

IN PLANNING PANELS VICTORIA

**‘PART A’ SUBMISSION
ON BEHALF OF THE PLANNING AUTHORITY**

**AMENDMENT C223yara TO THE YARRA PLANNING
SCHEME**

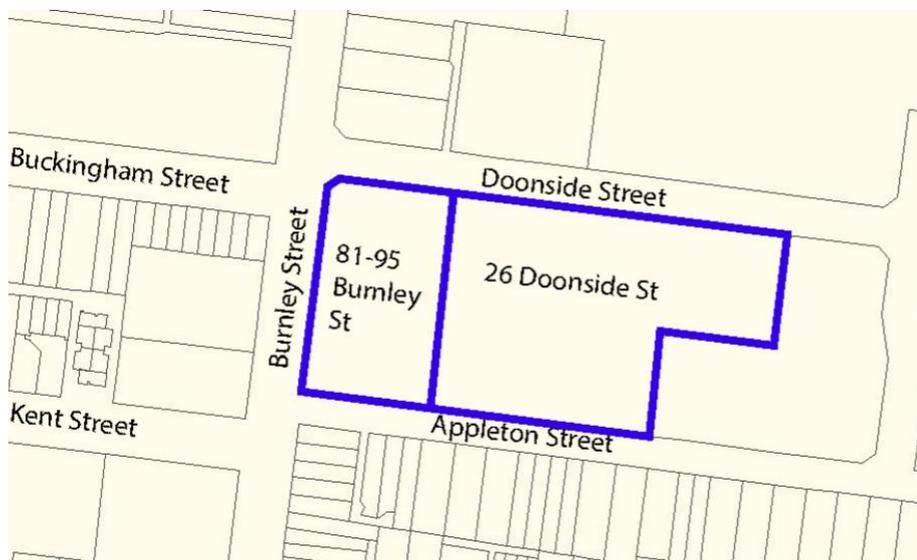
7 May 2020

INTRODUCTION

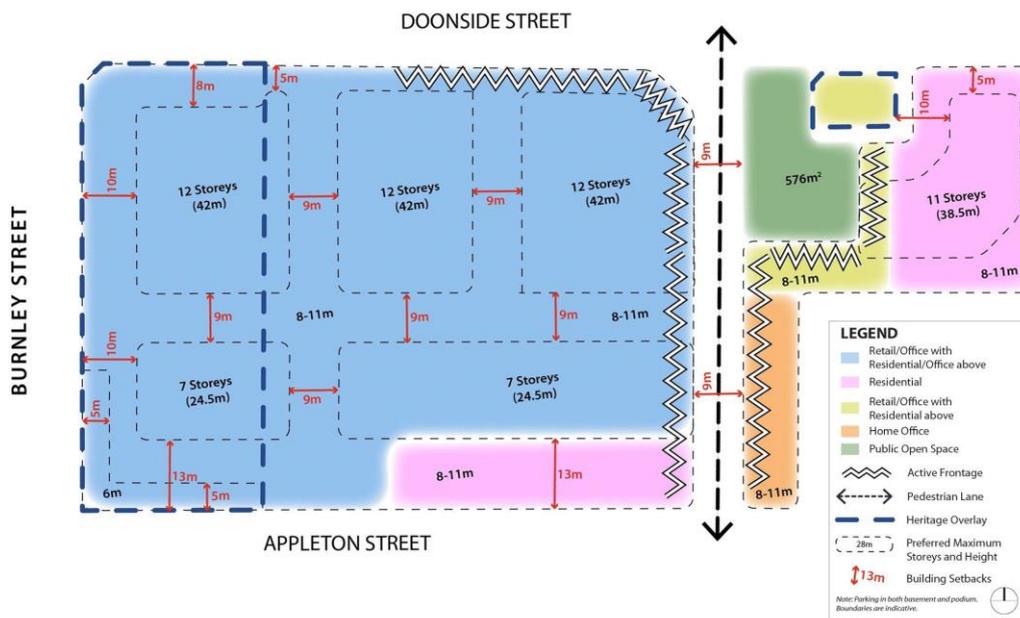
1. Yarra City Council (**Council**) is the Planning Authority for Amendment C223yara (**Amendment**) to the Yarra Planning Scheme (**Scheme**). Council has prepared and is the proponent of the Amendment.
2. This 'Part A' submission is made in accordance with the Panel's Directions dated 27 April 2020 (**Directions**).
3. This submission addresses the following matters in accordance with direction #6 of the Directions:
 - 3.1 background, including a chronology of events for the Amendment;
 - 3.2 strategic context and assessment;
 - 3.3 issues identified in submissions; and
 - 3.4 any suggested changes to the Amendment in response to submissions.
4. In addition to this submission, at the hearing listed to start on 18 May 2020 via videoconference, Council will:
 - 4.1 address at a high level its 'Part B' submission, to be circulated on 15 May 2020, which will address, as appropriate, Council's responses to the matters raised in expert evidence called, and submissions made by the parties during the hearing; and
 - 4.2 call and rely on expert heritage evidence from:
 - 4.2.1 Ms Charmaine Dunstan of Traffix Group;
 - 4.2.2 Mr Jim Gardner of GJM Heritage;
 - 4.2.3 Mr Rob McGauran of MGS Architects; and
 - 4.2.4 Ms Joanna Thompson of Thompson Berrill Landscape Design.

AMENDMENT

5. The Amendment allows for the land at 81-95 Burnley Street and 26 Doonside Street, Richmond (**Land**) to be redeveloped for a mix of uses including residential and uses including employment opportunities, both retail and commercial.



6. The Amendment seeks to apply planning controls to ensure there are key public benefits in any redevelopment of the Land, to manage traffic, address contamination, promote appropriate heritage responses, provide for social housing and public open space and provide built form guidance for future development.
7. Specifically, the Amendment proposes:
 - 7.1 rezoning the Land from Industrial 3 Zone (**IN3Z**) to Mixed Use Zone (**MUZ**);
 - 7.2 applying the Development Plan Overlay Schedule 15 (**DPO15**) to the Land; and
 - 7.3 applying an Environmental Audit Overlay (**EAO**) to the Land.
8. The DPO15 is the greatest source of detailed guidance for future development including physical and social infrastructure provision. An indicative framework plan is included within the DPO15 describing anticipated built form outcomes (heights and setbacks) in some detail.
9. It shows 576sqm of public open space facing Doonside Street.
10. It also shows:
 - 10.1 six buildings, above a podium, ranging in height between 7 storeys fronting Appleton Street and up to 12 storeys along Doonside Street, which can accommodate around 500 dwellings or offices;
 - 10.2 a 9-metre wide pedestrian link which runs through the site from Doonside Street to Appleton Street;
 - 10.3 10% of dwellings to be for affordable housing;
 - 10.4 retention of heritage buildings including the entire building at 26 Doonside Street; and
 - 10.5 at least 9,000sqm of commercial/ retail floor space (part of which will see the Harry the Hirer administrative headquarters remain on-site).



11. Council pursues the Amendment as exhibited, save for the DPO15 control.
12. Council pursues the DPO15 in its 'preferred' form prepared by Council's officers in response to submissions received during exhibition of the Amendment and endorsed by Council at its ordinary meeting on 3 March 2020 subject to the following amendment proposed in accordance with Council's resolution¹ to increase the provision of public open space to be provided through DPO15.
13. Council proposes inserting the following text under the heading 'Open Space and Landscape' in clause 4.2 of the 'preferred' DPO15:

A Public Open Space Report must be prepared by a suitably qualified expert that demonstrates where and how open space can be increased to meet the demand associated with the development, as part of the development plan.

BACKGROUND TO AMENDMENT

14. A chronology of key events relevant to the Amendment forms **Attachment A** to Council's submission.

Planning Scheme Amendment C99

15. The land was previously proposed to be included in Amendment C99 to the Scheme.
16. Amendment C99 sought to (among other things):
 - 16.1 rezone land identified in the Doonside Precinct from IN3Z to MUZ;
 - 16.2 remove (the existing) Schedule 4 to the Design and Development Overlay;
 - 16.3 apply Schedule 9 to the Design and Development Overlay; and
 - 16.4 apply the Environmental Audit Overlay to the land.
17. At its ordinary meeting on the 20th August 2008, Council resolved to prepare and exhibit Amendment C99.
18. In doing so, Council resolved only to include part of the land identified in the Doonside Precinct, excluding the properties at 81-95 Burnley Street and 26-34 Doonside Street, Richmond, at the request of the land owner. The owner and occupier of the land (Harry the Hirer) expressed concerns over the impact Amendment C99 might have on its business operations.
19. The 'Doonside Precinct', was described in the Amendment C99 Panel Report as bounded by Burnley Street, Doonside Street, David Street and Appleton Street, Richmond with the exception of the properties at 81-95 Burnley Street and 26-34 Doonside Street, Richmond.
20. Council advised the Panel these properties could be included in a future rezoning proposal.

Authorisation and preparation of Amendment

21. In August 2016 Council received a planning scheme amendment request from Tract Consulting acting on behalf of Astrodome Hire Pty Ltd (**Proponent**) to rezone the Land to MUZ and apply the DPO and EAO to the Land.
22. Following consultation between Council and the Proponent the Proponent submitted updated supporting documentation.

¹ Also made on 3 March 2020.

23. At its ordinary meeting on 19 December 2017, Council resolves to (among other things) seek authorisation from the Minister for Planning (**Minister**) to prepare the Amendment.
24. At that meeting, Council also resolved to make changes to the proposed controls, specifically to:
 - 24.1 amend clause 1.1 of the DPO to replace '5 percent' with '10' percent';
 - 24.2 include additional wording in the DPO under the heading Green Travel Plan;
 - 24.3 amend clause 3.1, paragraph 5 of the DPO to provide for best practice environmentally sustainable; and
 - 24.4 pursue a section 173 agreement requiring 10% of the overall number of dwellings in the approved Development Plan as affordable housing in association with an accredited Housing Association.

Authorisation and preparation of Amendment

25. On 10 January 2018, Council wrote to the Minister requesting authorisation to prepare the Amendment.
26. On 19 February 2018, the Minister granted conditional authorisation requiring:
 - 26.1 a housing diversity report to be prepared before exhibiting the Amendment to justify the 10% affordable housing contribution; and
 - 26.2 the Amendment documentation to be in conformity with the Ministerial Direction on the Form and Content of Planning Schemes.
27. The Proponent prepared a housing diversity report² which Council submitted to the Department together with updated Amendment documentation on 25 May 2018 in response to the Minister's authorisation conditions.
28. On 25 May 2018, the Department authorised Council to proceed in exhibiting the Amendment.

Re-authorisation

29. Before exhibiting the Amendment, the Proponent requested changes to the Amendment to accommodate additional commercial space for Harry the Hirer to expand the office / retail activities of the existing operation.
30. The Proponent submitted updated supporting documentation.
31. Given the extent of the changes proposed, Department advised Council it must seek re-authorisation for the Amendment.
32. The Amendment in its exhibited form reflects the following changes made at the proponent's request before Council sought re-authorisation:
 - 32.1 increasing the minimum gross floor area provided for employment generating uses from 7,000sqm to 9,000sqm;
 - 32.2 amending the Indicative Framework Plan to enable flexibility to accommodate additional employment generating uses;
 - 32.3 including new clauses relating to infrastructure, and

² Dated 14 May 2018. The report has since been updated. See *Housing Diversity and Adaptability (Stage 1 Report) – Affordable Development Outcomes 2019* prepared by Affordable Development Outcomes.

- 32.4 amending the Housing affordability clause to allow for other mechanisms to deliver affordable housing to be considered by Council.
33. At its ordinary meeting on 16 July 2019, Council resolved to (among other things) seek re-authorisation from the Minister to prepare the Amendment and if granted, exhibit the Amendment.
34. On 9 August 2019, the Department confirmed Council could proceed in exhibiting the Amendment, advising:
- I have considered your request and advise that the proposed changes are acceptable subject to the following condition:
- The amendment documentation must be consistent with the Ministerial Direction on the Form and Content of Planning Schemes (corrections must be made to the Development Plan Overlay Schedule).

Supporting documents accompanying Amendment

35. The following documents were submitted in support of the Amendment and exhibited:
- 35.1 an economic assessment report prepared by Deep End Services, December 2018, considering (among other things):
- 35.1.1 the strategic and market justification for a mixed-use development of the type proposed;
- 35.1.2 an analysis of the local and regional economic outcomes including capital investment on the site, employment generation during construction (direct on-site and indirect employment), ongoing employment generation (direct and indirect), indicative rates revenue, local expenditure flows associated with new residents and support for local businesses within the local area;
- 35.2 an environmental sustainable development report prepared by GIW Environmental Solutions, December 2018 considering the potential ESD benefits associated with the rezoning;
- 35.3 an analysis of heritage issues prepared by Bryce Raworth Pty Ltd, December 2018, assessing the two heritage places on the Land and providing an assessment of the potential heritage impacts associated with the development outcome outlined in DPO15;
- 35.4 a planning scheme amendment report prepared by Tract Consultants, December 2018, describing the site and its context, analysing its opportunities and constraints, describing the proposed planning scheme amendment, identifying the relevant planning policy, and assessing the proposal's compliance within the identified planning framework;
- 35.5 a traffic impact report prepared by Ratio, December 2018, reviewing at a strategic level the transport and parking aspects of the proposed rezoning including the traffic impacts and car parking needs of the proposed rezoning;
- 35.6 an environmental site assessment report prepared by JBS&G, May 2016, comprising a preliminary site investigation, site history review and detailed site investigation consisting of a soil assessment; and
- 35.7 a housing diversity report prepared by Affordable Development Outcomes, May 2019 justifying the affordable housing contribution.

Exhibition of Amendment

36. Council exhibited the Amendment between 19 September 2019 and 24 October 2019 in the form of:
 - 36.1 sending letters and information brochures to owners and occupiers of all affected properties, government agencies, prescribed authorities, relevant interested parties and stakeholders;
 - 36.2 notice of the Amendment in The Age newspaper;
 - 36.3 notice of the Amendment in the Government Gazette;
 - 36.4 uploading the Amendment documentation on Council's and the Department's websites; and
 - 36.5 making hard copy Amendment documentation available at the Richmond Town Hall.
37. Council and the proponent also facilitated various consultations including:
 - 37.1 in-person information sessions at the Williams Reserve Community Room on each of 14, 15 and 16 October 2019; and
 - 37.2 private appointments for persons who could not attend.
38. Additionally, the proponent undertook the following activities during the exhibition period:
 - 38.1 prepared a stand-alone webpage for the Amendment including detailed information about the Amendment and a site inspection/information session that was being held by consultants engaged by the proponent;
 - 38.2 held a site inspection/information session for residents/owners along Appleton Street on 12 October 2019; and
 - 38.3 held a site inspection/information session for all parties notified by letter on 12 October 2019.
39. The Amendment documentation as exhibited comprised the following documents:
 - 39.1 the explanatory report;
 - 39.2 the notice of preparation of an amendment;
 - 39.3 the instruction sheet;
 - 39.4 the DPO15;
 - 39.5 relevant Scheme maps (zone, DPO, EAO); and
 - 39.6 supporting documents accompanying the Amendment.
40. In response to exhibition, Council received 53 submissions:
 - 40.1 49 submissions objected to the Amendment;
 - 40.2 one submission supported to the Amendment;
 - 40.3 one submission conditionally supported the Amendment; and

- 40.4 one submission neither objected or supported the Amendment but sought to raise key matters with Council regarding their landholding.

STRATEGIC CONTEXT AND ASSESSMENT

41. This section provides an overview of the Amendment's strategic basis, supplementing the detail set out in the exhibited explanatory report.
42. A response to the strategic issues raised in the submissions to the Amendment, and more particularly, those questioning the strategic merit of aspects of the Amendment, will be addressed in Council's 'Part B' submission.

RELEVANT STRATEGIC DOCUMENTS

Yarra Housing Strategy, September 2018 (Housing Strategy)

40. Council adopted the Housing Strategy at its ordinary meeting on 4 September 2018.
41. The Housing Strategy establishes a 15 year housing growth framework for the municipality to ensure clear policy direction about where residential development will be focused and where it will be limited, in order to meet the changing needs of the municipality.
42. The Housing Strategy was prepared in the context of State and regional policy, including Plan Melbourne 2017-2050, and is based on demographic profiling and housing trends. It identifies land opportunities for over 13,000 new dwellings over the next 15 years and highlights 805 hectares of land is zoned residential accounting for 41.6% of all land in the municipality.³
43. The Housing Strategy establishes four strategic directions that articulate Yarra's preferred growth strategy, which responds to the unique context of Yarra, including:
- 43.1 Strategic direction 1: Monitor population growth, land capacity and evolving development trends in Yarra to plan for future housing growth and needs
 - 43.2 Strategic direction 2: Direct housing growth to appropriate locations
 - 43.3 Strategic direction 3: Plan for more housing choice to support Yarra's diverse community
 - 43.4 Strategic direction 4: Facilitate the provision of more affordable housing in Yarra

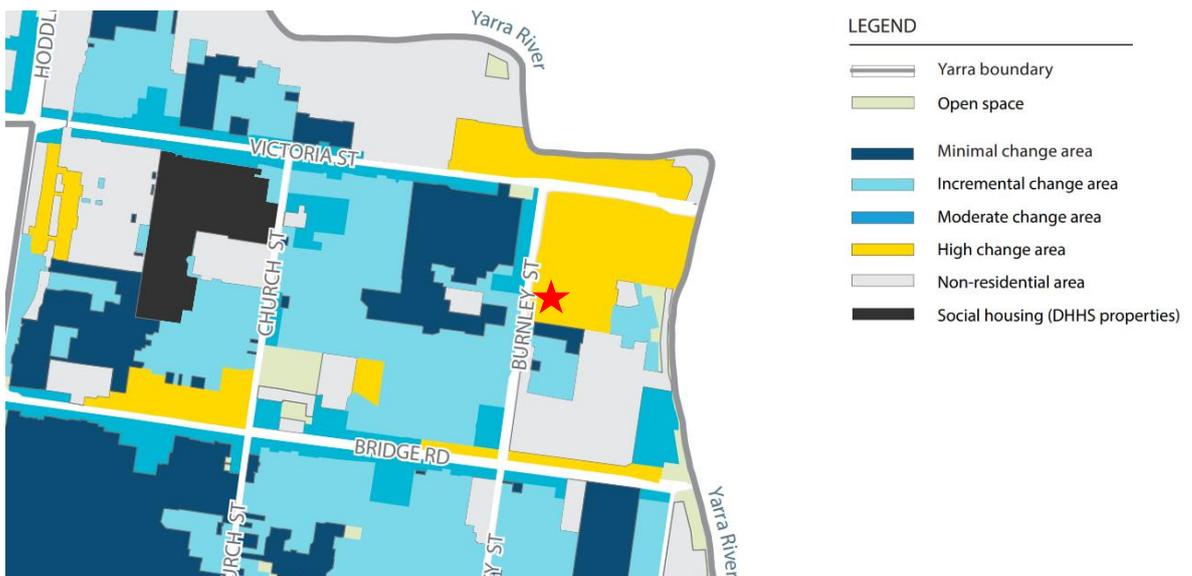
³ Page 52.

44. The Housing Strategy acknowledges Council will consider a need to revise land use zoning to better reflect the changing needs of the community. The Land is identified as a site-specific area to be rezoned and is identified as part of Yarra’s future housing growth capacity.⁴



45. The Housing Strategy identifies four housing change areas applied to all residential land and land to be affected by a future rezoning, being ‘minimal change’, ‘incremental change’, ‘moderate change’ and ‘high change’.

46. The Land is identified as a ‘high change’ area in the Strategic Housing Framework Plan.⁵



⁴ Page 57.

⁵ Page 69.

47. The 'level of growth' associated with a 'high change' area is described as:⁶

Mixed use and commercial areas and sites that have the capacity to accommodate substantial housing growth over time.

48. The Housing Strategy describes 'high change' areas as generally displaying one or more of the following characteristics:⁷

48.1 within or close to activity centres that have an absence of site constraints;

48.2 have excellent access to services, open space and public transport; and/or

48.3 have large lot sizes.

49. The Housing Strategy states under the heading 'What type of development is likely in high change areas?':⁸

It is expected that high change areas will support increased residential densities and housing diversity through mixed use, infill and urban renewal apartment development that will establish new character for a site or precinct.

The provisions of heritage and/or built form overlays in the Yarra Planning Scheme will determine the scale and form of residential growth in these areas. In those areas where no overlays apply, urban design and/or heritage local planning policies will determine built form outcomes for the sites and areas.

50. Relevant strategic directions relating to the provision of affordable housing include:⁹

50.1 SD4.1 - Foster effective partnerships between registered housing associations or providers and the property development industry to deliver more affordable housing; and

50.2 SD4.5 - Support the improvement and retention of social housing in Yarra.

51. The 'rationale' states:¹⁰

The provision of affordable housing will maintain Yarra's diversity and support the economy by providing greater housing choice for those working or starting businesses in the municipality. It will also enable key workers, who are employed in occupations important to the functioning of the municipality, to live closer to their workplaces.

The Victorian planning system provides an opportunity to secure a percentage of affordable housing when sites are being rezoned or redeveloped. In 2017, Council adopted the Policy Guidance Note: Affordable Housing Outcomes at Significant Redevelopments. It outlines Yarra's expectations relating to affordable housing at significant redevelopment sites. With significant rezoning of commercial and industrial land to residential use, developers are expected to provide at least 5% affordable housing at sites yielding 50 dwellings or more, and work with a registered housing association or provider to deliver affordable housing.

This strategy strengthens and builds upon the note by recommending the introduction of requirements into the Yarra Planning Scheme for all rezonings to residential use, and in significant developments of 50 or more dwellings, to provide at least 10% affordable housing. This will communicate a clear expectation to developers about their obligation to provide affordable housing stock as part of significant new developments, and reduce the need for this to be negotiated on a case by case basis.

⁶ Page 73.

⁷ Page 73.

⁸ Page 73.

⁹ Page 74.

¹⁰ Page 76.

There is also a need to support the improvement and retention of social housing in Yarra to ensure the needs of existing and future residents in need of this type of accommodation are supported.

52. The Housing Strategy relevantly states:¹¹

Yarra has worked with a number of site owners to provide at least 10% affordable housing. At the former GTV9 site, Richmond, affordable housing will represent at least 10% of the total number of new apartment dwellings. At the former Gasworks site, Fitzroy North a range of dwelling types will cater for a variety of housing needs including the provision of up to 20% affordable housing. Council will continue to seek additional affordable housing for our very low, low and moderate income community.

Yarra Spatial Economic and Employment Strategy, August 2018 (SEES)

53. Council adopted the SEES at its ordinary meeting on 4 September 2018.

54. The SEES, prepared by SGS Economics & Planning, was developed to assist Council in understanding and capitalising on the municipality's economic strengths and respond to key trends and economic drivers over the next 10-15 years.

55. The SEES seeks to provide guidance on managing growth and change in employment and economic activity and has been prepared having regard to planning contextual considerations, capacity for employment growth and trends and drivers.

56. The SEES identifies Yarra's stock of employment land is a strategic resource that accommodates a large and diverse range of business and jobs and provides employment opportunities.

57. To manage Yarra's employment land over the next 10-15 years, the following strategic directions have been developed:

57.1 Strategy 1 – Support employment growth in Yarra's Activity Centres;

57.2 Strategy 2 – Retain and grow Yarra's major employment precincts;

57.3 Strategy 3 – Identify preferred locations for housing growth;

57.4 Strategy 4 – Support the expansion of health-related employment and services in Yarra's health precincts;

57.5 Strategy 5 – Retain other C2 zoned precincts and sites; and

57.6 Strategy 6 – Retain Yarra's existing industrial precincts for manufacturing and urban services.

58. The Amendment responds to Strategy 1 by facilitating a future development outcome for land located with the Victoria Street Major Activity Centre, including both residential and employment generating uses. Economic benefits have been supported through the proponent's economic analysis of the amendment.

59. In respect of Strategy 3, Council adopted the Housing Strategy establishing a housing growth framework for the next 15 years. The Land is identified as a 'high change' area in the Strategy and the development outcome sought by the Amendment responds to this accordingly.

¹¹ Page 18.

60. Strategy 6 seeks to retain Yarra's existing industrial precincts for manufacturing and urban services. It states:¹²

The trigger to consider a change in the role of these areas would be the departure of the major industrial land user (in the case of the Abbotsford and Burnley industrial areas) and evidence of a genuine lack of demand for industrial employment land (in the case of the Richmond East precinct).

61. Council was approached by the landowner and advised of its intention to shift part of its operations to a more suitable location. Considering the surrounding residential uses and past Amendment (C99) to rezone the Land to MUZ it is considered that the rezoning is strategically supported by the SEES.

62. Strategy 6 goes on to say:¹³

...it will be prudent for Council to consider how alternative uses for these precincts might be determined, infrastructure requirements, and flag the potential for the inclusion of social and/or affordable housing.

Policy Guidance Note: Affordable Housing at Significant Redevelopments 2017 (Policy Guidance Note)

63. Council adopted the Policy Guidance Note at its ordinary meeting on 22 November 2017.

64. The Policy Guidance Note outlines Council's expectations relating to affordable housing at significant redevelopment sites.

65. In the context of significant rezoning of commercial and industrial land to residential use, the Policy Guidance Note originally stated developers are expected to provide at least 5% affordable housing at sites yielding 50 dwellings or more, and work with a registered housing association/provider to deliver affordable housing.

66. At its ordinary meeting on 12 November 2019, Council adopted the Social and Affordable Housing Strategy (**SAHS**). The SAHS outlines the strategies Council will employ to increase the supply of social and affordable housing and mitigate the inequities in the contemporary local housing market.

67. Relevant strategies set out in the SAHS include:

Direction 1.1.1: When land is rezoned to allow residential use, this positively impacts the site value and Council considers that it is reasonable to capture some of this value and direct it towards improving the provision of affordable housing in the municipality. Council will continue to seek provisions for at least 10% affordable housing to be transferred to a registered housing agency, or an alternative of equal or better benefit, to the satisfaction of Council, at the rezoning of land for residential use that allows more than 50 dwellings.

Direction 1.1.2: Council expects that an affordable housing agreement will be reflected in the Development Plan Overlay (DPO) or a S173 until the conditions are met, or for a predefined number of years. The specific expectations are articulated in the Policy Guidance Note.

68. At its ordinary meeting on 12 November 2019, Council also resolved to update the Policy Guidance Note to increase the percentage of affordable housing from 5% to 10%.

¹² Page 71.

¹³ Page 59.

69. Section 1.2 states:

As part of significant rezonings, provisions will be sought by Council for the new zone or overlay to require any development proponent to provide for at least 10% affordable housing at significant redevelopment sites once constructed and into the future.

70. The term 'significant redevelopment sites' is defined in the following terms:

The policy will apply to sites to be rezoned which will yield a development of a sufficient size to create on-site provision of affordable housing. These are defined as sites likely to yield 50 or more dwellings

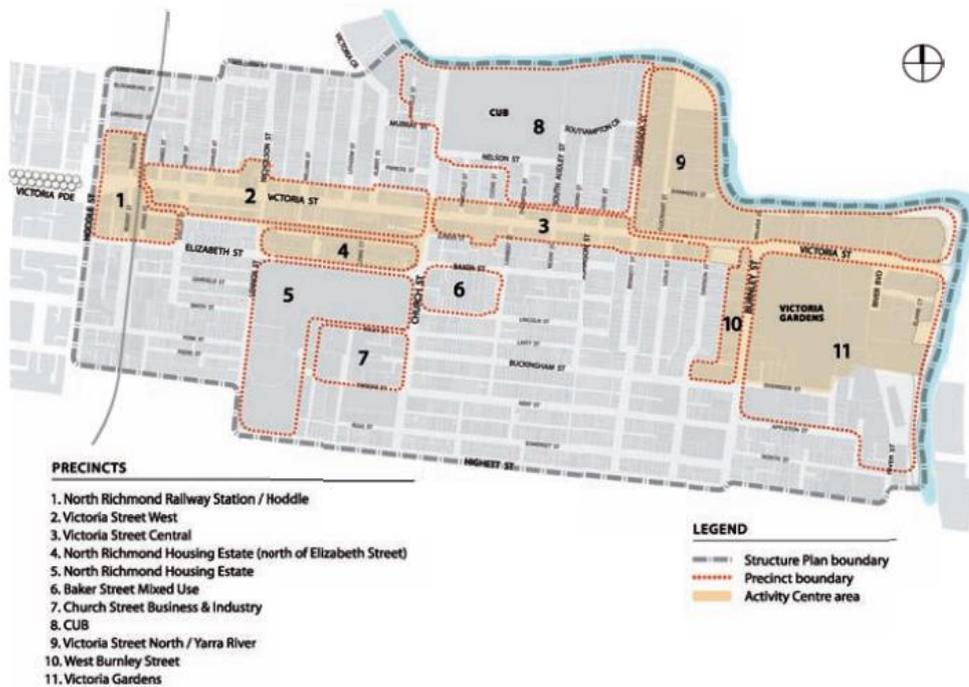
Victoria Street Structure Plan 2010 (Structure Plan)

71. Council adopted the Structure Plan at its ordinary meeting on 20 April 2010. It is not a reference or incorporated document in the Scheme.

72. The Structure Plan seeks to guide planning for change within the Victoria Street Major Activity Centre over a 10 to 15 year period.

73. The Land is identified in Precinct 11 (Victoria Gardens):¹⁴

Victoria Street Structure Plan Boundaries

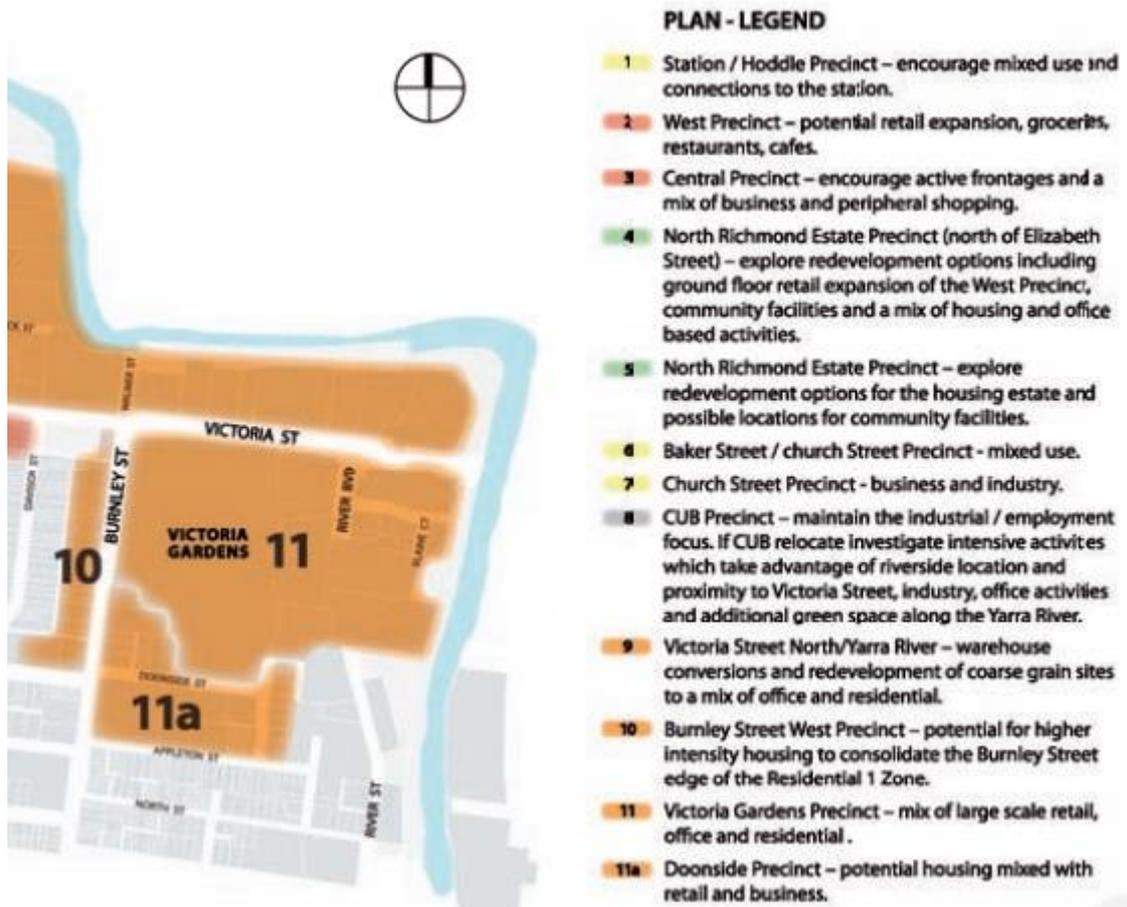


74. The Land is identified for 'substantial change' described as 'large formerly industrial sites which are ready or in the process of changes to other more intensive uses'¹⁵

¹⁴ Page 3.

¹⁵ Page 6.

75. The Land is identified in Sub-Precinct 11a (Doonside Precinct) described as ‘potential housing mixed with retail and business’:¹⁶



Victoria Street East Precinct, Richmond Urban Design Framework 2005 (UDF)

76. The UDF was published on 16 November 2005 and is a reference document under clause 21.11 in the Scheme seeking to guide the future development within the Victoria Street East Precinct, including the Land.
77. The UDF sets out the following recommendations relating to the Land:
- 77.1 77.1 Change Industrial 3 Zone to Mixed Use Zone to enable a mix of commercial and high-density residential uses. This would help to create an appropriate transition between Victoria Gardens and nearby residential areas and would reflect existing commercial uses along Burnley Street (13: Mixed Use Development Opportunities).
 - 77.2 Business and Industrial Zones in the precinct are typified by buildings with no front or side setbacks. New development should maintain this building pattern with no setbacks from streets or adjoining buildings’ (15: Ground Level Building Setbacks).
 - 77.3 Identifies the need to protect 26 Doonside Street (14: Retention and Re-use of Existing Buildings).
 - 77.4 Industrial and Commercial Interface: Maximum height RL 26 along street frontages. Increases in height to RL 30.5 maximum may be acceptable with upper level setbacks to

¹⁶ Page 8.

ensure no detrimental impact on views of significant landmarks and no more overshadowing of the adjoining streets, public spaces or private properties beyond that caused by building to RL 26 (18: Proposed Height Controls).

- 77.5 Doonside Street should be the major vehicle entry into Victoria Gardens and the area to its south, to keep traffic away from Victoria Street and housing south of Appleton Street (8: Vehicular Access and Traffic Movement).
- 77.6 A north/south pedestrian link through the site past 26 Doonside Street (7: Pedestrian Circulation - Local Network)

RELEVANT SCHEME PROVISIONS

43. **Planning Policy Framework (PPF)**

78. The Amendment is supported by the following provisions of the PPF:

- 78.1 Clause 11 (Settlement) seeking to implement the key principles of Plan Melbourne including providing housing choice by planning for expected housing needs and making housing more affordable.
- 78.2 The objective of clause 11.01-1S (Settlement) seeking to 'encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres that are highly accessible to the community'.
- 78.3 The following strategies under clause 11.01-1S (Settlement):
 - 78.3.1 Develop sustainable communities through a settlement framework offering convenient access to jobs, services, infrastructure and community facilities.
 - 78.3.2 Develop compact urban areas that are based around existing or planned activity centres to maximise accessibility to facilities and services.
 - 78.3.3 Ensure retail, office-based employment, community facilities and services are concentrated in central locations.
- 78.4 The objective of clause 11.02-1S (Supply of urban land) seeking to 'ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses'
- 78.5 The following strategies under clause 11.02-1S (Supply of urban land):
 - 78.5.1 Ensure the ongoing provision of land and supporting infrastructure to support sustainable urban development.
 - 78.5.2 Ensure that sufficient land is available to meet forecast demand.
- 78.6 The objective of clause 11.03-1S (Activity centres) being to 'encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres that are highly accessible to the community'.

- 78.7 The following strategies under clause 11.03-1S (Activity centres):
- 78.7.1 Build up activity centres as a focus for high-quality development, activity and living by developing a network of activity centres that:
- (a) comprises a range of centres that differ in size and function;
 - (b) is a focus for business, shopping, working, leisure and community facilities;
 - (c) provides different types of housing, including forms of higher density housing; and
 - (d) is connected by transport. Maximises choices in services, employment and social interaction.
- 78.7.2 Support the role and function of each centre in the context of its classification, the policies for housing intensification, and development of the public transport network.
- 78.7.3 Encourage a diversity of housing types at higher densities in and around activity centres.
- 78.7.4 Reduce the number of private motorised trips by concentrating activities that generate high numbers of (non-freight) trips in highly accessible activity centres.
- 78.7.5 Improve access by walking, cycling and public transport to services and facilities.
- 78.7.6 Support the continued growth and diversification of activity centres to give communities access to a wide range of goods and services, provide local employment and support local economies.
- 78.7.7 Encourage economic activity and business synergies. Improve the social, economic and environmental performance and amenity of activity centres.
- 78.8 The following strategies under clause 11.03-1R (Activity Centres – Metropolitan Melbourne):
- 78.8.1 Support the development and growth of Metropolitan Activity Centres by ensuring they:
- (a) Are able to accommodate significant growth for a broad range of land uses.
 - (b) Are supported with appropriate infrastructure.
 - (c) Are hubs for public transport services.
 - (d) Offer good connectivity for a regional catchment.
 - (e) Provide high levels of amenity
- 78.9 The objective of clause 15.01-1s (Urban design) being to ‘create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity’.

- 78.10 The following strategies under clause 15.01-1S (Urban Design):
- 78.10.1 Require development to respond to its context in terms of character, cultural identity, natural features, surrounding landscape and climate
 - 78.10.2 Ensure development contributes to community and cultural life by improving the quality of living and working environments, facilitating accessibility and providing for inclusiveness.
 - 78.10.3 Ensure development supports public realm amenity and safe access to walking and cycling environments and public transport.
 - 78.10.4 Ensure that development provides landscaping that supports the amenity, attractiveness and safety of the public realm.
- 78.11 The following strategies under clause 15.01-1R (Urban Design – Metropolitan Melbourne):
- 78.11.1 Support the creation of well-designed places that are memorable, distinctive and liveable.
- 78.12 The objective of clause 15.01-5S (Neighbourhood character) being to 'recognise, support and protect neighbourhood character, cultural identity, and sense of place'.
- 78.13 The following strategies under clause 15.01-5S (Neighbourhood character):
- 78.13.1 Ensure development responds to cultural identity and contributes to existing or preferred neighbourhood character.
- 78.14 The objective under clause 15.02-1S (Energy and resource efficiency) being to 'encourage land use and development that is energy and resource efficient, supports a cooler environment and minimises greenhouse gas emissions'.
- 78.15 The following strategies under clause 15.02-1S (Energy and resource efficiency):
- 78.15.1 Improve the energy, water and waste performance of buildings and subdivisions through environmentally sustainable development.
 - 78.15.2 Promote consolidation of urban development and integration of land use and transport.
 - 78.15.3 Support low energy forms of transport such as walking and cycling.
 - 78.15.4
 - 78.15.5 Encourage retention of existing vegetation and planting of new vegetation as part of development and subdivision proposals.
- 78.16 The objective of clause 15.03-1S (Heritage conservation) being to 'ensure the conservation of places of heritage significance'.
- 78.17 The following strategies under clause 15.03-1S (Heritage conservation):
- 78.17.1 Encourage appropriate development that respects places with identified heritage values.

- 78.17.2 Retain those elements that contribute to the importance of the heritage place. Encourage the conservation and restoration of contributory elements of a heritage place.
- 78.17.3 Ensure an appropriate setting and context for heritage places is maintained or enhanced.
- 78.17.4 Support adaptive reuse of heritage buildings where their use has become redundant.
- 78.18 The objective of clause 16.01-1S (Integrated housing) being to 'promote a housing market that meets community needs'.
- 78.19 The following strategies under clause 16.01-1S (Integrated housing):
 - 78.19.1 Increase the supply of housing in existing urban areas by facilitating increased housing yield in appropriate locations, including under-utilised urban land.
 - 78.19.2 Facilitate the delivery of high-quality social housing.
- 78.20 The objective of clause 16.01-2S (Location of residential development) being to 'locate new housing in designated locations that offer good access to jobs, services and transport'.
- 78.21 The following strategies under clause 16.01-2S (Location of residential development):
 - 78.21.1 Increase the proportion of new housing in designated locations within established urban areas and reduce the share of new dwellings in greenfield and dispersed development areas.
 - 78.21.2 Encourage higher density housing development on sites that are well located in relation to jobs, services and public transport.
- 78.22 The following strategies under clause 16.01-2R (Housing opportunity areas - Metropolitan Melbourne):
 - 78.22.1 Manage the supply of new housing to meet population growth and create a sustainable city by developing housing and mixed-use development opportunities in locations that are... metropolitan activity centres and major activity centres.
 - 78.22.2 Facilitate increased housing in established areas to create a city of 20-minute neighbourhoods close to existing services, jobs and public transport.
 - 78.22.3 Direct new housing to areas with appropriate infrastructure.
- 78.23 The following strategies under clause 16.01-3S (Housing opportunity areas - Metropolitan Melbourne):
 - 78.23.1 Ensure housing stock matches changing demand by widening housing choice.
 - 78.23.2 Support opportunities for a range of income groups to choose housing in well-serviced locations.

- 78.24 The following strategies under clause 16.01-3R (Housing diversity - Metropolitan Melbourne):
- 78.24.1 Create mixed-use neighbourhoods at varying densities that offer more choice in housing.
- 78.25 The following strategies under clause 16.01-4S (Housing affordability):
- 78.25.1 Improve housing affordability by:
- (a) Ensuring land supply continues to be sufficient to meet demand.
 - (b) Increasing choice in housing type, tenure and cost to meet the needs of households as they move through life cycle changes and to support diverse communities.
 - (c) Promoting good housing and urban design to minimise negative environmental impacts and keep costs down for residents and the wider community.
 - (d) Encouraging a significant proportion of new development to be affordable for households on very low to moderate incomes.
- 78.25.2 Increase the supply of well-located affordable housing by... facilitating a mix of private, affordable and social housing in suburbs, activity centres and urban renewal precincts.
- 78.26 The objective of clause 17.01-1S (Diversified economy) being to 'strengthen and diversify the economy'.
- 78.27 The amendment supports the following strategies under clause 17.01-1S (Diversified economy):
- 78.27.1 Protect and strengthen existing and planned employment areas and plan for new employment areas.
- 78.27.2 Facilitate growth in a range of employment sectors, including health, education, retail, tourism, knowledge industries and professional and technical services based on the emerging and existing strengths of each region.
- 78.27.3 Improve access to jobs closer to where people live
- 78.28 The amendment supports the following strategies under clause 17.02-1S (Business):
- 78.28.1 Ensure commercial facilities are aggregated and provide net community benefit in relation to their viability, accessibility and efficient use of infrastructure.
- 78.28.2 Locate commercial facilities in existing or planned activity centres.
- 78.29 The objective of clause 18.02-1S (Sustainable personal transport) being to 'promote the use of sustainable personal transport'.
- 78.30 The following strategies under clause 18.02-1S (Sustainable personal transport):
- 78.30.1 Ensure development and the planning for new suburbs, urban renewal precincts, greyfield redevelopment areas and transit-oriented development areas (such as railway stations) provide opportunities to promote more walking and cycling.

- 78.30.2 Encourage the use of walking and cycling by creating environments that are safe and attractive
- 78.31 The objective of clause 19.02-6S (Open space) being to 'establish, manage and improve a diverse and integrated network of public open space that meets the needs of the community'.
- 78.32 The following strategies under clause 19.02-6S (Open Space):
 - 78.32.1 Plan for regional and local open space networks for both recreation and conservation of natural and cultural environments.
 - 78.32.2 Ensure that land is set aside and developed in residential areas for local recreational use and to create pedestrian and bicycle links to commercial and community facilities.
 - 78.32.3 Create opportunities to enhance open space networks within and between settlements.
 - 78.32.4 Improve the quality and distribution of open space and ensure long-term protection.
 - 78.32.5 Ensure open space provision is fair and equitable with the aim of providing access that meets the needs of all members of the community, regardless of age, gender, ability or a person's location.
- 78.33 The following strategies under clause 19.02-6R (Open space – Metropolitan Melbourne):
 - 78.33.1 Develop a network of local open spaces that are accessible and of high-quality and include opportunities for new local open spaces through planning for urban redevelopment projects.

Local Planning Policy Framework

- 79. Strategic support is also found for the Amendment within Council's MSS. Specifically:
 - 79.1 Clause 21.03 (Vision) identifying the land as a strategic redevelopment site located within a Major Activity Centre.
 - 79.2 Clause 21.04-1 (Accommodation and Housing), specifically clause 21.04-1 (Accommodation and housing):
 - 79.2.1 Objective 1 seeking to accommodate increases in population.
 - 79.2.2 Strategy 1.2 directing higher density residential development to Strategic Redevelopment Sites identified at clause 21.08 and other sites identified through any structure plans or urban design frameworks.
 - 79.2.3 Objective 2 seeking to retain a diverse population and household structure.
 - 79.2.4 Objective 3 seeking to reduce potential amenity conflicts between residential and other use/.
 - 79.3 Clause 21.04-2 (Activity Centres), particularly:
 - 79.3.1 Objective 4 seeking to maintain a balance between local convenience and regional retail roles in Yarra's activity centres. In particular, the Amendment supports the following strategies; and

- 79.3.2 Objective 5 seeking to maintain the long-term viability of activity centres.
- 79.4 Clause 21.04-3 (Industry, Office and Commercial), particularly:
 - 79.4.1 Objective 8 seeking to increase the number and diversity of local employment opportunities.
 - 79.4.2 Strategy 8.1 supporting rezonings, as identified on the relevant Neighbourhood Map (Clause 21.08), to permit increased commercial and office use in existing industrial areas.
 - 79.4.3 Strategy 8.3 encouraging residential and business land use within the Mixed-Use Zone to locate on the same site.
 - 79.4.4 Strategy 8.5 supporting opportunities for new uses on isolated industrial sites provided they all reflect the predominant surrounding uses.
- 79.5 Clause 21.04-5 (Parks, Gardens and Public Open Space), particularly:
 - 79.5.1 Objective 13 seeking to provide an open space network that meets existing and future community needs.
- 79.6 Clause 21.05-1 (Heritage), specifically
 - 79.6.1 Objective 14 seeking to protect and enhance Yarra's heritage places.
 - 79.6.2 Strategy 14.2 seeking to support the restoration of heritage places.
- 79.7 Clause 21.05-2 (Urban Design)
 - 79.7.1 Objective 16 seeking to reinforce the existing urban framework of Yarra.
 - 79.7.2 Objective 17 seeking to retain Yarra's identity as a low-rise urban form with pockets of higher development.
 - 79.7.3 Strategy 17.2 stating development on strategic sites or within activity centres should generally be no more than 5-6 storeys unless it can be demonstrated that the proposal can achieve specific benefits such as:
 - (a) Significant upper level setbacks.
 - (b) Architectural design excellence.
 - (c) Best practice environmental sustainability objectives in design and construction.
 - (d) High quality restoration and adaptive re-use of heritage buildings.
 - (e) Positive contribution to the enhancement of the public domain.
 - (f) Provision of affordable housing.
 - 79.7.4 Objective 18 seeking to retain, enhance and extend Yarra's fine grain street pattern.
 - 79.7.5 Objective 19 seeking to create an inner-city environment with landscaped beauty.

- 79.7.6 Strategy 19.2 seeking to encourage opportunities for planting suitable trees and landscape areas in new development.
- 79.7.7 Strategy 19.3 seeking to encourage the retention of mature vegetation.
- 79.7.8 Objective 20 seeking to ensure that new development contributes positively to Yarra's urban fabric.
- 79.7.9 Strategy 20.1 seeking to ensure development is designed having regard to its urban context and specifically designed following a thorough analysis of the site, the neighbouring properties and its environs.
- 79.7.10 Objective 21 seeking to enhance the built form character of Yarra's activity centres.
- 79.7.11 Strategy 21.3 seeking to support new development that contributes to the consolidation and viability of existing activity centres.
- 79.8 Clause 21.05.3 (Built Form Character), specifically:
 - 79.8.1 Objective 27 seeking to improve the interface of development with the street in non-residential areas. Strategy 27.1: Allow flexibility in built form in areas with coarse urban grain (larger lots, fewer streets and lanes).
 - 79.8.2 Strategy 27.2 requiring new development to integrate with the public street system.
- 79.9 Clause 21.05-4 (Public Environment) specifically:
 - 79.9.1 Objective 28 seeking to provide a public environment that encourages community interaction and activity.
 - 79.9.2 Strategy 28.1 seeking to encourage universal access to all new public spaces and buildings.
 - 79.9.3 Strategy 28.2 seeking to ensure that buildings have a human scale at street level.
 - 79.9.4 Strategy 28.3 requiring buildings and public spaces to provide a safe and attractive public environment.
 - 79.9.5 Strategy 28.4 requiring new development to consider the opportunity to create public spaces as part of new development.
 - 79.9.6 Strategy 28.5 requiring new development to make a clear distinction between public and private spaces.
 - 79.9.7 Strategy 28.6 requiring new development to consider the creation of public access through large development sites, particularly those development sites adjacent to waterways, parkland or activity centres.
- 79.10 Clause 21.06-1 (Walking and cycling), particularly:
 - 79.10.1 Objective 30 seeking to provide safe and convenient pedestrian and bicycle environments.
 - 79.10.2 Strategy 30.1 seeking to improve pedestrian and cycling links in association with new development where possible.

- 79.11 Clause 21.06-3 (Public Transport), particularly:
- 79.11.1 Objective 31 seeking to facilitate public transport usage.
 - 79.11.2 Strategy 31.1 requiring new development that generates high numbers of trips to be easily accessible by public transport.
- 79.12 Clause 21.06-3 (Road system and Parking), specifically:
- 79.12.1 Objective 32 seeking to reduce the reliance on the private motor car.
 - 79.12.2 Strategy 32.2 requiring all new large developments to prepare and implement integrated transport plans to reduce the use of private cars and to encourage walking, cycling and public transport.
 - 79.12.3 Objective 33 seeking to reduce the impact of traffic.
 - 79.12.4 Strategy 33.1 seeking to ensure access arrangements maintain the safety and efficiency of the arterial and local road networks.
- 79.13 Clause 21.08 (Neighbourhoods)
- 79.13.1 This policy sets out the locally specific implementation of the objectives and strategies of clauses 21.04 to 21.07 for Yarra’s neighbourhoods. The subject site is located within the North Richmond (north of Bridge Road) neighbourhood. The Policy provides the following guidance:
 - *To the east of Burnley Street is an area of mixed industrial character with a pocket of low rise residential development. Given the proximity of this area to Victoria Gardens and the limited demand envisaged for the reuse of large industrial sites, there is potential for a wider range of employment uses including offices to locate in this precinct.*
 - Figure 21 within the Clause identifies an area which includes the subject site, suitable for a future rezoning to the mixed use zone.
- 79.14 Clause 22.11 (Victoria East Precinct Policy)
- 79.14.1 The policy applies to all land within the Victoria Street East Precinct and provides guidance for new development as the area transitions from previously industrial land to provide local employment and residential development opportunities in some areas.
 - 79.14.2 The land is identified in the Victoria Street East Precinct Framework Plan as “mixed uses”.
- 79.15 Clause 22.12 (Public Open Space Contributions), identifying the Land in an area where land contributions are preferred.

Amendment C269yara

80. At its ordinary meeting on 26 November 2019 Council resolved (among other things) to:
- 80.1 endorse the draft Municipal Planning Strategy, local policies and supporting documents as a basis for Amendment C269yara, subject to feedback from the public exhibition and any subsequent changes to the amendment;

- 80.2 seek authorisation from the Minister to prepare and exhibit Amendment C269yara to the Scheme in accordance with section 8A of the Act; and
- 80.3 if the Minister authorises Amendment C269yara, to undertake an extensive exhibition of it in accordance with Section 19 of the Act.
81. The amendment seeks to update the local policies in the Scheme by replacing the Municipal Strategic Statement (MSS) at clause 21 and Local Planning Policies at clause 22 of the Scheme with a Municipal Planning Strategy and local policies within the Planning Policy Framework (PPF).
82. Council has adopted a series of updated local policies relating to the Land including:
- 82.1 The following strategy under clause 11.06-6L (Victoria Street East Precinct):
- Improve Doonside Street as a major vehicular entry to Victoria Gardens and the area to the south
- 82.2 Identifying the Land in clause 16.01-2L (Location of residential development) as a 'high change' area.
- 82.3 Inserting a policy guideline under clause 16.01-4L (Housing Affordability) in the following terms:
- A requirement for a rezoning to residential use to provide a minimum of ten per cent of affordable housing.
83. Amendment C269yara is supported by a series of strategic documents including the *Activity Centre Roles and Boundaries Report October 2019*. The Report identifies the Land as part of the Victoria Street Major Activity Centre and provides the following explanation for its inclusion:¹⁷
- Burnley Street – Appleton / Doonside Streets. Remaining Industrial land (81-95 Burnley Street and 25 Doonside Street) is currently the subject of a rezoning to MUZ. This land is in Precinct 11 of the Victoria Street Structure Plan, adopted 2010, which is identified as a substantial change area and having the potential for mixed use development.
84. The following documents are proposed to be included as background documents (clause 72.08) in the Planning Scheme via Amendment C269yara
- 84.1 Victoria Street East Precinct Urban Design Framework November 2005;
- 84.2 Yarra Housing Strategy 2018;
- 84.3 Yarra Spatial Employment and Economic Strategy 2018; and
- 84.4 Yarra Social and Affordable Housing Strategy 2019.

Ministerial directions and planning practice notes:

44. The Amendment is consistent with the requirements of the following Ministerial directions:
- 44.1 Ministerial Direction on the Form and Content of Planning Schemes;
- 44.2 Ministerial Direction No. 1 – Potentially Contaminated Land;
- 44.3 Ministerial Direction No. 9 - Metropolitan Planning Strategy;
- 44.4 Ministerial Direction No. 11 – Strategic Assessment of Amendments; and

¹⁷ Page 28.

- 44.5 Ministerial Direction No. 15 – Planning Scheme Amendments.
- 45. The Amendment is also consistent with the following Planning Practice Notes:
 - 84.5 PPN10 Writing Schedules;
 - 84.6 PPN23 Applying the Incorporated Plan and Development Plan Overlays;
 - 84.7 PPN30 Potentially Contaminated Land; and
 - 84.8 PPN46 Strategic Assessment Guidelines.

KEY ISSUES RAISED IN SUBMISSIONS AND CHANGES TO AMENDMENT

- 46. A detailed summary of, and response to, the submissions received in response to exhibition forms part of to Council's meeting agenda dated 3 March 2020.
- 47. The key issues raised in the objecting submissions are summarised as:
 - 47.1.1 building heights;
 - 47.1.2 impact on property values;
 - 47.1.3 impact on views;
 - 47.1.4 adverse amenity impacts on neighbouring properties, including overlooking, insufficient buildings separation and overshadowing of surrounding streets and buildings;
 - 47.1.5 heritage;
 - 47.1.6 traffic and parking;
 - 47.1.7 public open space;
 - 47.1.8 affordable housing; and
 - 47.1.9 building materials and design.
- 48. Council will respond to these issues in its 'Part B' submission.
- 49. In November 2019, Council officers sought external comment from GJM Heritage, Traffix Group and MGS Architects to assist it in responding to submissions raising issues about heritage, traffic and parking and urban design.
- 50. In response to issues raised in submissions, Council's officers prepared a 'preferred version' of the DPO15 considered by Council at its ordinary meeting on 3 March 2020.
- 51. On 3 March 2020, Council considered the submissions together with the Council officers' response to submissions and the 'preferred version' of the DPO15, resolving to (among other things):
 - 51.1 note the Council officers' report in relation to the Amendment;
 - 51.2 receive and note submissions received following exhibiting the Amendment;
 - 51.3 note the Council officers' report responding to submissions received;

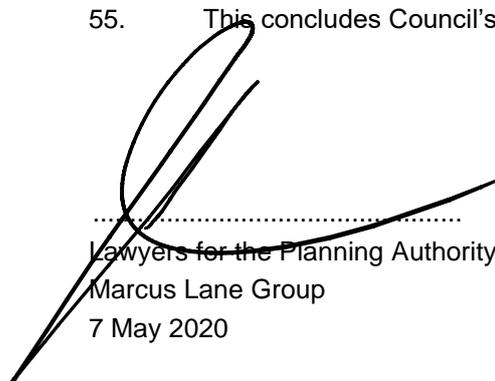
- 51.4 request the Minister appoint an independent Planning Panel to consider submissions received in respect of the Amendment under s 23 of the Act;
- 51.5 refer all submissions to a Panel;
- 51.6 in its submissions to the Panel, adopt a position of general support for the Amendment generally in accordance with the Council officers' response to submissions (including the 'preferred' DPO15); and
- 51.7 in its submission to Panel, adopt an advocacy position to increase the provision of open space proposed in the exhibited DDO15.

Changes to Amendment documentation proposed in response to submissions

- 52. Council pursues the Amendment as exhibited, save for the DPO15 control.
- 53. Council pursues the DPO15 in its 'preferred' form prepared by Council's officers in response to submissions received during exhibition of the Amendment and endorsed by Council at its ordinary meeting on 3 March 2020 subject to the following amendment proposed in accordance with Council's resolution¹⁸ to increase the provision of public open space to be provided through DPO15.
- 54. Council proposes inserting the following text under the heading 'Open Space and Landscape' in clause 4.2 of the 'preferred' DPO15:

A Public Open Space Report must be prepared by a suitably qualified expert that demonstrates where and how open space can be increased to meet the demand associated with the development, as part of the development plan.

- 55. This concludes Council's 'Part A' submission.



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Lawyers for the Planning Authority
Marcus Lane Group
7 May 2020

¹⁸ Also made on 3 March 2020.

ATTACHMENT A – CHRONOLOGY OF KEY EVENTS

Date	Event/Description
16 November 2005	Council prepares the <i>Victoria Street East Precinct, Richmond Urban Design Framework</i>
20 August 2008	Council resolves to prepare Amendment C99 to the Scheme excluding the Land at the request of the land owner.
18 August 2009	Council resolves to adopt Amendment C99 for part of the Doonside Precinct (excluding the Land).
2 November 2009	The Minister approves Amendment C99 to the Scheme.
20 April 2010	Council adopts the <i>Victoria Street Structure Plan</i> .
17 August 2016	Council receives a planning scheme amendment request from the Proponent to rezone the Land to MUZ and apply the DPO and EAO.
March 2017	Victorian Government release Plan Melbourne 2017-2050
26 September 2017	The <i>Planning and Building Legislation Amendment (Housing Affordability and Other Matters) Act 2017</i> comes into operation. The amendments to the Act provide a framework for councils and developers to enter into voluntary agreements for affordable housing.
21 November 2017	<p>Council adopts the <i>Policy Guidance Note: Affordable Housing at Significant Redevelopments (Policy Guideline Note)</i> outlining Council's expectations for affordable housing contributions.</p> <p>In the context of significant rezoning of commercial and industrial land to residential use, the Policy Guidance Note states developers are expected to provide at least 5% affordable housing at sites yielding 50 dwellings or more, and work with a registered housing association/provider to deliver affordable housing.</p>
19 December 2017	<p>Council resolves to (among other things) seek authorisation from the Minister to prepare the Amendment.</p> <p>At that meeting, Council also resolves to make changes to the proposed controls, specifically to:</p> <ul style="list-style-type: none"> • amend clause 1.1 of the DPO to replace '5 percent' with '10' percent'; • include additional wording in the DPO under the heading Green Travel Plan; • amend clause 3.1, paragraph 5 of the DPO to provide for best practice environmentally sustainable; and • pursue a section 173 agreement requiring 10% of the overall number of dwellings in the approved Development Plan as affordable housing in association with an accredited Housing Association.
10 January 2018	Council writes to the Department requesting authorisation to prepare the Amendment.

16 January 2018	EPA advises Council the proposed application of the EAO has been undertaken in accordance with <i>Ministerial Direction No. 1 – Potentially Contaminated Land</i> (Ministerial Direction No. 1).
19 February 2018	<p>The Minister grants conditional authorisation requiring:</p> <ul style="list-style-type: none"> • a housing diversity report to be prepared before exhibiting the Amendment to justify the 10% affordable housing contribution; and • the Amendment documentation to be in conformity with the Ministerial Direction on the Form and Content of Planning Schemes.
25 May 2018	Council's officers submit a housing diversity report prepared on behalf of the Proponent and updated Amendment documentation to the Department in accordance with the conditions of authorisation.
25 May 2018	The Department authorises Council to proceed in exhibiting the Amendment.
4 September 2018	Council adopts the <i>Yarra Spatial Economic and Employment Strategy</i> .
4 September 2018	Council adopts the <i>Yarra Housing Strategy</i> .
9 October 2018	<p>Before exhibiting the Amendment, the Proponent requests changes to the Amendment to accommodate additional commercial space for Harry the Hirer to expand the office / retail activities of the existing operation.</p> <p>Given the extent of the changes proposed, the Department advises Council it must seek re-authorisation for the Amendment.</p> <p>The Amendment in its exhibited form reflects the following changes made at the proponent's request before Council sought re-authorisation:</p> <ul style="list-style-type: none"> • increasing the minimum gross floor area provided for employment generating uses from 7,000sqm to 9,000sqm; • amending the Indicative Framework Plan to enable flexibility to accommodate additional employment generating uses; • including new clauses relating to infrastructure, and • amending the Housing affordability clause to allow for other mechanisms to deliver affordable housing to be considered by Council.
16 July 2019	<p>Council resolves to seek authorisation for the revised DPO15 subject to the following changes:</p> <ul style="list-style-type: none"> • remove 'Making other arrangements for the provision of affordable housing to the satisfaction of the Responsible Authority' from clause 1.1 and replace with 'making other arrangements for the provision of Affordable Housing as defined at section 3AA of the Planning and Environment Act to the satisfaction of the Responsible Authority'; • insert the word "on site" before "car share spaces" under the heading green travel plan in the DPO15; • insert the words "History and " before "Industrial past" in dot point 4 of the clause on heritage on pages 8-9 of the DPO15; and

	<ul style="list-style-type: none"> • should the Proponent propose to make other arrangements for the provision of affordable housing to the satisfaction of the Responsible Authority' in clause 1.1, the matter shall be referred to a public Council meeting for determination.
23 July 2019	Council writes to the Department requesting 're-authorisation' to prepare the Amendment.
9 August 2019	The Minister authorises the changes to the Amendment.
5 September 2019	Planning Panels Victoria confirm changes to pre-set panel dates.
19 September – 24 October 2019	Amendment C223 is formally exhibited.
12 November 2019	Council adopts the <i>Social and Affordable Housing Strategy</i> and resolves to update the Policy Guidance Note to increase the percentage of affordable housing from 5% to 10%.
3 March 2020	Council considers submissions resolving to request the Minister appoint an independent Planning Panel to consider submissions received in response to exhibition under s 23 of the Act.
21 April 2020	Directions hearing is held 'on the papers'.
18 May 2020	Panel hearing listed to start via videoconference.