



# Ordinary Meeting of Council Agenda

to be held on Tuesday 21 October 2014 at 7.00 pm  
at the Richmond Town Hall

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## **Order of business**

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

## 1. Statement of Recognition of Wurundjeri Land

*“Welcome to the City of Yarra. Council acknowledges the Wurundjeri community as the first owners of this country. Today, they are still the custodians of the cultural heritage of this land. Further to this, Council acknowledges there are other Aboriginal and Torres Strait Islander people who have lived, worked and contributed to the cultural heritage of Yarra.”*

## 2. Attendance, apologies and requests for leave of absence

Anticipated attendees:

### Councillors

- Cr Jackie Fristacky (Mayor)
- Cr Geoff Barbour
- Cr Roberto Colanzi
- Cr Misha Coleman
- Cr Sam Gaylard
- Cr Simon Huggins
- Cr Stephen Jolly
- Cr Amanda Stone
- Cr Phillip Vlahogiannis

### Council officers

- Vijaya Vaidyanath (Chief Executive Officer)
- Jack Crawford (Director Corporate and Financial Services)
- Ivan Gilbert (Executive Manager Chief Executive’s Office)
- Craig Kenny (Director Community Programs)
- Bruce Phillips (Director City Development)
- Guy Wilson-Browne (Director Infrastructure Services)
- Margaret Elvey (Governance Officer)
- Mel Nikou (Governance Officer)

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

## 4. Confidential business reports

### Item

- 4.1 Matters prejudicial to Council and/or any person
- 4.2 Contractual matters
- 4.3 Matters prejudicial to Council and/or any person; Contractual matters; Proposed developments; and Matters relating to legal advice
- 4.4 Contractual matters

## **5. Confirmation of minutes**

### RECOMMENDATION

That the minutes of the Ordinary Council Meeting held on Tuesday 7 October 2014 be confirmed.

## **6. Petitions and joint letters**

## **7. Public question time**

Yarra City Council welcomes questions from members of the community.

Public question time is an opportunity to ask questions, not to make statements or engage in debate.

Questions should not relate to items listed on the agenda. (Council will consider submissions on these items separately.)

Members of the public who wish to participate are to:

- (a) state their name clearly for the record;
- (b) direct their questions to the chairperson;
- (c) ask a maximum of two questions;
- (d) speak for a maximum of five minutes;
- (e) refrain from repeating questions that have been asked previously by themselves or others; and
- (f) remain silent following their question unless called upon by the chairperson to make further comment.

## **8. General business**

## **9. Delegates' reports**

### Item

- 9.1 Metropolitan Local Governments' Waste Forum

## **10. Questions without notice**

## 11. Council business reports

Item	Page	Rec. Page	Report Presenter
11.1 Parking Permit Scheme Review	6	8	Damien Patterson - Manager Parking Services
11.2 Planning Scheme Review	16	18	Liz Mackevicius - Strategic Research and Policy Coordinator
11.3 Yarra Arts Advisory Bodies - Proposed Updates	37	39	Siu Chan - Senior Coordinator Arts, Culture and Venues
11.4 Heatwave Planning Arrangements - Yarra City Council	53	60	Lucy Saaroni - Emergency Management Planning Officer
11.5 520 Victoria Street, Richmond – Occupation of Williams Reserve <b>(withdrawn by officers)</b>	-	-	Bruce Phillips – Director City Development

### Public submissions procedure

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

When the chairperson invites verbal submissions from the gallery, members of the public who wish to participate are to:

- (a) state their name clearly for the record;
- (b) direct their submission to the chairperson;
- (c) speak for a maximum of five minutes;
- (d) confine their remarks to the matter under consideration;
- (e) refrain from repeating information already provided by previous submitters; and
- (f) remain silent following their submission unless called upon by the chairperson to make further comment.

## 12. Notices of motion

Nil

## 13. Urgent business

Nil

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## 11.1 Parking Permit Scheme Review

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Trim Record Number: D14/125226

Responsible Officer: Director Corporate and Financial Services

### Purpose

1. To seek Council endorsement of the revised Parking Permit Scheme and the associated actions as detailed in this report.

### Background

2. In November 2013 Council endorsed a Parking Management Strategy which included an action plan that was designed to help achieve Council's endorsed parking goals of:
  - (a) reducing the number of cars needing to park in residential streets;
  - (b) enabling a reduction in the road pavement space used for parking where a community benefit can be achieved, particularly where pedestrians, cyclists, public transport and persons waiting for public transport will benefit; and
  - (c) planning and managing transport and urban development to minimise the need for people to have to drive cars so that the demand for parking is contained and managed effectively.
3. Council agreed that the action plan should be prioritised to achieve "quick wins" and one of the first actions identified was the review of the Parking Permit Scheme.
4. A draft Parking Permit Scheme was presented to the December 2013 Council meeting and approval was given to place the scheme out to public consultation until 31 March 2014, seeking feedback from the community.
5. Following a Council Briefing and another Council meeting to hear submissions in May 2014, a report was presented to a Special Council meeting on 2 June 2014 and Council resolved to endorse the Parking Permit Scheme, with minor amendment.
6. This Council resolution was subsequently rescinded at a Special Council meeting held on 10 June 2014 and it was agreed that Officers would bring the matter back to a Councillor Briefing to seek direction on the way forward.
7. A report was presented to the September Councillor Briefing which recommended that officers:
  - (a) remove any reference to pricing in the revised Parking Permit Scheme, and refer any consideration on pricing of permits to the Annual Budget process;
  - (b) re-present the revised Parking Permit Scheme to an October 2014 Council meeting for consideration; and
  - (c) prepare a report for the December 2014 Council meeting cycle on:
    - (i) the December 2003 permit eligibility ruling, particularly its impact on small developments (i.e. up to 3 dwellings with partial continuity of ownership/occupancy);
    - (ii) a "cap and trade" scheme for parking permits; and
    - (iii) providing permits for residents (not eligible for permits) when there are events in the sporting precinct.
8. Following a discussion it was agreed that officers should present a report, as per paragraph 7(b) to the October Council cycle for consideration.
9. Due to the expected work required to address the topics described in paragraph 7(c), officers believe that a more achievable timeframe by which to report back to Council on these matters is early 2015.

## **Consultation**

10. A comprehensive communications strategy was developed to ensure Yarra's community had an opportunity to provide feedback for consideration by Council and a total of 161 submissions were received.
11. Given over 50% of the respondents did not support the proposed price increase for second and third permits officers have now determined to take any pricing considerations out of the scheme.
12. While not related to the draft parking permits scheme, 23.5% of respondents suggested that it was Council's planning permit decisions that had increased the demand for on-street parking by providing parking waivers. In response to this feedback officers have developed a consultant brief to undertake an empirical assessment of the impacts of parking waivers and it is planned for Council to receive a report on this matter in 2015, subject to the 2015/16 budget process.
13. Over 25% of respondents suggested that parking supply/demand would be improved if Council improved the enforcement of the existing parking restrictions. Officers advise that responses to an Expression of Interest for technology to support the enforcement function are currently being evaluated, with a view to undergoing a selective tender process in the near future. It is expected that implementation of the new technology (in ground sensors, etc.) will commence later this year.

## **Financial Implications**

14. There are no financial implications.

## **Economic Implications**

15. Not applicable.

## **Sustainability Implications**

16. Reducing the number of permits per property is one of the few "tools" available to Council to bring about behavioural change and reduce the number of vehicles registered and owned by Yarra residents.

## **Social Implications**

17. Not applicable.

## **Human Rights Implications**

18. Not applicable.

## **Communications with CALD Communities Implications**

19. To improve communications with Yarra's CALD community, the Yarra News article (on the draft Parking Permit Scheme) was translated into Yarra's four main community languages.
20. The draft Parking Permit Scheme was also translated and broadcast on Radio 3ZZZ and 3CR.

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

21. The revised Parking Permit Scheme supports Yarra's stated parking vision, that:  
*"Parking is managed by the City of Yarra to promote sustainable transport solutions and to optimise residents' access to homes – Council will also seek to accommodate the parking needs of visitors, businesses and community facilities in a manner that is open and clear."*
22. It also supports the primary goal of Yarra's parking policy framework, to: "Reduce the number of cars needing to park in residential streets".

## **Legal Implications**

23. Not applicable.

## **Other Options**

24. Not applicable.

## **Options**

25. Not applicable.

## **Conclusion**

26. The draft parking permit scheme was out for community consultation for over three months and during that period Council received 161 submissions. Over 50% of these submissions related to price and in response officers have removed any reference to pricing in the scheme.
27. The draft parking permit scheme (attached) reflects many of the current administrative “rules” that are applied to the eligibility, etc. of parking permits and Council endorsement will turn these “rules” into an endorsed policy.

## **RECOMMENDATION**

1. That Council adopts of the draft Parking Permit Scheme.
2. That Council receives a further report in early 2015 which addresses the following topics:
  - (a) the December 2003 permit eligibility ruling, particularly its impact on small developments (i.e. up to 3 dwellings with partial continuity of ownership/occupancy);
  - (b) a “cap and trade” scheme for parking permits; and
  - (c) providing permits for residents (not eligible for permits) when there are events in the sporting precinct.

**CONTACT OFFICER:** Damien Patterson  
**TITLE:** Manager Parking Services  
**TEL:** 9205 5462

## **Attachments**

- 1 Draft Parking Permit Scheme

## **Attachment 1 - Draft Parking Permit Scheme**

### **General Conditions for Permits**

- 1.1. Permits are issued at the discretion of Yarra City Council (Council).
- 1.2. Transitional permits may be issued as a cover note and are valid for a period of two (2) weeks.
- 1.3. The issue of a parking permit does not guarantee the availability of space to park.
- 1.4. Permits are valid for 12 months from date of issue and take up to one (1) week to process.
- 1.5. Permit fees are refundable if a resident moves within the first six months of receiving the permit (pro rata).
- 1.6. Council reserves the right to review the cost of all permits annually.
- 1.7. Permits are not valid until the application is approved.
- 1.8. Permits will not be issued to vehicles over (4.5) tonnes gross weight or vehicles 7.5 metres or more in length.
- 1.9. Parking Permits will only be issued to vehicles with a current registration and that are in a roadworthy state.
- 1.10. Permits will not be issued to boats, trailers or caravans. An exception may be made where registered trailers are required for work purposes (e.g. handyman, tradesperson).

### **2. Misuse of permits**

If a person or business is found to misuse the permit system the following penalties may apply:

- 2.1. For the first offence they will lose all their permits for a period of 12 months and their fees will not be refunded.
- 2.2. For a second occasion, their permits will be permanently cancelled.

### **3. Permit Area Boundaries**

- 3.1. Parking permits apply to defined Permit Zones. (Separate special zones exist).
- 3.2. Where permit area boundaries exist in a particular street, the permit holder is permitted to park on either side of that street (but not in a neighbouring municipality).
- 3.3. Permit holders are not entitled to park their vehicles where parking is illegal and in the areas designated for specific use such as Loading zone, Taxi rank, Mail zone and others.
- 3.4. Permit holders are exempt from time restrictions where the time restrictions are one hour or more, except at ticket parking and in "Designated Shopping Strips", unless otherwise approved by Council.

## **Attachment 1 - Draft Parking Permit Scheme**

### **4. 10 December 2003 Ruling**

- 4.1. No parking permit (including visitor parking permit) will be granted by Council to any owner or occupier of a residential, mixed use, commercial or industrial development where the development was not lawfully available for occupation until after 10 December 2003 except:
  - (i) where the development is affected by a heritage control under the Yarra Planning Scheme and, in Council's opinion, the provision of parking on the site would adversely affect the integrity of the heritage place;
  - (ii) where there is no increase in the number of dwellings and/or separate occupancies above the number that existed on the site as at 10 December 2003 (a vacant site counts as zero dwellings).
- 4.2. Any new development that reduces the number of existing on-site car parking spaces on a property is ineligible to be given a parking permit for on street parking.
- 4.3. The onus is on the applicant to prove qualification for a permit including: proof of residency /business by means of a copy of the relevant lease or contract of sale; proof of lawful occupancy prior to 10 December 2003; or that an exemption applies.

### **5. Display of Permit**

- 5.1. A parking permit will be issued for display on the inside of the vehicle.
- 5.2. Parking permits must be displayed in a prominent position on the left hand side of the windscreen.
- 5.3. Vehicles not displaying the parking permit may receive a parking infringement notice.
- 5.4. Vehicles must be legally parked in the permit area as designated on the parking permit.
- 5.5. Except for Visitors Permits and Disabled Permits, parking permits are allocated to specific vehicles and cannot be transferred from person to person or vehicle to vehicle. Any change of address or vehicle details must be advised to Parking Services in writing for the permit to be valid.

### **6. Information Requirements**

- 6.1. All residential and visitor parking permits require proof of residency and current vehicle registration.
- 6.2. In special circumstances where a vehicle is to be linked to a dwelling, however, is not owned by the occupant (such as a company car) a statutory declaration must support the permit application providing details of:
  - (i) the owner of the vehicle
  - (ii) the user of the vehicles including the address at which the vehicle is to be kept
  - (iii) the vehicle (make, model, year and engine capacity).

## **Attachment 1 - Draft Parking Permit Scheme**

### **7. Designated Shopping Strips**

7.1. Parking permits do not have any entitlement for the permit holder to park for a time longer than restricted or without paying fees in:

- Designated Shopping Strips
- Time restricted spaces under 1 hour duration
- Ticket parking (unless specified on the ticket machine).

7.2. N.B. Designated Shopping Strips are:

- (i) Swan Street (Richmond) - Both sides Mary Street to Stawell Street
- (ii) Burnley Street (Richmond) - Both sides Swan Street to Newry Street.
- (iii) Bridge Road (Richmond) - North side Burnley Street to Yarra River.
- (iv) Bridge Road (Richmond) - South side Burnley Street to Stawell Street & Westbank Terrace to Yarra Boulevard.
- (v) Victoria Street (Abbotsford) - North side Church Street to Burnley Street.
- (vi) Victoria Street (Abbotsford) - South side Church Street to Johnson Street & Leslie to Burnley Street.
- (vii) Gertrude Street (Fitzroy) - North side Nicholson Street to Brunswick Street.
- (viii) Johnston Street (Fitzroy, Collingwood & Abbotsford) - Both sides Nicholson Street to Yarra River.
- (ix) Nicholson Street (Fitzroy) - East side Johnston Street to Alexandra Parade.
- (x) Nicholson Street (North Carlton) - West side, Richardson Street to Park Street.
- (xi) Nicholson Street (North Fitzroy) - East side Scotchmer Street to Park Street.
- (xii) Queens Parade (North Fitzroy) - West side, Delbridge Street to end of shops north of Michael Street.
- (xiii) Queens Parade (North Fitzroy) - South-east side, Gold Street to Wellington Street.
- (xiv) Rathdowne Street (North Carlton) - Both sides & centre, Lee Street to Fenwick Street.
- (xv) Rathdowne Street (North Carlton) - East side Princes Street to Lee Street.
- (xvi) St. Georges Road (North Fitzroy) - Both sides Railway Place to Clausen Street.
- (xvii) St. Georges Road (North Fitzroy) - West side Reid Street to Scotchmer Street.
- (xviii) St. Georges Road (North Fitzroy) - East side Best Street to Scotchmer Street.
- (xix) Scotchmer Street (North Fitzroy) - Both sides Egremont Street to St Georges Road.

## **Attachment 1 - Draft Parking Permit Scheme**

### **8. Resident, Resident Various and Visitor Permits**

- 8.1. Households may have up to two (2) permits one of which may be a Visitor Permit (that is transferable between vehicles).
- 8.2. Council's current parking permit scheme provides up to three permits (one of which can be a visitor permit) and permit entitlements will only be reduced in accord with 8.1 when there is a change of ownership or tenancy after the date of adoption of this scheme.
- 8.3. The permit entitlement for residents of multi-unit developments that could be lawfully occupied before 10 December 2003 is reduced by their number of off-street parking spaces.
- 8.4. The permit entitlement for residents of registered boarding houses that could be lawfully occupied before 10 December 2003 is one permit per bedroom, reduced by their number of off-street parking spaces.
- 8.5. Visitor Permits are issued only to residential properties, one per residence and can only be used within two (2) streets of the property to which the permit is issued to.
- 8.6. Health Care and Pensioner Cardholder's are exempt from the first permit fee. Additional permits purchased by Health Care and Pensioner Cardholders will be charged at the first permit rate.
- 8.7. Resident Various Permits can be issued at the discretion of Council to residents who drive different cars home on a regular basis, and therefore a resident permit does not suit.
- 8.8. The onus is on the resident to substantiate the need for this permit type to the satisfaction of Council including a statutory declaration from the employing company confirming the requirement to drive home different vehicles.
- 8.9. The Resident Various Permit does not provide an additional permit to that allowed by the Resident Permit rather it would take the place of one of the Resident Permits.
- 8.10. Vehicle registration details are required for resident permit only

### **9. Business Permits**

- 9.1. No Business Permits are issued where any off-street parking is available.
- 9.2. Existing Business Permits are cancelled where off-street parking is found on the property.
- 9.3. Business Permits are subject to an approval process that includes a site inspection.
- 9.4. The permit entitlement is based on the length of the street frontage. The first permit is available for a frontage of at least ten metres (10m) except at retail premises where at least five metres (5m) applies (Retail premises are defined as ticket parking and Designated Shopping Strips). Additional permits are available for each subsequent frontage increment of ten metres (10m).
- 9.5. Visitor Permits will not be issued to businesses.
- 9.6. Vehicle registration details are required.

## **Attachment 1 - Draft Parking Permit Scheme**

### **10. Business Various Permits**

- 10.1 Business Various Permits can be issued at the discretion of the Council to businesses with multiple vehicles, and therefore a specific business permit does not suit.
- 10.2 The onus is on the Business owner to substantiate the need for this permit type to the satisfaction of Council.
- 10.3 The Business Various Permit does not provide an additional permit to that allowed by the Business Permit rather it takes the place of one of the Business Permits.
- 10.4 A business will not be eligible for a permit if it redevelops any off street car parking space or converts it for other purposes.
- 10.5 Vehicle registration details are required

### **11. Temporary Residents Permit**

- 11.1. Temporary Resident Permits may be issued to residents in extraordinary circumstances on request such as for persons house-sitting while the occupant is away or relatives caring for a resident who is ill. There is no charge.
- 11.2. As a guide a temporary permit is for 1 month and only one temporary permit will be issued per household per year.
- 11.3. No vehicle registration details are required.

### **12. Resident Trades Permit**

- 12.1. A maximum of three Tradesperson Parking Permits are issued to residents where repairs are required.
- 12.2. Permits will be valid for up to one month. If the works are likely to take longer than one month the applicants should also apply for the installation of a 'Works Zone' or 'Road Occupation Permit'.
- 12.3. If residential parking permits already exist in the applicant's name, no further proof of residency is required. If no permits exist in the applicant's name, the resident is required to provide a Contact of Sale, Lease Agreement, or Rates Notice in their name.
- 12.4. If a tradesperson applies for the permit, they will need to provide a letter from the resident confirming that the tradesperson will be completing the works.
- 12.5. A works quote and/or a letter from the resident is required to be provided to the City of Yarra to substantiate the application and indicate the dates when the works are intended to be completed.
- 12.6. No vehicle registration details are required.

### **13. Council Staff Permit**

- 13.1. Council staff permits are issued to City of Yarra staff located at Town Halls or other Council facilities across the municipalities and allow staff to park in the immediate vicinity of their place of work and be exempt from time restrictions.
- 13.2. Normally vehicle registration details are required however if multi vehicles Council will issue a various permit.

## **Attachment 1 - Draft Parking Permit Scheme**

### **14. Councillor Permit**

- 14.1. Councillor Permits are issued to City of Yarra Councillors to carry out their municipal duties. It allows them to park legally throughout the Municipality with the exception of bus zones, loading zones, disabled parking bays, no stopping bays and clearways.
- 14.2. There shall be no cost for the permit.
- 14.3. One Councillor Permit may be issued to each Councillor per year.
- 14.4. Vehicle registration details are required.

### **15. Medical Practitioner Permit**

- 15.1. Medical Practitioner Permits apply for specific parking spaces at a hospital or medical practice within the municipality.
- 15.2. A maximum of two permits per medical practitioner applies.
- 15.3. Vehicle registration details are required

### **16. Operational Permit**

- 16.1. Operational permits are issued to groups providing City wide services and apply Monday to Friday from 8am to 6pm and cover all of the City of Yarra. Example users include the Royal District Nursing Service, St Vincent's Home Services, Meals on Wheels and City of Yarra staff using their own vehicle for Council duties.
- 16.2. There shall be no cost for the permit.
- 16.3. No vehicle registration details are required

### **17. School and Not For Profit Community Organisations Permit**

- 17.1. Schools and Not for Profit Community Organisations Permits are issued to paid staff of Schools and Not for Profit Community Organisations. Large Hospitals are not included within this category.
- 17.2. The permit entitlement is based on the length of the street frontage where the main entrance is located. The first permit is available for a frontage of ten metres (10m). Additional permits are available for each subsequent frontage increment of ten metres (10m) to a maximum of 20 permits.
- 17.3. Visitor Permits will not be issued.
- 17.4. No vehicle registration details are required

### **18. Organisational Permit**

- 18.1 Organisational permits are issued to voluntary staff working for non-profit organisations that use private vehicles to provide a social service. Example users include Brotherhood of St Laurence and church groups.
- 18.2 There shall be no cost for each permit.
- 18.3 A maximum of two (2) permits can be issued to each organisation.
- 18.4 Permits apply to a permit zone and time restricted parking areas.
- 18.5 No vehicle registration details are required

## **Attachment 1 - Draft Parking Permit Scheme**

### **19. Live Music Permit**

- 19.1 Live venues (registered with Music Victoria) with a designated loading zone may apply for a maximum of two permits (transferrable) to be used by musicians to load or unload musical instruments.
- 19.2 A vehicle must park in accord with the prescribed time restriction or no more than 30 minutes where no time restriction is prescribed.
- 19.3 Permits must be clearly displayed.
- 19.4 Permits will be free of charge.
- 19.5 No vehicle registration details are required

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## 11.2 Planning Scheme Review

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Trim Record Number: D14/136955

Responsible Officer: Director City Development

### Purpose

1. To consider the **Report on Findings** of the Review of the Yarra Planning Scheme

### Background

2. The Planning Scheme (the Scheme) is a key Council document, outlining the vision, objectives, strategies and provisions regarding land use and development. The Scheme is also the primary document which guides decisions regarding land use and development.
3. The adoption of a new Council Plan triggers a review of the Scheme under the *Planning and Environment Act 1987*.
4. A Review has been completed, and includes advice from 10 Consulting (expert planning peer review), Maddocks (legal review), and an internal review, including discussions with Councillors and relevant departments.
5. Further, a consultation approach has been considered for the preparation of a revised *Yarra Planning Scheme*.

### Implications

6. The attached **Report on Findings** is intended to be submitted to the Minister for Planning. This would represent the conclusion of the Review of the Scheme.
7. The key conclusions of the review are as follows:
  - (a) the scheme needs to be updated to reflect Council's current policy position on a number of topics, including as articulated in the Council Plan and Health Plan. Updates to the zone and overlay schedules also need to occur;
  - (b) improvements to the drafting of policies and provisions in the Scheme would make the Scheme easier to comprehend and use;
  - (c) the current suite of policies in the Scheme needs to be reviewed and updated, and gaps in policy addressed; and
  - (d) there is a diversity of views on a key planning topics and this will need to be considered in the planning for the community consultation and engagement for the next stage of the project.
8. A program to address the key findings of the Review of the Scheme. It is currently proposed to include:
  - (a) a deliberative community engagement approach;
  - (b) preparation of technical and background information;
  - (c) policy development for several key policy areas; and
  - (d) amendments to the Scheme to ensure it is up to date and is as clear as possible.
9. It is anticipated that this engagement and Re-write program will occur over the next 2-3 years, with some elements being completed within 12 months.

### Consultation

10. External peer review as well as internal and external consultation has occurred as part of the Review. Consultation as part of the Review included Councillors, City of Yarra statutory and strategic planners and urban designers, developers, planning consultants, community groups and a number of Council's Advisory Committees.

11. Extensive community engagement and consultation is proposed for the next stage of the project, to address the findings of the Review. This is anticipated to include deliberative engagement with the broad community of Yarra potentially including a range of neighbourhood and larger community forums and discussions. This consultation and engagement program will be supported by expert advice and assistance.

### **Financial Implications**

12. There are no specific financial implications of finalising the Scheme Review.
13. There is budget available to support some elements of the program to address the key findings of the Review of the Scheme. Additional budget may be required for some longer term elements.

### **Economic Implications**

14. There are no specific economic implications of finalising the Scheme Review.
15. The Scheme is a key document which influences decision making and sets out policy across a range of domains, including economic development. A finalised Economic Development Strategy would be considered as part of addressing the Review findings.

### **Sustainability Implications**

16. Planning policy has the capacity to support improved sustainability outcomes. Relevant Council sustainability policies will be considered in addressing the Review findings.

### **Social Implications**

17. Planning policy has the capacity to support improved social outcomes. Relevant Council social policies will be considered in addressing the Review findings.

### **Human Rights Implications**

18. There are no known human rights implications identified from the report.

### **Communications with CALD Communities Implications**

19. As previously noted by Council, the next stage of the project will involve a deliberative engagement process, and will specifically incorporate interactions with CALD communities.

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

20. The completion of the Scheme Review is a strategic indicator and initiative under the third strategic objective in the Council plan (making Yarra more liveable).
21. Further, the Review provides the basis for a work program to update some elements of the Scheme. It is proposed that this includes policy development regarding housing, spatial economic development and the built environment, utilising a deliberative community engagement process and technical expertise.
22. A number of existing Council strategies and policies also need to be appropriately referenced in the Scheme, including the Council Plan and Health Plan as well as the Environment and Gaming Policies.
23. The format and structure of Planning Scheme, including the scope and nature of policies that are included in the Scheme, need to be consistent with the objectives of the *Planning and Environment Act 1987*.
24. The Scheme, and therefore the Re-write process, need to be focussed on policies and strategies that relate to the use and development of land.

### **Legal Implications**

25. There are no legal implications identified from this report.

### **Other Issues**

26. Integration of key council strategies that are relevant to the Planning Scheme would be an important component of the next stage.

## Options

27. Council could begin a Rewrite of the Yarra Planning Scheme with the learnings and context of the peer reviews and internal consultation.
28. Alternatively, Council could consider an engagement strategy with the community in the Rewrite stage of the Planning Scheme. A number of different methods are available for that engagement.
29. Council has previously determined that a 'deliberative engagement process' shall occur.

## Conclusion

30. A review of the Planning Scheme is a key Council activity following adoption of a Council Plan.
31. The findings of the review are required to be reported to the Minister for Planning.
32. A Report on the Findings of the Review has been prepared (Attachment 1).
33. A program of work to address the findings of the review is currently being prepared.

## RECOMMENDATION

1. That Council:
  - (a) note the officer report regarding the 'Report on the Findings of the Review of the Yarra Planning Scheme', and the key themes of that review;
  - (b) resolve to endorse the 'Report on the Findings of the Review of the Yarra Planning Scheme' and forward it to the Minister for Planning pursuant to Section 12B of the *Planning and Environment Act 1987*; and
  - (c) support the learnings and findings from this Review informing the deliberative engagement process scheduled with the community in early 2015, which will help inform updates to the Yarra Planning Scheme.

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## Attachments

- 1 Report on Findings of the Review of the Yarra Planning Scheme

**Attachment 1 - Report on Findings of the Review of the Yarra Planning Scheme**

# Review of the Yarra Planning Scheme

## Report on Findings

*10 OCTOBER 2014*



**Attachment 1 - Report on Findings of the Review of the Yarra Planning Scheme**

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## Attachment 1 - Report on Findings of the Review of the Yarra Planning Scheme

### 1. INTRODUCTION

#### 1.1. BACKGROUND & CONTEXT

In Victoria, a Council's Planning Scheme is required to be reviewed, and the findings reported to the Minister for Planning following the adoption of a new Council Plan.

Practice Note 32: Review of Planning Schemes (PN 32) provides guidance for conducting a Review. It was published in 2006 by the Department of Sustainability and Environment (the department responsible for the planning portfolio at the time) and indicates

'...the purpose of the review is to enhance the effectiveness and efficiency of the planning scheme in achieving:

- the objectives of planning in Victoria
- the objectives and strategies of the planning scheme including the State Planning Policy Framework and the Local Planning Policy Framework.

The Review should assess whether the scheme provisions, such as local planning policies, zones, overlays and schedules have been effective and efficient in achieving the objectives and strategies of the planning scheme.

The Review also provides the opportunity to evaluate the planning scheme to ensure that it:

- is consistent in form and content with any directions or guidelines issued by the Minister under section 7(5) of the Act
- sets out effectively the policy objectives for use and development of land in the area to which the planning scheme applies
- makes effective use of State provisions and local provisions to give effect to State and local planning policy objectives.'

The objectives for the Review of the Yarra Scheme are as follows.

- Provide recommendations to improve the effectiveness and efficiency of the Scheme by:
  - Identifying elements of the scheme which have proven problematic in terms of guiding decision making
  - Identifying internal inconsistencies within provisions of the Scheme
  - Identifying opportunities to improve strategic context by updating data, forecasts and other factual information
  - Identifying outdated information and documents in the Scheme
  - Acknowledging changes in State and Local policy (including directions, guidelines issued by the Minister, Plan Melbourne and key Local policies) that have implications for the content of the Scheme
- Engage stakeholders in the Review to identify user challenges with the Scheme, build awareness of the Review process and role of the Scheme.
- Identify strategic policy gaps in the Scheme and priorities including budgets for required research and analysis to address these gaps.

This report reports on the findings of that review, consistent with the requirements set out in Section 12B of the *Planning and Environment Act 1987*.

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### 1.2. PROJECT PROCESS

The Review of the Yarra Planning Scheme was informed by the following.

- **Consultation** with Scheme users, including Councillors, Council planners, community groups and other regular Scheme users. Capire undertook this work and utilised a range of techniques, including 1:1 face to face interviews, phone interviews, collaborative workshops and online surveys. The purpose of this element of the process was to develop an understanding of issues that users have with the scheme.
- **Expert Peer Review:** *10 Consulting* have provided advice regarding issues within the Scheme and approaches to mitigate these issues.
- Review of **key Panel and VCAT decisions** (where these have implications for process / approach used by Council or Council policy position/s) undertaken by Maddocks and
- Internal discussion and analysis of Scheme, review of Yarra's existing policies and broader policy context.

### 1.3. STRUCTURE OF THE SCHEME

The Yarra Planning Scheme is structured according to the Victoria Planning Provisions. Yarra's Scheme therefore includes the State Planning Policy Framework, a Local Planning Policy Framework, Reference Documents, Zones, Overlays, Particular Provisions, General Provisions, Definitions and a list of Incorporated Documents. Of these, a number of elements are standard in all Schemes while a suite of local content elements tailor the Scheme to reflect local context and vision on land use and development. The local content has to be consistent with State policy and the elements of the Scheme which can include local content include:

- Local Planning Policy Framework (including Municipal Strategic Statement at clause 21, and local policies at clause 22.
- Schedules to Zones, Overlays, General Provisions and Particular Provisions (various clauses).

These have been reviewed, with key findings outlined in Section 2.

### 1.4. REPORT STRUCTURE

This structure of this report is as follows:

- Section 2 provides an overview of the key findings of the Review
- Section 3 outlines the relevant issues considered in the Review
- Section 4 notes recent changes to the Scheme and Scheme operation
- Section 5 summarizes the findings of the monitoring framework
- Section 6 provides conclusions and next steps

## Attachment 1 - Report on Findings of the Review of the Yarra Planning Scheme

### 2. KEY FINDINGS

The key findings of the Review of the Yarra Scheme are as follows.

#### 2.1. CURRENCY OF THE SCHEME

Since the last Review of the Scheme, the policy context has evolved significantly at a Council and State level. Council has adopted a number of policies and strategies that are yet to be reflected in the Scheme.

The release of metropolitan planning strategy, Plan Melbourne, in May 2014 provides important context for the Review, future policy development and subsequent updates to the Scheme.

Particular issues identified in the review with respect to policy context include:

- The relevant narrative and policy directions outlined in the **Council Plan** and the **Health Plan** need to be reflected in the Scheme
- Relevant content from a range of other **Council strategies and plans** also need to be reflected in the Scheme.
- **Plan Melbourne**, as the adopted metropolitan planning strategy, provides overarching direction and context for Council policies. Local content in the Scheme needs to be formed in proper planning principles and consistent with Plan Melbourne.
- A number of **zone and overlay schedules** and the list of **reference documents** need to be updated.
- There are some instances in which the Scheme is already up to date, or ahead of current State policy, including sustainability.

Data and information in the Scheme also require review; the Municipal Strategic Statement and other parts of the Scheme require updating, including population and housing projections as outlined in Plan Melbourne and recent housing development data. Changes to the narrative in the relevant sections as a result of the most recent data also needs to occur.

#### 2.2. POLICY DRAFTING

Some elements of the Scheme are in need of review as they are poorly structured, repetitive, ambiguous and in some cases contradictory. This results in a lack of clarity about key policy points and can undermine policy intent. In particular, the provisions relating to built form, heritage and advertising signs need to be reviewed. The narrative in the MSS also needs to be reviewed while the Neighbourhoods policy needs a clearer focus.

Some local policies should be retained including those covering *Landmarks and Tall Structures, Interface Uses and Development Abutting Laneways*.

#### 2.3. POLICY GAPS

##### CHANGE NARRATIVE, GROWTH AND YARRA'S IDENTITY

Yarra has evolved significantly since the gold rush of the 1850s precipitated significant population and economic growth in Melbourne. The municipality, its suburbs, shopping streets and industrial and commercial areas have undergone several waves of change and this growth and change has brought many benefits to Yarra, particularly the development of dynamic and vibrant places, a diverse retail sector, cultural diversity and innovation. Yarra's history continues to be visible in many facets, supporting and complementing its urban structure, built form and economic profile.

As macro-economic, social, cultural and environmental trends continue to drive growth in Melbourne, there will continue to be demand and competition for Yarra's places. This growth needs to be carefully managed to

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protect valued assets and facilitate growth in locations and ways which deliver benefits for current and future generations. Current strategies to manage housing and spatial economic development both need reviewing to ensure the adequately address these issues, particularly in light of significant changes to the context for these policies via Plan Melbourne, zone reforms and Council's Economic Development Strategy.

### LOCAL SPATIAL PLANS

Activity centres, neighbourhood centres, economic clusters (as identified in the economic development strategy), urban renewal locations and other commercial areas should have a local spatial plan to help guide local decision making. Such plans consider the role and function of a place in the overall network of places, identify appropriate locations for growth from a broader context, and mechanisms to support the management of a place to achieve desired outcomes. There are gaps in Yarra's suite of local spatial plans, including an overarching strategy to guide the role, structure and function of the network of activity centres.

### 2.4. DIVERSITY OF VIEWS

The consultation process indicated a there is a diversity of views in the community, particularly in regard to car parking, built form and heritage.

- Views on built form included:
  - whether the built form policies provide sufficient information regarding intended/ desired future built form outcome and suitable guidance for development in Yarra
  - whether the policies guiding built form are too 'strict' or whether they are too 'relaxed'; and
  - whether the description of built form adequately and accurately describes the existing built form in Yarra.
- Views on heritage included:
  - whether there is too much focus on preserving areas, without acknowledging change and evolution of areas or whether stronger heritage controls are required to protect character
  - whether 'new' buildings in heritage areas should look similar to existing heritage buildings or whether a more contemporary approach is appropriate.

It was consistently noted that heritage and built form policies in the Scheme should be clear and the current duplication does not support clear decision making. There are some gaps in terms of where particular policies apply and these should also be addressed.

- Views on car parking & transport principally covered whether there should be more or less, metered or free, timed or unlimited parking.

Council has an established position on transport, as articulated in the Strategic Transport Statement, which prioritises sustainable transport modes. This provides useful overview of Council's transport priorities, however a consistent foundation on which to base planning decisions regarding car parking and waivers, car-share schemes, visitor parking and appropriate rates of bicycle parking is required. Work to resolve this is currently underway.

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### 3. ISSUES ANALYSIS

This section provides a theme-by-theme outline of key challenges and recommended responses that have arisen through the review.

#### 3.1. MUNICIPAL STRATEGIC STATEMENT

The current MSS has been described in the peer review as long, descriptive and lacking a clear vision. A clearer articulation of the opportunities and challenges faced by the municipality is required in the MSS.

The *Residential Development Opportunities Map* would be more suited elsewhere in the MSS while updates to other maps are required.

#### CONTEXT

Key issues and influences should be addressed in the MSS, including articulation of the defining characteristics of Yarra, the profile and drivers of recent and anticipated change and the challenges and opportunities this change will generate.

A contextual introduction should be provided to the built environment and the distinctive heritage and landmarks of Yarra, complemented by a brief reference to amenity and what that means and how it is experienced in a Yarra context.

#### VISION

A clear vision should be an expression of the Council Plan which is relevant to land use planning and transport, and should guide the other policies in the Scheme in particular the expectations regarding the location and nature of growth. A clear articulation of the vision the Council has for the future Yarra is critical, particularly in the context of *Plan Melbourne*.

The MSS also currently contains a series of objectives and strategies regarding land use, built form, transport and environmental sustainability. These need to be updated in line with recommended reviews of relevant policies including housing and spatial economic development.

The Neighbourhoods section in the MSS should be reviewed to ensure it provides useful guidance and context. The peer review suggests that this section is very long and provides limited value, particularly some of the maps, which lack key information.

#### 3.2. ENVIRONMENT

Environment in the Scheme is currently addressed at clause 21.07 (*Environmental Sustainability*) and makes appropriate reference to biodiversity, flora and fauna protection and protection of water quality. Clause 22.08 provides some additional guidance for land in the three areas designated in the Environmental Significance Overlay.

The expressions of policy frequently reference the watercourses that run through the city but otherwise duplicate rather than add value to the higher order State and regional environmental policies. The number of reference documents addressing the subject at Clause 21.11, far outnumber any other theme of policy in the scheme and should be reviewed to ensure they are all relevant.

Amendment C133 is currently awaiting Ministerial approval. This amendment (along with similar ones for 5 other Councils) would see a local policy for Environmentally Sustainable Design (Clause 22.17) to complement existing local environment policy. The updated Yarra Environment Strategy should be included in the Scheme where relevant.

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### 3.3. LANDSCAPE AND BUILT ENVIRONMENT

The built form of Yarra contributes to its distinctiveness and identity, and makes an important contribution to how the community experience Yarra on a day to day basis. In the context of significant growth and change, built form policies to inform decision making are an important element of retaining distinctiveness and identity.

Built environment issues in the Yarra Scheme are addressed in a significant number of local policies, including:

- Clause 21.03 – Vision
- Clause 21.04 – Land Use
- Clause 21.05 – Built form
- Clause 21.08 – Neighbourhoods
- Clause 22.02 – Development guidelines for sites adjacent to the Heritage Overlay.
- Clause 22.03 – Landmarks and Tall Structures.
- Clause 22.05 – Interface Uses.
- Clause 22.07 – Development abutting Laneways.
- Clause 22.10 – Built form and design policy.
- Clause 22.13 – Residential Built form
- Clause 22.14 – Development guidelines for Heritage Places in the world Heritage Environs Area.

Clauses 54, 55 and 56 (relating to One dwelling on a lot, Two or more dwellings on a lot and Residential Subdivision, respectively) also address built form in various ways.

### CURRENT ISSUES

Built form policy is considered by a range of advisers as complex, fragmented, repetitive and difficult to rationalise and, along with the heritage provisions, require clarification and improvement.

The particular issues with built form policies that need to be addressed include duplication of provisions, gaps in policy application and lack of guidance for specific places. Improved policy for laneways (including mapping of current laneways) would also provide an improved basis for decision making.

Relevant elements of *The Night Time Economy Strategy* should be integrated in to the Scheme.

### 3.4. HERITAGE

Heritage is a part of built form which is a particularly important driver of the urban character and scale and grain of development in Yarra. The urban design and built form provisions of the Scheme replicate some of the principles of appropriate built form, however, there are also some unique and special features that warrant a complementary and additional policy framework to properly maintain the city's historic fabric.

In the Scheme heritage properties are identified and managed through the application of the Heritage Overlay (HO), which in Yarra applies to approximately half the municipality. Within HO areas, heritage places are all attributed a level of significance: individually significant, contributory or non-contributory. This framework, which guides decision making regarding demolition and appropriate built form outcomes in heritage areas has been described as understood and generally accepted.

Issues with the current heritage related content in the scheme include:

- The duplication of policy in heritage policy and the heritage overlay creates confusion;
- The lack of direction on internal amenity as it applies to heritage areas;
- Lack of direction and clarity on non-residential land uses in heritage overlay areas
- Issues with the sight lines policy and varying views on the best ways to manage heritage areas

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- Diversity of views as to whether policy should provide more or less protection, and how this interfaces strategies to accommodate growth.
- Additional statements of significance for individually significant places may be required to guide decision making

### 3.5. HOUSING

Yarra's housing policy is outlined in policy provisions at Clause 21.04 while a number of other clauses also influence decision making about residential development. The existing housing provisions reference:

- Accommodating housing growth
- The tension between residential growth and the heritage character and fabric of the city
- The reliance upon strategic redevelopment sites and land in or proximate to activity centres to accommodate that growth (strategic redevelopments sites as the location for the 'majority' of new development)
- Anticipated stability and minimal change across most residential areas;
- Meeting the diversity of housing needs with particular mention of affordability, social housing and age specific housing;
- Reducing the potential amenity conflicts.

The release of Plan Melbourne, reforms to the residential zones, and the release of updated population and household projections indicate that the housing strategy should be updated.

#### PLAN MELBOURNE & ZONE REFORMS

Plan Melbourne indicates that significant growth will occur in Melbourne; the population of the Central Subregion (of which Yarra is a part) is currently 485,000 and, to 2031, is projected to grow by between 230,000 and 280,000. Victoria in Future indicates Yarra is projected to grow from approximately 79,000 people in 2011 to approximately 115,000 by 2031. Plan Melbourne also notes that to retain liveability, growth will be directed to key locations while policies are put in place to '*protect our unique neighbourhoods from residential densification*' and '*protect Melbourne's neighbourhood centres, including provision for mandatory controls*' (Plan Melbourne p 119).

The key locations to accommodate growth as designated in Plan Melbourne include the '*Central Subregion, urban-renewal precincts, areas identified by local governments for applying the new residential growth zone, areas designated as national employment clusters, metropolitan activity centres and activity centres, near railway stations, and greenfield locations in growth areas*' (Plan Melbourne p63).

The relevant locations in Yarra are therefore urban renewal precincts, the residential growth zone, activity centres and areas near railway stations. These areas should be investigated for their capacity to accommodate growth, and considered in the context of the growth projections provided for Yarra. There are opportunities for Yarra to collaborate with the Metropolitan Planning Authority to deliver these outcomes.

#### STRATEGIC REDEVELOPMENT SITES

Strategic redevelopment (SR) sites are a designated development location in the current Scheme, and:

- a major feature of the Residential Development Opportunities Map at Clause 21.03
- the basis for height guidelines in Built Form / Urban Design Policy at Clause 21.05-2
- referenced throughout Clause 21.08 addressing Neighbourhoods
- anticipated to accommodate 85% of Yarra's additional dwellings, as outlined in the Inner Regional Housing Statement (21.02).

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Clause 21.02 further notes that *'an increased proportion of new housing development will be encouraged on strategic redevelopment sites located close to activity centres and public transport'* (21.02). There are a number of sites designated Strategic Redevelopment sites in Yarra (primarily at Clause 22.11).

There is limited guidance and direction for determining appropriate outcomes on SR sites in a local context and there is a lack of clarity regarding what constitutes a Strategic Redevelopment site in a Yarra context. Spatial planning should consider the role of major sites within and in proximity to the designated planning area, and provide sufficient guidance to inform planning of such sites. As with urban renewal sites, such sites may deliver the greatest community benefit by accommodating housing, commercial activity or a combination of uses.

The development of an updated housing strategy should consider recent trends in housing development location and the factors which drive housing demand in Yarra. The diversity of activity and uses is one element of what makes Yarra an attractive and vibrant location and a number of local policies seek to address the challenges and opportunities associated with housing development where it occurs in areas of diverse activity. In particular, the *Caretakers Houses Policy* (Clause 22.06), *Interface Uses Policy* (Clause 22.05) and *Discretionary Uses in a Residential 1 Zone Policy* (22.01) seek to manage the interface between housing and other activities.

### 3.6. ECONOMIC DEVELOPMENT

Economic development policy is provided for at Clause 21.04 (Land Use) under the headings of:

- Activity Centres
- Industry, office and commercial

Overall, there is limited guidance for decision making in these places of economic significance.

#### ACTIVITY CENTRES

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The current contextual statement, objectives and strategies for activity centre recognise the role and nature of the activity centres in Yarra but provide limited useful strategic direction. The current Municipal Strategic Statement does not define roles or strengths for any centre or focus on areas for action and there are negligible references to neighbourhood and local convenience centres. Gaming and arts venues should be addressed elsewhere in the policy framework.

Additional work is required regarding activity centres; to provide the necessary framework for decision making and to provide increased clarity around the roles contemplated for activity centres throughout the municipality.

Other issues that have been identified with the current structure and local area plans is that, often maps in the Scheme are hard to interpret and don't contain clear information. The issue of balancing demand for car parking and the availability of other travel modes in activity centres is also a challenge.

### 3.7. INDUSTRY, OFFICE AND COMMERCIAL AREAS

Existing policy in the Scheme relating to spatial economic activity has only one objective – *'to increase the number and diversity of local employment opportunities'*. Yarra has a capacity to maintain sustained growth and further diversity in the economic sector and deliver further employment and a broader range of cultural and innovative services. This is set out in the Economic Development Strategy (currently being finalised) which, together with Council's Night Time Economy Strategy (2014), Plan Melbourne and reforms to the commercial zones, inform an updated context for planning for economic development, including managing commercial and industrial land.

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### UPDATED CONTEXT

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#### PLAN MELBOURNE

Plan Melbourne acknowledges that a *'new geography for jobs and productivity'* is required as Melbourne's economy continues its transition to more knowledge and service intensive activities; this is particularly relevant in Yarra.

Plan Melbourne sets out a new metropolitan structure to support this growth, comprising a series of state significant elements: an expanded central city, national employment clusters, metropolitan activity centres, state significant industrial precincts, transport gateways, health and education precincts and urban renewal precincts. The Epworth Richmond is designated in this framework. Further planning around this health precinct is currently underway to support its role. In this context, Plan Melbourne provides a high level framework of priority locations for accommodating growth.

State significant elements are supported by local significant elements: activity centres, neighbourhood centres, other industrial land, neighbourhood health precincts and urban renewal sites. A number of the designated urban renewal sites are located in Yarra, including: East Richmond station- Cremorne precinct, North Richmond to Victoria Park Station, Collingwood industrial precinct, Flinders Street to Richmond station corridor, Alexandra Parade and the Amcor Site- Alphington.

Plan Melbourne indicates that activity centres are intended to:

*'Enable 20-minute neighbourhoods by providing access to a wide range of goods and services in centres that are planned and coordinated by local governments. The centres will provide employment and vibrant local economies. Some will serve larger subregional catchments. Through the removal of retail floorspace and office caps, activity centres may grow unrestricted'*

Neighbourhood centres support the activity centres, particularly the 20-minute neighbourhoods, by *'provid[ing] neighbourhood access to local goods, services and employment opportunities'* (Plan Melbourne).

As noted in the Night Time Economy Strategy, the interface between residential, entertainment and commercial activities is a challenge that will need to be considered.

#### ZONE REFORMS

The reform of the commercial and industrial zones resulted in significant areas becoming capable of supporting growth in office floor-space, including areas along Hoddle Street. A purpose of the reformed zones was to increase investment opportunities by enhancing flexibility in commercial zones. This occurred by broadening the range of uses that don't require a permit to include 'shop' use. This is a significant change and means that 'shop' uses can now occur in a wider range of locations.

Along with Council's updated *Economic Development Strategy*, *Plan Melbourne* and reformed commercial zones, the updated *Business and Industrial Land Strategy* will need to consider the scale of future employment growth, and the profile and spatial preferences of this anticipated change. This will be, in part, driven by the structural economic change which creates a different profile of land requirements for economic activity. The spatial implications of this, particularly the competition for land between residential and commercial uses in areas of transition and key strategic locations such as urban renewal locations and activity centres will be a key issue to address in the *Business and Industrial Land Strategy*. The Strategy will also develop policy and strategy to accommodate future retail and commercial premises.

### 3.8. COMMUNITY DEVELOPMENT

The following issues have been identified with the existing community development policy:

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- There is limited direction about education facilities, including location and future demand and provision of facilities and opportunities for new health facilities.
- Entertainment and recreation should be separated from activity centres policy.
- Gaming policy and arts venues should be more appropriately located in the Scheme
- There is limited strategic direction in the licensed premises policy and community facilities policy

The Council Plan goes to some lengths to emphasise the uniqueness, richness and social and cultural diversity of the Yarra community. It is appropriate that the community development policy convey a similar sense of direction in the opportunities to grow the range, diversity and complexity of community development services and facilities that the city should offer.

Local policy on the '*Distribution of social and cultural infrastructure*' could usefully take the form of a policy plan showing the location of schools, kindergartens, health centres, medical precincts, recreation facilities and centres of hospitality and entertainment. The removal of the medical precincts local policy as part of the last Scheme review can also be addressed here. *Health, Education, Community, Cultural, Sports and Recreation Facilities* should have their own separate local policy statement as relevant in which specific objectives and strategies can be advanced, drawn from both the existing policy framework and bolstered by reference to a range of relevant existing Council policies.

### LICENSED PREMISES

Council is currently preparing a revised local policy on licensed premises that will inform a range of the policies on community development and economic development and the management of amenity in Yarra.

### 3.9. OPEN SPACE

The Scheme has well developed policy on open spaces, parks and gardens based upon a strategy prepared and adopted by Council in 2006 and implemented through strategy and policy at (Clause 21.04 and 22.12). A review and update to the Open Space Strategy is tentatively planned for 2015/16; the outcomes of this will be incorporated in to the Scheme as necessary.

### 3.10. TRANSPORT

An effective and efficient transport network is at the heart of a vibrant, equitable and prosperous municipality. In inner city environments, the management of the limited road and transport space and resources can require balancing of a number of objectives. This is a particular challenge in Yarra, due to the travel demands generated by:

- the strategic location of the municipality on the edge of the central city
- the significant and growing mobile population, and
- the presence and proximity of major event attractors.

Transport is currently addressed separately in the *Context* and *Vision* provisions of the Scheme as well as in strategy at Clause 21.06. It is also addressed in some specific policies such as the parking, access and traffic provisions of *Built Form and Design Policy* (Clause 22.10).

The current policy expresses a preference to reduce car dependency and encourage walking, cycling and public transport use. This appears to have had some success, with Yarra having a higher bicycle use rate than other parts of Melbourne. There are still, however, inconsistencies regarding the requirement for Green Travel Plans, the use of car share schemes and reductions or waiving of on site car parking.

Carparking was considered a particularly contested political issue in the initial consultation; any position or strategy regarding carparking is unlikely to satisfy all stakeholders. The Parking Strategy and Local Area

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Transport Management Policy provides a framework for the development of local area traffic management schemes.

The Scheme would be assisted with clear direction about how Council seeks to facilitate greater use of public transport, walking and cycling, and how and in what circumstances this will translate into reduced car parking, car sharing schemes and the like. The approach should include consideration of car parking in activity centres on a precinct wide basis (rather than site-by-site) as well as strategies relating to visitor car parking and increased bicycle parking.

### **3.11. STATUTORY PLANNING PROCESSES**

The consultation process acknowledged there is a perception regarding lengthy and cumbersome authorisation processes to get permits and amendments approved as an overall issue. There is also a view that development approval process occurs without enough consideration given to heritage over other considerations and policies within the planning scheme.

The planning system is characterised by a decision making environment which regularly needs to balance conflicting objectives, policies and values.

The systems used by Yarra are based on a statewide system (the Victoria Planning Provisions; VPPs) which is explicitly a *performance based system*; this means that decisions are necessarily based on the outcome they deliver.

The principles of net community benefit and sustainable development also underpin these decisions. The intent behind this is to enable innovative responses, particularly in complex environments.

Further, the statutory planning processes and internal system in Yarra is regularly reviewed and audited to ensure it is performing appropriately.

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### 4. RECENT CHANGES TO THE SCHEME

Recent Amendments to the Scheme were also analysed in the Review. This identified that about half of the proposed Scheme Amendments (since the last review) have been gazetted; a number of interim heritage amendments were refused while others were abandoned or have lapsed. The amendments that have been gazetted implemented policy, facilitated development on a specific site or were administrative changes. The amendments resulted in changes to zones, overlays, local policies and other controls.

The significant amendments to the Scheme that have occurred since the last review comprised policy implementation (C87 - Open Space Contribution, C109 - Gaming Policy, C117 - Stormwater management) and a series of place specific policies (C95 – Yarra Gardens Precinct, C102 – Gipps St Precinct, C104 – Channel 9 Site, C123 & C200 – Amcor Site).

#### 4.1. SCHEME OPERATION

Analysis of permit application data indicates the number of applications is high and increasing; over the past decade or so, the number of new planning permit applications has increased from around 1,500 per year to over 1,600.

The processes of the Statutory Planning branch will be reviewed as part of the Council Service Review later in 2014. This will include an audit of completed planning application files to address whether proper procedures have been followed in accordance with the Planning and Environment Act 1987 (**the Act**) and the Yarra Planning Scheme (**the Scheme**) and will also establish the performance of the branch against best practises in regard to Statutory Planning processes.

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### 5. SCHEME MONITORING

A number of indicators are identified in the Scheme to assist with monitoring of Scheme objectives. This includes:

- Residential Development: Residential development has been occurring at a greater rate than was previously forecast.
- Housing Diversity: Appears to have marginally increased between 2006 and 2011 however it is difficult to confidently conclude this given changes in Census approaches.
- Housing affordability: Although there were some minor changes regarding social housing, this is an issue that is largely managed by the State Government.
- Employment: there was a significant increase in the number of jobs in Yarra; between 2006 and 2011 the number of jobs in Yarra increased by approximately 10,000 according to Census data.
- Heritage: A small number of contributory dwellings have been demolished and additional heritage overlays have also been introduced.
- Open Space: The quantum of public open space in Yarra has increased by 4 hectares since 2009.

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### 6. CONCLUSIONS & NEXT STEPS

#### 6.1. CONCLUSIONS

The conclusions of the Review are as follows.

- The broader policy context for the Scheme has evolved significantly since the last Scheme review, and some data is also out of date. This means that parts of the Scheme require updating in order to reflect adopted Council and State government policy positions as well as recent data and trends to better reflect the strategic context, Vision and aspirations of Yarra
- The Scheme does not provide a clear and thorough description of how Yarra's employment and housing growth will be accommodated, which areas are likely to undergo change and what that change might look like.
  - As the factors that drive demand for living, working and investing in Yarra will continue, the absence of directions regarding how and where change should occur will continue to result in uncertainty and resources and time spent on unnecessarily complex decision making processes.
  - The reform and application of the residential zones in Yarra is the starting point for this narrative and creates obvious implications for potential development in major urban renewal areas and strategic development sites.
  - The continuing tension between residential and economic land uses in areas of transition (eg urban renewal areas, economic clusters and some activity centres) requires policy direction to improve decision making.
- Spatial plans are a significant policy gap in the Scheme and need to be addressed to support more efficient and informed decision making. In particular, Yarra's activity centres, neighbourhood centres and economic clusters.
- Changes to State policy, particularly the release of Plan Melbourne, needs to inform policy to address these overall policy and spatial planning gaps.
- There is a need for an ongoing systematic data collection and analysis framework to support evidence based spatial planning.
- There are divergent views on several key policy areas, particularly car parking, built form and heritage.
  - Research, analysis and community engagement can support policy development, however, it should be acknowledged that there are still likely to be a range of views on a particular topic at the conclusion of these processes.
  - Ultimately, Council should develop policy positions which are evidence based and rational, so stakeholders understand the logic underpinning the policy.
  - Clarifying a policy direction for particular areas is also important as it enables assessment of proposals on merit and individual characteristics.
- There is support for broader community participation in discussion regarding the planning issues that face Yarra. While there will always be different views on how to manage particular elements of city growth, deliberative processes can help develop awareness of the interplay between policy areas and the complexity involved in decision making, as well as awareness of the diversity of views. This would support broader understanding of the factors that drive demand for land in Yarra and the inherent tensions in the planning process.
- Parts of the Scheme are poorly structured, lack clarity and are repetitive. This leads to lack of clarity about the key policy points and potential ambiguity which can undermine the policy intent. Some local policies are well crafted and support informed decision making.
- The current structure of the Scheme includes a number of local elements, some of which operate effectively and some of which require review.

## Attachment 1 - Report on Findings of the Review of the Yarra Planning Scheme

- There is some outdated information in the Scheme which needs to be either updated or removed.
- The role of the Scheme in implementing policies, strategies and spatial plans needs to be considered as part of policy developed
- A number of changes have been made to the Scheme since the last review; although these can be time consuming they are an important part of ensuring the Scheme best reflects the current trends and aspirations of Yarra
- The Scheme informs a significant number of statutory decisions.
- The majority of work outlined as part of the last Scheme review has been undertaken, or is underway. The several outstanding projects will be considered as part of this Review.

### 6.2. NEXT STEPS

Updates to various sections of the Scheme are proposed to address the issues raised in the Review.

Plan Melbourne, the zone reforms and the draft Planning Policy Framework proposed by the State Government will inform this process, which will be underpinned by a Community Engagement process, including deliberative engagement and, various technical and analytical tasks.

There are 4 proposed to update the Scheme:

1. Preparations, including review of Yarra's scheme against Plan Melbourne, preparation of background briefing papers and planning for engagement
2. Community engagement, including deliberative element on key topics/ themes to inform policy development; write up of consultation findings
3. Policy and Strategy work: Housing Growth and Change, Commercial and Industrial Land Development Framework and Built Form Strategy, incorporating outcomes of the above deliberations and culminating in proposed Amendment/s to the Scheme.
4. Preparation of proposed amendment/s to the Scheme addressing other issues raised in the Review.

These stages will be further developed following finalisation of the Review phase.

#### NOTE: DRAFT PLANNING POLICY FRAMEWORK

In July 2013, the Minister for Planning appointed an Advisory Committee to provide advice regarding the content and structure of a revised SPPF arising from recent state policy changes, including 'the proposed Metropolitan Planning Strategy, the eight Regional Growth Plans, the reformed commercial, industrial, residential and rural zones and the Development Contributions System'. Following their appointment, the Committee's scope was expanded in October to also provide advice to ensure effective and efficient integration between the local policy framework and the SPPF.

The SPPF Advisory Committee released a draft Planning Policy Framework for comment in March 2014. This draft structure proposes amalgamation of the SPPF and LPPF into a thematic format, essentially allowing for State, Metropolitan, and Regional and Local policy on a particular theme to be located and read together.

While this will result is a significantly different format scheme, it does not result in a lesser role for local policy.

A submission to the Advisory Committee on the draft structure was endorsed by Council in May 2014 and the Advisory Committee were to report to the Minister for Planning by June 30, 2014.

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## **Attachment 1 - Report on Findings of the Review of the Yarra Planning Scheme**

### *IMPLICATIONS FOR THIS REVIEW*

There are no substantial implications for the Review. There are potential implications for any update or Rewriting of the Scheme; if the PPF is introduced it will require a reformatting of the local elements of the Scheme, including any changes as a result of this Review.

This Review has used the draft PPF structure, as exhibited by the Advisory Committee, to guide the recommended actions, as it is anticipated that it will be implemented prior to the Rewriting of the Yarra Scheme. Should the PPF not be in place when the Scheme Rewrite begins, the sentiment and principle expressed in this Review are still relevant to inform updates to the Scheme.

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### 11.3 Yarra Arts Advisory Bodies - Proposed Updates

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Trim Record Number: D14/141991

Responsible Officer: Director Community Programs

#### Purpose

1. To seek Council endorsement of proposed updated Terms of Reference for the Yarra Arts Advisory Committee and its subsidiary panels.

#### Background

2. The Yarra Arts Advisory Committee (Committee) was established in 1997 as a community advisory committee to Yarra City Council.
3. Its role is to provide independent expert advice on arts and cultural related matters in the City of Yarra to Council; including reviewing applications for arts and cultural grants and strategic advice on areas of policy.
4. The Committee operates under the auspices of a Terms of Reference. There are six ordinary members that represent a breadth of diverse artform and community stakeholders; as well as two councillor representatives appointed each year. The current councillor representatives are Cr Geoff Barbour and Cr Simon Huggins. The Committee is usually chaired by a community representative; the current Chair is Neal Harvey.
5. There are currently three other working groups that provide specific program related advice to Council:
  - (a) Collection Management Advisory Committee;
  - (b) Live Music Working Group; and
  - (c) Room to Create Advisory Committee.
6. With the impending adoption of a Public Art Policy, Council will need to seek the advice and guidance of another area of expertise.
7. Officers propose to streamline the number of working groups and expand the membership of both of these groups.
8. Under this proposal two new working groups would replace the potential four discussed above:
  - (a) Visual Arts Panel; and
  - (b) Room to Create Panel.
9. The Visual Arts Panel would provide advice on all matters relating to visual arts, including matters of public art and matters relating to the management of Council's expanding art and heritage collection. It is anticipated a larger membership of up to 10 would enable Council to solicit the broad range of expertise required.
10. The Room to Create Panel would provide advice on all matters relating to creative spaces in the City of Yarra, including matters related to live music and the Room to Create Fund that has been established with the Lord Mayor's Charitable Foundation. It is anticipated a larger membership of up to 10 would enable Council to solicit the broad range of expertise required.
11. It is proposed that both working groups have councillor representation, these would be delegates from the Committee.

### **Consultation**

12. There have been a number of consultation opportunities around live music, public art and creative spaces including: a round table meeting with about 30 live music venue operators in Yarra, two forums on creative spaces in the City of Yarra, including one specifically targeting those managing creative spaces in Yarra.

### **Financial Implications**

13. The advisory committees are serviced by Council Officers using existing operational resources.
14. The community members to all advisory committees are voluntary and unpaid.

### **Economic Implications**

15. These are not considered in this report.

### **Sustainability Implications**

16. These are not considered in this report.

### **Social Implications**

17. These are not considered in this report.

### **Human Rights Implications**

18. There are no significant human rights implications arising from this report.

### **Communications with CALD Communities Implications**

19. Any communications relating to these advisory bodies will utilise Council existing communication channels.

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

20. Arts and Cultural Strategy 2011-2015.

### **Legal Implications**

21. These are not considered in this report.

### **Other Issues**

22. There are no other issues.

### **Options**

23. Council has the option of retaining the existing structure of its key Advisory Committee and the current three working groups. Should it choose to do this, it is anticipated a further group on Public Art be considered.
24. Council has another option of retaining the Yarra Arts Advisory Committee as the overarching advisory committee to Council on general arts and cultural matters and streamlining to two working groups with a broader representation.

### **Conclusion**

25. Independent expert advice from the community is valuable to the successful operation of the Arts and Cultural program. It ensures the program responds to the needs and trends of the sector and provides the broader community with confidence that Council's decisions are informed by the views and aspirations of the community.
26. Council's Arts and Culture program has been changing in alignment with some of the issues impacting on the creative sector. The recent work related to live music, creative spaces and anticipated introduction of a Public Art Policy present a good opportunity to review and improve the formal advisory bodies to Council.

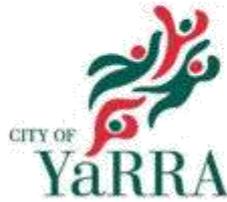
## **RECOMMENDATION**

1. That Council:
  - (a) adopt the draft Terms of Reference for the Yarra Arts Advisory Committee, the Visual Arts Panel and the Room to Create Panel;
  - (b) thank all current community members on the various advisory bodies for their contribution to date; and
  - (c) authorise Officers to begin recruitment of community members to the three advisory bodies.

**CONTACT OFFICER:** Siu Chan  
**TITLE:** Senior Coordinator Arts, Culture and Venues  
**TEL:** 9205 5045

### **Attachments**

- 1 DRAFT 2014 Yarra Arts Advisory Committee YAARTS Terms of Reference
- 2 DRAFT 2014 Visual Arts Panel Terms of Reference
- 3 DRAFT 2014 Room to Create Panel Terms of Reference



## **YARRA ARTS ADVISORY COMMITTEE (YAARTS) Terms of Reference**

### **1. Background**

YAARTS ('the Committee') was established in 1997 as a community advisory committee to Yarra City Council to provide advice on arts and cultural development in the City of Yarra. It is comprised of representatives from Yarra based arts and community organisations, local artists and cultural industries.

### **2. Purpose**

The Committee provides a formal mechanism for Council to consult with key stakeholders, seek specialist advice and enable community participation in arts and cultural planning and development.

The key role of the Committee is to:

- (a) Provide advice on the implementation of the Arts and Cultural Plan 2011–2015;
- (b) Provide comment on relevant Council policies and strategies;
- (c) Make recommendations to Council on the arts streams of the Community Grants Program;
- (d) Facilitate formal and informal communication and consultation processes with local arts and cultural industries, practitioners, organisations and residents; and
- (e) Provide advice to Council on issues related to visual arts in the City including to the City of Yarra Art and Heritage Collection and public art; and
- (f) Provide advice to Council on issues related to creative infrastructure, specifically to the Room to Create Program.

### **3. Committee Membership**

The Committee has a core membership of the following:

## Attachment 1 - DRAFT 2014 Yarra Arts Advisory Committee YAARTS Terms of Reference

- (a) Two Councillor representatives;
- (b) Six ordinary members, one of which will be the Chairperson; and
- (c) The Senior Coordinator, Arts Culture and Venues.

### 4. Sub Advisory Committees

YAARTS will be supported in more specialised areas of interests by two sub advisory committees:

- (a) The Visual Arts Panel
- (b) The Room to Create Panel

The sub advisory committees will have up to ten members from relevant areas of expertise.

A representative for YAARTS, a Councillor representative and the Senior Coordinator of Arts, Culture and Venues will be members of the two panels.

### 5. Committee Quorum

A quorum for the Committee comprises a minimum of four people and includes:

- (a) The Councillor representative or Senior Coordinator Arts Culture and Venues or a representative of the Senior Coordinator; and
- (b) Three ordinary members.

### 6. Co-opted Members

The Committee may invite suitably skilled persons to join YAARTS in an advisory capacity, for a specified purpose and for a specified period of time. Co-opted members are not entitled to vote.

Arts and Cultural Services staff may attend meetings at the discretion of the Senior Coordinator Arts Culture and Venues or at the request of YAARTS.

### 7. Term of Office

The term of office for ordinary members is for a period of three years. Members must demonstrate a strong link to the City of Yarra, such as be a resident, own a property or business, work, study in the City of Yarra.

Membership consists of a reasonable representation from across art forms and interests relevant to the Yarra community. Where possible, membership will have a balance of continuing and new members.

## Attachment 1 - DRAFT 2014 Yarra Arts Advisory Committee YAARTS Terms of Reference

When vacancies arise, new members are invited to apply. Potential members must make a written application, including a resume.

The appointment of Committee members is by recommendation from staff of Arts and Cultural Services to the Director of Community Programs; the appointment of a new member is ratified by the Chief Executive Officer.

The appointment of the Chairperson is by a majority of members and for a maximum of three year term.

The Councillor representative is appointed by Council in December of each year.

In the event of a member resigning during their term, the Arts and Cultural Services Unit will appoint a replacement in accordance with the procedures for appointing new members, including ratification by the Chief Executive Officer.

### **8. Member Responsibilities**

In order to fulfil the Committee's objectives, members are expected to:

- (a) Keep informed of current developments, issues and concerns in the arts and cultural sector;
- (b) Be conversant with relevant Council plans and policies, particularly those related to arts and cultural development;
- (c) Be aware of the activities, interests and concerns of the arts and cultural organisations and groups in the municipality;
- (d) Prepare for and actively participate in regular committee meetings; and
- (e) Have an understanding and experience in the arts and/or community cultural development sectors.

### **9. Reporting Procedures**

YAARTS is not a formal standing Committee of Council, but rather a committee that is established by Council. Reports and recommendations made by such a committee must seek Council approval at scheduled Council meetings before being fully endorsed and acted upon.

### **10. Management of the Committee**

- (a) Chairperson

The Chairperson will work closely with staff of Arts and Cultural Services to manage the Agenda for YAARTS.

## Attachment 1 - DRAFT 2014 Yarra Arts Advisory Committee YAARTS Terms of Reference

(b) Meetings

Meetings shall be arranged at regular intervals as determined by the Committee and Arts and Cultural Services.

(c) Committee Support

The YAARTS Committee will be resourced by a member of the Arts and Cultural Services Unit (non YAARTS member), responsible for preparation of meeting agendas, minutes, reports and other administrative functions.

### 10. Conflict of Interest

(a) Definition

A Committee member is considered to have a conflict of interest if the member:

- i) has a direct or indirect pecuniary interest in the matter; or
- ii) is of the opinion that their interest in the matter may conflict with their proper performance of duties in respect to the matter.

(b) Disclosure

If a member has a conflict of interest with a matter that is to be, or is likely to be, discussed at a Committee meeting, the member must:

- i) disclose the nature of the conflict of interest immediately before the discussion; or
- ii) if not intending to be present at the meeting, disclose the nature of the conflict of interest to the Senior Coordinator, Arts, Culture and Venues before the meeting is held.

While any discussion or vote is taken relating to the matter, the member must:

- i) leave the room and notify the Chairperson that they are doing so; and
- ii) remain outside the room or other area in view or hearing of the room.

After the discussion, the Chairperson must notify the member that they may return to the room.

The declaration and nature of the conflict of interest must be recorded in the minutes of the meeting.

### 11. Public Statements

Ordinary members of the Committee cannot make public statements on behalf of Council as an independent group without prior approval of the Senior Coordinator, Arts Culture and Venues.

**Attachment 1 - DRAFT 2014 Yarra Arts Advisory Committee YAARTS Terms of Reference**

**12. Review**

This document will be re-considered every three years and updated as required.

DRAFT

## Attachment 2 - DRAFT 2014 Visual Arts Panel Terms of Reference



### VISUAL ARTS PANEL (VAP) Terms of Reference

#### 1. Background

The City of Yarra inherited a range of indoor and outdoor artworks and cultural artefacts when the Cities of Collingwood, Richmond and Fitzroy amalgamated in 1994. Council recognises the inherent importance of local cultural heritage and accepts responsibility as custodian for all collection items documenting the City's unique history and people.

The City of Yarra will acquire, collect, preserve, research, document, exhibit, interpret and make accessible to the public the original artworks, objects and information that best illustrate the physical, artistic, cultural, social and political history and development of the City of Yarra. These works form the City of Yarra Collection.

The City of Yarra's Collection Management Policy ('the Collection Policy') guides all decisions related to Council's management of the City of Yarra Collection ('the Collection') and role as cultural custodian of this Collection.

Public art is a growing and changing form of contemporary art that presents a range of opportunities and challenges for Council. Public art may be commissioned and produced by various means including by Council, community groups, artists and private developers.

The City of Yarra Public Art Policy ('the Public Art Policy') provides a framework for assessment of works to be commissioned or acquired by purchase, donation or transfer. It sets out guidelines for Council in facilitating privately commissioned works that have public benefit and it articulates the management framework for Council managed public artworks.

#### 2. Purpose

Council is advised on cultural matters by the Yarra Arts Advisory Committee (YAARTS). The City of Yarra Visual Arts Panel is a sub-committee of YAARTS. The Visual Arts Panel ('the Panel') provides a formal mechanism for Council to seek specialist advice as required on matters related to the management of the Collection and public art.

The key role of the Panel is to:

- a) Contribute to policies and strategies related to the Collection and public art;
- b) Assist with acquisition, commissioning and de-accessioning processes as required;
- c) Advise on acquisition proposals of over \$5000;

## Attachment 2 - DRAFT 2014 Visual Arts Panel Terms of Reference

- d) Represent YAARTS on reference groups related to Council generated commissions where required; and
- e) Advocate for public art.

### 3. Membership

The Panel has a core membership of 10, including the following:

- a) A YAARTS Councillor;
- b) A YAARTS representative;
- c) The Senior Coordinator of Arts Culture and Venues; and
- d) Seven ordinary members selected as local cultural industry representatives with a minimum of two visual artists.

### 4. Panel Quorum

A quorum for the Panel comprises:

- a) A Councillor, or the Senior Coordinator of Arts Culture and Venues, or a representative of the Senior Coordinator;
- b) A YAARTS representative; and
- c) Three local cultural industry representatives.

### 5. Co-opted Members

Arts and Cultural Services may invite suitably skilled persons to join the Panel in an advisory capacity, for a specified purpose and for a specified period of time. Co-opted members are not entitled to vote.

### 6. Term of Office

The term of office for ordinary members is for a period of three years. Members must demonstrate a strong link to the City of Yarra, such as be a resident, own property or business, work, study in the City of Yarra.

When vacancies arise new members will be invited to apply. Potential members must make a written application, including a resume.

The appointment of Panel members is by recommendation from staff of Arts and Cultural Services to the Director of Community Programs; the appointment of a new member is ratified by the Chief Executive Officer.

## Attachment 2 - DRAFT 2014 Visual Arts Panel Terms of Reference

The Councillor representatives are appointed by Council in December each year.

In the event of a member resigning during their term, the Arts and Cultural Services Unit will appoint a replacement in accordance with the procedures for appointing new members, including ratification by the Chief Executive Officer.

### 7. Member Responsibilities

In order to fulfil the Panel's objectives, members are expected to:

- a) Keep informed of current developments, issues and concerns in regard to collection management practices and public art;
- b) Be familiar with the City of Yarra's Collection Management Policy and the Public Art Policy and other relevant documents; and
- c) Prepare for and actively participate in meetings.

### 8. Reporting Procedures

The Panel is not a formal standing Committee of Council, but rather a sub-committee of YAARTS that has been established by Council.

Where necessary, reports and recommendations made by the Panel must seek Council approval at scheduled Council meetings before being fully endorsed and acted upon.

### 9. Management of the Panel

#### (a) Chairperson

The Chairperson shall be appointed by the Panel.

#### (b) Meetings

Meetings shall be arranged at regular intervals as determined by the Panel or as required.

#### (c) Panel Support

The Panel will be resourced by a Council Officer who will be responsible for preparation of minutes, agendas, reports and other administrative functions.

### 10. Conflict of Interest

#### (a) Definition

A Panel member is considered to have a conflict of interest if the member:

## Attachment 2 - DRAFT 2014 Visual Arts Panel Terms of Reference

- i) has a direct or indirect pecuniary interest in the matter; or
- ii) is of the opinion that their interest in the matter may conflict with their proper performance of duties in respect to the matter.

(b) Disclosure

If a member has a conflict of interest with a matter that is to be, or is likely to be, discussed at a Panel meeting, the member must:

- i) disclose the nature of the conflict of interest immediately before the discussion; or
- ii) if not intending to be present at the meeting, disclose the nature of the conflict of interest to the Senior Coordinator of Arts Culture and Venues before the meeting is held.

While any discussion or vote is taken relating to the matter, the member must:

- iii) leave the room and notify the Chairperson that they are doing so; and
- iv) remain outside the room or other area in view or hearing of the room.

After the discussion, the Chairperson must notify the member that they may return to the room.

The declaration and nature of the conflict of interest must be recorded in the minutes of the meeting.

### 11. Public Statements

Ordinary members of the Panel cannot make public statements on behalf of Council as an independent group without prior approval of the Senior Coordinator of Arts Culture and Venues.

## Attachment 3 - DRAFT 2014 Room to Create Panel Terms of Reference



### ROOM TO CREATE PANEL Terms of Reference

#### 1. Background

The City of Yarra is concerned about infrastructure related issues facing the creative sector; these relate to affordability, security of tenure, fit for purpose and capacity to operate effectively in a city area of increasing density and arising challenges of amenity.

The cultural landscape that was established in the City is changing yet again. In the 1960s, as Yarra's manufacturing industries declined, the vacated warehouses and factories became artists' studios, galleries, performance spaces. The result of this is that in comparison to all surrounding municipalities, Yarra has the highest percentage of residents who are creative practitioners. Yarra is often seen as the engine room of the arts, with iconic live music venues that is the platform for the next generation, over 60 galleries and artist runs spaces and the home of peak arts organisations.

Over the past years the pressures of increased land value and diminishing availability of warehouse style stock is forcing some, particularly young and emerging artists out of Yarra. Increased population density, has also meant that some of Yarra's iconic live music venues have come under increased pressures related to noise and patron behaviour.

Council recognises that over time, losing live music venues, artists and arts organisations from the municipality will greatly affect the character of Yarra as a place for the arts. This is likely to change the identity of Yarra and may have a negative social and economic impact.

As a way forward, Council established the Live Music Working Group in May 2010 to get a better understanding of the issues faced by live music venues and residents in Yarra. The Group worked through a range of issues and provided Council with recommendations.

Council has actively participated in sector discussions leading to the State Government's adoption of the Agent of Change Principle in 2014. Council has also allocated \$25,000 to establish a scheme to assist live music venues in Yarra to deal with issues related to acoustic treatments and issues related to patron behaviour.

Council as a leader in this field has also established a perpetual fund to support creative infrastructure in the City. The Room to Create Fund ('the Fund') was established with the Lord Mayor's Charitable Foundation in 2014.

The Fund is established as one of the means for Council to directly support a valued sector by specifically assisting to create more affordable spaces. It is hoped this will enable arts and cultural organisations to be more economically viable and give incentives for them to be able to stay within Yarra. It will also strengthen artistic practise in the municipality, assisting in retaining this character of the municipality which is recognised as an economic driver within Yarra.

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October 2014

## Attachment 3 - DRAFT 2014 Room to Create Panel Terms of Reference

Council committed \$100,000 for the establishment of the Fund and this was matched by a further \$100,000 from the Lord Mayor's Charitable Foundation.

### 2. Purpose

Council is advised on cultural matters by the Yarra Arts Advisory Committee (YAARTS). The City of Yarra Room To Create Panel ("the Panel") is a sub-committee of YAARTS. The Panel will provide specialist advice as required on matters related to the creative infrastructure in the City of Yarra.

The key role of the Panel is to:

- (a) Advocate for the importance of creative infrastructure in the City;
- (b) Contribute to strategic direction and policies related to the Room to Create Fund;
- (c) Contribute to development of fundraising strategies for the Fund; and
- (d) Advise on grants made by the Council towards creative infrastructure.

### 3. Membership

The Panel has a core membership 10 including the following:

- (a) The YAARTS Councillor;
- (b) A YAARTS representative;
- (c) The Senior Coordinator Arts, Culture and Venues;
- (d) The Manager Statutory Planning;
- (e) The Coordinator Economic Development;
- (f) The Lord Mayor's Charitable Foundation representative; and
- (g) Four ordinary members selected as local cultural industry representatives with expertise in creative infrastructure matters.

### 4. Panel Quorum

A quorum for the Panel comprises:

- (a) The Councillor or Senior Coordinator Arts Culture and Venues;
- (b) Two local cultural industry representatives; and
- (c) The Lord Mayor's Charitable Foundation representative.

## Attachment 3 - DRAFT 2014 Room to Create Panel Terms of Reference

### 5. Co-opted Members

Arts and Cultural Services may invite suitably skilled persons to join the Panel in an advisory capacity, for a specified purpose and for a specified period of time. Co-opted members are not entitled to vote.

### 6. Term of Office

The term of office for ordinary members is for a period of three years. Members must demonstrate a strong link to the City of Yarra, such as be a resident, own property or business, work, study in the City of Yarra.

When vacancies arise new members will be invited to apply. Potential members must make a written application, including a resume.

The appointment of Panel members is by recommendation from staff of Arts and Cultural Services to the Director of Community Programs; the appointment of a new member is ratified by the Chief Executive Officer.

The Councillor representatives are appointed by Council in December each year.

In the event of a member resigning during their term, the Arts and Cultural Services Unit will appoint a replacement in accordance with the procedures for appointing new members, including ratification by the Chief Executive Officer.

### 7. Member Responsibilities

In order to fulfil the Panel's objectives, members are expected to:

- (a) Keep informed of current developments, issues and concerns in regard to the creative sector and some of the challenges facing creative infrastructure in the municipality; and
- (b) Prepare for and actively participate in meetings.

### 8. Reporting Procedures

The Panel is not a formal standing Committee of Council, but rather a sub-committee of YAARTS that has been established by Council.

Where necessary, reports and recommendations made by the Panel must seek Council approval at scheduled Council meetings before being fully endorsed and acted upon.

### 9. Management of the Panel

- (a) Chairperson  
The Chairperson shall be elected by the Panel.
- (b) Meetings

### Attachment 3 - DRAFT 2014 Room to Create Panel Terms of Reference

Meetings shall be arranged at regular intervals as determined by the Panel or as required.

(c) **Panel Support**

The Panel will be resourced by Council's Arts and Cultural Services Unit, responsible for preparation of minutes, agendas, reports and other administrative functions.

#### **10. Conflict of Interest**

(a) **Definition**

A Panel member is considered to have a conflict of interest if the member:

- i) has a direct or indirect pecuniary interest in the matter; or
- ii) is of the opinion that their interest in the matter may conflict with their proper performance of duties in respect to the matter.

(b) **Disclosure**

If a member has a conflict of interest with a matter that is to be, or is likely to be, discussed at a Panel meeting, the member must:

- i) disclose the nature of the conflict of interest immediately before the discussion; or
- ii) if not intending to be present at the meeting, disclose the nature of the conflict of interest to the Coordinator, Arts and Cultural Services before the meeting is held.

While any discussion or vote is taken relating to the matter, the member must:

- iii) leave the room and notify the Chairperson that they are doing so; and
- iv) remain outside the room or other area in view or hearing of the room.

After the discussion, the Chairperson must notify the member that they may return to the room.

The declaration and nature of the conflict of interest must be recorded in the minutes of the meeting.

#### **11. Public Statements**

Ordinary members of the Panel cannot make public statements on behalf of Council as an independent group without prior approval of the Senior Coordinator, Arts and Cultural Services.

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**11.4 Heatwave Planning Arrangements - Yarra City Council**

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## Executive Summary

### Purpose

To report on Council's current levels of heatwave impact risk reduction activity and to report on Council's potential to provide additional heatwave relief to vulnerable residents.

### Key Issues

In February 2014 Council sought information on options for Council to provide additional relief to vulnerable residents during periods of heatwave and the costs associated with those and current measures.

The current Heatwave Plan was developed in 2011 and so the opportunity has been taken to review the Plan, supported by Council's Heatwave Coordination Group ("HCG"). An overview of current heatwave impact risk reduction activities conducted by Council is attached.

The review has identified several actions that Council could implement to further improve the support of the community during periods of heatwave – with a focus on targeted community information and stronger engagement with key stakeholders and agencies that support vulnerable residents. The review does not support the development of dedicated 'cool places' facilities at this point in time.

The report notes that as most of the costs incurred at present are within existing Branch resources, and are already being conducted as a requirement of complementary Council strategies and plans e.g. Climate Adaptation, Asset Management, Business Continuity and Municipal Emergency Management, it is difficult to quantify these however specific actions taken within key Branches are estimated to be in the order of \$5,000 per annum.

The priority for the 2014/15 summer period is the adoption and promotion of the updated Heatwave Plan and developing the heatwave campaign strategy (working with staff and stakeholders to develop best approach to communicate and engage with CALD community).

### Financial Implications

The main recommendation looking forward is that Council develop and implement a broader annual heatwave safety campaign and that this has an on-going focus on support of particular vulnerable groups. It is estimated that a campaign could cost between \$15,000 and \$20,000 per annum, this initiative will be referred to the budget process for review and approval.

### PROPOSAL

That Council notes the report and the current and proposed measures to support vulnerable residents during periods of heatwaves and that following consideration of the draft Heatwave Plan by the Municipal Emergency Management Planning Committee at its November meeting, the draft Plan will subsequently be presented to Council for formal adoption.

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## 11.4 Heatwave Planning Arrangements - Yarra City Council

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Trim Record Number: D14/139642

Responsible Officer: Manager Aged and Disability Services

### Purpose

1. To report on Council's current levels of heatwave impact risk reduction activity and to report on Council's potential to provide additional heatwave relief to vulnerable residents.

### Background

2. At its meeting held on 18 February 2014, Council resolved to adopt the following General Business item:

#### **COUNCIL RESOLUTION**

**Moved:** Councillor Stone

**Seconded:** Councillor Gaylard

1. *In light of the increasing number of serious heatwaves and the work being undertaken on a heatwave plan through Council's Climate Adaptation Policy, that a report be provided to Council in the April cycle of meetings outlining:*
  - (a) *options for Council in providing additional relief to vulnerable residents during periods of heatwave;*
  - (b) *the costs these measures might incur; and*
  - (c) *the costs currently incurred by council in proactive measures taken during heatwaves with HACC clients, opening Fitzroy pool for longer hours and other current heatwave protection measures.*

**CARRIED**

### Current Heatwave Plan & Activation

3. In 2011 Council adopted its first Heatwave Plan as a sub-Plan of the Municipal Emergency Management Plan ("MEMP"). This Plan outlines Council's coordination and response framework in managing the impacts of a heatwave event, including:
  - (a) outlining the impacts of excessive heat on people and particularly on vulnerable groups;
  - (b) preparing the community for heatwave events, through communications; information dissemination and increasing awareness;
  - (c) establishing an internal Heatwave Coordination Group to help manage periods of excessive or extended heat;
  - (d) initiating preventative and control measures to minimise the effect of heat; and
  - (e) detailing actions that Council, through its various Branches, may take to address excessive heat.
4. Over the past three years the Plan has been activated to varying degrees – with the most recent summer presenting a particularly hot and continuous spell. Many of the actions implemented have occurred within the scope of existing service delivery or operations. These include:
  - (a) adjustments to the delivery of community based services, such as home care and community transport to minimise impacts on carers and residents while still ensuring essential support is provided;

- (b) providing information to the community on how to mitigate the effects of heat – through information on Council’s web-site; advice and mail-outs to vulnerable groups, including in community languages; and
  - (c) increasing the opening hours of the Fitzroy Pool to offer some respite.
5. The indicative costs of these actions are included in the Financial Implications section of this Report.

Review of Heatwave Plan & Options for Additional Actions

6. It was timely to review the current Heatwave Plan and so between September and October 2014, Council’s newly-appointed Emergency Management Planning Officer undertook an environmental scan to determine best practice in heatwave management at the local government level. Council’s Heatwave Plan subsequently underwent an extensive review to better align the Plan and Council’s activities with changed requirements, current research and best practice approaches.
7. Council’s current emergency relief arrangements provide a level of community support that is on par with neighbouring municipalities, with the exception of Council ‘cool spaces’ which Council is currently not promoting. Cool Spaces are dedicated facilities that residents may attend to obtain relief and support.
8. In reviewing the provision of dedicated ‘cool spaces’, the Heatwave Coordination Group (HCG) considered operational, practical and the risk aspects of promoting and providing these facilities. Endorsing dedicated Council ‘cool spaces’ facilities would require the retrofitting of Council facilities to be able to provide an uninterrupted power supply (as power outages and heatwaves often go hand in hand); provision of appropriate staff to support particular vulnerable groups or individuals (health care) and assurance that the facility and service is regularly available.
9. Consultation with the emergency management representative from the Department of Health and Human Services also noted that the thinking around providing dedicated facilities has changed and it is recognised that it is not viable to establish and maintain dedicated facilities. There are also a range of risks involved in encouraging vulnerable people to travel in the heat to obtain relief and so based on a risk-benefit analysis (refer to discussion in Sustainability Implications section), it is not proposed to pursue this action at this point.
10. The approach taken to date has however been to remind residents of existing cooler spaces that they may wish to attend to provide some respite – for example, libraries and shopping centres while also continuing to promote how residents can remain cool at home.
11. Additional options to enhance the provision of heatwave relief to vulnerable residents were identified and discussed among Council’s Heatwave Coordination Group (HCG) members. These included:
- (a) the development and implementation of a Council-led heatwave safety campaign that targets and is tailored to a different vulnerable group within Yarra each year; and
  - (b) increased engagement with municipal heatwave stakeholders to enhance heatwave management including the provision of relief services.
12. It is proposed that the priority actions for the 2014/15 summer period will include:
- (a) adoption of the updated Heatwave Plan and initial engagement with community and not for profit organisations in terms of awareness raising;
  - (b) initiating a heatwave safety campaign to target CALD communities that will include information in community languages advising of the risks of heat, the benefits of being prepared and simple tips for during and after hot weather; and
  - (c) meeting with local Office of Housing representatives and regional Department of Health Emergency Management personnel to clarify arrangements and advocate for people living at the Estates.

13. The actions proposed for the 2014/15 summer period will not require additional resourcing but a budget new initiative will be referred to the annual planning process for the 2015/16 financial year.

### **Consultation**

14. This report reflects discussion between Council's Emergency Management Project Board and a representative from the Department of Health and Human Services. The report also incorporates input from the Heatwave Coordination Group. The Heatwave Coordination Group comprises Council Officers representing the following service areas: Aged & Disability; Family, Youth & Children, Leisure, Communications, Access Yarra, Cultural and Library, Community Advocacy & Planning, Environment & Recreation, Risk, Emergency Management, Human Resources, Public Health Unit, Building & Regulatory, Engineering Operations.
15. Cost estimates associated with actions taken through the Aged & Disability Services; Leisure Services and Communications Services were established via consultation with the relevant Managers.
16. Consultation with municipal heatwave stakeholders on this issue is scheduled to occur at the next Municipal Emergency Management Planning Committee meeting on 11th November 2014.

### **Financial Implications**

#### Current Cost Implications

17. Proactive measures currently undertaken to mitigate the effects of heatwaves were identified and documented by the Heatwave Coordination Group during the review of the Heatwave Plan. The list of activities undertaken by Council staff prior to, during and after a heatwave is attached. (See Attachment 1).
18. Costs incurred to conduct many of the current proactive (risk reduction) measures are difficult to quantify because many of the activities listed are already being carried out as a requirement of complementary Council strategies and plans e.g. Climate Adaptation, Asset Management, Business Continuity and Municipal Emergency Management.
19. Council's Aged & Disability Services Branch undertakes proactive measures to enhance resilience and reduce vulnerability among HACC clients. The estimated cost of these arrangements is approximately \$2,000 to \$4,000 per annum. Costs include:-
  - (a) training for 21 HACC staff on safe behaviour in heat for themselves and clients (\$600);
  - (b) a mail out to HACC clients with information on heatwave risks and strategies to manage heat (\$500);
  - (c) case management time (approximately 2 hours per client) to support Yarra's most high needs people (\$1,000); and
  - (d) purchase and promotion of cooling items such as cool neck ties; water bottles (\$1,000).
20. Additional personal and home emergency planning, facilitated by HACC officers, integrates heatwave planning with other hazards, so this service is difficult to attribute as a heatwave-specific risk reduction activity.
21. The Communications & Customer Service Branch assist in the production and distribution of printed and on-line materials. Much of the printed material, including translated information, is sourced through the Department of Health. Direct costs incurred by Council are in the order of \$500 per annum.
22. On heatwave days Leisure Services extends the opening hours of the Fitzroy Swimming Pool. When the daytime temperature exceeds 30° the pool remains open an extra hour. The cost of this is estimated at around \$500 and is factored into normal operating budgets. (Note the aquatic area at Fitzroy Swimming Pool normally closes at 8pm weekdays and 6pm on weekends).

23. In summary, the current additional costs are within the range of \$5,000 per annum for direct actions related to implementing the current Heatwave Plan. This does not include indirect staff costs and financial impacts arising from forced changes to other work activity – such as reduction of Parking Services; Engineering Operations and any extraordinary costs that arise from for example, plant failure.

#### Additional Actions – Cost Implications

24. The recent review of the Heatwave Plan proposes implementing an annual heatwave safety campaign which would involve an ongoing financial investment from Council in order to cover costs associated with designing, producing, distributing and promoting information and products (such as fans, thermometers, brochures, cooling neck ties).
25. A highly targeted and effective campaign will require staff time which represents a financial commitment.
26. Evidence suggests that to effectively engage with and disseminate community information on this issue, the strategy needs to include face to face discussions and communications; ensuring trusted staff and community contacts are well prepared and able to deliver key messages on an on-going basis and with a focus on at risk and vulnerable groups.
27. Depending on the final scope of the strategy, costs will be of the order of \$15,000 to \$20,000. This will be referred for consideration to the 2015/16 budget process.

#### **Economic Implications**

28. Heatwaves may affect essential services, industries, communities and ecosystems across Victoria and are likely to have complex economic implications through direct impacts and the flow-on effect of disruption and change through the economy. Businesses can prepare by planning for heatwaves including reviewing their business continuity insurance, planning for potential staff absences and developing a business continuity plan.
29. Work is currently being undertaken within the State Government to examine the efficacy of providing cooling in public housing. Consideration also needs to be given to changes to the *Residential Tenancies Act* 1986 to ensure that rental properties have adequate heating and cooling, however the provision of cooling will not necessarily mean that individuals will use the facilities due to cost.
30. Engaging with municipal heatwave stakeholders to enhance heatwave preparedness and response activities as well as the provision of relief and recovery assistance is likely to culminate in a more economically viable emergency management system in Council. Clarifying roles and responsibilities of all municipal heatwave stakeholders (such as other government agencies, community groups, not-for-profit and commercial organisations) will ensure that there is no ‘doubling up’ of emergency relief activities. A key priority is to engage with Office of Housing representatives. It will identify services that Council is providing that can and should be provided by other groups instead. Engaging with these other groups will promote a mutual understanding of heatwave management investment needs and may lead to stronger relief and recovery service delivery.
31. Prioritising heatwave resilience-building over additional heatwave relief provision has long term economic benefits for both Council and the community. The ‘Building our Nation’s Resilience to Natural Disasters’ White Paper outlines how investment in cost-effective resilience and preventative activities can reduce the impact on government budgets of having to respond to disasters by more than 50%. Stronger communities and individuals will be less economically draining to Council during emergency events.

#### **Environmental Sustainability Implications**

32. Melbourne has experienced a number of continuous days of heat over the past five summers. There is no indication that this trend is going to change. In fact, the number of days each year over 35°C is predicted to rise from a current average of 9 days to up to 26 days by 2070. Climate adaptation is the best possible response to planning for heatwave. This includes education about the likelihood of heatwaves over summer and ways in which individuals and the community can reduce the impact of heatwave.

33. 'Cool Spaces' need to incorporate space to accommodate people with pre-existing health conditions, back-up power and the capacity to move clients to other facilities if there are extended power outages. In addition, given the health status of potential clients, nursing staff need to be specifically employed to monitor the health status of attendees.
34. The establishment of these types of spaces would require facilities and expertise beyond the scope of Council. Specific expertise in caring for potentially seriously ill individuals and back-up facilities would need to be considered. Council is not a medical facility. This level of care is better provided by health care facilities that are better resourced as well as prioritised in the event of essential services failure.
35. The use of low cost measures such as having a cool space in the house, drinking plenty of water, putting your feet in a bucket of cold water and cooling the house off at night are the most effective ways to mitigate the effect of heatwave.

### **Social Implications**

36. The social implications of heatwaves is documented within the Heatwave Plan, with the impact on physical health (exhaustion; heat cramps; dehydration; stroke and death) potentially leading into anti-social behaviour such as domestic violence; road rage; people being generally more grumpier – and increased use of alcohol and drugs and self-harm.
37. Providing education and community information regarding ways in which individuals can reduce their risk of heat stress promotes community resilience and encourages the community to support each other through difficult times.

### **Human Rights Implications**

38. The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities.

### **Communications with CALD Communities Implications**

39. The heatwave safety campaign (refer Options section) would focus on CALD communities in 2015/16. Once the campaign has been implemented and evaluated, effective products and resources can be redistributed through the CALD communities' networks in an ongoing manner as resources permit.

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

40. Current and additional heatwave management activities need to be detailed in the City of Yarra Heatwave Sub Plan, which forms part of the City of Yarra Municipal Emergency Management Plan (MEMP). The Heatwave Sub Plan aligns with and should be read in the context of the following Council policies and plans:
  - (a) Council Plan 2013-2017;
  - (b) Yarra Environment Strategy and Climate Change Adaptation Plan 2013;
  - (c) City of Yarra Health Plan 2013-2017;
  - (d) City of Yarra Council Business Continuity Plan;
  - (e) Working in Excessive Temperatures Policy; and
  - (f) Specific Branch Extreme Heat & Heatwave Policies and Procedures.
41. Heatwave is already a listed emergency from a state-wide perspective and is managed by Victoria Police and the Department of Health under the State Health Emergency Response Plan, a sub plan of the State Emergency response plan.
42. Council and community sector organisations respond to heatwave through the Municipal Emergency Management Plan and as requested by funding bodies such as the Department of Health and the Department of Education and Early Childhood Development. Agencies have a responsibility and duty of care as part of their service agreement to educate their client base on simple things that can be done to minimise the risk of heatwave and to monitor their client base as required.

## Legal Implications

43. There are legal risks involved in promoting dedicated Council facilities as 'cool places'. Directing people to venues that are unreliable in the heat may lead to a failure to provide a duty of care, as these facilities lack assured air conditioning. There is also a risk of increasing vulnerability by promoting travel to 'cool places'.
44. Recent advice from the Department of Health and Human Services is that it may be safer to promote healthy behaviour inside the home, rather than promoting outdoor travel. The use of low cost measures such as having a cool space in the house, drinking plenty of water, putting your feet in a bucket of cold water and cooling the house off at night are the most effective ways to mitigate the effect of heatwave. The revised Heatwave Plan encourages residents to consider utilising known cool places, such as shopping centres, libraries etc.

## Other Issues

45. Not Applicable

## Options

46. The HCG endorsed two specific initiatives to increase individual heatwave resilience in the community and thus minimise the level of relief services required by those individuals in a heatwave. These are:
  - (a) the development and implementation of a Council-led heatwave safety campaign that targets and is tailored to a different vulnerable group within Yarra each year; and
  - (b) increased engagement with municipal heatwave stakeholders to enhance heatwave management including the provision of relief services.
47. It is proposed that an annual heatwave safety campaign would target a specific community. Over this summer, work will commence on developing a strategy to focus on the CALD community, with implementation in full in 2015/16.
48. The second focus is on engaging with other stakeholders to provide a more integrated approach to municipal heatwave management and support of residents. This will include engagement with community agencies, such as health centres; agencies supporting vulnerable groups and individuals and lead response agencies. This will ensure there is better understanding of the range of support on offer and greater coordination of effort.
49. In addition, some further actions to occur over the coming summer season include:
  - (a) Council HACC workers will meet with each of their direct care clients who receive Homecare, Personal Care or Respite Care to explain heatwave risks, to identify current adaptive behaviour being undertaken by the client and to provide options for clients to behave more safely during heatwaves; and
  - (b) conduct of a desk-top Heatwave emergency exercise, facilitated by the Department of Health and Red Cross to test the implementation of the Heatwave Plan and improve staff understanding of roles and responsibilities. This will also include access to additional training to improve awareness of the impacts of heat on residents and approaches to building resilience.
50. Consideration has also been given to the development of a Council drinking fountain and cool down shower strategy and map that would enable the identification of community based drinking fountains and places to cool down outside. This strategy is a longer term initiative that needs further development prior to consideration.

## Conclusion

51. The review of the current Heatwave Plan has identified that:
  - (a) Council is currently implementing a range of pro-active strategies to support residents to minimise the impact of heat during periods of heatwave;

- (b) the implementation of additional measures such as dedicated 'cool spaces' presents a range of challenges, including ensuring the facilities can cope with capacity issues (people and power aspects); consistent availability of places and staff, including support staff such as health professionals and that recent advice is that as much as possible, strategies should focus on supporting people within their homes, especially where this relates to vulnerable people travelling in heat to cool places;
- (c) Council should continue to build its internal capacity to support the community, through additional staff training and undertaking practical emergency exercises to improve awareness and knowledge;
- (d) the implementation of a targeted annual heatwave safety campaign, that has a stronger focus on face to face engagement with vulnerable groups in conjunction with appropriate health advice; 'cool' reminders and discussion of practical measures will help improve community resilience and capacity to cope;
- (e) an annual heatwave safety campaign could cost between \$15,000 to \$20,000, based on providing a strong focus on community engagement through visiting groups; meeting with residents and developing appropriate support materials; and
- (f) the next phase of municipal heatwave planning needs to include engagement with key stakeholders and relief agencies to improve coordination of effort, especially in supporting vulnerable groups.

## **RECOMMENDATION**

### 1. That Council:

- (a) notes the report and the current measures being taken to support vulnerable residents during periods of heatwaves – and the additional measures proposed for the 2014/15 summer period, these being:
  - (i) increased engagement with community and not for profit organisations;
  - (ii) adoption of a revised Heatwave Plan and initiating the heatwave safety campaign focussed on CALD communities; and
- (b) notes that following consideration by the Municipal Emergency Management Planning Committee at its meeting to be held on 11 November 2014, the draft Heatwave Plan will be presented to Council for formal adoption; and
- (c) notes that a comprehensive annual heatwave safety campaign and improved municipal-wide heatwave planning through stronger engagement with key stakeholders will be referred to the 2015/16 New Initiative budget process for consideration.

**CONTACT OFFICER:** Lucy Saaroni  
**TITLE:** Emergency Management Planning Officer  
**TEL:** 9205 5550

## **Attachments**

- 1 Council Heatwave Action Plan from MEMP Heatwave Sub Plan

**Attachment 1 - Council Heatwave Action Plan from MEMP Heatwave Sub Plan**

**COUNCIL HEATWAVE ACTION PLAN**  
*(Extract from DRAFT City of Yarra Heatwave Sub Plan 2013-2017)*

This document lists specific actions that may be implemented by Council business units prior to, during and after a heatwave. When directed by the MERO or MRM, each Council Manager has responsibility to activate their department heatwave plan and processes and ensure that staff carry out their action plans

<b>Council Area Responsible</b>	<b>Continuous Improvement (Prior to/after a heatwave)</b>	<b>Emergency Preparedness (Heatwave Imminent)</b>	<b>Emergency Response (Heat Health Threshold Breached)</b>
People and Culture	<ul style="list-style-type: none"> <li>• Maintain Working in the Excessive Temperatures Policy</li> <li>• Assist managers develop procedures for their service area which implement Council policy</li> <li>• Promote Working in Excessive Temperatures policy throughout Council</li> </ul>	<ul style="list-style-type: none"> <li>• Heavily promote Working in Excessive Temperatures policy throughout Council</li> <li>• Advise staff of their obligations to be familiar with the Working in Excessive Temperatures Policy</li> </ul>	<ul style="list-style-type: none"> <li>• Direct all managers to implement appropriate actions in accordance with Council Excessive Temperatures Policy</li> </ul>
Access Yarra	<ul style="list-style-type: none"> <li>• Develop key heatwave messages for Access Yarra staff to provide to the public</li> <li>• Promote Heatwave posters through existing CALD and Neighbourhood House networks as summer approaches</li> <li>• Discuss impact of social behaviour of clients as a result of the heat; undertake appropriate staff training to better manage these challenging situations</li> </ul>	<ul style="list-style-type: none"> <li>• Advise staff of heatwave script</li> <li>• Put message on phone loop</li> <li>• Advertise any changes to services</li> <li>• Cross-promote Heatwave messages at festivals and council community events</li> <li>• Display posters in:                             <ul style="list-style-type: none"> <li>- Council foyers &amp; Libraries</li> <li>- Council Leisure Centres</li> <li>- Immunisation Sessions</li> <li>- Childcare Centres</li> <li>- Seniors citizens Centres</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Use heatwave script</li> <li>• Reinforce key messages for Access Yarra officers</li> <li>• Advertise any changes to Council services/delivery times etc.</li> <li>• Ensure information is prominently displayed in Council foyers</li> </ul>

**Attachment 1 - Council Heatwave Action Plan from MEMP Heatwave Sub Plan**

<b>Council Area Responsible</b>	<b>Continuous Improvement (Prior to/after a heatwave)</b>	<b>Emergency Preparedness (Heatwave Imminent)</b>	<b>Emergency Response (Heat Health Threshold Breached)</b>
Communications	<ul style="list-style-type: none"> <li>• Assist in development and implementation of Heatwave Safety Campaign</li> <li>• Encourage relevant community groups to subscribe to the DOH heat alert emails</li> <li>• Maintain informational tools/products</li> <li>• Incorporate heatwave risk and safety information in the summer edition of Yarra News</li> <li>• Regularly promote heat health through Majors column in local papers</li> <li>• After summer, promote heatwave adaptation 'good news' stories (e.g. emphasising the difference that some simple retrofitting has made)</li> </ul>	<ul style="list-style-type: none"> <li>• If lead-time permits place article or the posters in a prominent position in the Yarra Leader before a major heatwave event.</li> <li>• Display Heatwave Alert on Front Page of Council Website</li> <li>• Ask all branches to alert their stakeholders (e.g. child care centres, sports clubs, senior clubs etc.)</li> </ul>	<ul style="list-style-type: none"> <li>• Display relevant information on Council website and social media</li> <li>• Liaise with media officers from DOH/DHS as required</li> <li>• Prepare an email/brief for CEO asking all staff to alert relevant stakeholders and clients of the heatwave and make DOH heat health safety information accessible for onforwarding.</li> </ul>
Mayor and Councillors	<ul style="list-style-type: none"> <li>• Advocate for heatwave safety adaptive measures on behalf of constituents</li> <li>• Facilitate communication between council and the community around heatwave risks and planning arrangements</li> </ul>	<ul style="list-style-type: none"> <li>• Support and promote Council's heatwave messaging</li> </ul>	<ul style="list-style-type: none"> <li>• Provide comment on Council operations only (do not comment on other agencies' emergency management operations).</li> <li>• Refer to MAV 'Role of Mayor and Councillors in an Emergency' brochure.</li> </ul>

**Attachment 1 - Council Heatwave Action Plan from MEMP Heatwave Sub Plan**

<b>Council Area Responsible</b>	<b>Continuous Improvement (Prior to/after a heatwave)</b>	<b>Emergency Preparedness (Heatwave Imminent)</b>	<b>Emergency Response (Heat Health Threshold Breached)</b>
Compliance (Local Laws and Health)	<ul style="list-style-type: none"> <li>• Discuss impact of social behaviour of clients as a result of the heat; undertake appropriate staff training to better manage these challenging situations</li> <li>• Deliver messages about the appropriate storage and use of food to businesses</li> </ul>	<ul style="list-style-type: none"> <li>• Undertake risk assessment for outdoor staff and modify service levels with regards to Council Extreme Temperatures Policy (e.g. outdoor work times, appropriate clothing)</li> <li>• Contact businesses and remind them about appropriate food use and storage in heatwave conditions</li> </ul>	<ul style="list-style-type: none"> <li>• Respond to public health issues including responding to concerns of power failure from food premises.</li> <li>• Swimming pool testing of Council runs pools to ensure effective treatment of water during high bather loads.</li> </ul>
Aged and Disability Services	<ul style="list-style-type: none"> <li>• Ensure Branch's Heatwave Response Procedures are updated</li> <li>• Provide education and training to HACC workers on the effects of heat and management strategies in a heatwave</li> <li>• Train home care workers to be able to advise clients on measures to make their homes more efficient and heat resilient</li> <li>• Incorporate heatwave planning into Service Planning Information</li> <li>• Promote key heat health messages to clients</li> <li>• Help vulnerable residents to complete an emergency plan using the Red Cross Rediplan</li> </ul>	<ul style="list-style-type: none"> <li>• Ensure appropriate OHS equipment is available for staff</li> <li>• Communicate heat information to clients and staff via normal channels (e.g. HACC newsletter, Senior Clubs meetings, delivered meals visits and HACC visits)</li> <li>• Communicate any changes to HACC services with clients and Access Yarra</li> <li>• Encourage clients to prepare for heatwave conditions, including purchase of some non-perishable food items.</li> </ul>	<ul style="list-style-type: none"> <li>• Implement Branch Heatwave Response Policy</li> <li>• Reconsider service delivery arrangement and modify or cancel service.</li> <li>• All Community Care clients will be provided with written information about safety in the home during heatwave conditions.</li> <li>• Community Care services will be adapted during a heatwave to enable staff to monitor the health and wellbeing of vulnerable clients or clients whose services have been cancelled as a result of heatwave conditions. This will comprise either a home visit or a telephone call during which advice on how to avoid heat stress will be provided.</li> <li>• Where clients cannot be contacted, the next of kin will be notified immediately and a visit to the premises will occur</li> </ul>

**Attachment 1 - Council Heatwave Action Plan from MEMP Heatwave Sub Plan**

<b>Council Area Responsible</b>	<b>Continuous Improvement (Prior to/after a heatwave)</b>	<b>Emergency Preparedness (Heatwave Imminent)</b>	<b>Emergency Response (Heat Health Threshold Breached)</b>
			as soon as practicable to establish health and wellbeing needs of clients
Venues and Events	<ul style="list-style-type: none"> <li>• Ensure summer event permits consider the risk and incorporate strategies for managing heatwave as part of the event. Advise AV of all events for which a permit has been issued</li> <li>• Discuss impact of social behaviour of attendees as a result of the heat; undertake appropriate staff training to better manage these challenging situations</li> <li>• Incorporate heatwave planning into event management including provision of (free) water and shade</li> <li>• Promote and distribute key heat health messages at all summer festivals and events</li> </ul>	<ul style="list-style-type: none"> <li>• Enact event risk management plan as appropriate (e.g. consideration may be made around early closure)</li> <li>• Communicate any changes to event with Access Yarra for public dissemination</li> </ul>	<ul style="list-style-type: none"> <li>• Enact event risk management plan as appropriate (e.g. consider if events should be relocated, postponed or cancelled; supply sunscreen to workers and public if required, ensure water is available; PPE to be used; regular shade and drink breaks for staff; shelter provided for static staff positions such as car parking attendants)</li> <li>• Communicate any changes to event with Access Yarra for public dissemination</li> </ul>
Library services	<ul style="list-style-type: none"> <li>• Determine and publicise any changes to opening hours in heatwave conditions</li> <li>• Scope potential for upgrades of air conditioning</li> <li>• Scope potential for backup power supply</li> <li>• Train staff in recognising signs of heat stress</li> <li>• Discuss impact of social behaviour of clients as a result of the heat; undertake appropriate staff training to better manage these challenging situations</li> </ul>	<ul style="list-style-type: none"> <li>• Determine and publicise any changes to opening hours in heatwave conditions (including informing Access Yarra and communications teams)</li> <li>• Manager library services to remind staff how to manage visitors who show signs of heat stress</li> </ul>	<ul style="list-style-type: none"> <li>• Provide water and extra seating</li> <li>• Consider extending opening hours</li> <li>• Staff to monitor visitors for signs of heat stress and respond to issues as they arise.</li> <li>• Determine and publicise any changes to opening hours in heatwave conditions (including informing Access Yarra and communications teams)</li> </ul>

**Attachment 1 - Council Heatwave Action Plan from MEMP Heatwave Sub Plan**

<b>Council Area Responsible</b>	<b>Continuous Improvement (Prior to/after a heatwave)</b>	<b>Emergency Preparedness (Heatwave Imminent)</b>	<b>Emergency Response (Heat Health Threshold Breached)</b>
Risk and Audit	<ul style="list-style-type: none"> <li>Assess risk and insurance needs</li> <li>Ensure consistency and compatibility of heatwave plans and BCP</li> </ul>		<ul style="list-style-type: none"> <li>Monitor and facilitate BCP implementation as necessary</li> </ul>
Finance	<ul style="list-style-type: none"> <li>Understand the financial impact of an increase in hot weather and heat waves</li> <li>Assess the impact of heatwaves on parking revenue</li> </ul>		<ul style="list-style-type: none"> <li>Assist Council's Emergency Management team with relevant procurement and recording of all expenditure as required</li> </ul>
Family, Youth and Children	<ul style="list-style-type: none"> <li>Develop branch heat policy that alters services and looks after the needs of clients and staff</li> <li>Develop heat resilient facilities</li> <li>Staff educated on heatwave risks and safety practices for children</li> </ul>	<ul style="list-style-type: none"> <li>Remind staff of heatwave safety practices</li> <li>Refer to DEECD web site – Better Health Channel for advice on caring for infants</li> <li>Provide bottled water and heat safety information at all Council immunisation sessions.</li> <li>Educate parents of young children about effects of heat and heatwave risks via:                             <ul style="list-style-type: none"> <li>Maternal child health visits</li> <li>New mothers' groups</li> <li>Early Years Newsletters</li> <li>Posters and brochures</li> <li>School newsletters</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Alteration of outdoor services e.g. bringing outdoor after school programs inside</li> <li>Determine the need to modify immunisation session times</li> <li>Inform clients, Access Yarra and communications teams of any changes to services</li> </ul>
Leisure and Recreation Services	<ul style="list-style-type: none"> <li>Future indoor sporting facilities to integrate heatwaves considerations, ie well insulated and air conditioned</li> <li>Indoor pools to investigate ways to make environment more amenable in the heat</li> <li>Service units planning for 'worst case scenario', e.g. extended power blackout</li> </ul>	<ul style="list-style-type: none"> <li>Promote free passes for estate residents and homeless who would like to use the services out of peak times</li> <li>Promote out of peak times for leisure and recreation facilities</li> <li>Alert all sporting clubs to</li> </ul>	<ul style="list-style-type: none"> <li>Alert all sporting clubs to heatwave</li> <li>Modify services and staff rosters/OH&amp;S as per Heat policy</li> <li>Determine whether any facilities and services need to be altered or closed</li> <li>Communicate any changes in leisure and recreation services to Access</li> </ul>

**Attachment 1 - Council Heatwave Action Plan from MEMP Heatwave Sub Plan**

Council Area Responsible	Continuous Improvement (Prior to/after a heatwave)	Emergency Preparedness (Heatwave Imminent)	Emergency Response (Heat Health Threshold Breached)
Leisure and Recreation Services (continued)	during a heatwave <ul style="list-style-type: none"> <li>• Encourage uptake of passive cooling technologies (Corporate and community)</li> <li>• Create heat tolerant open spaces</li> <li>• Increase heat resilience of buildings with passive thermal measures and on-site power generation</li> <li>• Provide <i>Hot Weather Guidelines for Sporting Clubs Associations and the Physically Active</i> to all sporting clubs for their own policy development</li> <li>• Identify and prioritise elements within the Yarra Environment Strategy that have a synergy with heatwave adaptation, particularly targeting the heat vulnerable with programs that will increase their comfort</li> </ul>	imminent/potential heatwave	Yarra and Council communications staff
City Strategy, Sustainability and Strategic Transport Branches	<ul style="list-style-type: none"> <li>• Incorporate information about heatwave and blackout planning and a checklist into Council's monthly e-bulletin newsletter to the business community</li> <li>• Include heatwave impact into regular Traders' Group meetings</li> <li>• Facilitate discussions with utility asset owners regarding power infrastructure at major shopping precincts</li> <li>• Incorporate heatwave planning into Council's 'Start-Up Business Kit'</li> <li>• Promote Council's <i>Group Purchase for Solar Panels Program</i></li> <li>• Promote appropriate tree planting in</li> </ul>	Maintain drinking fountains Liaise with business community about preparations for managing the impacts of a heatwave	Maintain drinking fountains

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<b>Council Area Responsible</b>	<b>Continuous Improvement (Prior to/after a heatwave)</b>	<b>Emergency Preparedness (Heatwave Imminent)</b>	<b>Emergency Response (Heat Health Threshold Breached)</b>
<p>City Strategy, Sustainability and Strategic Transport Branches (continued)</p>	<p>Council's education program on sustainable gardens/homes.</p> <ul style="list-style-type: none"> <li>• Incorporate considerations for heatwave situations such as public water fountains/shade/landscaping-trees into all community infrastructure plans</li> <li>• Increase and maintain drinking fountains</li> <li>• Plant trees and install shade at playgrounds</li> <li>• Incorporate heatwave considerations into all urban planning and design projects</li> <li>• Discuss impact of social behaviour of clients as a result of the heat; undertake appropriate staff training to better manage these challenging situations</li> <li>• Work towards a heat resilient urban environment</li> <li>• Encourage design criteria enabling both heatwave mitigation and adaptation, eg Passive cooling and heating, Heat reflective roofs Increasing trees, gardens and permeable surfaces</li> <li>• Assess infrastructure impact of an increase in extreme weather events including building design and urban planning</li> <li>• Integrate heatwave considerations into transport strategy development</li> </ul>		
<p>Engineering Operations</p>	<ul style="list-style-type: none"> <li>• Plan waste management strategies in a blackout</li> <li>• Educate staff who work outdoors on the risks of heat</li> </ul>	<ul style="list-style-type: none"> <li>• Identify possible changes to services as a result of the heatwave conditions</li> <li>• Remind outdoor staff of safety practices</li> </ul>	<ul style="list-style-type: none"> <li>• Determine and publicise any changes to services as a result of the heatwave conditions (including informing Access Yarra and communications teams)</li> </ul>

**Attachment 1 - Council Heatwave Action Plan from MEMP Heatwave Sub Plan**

<b>Council Area Responsible</b>	<b>Continuous Improvement (Prior to/after a heatwave)</b>	<b>Emergency Preparedness (Heatwave Imminent)</b>	<b>Emergency Response (Heat Health Threshold Breached)</b>
	<ul style="list-style-type: none"> <li>Promote heat safety behaviour</li> </ul>	<ul style="list-style-type: none"> <li>Provide PPE to staff</li> </ul>	<ul style="list-style-type: none"> <li>Monitor outdoor staff safety</li> </ul>
Construction	<ul style="list-style-type: none"> <li>Consider heatwave impacts and adaptations in construction projects</li> </ul>		
Sustainable Asset Management, Buildings & Property	<ul style="list-style-type: none"> <li>Make assets and buildings more heat resilient (primarily in conjunction with Environment units)</li> <li>Install passive cooling features on buildings</li> <li>Service A/C units and upgrade to meet peak demand</li> <li>Consider heatwave impacts and adaptations in construction projects</li> </ul>	<ul style="list-style-type: none"> <li>Prioritise maintenance of A/C units</li> </ul>	<ul style="list-style-type: none"> <li>Prioritise maintenance of A/C units</li> </ul>
MERO, MRM, EMPO	<ul style="list-style-type: none"> <li>Ensure at least two staff are nominated to receive heatwave alerts</li> <li>MRM, EMPO and MERO determine need to convene HCG or if notification to the group is sufficient. Consider phone hook-up if necessary.</li> <li>EMPO to schedule Heatwave Plan reviews</li> <li>MRM to lead HCG in coordinating recovery activity reviews following heatwaves (refer to DOH Heatwave Planning Guide)</li> </ul>	<ul style="list-style-type: none"> <li>Receive alerts from Department of Health</li> <li>MRM and EMPO to redistribute as appropriate throughout Council and the municipality</li> <li>Monitor local conditions</li> <li>MERO to establish contact with Victoria Police and determine whether any specific Council activity is required</li> </ul>	<ul style="list-style-type: none"> <li>Activate Council staff and other agreed organisations regarding notification of declared heatwave</li> <li>Liaise with DHS and Victoria Police to determine activation of other parts of the MEMP</li> <li>Liaise with external key emergency management stakeholders as required</li> </ul>