not appropriate for areas to be designated “incremental development” when facing a park. This includes all addresses on Garryowen Lane and the north side of 35 Rose Street. 	<p>The site has been designated ‘Incremental Change Area’. It is considered that this is the appropriate designation based on the following characteristics:</p> <ul style="list-style-type: none"> • The site is in a mixed-use area that has heritage significance. • The site and the adjoining lots are medium scale apartment dwellings.

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		<p>The proposed <i>Clause 15.01-1L Urban Design</i> identifies strategies which facilitate development adjacent to a public open space including overshadowing, pedestrian access, scale and size, landscaping and weather protection.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<p>133-137 Victoria Parade:</p> <ul style="list-style-type: none"> Submits that the subject site is unique and should be designated in a “High Change Area” and not “Moderate Change Area”. Submission outlines justification for this request. 	<p>The site has been designated ‘Moderate Change Area’. It is considered that this is the appropriate designation based on the following characteristics:</p> <ul style="list-style-type: none"> The site is in a Commercial 1 Zoned area that has heritage significance, including an intact heritage streetscape. The site is located on a large lot amongst relatively consistent small and narrow lot sizes. These smaller adjoining lots are primarily of ‘contributory’ significance and contribute towards the overall heritage significance of the area. The site is in a Heritage Overlay (HO334 – South Fitzroy Precinct). <p>Council’s Housing Strategy states that the provisions of heritage and/or built form overlays will determine the scale and form of residential growth. DDO2 – Main Road and Boulevards currently applies to the site as the associated building is on a boulevard.</p> <p>Future development proposals will be considered having regard to all of these circumstances applying to the site.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	53 Hoddle Street:	53 Hoddle Street:

Theme & Sub-Themes	Summary of issues raised in submissions	Officer response and recommended position
	<ul style="list-style-type: none"> Strongly opposes the 'mid-rise' or 'moderate change' growth classification for the site and submits it should be reasonably anticipated for 'high change' given the main road frontage, proximity to higher order activity centres, public transport and bicycle infrastructure, and significant separation from Yarra's low scale, sensitive, historically significant residential neighbourhoods. Does not agree with the 'moderate change' classification of their site given the Commercial 1 Zoning of the land, the site's excellent access to public transport, services and amenities and the position along Hoddle Street. The moderate change guidance unreasonably imposes the requirement to respond to heritage significance (there is none abutting our client's site) and streetscape character, failing to anticipate a degree of change and improvement along this important Boulevard. 	<p>The exhibited clause 16.01-2L 'Location of residential development' local policy aims to direct the majority of new housing development to <u>both</u> High and Moderate housing growth areas.</p> <p>High and Moderate housing growth areas are located within the Commercial 1 Zone (C1Z) and within or close to activity centres that have excellent access to services, open space and public transport. It is envisioned that these change areas will support more housing growth and change over time.</p> <p>For a municipal wide amendment such as this, it cannot be a reasonable expectation that every single site demonstrates each key characteristics of its designated change area. Instead, it must be considered whether a street or precinct meets the broad characteristic of its change area.</p> <p>Moderate change areas have been generally applied to Yarra's key boulevards, including Hoddle Street, Alexandra Parade, Queens Parade and Victoria Parade, given their similar land attributes (mix of lot sizes, landscaped character comprising avenue trees, sensitive interfaces and heritage controls).</p> <p>It is considered that the C1Z sites on the western side of Hoddle Street, including 53 Hoddle Street, Collingwood demonstrate characteristics more aligned with other Moderate Change Areas, including having a mix of lot sizes and landscaped boulevard character. The place at 303/11 Hoddle Street Collingwood is subject to an individual Heritage Overlay (HO105, Former Smalley & Harkness Boot Factory) and the other sites also abut several low-scale, heritage precincts (HO113 and HO106).</p> <p>It is noted that the clause 16.01-2L 'Location of residential development' does not propose to implement height controls. The scale and form of residential development will be informed by built form and heritage controls where these exist. In those change areas where no site-</p>

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		<p>specific controls apply, local policy and zone provisions will determine built form outcomes for these sites and areas.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<p>39-47 Lithgow Street:</p> <ul style="list-style-type: none"> • Supports the inclusion of the site in the Victoria Street Major Activity Centre within the Strategic Framework Plan in Clause 02.04-1. • Does not support the designation of the site as an Incremental Change Area for the purpose of Clause 16.01-2L. Proposes that the site be designated as a Moderate Change Area, which better reflects its position in the Victoria Street Major Activity Centre and its future development potential. Submission outlines justification for this request. 	<p>39-47 Lithgow Street:</p> <p>The site has been designated ‘Incremental Change Area’. It is considered that this is the appropriate designation based on the following characteristics:</p> <ul style="list-style-type: none"> • The site is in a mixed-use area that has heritage significance, including an intact heritage streetscape. • The site is located on a large lot amongst relatively consistent small and narrow lot sizes. • These smaller adjacent lots are primarily of ‘contributory’ significance and contribute towards the ‘individual significance’ of 39-47 Lithgow Street. • Lithgow Street is a narrow street with a single shared bike and car lane in each direction. • Opposite the street is Abbotsford Primary school building and outdoor play area. • The site is in a Heritage Overlay (HO339 – William Street Precinct, Abbotsford) and the associated building is graded ‘individually significant’. <p>Council’s Housing Strategy states that the provisions of heritage and/or built form overlays will determine the scale and form of residential growth. DDO22 – Victoria Street Activity Centre currently applies to the site on an interim basis and expires in June 2022. Work to further advance permanent built form controls for this area is currently underway.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>

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	<p>288-296 Johnston Street, Abbotsford:</p> <ul style="list-style-type: none"> States that the land at 288-296 Johnston Street should be nominated as a 'high change' area for consistency with existing built form controls based around the Johnston Street Local Area Plan and as reflected in the Yarra Planning Scheme at DDO 15. 	<p>The site has been designated 'Moderate Change Area'. It is considered that this is the appropriate designation based on the following characteristics:</p> <ul style="list-style-type: none"> The sites are in a Commercial 1 Zoned area and a neighbourhood activity centre. The sites have not been consolidated and have a mix of lot sizes amongst relatively mixed lot sizes. The smaller adjoining lots are of individual significance and contribute towards the overall heritage significance of the area. <p>Council's Housing Strategy states that the provisions of heritage and/or built form overlays will determine the scale and form of residential growth. The site is within DDO15 – Johnston Street Activity Centre.</p> <p>Future development proposals will be considered having regard to all of these circumstances applying to the site.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<p>1 Turner Street, Abbotsford:</p> <ul style="list-style-type: none"> States that the adjoining property to the north known as 1 Turner Street, Abbotsford appears to have been mistakenly identified as a 'minimal change' area. This is at odds with the current zoning of the land (C1Z) and existing scale of development on the land (4 storeys with 100% site coverage). 	<p>Whilst the site is in a well established residential area and is outside the neighbourhood activity centre boundary, it is acknowledged that it is a planning anomaly and that the site is largely within the Commercial 1 Zone. The site at 1 Turner Street demonstrates the following key characteristic of an 'Incremental Change Area':</p> <ul style="list-style-type: none"> The site is largely within a Commercial 1 Zoned area. The site is located on a large lot amongst relatively consistent small and narrow lot sizes. The site is partially within a heritage overlay (HO327- Victoria Park Precinct, Abbotsford).

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		<ul style="list-style-type: none"> The scale of the existing development on the site (4 storeys) reflects incremental change areas. <p><u>Recommended position:</u> Change to the Amendment:</p> <ul style="list-style-type: none"> Redesignate the site from 'Minimal Change Area' to 'Incremental Change Area' as identified in preferred version of policies included as a separate attachment to the Council Report.
	<p>Rathdowne Street:</p> <ul style="list-style-type: none"> Strongly opposes designation of 'incremental change' in Rathdowne Street Activity Centre (south). This should be 'minimal change'. Changes within NAC need to be minimal to incremental change. 	<p>Rathdowne Street:</p> <p>While both Minimal and Incremental Change Areas have similar characteristics and lot attributes, Minimal Change Areas have been generally applied to land within the Neighbourhood Residential Zone, while Incremental Minimal Change Areas have been applied to land within the General Residential Zone, mixed use and Commercial areas (Adopted Yarra Housing Strategy 2018, page 70-71). Rathdowne Street is considered as appropriate for the Incremental Change designation as the land is a mix of Neighbourhood Residential Zone and Commercial 1 Zone. The area is within the Rathdowne Village Carlton North (Activity Centre) which is also a characteristic of Incremental Change Areas.</p> <p>Both the NRZ and GRZ, introduced into the Yarra Planning Scheme in 2015, limit development opportunities and growth in established areas in Yarra. Most sites covered by these zones have a maximum building height of 9 metres and have minimum garden area requirements. Council does not propose to change the zoning of Rathdowne Street via Amendment C269.</p> <p>It is noted that the clause 16.01-2L <i>Location of residential development</i> does not propose to implement height controls. The scale and form of residential development will be informed by built form and heritage controls where these exist. In those change areas where no site-</p>

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		<p>specific controls apply, local policy and zone provisions will determine built form outcomes for these sites and areas.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<p>Nicholson Street:</p> <ul style="list-style-type: none"> • Opposes 'incremental change' designation on the west side of Nicholson Street (Carlton North). Should be 'minimal change'. 	<p>Nicholson Street:</p> <p>The Commercial 1 Zone (C1Z) currently applies to most of Yarra's activity centres, including Nicholson Street. The C1Z encourages housing in commercial centres by allowing a wider range of accommodation uses. Zones are the primary tool, and not local policy, for guiding the use of land in Victoria.</p> <p>The area shown as an 'incremental change area' along the western side of Nicholson Street demonstrates the following key characteristics associated with Incremental Change Areas (Yarra Housing Strategy, page 71), including:</p> <ul style="list-style-type: none"> • Located within a commercial area that has heritage significance (HO326), including cohesive and highly intact heritage streetscapes and buildings; • Has consistent fine-grain subdivision pattern and small lots sizes; and/or • Has detached, dual occupancy and smaller scale apartment dwellings. <p>It is considered that the western side of Nicholson Street more closely aligns with the lot attributes of other Incremental Change Areas in the Municipality than with areas designated as Minimal Change.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<p>Queens Parade:</p> <ul style="list-style-type: none"> • Queens Parade Activity Centre should be designated 'incremental change'. 	<p>The area shown as a 'moderate change area' along Queens Parade demonstrates the following key characteristics associated with Moderate Change Areas (Yarra Housing Strategy, page 72), including:</p>

Theme & Sub-Themes	Summary of issues raised in submissions	Officer response and recommended position
	<ul style="list-style-type: none"> The Neighbourhood Activity Centre DDO16 Queens Parade Precinct 4 as a 'moderate change' is now at odds with DDO16 (C231). Must be recognised as a minimal change area. <p>104-118 Queens Parade:</p> <ul style="list-style-type: none"> Row of houses at 104-118 Queens Parade has been listed as incremental, yet it has a HO and fits the definition of 'minimal change area'. 	<ul style="list-style-type: none"> Within an activity centre that has heritage significance, sensitive interfaces and other site constraints; Has excellent access to services, open space and public transport; Has mixed lot sizes; and Is located within the Commercial 1 Zone <p>It is therefore considered that Queens Parade more closely aligns with the lot attributes of other Moderate Change Areas in the Municipality than with areas designated as Incremental Change and Minimal Change.</p> <p>For a municipal wide amendment such as this, it cannot be a reasonable expectation that every single site demonstrates each key characteristics of its designated change area. Instead, it must be considered whether a street or precinct meets the broad characteristic of its change area. Hence 104-118 Queens Parade was included in incremental as there are in a change area with the following characteristics:</p> <ul style="list-style-type: none"> established residential areas with some General Residential Zones; detached, dual occupancy and smaller scale apartment dwellings. <p>Important to note however, Council's Housing Strategy also states that the provisions of heritage and/or built form overlays will determine the scale and form of residential growth.</p> <p>DDO16 now applies to the Queens Parade Activity Centre, guiding the built form outcomes within the centre.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>

Theme & Sub-Themes	Summary of issues raised in submissions	Officer response and recommended position
	<p>Swan Street:</p> <ul style="list-style-type: none"> • That area of the Swan St Activity Centre on the northern side of Swan St should be excised from the Major Activity Centre and thus provide a buffer between the commercial activities (particularly entertainment venues) in Swan St and adjoining residences. Its definition as a Neighbourhood Activity Centre would be appropriate. To protect a human-friendly ambiance, and prevent the creation of a virtual canyon, all multi-storey developments by virtue of their size and visual impact should be well set back from Swan St. • Should cluster moderate change zones rather than spread them through the entire street. 	<p>Swan Street</p> <p>Melbourne’s metropolitan planning strategy, <i>Plan Melbourne 2017-2050</i> (Victoria State Government 2017, page 53) identifies Melbourne’s Major Activity Centres, including Swan Street. In accordance with state policy direction, proposed Clause 11.03-1L (Activity Centres) includes all commercial land on both the north and south side of Swan Street within the activity centre boundary.</p> <p>As a designated Major Activity Centre, Swan Street is required to play a significant role in achieving the directions of Plan Melbourne 2017-2050, in relation to both housing and employment. However, it is also a highly intact turn-of-the-century ‘high street’ of consistent scale and architectural quality. Furthermore, land immediately north of the activity centre consists of sensitive, low rise heritage residential areas.</p> <p>While exhibited clause 11.03-1L (Activity Centres) identifies the activity centre boundary and provides high level strategic objectives for the centre, it is the recently adopted (Council Meeting 15 December 2020) Amendment C191 to the Yarra Planning Scheme that will:</p> <ul style="list-style-type: none"> • facilitate an appropriate balance between accommodating population and employment growth, retaining and protecting heritage fabric, limiting amenity impacts and improving liveability; and • manage, at a local level, development activity along the Swan Street Major Activity Centre area. <p>Amendment C191, if approved by the Minister for Planning, will introduce four schedules to the Design and Development Overlay (DDO25-28) that will provide greater clarity and certainty regarding the intent of built form outcomes for each precinct along Swan Street.</p>

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		<p>The built form controls contained in DDO25-28 were carefully tailored to each block along Swan Street, having regard to their location, site size, heritage fabric and sensitive interfaces. The DDOs also differentiate between the north and south side of Swan Street. Lower, mandatory height controls are proposed along the northern side of Swan Street, while taller, discretionary height controls are sought for the south side. The building heights proposed along the south side of Swan Street are greater than the north, due to the absence of heritage and sensitive interfaces. In addition, there are a number of large allotments that can accommodate more development. These sites on the south side of Swan Street provide an excellent opportunity to accommodate growth without unreasonably affecting the amenity of existing residential properties. The rail corridor (which ranges in depth from 29m-45m) provides a significant buffer between these sites and the low scale residential areas to the south.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<p>West Ramsden Street, Clifton Hill:</p> <ul style="list-style-type: none"> West Ramsden St, Clifton Hill should be 'minimal' not 'incremental'. 	<p>West Ramsden Street, Clifton Hill:</p> <p>The area shown as an 'incremental change area' west of Ramsden Street, Clifton Hill demonstrates the following key characteristics associated with Incremental Change Areas, including:</p> <ul style="list-style-type: none"> - Located within established residential areas (General Residential Zone). - Has consistent fine-grain subdivision pattern and small lot sizes. - Is not covered by a Heritage overlay. <p>Council's Housing Strategy states that the provisions of heritage and/or built form overlays will determine the scale and form of residential growth.</p>

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		<u>Recommended position:</u> No change to the Amendment.
	<p>Campbell Street, Collingwood:</p> <ul style="list-style-type: none"> • Campbell Street, Collingwood should be 'minimal' not 'incremental'. 	<p>Campbell Street, Collingwood:</p> <p>The area shown as an 'incremental change area' along Campbell Street, Collingwood demonstrates the following key characteristics associated with Incremental Change Areas, including:</p> <ul style="list-style-type: none"> - Located within established residential areas (General Residential Zone). - Have detached, dual occupancy and smaller scale apartment dwellings. - Is not covered by a Heritage overlay. <p>Council's Housing Strategy states that the provisions of heritage and/or built form overlays will determine the scale and form of residential growth.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<p>Collingwood / Fitzroy:</p> <ul style="list-style-type: none"> • Question why the small section bound by Gipps St, Park St, Stanton St and the train line is considered Incremental Change. It is a small area bound by a Minimal Change Area - quiet mostly single dwelling blocks, and not high density. Should be reconsidered and the area changed to a Minimal Change Area to reflect these surrounds. 	<p>Collingwood / Fitzroy:</p> <p>While both Minimal and Incremental Change Areas do have similar characteristics and lot attributes, Minimal Change Areas have been generally applied to land within the Neighbourhood Residential Zone, while Incremental Minimal Change Areas have been applied to land within the General Residential Zone (Adopted Yarra Housing Strategy 2018, page 70-71). The small section bound by Gipps St, Park St, Stanton St and the train line is considered as Incremental Change as the land is within the General Residential Zone.</p> <p>It is noted that both the NRZ and GRZ, introduced into the Yarra Planning Scheme in 2015, limit development opportunities and growth in established residential areas in Yarra. Most sites covered by these zones have a maximum building height of 9 metres and have minimum</p>

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		<p>garden area requirements. The NRZ is the most restrictive of the residential zones. The NRZ was applied in Yarra to areas identified as having special heritage and landscape character values that distinguish the land from other parts of the municipality. While the pocket of land bound by Gipps St, Park St, Stanton St and the train line is in a Heritage Overlay (HO313), it is largely occupied by townhouses constructed circa 1990-2000, which are not contributory to the significance of the broader heritage precinct (HO313).</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<p>Bridge Road:</p> <ul style="list-style-type: none"> Should cluster moderate change zones rather than spread them through the entire street. 	<p>Bridge Road:</p> <p>In accordance with the Yarra Housing Strategy change areas are allocated on a number of characteristics and are not designated by pattern. The west side of Bridge Road has been designated 'Moderate Change Area'. It is considered that this is the appropriate designation based on the following characteristics:</p> <ul style="list-style-type: none"> The area is within the Bridge Road Activity Centre which has heritage significance (HO310) The area has excellent access to services, open space and public transport The area has mixed lot sizes. <p>Council's Housing Strategy states that the provisions of heritage and/or built form overlays will determine the scale and form of residential growth. DDO21 currently applies to the site on an interim basis and expires after 30 June 2022. Work to further advance permanent built form controls for this area is currently underway.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>

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	<p>Alphington:</p> <ul style="list-style-type: none"> • Strongly believes that the 'minimal change' term should apply to the vast majority of Alphington. • Designation of 16 hectares of land to "high change" has ramifications for the immediate area – moderate change creeping either side of the high change area. • Moderate change areas along Heidelberg Road should definitely be changed to 'incremental change areas' in order to remain within neighbourhood character. • Concerned at the proposal made in C269 to be an area of Moderate Change, allowing for mid-rise development of 8-14 storeys • Porta site doesn't warrant being a moderate change area. 	<p>Alphington:</p> <p>The area between Parkview Road and Chandler Highway (Alphington paper mill) has been designated 'High Change Area'. It is considered that this is the appropriate designation based on the following characteristics:</p> <ul style="list-style-type: none"> • The area has excellent access to services, open space and public transport • The area has large lot sizes. • The area includes the redevelopment of the former Alphington Paper Mill site which is anticipated to supply approximately 2,500 new dwellings. • The vision for the site as a major residential precinct also includes shops, offices, open spaces and community facilities. <p>Council's Housing Strategy states that the provisions of heritage and/or built form overlays will determine the scale and form of residential growth. Development Plan Overlay (DPO11) – former Amcor Site, Heidelberg Road, Alphington applies to the area.</p> <p>The area along Heidelberg Road between Parkview Road and Como Street, has been designated 'Moderate Change Area'. It is considered that this is the appropriate designation based on the following characteristics:</p> <ul style="list-style-type: none"> • The area is in a Commercial 1 Zone which has the capacity to accommodate moderate housing growth over time. • The area has excellent access to services, open space and public transport. • The area has mixed lot sizes. <p>The Porta site has been designated 'Moderate Change Area' as it is considered that this is the appropriate designation based on the following characteristics:</p>

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	<p>Richmond:</p> <ul style="list-style-type: none"> Minimal change areas – should be added to more sections along Malleson Street and extend to sections along Wall Street. From the Coppin/Wall/ Malleson intersection, houses on the west side part of the way down to Dame Nellie Melba Park should also be minimal change areas. 	<ul style="list-style-type: none"> The area is in a Commercial 1 Zone which has the capacity to accommodate moderate housing growth over time. The area has excellent access to services, open space and public transport. <p>Council’s Housing Strategy states that the provision of heritage and/or built form overlay will determine the scale and form of residential growth. Interim built form controls (DDO18) that cover the commercial land along Heidelberg Road from Yarra Bend to Como Street are with the Minister for Planning for approval. An amendment for permanent DDOs would be the next step.</p> <p><u>Recommended position:</u> No change to the Amendment.</p> <p>Richmond:</p> <p>The area along Malleson Street and Wall Street and west of the Coppin/Wall/Malleson intersection has been designated Incremental Change Area’. It is considered that this is the appropriate designation based on the following characteristics:</p> <ul style="list-style-type: none"> The area is within a General Residential Zone Schedule 2. The area has consistent fine-grain subdivision pattern and small lot sizes. The area has the capacity to accommodate a more modest level of housing growth overtime. <p><u>Recommended position:</u> No change to the Amendment.</p>
<i>Housing diversity</i>	<ul style="list-style-type: none"> Housing diversity policy has a narrow view of what types of housing diversity needs to be supported. Does not mention singles or 	<p>Proposed Clause 16.01-3L Housing Diversity provides for all types of housing. This is supplemented by strategic directions in the MPS.</p> <p>A proposed Strategic Direction in the MPS is:</p>

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	<p>couples. Nor does it note that many homes in Yarra already cater for families.</p> <ul style="list-style-type: none"> • Size matters. Generous apartments designed for a single person through to families. 	<p><i>Support Yarra’s diverse community by facilitating accessible, adaptable, affordable housing options that:</i></p> <ul style="list-style-type: none"> - <i>Provide for diverse housing types including shared, sole person, couple and family households.</i> - <i>Include housing for people with disabilities, older persons, students and those in need of crisis accommodation.</i> - <i>Provide for a range of affordable housing types appropriate to the needs of very low, low and moderate-income households.</i> - <i>Include greater housing choice for key workers.</i> - <i>Encourages the supply of additional social housing and improvements to existing social housing.</i> <p><u>Recommended position:</u> No change to the Amendment.</p>
<p><i>Affordable housing</i></p>	<ul style="list-style-type: none"> • New developments with over 50 dwellings should include at least 10% of affordable housing. • The trigger for providing housing affordability should be lowered – i.e. 10 dwellings proposed. • The percentage of housing affordability should be more than 10% - i.e. 20%. • Useful to specify a percentage of social housing within the category of affordable housing. • Useful to define social housing and affordable housing. 	<p>Proposed Clause 16.01-4L Housing Affordability sets a minimum 10% target for affordable housing (when sites are rezoned for residential use and in major developments of 50 or more dwellings). This policy implements a key strategic direction (SD4.2, page 76) of the adopted Yarra Housing Strategy 2018, which is to <i>introduce requirements into the Yarra Planning Scheme for all rezoning’s to residential use, and in significant developments of 50 or more dwellings, to provide at least 10% affordable housing</i>. It also implements Strategic Direction 1 (SD1.1, page 30.) of the adopted Yarra Social and Affordable Housing Strategy, 2019 which is to <i>enhance Council policy and practice in regard to affordable housing agreements at significant developments</i>.</p> <p>At present in Victoria, affordable housing can only be facilitated by the planning system through <u>a voluntary planning negotiation</u> with a private developer or land-owner, generally expressed in a Development Plan Overlay (DPO) and/or by entering into an agreement, under section</p>

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	<ul style="list-style-type: none"> • Useful to specify a percentage of social housing within the category of affordable housing. • Useful to define social housing and affordable housing. • Policy guideline needs clarification – not evident whether this means 10% within the City of Yarra or within new developments. • Amendment places an undue emphasis on the need for Yarra’s housing policy to facilitate neighbourhood character outcomes rather than housing and affordable housing outcomes. • Language used frames multi-unit development as a challenge to character that needs to be “managed”. • No recognition of the role that market rate multi-unit development has in ensuring affordable housing outcomes in Yarra. • Yarra needs more public housing. • Affordable housing must have the same safety, amenity, aesthetic and environmental standards as other housing. 	<p>173(1A) of the <i>Planning and Environment Act 1987</i>. This voluntary negotiation process has limited the ability for Victorian councils to mandate affordable housing outcomes from private developers.</p> <p>Yarra is the first Council to include a clear <u>minimum</u> target for affordable housing in a Local Planning Policy Framework to ensure that the provision of affordable housing is considered as part of major developments from the outset and to reduce the need for affordable housing to be negotiated on a case by case basis.</p> <p>Council has been able to negotiate affordable housing (generally 10%) in major developments of 50 or more dwellings or through land rezoning, including:</p> <ul style="list-style-type: none"> • Former GTV9 site (C104): 10% affordable housing • Former Amcor Site (C123 & C246): 8.5% affordable housing • Harry the Hirer (C223): 10% affordable housing • 64 Alexandra Parade (C244): 10% affordable housing • Former Gasworks site (C243): Up to 20% <p>It is considered that proposed Clause 16.01-4L is appropriate by setting a minimum 10% target for affordable housing when sites are rezoned and in major developments of 50 or more dwellings.</p> <p>The meaning of affordable housing is appropriately defined under section 3AA of the <i>Planning and Environment Act 1987</i> (the purpose of the Act is to establish a framework for planning the use, development and protection of land in Victoria). Under section 3AA of the Act <i>affordable housing is housing, including social housing, that is appropriate for the housing needs of any of the following:</i></p> <ul style="list-style-type: none"> (a) <i>very low-income households;</i> (b) <i>low income households;</i>

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		<p>(c) moderate income households.</p> <p>It is noted that under section 3AA of the <i>Planning and Environment Act 1987</i>, "social housing" has the same meaning as in section 4(1) of the <i>Housing Act 1983</i> which states that Social Housing <i>is public housing; and housing owned, controlled or managed by a participating registered agency.</i></p> <p>The Victorian Government, not the private sector, is responsible for delivering social housing.</p> <p>It is noted that state-wide Amendments VC187 and VC190 to the Yarra Planning Scheme came into effect on 1 December 2020 to streamline the planning system to accelerate approvals of social housing development funded by the State Government.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> Replace the 20 storey DHHS flats in Brunswick Street with 5 storeys affordable apartments/housing making it safer for peoples wellbeing and health and for safety issues. 	<p>This matter is outside the scope of the Amendment.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
Economic development		
	<p>Cremorne - Site Amalgamation</p> <ul style="list-style-type: none"> Clause 17.01-1L be amended by deleting the word 'consolidation' from the strategy 'encourage the consolidation and intensification of employment land within Yarra's major employment precincts'. 	<p>The Spatial Economic and Employment Strategy refers to intensification rather than consolidation and asserts that: <i>The diversity of lot size and building stock in these precincts [Cremorne and Gipps Street] provides a unique environment for established and emerging business that are unlike the majority of existing (and potential) employment lands in Inner Metropolitan Melbourne.</i> P64. Clause 17.01-1L could therefore be amended to delete the word 'consolidation'.</p>

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		<p><u>Recommended position:</u> Change to the Amendment:</p> <ul style="list-style-type: none"> In Clause 17.01-1L Employment, delete the words ‘consolidation and’ from the strategy ‘<i>encourage the consolidation and intensification of employment land within Yarra’s major employment precincts</i>’.
	<ul style="list-style-type: none"> Day/night diversity of shops and activities should include use above ground floor for additional shops, libraries, studios, residences etc. There needs to be a focus on maintaining the arts culture and diverse art activities need to be supported (for example the Gertrude Street Projection Festival). 	<p>Issues in relation to the character and diversity of shops and activities have been addressed above in this table. (refer to ‘Activity Centres’ Theme, and Sub-Themes ‘Heritage’ AND ‘Character’).</p> <p>The permissibility of uses is defined by the zone that applies to the land, outside of the scope of Amendment C269.</p> <p>Yarra’s <i>Arts and Culture Strategy</i> includes a number of objectives which aim to maintain and support Yarra’s arts culture. For example, facilitating appropriate and affordable venues and spaces that are suitable for arts and culture activities and encouraging new developments to contribute to the creative industries sector.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> There appears to be no current requirement for commercial landowners to maintain their premises in a fit state when unoccupied for periods of time. As the current plight of the CBD shows - over development leaves urban environments vulnerable to any economic downturn, resulting in high vacancy, poor maintenance and long-term urban decay. 	<p>Requiring commercial landowners to maintain their premises is outside the scope of Amendment C269, however Council’s Local Laws Unit has advised that there are several provisions under Council’s General Local Law that assist Council in directing owners of vacant commercial properties to maintain them.</p> <p>Further to this, Council can serve fire prevention notices on vacant /unoccupied properties. In relation to squatters on premises, this is a Police matter and dealt with by them and the property owner as its not Council land and is not managed by council.</p>

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		<u>Recommended position:</u> No change to the Amendment.
Transport		
	<ul style="list-style-type: none"> The Department of Transport submitted that there should be additional reference to transport networks – Principle Public Transport Network (<i>PPTN</i>), Principle Bicycle Network (<i>PBN</i>), Bicycle Priority Routes (<i>BPR</i>) and Strategic Cycling Corridors (<i>SCCs</i>). 	<p>The PPTN is already referenced at Clause 18.01 (Victorian Planning Provisions) and it is considered unnecessary to duplicate.</p> <p>The PBN is identified on the proposed Strategic Framework Plan at Clause 02.04.</p> <p>Additional references to specific networks, routes and corridors can be considered as part of future strategic transport work.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> There is no detail on how Yarra will implement the provision of publicly accessible car share bays in major developments. Recommends an additional proposed control: the incorporation of carshare conditions for new residential developments. Submission includes a specified rate. Important for carshare conditions to be enforceable. Submission includes a specific condition for consideration. 	<p>While the Car Share Policy 2019 outlines Council's support for car share and recommends provisions for car share bays in new major development, further work is required to determine appropriate rates and condition requirements to be applied through the planning permit process.</p> <p>This matter can be considered as part of future strategic transport work.</p> <p>Car sharing is also referenced in Yarra's Climate Emergency Plan under Strategic Priority 4 as an opportunity for transport improvement.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> Council should store Green Travel Plans (<i>GTPs</i>) in a publicly accessible database. 	<p>At this point in time Council does not have plans to provide an online data base with this information, however, GTPs are endorsed as part of the planning permit and can be provided on request. Some GTPs are also available on Council's website as documentation for advertised planning applications.</p>

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		<p><u>Recommended position:</u> No change to the Amendment.</p>
	<p>Car Parking rates and availability:</p> <ul style="list-style-type: none"> • Proposal is woefully inadequate and won't be enough to bring about changes that other amendments envisage. • Council should as far as possible get out of providing parking, encourage private provision and a free market. • Need a better amendment that moves towards reducing Council's involvement in the provision of parking and helps establish the principle that car parking is a matter of free choice fully funded by those who make that choice. • Amendment should eliminate minimum car parking requirements and replace them with maximum car parking limits of 1 parking bay per 100m² of building floor area. • Resent having to pay tens of thousands of dollars extra for new home because past planning regulations have in effect forced me to buy parking spaces that I do not want. • Appreciate that the motivation for the present amendment is to reduce minimum parking requirements but is completely inadequate. • Linked to Council's unfair subsidy of car use through free parking on public streets and absurdly cheap resident's parking permits. • Parking must be made available for residents so the elderly and disabled can park near their place of residence. 	<p>Car Parking rates and availability:</p> <p>Proposed Clause 18.02-4L Car Parking is the relevant policy intended to ensure car parking is supplied and managed consistent with promoting travel by sustainable modes.</p> <p>Car parking rates are set out in Clause 52.06 and a matter that is outside the scope of Amendment C269.</p> <p>Traffic and car parking impacts for individual developments are assessed on a case by case basis and usually require car parking and traffic impact assessments be submitted as part of the planning permit process. At a strategic level, access and movement is considered in the preparation of built form frameworks for a specific area.</p> <p>Matters relating to Council's specific parking policies for certain areas, including parking provision rates and resident parking permits, are outside the scope of this Amendment. These types of submissions have been forwarded to Council's Strategic Transport Unit for information in the context of future transport related strategic work.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>

Theme & Sub-Themes	Summary of issues raised in submissions	Officer response and recommended position
	<ul style="list-style-type: none"> No excuse for new developments not to have extensive underground parking as a requirement to take the pressure off the streets. Increase requirements for below-ground parking to minimise unsightliness, avoid associated increase in height of the building(s) in question. Agrees with Clause 15.01-2L sections on 'carparking, loading facilities and outbuildings' but ADD: <ul style="list-style-type: none"> Increase requirements for below-ground parking to minimise unsightliness, avoid associated increase in height of the building(s) in question. 	
	<p>Electric Vehicles:</p> <ul style="list-style-type: none"> Include rates for electric vehicles. Require new development to own a shared electric vehicle to a ratio of 1 vehicle per 10 bedrooms. Ensure new developments have electric car charging and secure e-bike charging. 	<p>Electric Vehicles: Proposed Clause 18.02-4L Car Parking is high level policy. Introducing rates for electric vehicles is outside the scope of this Amendment.</p> <p>It is noted that Clause 18.02-1L Cycling includes the strategy – <i>'Encourage the provision of electric bicycle infrastructure'</i>.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<p>Transport Infrastructure:</p> <ul style="list-style-type: none"> Main commuter trails need to be widened / improved shared paths and buildings need to be properly set back from pathways to ensure safe and unimpeded access for pedestrians and cyclists. Suggested change: Use of residential streets is prohibited by businesses for activities such as delivery truck routes. 	<p>Transport Infrastructure: These issues are outside the scope of Amendment C269.</p> <p>A number of the suggested transport infrastructure proposals made through submissions are not within the responsibilities of Local Government and would need to be managed at a State level or through Public Transport Victoria (PTV).</p>

Theme & Sub-Themes	Summary of issues raised in submissions	Officer response and recommended position
	<ul style="list-style-type: none"> • Suggests a need to increase frequency of trams with all these extra thousands of people. • Cremorne workers/residents need more efficient direct access to this fast-growing precinct (referring to Cremorne) – restabilising the Cremorne Railway Station. • There is a need for the East-West Link • Separation of bikes and pedestrians needs attention. Pedestrians have become the losers as bikes fly by on joint paths along Park Street and in gardens and parks. 	<p>These types of submissions have been forwarded to Council’s Strategic Transport Unit for information in the context of future transport related strategic work.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> • Since redevelopment of Punt Road/construction in Cremorne - dramatic increase in vehicles using the little historic, essentially one way streets of Richmond Hill to cut through to Punt Road. 	<p>Traffic and car parking impacts for individual developments are assessed on a case by case basis and usually require car parking and traffic impact assessments be submitted as part of the planning permit process.</p> <p>Officers have referred this to Council’s Traffic Unit.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
Infrastructure		
<i>Open space</i>	<ul style="list-style-type: none"> • There needs to be more open space and comprehensive management plans to support these important assets. This should include integrating any available and underutilised private parcels of land into the public domain. • The proposed policy needs to detail the plan to support the stated aim of increasing existing public open space. 	<p>Amendment C269 supports the increase and extension of Yarra’s open space network which is captured in proposed Clause 02.03 Strategic Directions – Open Space.</p> <p>These types of submissions have also been referred to relevant Council Officers in Open Space.</p> <p>Council adopted the <i>Yarra Open Space Strategy 2020</i>, which includes a number of recommendations to increase the provision of open space.</p>

Theme & Sub-Themes	Summary of issues raised in submissions	Officer response and recommended position
	<ul style="list-style-type: none"> • Suggests that the policy consider providing more pocket parks for those living in high-rise developments. • Visual open space is vital, yet parkland is being sacrificed for sporting facilities (specific reference to Edinburgh Gardens). • An increase in apartment dwellers would overburden a community asset like Edinburgh Gardens. • Council must reject any and all sales, gifts or other “disposals” or “disbursements” of public lands or spaces to private entities. • More public open space should be provided at ground level on all big developments. • Amount of new open space will be constrained into the future. Need to recognise open space as including streetscapes, urban spaces between buildings, school and educational facility grounds and laneways. • Developers shouldn't be allowed to "lock off" parts of the Fairfield Park or Yarra Bend Park or hinder access. • Small or mini parks to be encouraged. Include them as part of the NAC. 	<p>For example, securing land on large redevelopment sites, conversion of government owned land and land acquisition where required.</p> <p>In addition, Council has prepared Amendment C286yara which proposes to increase the open space contribution rate from 4.5% to 10.1% for all development to help fund open space for the growing population. This approach meets the requirements of the State Government’s guidelines on providing open space.</p> <p>Matters relating to “disposal or disbursements” and “locking off” public lands or spaces are outside the scope Amendment C269.</p> <p><u>Recommended position:</u> No change to the Amendment</p>
	<ul style="list-style-type: none"> • There needs to be more mention of safety and provision for passive surveillance of open space in the proposed policy. 	<p>Council understands the importance of safety in our public realm especially in public open spaces. The newly adopted <i>Yarra Open Space Strategy 2020</i> includes high level principles around ensuring public open spaces and the means of access to them are safe. It also</p>

Theme & Sub-Themes	Summary of issues raised in submissions	Officer response and recommended position
		<p>includes design and management guidelines that Council officers can refer to when preparing design plans and undertaking proposed upgrades to existing open space. These design and management guidelines address personal safety in public spaces.</p> <p>Proposed Clause 15.01-1L Urban design includes a strategy for development adjacent to open space to facilitate development that “...<i>Orients windows and balconies to public open space to enhance public safety and the pedestrian experience...</i>”.</p> <p>Proposed Clause 19.02-6L Public open space contribution includes policy guidelines that land to be contributed (amongst other matters):</p> <ul style="list-style-type: none"> - <i>Should be located or be capable of being designed to provide a high degree of casual surveillance</i> - <i>Should be visible from adjacent thoroughfares.</i> <p><u>Recommended position:</u> No change to the Amendment</p>
	<ul style="list-style-type: none"> • There needs to be more opportunities for green space to grow food and bring biodiversity back to our neighbourhood. 	<p>Providing opportunities to allow for the growing of food and other urban agriculture related issues is outside the scope of this Amendment. Guidance of the provision of community gardens and urban agriculture in the City of Yarra can be found in Yarra’s <i>Urban Agriculture Policy</i>.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> • Edinburgh Gardens and Alphington Park are overused outdoor areas and there are concerns around crowds at night/weekends. 	<p>Maintenance of Yarra’s public open spaces is outside the scope of this Amendment. However, concerns relating to the overuse of Edinburgh Gardens and Alphington Park have been referred to relevant Council officers for their information.</p> <p>Yarra’s compliance department investigates complaints about music noise in Council’s parks and reserves. If any amplified noise is made</p>

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		<p>outside of Council's business hours, members of the public can contact Council's afterhours service on 9205 5555 to report the matter.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> Action is needed to address concerns that nearby lanes are used as toilets and for drug use. 	<p>Issues of antisocial behaviour such as drug use and the use of laneways as toilets are outside the scope of this Amendment.</p> <p>These concerns have been referred to Yarra's Local Laws department who suggest that they should be passed on to the Victorian Police as they are the best agency to deal with issues of public disorder.</p> <p><u>Recommended position:</u> No change to the Amendment</p>
	<ul style="list-style-type: none"> The policy dealing with land contributions should include a reference that where land adjoins a waterway the contribution should be as land which is added to the waterway corridor. General preference for cash contributions should on the Open Space Contribution Plan in some precincts should not apply where the land adjoins a waterway. 	<p>Proposed <i>Clause 19.02 Public open space contribution</i> is a direct translation from the existing <i>Clause 22.12 Public open space contribution</i>.</p> <p>Updates to this policy topic is being pursued through Amendment C286.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
<i>Development contributions</i>	<ul style="list-style-type: none"> It should be clear that where policies call for public realm improvements (e.g. footpaths or bicycle paths) it is in lieu of the Developer Contributions Plan Overlay (DCPO). 	<p>Not all public realm improvements associated with the redevelopment of a site are DCPO nominated projects. Some may be needed to ameliorate the impacts of the redevelopment. The DCPO provisions in Clause 42.06 contain exemption provisions which allow for works in kind to be approved and provide an exemption from the DCPO. These exemptions are appropriately located with the DCPO controls and consequently there is no need to qualify the policy.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>

Theme & Sub-Themes	Summary of issues raised in submissions	Officer response and recommended position
	<ul style="list-style-type: none"> Infrastructure improvements should be mandated, and requirements clearly set out upfront. Local community should be involved in negotiating trade-offs and facilities. Developer contributions to public amenity must be compulsory and cannot be traded away, put into a special fund for use by Council to be used to create more green space and more public toilets and water fountains, including taps for refilling bottles. Before looking to Increase population further, Council should be developing programs and Infrastructure that adequately supports current residents. 	<p>Mandating infrastructure improvements and requirements is outside the scope of this Amendment and is managed through the DCPO.</p> <p>Proposed <i>Clause 19.03-2L – Development Contributions</i> includes strategies to provide new or upgraded infrastructure and to support development that provides contributions towards infrastructure through voluntary contributions.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
Waste	<ul style="list-style-type: none"> Applauds the recycling centre in Ramsay Street and hard rubbish and green waste collections made easily accessible to residents. Waste associated with developments needs to remain a focus. Under Clause 19.03-5L Waste, request that waste and recycling facilities are sensitively and discreetly located so as not to negatively affect the streetscape. 	<p>Council officers support this request and the recommended change to Clause 19.03-5L Waste is:</p> <p><i>Where possible, encourage waste and recycling facilities are sensitively and discreetly located.</i></p> <p><u>Recommended position:</u> Change to the Amendment:</p> <ul style="list-style-type: none"> Insert a new Strategy in Clause 19.03-5L Waste as above.
Water sensitive urban design	<ul style="list-style-type: none"> Suggests that the policy be expanded to clarify how Yarra will integrate water sensitive design in the public realm. 	<p>This is a policy neutral translation.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
Form and Content		
	<ul style="list-style-type: none"> Concerned about the key terms used in the built form policy elements of C269 – they are vague, ill-defined, meaningless. 	<p>Council officers have undertaken a review of the key terms used that have been highlighted by submitters. Several key terms have been clarified or corrected for consistency. The term ‘scale’ has been</p>

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	<p>(Concerns/requests for changes in terminology in proposed 15.01-1L Urban Design.)</p> <ul style="list-style-type: none"> • Key terms should be clearly and explicitly defined and once this occurs it should be opened again for public consultation. <ul style="list-style-type: none"> - For example: Mid rise, low rise, low scale, taller built form, more moderate built form, low rise development (section 11.03-1L) Smaller scale apartment development, higher densities, increased densities, medium density (Section 16.01-2P). 	<p>replaced with 'rise' where appropriate throughout the proposed policy, to provide for consistency. The term 'adjacent' in the section of the proposed policy "<i>development adjacent to land in a Heritage Overlay</i>" (Clause 15.01-1L – Urban Design) has been replaced with 'adjoining' to help to clarify the intent of this strategy.</p> <p>The terms low rise, mid rise and high rise are used through the MPS and local policies to generally describe the built form expectations for particular areas. Officers consider there to be value in using these terms because they provide a general understanding of the nature and scale of development for an area. The exact built form parameters for an area are, however, determined through appropriate built form controls which are included in the form of overlays (most commonly DDOs) to the Planning Scheme.</p> <p><u>Recommended position:</u> Change to the Amendment:</p> <ul style="list-style-type: none"> • The term 'scale' has been replaced with 'rise' where appropriate throughout the proposed policies. • Under the proposed Clause 15.01-1L – Urban Design, replace the term 'adjacent' in the section "<i>Development adjacent to land in a Heritage Overlay</i>" with the word 'adjoining'.
	<ul style="list-style-type: none"> • Language does not also provide for flexibility. 	<p>It is considered that the language used throughout policies included in Amendment C269 is appropriate and has been drafted with consideration of the State Government's <i>A Practitioner's Guide to Victorian Planning Schemes, April 2020</i>. In addition, the proposed policies have been reviewed extensively as part of the drafting process including Council's Statutory Planning Department.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> • The proposed numbering system of PPF is confusing. 	<p>The numbering system of the Planning Policy Framework (PPF) is in accordance with the State Government's Smart Planning program.</p>

Theme & Sub-Themes	Summary of issues raised in submissions	Officer response and recommended position
	<ul style="list-style-type: none"> A clear, non-repetitive numbering system is required so that statements can be easily identified. 	<p>However, Council has acknowledged the issues associated with the numbering system and in December 2019, Council sent correspondence to the Department of Environment, Land, Water and Planning (DELWP) on this matter. The issues raised in the correspondence included:</p> <ul style="list-style-type: none"> Numbering within policies: There are some proposed policies which include a large number of points under each sub-heading. Without the addition of numbers within the policy it makes it difficult to identify a particular item for discussion. Numbering of the policies: There are some proposed policies which have the same number, yet different policies. This makes it difficult to distinguish them without referencing both the name and number of the policy. <p><u>Recommended Position:</u> No change to the Amendment, however it is recommended that Council continues to advocate to DELWP on this matter and for it to be raised as part of a Planning Panel should a Panel be convened.</p>
	<ul style="list-style-type: none"> Text of amended policies often does not match the intent of the re-write as set out in the Explanatory Report. I.e. There is little consistency in the overshadowing increase tests for public open space whereas the Explanatory Report says the test will be the winter solstice. 	<p>It is considered that the Amendment C269 Explanatory Report gives a clear and correct outline of what the policy includes. The Explanatory Report references winter solstice for the overshadowing of waterways, not public open space as per Design and Development Overlay 1 Yarra (Birrarung) River Corridor. This is not an error.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> What are the Objectives for Yarra? They need clarifying as to what outcome we want in this C269 Policy. 	<p>The proposed policies included in the MPS outline the strategic intent and direction for Yarra. The MPS will work in conjunction with the proposed local policies to set a framework to help to guide decision making.</p>

Theme & Sub-Themes	Summary of issues raised in submissions	Officer response and recommended position
		<p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> There should be an accompanying document – with well-illustrated set of guidelines in plain English to support the new policy. 	<p>Providing a plain English guide is outside the scope of the Amendment. However, Council’s Strategic Planning Unit can update Council’s website to ensure that strategic planning information (including information on Amendment C269) is user friendly, up to date and accessible to the public.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<p>Schedule to Background Documents</p> <ul style="list-style-type: none"> These documents should not be included as part of the Scheme as Background documents as they have not been through any Planning Scheme Amendment process If elements of these reference documents are incorporated with more weight in the Scheme, this should be in the form of a Policy amendment Express a level of concern with the amount of new information and policy that is being advanced by C269. Of the view that the proposed adjustments to the policy framework have the potential to undermine key State policy initiatives that direct more intense development outcomes within designated activity centres and urban renewal areas. 	<p>Amendment C269 proposes to include both existing background documents already in the Planning Scheme as well as recently adopted documents that now require inclusion as background documents to the Planning Scheme (Schedule to Clause 72.08). New documents proposed to be included in the Schedule have either:</p> <ul style="list-style-type: none"> been previously adopted by Council, following separate consultation process; or are documents exhibited as part of Amendment C269. <p>The submitter specifically queries the inclusion of the SDAPP Fact Sheet (IMAP) suite which was the basis of the original ESD Local Planning Policy (LPP) Amendment in 2014/2015. The SDAPP Fact Sheets were publicly exhibited with the original amendment. The SDAPP Fact Sheets were supported by the Ministerial Advisory Committee Panel Report as a reference document.</p> <p>The inclusion of the SDAPP Fact Sheets was recently considered by CASBE and City of Yarra and was seen as a beneficial reference document that gives design advice and reproduces the best practice standards that are used within the BESS tool. It is considered that the their inclusion as a background document is strategically justified.</p>

Theme & Sub-Themes	Summary of issues raised in submissions	Officer response and recommended position
		<p><u>Recommended position:</u> No change to the Amendment.</p>
	<p><i>Schedule to application of zones, overlays and provisions (Clause 74.01)</i></p> <ul style="list-style-type: none"> • Opposes the inclusion of this Schedule as it introduces Council's own classified change areas to the zoning expectations. • In particular, the Neighbourhood Character and General Residential Zones include the ability for Council to include Neighbourhood Character Objectives within Schedules, and this information would be more appropriately included at this point. 	<p>According to the State Government's <i>A Practitioner's Guide to Victorian Planning Schemes, April 2020</i>, when creating a schedule to a general or administrative provision, Section 12A of the Act states that a <i>Municipal Strategic Statement must include 'a general explanation of the relationship between those objectives and strategies and the controls on the use and development of land in the planning scheme'.</i></p> <p><i>The PPF does not contain a Municipal Strategic Statement; however, the schedule to Clause 74.01 allows this information to be provided, satisfying the requirements of the Act...</i></p> <p><i>This 'general explanation' should be a concise statement of how controls are used to implement the policy in the planning scheme.</i></p> <p>It is considered that the Schedule is consistent with Practitioners Guide.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> • Submission no.42 requests a written response: (General enquiry) <ul style="list-style-type: none"> - How does Council respond to concerns raised by community groups? - Why aren't the responses by community groups to various Council Strategies published online? - How can ordinary members of the community access this information? - Why aren't those who request planning permits given access to heritage advisors before plans are submitted (ease of contact times and more efficient). 	<p>These matters are outside the scope of the Amendment. The submitter will continue to be informed about the next steps for Amendment C269 and can contact Council's Strategic Planning Department to discuss these issues separately.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>

Theme & Sub-Themes	Summary of issues raised in submissions	Officer response and recommended position
	<ul style="list-style-type: none"> - Should be reasons for setting aside the heritage advice. How is it reviewed? - Where demolition is proposed and supported by the applicants' structural advisor, Council should obtain independent structural advice. - What data is kept on demolitions? 	
	<ul style="list-style-type: none"> • Council's Planning Scheme Review is old. 	<p>Whilst Council's Planning Scheme Review was undertaken in 2014, the findings remain relevant. The strategic work underpinning the proposed policies included in Amendment C269 have adequately considered the Planning Scheme Review process and have updated key data and figures to ensure relevance.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> • Major difficulties facing residents in evaluating developments is misleading documentation by developers ie adding vegetation that is never intended by the developer to be added. Developers must face a penalty for this sleight of hand. 	<p>This matter is outside the scope of this Amendment, however this submission will be forwarded to Council's Statutory Planning Unit for information.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> • Suggests any finished development that does not match the original "pictures" that residents have responded to must pay an additional open space contribution equal to 50% of the land value of the development. 	<p>This matter is outside the scope of this Amendment.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> • Street names should be included on the Strategic Framework Plan at Clause 02.04 to provide clarity and meaning to the map. 	<p>The Strategic Framework Plan has been prepared and designed in accordance with the State Government's <i>A Practitioner's Guide to Victorian Planning Schemes, April 2020</i>.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>

Theme & Sub-Themes	Summary of issues raised in submissions	Officer response and recommended position
	<ul style="list-style-type: none"> Planning Panels removed the objectives from DDO16. These should be included back. 	<p>DDO16 is part of Amendment C231 and is outside the scope of this Amendment.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> Council should advocate for a careful resolution of the proposed permanent controls along the Yarra River corridor. Keen that new controls generally similar to the Yarra River corridor interim provisions be prepared for Merri Creek, Darebin Creek and other Yarra River tributaries. 	<p>Permanent controls along the Yarra River are outside the scope of this Amendment.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> In the context of Laneways - What is clearly missing in C269 is a clear definition of what constitutes the Public Realm. 	<p>Council officers consider that this matter has been responded to above (see Theme 'Built Environment and Heritage, Sub-Themes 'Urban Design' AND 'Heritage'.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> Concerned about Clauses with words that do not mandate an outcome. Mismatch between strategic directions and subclauses: ie Climate change clause (02.03) compared to Site coverage clause (15.01-2). 	<p>The drafting of proposed policies that form part of Amendment C269 have been prepared in line with the State Government's <i>A Practitioner's Guide to Victorian Planning Schemes, April 2020</i>. It is considered that the proposed policies appropriately set out the strategic basis for the application of a provision and, where appropriate, guide the exercise of discretion under other provisions.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
Other		
<i>Liveability</i>	<ul style="list-style-type: none"> 279 submissions were submitted via the 'Do Gooder Campaign' with 219 including the following Statement: 	<p>It is considered that the proposed policies included in Amendment C269 adequately identify the importance of Yarra's heritage shopping strips and contain relevant strategies to support their protection. These policies will work in conjunction with the Heritage Overlay at Clause</p>

Theme & Sub-Themes	Summary of issues raised in submissions	Officer response and recommended position
	<p><i>"I am making this submission to help ensure Yarra's liveability as well as its diverse and vibrant heritage shopping strips can continue to benefit us all for another 100+ years."</i></p> <ul style="list-style-type: none"> • C269 should in no way include provisions, or omit provisions, which will diminish the liveability or heritage of the municipality. 	<p>43.01 and other built form controls such as Design and Development Overlays.</p> <p><i>Clause 02.01 – Context</i> states the following: <i>"With access to services, public transport and a walkable, fine grain street network, Yarra's activity centres will continue to be strengthened so that they remain vibrant and liveable places, capable of serving growing local economies and new and changing communities"</i>.</p> <p>The liveability theme is captured in the following proposed Clauses:</p> <ul style="list-style-type: none"> • 02.03 – Strategic Directions; • 11.03-1L – Activity Centres; and • 15.03-1L – Heritage. <p>Council officers acknowledge there is a high volume of submissions which have included this liveability statement. As such, the statement has been provided to contribute to the feedback of Yarra's first ever Community Vision.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> • Submits that Yarra should acknowledge and enhance the culturally diverse community. 	<p>Proposed Clause 02.01 MPS makes reference to '<i>a diverse community</i>'.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> • Impact of COVID-19 on liveability. • Disappointed that there appears to be no attempt in the Plan to learn from our COVID-19 experiences in terms of increasing access to sunshine, trees, views and gardens in every immediate neighbourhood. 	<p>The liveability theme is identified and integrated throughout the proposed policies.</p> <p>In addition, Council has recently adopted strategies that have taken into consideration estimated population growth and proper planning principles to protect solar access and views, plant trees and increasing the provision of open space across the municipality.</p>

Theme & Sub-Themes	Summary of issues raised in submissions	Officer response and recommended position
		<p>These include:</p> <ul style="list-style-type: none"> • Yarra Open Space Strategy which provides an overarching vision and direction for the future provision, planning, design and management of open space in Yarra to 2031. It considers the current challenges and pressures of expanding population and inner city life and how these can be addressed with an expanded and improved public open space network that contributes to a more liveable and sustainable Yarra in the future. • Yarra's Urban Forest Strategy helps strengthen the way Yarra plans for and manages our trees, ensuring best-practice in tree protection, maintenance and succession planning. The Urban Forest Strategy sets a clear direction for Council to follow to ensure a healthy urban forest for the future. Yarra plants approximately 800 trees per year, along with thousands of other plants for revegetation in local parks and gardens. Whenever a tree is removed, a replacement tree will be planted. • Yarra's Housing Strategy provides a strategic approach to where and how Yarra guides the location of future growth and provides directions on key issues such as housing diversity and adaptability, affordable housing and family friendly apartments. <p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> • Clean public toilets open during daylight hours in every park and shopping centre/strip should be mandatory. 	<p>Requiring clean public toilets to be open during daylight hours in every park and shopping centre/strip is outside the scope of this Amendment.</p> <p>Yarra's <i>Public Toilet Strategy (2017-2027)</i> includes objectives and strategies to ensure that clean and safe public toilets can be accessed</p>

Theme & Sub-Themes	Summary of issues raised in submissions	Officer response and recommended position
		<p>in parks, gardens and activity centres during the day. Management strategies are also included in the Strategy, which ensure regular maintenance and cleaning regimes of public toilets in Yarra.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> • Suggests the planning scheme should better reflect community use and have a second stream for considering activities of a different nature. • Recreational and fundraising activities invited by the land use for occasional use needs a simpler more affordable process for application. 	<p>These matters are outside the scope of the Amendment and have been referred to Council's Open Space team.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
Zoning	<ul style="list-style-type: none"> • The policy updates should not introduce any 'de-facto rezoning', such as treating land that is zoned Mixed Use but located within an activity centre boundary, the same way as land zoned Commercial. 	<p>Zones are specified in the Victoria Planning Provisions and the zoning dictates the use. It is not considered that Amendment C269 introduces any 'de facto rezoning'.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
	<ul style="list-style-type: none"> • Proposes that suitable commercial spaces be rezoned residential to allow for residential use. • Suitable commercial spaces to be rezoned residential to allow for residential use. • Clause 13.07.1L Caretakers houses – former Victoria distillery and silos, 21 Northumberland Street Collingwood should be rezoned to acknowledge the long-standing residences in this excellent heritage adaptive re-use. The Yorkshire brewery was excised from the 'Major Employment Zone' and the former Victoria distillery site should be too. 	<p>These matters are outside the scope of this Amendment.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>

Theme & Sub-Themes	Summary of issues raised in submissions	Officer response and recommended position
	<ul style="list-style-type: none"> • Requests to permit 463 Victoria Street to be used as residential on the ground floor. 	<p>This matter is outside the scope of this Amendment.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
<i>Specific property</i>		
	<ul style="list-style-type: none"> • Yarra Primary School and Yarra City Council (YCC) have entered into a joint use agreement in relation to the school grounds. • Local community have the opportunity to enjoy the grounds outside of school hours. • Shaded playground had to be removed due to age – no longer safe. Department of Education does not provide funding for replacement, upgrade or maintenance of this type of asset. Means that the school itself has to pay for it. • The revitalisation of the school's open space meets the objective of the proposed local policy Public Open Space (19.-2-6L1). • Yarra Primary School made a submission to Council to request that YCC allocate some funds to assist with the cost of a replacement playground in our shared space. Request has since been turned down by YCC. • The need still exists and if YCC is able to reconsider this submission, then this would be a benefit to the educational needs of our students, as well as the entire community that makes use of the playground. • Given the high use of netball/basketball courts by the community – will very likely require maintenance and updating in the near 	<p>These matters are outside the scope of the Amendment and subject to separate ongoing discussions between Council and Yarra Primary School. Council's Executive Team have been made aware of this submission.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>

Theme & Sub-Themes	Summary of issues raised in submissions	Officer response and recommended position
	<p>future. Hopes that YCC could reconsider these amenities in the budget planning process.</p>	
<p><i>Safe injecting room</i></p>	<ul style="list-style-type: none"> • Does not want to see another safe injecting room in the area. The one in Victoria Street should go. • Since the Safe Injecting Room was introduced, drug dealing and “shooting up” has increased – no longer feels safe. • In my street to the point where, when this is going on, I no longer feel safe. Would like a clear statement of the policing policies in the area around the facility. 	<p>These submissions were referred to Council’s Social Strategy team who advised that the legislation enabling the Medically Supervised Injecting Room (MSIR) is the Drugs, Poisons and Controlled Substances Amendment (Medically Supervised Injecting Centre) Act 2017 (‘The Act’).</p> <p>The MSIR was established for an initial two-year period and an option has now been exercised by Secretary of the Department of Health and Human Services to extend the trial beyond 29 June 2020 for a further three years.</p> <p>The trial of the MSIR is the responsibility of the Victorian Government. The Victorian Government independently selected the location for the facility.</p> <p>The registered proprietor of the land is the Secretary to the Department of Human Services. In relation to planning permits and building approvals, for both the transitional and purpose-built facility, Council was not the responsible authority. The Victorian Government has exclusively resourced the construction and operations of the facility. The Victorian Government commissions and directs the provision of health and social services and law enforcement activities.</p> <p>Council recognises that this facility has prevented needless deaths and provides a pathway for drug users to connect to essential health and social services, including being offered a path out of drug dependence. More than 3,200 overdoses have been safely managed at the facility, with staff providing an additional 13,000 health and social support interventions for issues like mental health, housing and family violence.</p>

Theme & Sub-Themes	Summary of issues raised in submissions	Officer response and recommended position
		<u>Recommended position:</u> No change to the Amendment
<i>Graffiti</i>	<ul style="list-style-type: none"> • Graffiti is making Yarra look like ghettos. 	<p>This matter is outside the scope of the Amendment.</p> <p>In Yarra, as with most places in the inner city, graffiti is a serious and complex problem.</p> <p>Each year, Yarra Council removes around 20,000 cases of graffiti and unsolicited bill posters.</p> <p>Yarra has a focus on prevention tactics and supporting the community to remove graffiti from private property.</p> <p>Yarra holds regular free graffiti removal sessions and have conducted study into a draft Graffiti Management Framework. The purpose of this document outlines Council's whole-of-community approach to graffiti management and sets key outcome areas for graffiti management.</p> <p><u>Recommended position:</u> No change to the Amendment</p>

Theme & Sub-Themes	Summary of issues raised in submissions	Officer response and recommended position
<i>Consultation</i>	<ul style="list-style-type: none"> • Longer and more consultative period about this Amendment C269 should take place. • Scope of C269 is so vast – normal process of review of submissions will be unworkable. • Concerned as to whether a fair and due process has been followed. Surrounding landowners in Bridge Road, whom are 	<p>Amendment C269 was publicly exhibited from Thursday 20 August 2020 – Friday 4 December 2020, 12 weeks total (not including the pause for Council elections).</p> <p>Section 19 of the Act requires Council to give notice to (among others) owners and occupiers of land it believes may be materially affected by the amendment. Where the affected number of owners and occupiers makes it impractical to notify all of them individually,</p>

	<p>materially affected by the proposed landmark policy may be unaware of the amendment and its implications. Amendment documentation does not offer clear information on impact. Direct notice to these landowners impacted by view corridors to landmarks has not been given – potentially raises questions of natural justice and fairness.</p> <ul style="list-style-type: none"> • Clear lack of community consultation in the development of the Amendment. Council needs to restart the Amendment drafting process with community consultation as a major input. • Believes that Council will need to tackle development going into the future with a multi-layered approach. Be prepared for more community consultation, listen to what they need and continue to support. 	<p>Sections 19 (1A) and (1B) of the Act allow a Planning Authority take reasonable steps to ensure that public notice of the amendment is given in the area affected by the amendment. For C269, it was impractical to notify all 52,000 ratepayers plus occupiers across the entire municipality.</p> <p>Instead of individual notification, Council supported a community engagement approach at its meeting on 26 November 2019. The following notification was undertaken:</p> <ul style="list-style-type: none"> • Documentation on Council and DELWP website • Notice published in The Age and the Herald Sun and the Government Gazette • Notification was published in <i>Yarra News</i> • Emails sent to Prescribed Ministers, relevant government agencies and neighbouring Councils • Email notification to over 300 key community stakeholder groups and individuals, including, but not limited to: resident groups, trader associations, housing organisations, members of the community that had expressed interest during previous engagements, community and volunteer groups, Yarra sporting groups, health and education organisations and advisory committees. <p>During exhibition, Officers continued to promote the Amendment through a number of other channels not outlined in the <i>Planning and Environment Act</i>. These included:</p> <ul style="list-style-type: none"> • Council’s email newsletter to over 10,000 subscribers; • Emails to Yarra’s Your Say subscriber list; • Further email newsletters to specific interest groups, including Yarra’s Economic Development newsletter and Environment newsletter; • A number of social media posts; and • Through Facebook advertising.
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		<p>It is considered that the extensive consultation and exhibition process for Amendment C269 was well beyond the statutory requirement. The notification outlined above was highlighted to DELWP and considered as taking reasonable steps to ensure notice, through the Authorisation process.</p> <p>Consultation regarding built form controls in Yarra's Activity Centres is outside the scope of this Amendment and is subject to separate planning scheme amendment processes.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>
<p><i>Particular Provisions</i></p>	<ul style="list-style-type: none"> Gaming - remove ability to approve any new gaming venues in Yarra. 	<p>Existing Clause 22.15 Gaming has been directly translated across to the Schedule of Clause 52.28 Gaming in the Particular Provisions. This was a requirement of the PPF translation and is a policy neutral translation.</p> <p>Clause 52.28 sets the permit triggers for gaming. It prohibits gaming machines in listed shopping complexes and strip shopping centres and lists venues where gaming should only be located.</p> <p>This request is outside the scope of the Amendment.</p> <p><u>Recommended position:</u> No change to the Amendment.</p>