

YARRA PLANNING SCHEME

AMENDMENT C238YARA

EXPLANATORY REPORT

Who is the planning authority?

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

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

Land affected by the Amendment

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

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

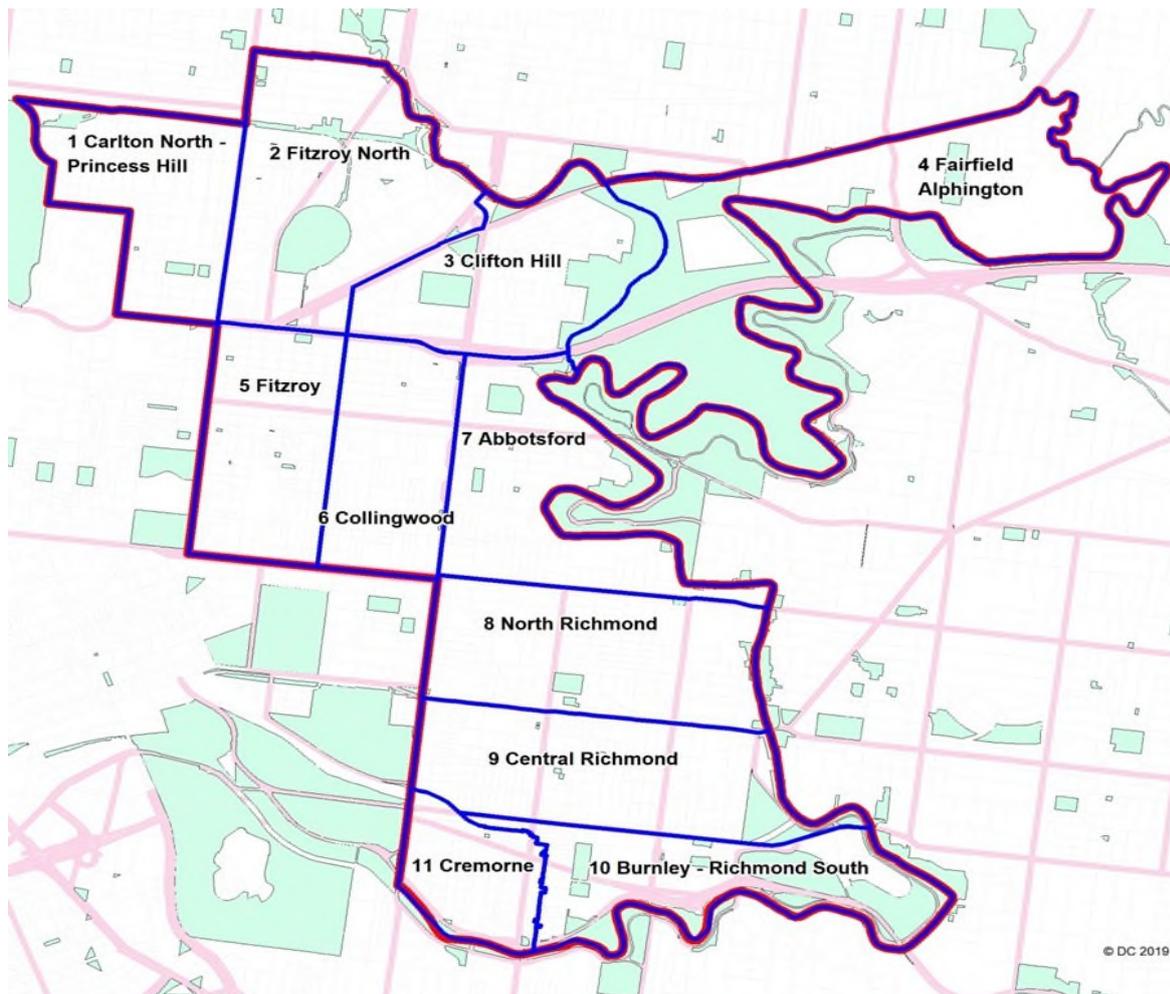


Figure 1: Subject Land

What the amendment does

The Amendment:

- Inserts a new Clause 45.06 Development Contributions Plan Overlay and a new Schedule 1 to the Clause 45.06 into the Yarra Planning Scheme.
- Amends the Schedule to Clause 72.03 to include new Planning Scheme Maps: 1DCPO1, 2DCPO1, 3DCPO1, 4DCPO1, 5DCPO1, 6DCPO1, 7DCPO1, 8DCPO1, 9DCPO1 into the Yarra Planning Scheme.
- Amends the Schedule to Clause 72.04 Schedule to incorporate the Yarra Development Contributions Plan 2017 (April 2019) into the Yarra Planning Scheme.

Strategic assessment of the Amendment

Why is the Amendment required?

The amendment implements the municipal-wide *Yarra Development Contributions Plan 2017 (April 2019)*. The Development Contributions Plan (DCP) imposes a development infrastructure levy and/or a community infrastructure levy to fund a range of social and physical infrastructure throughout the municipality. The DCP includes capital infrastructure projects such as roads, footpath, streetscape works as well as community infrastructure projects (for example- a community centre).

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

The DCP will provide certainty for Council, developers and the broader community about how and to what extent new residential, commercial and industrial developments will be levied to ensure the necessary infrastructure is delivered in a timely manner.

How does the amendment implement the objectives of planning in Victoria?

The amendment seeks to implement the following objectives set out at section 4 of the *Planning and Environment Act 1987*, to:

- (a) Provide for the fair, orderly, economic and sustainable use and development of land;
- (c) Secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;
- (e) Protect public utilities and other assets and enable the orderly provision and coordination of public utilities and other facilities for the benefit of the community;
- (f) Balance the present and future interests of all Victorians.

The amendment seeks to implement these objectives by:

- Providing a formal, lawful and equitable method to collect contributions for the provision of essential social and physical infrastructure;
- Providing certainty as to required development contributions; and
- Aiding the provision of necessary social and physical infrastructure throughout the municipality.

How does the amendment address any environmental, social and economic effects?

Social and economic effects

This amendment will ensure the equitable collection and distribution of development contributions throughout the municipality and provide for a significant financial contribution to community infrastructure required to service the local population.

Environmental effects

The amendment is also expected to result in positive environmental outcomes as it will fund new and upgraded drainage infrastructure.

Does the Amendment address relevant bushfire risk?

The land affected by the amendment is not located within an area of identified bushfire risk.

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

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

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

Clause 19 Infrastructure

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

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

The strategies to implement this objective are:

- Prepare development contributions plans and infrastructure contributions plans, under the Planning and Environment Act 1987, to manage contributions towards infrastructure.
- Collect development contributions on the basis of approved development and infrastructure contributions plans.
- Require annual reporting by collecting and development agencies to monitor the collection and expenditure of levies and the delivery of infrastructure.

The Development Contributions Guidelines (Department of Sustainability and Environment, June 2003 – as amended March 2007) were considered in the preparation of the DCP.

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

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

Clause 21.05-4 Public environment

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

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

Clause 21.06-1 Walking and cycling

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

Clause 21.07-3 Water quality

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

Clause 21.10 Future work

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

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

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

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

The views of the relevant agencies were sought through the formal exhibition process.

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

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

Resource and administrative costs

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

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

Where you may inspect this Amendment

The amendment can be inspected free of charge at the Yarra City Council website at www.yarracity.vic.gov.au/amendmentc238; or

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

Yarra City Council
Richmond Town Hall
333 Bridge Road
Richmond

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