



# **Ordinary Meeting of Council Agenda (abridged)**

**to be held on Tuesday 24 November 2015 at 7.00pm  
Fitzroy Town Hall**

**[www.yarracity.vic.gov.au](http://www.yarracity.vic.gov.au)**

## **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.”*

*“Yarra City Council acknowledges the Wurundjeri as the Traditional Owners of this country, pays tribute to all Aboriginal and Torres Strait Islander people in Yarra and gives respect to the Elders past and present.”*

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

Anticipated attendees:

### Councillors

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

### Council officers

- Vijaya Vaidyanath (Chief Executive Officer)
- Ivan Gilbert (Group Manager – CEO’s Office)
- Andrew Day (Director - Corporate, Business and Finance)
- Chris Leivers (Director - Community Wellbeing)
- Jane Waldo (Assistant Director - Planning and Place Making)
- Guy Wilson-Browne (Director – City Works and Assets)
- Mel Nikou (Governance Officer)

### Leave of absence

- Cr Misha Coleman

### 3. Council business reports

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## 11.3 Liveable Yarra

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Trim Record Number: D15/140913

Responsible Officer: Assistant Director Planning and Place Making

### Purpose

1. For Council to consider the advice of the Deliberative Panel as part of the Liveable Yarra project.

### Background

2. Council endorsed a Review of the Planning Scheme in October 2014. The Review identified a series of policy gaps and issues with the current Scheme.
3. Following the review, a program to Rewrite the Scheme was established. The overall Rewrite program is the subject of a separate report. This report focuses on the consultation and engagement undertaken as part of the Rewrite program.
4. Community consultation and engagement is required as part of the Rewrite. Traditional consultation and engagement approaches have a range of challenges, include the following:
  - (a) often a particular segment of the population participates, while significant parts of the population do not have their views and voices heard;
  - (b) those making submissions or participating do not often have the opportunity to hear the views and perspectives of others within the community; and
  - (c) the complexity of planning issues, and the challenge this presents to Council in decision making, is not readily apparent to those participating in the engagement activity.
5. These factors led to Council embarking on an alternative type of engagement process, one based on the principles of 'deliberative democracy'. *Liveable Yarra* was established to facilitate a different type of conversation with Yarra's community.

### Liveable Yarra Project overview

6. The *Liveable Yarra* project comprised several components: a series of Deliberative Forums, Targeted Workshops, Advisory Committee meetings and a Baseline Survey. Further information on all of these components is available in the summary report (**Attachment 1 - 3**).
7. **Deliberative Forums.** The flagship component of the program comprised a 'People's Panel' of 60 community members who came together four times in August and September to develop advice to Council on rewriting the Scheme.
  - (a) panel participants were selected to represent Yarra's broad and diverse community on factors including age, sex, ethnicity, English language proficiency, location, housing tenure and type;
  - (b) given the diversity of Panel participants, and the recruitment process used to appoint the Panel, Council can reasonably be sure the views of the group represent views of the broader community;
  - (c) the Panel were exposed to a suite of background information relating to the trends and issues on the four key policy topics via Background Papers. The policy areas included People and Housing, Business and Employment, Built Form and Access and Movement. These Papers were also provided to Councillors in July;
  - (d) the Panel were facilitated through a series of discussions where issues, potential solutions and trade-offs were discussed; and

- (e) one of the key products produced by the Panel is the draft Advice to Council. This is provided in **Attachment 1 - 3**. This attachment also includes a summary of the overall engagement process.
- 8. **Targeted workshops.** A series of targeted workshops were held for hard to reach groups, and those that faced barriers to participating in Forums. Their advice was made available to the Panel and presented in **Attachment 4 – Appendix C**.
- 9. **Advisory Committee** meetings. The project team visited each of Council’s 11 Advisory Committees to elicit key messages regarding the Schem Rewrite. The outcomes of this were provided to the Panel and presented in **Attachment 4 – Appendix B**.
- 10. **Baseline survey.** A survey of 800 Yarra residents was undertaken in May 2015 to better understand the diversity of views on key planning topics. Findings of this were presented to the Panel at the first workshop.

### Project Findings

- 11. The Panel developed a vision and a series of propositions over the course of the four forums for each of the four policy areas. This process involved Panel members sharing their diverse perspectives, views and values to arrive at draft propositions. The process also involved consideration of the implications (trade-offs) of various propositions, including their potential implications for other policy areas. The articulation of these trade-offs associated with the actions, as well as the benefits of the actions, are a crucial component of the Panel findings, as it represents the outcomes that the Panel, representative of the broader community, are prepared to accept.
- 12. A number of the propositions represent policy directions that deviate from current council policy. Together with the trade-offs articulated by the Panel, the collation of this intelligence from the community represents an opportunity for Council to guide a different conversation on the future liveability of Yarra.
- 13. Panel members articulated their level of support for these propositions in a voting process held at the fourth forum. Priority actions were also identified through this process. These are articulated on **Attachment 3**.
- 14. As well as the four policy areas, Panel members developed some draft advice on additional topic areas. This advice is less resolved but provides an indication of the views of the Panel on some additional topics.
- 15. As well as policy based advice, there were a number of key, process related themes that were consistently raised by the Panel through both informal and formal feedback processes. This insight can be taken on board in considering future community engagement activities. These include:
  - (a) Council is commended for undertaking this process, and hope that it aides the Strategic Planning team in the re-write process;
  - (b) the process has elucidated a fair representation of the diverse views of the community and an opportunity to share these different perspectives in a respectful environment;
  - (c) collaborative work between Council officers and community resulted in stronger outcomes for planning policy, better relationships and increased capacity to understand the perspectives and concerns of both groups;
  - (d) panel members are very proud of the city they live in, they hope to see a Planning Scheme that promotes and enhances all the elements they are proud of, such as the:
    - (i) Diversity of people and place, and sense of multiculturalism and community throughout;
    - (ii) Significant history, heritage and natural spaces of the local areas; and
    - (iii) Proximity and ease of access that living in Yarra affords – to the CBD or to access the night-time economy, sporting or cultural events; and

- (e) it is acknowledged that growth and change have been constant parts of the Yarra narrative, and that this will only continue as the area grows in popularity;
  - (f) whilst willing to accommodate growth and change, the Panel hopes Yarra City Council will manage this with same focus on multiculturalism, political activism and environmental consciousness that they are very proud of; and
  - (g) panel members invite the Council to be bold in setting the future course of the city and to continue to set the standards amongst its peers.
16. Overall feedback from the Panel has been positive. Many of the comments from the Panel indicated that the process:
- (a) was a great achievement by the City of Yarra, and many congratulated Council on investing in and running the process;
  - (b) was useful in terms of increasing their understanding of the complexity of Council's challenges, and the planning process;
  - (c) increased their awareness of the diversity of views that existed in the community; and
  - (d) was an important way of involving the community in the decision making that will affect the future of Yarra.

### **Engagement with Advisory Committees**

17. Council's Advisory Committees and the targeted forums (the Property industry workshop in particular) provided valuable insights and perspectives that were useful to the Panel in their deliberations.
18. There would be value in considering the advice of the Advisory Committees and Targeted workshops in the policy development process, and continuing to engage with these groups as part of the policy development process. Such an approach would contribute to robust, tested policy that is more likely to be successfully implemented.

### **Internal Consultation (One Yarra)**

19. Various parts of Council contributed to the Liveable Yarra project, particularly City Strategy, Advocacy and Engagement, Statutory Planning and Strategic Transport.
20. Eleven of Council's Advisory Committees were consulted, covering a range of Council branches and divisions and made possible with the support of staff across the organisation.

### **Financial Implications**

21. The project has required significant financial commitments from Council. This has been for consultant fees and various event management activities.
22. There will be significant policy work as part of Planning Scheme Rewrite project and this will also require financial support, which will be considered as part of Council's 2016/17 budget process.

### **Economic Implications**

23. Yarra's economy was one of the focus topics for the Panel, and a suite of advice relating to this was part of the Panel's final outcomes. This is presented in **Attachment 1 - 3**.
24. The Spatial Economic and Employment Strategy will provide a framework to realise Yarra's economic and employment growth opportunities and will incorporate the Panel's advice pending consideration by Council.

### **Sustainability Implications**

25. The sustainable design of housing was raised by the Panel. It will be considered in the policy development process pending Council consideration of the Panel's advice.

### **Social Implications**

26. Affordable and social housing was raised by the Panel. It will also be considered in policy development processes pending Council consideration of the Panel's advice.

### **Human Rights Implications**

27. The process has been a participatory one engaging a representative sample of people in the city.

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

28. CALD communities were among those consulted as part of targeted workshops (see **Attachment 1- 4**).
29. Further consultation as part of the Scheme Rewrite will also include CALD communities as necessary.

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

30. The '*completion of the Yarra Planning Scheme review and preparation of a revised Planning Scheme*' is a strategic indicator in the Council Plan under Strategic Objective 3: Making Yarra more liveable.

### **Legal Implications**

31. There are no known legal implications to the report.

### **Conclusion**

32. Council now needs to consider the views of the Liveable Yarra Panel.
33. The *Liveable Yarra* project process has been successfully completed. The outcomes of the process provide Council with an opportunity to develop policy that reflects the views, values and aspirations of Yarra's diverse community, and responds to the growth and change opportunities in a positive manner.
34. Prior to finalisation of various policies as part of the Planning Scheme Rewrite, the advice and sentiments of the Panel could be considered in a range of Council decision making, particularly relating to issues relating to managing growth and change.

### **RECOMMENDATION**

1. That Council:
  - (a) receive and note the advice provided by the Deliberative Panel as part of the Liveable Yarra project;
  - (b) write to the members of the Panel thanking them for their commitment to the Liveable Yarra project and for contributing their ideas for the future planning of Yarra; and
  - (c) supports the advice being used to inform the policy development process as part of the Yarra Planning Scheme Rewrite.

**CONTACT OFFICER:** David Walmsley  
**TITLE:** Manager City Strategy  
**TEL:** 9205 5350

### **Attachments**

- 1 Liveable Yarra Draft Engagement Report (Part 1)
- 2 Liveable Yarra Draft Engagement Report (Part 2)
- 3 Liveable Yarra Draft Engagement Report (Part 3)
- 4 Liveable Yarra Draft Engagement Report Appendices

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## 11.4 Planning Scheme Rewrite

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Trim Record Number: D15/140915

Responsible Officer: Assistant Director Planning and Place Making

### Purpose

1. To update Council on the Yarra Planning Scheme Rewrite Project, following the conclusion of the Liveable Yarra project (the major consultation and engagement phase of the Scheme Rewrite).

### Background

2. Council endorsed the Yarra Planning Scheme Review in October 2014. The Review identified a series of policy gaps and issues with the current Scheme.
3. Following the Review, a program to Rewrite the Scheme was established. The major consultation and engagement phase of the Scheme Rewrite, *Liveable Yarra*, has recently concluded and is the subject of a separate report. This report focuses on the overall program for the Planning Scheme Rewrite.
4. Planning is now underway, subject to Council consideration, to utilise the outcomes of the *Liveable Yarra* project as key inputs to the process of the Scheme Rewrite program.

### Issues Discussion

5. The Planning Scheme Review identified policy gaps in a number of key fundamental policy areas, and the Liveable Yarra project subsequently focused on these. Background papers were prepared on each topic.
  - (a) People and Housing;
  - (b) Business and Employment;
  - (c) Movement and Access; and
  - (d) Built Environment.
6. As part of the *Liveable Yarra* project, the People's Panel developed advice to Council on each of these topics. These are presented in the *Liveable Yarra* report and will be presented to Council for consideration in late November 2015 (see other items on this Agenda).
7. Policy projects on these topics will need to be undertaken and endorsed prior to proposing amendments to the Scheme. Subject to council consideration, these policy projects will incorporate advice from the People's Panel.
8. There may be topics that have come from the People's Panel that require some additional policy work to enable their integration into the Planning Scheme. These will be further identified following Council consideration of advice from the Panel.
9. Policy projects are currently being scoped to inform and integrate with the City Strategy work program.
10. Overall, the various policy projects will need to concurrently and iteratively develop a robust and evidence based strategy for how the projected level of growth and change in Yarra will be managed. Successful resolution of this will deliver significant benefits for the municipality, including:
  - (a) capacity to make defensible decisions relating to development in appropriate locations and with subsequent implications for resources;
  - (b) capacity to effectively advocate for required infrastructure and other investments; and
  - (c) informing any discussions relating to the finalisation of an updated Plan Melbourne.
11. To complete this overall growth management strategy, various projects will need to be developed in an integrated way. In particular:

- (a) a review of the existing built form policies within the Yarra Planning Scheme and the preparation of an *Activity Centres Built Form Analysis Review* will form a key component of the Built Environment work. It will need to occur iteratively with the development of a strategy to accommodate Yarra's housing growth and change as well as the spatial economic strategy. The *Activity Centre Built Form Analysis Review* will comprise a review and then development of principles to guide built form outcomes in the major activity centres. The implications on housing capacity of any principles for built form will need to be understood as part of this process; and
  - (b) *Understanding of housing capacity*. This work will inform the Built Form and Activity Centres Built Form Review, as well as the Spatial Economic and Employment Strategy. In particular, the role of housing in key economic precincts will be resolved through this process, which, overall, will set out a strategy for spatial economic activity in Yarra.
12. Timing of the major policy projects is anticipated as follows:
- (a) People and Housing Strategy – underway. It is anticipated that a Draft Strategy will be available for consideration in Q2 of 2016 and a Final Strategy in Q4. This will include an assessment of housing capacity options;
  - (b) Spatial Economic and Employment Strategy – underway. It is anticipated that a Draft Strategy will be available for consideration in early 2016;
  - (c) Built Form – currently being scoped:
    - (i) Stage 1: *Activity Centres Built Form Analysis Review* Project will depend on 2016/17 Budget process, but assuming a new initiative is successful, a draft of this work will be available for consideration in early 2017;
    - (ii) Stage 2: Mixed Use areas and other commercial areas. Using the methodology developed in Stage 1, the built form of mixed use and other commercial areas will be reviewed and principles developed to guide its growth and change. This will follow Stage 1 but depending on the Budget process may begin before Stage 1 is complete; and
    - (iii) Stage 3: remaining areas will reviewed and principles developed; and
  - (d) Transport. This is still being scoped. Further information will be provided at a later date.
13. Following additional resolution of the scope of these projects, the timing of potential draft Scheme Amendments will be identified.

### External Consultation

- 14. Consultation has been undertaken as part of the Liveable Yarra project. This is outlined in a separate report on this Agenda.
- 15. Additional external consultation will be undertaken as part of the Scheme Rewrite project:
  - (a) as part of the policy development process, particularly with Council's advisory committees; and
  - (b) through the statutory Planning Scheme Amendment process.
- 16. It is intended that a Reference Group be established to support the Scheme Rewrite. It is suggested that the initial Group comprise members of the People's Panel and that membership may be reviewed after 12 months. The experience of the Panel members in considering a diversity of perspectives and appreciating the complexity of planning issues is a crucial component of their role on the Reference Group. The Reference Group would be a valuable resource for officers in formulating draft policies for Council consideration.

### Internal Consultation (One Yarra)

- 17. Various parts of Council will need to be involved in the Scheme Rewrite, including City Strategy, Statutory Planning and Sustainability and Strategic Transport. An internal project group has been formed to support and coordinate the various projects.

18. Eleven of Council's Advisory Committees were consulted, covering a range of Council branches and divisions. Potential further involvement of relevant committees is outlined in the Liveable Yarra report.

### **Financial Implications**

19. Important policy work will require additional funds – in particular the Activity Centres Built Form Analysis. This will be part of a New Initiative funding bid for the 2016/17 budget cycle.

### **Economic Implications**

20. The Spatial Economic and Employment Strategy will provide a framework to realise Yarra's economic and employment growth opportunities. This will include consideration of major employment areas and the role of activity centres.

### **Sustainability Implications**

21. The sustainable design of housing was raised by the Panel. It will also be considered in the policy development process pending Council consideration of the Panel's advice.

### **Social Implications**

22. Affordable and social housing was raised by the Panel. It will be considered in policy development process pending Council consideration of the Panel's advice. This is proposed to include further investigation of options and parameters that Council could put in place to facilitate social and affordable housing.

### **Human Rights Implications**

23. There are no known human rights implications to this report.

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

24. CALD communities were among those consulted through targeted workshops as part of *Liveable Yarra* project (see Liveable Yarra report).
25. Further consultation on the Scheme Rewrite will include CALD communities as necessary.

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

26. The '*completion of the Yarra Planning Scheme review and preparation of a revised Planning Scheme*' is a strategic indicator in the Council Plan under Strategic Objective 3: Making Yarra more liveable.

### **Legal Implications**

27. There are no legal implications to this report.

### **Conclusion**

28. The Planning Scheme Rewrite Project necessitates a suite of important policy work. This needs to be finalised prior to proposing any amendments to the Scheme.
29. The content of the policy work will depend, to some extent, on council consideration of advice from the People's Panel as part of the *Liveable Yarra* project.
30. The timing of the policy work will also depend, to some extent, on budget decisions.

## **RECOMMENDATION**

1. That Council:
  - (a) notes the report on the Planning Scheme Rewrite program; and
  - (b) notes the proposed timing of processes and endorses the advancement of suite of policy work for the Planning Scheme Rewrite process.

**CONTACT OFFICER:** David Walmsley  
**TITLE:** Manager City Strategy  
**TEL:** 9205 5350

### **Attachments**

There are no attachments for this report.